



MINUTES OF COUNCIL MEETING
HELD ON 28 NOVEMBER 2000

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CITY OF JOONDALUP

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

OPEN AND WELCOME

The Mayor declared the meeting open at 1900 hrs.

ATTENDANCES

Mayor:

J BOMBAK, JP

Elected Members:

CR P KADAK	Lakeside Ward	<i>Absent from 2140 hrs to 2143 hrs</i>
Cr L A EWEN-CHAPPELL	Lakeside Ward	<i>Absent from 2138 hrs to 2145 hrs</i>
Cr D S CARLOS	Marina Ward	
Cr S P MAGYAR	Marina Ward	
Cr A T NIXON	North Coastal Ward	<i>Absent from 2146 hrs to 2148 hrs</i>
Cr J F HOLLYWOOD, JP	North Coastal Ward	<i>Absent from 2141 hrs to 2142 hrs</i>
Cr A A WALKER	Pinnaroo Ward	
Cr T BARNETT	South Ward	
Cr A W WIGHT, JP	South Ward	
Cr A L PATTERSON	South Coastal Ward	
Cr G KENWORTHY	South Coastal Ward	
Cr J A HURST	Whitfords Ward	
Cr C MACKINTOSH	Whitfords Ward	

Officers:

Chief Executive Officer:	L O DELAHAUNTY	
Director, Resource Management:	J TURKINGTON	
Director, Planning & Development:	C HIGHAM	
Director, Infrastructure Management:	D DJULBIC	<i>Absent from 2105 hrs to 2108 hrs</i>
Director, Community Development:	C HALL	<i>Absent from 2136 hrs to 2139 hrs</i>
Executive Manager, Strategic Planning:	R FISCHER	
Manager, Executive Services:	K ROBINSON	
Manager, Council Support Services:	M SMITH	
Manager, Ranger & Leisure Services:	M STANTON	<i>to 2133 hrs</i>
Publicity Officer:	L BRENNAN	
Committee Clerk:	L TAYLOR	

In Attendance

Mr M Casserly, CCS Strategic Management

to 2133 hrs

Cr Clive Robartson – President, Local Government Association

Cr Robartson stated it was a great pleasure to be here this evening, to share in the proceedings of the City's Council meeting. He congratulated the Mayor and Councillors on the City's recent Best Practice Award in Local Government. Congratulations were also offered to the community - this was a great achievement for Joondalup.

Cr Robartson advised that since August he had shared the role as the President of the Local Government Association. He gave an overview of the work of both the Local Government Association and the Western Australian Municipal Association, and stated the major project at present was working towards forming a single association of local government in Western Australia. Significant progress had been made towards forming that single association, bringing together the Local Government Association, the Country Shire Councils and the Country Urban Councils Association. At a recent seminar, models were looked at that could be presented for the single association and the way in which a future, remodelled Western Australia Municipal Association could be structured as servant to local governments in Western Australia. Cr Robartson thanked Council for their support and urged it to continue to work towards forming a single association, able to speak for Western Australia for Local Government. He referred to the days events and reiterated the point it was important that good Governance was carried out. For that to happen, good training, expert staff, and the ability to participate together were required, in sharing with the community to provide for them the governance and representation they deserved.

Cr Robartson thanked the Mayor for the hospitality extended to him this evening.

APOLOGIES AND LEAVE OF ABSENCE

Apology - Cr R Rowlands

Leave of Absence previously approved: - Cr T Barnett: 11 – 13 December 2000 inclusive

There were 23 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

The following question, submitted by Mr A Bryant, Craigie, was taken on notice at the Council meeting held on 14 November 2000:

Q1 With regard to Annual Rate notices 2000 - 2001, when may I expect a rate notice for my jointly owned property at 6A Stocker Court Craigie - Property No 154764: Lot 1 Strata Plan 8750? I received a rate notice for my property at 6B Stocker Court Craigie and paid my rates by cheque through the post on 24 August 2000. A cheque was sent for rates amounting to \$558 on 11 September 2000 for the property at 6A Stocker Court Craigie, an amount then estimated to be due. I assume this was the correct amount, but to date I have not received any rate notice.

A1 All rate notices were issued early August 2000.

Due to a clerical error the 2000/01 rate notice for 6B Stocker Court, Craigie was forwarded to one of the other joint owners of the property rather than Mr Allyn Bryant. This has now been corrected.

The following question, submitted by Mr R De Gruchy, was taken on notice at the Council meeting held on 14 November 2000:

Re: Item CJ290-10/00 – Tender of Leisure Centres

Q1 What is the total cost of staff wages for 1999 – 2000 for staff employed at:

- (a) Ocean Ridge Leisure Centre
- (b) Craigie Leisure Centre
- (c) Sorrento/Duncraig Leisure Centre

A1	(a) Ocean Ridge Leisure Centre	\$ 147,008
	(b) Craigie Leisure Centre	\$1,291,263
	(c) Sorrento/Duncraig Leisure Centre	\$ 248,318

These amounts include, salaries and wages, superannuation, annual leave provision, long service leave provision and workers compensation insurance.

The following questions were raised by Mr V Harman of Ocean Reef at the Special Electors Meeting held on 20 November 2000:

Q1 *Would the cost to the City to function all of the leisure centres for the current year be available?*

A1 The total expenditure in 1999/2000 was \$3.7 million across the three centres. The figure of \$819,601 referred to by Mr Stanton is the deficit for the operation of the three centres.

Q2 *How many cents does this represent on the rates?*

A2 Based on an average residential rate assessment, the amount would be approximately \$12.50 per property.

The following questions were submitted by Mr V Cusack of Kingsley:

Q1 *Did the City of Joondalup provide “specific”, “measurable”, “property surveillance and security” directly to property No 1223795, Lot 606, 2 Renegade Way, Kingsley WA 6026 during the period Thursday 1 July 1999 to Friday 30 June 2000 inclusive?*

- A1 No, there were no specific requests or referrals for service in relation to the property mentioned. However, there were normal patrols of the suburb of Kingsley conducted during the 1999/2000 financial year. A total of 220 graffiti tags were reported in 27 graffiti reports, 64 field reports of suspicious activities were recorded and a total of 206 requests for service for security related matters were made by the community. In addition, 60 infringements for various matters were issued in this area.
- Q2 *If such a “specific”, “measurable”, “property surveillance and security” was provided to my land during the period Thursday 1 July 1999 to 30 June 2000, what were the specific dates and times of day/night of such a measurable service?*
- A2 Refer to answer to question 1.
- Q3 *Is the City of Joondalup providing a “specific”, “measurable”, “property surveillance and security” directly to property No 123795, Lot 606, 2 Renegade Way, Kingsley WA 6026 for the current financial period which commenced on Saturday 1 July 2000 and ends on Sunday 30 June 2001 inclusive?*
- A3 No, there were no specific requests or referrals for service in relation to the property mentioned.
- Q4 *If such a “specific”. “measurable”, “property surveillance and security” is being provided to my land for the period Saturday 1 July 2000 and Sunday 30 June 2001 inclusive, what are the specific dates and times of day/night of such a measurable service?*
- A4 Refer to answer to question 3.
- Q5 (i) *For the financial year 1 July 1999 to 30 June 2000, did the security levy of \$27 equate to the specific cost of providing the security service delivery?*
- (ii) *If yes, can Council explain how there was \$320,864 over from last year and what was the total amount that the City of Joondalup received in grants for the “safer community programme” for the year 1 July 1999 to 30 June 2000?*
- A5 (i) No. The Safer Community Program 1999/2000 budget included revenues from the Security Charge and Government Grants:-

	\$	\$
Revenues		
Security Charge	1,480,982	
Government Grants	70,000	
	<hr/>	1,550,982
Expenditures		
Operating	1,230,118	1,230,118
	<hr/>	<u>\$320,864</u>
Surplus		

- (ii) There was an underspend against budget and additional revenue elements in the 1999/2000 financial year. Total grants for the Safer Community Program 1999/2000 were \$70,000.

Q6 With reference to the answer to my questions on 14 November labelled A3 (which sought clarification from my previous question on 8 November) the response by Director Resource Management was as follows:

“The amount carried forward from last year was \$320,864 as you rightly say. Added to that is the figure that the City levied this financial year. The total of those two amounts equate to the expenditure for this year 2000-2001.”

My question is, in the answer quoted above did the Director omit the State Government grant of \$120,734 for Security Patrols, and the Safer WA Grants of \$73,910 for the year 2000/01?

A6 Yes.

Q7 If yes, does Council still maintain that the security levy of \$27 in 1999/00 and the security service charge of \$27 in 2000/01 equate to the specific cost of providing the security service delivery?

A7 No. In 1999/2000 the aggregate of the \$27 Security Charge levied on properties plus the government grants received generated a surplus of \$320,864 over expenditures in this programme. This surplus was carried forward into 2000/01 to which was added budgeted grants totalling \$194,644 and the security charge of \$1,487,781. The total of these amounts is \$2,003,289, which equates to the budgeted cost of delivering the Safer Community Programme this year.

Q 8 Has Council allocated any money from the revenue raised from the security levy/charge between the period 1 July 1999 to date, for the upkeep, installation or repairs of “ordinary” street lights ?

A8 No.

Q 9 If yes, can Council provide full details of the total amount provided ?

A9 Refer to Question 8 answer.

Q10 (i) Does Council fully understand the “specific” requirements and conditions for the inclusion of prescribed services in the Local Government (Financial Management) Regulations 1996?

(ii) Does Council also fully understand the conditions inherent in Section 6.38 of the Local Government Act 1995 pertaining to those prescribed services?

A10 (i) Yes.

(ii) Yes.

Q11 If yes, can Council provide a detailed explanation to the public ratepayers as to how it did in 1999/00 and is currently meeting for the year 2000/01, the necessary requirements and conditions for the prescribed service of “property surveillance and security”?

A11 The City has previously received advice from its solicitor advising that it has fulfilled the necessary statutory requirements of the Local Government Act 1995, in relation to the Safer Community Program. The Local Government Department advised it did not intend to pursue further the service charge imposed. It was intending to review the regulation improving the imposition of this charge as part of the on-going review of the Local Government Act 1995. A full description of the Safer Community Program’s proposed expenditure for 2000/01 is outlined in the Budget Papers.

The following questions were submitted by R Gaff of Edgewater:

Q1 Why haven’t the people of Edgewater been given the same regard as other, less established areas when it comes to access to the Joondalup Shopping Centre and surrounding businesses:

*Connolly has footpath access via Hodges Drive
Joondalup has footpath access via Joondalup Drive
Currambine now has footpath access via Shenton Avenue*

Edgewater – access via the bush or the sandy verge or with the traffic on Joondalup Drive?

A1 The City advises that items have been included in the Capital Works Program for the provision of a path in Joondalup Drive. Due to budgetary constraints, however, the provision of this path has been staged. Stage 1 will be undertaken as part of the 2000/01 Capital Works Budget and will extend the existing dual use path from the Edith Cowan University entrance southwards to Treetop Drive. Stage 2 will extend the path further south to Wedgewood Drive.

The construction of Stage 1 is programmed for April 2001. The construction of Stage 2 would not be expected to commence before July/August 2001 subject to Council’s endorsement of the 2001/02 Capital Works Budget.

The extension of Lakeside Drive through to Joondalup Drive in the near future will also provide Edgewater residents with further pedestrian access to the city centre.

Main Roads WA constructed the path along the Mitchell Freeway as part of the Freeway extension works. The issue of access to this path will be investigated to determine whether better access can be provided.

The following questions were submitted by Mr V Harman of Ocean Reef:

Re: CJ325-11/00 - Minutes of Meeting of House Committee

A research of passed Council Minutes (Item FA165-09/97) showed that a further report was called for by Cr A Taylor and seconded by Cr L Ewen-Chappell re a modification to the Councillors’ Bar.

In Item FA176-10/97 para 5(a) approves the modifications to the Councillors' Bar within the Civic Building as outlined on Attachment 3 to Report FA1761-10/97. Para 5(c) authorises, in accordance with Section 6.8(1) of the Local Government Act 1995 the reallocation of \$12,800 from Account No 34699 (Modifications to Mobile Library Stopping Areas) for the purpose of modification to the Councillors' bar layout within the Civic Building.

Moved Cr A Taylor, Seconded Cr L Ewen-Chappell. Passed by Absolute Majority.

Q1 What would currently be an approximate cost for such a modification?

A1 The Construction Index has risen by approximately 11% between 1996 and 2000. You could reasonably apply this increase to the cost of the bar alterations. The cost would then be \$14,208. However, new quotes from the architects would need to be ascertained before a firm cost could be given.

Q2 Would this now have to include Goods and Services Tax (GST)?

A2 Yes - GST will have to be applied on top of this.

Q3 Why is Item CJ337-11/00 being considered before Item CJ338-11/00?

A3 There was no reasoning why Item CJ337-11/00 was listed before CJ338-11/00 for consideration for tonight's meeting. It may be assumed that if Item CJ337-11/00 is carried, then CJ338-11/00 may be lost, or vice versa.

Re: CJ348-11/00 - Iluka Structure Plan

At the Elected Members Briefing Session on Tuesday, 21 November 2000, Mr Darryl Butcher advised that the possible five storey building mentioned in the report might be located in a hollow.

Q4 How would it fit in the Height Envelope Policy?

A4 A structure plan such as that being advertised for Iluka can contain specific provisions relating to height that operate in place of Council's Height and Scale of Buildings Within a Residential Area policy. At this stage there are no such provisions in place but the developer is flagging the intention to incorporate such provisions at a future modification of the structure plan.

Q5 Could this create a precedent for future developers wishing to build along the foreshore or elsewhere in the City of Joondalup?

A5 There are already exceptions to the Height and Scale of Buildings Within a Residential Area policy in the City of Joondalup for the Joondalup City Centre and for Harbour Rise estate in Hillarys. The structure plans covering these areas both contain specific provisions relating to the height of buildings. These exceptions are not considered precedents but special cases addressing special circumstances. It is envisaged that the proposed Iluka centre could present another such circumstance.

Q6 Are Council now acknowledging that residents have a right to a view?

A6 The structure plan has been prepared by the developer and, as is often the case, there may be an attempt to maximise views across the site for commercial reasons. Generally, the consideration of views from a property is not accepted as a valid planning consideration in Western Australia. This situation is not considered to be changed in any way by the proposed Iluka structure plan.

The following questions were submitted by Angela Harman of Ocean Reef:

Re: CJ335-11/00 - Vesting of the Ocean Reef Boat Launching Facility

Q1 Before executing the Deed for vesting, are Council to seek compensation for the failure to provide rock armour (granite overlay) of the nominal size (7 tonne) as specified for the seawall work in the report by M Rogers?

A1 The work by M P Rogers identified a possible future maintenance need. The City cannot seek compensation as the Water Corporation undertook repair work on the southern groyne to a 20-year life standard of repair as specified by Department of Transport who were the approving authority.

Q2 Can a further recommendation be added to the effect that residents are consulted over any recommended development?

A2 The brief for the consultant team or joint venture partner will include undertaking a comprehensive consultative process and communications strategy, which would include the local community at appropriate stages.

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

Q1 Can the Council acknowledge and amend the errors in the 2000/2001 Budget and Five Year Plan, specifically the erroneous allocation of \$78,000 for bores in Wanbrow, Killen and Cinque Ports Parks, and the overblown inground costings. In discussion with the Manager Operations Services it has been clarified:

- Cinque Ports Park, costed at \$46,920, has been completed primarily at Main Roads' expense.*
- Wanbrow/Marri Park, an area of less than 1ha which is to be connected to an existing bore, has a costing of \$48,144, when the inground reticulation figure is set as \$9,500ha.*
- Killen and Sycamore Parks are each costed for a bore and a total of more than \$85,000, when in fact the total area of 1.27ha is to be linked to one bore.*

These errors have been pointed out in questions to Council on 22 August, 10 October and 27 October 2000 and have yet to be referred to the Dry Parks & Median/Verge Committee or addressed publicly.

Can the money be reallocated to the reticulation of two of the nine dry parks for which ratepayers have presented petitions.

A1 This information has been provided previously in correspondence to Mr Baird. The 2000/2001 Five Year Capital Works Program identifies Wanbrow Park with the description of installation of reticulation off Marri Park.

The description for parks listed in 2001/2002 included bores for Killen and Sycamore. One bore only will be required.

2001/2002 lists Cinque Ports and this park has been completed in conjunction with the 1999/2000 Hodges Drive works program. Adjustment to the Five Year Capital Works Program will occur as part of the annual budget submissions to Council.

Q2 *In line with question 1, can the Council put to tender and public scrutiny, the reticulation of dry parks and medians/verges, given the blatant errors in the present estimate process illustrated in the current 5 Year Plan, and the apparent casual attitude to their rectification. An accurate total costing by tender for each park project will also provide more information for the Dry Parks & Median/Verge Committee to evaluate the dollar value, which is the current basis of the priority 1 criteria.*

A2 Project works are undertaken via -

- (a) annual tenders for supply of goods and services;
- (b) specific project tender;
- (c) written quotation for projects between \$5,000-\$50,000.

Council's financial management system lists all projects and expenditures.

Q3 *If the Council is going to deviate from the programmes outlined and voted on in the Budget procedure, can such changes be done publicly and formally voted on. I refer to the bringing forward of the Cinque Ports Park development, listed for development in the 2001/2002 plan, and still under review by the Dry Parks & Median/Verge Committee as part of the overall review of selection criteria.*

A3 As advised by the Operations Manager, this project was funded from the Hodges Drive Roadworks Program. This park was previously irrigated, however the bore was affected by road drainage works resulting from the dual carriageway installation. All that has occurred was to reinstate what has previously existed.

Q4 *In the monthly Financial Report 31 October 2000 there is reference to an underspend of \$0.4 million partly "as a result of awaiting finalisation of the Dry Parks Programme, which has now been ratified".*

When did this ratification take place as no recommendation has emanated from the Dry Parks & Median Verge Committee to which it was referred, and there has been no Council vote recorded publicly.

A4 Council adopted the Capital Works Program at its Budget meeting dated 2 August 2000.

Q5 *In the City of Joondalup 1999/2000 Annual Report, there is a statement that “Infrastructure Management continues to work in partnership with the Community in delivering enhancements in landscaping standards - forming a Dry Parks Median & Verge Committee.”*

- *Is this the same Committee that was resurrected 13 June 2000 but only convened 9 August 2000, a week after the budget was voted on?*
- *Is this the same committee that is closed to the public, apart from individual invitation?*
- *Is this the same committee that hasn't presented minutes for Council confirmation since the meeting 29 August 2000?*
- *Is this the same committee that was unable to get a quorum on 21 September 2000, and has been unable to advance anything beyond a bus tour in the two subsequent meetings 19 October 2000 and 6 November 2000.*

A5 Infrastructure Management works with the community in various locations. The forming of a Dry Parks, Median & Verge Committee was a Council resolution.

Q6 *Considering the amount of money associated with the deliberations of this Dry Parks & Median/Verge Committee, close to 1 million dollars a year, and the fuzzy protestations of community partnership, can the following suggestions be given consideration:*

- *That the Council representatives attend meetings and start progressing the issues involved.*
- *That the Council advertise just what this committee is about, what the competing priorities are, and canvas for representation from the public.*
- *That the meetings be advertised and open to the public.*
- *That the minutes of the meetings be presented to Council within two weeks of the meeting date.*

A6 The Dry Parks, Median & Verge Committee has no delegated authority and all recommendations are referred to Council for authorisation, as per the Committee's Terms of Reference, therefore there is no formal requirement to have this committee open to the public.

However, members of the public with specialist knowledge of particular issues will be invited to attend meetings of the committee, as required, as will members of the public who have submitted an application for the Committee's consideration.

It is acknowledged that the minutes of the meetings dated 21 September and 19 October 2000 are outstanding and they have been included in the report to Council's meeting to be held on 19 December 2000.

Q7 *Can the very limiting terms of reference, which the Dry Park & Median/Verge Committee established August 2000 (ref1108.doc), be reviewed to reflect its expanded and ongoing role as the body that:*

- *considers all applications/proposals for landscaping and reticulation funding, existing and new, for dry parks and medians and verges.*

- *administers and reviews the selection criteria. The present objective 3.1.1 states that the committee will only administer the implementation and application of the criteria "in relation to new applications."*
- *establishes a genuine 'partnership' with the community to reflect what the ratepayers of the city see as the priorities and format for landscape enhancement.*

A7 At this point in time there are no plans to review the Committee's Terms of Reference.

Q8 *When the original development programme for dry park and associated median/verge development was established in 1997 there were no prescribed percentages for allocation of funding, the development of parks was the priority. All the bores and associated inground reticulation came from the same budget, for parks and roads, whether distributor or arterial. Why is a distinction in funding now being drawn between the enhancement of arterial roads and that of dry parks and adjoining roads? This is all the more anomalous given that:*

- *there is currently no Council record of public request (apart from Cr Kenworthy's media releases) for arterial road enhancement, and there are many petitions for the reticulation of dry parks.*
- *the small dry park allocation (\$353,000 this year) is funding bores as well as actual inground reticulation for arterial road enhancement, while an additional \$500,000 annually is being provided solely for arterial road enhancement.*

A8 There is no prescribed percentage allocation as all projects are assessed independently. Council allocated funding specifically for enhancement of arterial roads as part of the Capital Works Program 2000/2001. This was additional to the works programmed for dry parks, medians and verges.

Chief Executive Officer advised questions had been received late this afternoon from Mr and Mrs M O'Brien of Warwick in relation to CJ293-10/00 – Provision of Security and Patrol Service – Tender No 018-00/01. These included questions on the Chubb Security tender and the price of their contract, in addition to the options of being able to pay for the security costs out of rates as opposed to out of a security charge. (Attached letter from Local Government indicating the options available for Councils). In view of the late receipt of these questions, responses will be provided in the Agenda for the Council meeting scheduled to be held on 19 December 2000.

C72-11/00 SECOND PUBLIC QUESTION TIME – [36589]

MOVED Cr Magyar, SECONDED Cr Hollywood that, in accordance with Section 3.2 of Standing Orders, a second public question time prior to the formal closure of this meeting be permitted to allow those members of the public present to ask questions on decisions made by Council this evening.

The Motion was Put and

LOST

Mrs Cherie Wood of Craigie:

Re: Tender 072-99/00 - Craigie Leisure Centre in relation to Certificate of Title, Vol 3110, Folio 599.

Q1 Has the Council obtained in writing from the Minister for Lands, the approval for the proposed lease as required?

A1 Approval from the Minister for Lands is not required because Council already has power to lease at Craigie Leisure Centre.

Chief Executive Officer advised that without the vesting order he could not make comment except for the fact it is assumed the power to lease would form part of the lease agreement that is already in place. For some time the kiosk has been under lease, and it is assumed that would have had the approval of the Minister for Lands, for that to take place.

I am not quite sure whether Mrs Wood is referring to a Certificate of Title or an actual vesting order. If it is a vesting order we would be only too happy to talk to her and go through those details.

Q2 Where are the boundaries of the proposed area to be leased, as these are not shown on the Town Planning Map or the Certificate of Title?

A2 I would suggest it would be appropriate to meet Mrs Wood and show her on a map where the lease area is at the Craigie Leisure Centre in relation to Craigie open space.

Q3 How many square metres are the proposed extensions and where will the extensions be located on the building plan?

A3 The plans for any proposed extension to Craigie Leisure Centre have not been developed to date. At this stage, there is a proposal by RANS Management Group to do an extension for the health & fitness area but the extent of that development has not been finalised at this stage.

Q4 Does the lease include the carparks as well as the access roads?

A4 The lease will include the carpark area at Craigie Leisure Centre.

Mr A Bryant of Craigie:

- *On the white page of your agenda I asked a question at your Council Meeting held on 14 November 2000 referring to 6A Stocker Court. The answer provided relates to 6B Stocker Court. I believe that should read 6A Stocker Court, Craigie.*

This correction will be made.

Mr V Harman of Ocean Reef:

Re CJ325-11/00 - Minutes of the House Committee:

Q1 Are Councillors aware the bar was modelled on that in VIP Airport Lounges?

A1 That is correct. At the time the bar was designed, the concept was very similar to what you might find in an airport lounge for a particular airline.

Q2 Is Council aware of the cost saving of not having to pay overtime rates to a staff member?

A2 Yes.

Q3 Could the presence of a staff member lead to a breach of confidentiality from overheard conversations?

A3 Potentially.

Q4 In relation to the bar facilities, what sort of message is given to the community in relation to costs of approximately \$14,000 plus GST for proposed modifications when Council could not afford to support Granny Spiers Community House?

A4 The current bar does not appear to function efficiently. I do hear your point, could money best be spent elsewhere, it could be.

Mr R De Gruchy of Sorrento:

Re: CJ290-10/00 from 24 October 2000 and Item CJ337-11/00 being considered this evening in relation to the Tenders for the three Leisure Centres.

Q1 Has Section 3.59 of the Local Government Act 1995 been considered by Council now that the City is expecting to make a profit instead of a loss from the operation of the three Leisure Centres?

A1 The City is not expecting to make a profit from the operation of the three Leisure Centres by RANS Management Group. The projections that have been made in terms of the offer made by RANS, is that the Leisure Centres will still run at a loss in accordance with the Budget projections we have made to reflect their bid in terms of what it would mean for a Council Budget, but the loss is being minimised.

Chief Executive Officer advised Section 3.59 of the Local Government Act dealt with Commercial Enterprise by local Government, where Local Government gets involved in a major trading undertaking. I would suggest that section primarily deals with a commercial undertaking by a Local Government, that is not considered a core business. In this situation the running of the Centre could be considered normal core business and I do not understand the reasoning of Mr De Gruchy's question as to how he feels that that would either change how the Council have run the centres in the past, or how they propose to run them in the future. Perhaps he could clarify that?

Mr De Gruchy stated his understanding of the section of the Act is that if profits are being made (I must comment that I have not heard before that RANS are going to run at a loss) as far as I was aware there was supposedly \$2.25 million dollars over ten years being paid to the Council. In my mind that is a profit, and I believe that the book figures show at the moment that they are making a loss so you are transferring to a profit making venture and that involves Business Plans I understand, in addition to six weeks notification of the publishing of a Business Plan.

- Mayor Bombak sought clarification of the Chief Executive Officer that Section 3.59 of the Local Government Act would not apply in this instance.

Chief Executive Officer advised as he understood it, the lease and advice given to all Officers and the Consultant is being guided by the Council solicitors. The trading undertaking with a Business Plan has a plateau level, and in this situation the proposal does not meet this requirement. It is basically a commercial undertaking where Council is going out to start a Business where it is going to compete with a private enterprise area.

Q2 Is Council aware:

- (a) that the recent negotiations between RANS and City officials has resulted in a decrease in rent payable to the City over the first two years of \$60,990?*
- (b) is Council prepared to accept such a decrease in revenue before the Contract has been signed?*

A2 The reduction in rent is being disclosed in the report to Council that is being considered this evening, reflecting the reduction in rent as a result of the graduation in the introduction of fees that are being proposed by RANS to be introduced in March 2001 at Craigie Leisure Centre.

Q3 Is the Council aware that the subsidy to be paid to RANS for the use by juniors of Sorrento/Duncraig and Ocean Ridge Leisure Centres would amount to \$1.212 million dollars over ten years. When this is compared to the estimated amount of \$2.25 million dollars due as rent from RANS over the same period, it reduces the amount of anticipated revenue down to approximately \$1,000,000 and taking the redundancy payments of \$340,000 into consideration, you are left with a profit of \$660,000 to \$700,000, not \$2.25 million over a ten year period. The Consultants Report stated that the Craigie Leisure Centre could achieve a profit of \$60,000 – \$70,000 per year if left under the control of the City, so the City is no better off with RANS than they are with the present situation.

A3 I think Mr DeGruchy's argument is misleading. Firstly, if Mr DeGruchy wishes to factor in issues to do with redundancies etc, I think it is imperative that the 1.18 million dollars inclusive of interest, be factored into the equation. That issue aside, the current subsidy for juniors and seniors for the use of Centres, is already built into Council's Budget. That arrangement will not change as a result of RANS management of those facilities.

Mr M O'Brien of Warwick:

Q1 Referring to a question I put forward this evening in regards to one I asked at the Council Session on Tuesday 10 October 2000. In part the answer relating to 54(d) of the Local Government Act Financial Management Regulations, the Chief Executive Officer used the phrase "The Department feels it best practice that there is a flat rate". In light of the subsequent letter, (of which the Chief executive Officer has a copy) from the Minister responsible for the Department, in which no such reference is made of any feel of a flat tax as a priority over proportional tax. Will the Chief Executive Officer now apologise for misleading the question of the Councillors and the public in this matter on the 10th October 2000, because it is quite clear, that neither the Department, nor the Minister responsible for the Department, is not taking the point of view that one form of writing of a proportional tax has any lesser or more important position, than a proposition of flat tax, as the security surcharge?

A1 The letter that Mr O'Brien sent in does indicate by the Minister that the Council has an option with property surveillance and security service through their general rate or by imposing a service charge. If you believe the City of Joondalup has chosen the wrong option, I suggest that you continue to pursue the matter with your Council representative so that it can be reviewed prior to the next year's budget. I can only say that the reasons for me doing that is because the publications put forward in conjunction with the regulations, adopted with the new Local Government Act, laid down a number of categories under which a service charge could be undertaken, (for example bush fires). The reason for that is because it is felt that at a flat rate, everyone pays the same fee and it is fairer for people in this day and age for a user pay situation where the service is the same for most properties. The alternative for instance, is the security surveillance costs if it was kept in the rate is that it would be subsidised by those depending on their valuation and therefore the publications and the reason for those categories being included in the regulations, is because the Local Government Department felt that it was a better method of imposing a levy.

Mr V Cusack of Kingsley:

Q1 With reference to the new lighting on Cadogan Street Kingsley, outside the primary school, how were those lights funded, were they funded from general revenue or were they funded from some other programme?

A1 The lighting outside of the school in Cadogan Street was upgraded as a result of a request by the local Parents & Citizens Association. It was perceived to be an improvement on security in that area and it is my understanding it was funded from the Security Programme.

Q2 I will need to read the questionnaires I submitted again, as the question read, "Has Council allocated any money from the revenue raised from the security levy charge between the period 1 July 1999 to date, for the upkeep, installation or repairs of ordinary streetlights" and the answer given was no. So there is a discrepancy there?

A2 The purpose of the upgrading of the lighting was for security purposes. It was not for the purpose of improving the operational standing of the lights.

- Q3 *Can I resubmit the questions from No 10 to 11? In clarification, I believe the ratepayers have a right to be told how the City is meeting its requirements in relation to Section 6.38 and 54(d) of the Financial Management Regulations. I refer to the publication “Local Government Update, March 1999 which gives a list of requirements in relation to Section 6.38. It is stated in the answers that the City understands these regulations, yet it has not provided a detailed explanation to the ratepayers how they are currently meeting those requirements.*
- A3 If there is further clarification pertaining to those questions, I am more than happy to respond.

DECLARATIONS OF FINANCIAL/NON FINANCIAL INTEREST

Cr Hollywood declared a non-financial interest in Item CJ345-11/00 – Delegated Authority as he is building units next door to one of the applications listed at Joondalup North.

Cr Nixon declared a financial interest in Item CJ351-11/00 as he lives within close proximity to the Currabine Shopping Centre.

CONFIRMATION OF MINUTES

C73-11/00 MINUTES OF COUNCIL MEETING – 14 NOVEMBER 2000

MOVED Cr Mackintosh, SECONDED Cr Magyar that the Minutes of the Council Meeting held on 14 November 2000, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

FORMER CITY OF WANNEROO MAYORAL CHAIN

I must respond to the “open letter” from Wanneroo’s Deputy Mayor Salpietro about the Mayoral Chain of the former City of Wanneroo.

Firstly, I am most concerned that this matter has degenerated to its current level given that both the Cities of Joondalup and Wanneroo have both purchased new Mayoral chains.

Before this impasse, Wanneroo Mayor John Kelly co-operated in the spirit of the agreement and returned the chain after each use.

The agreement between both Mayors was in keeping with the Commissioners’ determination that the entire Heritage Collection was a regional resource, jointly owned, but with memorabilia including the Mayoral Chain under the care of the City of Joondalup, whilst the artifacts (or museum collections) are under the care of the City of Wanneroo.

The present City of Wanneroo should know the details of that determination and if they have any doubts, I suggest they seek advice on the matter.

It should be remembered:

- that the current City of Joondalup Administration Centre was the headquarters of the former City of Wanneroo for some twenty years;
- that Joondalup is a significant part of the history of the former City of Wanneroo;
- that City of Joondalup residents made a substantial contribution to the former City, including donations of artifacts, which are located in the new City of Wanneroo for example Buckingham House, Cockman House, and Gloucester Lodge;
- that the former City of Wanneroo was abolished in November 1997 and no longer exists.

The new City of Wanneroo is quite different and was only part of the former City of Wanneroo along with the City of Joondalup.

To enable us to progress this matter in a positive and constructive manner, I have asked John Kelly to return the chain as previously agreed.

As stated in my previous correspondence with Mayor Kelly, I would then be more than happy to meet with him to openly discuss the future of the entire Heritage Collection.

COASTAL DUAL USE PATH

The City is negotiating with the Water Corporation to allow the construction of the dual use path across their land to connect with the Ocean Reef Boat Harbour.

The coastal dual use path south of the boat harbour has been finished to the boundary fence of Water Corporation land.

When the final section of coastal dual use path is completed to Shenton Avenue (to tie into the existing path at Iluka), the City will have a continuous coastal dual use path of 16.5 km extending from Marmion to Burns Beach.

DISTRICT PLANNING SCHEME NO 2

Planning Minister, Graham Keirath was a guest of the City this morning to announce the City's District Planning Scheme No 2.

Overall, I believe the scheme contains the tools necessary for the City of Joondalup to move into its next phase of development.

A maturing of our suburbs moving forward and “creating communities” in line with our City motto “Creating the Future”.

GRANNY SPIERS OFFICIAL FAREWELL

An official farewell for Mary Stewart of Granny Spiers Community House will be held on Friday, 15 December 2000.

The function will be hosted by staff of Granny Spiers, with catering provided for by the City.

A presentation and official farewell will be held at 11am.

ENHANCED CITY WATCH SERVICE

The restructuring of Ranger Services will be completed this week.

This coincides with the enhanced City Watch Service, operational from this Monday. This enhanced service will provide a highly visible security presence within the City 24 hours a day, 7 days per week.

The operation of the service will be split between an internal group of City Watch Officers and a contracted component operated by Chubb Protective Services.

The 24 hour City Watch Hotline Number has not changed and the service can be contacted on 1300 655 860.

PETITIONS

C74-11/00 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 28 NOVEMBER 2000

1 PETITION REQUESTING THE CLOSURE OF THE PUBLIC ACCESSWAY BETWEEN BARRACUDA COURT AND LANCETT COURT, SORRENTO – [56123]

A 54-signature petition has been received from Sorrento residents requesting the closure of the public accessway between Barracuda Court and Lancett Court, Sorrento.

The petitioners list the following reasons for the request:

- vandalism;
- littering;
- toileting;
- anti-social behaviour.

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

2 PETITION REQUESTING PROVISION OF SKATEPARKS WITHIN THE SUBURB OF GREENWOOD – [05436] [01766] [06627] [08096]

A 61-signature petition has been received from residents within the City of Joondalup requesting consideration be given to the provision of skateparks within the suburb of Greenwood.

Suggestions for the location of these are:

Blackall Park, Blackall Drive, Greenwood
Warrigal Park, Warrigal Way, Greenwood
Kanangra Reserve, Kanangra Crescent, Greenwood

This petition will be referred to Community Development for action.

MOVED Cr Hurst, SECONDED Cr Patterson that the petitions:

- 1 **requesting the closure of the public accessway between Barracuda Court and Lancett Court, Sorrento;**
- 2 **requesting consideration be given to the provision of skateparks within the suburb of Greenwood;**

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

The Motion was Put and

CARRIED

FINANCE AND COMMUNITY DEVELOPMENT

CJ319 - 11/00 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [15876]

WARD - All

CJ001121_BRF.DOC:ITEM 1

SUMMARY

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 11.08.00 to 8.11.00:

Document:	Copyright Document
Parties:	City of Joondalup and City of Wanneroo
Description:	Reading of History – Joan Steele
Date:	11.8.00

- Document: Funding Agreement
Parties: City of Joondalup and Department of Health and Care
Description: Funding – Community Care Packages
Date: 17.8.00
- Document: Electronic Commerce Service
Parties: City of Joondalup, WA Fastpay and Salesnet
Description: Memorandum of Understanding
Date: 17.8.00
- Document: Withdrawal of Caveat
Parties: City of Joondalup, B Hall, V Bloor and J Donovan
Description: Land Transfer - Kingsley
Date: 21.8.00
- Document: Copyright Document
Parties: City of Joondalup, City of Wanneroo and Oral History Officer
Description: Recording of History – D Tyrrell
Date: 31.8.00
- Document: Contract Document
Parties: City of Joondalup and Asphaltech Pty Ltd
Description: Extension of Contract 034-99/00
Date: 31.8.00
- Document: Deed of Release and Settlement
Parties: City of Joondalup, City of Wanneroo and Anex Pty Ltd
Description: **finalisation and distribution of funds from development town planning scheme.**
Date: 20.9.00
- Document: Deed
Parties: City of Joondalup and City of Wanneroo
Description: District Planning Scheme No 2 (CJ262-09/00)
Date: 10.10.00
- Document: Agreement
Parties: City of Joondalup, Kyme Holdings and Australand Holdings
Description: Subdivision Protection – Lot 495/167 Grand Boulevard, Joondalup
Date: 11.10.00
- Document: Deed of Release
Parties: City of Joondalup and City of Wanneroo
Description: E J Brown - Brushfield
Date: 19.10.00
- Document: Restrictive Covenant
Parties: City of Joondalup and Joondel Developments
Description: Lots 914, 915, 916, 917, 918 and 919 Grand Boulevard, Joondalup
Date: 19.10.00

Document: Copyright Document
Parties: City of Joondalup and City of Wanneroo
Description: Local Studies, Oral History – Adolf Westergerling
Date: 30.10.00

Document: Copyright Document
Parties: City of Joondalup and City of Wanneroo
Description: Local Studies, Oral History – Francis Hamilton
Date: 2.11.00

Document: Copyright Document
Parties: City of Joondalup and City of Wanneroo
Description: Local Studies, Oral History – Aboriginal Seniors Centre
Date: 2.11.00

Document: Copyright Document
Parties: City of Joondalup and City of Wanneroo
Description: Local Studies, Oral History – Lena Spee
Date: 2.11.00

MOVED Cr Maygar, SECONDED Cr Walker that the Schedule of Documents executed by means of affixing the Common Seal be NOTED.

The Motion was Put and

CARRIED

**CJ320 - 11/00 CHANGE TO START TIME FOR BRIEFING SESSION
12 DECEMBER 2000 - [08122] [23184] [02154]**

WARD - All

SUMMARY

It is anticipated that there will be a number of items that will require consideration by the Council at its December round of meetings. In an effort to better utilise the time allocated at the 12 December 2000 briefing session, that the commencement time be altered from 7.00 pm to 6.00 pm and advertised accordingly.

BACKGROUND

The Council at its ordinary meeting held on 11 July 2000 agreed to hold two informal briefing sessions per month, on the first and third Tuesday of each month, commencing at 7.00 pm.

Upon recommendation from the House Committee, the Council at its meeting held on 24 October 2000 resolved to alter the commencement time of the briefing sessions from 7.00 pm to 6.00 pm, as from February 2001.

DETAILS

As the Council has carried a resolution on the start time of the briefing sessions and given local public notice, if the Council wishes to alter that, a motion of the Council is required to amend its decision of 11 July 2000.

COMMENTS

Due to the number of items that the Council is required to consider at its meeting held on 28 November 2000, and the likelihood of the agenda being of similar size for the Council meeting scheduled for 19 December 2000, it is suggested that the commencement time for the December briefing session to be held on 12 December 2000 be altered from 7.00 pm to 6.00 pm. This change in time shall also be advertised accordingly.

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

- 1 AGREES to amend its decision of 11 July 2000 by altering the commencement time of the briefing session scheduled to be held on 12 December from 7.00 pm to 6.00 pm;**
- 2 GIVES local public notice of the change in meeting time as detailed in (1) above.**

The Motion was Put and

CARRIED

CJ321 - 11/00 CITY OF JOONDALUP MAY 2001 ORDINARY ELECTIONS - [58061] [29068]

WARD - All

CJ001121_BRF.DOC:ITEM 2

SUMMARY

Following the decision of the Council at its meeting held on 10 October 2000, the City has received a letter from the Western Australian Electoral Commissioner agreeing to conduct the upcoming May 2001 postal vote elections.

Funds have been made available in this year's budget and therefore this report recommends that Council reaffirms its decision of 10 October 2000 to hold the May 2001 elections as a postal election and have the Western Australian Electoral Commission conduct the elections.

BACKGROUND

At its ordinary meeting held on 10 October 2000 (CJ264-10/00 refers) Council resolved to:

- “1 AGREE to hold the elections for the City of Joondalup on Saturday, 5 May 2001;***
- 2 REQUEST the Western Australian Electoral Commission to conduct the May 2001 elections and referendum on behalf of the City of Joondalup as a postal election.***

It was decided that the May 2001 elections would be postal, incorporate a referendum and be conducted by the Western Australian Electoral Commission on behalf of the City.

The inaugural elections held in December 1999 were conducted as a postal election. The costs of the inaugural elections were \$174 064.35, which equates to approximately \$1.80 per elector.

DETAILS

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

Legislative Requirements

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

As the City has decided to conduct the 2001 ordinary elections as a “postal election” and the Electoral Commissioner has agreed, section 4.61 requires the following conditions be complied with:

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

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

- (4) *A local government may having first obtained the written agreement of the Electoral Commissioner, declare the Electoral Commissioner to be responsible for the conduct of an election and if such declaration is made, the Electoral Commission is to appoint a person to be the Returning Officer of the local government for the election.”*

Now that the Electoral Commissioner has given his written agreement, the Council needs to reaffirm its decision to conduct the May 2001 election as a 'postal election'.

Electoral Roll

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

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

Electoral Commission

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

- The election is conducted by professional staff appointed for that sole purpose;
- The election is overseen by an independent service provider with an in depth experience and adequate resources to perform the task;
- The appointment of the Electoral Commissioner to manage Local Government Elections removes any conflict of interest that may exist between elected members and the Returning Officer (which has been traditionally the Chief Executive Officer) and other local government officers appointed for the election.
- As a result of the Council's decision to conduct a referendum on the future of the City's security service, a cost estimate was sought from the WAEC, for it to conduct a referendum as part of the May 2001 election. As previously advised, the only involvement the WAEC will have with the referendum will be the issuing and counting of the papers. The associated promotional material and community awareness would be undertaken by the City and has not been costed at this stage.

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

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

Included in the estimate is:

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

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

Items not included in the estimate are:

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

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

COMMENT/FUNDING

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

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

It is therefore recommended that Council reaffirms its decision made on 10th October 2000 to hold the 2001 elections and referendum and have the Western Australian Electoral Commission to conduct it by postal vote.

Account No:	11 05 05 056 F114 0001
Budget Item:	Elections
Budget Amount:	\$200,000
Actual Cost:	\$205,000

MOVED Cr Ewen-Chappell, SECONDED Cr Walker that Council REAFFIRMS its decision made on 10 October 2000 to:

- 1 CONDUCT the May 2001 ordinary election and referendum as a ‘postal election’;**
- 2 MAKE the Western Australian Electoral Commissioner responsible for the conduct of the election as detailed in (1) above.**

The Motion was Put and

CARRIED

**CJ322 - 11/00 COUNCIL REFERENDUM – CITY WATCH SERVICE
- [39870]**

WARD - All

CJ001121_BRF.DOC:ITEM 3

SUMMARY

The purpose of this report is to provide information for the Council to consider for the forthcoming referendum on the issue of the City’s City Watch Service, which forms part of the City of Joondalup Safer Community Program.

It is recommended to appoint an independent consultant to provide a paper and related questions for the referendum to be submitted to the Council for consideration.

BACKGROUND

At its meeting held on 12th September 2000 (CJ231-09/00 refers) Council resolved to:

- “1 APPROVE the Security and Surveillance Operation and implementation Plan as discussed in this report that forms part of the City’s Safer Community Program for the provision of the City Watch;**
- 2 ENDORSE a review of the City Watch Service in order to determine community views prior to the end of the financial year by:**
 - (i) conducting a referendum of electors during the May 2001 election for the City;”**

Council approved a security and surveillance (City Watch) operation and implementation plan to 30th June 2001 and also endorsed a review of the City Watch Service in order to determine community views prior to the end of the financial year by conducting a referendum of electors during the May 2001 election for the City.

Following this at a recent meeting held on 10 October 2000 (CJ264-10/00 refers) Council resolved to:

- “1 AGREE to hold the elections for the City of Joondalup on Saturday, 5 May 2001;**
- 2 REQUEST the Western Australian Electoral Commission to conduct the May 2001 elections and referendum on behalf of the City of Joondalup as a postal election.**
- 3 REQUEST a further report be submitted to Council by the end of November 2000 detailing more information relating to the proposed referendum on the City’s security service proposed to be held in conjunction with the May 2001 elections, with a view to the Council administration staff having responsibility for ultimately framing the referendum question.”**

Council resolved to request a further report detailing more information relating to the proposed referendum on the City’s security service proposed to be held in conjunction with the May 2001 elections, with a view to the Council administration staff having responsibility for ultimately framing the referendum question. In addition Council resolved to have the report submitted to the Council by the end of November 2000.

DETAILS

Section 88 of the Local Government (Elections) Regulations 1997 allows for the power for Council to hold a referendum in conjunction with an election. These regulations state that where possible, the regulations governing the conduct of an election must be complied with when conducting a referendum, including such things as ensuring accurate electoral rolls are available within required deadlines etc.

The regulations do not determine if the results of a referendum are binding or not. This is a decision that the Council may decide, either prior to the referendum or decide the future of the service following receipt of the results of the referendum.

A referendum, by definition, is a vote by ALL voters on a question whereby electors are simply required to vote either “yes” or “no” in response to one or more questions. However it should be noted that Local Government elections are not compulsory to electors to vote and it is not known at this point in time if there will be an election in each of the Council Wards at the forthcoming May 2001 election.

The Council has resolved to request the Western Australian Electoral Commission (WAEC) to conduct the May 2001 elections and referendum on behalf of the City of Joondalup as a postal election. As part of this election process the Council will be required to provide the WAEC with an “information sheet” or similar communication on the subject of the referendum. This in turn will set out the case for the “for” and “against” the issue to form part of the overall information package provided by the WAEC to registered electors of the City.

In this case the issue will be whether to continue with the City Watch Service following the community” views on the matter, in accordance with the Council resolution made on 12th September 2000.

COMMENT/FUNDING

For the purpose of providing such information to the community it will be necessary to have an independent person from the Council to establish the case for both sides of the topic. By using an independent party the Council and Officers will be distant to any criticism or bias that may be open to scrutiny and given to the case.

The most recent Local Government Referendum that has taken place was the referendum held by the City of Perth on the issue as to whether or not the electors agreed with the City of Perth supporting the staging of the Gay and Lesbian Parade. This particular referendum, which was an extraordinary postal vote election, was conducted by the Western Australian Electoral Commission in total, with the exception of an information sheet provided by the City of Perth.

However, given recent debates on the security issue both within Council and by some members of the community, it is recommended that information provided to the electors outlining the “for “ and “against” case be carried out by a person independent to Council. Initial discussions have taken place with representatives of the Australian Electoral Commission (AEC) and the Western Australian Electoral Commission (WAEC) has not provided any suggestions to assist.

In accordance with the most recent decisions of the Council, the administration will prepare the overview for the cases ‘for’ and ‘against’. It is then intended to be drafted by an independent person and then referred to the Council in February 2001 for consideration.

OFFICER’S RECOMMENDATION: That Council REQUESTS a further report be submitted to Council in February 2001 to seek approval of the statement and provide further information on the schedule of events for advertising and publicity dates in the lead up to the May 2001 Council election and referendum.

MOVED Cr Magyar, SECONDED Cr Nixon that Council:

- 1 REQUESTS a further report be submitted to Council in February 2001 to seek approval of the statement and provide further information on the schedule of events for advertising and publicity dates in the lead up to the May 2001 Council election and referendum;
- 2 RESOLVES that:
 - (a) the referendum question should be framed in the positive;
 - (b) for the referendum to be successful at least 50% plus one of the electors must vote and that at least 50% plus one of the eligible votes in the referendum must support the motion of the referendum.

Discussion ensued.

MOVED Cr Ewen-Chappell, SECONDED Cr Magyar that the Motion be Put.

CARRIED

The Motion was Put and

LOST

MOVED Cr Wight, SECONDED Cr Barnett that Council REQUESTS a further report be submitted to Council in February 2001 to seek approval of the statement and provide further information on the schedule of events for advertising and publicity dates in the lead up to the May 2001 Council election and referendum.

The Motion was Put and

CARRIED

Cr Ewen-Chappell requested her name be recorded as voting against the resolution.

**CJ323 - 11/00 CITY OF STIRLING COUNCILLOR EION MARTIN
INQUIRY - [06177]**

WARD - All

CJ001121_BRF.DOC:ITEM 4

SUMMARY

The purpose of this report is to summarise and provide information on the findings and issues raised by the Authorised Inquiry into the conduct of Councillor Eion Martin of the City of Stirling (Martin Inquiry). More specifically, the report aims to identify any matters that could be of interest to the City of Joondalup and relevant to local government generally.

BACKGROUND

An authorised inquiry was initiated by the Executive Director of Local Government, into several actions of Councillor Eion Martin, an elected member of the Council of the City of Stirling. The inquiry was initiated in response to information provided to the Minister for Local Government and Department of Local Government.

The authorised inquiry was conducted by Mr Jason Banks, Senior Monitoring and Investigations Officer from the Department of Local Government. Details of the inquiry and its findings are outlined in a single volume report dated August 2000.

While the matters investigated and reported on relate specifically to the actions of Councillor Martin, plus practices and procedures applied at the City of Stirling, it is a likely outcome that follow up action will include strengthening of the codes of conduct that apply to local governments generally. It was also considered that other local governments could learn from the Martin Inquiry.

A review of the procedures that apply to the areas of concern raised in the Martin Inquiry would be the minimum expectation for local governments to undertake.

DETAILS

In broad terms, the Martin Inquiry was initiated as a result of complaints and concerns with:

- (A) the conduct of Councillor Eion Martin and;
- (B) potential deficiencies of the City of Stirling relating to:
 - (1) the application of City policies by staff;
 - (2) the City's Code of Conduct in not clearly defining Councillor conduct;
 - (3) the handling of complaints in an impartial manner;
 - (4) recording decisions of meetings which differ from recommendations and;
 - (5) procedures governing access to Council information and officers in relation to a matter by elected members who are required to disclose an interest in the matter.

Inquiry Findings

Findings of improper conduct have been made against Councillor Martin in relation to him using his office of Councillor to gain a personal benefit and mislead owners of other properties. The five findings against him have been summarised as:

- (i) Cr Martin acted predominantly in his own interest and not solely in the role of Councillor when present during a site inspection by City officers;
- (ii) Cr Martin represented to a land owner that the City would enforce a specific maximum finished floor level when knowing it not to be true;
- (iii) Cr Martin being a party to using a Council process as a tool for private negotiations and having the City represent to ratepayers and electors facts he knew not to be true;
- (iv) Cr Martin, at a Council dinner immediately prior to a meeting, influenced another Councillor to move a motion on a matter in which he was required to disclose a financial interest at that meeting; and
- (v) Cr Martin, immediately prior to a meeting, provided persuasive material to other Councillors relating to a matter in which he was required to disclose a financial interest at that meeting.

Each of the findings against Cr Martin relate to his actions concerning sub division, development and building on land that Cr Martin had either a direct financial interest or a personal interest by being closely associated to a person involved in a property.

Inquiry recommendations

The report of the inquiry outlined fourteen recommendations suggesting various actions for the City of Stirling to take in the interests of avoiding similar difficulties in the future. Each of these recommendations has been outlined and assessed in this report. Where recommendations relate to similar matters such as procedures or the Stirling's Code of Conduct, these recommendations have been outlined together. Matters relating to single issues have been outlined first.

Recording development conditions for specific areas of land

Recommendation 4 of the report reads as follows:

“The City of Stirling adopt policies requiring that, in applying development conditions to specific areas of land within its boundaries, the conditions are recorded so that they are readily available to parties likely to be affected by the condition, such as potential purchasers of the land.”

The City of Joondalup already practices this procedure and therefore it is not considered necessary to take further action in this regard.

Anti Corruption Commission Act 1988

Recommendation number 12 of the report of the inquiry has highlighted the requirement of Section 14 of the Anti Corruption Commission Act, for the Chief Executive Officer of a local government to report to the Commission any matter:

- (a) which that person suspects on reasonable grounds concerns or may concern corrupt conduct, criminal conduct, criminal involvement or serious improper conduct; and
- (b) which in the case of the reporting officer, is of concern to that person in his or her official capacity.

On reviewing Section 14 of the Anti Corruption Act 1988, it is clear that the Chief Executive Officer, as reporting officer of the local government corporation, does not have to have evidence of any corrupt conduct, criminal conduct, criminal involvement or serious improper conduct, but simply have suspicions on reasonable grounds, before reporting the matter to the Anti Corruption Commission. The onus of responsibility is on the Chief Executive Officer to report any such matter, not to investigate it. On receiving a report, it is then up to the Anti Corruption Commission to investigate and determine if there is any substance to the Chief Executive Officer’s suspicions.

Recording Decisions that are Different from Recommendations

Recommendation 8 is that, where elected members have disclosed an interest in a matter and the decision made by Council is different from the recommendation, then the Chief Executive Officer of the City of Stirling ensure that the reasons for making that decision are minuted as required by the regulations.

This requirement is basically outlined in Local Government Administration Regulation 11 (da). Providing an explanation is aimed at aiding the understanding as to why a local government has made the decision it did, when the report and recommendation being considered at the time, were most likely leading to a different recommendation.

Code of Conduct

Of the fourteen recommendations of the report of the inquiry, six related to the City of Stirling’s Code of Conduct. One recommendation is for consideration to be given to amending their code of conduct and the other five, that the code of conduct be amended. Details of these are listed under the recommendation numbers as they appear in the inquiry report. They are:

- (5) The City of Stirling gives consideration to:
- Requiring through its code of conduct, that elected members use third parties where practicable to have their personal dealings with the city attended to, and
 - When required to deal with the city in person, elected members disclose to the city staff the capacity in which they are acting.

The City of Stirling amend its Code of Conduct to make it improper for:

- (7) elected members to expect a heightened response from the city's officers in relation to complaints they make about matters in which the elected member or a person closely associated to them has an interest.
- (9) *elected members or officers, who hold a financial or other personal interest in an agenda item, to discuss that item with the other elected members at gatherings of council prior to a meeting at which the agenda will be presented.*
- (11) documents that do not form part of the records of council, from being used in the decision making process and to prevent elected members providing unrecorded information in matters in which they later disclose an interest.
- (13) persons in their capacities of elected members or employees to access information relating to a matter in which they may have a personal or financial interest.
- (14) persons in their capacities of elected members or employees to have access to council officers who are dealing with a matter in which the elected member or employee may have a personal or financial interest.

The City of Cockburn Inquiry raised several matters relating to local government's codes of conduct that have been identified and referred to in the Martin Inquiry. It should be remembered that Codes of Conduct are statements of expectation of the ethical behaviour considered appropriate for members of particular office or position to abide by. The voluntary compliance with a code of conduct by an individual, is a demonstration of that person's professional morals and ethics.

Codes of Conduct are open to subjective, broad interpretation and application. They are based on intangibles, ideals, opinions, fairness, attitudes and viewpoints. The complexity of codes of conduct and whether or not a person has complied with a particular requirement is not always clear or uncomplicated. However in most instances, it should be easy to determine what is ethical action and appropriate behaviour.

New Operational Procedures

Five of the recommendations related to introduction of new operational procedures. Like those recommendations that related to the code of conduct, those that relate to operational procedures have been reproduced under the recommendation numbers as they appear in the inquiry report. They are:

The Chief Executive Officer of the City of Stirling introduce operational procedures:

- (1) that clearly enunciate that officers are not to apply City policies that are not applicable to their area of responsibility.
- (2) to ensure officers do not accept and act on advice from electors, ratepayers or elected members about the application of council policies, without reference to those officers responsible for applying those policies.
- (3) to ensure officers, when receiving comment from parties afforded a specific right of comment or requirement for approval under council policy, legislation or other guidelines, do not forward to applicants or take into account comments unrelated to the specific issue.
- (6) to ensure complaints received from elected members in relation to matters in which the elected member or a person closely associated with them has an interest, are dealt with in the same manner and subject to the same assessment as other complaints received.
- (10) that ensure officers include all information in the general public record, unless the information relates to a matter over which the council or the Chief Executive Officer has statutory authority to restrict that information and has made a decision to do so.

COMMENT

The report of the Martin Inquiry particularly in relation to Councillor Martin's conduct, found several similarities with and frequently referred to the City of Cockburn Inquiry. These findings refer to:

- need to declare direct and indirect interest in matters before Council;
- undue influence by elected members;
- access to information after having declared an interest;
- expectation of favourable treatment by staff;
- actual treatment given by staff;
- compliance with the Code of Conduct; and
- deficiencies with the Code of Conduct.

(With the last point, it is acknowledge that the report of the Cockburn Inquiry indicated that the City of Cockburn amended its code of conduct by deleting the provisions that related to "conflict of interest" and "undue influence".)

The above are some of the areas where local governments, elected members and to a lesser extent officers, appear to be more frequently investigated and be found to have offended.

Further Investigation

The findings of the inquiry relating to the alleged serious misconduct of Cr Martin have been referred to the appropriate authorities to determine what action if any is to be taken under the Criminal Code.

The circumstances relating to the alleged failing by the Chief Executive Officer to report the details of the complaint against Councillor Martin to the Anti Corruption Commission in keeping with the requirements of the Anti Corruption Commission Act 1988, are also to be further examined to determine what action if any will be taken in this regard.

Anti Corruption Commission Act 1988

It is interesting to note that Section 14 of the Anti Corruption Commission Act 1988 requires the Chief Executive Officer of a local government, as reporting officer, to report any matter which that person suspects on reasonable grounds, concerns or may concern corrupt conduct, criminal conduct, criminal involvement or serious improper conduct.

While it is mandatory for the Chief Executive Officer of a local government to make reports as previously indicated, it would also be expected by residents and ratepayers that the Mayor, elected members and other officers, report any matters that, on reasonable grounds, they consider, concern or may concern corrupt conduct, criminal conduct, criminal involvement or serious improper conduct.

On balance, the action by the Department of Local Government in referring this matter to the authority that administers the Anti Corruption Commission Act, for their consideration, is the most appropriate and reasonable action for them to take. It is an indication that the Department is prepared to recognise their role and responsibilities in these matters. The further investigation and determination of possible action considered necessary on the matter against the Chief Executive Officer of Stirling, is best left to those responsible for administering the Anti Corruption Commission Act.

These actions give a clear and strong message that the Department of Local Government is determined to meet its new responsibilities of conducting inquiries into local governments, the actions of elected members and officers where initial investigations find an inquiry is warranted.

Industry Concerns

It would be fair to say that the majority of those persons in the Local Government Industry, are concerned at the public's perception of the performance of local government due mainly to the number of inquiries into local governments and the way the outcomes have been reported since the introduction of the new Local Government Act 1995. The new Act has provided far greater powers than were provided in the previous 1960 Act, for the Minister and Executive Director for Local Government to initiate inquiries into local governments, in response to complaints or concerns that they receive.

Local Government, elected members and staff, under the new Act are far more accountable for their actions than was previously the case. While there are real concerns at the public perception of local government's poor performance, the level of accountability should be welcomed as a significant deterrent to any wrong doing by those in local government.

However, if there is justifiable concern with the process that is currently applied, then this should be vigorously opposed by the industry until the process has been amended and the general principles of fairness are applied.

The underlying message that is clear to all in local government and which would generally be supported, is that greater effort needs to be taken to expose those few people who are responsible for wrong doing and acknowledge the excellent work and commitment by the vast majority.

Assessment of inquiry findings and recommendations.

As with the City of Cockburn Inquiry, an assessment has been made of the findings of the Martin Inquiry and how these could impact on the City of Joondalup. It is considered that the City has in place effective measures that encourage compliance with the City's Code of Conduct and other matters raised in the Martin Inquiry.

The Chief Executive Officer is aware of his responsibilities under section 14 of the Anti Corruption Commission Act 1988, to report any matter which he suspects on reasonable grounds, concerns or may concern corrupt conduct, criminal conduct, criminal involvement or serious improper conduct.

The Chief Executive Officer is aware of the requirement under Administration Regulation 11 (da) that a reason must be recorded in the minutes where a resolution is carried by Council which is substantially different from a recommendation in a report being considered. This practice is followed.

It should be noted that the way in which local governments handle customer complaints in an impartial manner may reduce the issues faced by the customer. The City of Joondalup has an established complaints handling procedure, with clearly defined protocols for staff to follow. Such procedures were modelled on the standards issued by the State Ombudsman's office, the department of Local Government and the Institute of Municipal Management.

The City's Code of Conduct is considered to effectively cover all matters raised in the Martin Inquiry. It is based on a general approach that is expected in such a document. The recommendations of the Martin Inquiry relating to suggested amendments to the City of Stirling's Code of Conduct are more of a prescriptive nature. This approach is not supported.

MOVED Cr Carlos, SECONDED Cr Kadak that Council:

- 1 NOTES the Chief Executive Officer's responsibility under Section 14 of the Anti Corruption Commission Act 1998, in reporting any matter which he suspects on reasonable grounds, concerns or may concern corrupt conduct, criminal conduct, criminal involvement or serious improper conduct;**
- 2 REQUESTS the Western Australian Municipal Association to assist the local government industry to seek further clarification and interpretation on the intent of the responsibilities of the Chief Executive Officer in accordance with Section 14 of the Anti Corruption Commission Act 1998;**
- 3 NOTES that its current Code of Conduct has in place effective measures that encourage compliance with matters raised in the 'Martin' inquiry.**

The Motion was Put and

CARRIED

**CJ324 - 11/00 TENDER NO 017-00/01 - SUPPLY AND
INSTALLATION OF TWO HIGH SPEED
PHOTOCOPIERS - [59024] [08567]**

WARD - All

CJ001121_BRF.DOC:ITEM 5

SUMMARY

The Council currently operates an internal print room service to the remainder of the organisation. OCE Australia are the current supplier of the two large high volume photocopiers, with the current lease expiring on the 30 September 2000, with it currently being extended on a month by month basis.

Due to expiration of the lease, tenders were invited from suitably qualified suppliers for the supply and installation of two high speed photocopiers with an option to outright purchase, lease or rental. Following the evaluation of the submitted tenders, the tender submitted by Fuji Xerox for the supply of one Xerox 5885 and one Xerox DC470 by outright purchase for \$71,500 be accepted.

BACKGROUND

The City has been supplied two high speed photocopiers by OCE Australia Limited for approximately the last 10-12 years.

The existing agreement with OCE expired in October 1999, but due to the split of the former City of Wanneroo and the uncertainty of the future split of the assets, a short term extension to that lease was negotiated which expired on 30 September 2000. Due to some minor delays in the tendering process this has been extended on a month by month basis.

The current model photocopiers are:

OCE 2500 and OCE 3155

The City currently rents the above machines for \$1,196 per month at copy costs .99 cents (3155) and 1.13 cents (2500).

Following the split of the former City of Wanneroo assets, each new local government assumed the lease of one of the high volume copiers, with OCE supplying a new machine to each local government at no extra cost for the period of the extended lease arrangement.

DETAILS

Statewide advertisement was placed in the West Australian newspaper on 6 September 2000 inviting suitably qualified suppliers to supply and install two (2) large volume high speed multifunctional photocopiers. A pre tender site visit conducted on 15th September and the tender was closed at 3 PM on 27 September 2000.

The tender specification requested a schedule of prices for outright purchase, lease and rental.

The tender specification listed a number of criteria required of the two (2) high volume photocopiers to meet the requirements of the City. The major/essential criteria for the two machines were:

- 1 copier with ability to cater for approximately 100 A4 copies per minute
- 1 copier with ability to cater for approximately 50-70 A4 copies per minute
- ability to cater for 50 A3 copiers per minute
- document feeder
- variety of tray quantities to be supplied
- automatic tray switching and paper selection
- 20-40 bin sorter
- printer interface kit
- variable stapler position

The tender specifications requested each tenderer to provide a solution to the City's requirements, including the financial aspect. This was to relate to an outright purchase and a lease and rental option over a 48 month period, with two, 12 month optional extension periods.

Tenders were received from:

- CDM Australia;
- Canon Australia Pty Ltd.
- Copyworld;
- Fuji Xerox;
- Ricoh;
- OCE Australia Limited;

The following solutions were provided by each of the Tenderers and enclosed attachment provides the details of the financial considerations:

OCE Australia Limited:

Option 1

- OCE 3100 (100 copies per minute – cpm)
- OCE 3155 (55 cpm)

Option 2

- OCE 3100 (100 cpm)
- Existing OCE 3155 (55 cpm)

Fuji Xerox

Option 1

- Xerox 5900 (120 cpm)
- Xerox 551 (55 cpm)

Option 2

- Xerox 5995 (100 cpm)
- Xerox 265 (65 cpm) *

Option 3A

- Xerox 5885 (85 cpm)
- Xerox 551 (55 cpm)

Option 3B

- Xerox 5885 (85 cpm)
- Xerox 265 (65 cpm) *

* It must be noted that since the close of tender, Fuji Xerox has advised that the model 265 has been upgraded to the 470 complying with specification (65 cpm) of Model 265 and some added features with no change on tendered price.

CDM Australia

Option 1

- 2 x KM6230 (62 cpm each)
- KM 5230 (52 cpm)

Option 2

- KM 6230 (62 cpm)
- 2 x KM5230 (52 cpm each)

Canon Australia

GP605 (60 cpm)

NP100 (100 cpm)

Copyworld

Option 1 (stand alone)

- 2 x DP8070 (80 cpm)

Option 2 (networked)

- 2 x 8070 (80 cpm)

Option 2 (plus SC2 controller)

- 2 x 8070 (80 cpm)

Ricoh

- 2 x Ricoh 850 (85 cpm)

Under the City's contract management framework and conditions of tendering all tenders were assessed under the selection criteria.

Each tender was evaluated against the following selection criteria.

- Financials consisting of price / cash outflow, copy cost, maintenance and training costs
- Tenderers demonstrated ability and competence to carry out maintenance or rectify on-site problem
- Tenderers resources (manpower available etc)
- previous experience in carrying out similar supply
- special features to the equipment
- ease of operation of the photocopiers
- demonstrated ability to meet requirements detailed in the specification
- reliability of the photocopiers to provide trouble-free service
- delivery schedule (ready for installation by 1 December 2000)
- method and delivery of installation
- innovative approach to provide a solution to the photocopying requirements

Under the option of lease and rental each tender was evaluated over the 48 month lease/rental period in order to be able to compare each tenderer on an even basis, in particular as the option periods may not be entered into by either party. Excepting Ricoh all suppliers have provided nil cost for lease in the sixth year.

A spreadsheet containing the extract from each tenderer's schedule of fees is attached. The tender submitted by Canon Australia Pty Ltd was regarded as non complying and non-conforming as the required tender form was not completed and counter conditions of contract were provided in its submission.

The current output of the City for its bulk photocopying requirements is around 200,000 copies per month. These are predominately produced during agenda/minute distribution days for the Council meetings. Therefore, the demand on the machines is very high during that short period and with such demand could be equated to twice the actual monthly copies.

Based on the written submission the tender evaluation considered to send a team of three council staff to view the proposed solutions by four tenderers. A site inspection team consisting of officers visited machines tendered by:

- CDM Australia;
- Copyworld.
- Fuji Xerox; and
- OCE Australia Limited;

COMMENT/FUNDING

Following the site visits and the written submission in the tenders, the tender presented by Fuji Xerox, for the outright purchase of one Xerox 5885 (85 copies per minute) supported by a one Xerox DC470 (65 copies per minute) for an amount of \$71,500 and a copy cost of 1 cent, is preferred.

This solution is regarded as the best solution as it offers a high volume, reliable photocopier that will cater for the large print jobs and adequately supported by the smaller machine, which is able to be networked and provides a range of innovative features and provides best value for money.

After sales support is crucial to the support of these machines. Fuji Xerox are a reputable company with strong support staff. The ability for the machines to be monitored remotely is an added benefit. Xerox is considered as the world leader in providing photocopying solutions. The provision for operator training is included in its price. Fuji Xerox demonstrated exceptional experience and ability to meet the City of Joondalup's needs.

There is no amount included in the current budget to fund an outright purchase of the new photocopiers. Following a cost benefit analysis of the financial options submitted by the tenderers, it is considered the best option is to purchase the copiers outright. Therefore there is the need to adjust the budget.

The City currently operates a rental agreement with OCE and has a budget for 2000/01 for the rental and associated copy costs of \$35,000. As of 31 October 2000, there has been a total of \$13,000 expended from this account. If the City was to purchase the machine, there would be an approximate saving of \$10,000 from this account due to no further lease/rent repayments. These savings would be part of the surplus to fund the required capital purchase. The remaining funds can be sourced through the half yearly budget review. It is therefore recommended to purchase the two (2) machines outright and never expend the capital account – Office Equipment.

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

- 1 in accordance with Section 6.8(1) of the Local Government Act 1995 AUTHORISES the unbudgeted expenditure of \$71,500 from capital account 11.10.13.133.6721.0001 – Office Equipment to facilitate the purchase of one Xerox 5885 and one Xerox 470 photocopier;**
- 2 ACCEPTS the tender submitted by Fuji Xerox for the supply and installation by outright purchase of one Xerox 5885 (85 cpm) and one Xerox DC470 (65 cpm) at a cost of \$71,500 and a copy cost of \$0.01 per copy as detailed in the submitted tender;**
- 3 DECLARES the tender submitted by Canon Australia Pty Ltd as non-conformant;**

- 4 ACCEPTS the minor variation to the Fuji Xerox tender as detailed in (2) above of the Xerox DC470 in lieu of Xerox DC265;**
- 5 CHARGES the annual operating costs associated with the accepted tender as detailed in (2) above to Account No 11.10.13.133.4520.0001 – Hire of Equipment.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf211100.pdf](#)

**CJ325 - 11/00 MINUTES OF MEETING OF HOUSE COMMITTEE -
[59064]**

WARD - All

CJ001121_BRF.DOC:ITEM 6

SUMMARY

A meeting of the House Committee was held on 1 November 2000 and the unconfirmed minutes are submitted for noting by Council and endorsement of the recommendations contained therein.

DETAILS

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

MOVED Cr Ewen-Chappell, SECONDED Cr Kadak that Council NOTES the unconfirmed Minutes of the House Committee Meeting held on 1 November 2000, forming Attachment 1 to Report CJ325-11/00.

The Motion was Put and

CARRIED

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf211100.pdf](#)

CJ326 - 11/00 VARIATION OF LEASES (LEASE AREAS) FOR THE MULLALOO AND SORRENTO SURF LIFE SAVING CLUBS - [02364] [05071]

WARD - Whitfords and South Coastal

CJ001121_BRF.DOC:ITEM 7

SUMMARY

Both the Mullaloo and Sorrento Surf Life Saving Clubs lease areas of Reserve N^o 20561 from the City of Joondalup for the purpose of Surf Life Saving. These leases are for terms of 21 years, commencing on 31 December, 1987 and expiring on 30 December, 2007.

During a recent routine inspection of the Mullaloo and Sorrento Surf Life Saving Clubs it was found that public toilets are presently contained within the areas leased to the Clubs. Due to the toilets being public they are maintained by the City of Joondalup. Accordingly, it is recommended that the public toilet areas be excised from each lease by formal Deeds of Variation.

The proposed amended leased areas are shown hatched black and the toilet areas are shown cross-hatched black on Attachments (1) and (2).

BACKGROUND

Both the Mullaloo and Sorrento Surf Life Saving Clubs lease areas of Reserve N^o 20561 from the City of Joondalup for the purpose of Surf Life Saving. These leases are for terms of 21 years, commencing on 31 December, 1987 and expiring on 30 December, 2007.

During a recent routine inspection of the Clubs it was found that public toilets are presently situated within the leased areas for the Clubs and are shown cross-hatched black on Attachments (1) and (2).

DETAILS

The public toilets formed part of the original leases, however, due to public liability insurance implications it is inappropriate that they remain within the leased areas.

During inspections the Club representatives agreed that they would prefer the toilets to be excised from their respective leases as the current situation, regarding Council maintenance of the public toilets, is not enunciated in the lease documents and is therefore a point of confusion. A check with Council's insurer, Local Government Insurance Services, indicates that it agrees that the current situation is undesirable from an insurance point of view.

Accordingly, it is recommended that the leases Between the City of Joondalup and the Mullaloo and Sorrento Surf Life Saving Clubs be varied to exclude the public toilets leaving only the areas shown hatched black on Attachments (1) and (2) as being the leased areas.

MOVED Cr Ewen-Chappell, SECONDED Cr Hurst that Council APPROVES:

- 1 a Deed of Variation excising the public toilets from the Mullaloo Surf Life Saving Club lease and that the lease area only comprise the area shown hatched black on Attachment (1) to Report CJ326-11/00, subject to the approval of the Minister for Lands;**
- 2 a Deed of Variation excising the public toilets from the Sorrento Surf Life Saving Club lease and that the lease area only comprise the area shown hatched black on Attachment (2) to Report CJ326-11/00, subject to the approval of the Minister for Lands;**
- 3 the signing and Sealing of the Deeds of Variation amending the lease areas for the Mullaloo and Sorrento Surf Life Saving Clubs.**

The Motion was Put and**CARRIED***Appendix 3 refers**To access this attachment on electronic document, click here: [Attach3brf211100.pdf](#)***CJ327 - 11/00 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 OCTOBER 2000 - [09882]****WARD - All**

CJ001121_BRF.DOC:ITEM 8

SUMMARY

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

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	026065-026750	6,146,319.76
Municipal	000222-000227	6,146,319.76
	TOTAL \$	12,292,639.52

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 October 2000, the amount was \$1,066,469.51

The cheque register is appended as Attachment A.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$12,292,639.52 which is to be submitted to each Councillor on 28 November 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.

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$12,292,639.52 submitted to Council on 28 November 2000 is recommended for payment.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	026565-026750	6,146,319.76
Municipal	000222-000227	6,146,319.76
	TOTAL \$	12,292,639.52

.....
Mayor John Bombak

MOVED Cr Wight, SECONDED Cr Kenworthy that Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 31 October 2000, certified by the Mayor and Director of Resource Management and totalling \$12,292,639.52.

The Motion was Put and

CARRIED

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf211100.pdf](#)

**CJ328 - 11/00 FINANCIAL REPORT FOR THE PERIOD ENDING 31
OCTOBER 2000 - [07882]****WARD - All**

CJ001121_BRF.DOC:ITEM 9

SUMMARY

The monthly financial report for the period ending 31 October 2000 is appended as Attachment A.

The October report is the fourth financial report for the 2000/2001 financial year. The report reveals an overall surplus of **\$27.2m**, a surplus of **\$5.0m** when compared to budget for the year to date. This surplus position can be analysed as follows:

- Operating Budgets show an overall surplus of **\$2.2m** at the end of the month as compared to budget due to underspending in Employee Costs of **\$0.7m**, Materials & Contracts of **\$1.3m** and Utilities of **\$0.2m**.
- Capital Expenditure Budgets show a surplus of **\$1.5m** 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 **\$1.3m** at the end of the month as compared to budget. Included in this figure is:
 - **\$0.4m** 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;
 - **\$0.4m** 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.

MOVED Cr Kenworthy, SECONDED Cr Wight that the Financial Report for the Period Ended 31 October 2000 be NOTED.

The Motion was Put and**CARRIED**

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf211100.pdf](#)

CJ329 - 11/00 1999/2000 ANNUAL REPORT AND AUDITED FINANCIAL STATEMENTS - [14148]

WARD - All

CJ001121_BRF.DOC:ITEM 10

SUMMARY

The City's auditor, Mr Graham McHarrie, Deloitte Touche Tohmatsu, has completed the audit of Council's records for the 1999/2000 financial year.

This Audit Report, together with the Annual Financial Report will form an integral part of Council's Annual Report to the ratepayers at the Annual General Meeting.

The Local Government Act 1995 (Section 5.27) requires that the Annual General Meeting is to be held on a day selected by the local government, but not more than 56 days after the report is accepted by the local government.

The most appropriate date for the holding of the Annual General Meeting of Electors is Monday, 18 December 2000 at 7.00 pm.

BACKGROUND

The City's auditor, Mr Graham McHarrie, Deloitte Touche Tohmatsu, has completed the audit of Council's records for the 1999/2000 financial year.

The Annual Report of the City is attached as Attachment A. This highlights the City's achievements during 1999/2000 and focuses on the many highlights in an action packed and busy year. Also attached - refer Attachment B - are the Financial Reports for 1999/2000

As has been past practice the Financial Report included within the Annual Report are an abridged version. The full Financial Statements, together with the Notes to and Forming Part of the Financial Statements will be available as a separate document.

DETAILS

Pursuant to the provisions of Section 5.54 of the Local Government Act 1995, the Annual Report for the financial year is to be accepted by the local government by no later than 31st December after that financial year. Further, at Section 5.27, the Act requires that the Annual General Meeting of Electors be held on a day selected by the local government but not more than 56 days following the acceptance by the local government of the Report. In addition, the Chief Executive Officer must give public notice of the availability of the report as soon as practicable after the report has been accepted.

The most appropriate date for the convening of the Annual General Meeting of Electors has been determined to be Monday, 18 December 2000 at 7.00 pm.

COMMENT/FUNDING

The Local Government (Administration) Regulations 1996 at Clause 15 details the matters for discussion at the Annual General Meeting. They are the contents of the Annual Report for the previous financial year and then any other general business.

It is suggested therefore, that the Agenda format for the Annual Meeting of Electors be:-

- **Attendances and Apologies**
- **The receiving of the 1999/2000 Annual Report, including the Financial Statements**
- **General Business**

MOVED Cr Wight, SECONDED Cr Kenworthy that Council:

- 1 ACCEPTS the 1999/2000 Annual Report and Financial Reports of the City of Joondalup forming Attachment A and B to Report CJ329-11/00;**
- 2 CONVENES the Annual General Meeting of Electors on Monday, 18 December 2000 at 7.00 pm in the Council Chambers;**
- 3 ADVERTISES by public notice that the City of Joondalup's 1999/2000 Annual Report will be available from the Civic Administration Building from approximately 14 December 2000.**

The Motion was Put and

CARRIED

Appendices 6(a) and 6(b) refer

To access this attachment on electronic document, click here: [Attach6abrf211100.pdf](#)
[Attach6bbrf211100.pdf](#)

**CJ330 - 11/00 PURCHASE VEHICLES AND DISPOSAL OF
SURPLUS VEHICLES - RANGER AND CITY
WATCH SERVICE - [08178]**

WARD - All

SUMMARY

It will be recalled that the Audit Committee, at its meeting on 12 October 2000, resolved to defer any further replacement of the City's vehicle fleet until such time as the results of the

survey currently being undertaken by the Western Australian Municipal Association become known.

Running in parallel with this decision was the restructure of the Ranger Services Business Unit. This restructure has identified that there are vehicles that are surplus to requirements and others which need to be changed to accommodate the requirements of the new City Watch Service.

The new City Watch Service requires the purchase of three four cylinder two door sedans. Six utilities currently used in the Ranger Services Business Unit are superfluous to requirements and may be sold.

The purchase of the three small sedans is not considered to be contrary to the Audit Committee's resolution of 12 October 2000 as the existing vehicles are to be replaced by another class of vehicle due to operational requirements rather than their optimal age or odometer reading.

The City's 2000/01 Budget provided operational funds within the Security Activity to fund the Security Service however no capital funds were provided for the acquisition of the vehicles outlined in this report. Consequently approval will be required by Absolute Majority pursuant to the provisions of Section 6.8(1) of the Local Government Act 1995.

This report recommends that the City purchase three four cylinder petrol two door sedans with the disposal of six vehicles by auction

BACKGROUND

At its meeting of 12 October 2000 the Audit Committee resolved:-

“that a review of the City's Motor Vehicle and Plan Management Practices, together with further replacement of any of the city's vehicle fleet be DEFERRED until such time as results from the survey currently being undertaken by West Australian Municipal Association become known.”

As a consequence of a restructure within the Ranger Services Business Unit it has been identified that there are three Ford Courier 4WD utilities that are surplus to requirements and three Ford Courier 4WD utilities which are to be replaced with three small four cylinder two door units. These changes to vehicle specifications will enable Rangers to concentrate on the more traditional ranger functions and City Watch Officers, being primarily responsible for the City's surveillance of property.

DETAILS

The details relating to these vehicles are as follows:-

Vehicles to be Disposed

Plant Number	Description	Kms
95231	Ford Courier 4WD Dual Cab Utility	58,818
95234	Ford Courier 4WD Dual Cab Utility	54,567
95230	Ford Courier 4WD Dual Cab Utility	53,063
95233	Ford Courier 4WD Dual Cab Utility	49,163
95287	Ford Courier 4WD Dual Cab Utility	48,776
95237	Ford Courier 4WD Utility	51,371

The remaining vehicles to be retained within the Ranger Services Business Unit are as follows:-

Plant Number	Description	Kms
95015	Ford Courier 4WD Dual Cab Utility	39,016
95006	Ford Courier 4WD Dual Cab Utility	44,693
95030	Ford Courier 4WD Dual Cab Utility	25,118
95037	Toyota Hilux 4WD Dual Cab Utility	8,314

Vehicles to be Purchased

The purchase of three small four cylinder two door sedans will service the City Watch operations.

LPG Evaluation

The city is in the process of assessing the benefits and merits of using vehicles that operate on LPG. This assessment is still in its infancy, however preliminary information indicates that it is not cost effective on small 4 cylinder vehicles.

In view of this it would be premature to consider this option at this time.

COMMENT/FUNDING

The purchase of the three small sedans is not considered to be contrary to the Audit Committee's resolution of 12 October 2000 as the existing vehicles are to be replaced by another class of vehicle due to operational requirements rather than their optimal age or odometer reading.

The City's 2000/01 Budget provided operational funds within the Security Activity to fund the Security Service (as it was not known at the time of budget compilation on how the service was to be delivered) however no capital funds were provided for the acquisition of the vehicles outlined in this report. Consequently approval will be required by Absolute Majority pursuant to the provisions of Section 6.8(1) of the Local Government Act 1995.

It is recommended that the disposal of the six vehicles be by public auction rather than tender as cost savings will be effected.

The disposal of the surplus vehicles is expected to realize \$20,000 per vehicle, an aggregate of \$120,000. Hyundai Accent 2 door sedans cost approximately \$14,700 each, an aggregate of \$44,100.

The net saving to the City is approximately \$75,900.

MOVED Cr Wight, SECONDED Cr Kenworthy that Council:

- 1 APPROVES pursuant to the provisions of Section 6.8(1) of the Local Government Act 1995 the purchase of three four cylinder petrol two door sedans to accommodate the efficient operations of the City Watch Service;**
- 2 disposes by public auction six 4WD utilities plant numbers 95231, 95234, 95230, 95233, 95287, 95237, which are superfluous to requirements.**

Discussion ensued in relation to a report to be released by Western Australian Municipal Association in this regard and the merits of natural gas being used in 6 and 4 cylinder vehicles.

Director Resource Management advised preliminary modelling had been undertaken and indications were that cost benefits flowed from using natural gas in 6 cylinder vehicles rather than 4 cylinder vehicles.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CJ331 - 11/00 PURCHASE OF REPLACEMENT PHOTOCOPIER -
[08567]**

WARD - All

CJ001121_BRF.DOC:ITEM 11

SUMMARY

The 2000/2001 Accounting Services business unit budget provided a \$12,000 allocation for the replacement of 2 Laser printers. One Laser printer has been purchased at a cost of \$3,000 to undertake the special needs for cheque and interim rates notices. The other printer and an existing photocopier have both recently become unserviceable and now require replacement. The 5-year programme provided in the 2001/02-budget year funds for a replacement photocopier.

It is recommended that a Digital Photocopier be purchased in lieu of the second printer and that budget funds be reallocated to effect this acquisition. Following approval the requirement for a replacement photocopier in 2001/02 will be deleted.

As Council's 2000/01 Budget did not provide specific funds for this acquisition, authority would be required by Absolute Majority pursuant to the provisions of Section 6.8(1) of the Local Government Act 1995.

BACKGROUND

The 2000/2001 Accounting Services business unit budget provided a \$12,000 allocation for the replacement of 2 Laser printers. One Laser printer has been purchased at a cost of \$3,000 to undertake the special needs for cheque and interim rates notices. The second printer to be replaced has become unserviceable and has not yet been replaced.

The Strategic Initiatives for 2001/2002 identified the need for the replacement of the existing photocopier with a Digital Photocopier for the Accounting Services Business Unit to the value of \$25,000. Following the compilation of the 2000/2001 budget, the existing photocopier became unserviceable. As this is fundamental to the efficient operation of the business unit it is recommended that the replacement of the photocopier be brought forward.

Investigations into digital printers currently available indicate that a digital photocopier can be acquired for approximately \$14,500 which can service the Business Unit and Directorate and act as a printer and as a photocopier. The replacement of this photocopier this year will delete the need for the funding requirement in the 2001/2002 budget.

Savings in operating costs will be achieved through reduced costs per copy. Efficiency gains will also result as the digital photocopier is linked to the LAN and jobs can be sent to the photocopier directly from the PC's within the Directorate.

Whole of life costing indicates that the cost per copy using the digital printer will be approximately \$0.0095 per copy and compares with current printer costs per copy of approximately \$0.0105 per copy.

DETAILS

Alternative photocopiers investigated included equipment offered by Xerox (model DC 350), Ricoh (Model 340), Danka (Model 4351), Sharp (Model AR 337) and Toshiba (Model 3580).

Using a whole-of-life-cost evaluation approach, the Toshiba model 3580 was assessed as being the most appropriate option. The cost of the Toshiba Model 3580 including installation and configuration will be approximately \$14,500.

COMMENT/FUNDING

The purchase of the digital photocopier can be funded from the existing 2000/2001 budget, through surplus Capital funds of \$9,000 from Account 11.30.33.331.6721.F045 (*Project Number F045 - Replace 2 Laser Printers*) and from Operating funds of \$5,500, Account 11.30.33.331.4530.F047 (*Project Number F047 - WA Fastpay*).

Project Name	Project Number	Capital Budget	Operating Budget	Comment
Replace 2 Laser Printers	F045	\$ 9,000		Balance of funding not required if replacement by photocopier
WA Fastpay	F047		\$ 5,500	Surplus Funds not required for this project as the City utilised existing equipment. Reallocation from Operating to Capital funding to replace photocopier.
Funds required: Digital Photocopier	New	\$14,500		

MOVED Cr Mackintosh, SECONDED Cr Wight that Council in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 AUTHORISES the unbudgeted expenditure of \$14,500 from Capital Account 11.30.33.331.6721.0001 – Office Equipment to facilitate the purchase of a Toshiba 3850 Digital Photocopier at a cost of \$14,500

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CJ332 - 11/00 SAFER COMMUNITY PROGRAM 2000/01
FINANCIAL SUPPORT - CONSTABLE CARE CHILD
SAFETY PROGRAM - [43459]**

WARD - All

CJ001121_BRF.DOC:ITEM 12

SUMMARY

The City of Joondalup entered into a Service Agreement with the Constable Care Child Safety Project Inc in 1999/00 for its Constable Care Child Safety Project. It is proposed that a new service agreement be drawn up for 2000/01.

As in the 1999/00 financial year Constable Care would provide a roving puppet show that educates and entertains children in primary schools and within the community. Projects undertaken by the City in partnership with Constable Care have raised safety awareness amongst children in the Joondalup region.

The proposal for this year includes puppet shows costing \$20,000 for 100 performances and is anticipated to reach more than 10,000 children. Last year's program went to all primary schools in the City of Joondalup.

It is recommended that the project be carried out by the City, as one of several strategies of the City's Safer Community Program and Community Connections Project.

BACKGROUND

The Constable Care Child Safety Project was first introduced in 1989 by the State Community Policing Crime Prevention Council Inc as one of a number of strategic initiatives aimed at crime prevention through education. Constable Care is owned and operated by the Community Policing Crime Prevention Council of WA which is an incorporated non-government funded organisation that relies on financial assistance from private businesses and organisations throughout Western Australia.

The Constable Care Child Safety Project is owned and operated by the Safer WA Council and is an incorporated, not for profit, non Government funded organisation that relies on financial assistance from private businesses and organisations throughout Western Australia. The Project is supported by the Constable Care Board of Management which is made up of representatives from the Education Department of Western Australia, the Constable Care Office, the WA Police Service, a member of the general public and a Safer WA Council member.

The mission statement of the Constable Care Child Safety project is expressed as “To educate primary school aged children on many safety issues in order to protect our greatest resource - young Western Australians”.

Constable Care is a registered character which is used in various passive or active ways to impart messages of safety and security to children. The character is used on promotional resources such as calendars, police caps, stickers and t-shirts and attends special educational facilities such as a road safety training track and playsafe playground.

The Constable Care Child Safety Project also operates a Constable Care Puppet Show which is designed to teach primary school aged children a number of safety messages over a short period of time, in a format that promotes both recall and fun.

DETAILS

The City of Joondalup provided \$19,110 in the 1999/00 financial year to Community policing to run 114 shows which reached more than 15,000 primary school aged children. An audited financial statement was provided by the Association accounting for all funds provided by the Council from last financial year. It is proposed to provide \$20,000 to run 100 shows plus 45 follow up sessions at all Joondalup schools in the 2000/01 financial year.

The Constable Care Child Safety Project currently uses a travelling Puppet Show which visits primary schools throughout the metropolitan area and country regions, to convey messages of child safety.

Bike safety, crossing roads, what to do when you find a used syringe, saying no to strangers and respect were the themes utilised to educate children in an attempt to combat crime in the long run.

The use of puppets to convey messages of child safety is supported by a study undertaken in 1999 by Murdoch University. The results of the study reflected that 85% of the children canvassed retained safety messages for a period of three weeks after a puppet show compared with 37% when police were involved in face to face classroom teaching.

This year Community Policing propose to have a theme of “protective behaviors” which will be aimed at pre-primary to year five students. The aim is to deliver a crime prevention program while maintaining a child safety and protective focus.

Given the scope and level of service involved with this initiative it is considered essential that appropriate accountability and reporting mechanisms be put in place and that the project be subject to evaluation. The City’s recently adopted Community Funding Guidelines will be used as the basis to ensure appropriate accountability and evaluation of the Project.

A breakdown of the proposed costs for 2000/01 is as follows:

100 performances @ \$165 each	\$18,150 (GST inclusive)
1,000 slide puzzles	\$1,606
100 money boxes	\$244

An evaluation survey on each performance to evaluate the impact on the children will be distributed to each teacher and a sample of children. The survey forms will be collated and will form part of an evaluation report to be provided to the City each quarter so as to monitor the effectiveness of the shows and the service agreement between the two organisations.

COMMENT/FUNDING

Financial support of the Constable Care Child Safety Project is presently considered to be an important component of the City's current Safer Community Programme. The project would be managed through the City's Community Connections Project which has already established a close and productive working relationship with the Education Department in the region.

The proposal is also viewed as an important prevention and early intervention strategy in the fight against crime and anti-social behaviour in the region.

The City was the first local government in Western Australia to engage the Constable Care Child Safety Project. The Constable Care Office reports that at least eight other local government authorities are now providing financial assistance to the Project.

The funding proposal in this report is considered to be consistent with the commitment of the City to Community Security and Safety. The proposal forms part of the City's Safer Community Program.

The project has been well received by children, teachers and the community. Negotiations have been carried out with Council's Community Education Co-ordinator to ensure the subject matter supports Council's strategic objectives.

Given the support of this project both from schools and the community it is proposed to fund this project for another year.

The conditions for this service agreement would be similar to the previous year and as follows:

- The City receive appropriate public recognition for its financial support including the City's logo displayed on all prizes, signs and promotional documentation.
- The effectiveness of the puppet shows continue to be comprehensively evaluated by the Constable Care Office in order to assess its impact and effectiveness and that quarterly written progress reports together with a final written evaluation report be provided to Council by 31 July 2001.
- Constable Care Office provides the City with an audited financial statement by 31 October 2001.

Account No: 11 20 22 222 5240 0001
 Budget Item: Community Safety and Security
 Budget Amount: \$20,000
 Actual Cost: \$20,000

MOVED Cr Ewen-Chappell, SECONDED Cr Kadak that Council AGREES to enter into a Service Agreement with the Constable Care Child Safety Project Inc by providing funds to the Constable Care Office to the value of \$20,000 subject to the Constable Care Office agreeing to the following conditions:

- 1 the City receives appropriate public recognition for its financial support including the City's logo displayed on all prizes, signs and promotional documentation;**
- 2 the effectiveness of the puppet shows continue to be comprehensively evaluated by the Constable Care Office in order to assess its impact and effectiveness and that quarterly written progress reports together with a final written evaluation report be provided to Council by 31 October 2001,**
- 3 the Constable Care Office provides the City with an audited financial statement by 31 October 2001;**
- 4 the Constable Care Officer returns any unused funds that have been provided by the City for the purposes outlined in this report and that such funds would be returned to the City by 31 October 2001.**

The Motion was Put and

CARRIED

**CJ333 - 11/00 SAFER COMMUNITY PROGRAM 2000/01
 FINANCIAL SUPPORT - SAFETY HOUSE
 ASSOCIATION - [17843]**

WARD - All

CJ001121_BRF.DOC:ITEM 13

SUMMARY

The purpose of this report is to seek Council approval to again enter into a service agreement with the Safety House Association in the 2000/01 financial year for an amount of \$3,000. This arrangement is a financial contribution to the Association for the purchase of four (4) sun shelters to help promote the Safety House Program and provide support to their volunteers.

It is recommended that the City continues to support the Safety House Association which is an integral part of the City's Safer Community Program.

BACKGROUND

In 1999/00 the City of Joondalup supported the Safety House Association of WA by providing 15,000 safety house stickers and 100 safety house signs. Two thousand dollars was paid directly to Safety House to purchase and distribute the stickers. An audited financial statement was provided by the Association, accounting for all funds provided by the Council from the last financial year.

It is proposed to continue this service arrangement by providing the Safety House Association with \$3,000 to purchase 4 sun shelters which will promote the Safety House Program, the City of Joondalup and provide shelter for primary schools during outdoor events and school carnivals.

The Safety House Association provides a proactive, preventative program in the community known as the Safety House Program. It is a local community-based child protection program that provides a safe place for children to shelter if a child feels in danger. The Association promotes its program as protecting young Western Australians.

As well as the Safety House Program providing physical protection for children, the program also provides them with the skills and confidence to feel safe through providing a network of safe places within the community. Many local authorities throughout Western Australia also support the Association through similar purchases and programs.

Since 1998, the City has established a more formal relationship with the Association by becoming a supporter of the Association's Safety House Program and supporting the activities of the Association as part of the City's Safer Community Program.

DETAILS

The Safety House Association of WA is responsible for the administration of the entire program. The Association reports that it does not receive any direct funding to assist with the implementation of this concept and therefore must seek funding as required supporting the program's operation in the City.

Safety House has requested that \$3,000 in funding be provided to assist them with purchasing sun shelters which will be available to all schools and the community to provide shelter during events. The City's support would be recognised by the placement of the City's logo on the shading shelters and in any promotional material.

These shelters will be primarily used at events such as fetes, sporting carnivals and community events and serve a dual function for the Association as a means of promoting the Safety House services and as a safety house mobile location, for mishaps such as lost children or for young people in distress.

Through the City's Community Connections Project, the City has been particularly active in promoting the Safety House Program through its various publications and through its Education 2000 Program and close working relationship with the Education Department in the region.

COMMENT/FUNDING

The Safety House Association of WA is responsible for the administration of the entire Safety House Program and does not receive government financial assistance. It is proposed that \$3,000 be provided to Safety House to assist them with purchasing four sun shelters for use by the schools and the community during events. These shelters will be made available free of charge for all schools and will be stored at City of Joondalup premises.

The Safety House Program is considered to be an important component of the City's current Safer Communities Program. The project would be managed by the City's Community Education Co-ordinator who works closely with the Education Department.

The program is viewed as an important prevention and early intervention strategy in the fight against crime and anti-social behaviour in the region.

The following service agreement is proposed:

- The City contributes \$3,000 towards the purchase of sun shelters provided they receive appropriate recognition through use of logos on the shelters and any promotional material.
- The Safety House Association provides an audited financial statement by 31 October 2001 for funds which have been provided by the Council.
- The Safety House Association returns any unused portion of funds.

In the 2000/01 budget Council has allocated funds totalling \$5,000 to the Safety House Program, being \$3,000 to the Association and \$2,000 for the upgrade and maintenance of safety house signs (internal sign maintenance charge), as part of the City's Safer Community Program. It is recommended that the amount of \$3,000 be committed to support this initiative.

Account No:	11 20 222 5240 0001
Budget Item:	Community Safety and Security
Budget Amount:	\$5,000
Actual Cost:	\$3,000

MOVED Cr Ewen-Chappell, SECONDED Cr Hurst that Council AGREES to enter into a Service Agreement with the Safety House Program operated by the Safety House Association of Western Australia Inc within the City of Joondalup, for the purchase of four (4) sun shelters to the value of \$3,000, subject to the Association agreeing to the following conditions:

- 1 the City receives appropriate public recognition for financial support of the Program including written recognition of the City on the sun shelters purchased by the Association with the City's funds;**
- 2 the Safety House Association provides to the City an audited financial statement by 31 October 2001 for funds that have been provided by the City;**

- 3 the Safety House Association returns any unused funds that have been provided by the City for the purposes outlined in this report and that such funds be returned to the City by 31 October 2001.**

The Motion was Put and

CARRIED

CJ334 - 11/00 CITIES FOR CLIMATE PROTECTION MILESTONE 1 INVENTORY AND FORECAST OF GREENHOUSE GAS EMISSIONS FOR CITY OF JOONDALUP - [09717]

WARD - All

CJ001121_BRF.DOC:ITEM 14

SUMMARY

The City has completed an inventory and forecast of Greenhouse gas emissions, for both the Corporate (Council) and community sector of the City of Joondalup. The inventory and forecast is based on research and work undertaken in the Milestone 1 component of the Cities for Climate Protection (CCP) Campaign. The CCP campaign is promoted by the International Council for Local Environmental Initiatives, and consists of 5 Milestones, aimed at reducing Greenhouse gas emissions, at the Local Government level.

Research conducted for the Inventory found that Council's activities contributed greenhouse gas emissions into the atmosphere totalling 20,827 equivalent tonnes of carbon dioxide in the past financial year. Community Greenhouse Gas emissions (including residential, commercial, industrial) produced 1,317,104 equivalent tonnes of Carbon Dioxide in the study year 1996.

The City of Joondalup has been recognised with an award for its work towards cutting greenhouse gasses, for "Milestone 1" of the Cities for Climate Protection programme. The award was accepted by His worship the Mayor J Bombak JP at the Institute of Municipal Management annual conference on Wednesday 25 October 2000. The award was presented by the International Council for Local Environmental Initiatives.

The report concludes with recommendations relating to Milestones 2 and 3 of the CCP campaign.

BACKGROUND

The Joint Commissioners authorised the City of Joondalup to participate in the Cities for Climate Protection campaign, following consideration of a report (CJ367-10/99) presented to the meeting of the Joint Commissioners held on 26 October 1999.

Local Governments participating in the Cities for Climate Protection Campaign pledge to reduce greenhouse gas emissions from their local government operations and from throughout their communities. Each local government sets its own emissions reduction target and develops a Local Action Plan outlining actions that will be pursued to meet the target. To participate in the Campaign, local governments pass a resolution and undertake the following tasks or milestones:

- Milestone 1.** An inventory and forecast of corporate (Council) and community Greenhouse gas emissions.
- Milestone 2.** A community emissions reduction goal and corporate (Council) emissions reduction goal adopted by the elected representative of Council (for example, the "Toronto Target" - reducing CO₂ emissions 20% below 1990 levels by the target year, 2010).
- Milestone 3.** Develop and adopt a greenhouse reduction strategy- Local Action Plan. Prepare a strategic report outlining the inventory and forecast, reduction goals and the strategic direction for implementation of measure, together with endorsement of the report by Council.
- Milestone 4.** Implement the Local Action Plan.
- Milestone 5.** Monitor and report on Greenhouse gas emission reductions.

DETAILS

The CCP program was developed by the International Council for Local Environmental Initiatives (ICLEI) in conjunction with the Australian Greenhouse Office (AGO) to reduce greenhouse gasses at the Local Government level. The programme supports the Federal Government's commitment to cutting greenhouse gas emissions, after becoming a signatory to the Kyoto Protocol on Climate Change in 1997.

Milestone 1: Greenhouse Gas Emissions Inventory and Forecast

The City prepared an inventory and forecast of Greenhouse gas emissions (Milestone 1). The outcome of the study assesses Greenhouse gas emissions from a specified (base) year, and a forecast of emissions for a specified year (e.g. 2010) for both corporate (Council) emissions and community emissions. Ms Christie was selected via a placement programme offered by the Green Jobs Unit, in conjunction with the International Council for Local Environmental Initiatives (ICLEI).

Research conducted for the Inventory found that Council's activities contributed greenhouse gas emissions into the atmosphere totalling 20,827 equivalent tonnes of carbon dioxide in the past financial year. Community Greenhouse Gas emissions (including residential, commercial, industrial) produced 1,317,104 equivalent tonnes of Carbon Dioxide in the study year 1996.

The report for the inventory and forecast of Greenhouse gas emissions for the City of Joondalup is provided as Attachment 1.

Milestone 1 Award

The City of Joondalup has been recognised with an award for its work towards cutting greenhouse gasses, for “Milestone 1” of the Cities for Climate Protection programme.

The award was accepted at the Institute of Municipal Management annual conference on Wednesday 25 October 2000. The award was presented by the International Council for Local Environmental Initiatives.

The Next Phase: Milestones 2 and 3

The next phase of the Cities for Climate Protection campaign is Milestone 2 and 3. Milestone 2 comprises a community emissions reduction goal and corporate (Council) emissions reduction goal adopted by the Council. Milestone 3 comprises the development and adoption of a greenhouse reduction strategy (Local Action Plan). The Local Action Plan is a strategic report outlining the inventory and forecast, reduction goals and the strategic direction for implementation of measure, together with endorsement of the report by Council. Milestones 2 and 3 are fundamental to the CCP campaign as they establish both corporate and community goals and an action plan to achieve those goals. Technical research is presently being undertaken on Milestones 2 and 3, together with the development of a consultation strategy for both Milestones. The approach towards Milestones 2 and 3 and the consultation strategy will be the subject of a subsequent report to Council.

Local Government Participation in the Cities for Climate Protection Campaign

In Australia, a total of 88 councils representing over 40% of Australia’s population are participating in the Cities for Climate Protection campaign (source: Global Warming Local Action June 2000). In Western Australia, there are 17 councils participating in the CCP campaign, representing over 45% of the State’s population.

Western Australian Councils currently participating in the Cities for Climate Protection Programme include:

City of Canning	City of Rockingham
City of Cockburn	City of Subiaco
Town of East Fremantle	City of Gosnells
City of Fremantle	City of Mandurah
City of Joondalup	City of Swan
Town of Kwinana	Shire of Serpentine Jarrahdale
City of Melville	City of Armadale
City of Nedlands	City of Perth
Town of Vincent	

Benefits of the Cities for Climate Protection Campaign

The Cities for Climate Protection offers Local Government wide ranging benefits for the community, including:

- **Community Livability**

Actions that reduce greenhouse gas emissions - such as promoting alternatives to single passenger auto trips - also reduce traffic congestion and air pollution.

- **Financial Savings**

Increasing energy efficiency and reducing fossil fuel use not only reduce greenhouse gas emissions but also save the local government, residents and businesses money by cutting the cost of utility and fuel bills.

- **Local jobs and investments**

Demand for energy efficient products and services, and new or alternative technologies creates jobs and boosts the local economy.

- **Reductions in Greenhouse gas emissions**

Achieving reductions in Greenhouse gas emissions is strongly consistent of improving the sustainability of development

- **Improvements in air quality and public health**

Improvements in local air quality directly contribute towards improved public health and quality of life for the community.

- **Demonstrated Local Leadership**

The Cities for Climate Protection campaign is a prime example of a nationally prompted programme implemented at the local level, thereby demonstrating and supporting local leadership.

COMMENT

Following the completion of the Greenhouse gas emissions inventory and forecast, the next step is to set a target for emissions reductions and develop a Local Action Plan to achieve these reductions. The setting of an emissions reduction target comprises Milestone 2 and the development of a Local Action Plan comprises Milestone 3 of the Cities for Climate Protection Programme.

OFFICER'S RECOMMENDATION: That Council:

- 1 RECEIVES the report entitled "An Inventory and Forecast of Energy Use and Greenhouse Gas Emissions within the City of Joondalup, Cities for Climate Protection Programme Milestone 1" forming Attachment 1 to Report CJ334-11/00;
- 2 NOTES investigations have commenced into setting a Greenhouse gas emissions reduction target (Milestone 2) and the development of a Local Action Plan (Milestone 3) directed towards achieving Greenhouse gas emission reductions for both the Corporate (Council) and community sector of the City of Joondalup.

CJ335 - 11/00 DEED REGARDING THE VESTING OF THE OCEAN REEF BOAT LAUNCHING FACILITY AND GROYNES WITH THE CITY OF JOONDALUP - [04171]

WARD - Marina

CJ001121_BRF.DOC:ITEM 15

SUMMARY

Since 1997, the City has been working with the Water Corporation and Department of Transport to address issues with the possible transfer of vesting of the Ocean Reef boat launching facilities and associated groynes to the City. There may be significant costs associated with the transfer of vesting of the groynes to the City in relation to the management and maintenance aspects. The groynes provide protection for the boat launching ramps and facilities that are the responsibility of the City.

The change in vesting, as proposed in the Heads of Agreement, needs to be considered in terms of the impact on the structure planning potential of the Ocean Reef facility site. The City is presently reviewing development options of Lot 1029 Ocean Reef, which is situated adjacent to the boat launching facility and groynes. Lot 1029 is freehold land owned by the City, however it is subject to Bush Plan deliberations. The site represents a significant opportunity for partial development in conjunction with the boat launching facility and groynes. Revenue from the partial development at Lot 1029 will assist the City with management expenses that relate to Lot 1029 and associated boat launching facility and groynes. This report recommends that Council agrees to the execution of the Deed regarding the vesting of the Ocean Reef boat launching facility and groynes with the City. It also proposes that a consultant team or joint venture partner be engaged to develop a master plan and options for development of the site.

BACKGROUND

At their meeting of 26 November 1997 (Item DP255-11/97), the Joint Commissioners of the former City of Wanneroo considered a report concerning:

- repairs required to the southern groyne of the Ocean Reef Boat Launching Facility (that groyne currently being vested in the Water Corporation);
- a request by the Water Corporation to divest itself of responsibility for maintenance of that southern groyne; and
- a request by the Department of Transport (DOT) to transfer responsibility for maintenance of the other breakwaters associated with that facility, and maintenance of water depths in the harbour, to the local authority.

The areas concerned with the Ocean Reef boat launching facility, including the agencies responsible for each parcel of land is shown at Attachment 1.

It was resolved that the relevant State agencies be advised that the City agrees that the Water Corporation should divest itself of responsibility for the southern groyne with the management and maintenance responsibility resting with the Department of Transport, having regard to the regional level of significance of such marine facilities. The report considered there may be potential for the Ocean Reef breakwater should the City be able to undertake a commercial development project with uses appropriate to this type of location. The meeting also resolved to seek the support of the Western Australian Municipal Association in the promotion of the position that construction and maintenance of major coastal protection structures, such as harbour breakwaters, should be the responsibility of the State Government (through the Department of Transport), except where such structures form part of private sector development projects.

No response was received from the Western Australian Municipal Association on this matter. The Minister for Transport advised that under their Strategic Plan for Maritime Facilities, breakwaters and channels associated with managed boat launching ramps such as Ocean Reef; it is intended that such facilities be vested with and maintained by the local authority concerned. Consequently, DOT indicated they would not accept vesting of the southern groyne.

The Water Corporation's reply indicated that they would consider leasing Lot 1033 to the City with the proviso that all maintenance of the southern groyne becomes the responsibility of the City. The commercial development by the City of the Ocean Reef breakwaters and Lot 1033, comply with the conditions outlined in the Water Corporation letter, dated 15 September 1997.

In response to the State agency replies referred to above, letters were sent to DOT and the Water Corporation, conveying a proposal (on a 'Without Prejudice' basis) which essentially involved:

- the City accepting vesting of the southern groyne subject to the Water Corporation:
 - repairing the southern groyne to a 20-year life standard-of-repair;
 - ceding Lot 1033 (presently owned in fee simple by the Water Corporation) to the City, with the City granting easements to the Water Corporation to protect its continuing interests in the land (i.e. access to mains running through the site and access to land for pipe assembly, should a third wastewater ocean out-fall pipe be constructed in the future);
- the City accepting vesting of the remainder of the harbour/breakwater reserves, subject to it first being satisfied that it will be able to undertake commercial development of the adjacent foreshore area.

During May and June 1998, a number of meetings were held between Water Corporation, DOT and City officers to address issues relating to the transfer of vesting of the Ocean Reef boat launching facilities and groynes. These meetings resulted in the drafting of 'Heads of Agreement' for a Deed to be presented to the respective agencies' Boards for consideration.

The draft agreement in respect to each organisation covered the following:

- Agreement by the Water Corporation to:
 1. Meet $\frac{2}{3}$ of the cost (\$142,000) of the southern groyne repairs (to a 20-year life standard-of-repair).
 2. Provide the City with a 5-year warranty over the southern groyne.
 3. Transfer (free of cost) the jetty licence to the City (in respect of a jetty within the harbour which the Water Corporation has previously used for the mooring of the vessel used in the launching of the out-fall pipes).
 4. Surrender vesting of the reserve containing the southern groyne.
 5. Meet $\frac{1}{3}$ of the cost of preparation of the deed (being the preferred form of agreement).
- Agreement by DOT/Minister for Transport to:
 1. Meet $\frac{1}{3}$ of the cost of repair of the southern groyne.
 2. Surrender vesting of the reserves at the Ocean Reef Boat Launching Facility currently vested in the Minister for Transport.
 3. Continue to dredge the harbour access channels until the City takes on the vesting of the future breakwater extension, if undertaken. (The annual dredging requirements are from \$10,000 to \$40,000 per year. The cost of the future extension of the breakwater is estimated at \$500,000.)
 4. Provide the City with a 5-year warranty for the breakwater extensions (if undertaken), once transferred to the City.
 5. Provide the City with a 5-year warranty against the breakwater extension (if undertaken) actually reducing dredging costs.
 6. Ensure the jetty fees required of the City are of a nominal nature (\$1 per annum).
 7. Meet $\frac{1}{3}$ of the cost of preparation of the deed.
- Agreement by the City to:
 1. Accept vesting of all groynes, including the breakwater extensions, if undertaken.
 2. Grant easements to the Water Corporation when it requires.

3. Provide DOT any surplus funds received from fees from car parking/boat launching, after other maintenance costs have been met (to assist with the cost of dredging being undertaken by DOT).
4. On completion of the breakwater extensions by DOT (if feasible), take over responsibility for dredging the harbour access channels.
5. Accept the jetty licence.
6. Meet $\frac{1}{3}$ of the cost of preparation of the deed.

Subsequently, the Water Corporation undertook repair work, as agreed, on the southern groyne.

The Water Corporation officers advised that the Corporation will consider leasing Lot 1033 on a commercial basis (i.e. if commercial use is proposed, then lease conditions commensurate with such use would be required; if public use (e.g. park land) is proposed, then lease conditions reflecting such use would apply).

On the 18 June 1999, following correspondence between the parties, a draft Deed (dated 17 June 1999) was prepared incorporating the above matters and was provided to the Department of Transport and the Water Corporation for consideration.

DETAILS

In September 1999, a letter was received from the Water Corporation setting out the comments from both the Corporation and Department of Transport in connection with the draft agreement. The suggested amendments proposed were to define and limit the indemnity and liabilities of the Corporation and Department of Transport in relation to the groynes and dredging requirements.

As the majority of the suggested amendments significantly limit the liabilities of the parties, additional information in relation to the structure and maintenance program for the facility was sought to enable the City to fully understand the implications of the proposed amendments. The City also engaged a consultant, M P Rogers & Associates Pty Ltd to provide an engineering assessment for the maintenance and repair works identified that needed to be addressed with the boat launching facilities. Records of maintenance carried out on the structures to-date were not available from either the DOT or the Water Corporation.

There may be significant costs associated with the transfer of vesting of the groynes to the City. The M P Rogers study, which was finalised in February 2000, provided a preliminary analysis and costing of maintenance works, identified as a result the inspection report. A schedule of suggested works program for long term (20 years) maintenance requirements for the groynes was also estimated at \$598,398 (Attachment 2 refers). Problems identified as requiring attention, for either structural performance or serviceability criteria included repairs to rock armour (granite overlay) sections of the southern groyne. The report concluded that the rock armour was not the nominal size (7 tonne) as specified for the seawall work.

The consequence of a below specified armour layer is that possible damage can be expected in winter storms with even small recurrence intervals. To combat this, the report suggests re-armouring the groyne, with 7 tonne size rock, in five years at an estimated cost of \$242,300. Re-armouring of the North and West breakwater is also suggested in year 5 at an estimated cost of \$30,000. The consultant's report was provided to DOT for comment and they advised that the level of future maintenance and capital expenditure is heavily dependent on the level of functionality the City proposes for the facility.

There may be options to significantly reduce the costs depending on the proposed usage of the facility. It is also significant to note that the DOT also confirmed that they are not aware of any expenditure on maintenance of the main breakwater over the life of the facility (20 plus years).

The report also identified repairs required to the rubble structures, parapet and access to the breakwater, which is estimated to cost \$134,512 in the first year, with minor costs of approximately \$800 to \$2,800 in subsequent years. The DOT report suggests that the cost to provide vehicle access for maintenance to the outer breakwater could be provided at a lower cost than suggested by a temporary limestone pavement. Repairs required to mooring structures and boat ramps are the responsibility of the City and this report was used as a basis for preparing estimates for works to be included in the five year forward works program.

COMMENT/FUNDING

Vesting of the Groynes

The fundamental issue to be addressed is whether Council should proceed with the change in vesting of the groynes at Ocean Reef in favour of the City. The change in vesting will ensure that the City has more control over the structure planning implications and the potential future development of the area at Ocean Reef. However, there is a cost associated with the management and maintenance of the groynes and facilities, as outlined in the M P Rogers and Associates consultant's report, which needs to be considered by Council.

The Ocean Reef boat launching facility and associated groynes are of major regional significance to the community from a recreational view point and to the City in terms of possible future economic development. The groynes also provide protection for the boat launching ramps and facilities. Ocean Reef is the only public boat launching facility north of Hillary's harbour and the breakwater structures are also currently well used as a beach fishing platform. There is significant pressure on Hillary's boat harbour and an alternative facility is required to accommodate the current and future community needs for such facilities. Ocean Reef is well placed and the only node available for the provision of boat launching facilities and associated commercial activity in the City.

A number of years ago the Water Corporation determined that there was no longer a need for the outlet facility at Ocean Reef and proposed to remove the temporary southern groyne. Following community concern that was raised about the possible groyne removal, the City commenced discussion with a view to retaining the structure. The draft Heads of Agreement addresses the need for the change in vesting to ensure that the existing structures remain and that on-going management and maintenance is achieved.

Under the existing arrangements the City is responsible for the moorings, boat launching ramps and associated car/parking facility. The proposal contained in the Heads of Agreement is for the City to take over the management and maintenance, via a change in vesting, of the total facilities at Ocean Reef. Such an arrangement will necessitate a maintenance program for the groynes and breakwater facilities including any recurrent damage likely from winter and other major storms.

The estimated cost as outlined in the M P Rogers & Associates Pty Ltd study is \$598,388 over a 20-year period. This figure consists of major expenditure for the re-armouring of portion of the groynes in year 5, at a cost of \$242,286 and minor re-armouring maintenance each 5 years at a cost of \$30,000 or \$150,000 over the 20-year period. The Head of Agreement proposes that DOT modifies the northern groyne to reduce the silting problem that currently exists in the boat harbour to hopefully minimise and extend the period between dredging. In the long term the City would also be responsible for the dredging cost which may be between \$10,000 and \$40,000 per operation.

The change in vesting as proposed in the Heads of Agreement needs to be considered in terms of the impact on the structure plan potential of the Ocean Reef facility site. The City of Joondalup is presently reviewing development options of Lot 1029 Ocean Reef, which is situated adjacent to the boat launching facility and groyne. Lot 1029 is freehold land owned by the City of Joondalup. The site represents a significant opportunity for partial development in conjunction with the boat launching facility and groyne. Revenue from partial development at Lot 1029, subject to Bush Plan implications, will assist the City with management expenses related to Lot 1029 and other requirements such as the boat launching facility and groynes.

Bush Plan

Lot 1029 is identified as part of Bush Plan Site 325 in the draft Perth Bush Plan. This document has identified areas of native vegetation deemed to be regionally significant. Areas identified as a Bush Plan site have the potential to exclude or significantly constrain development opportunities and proposals on the site.

The Ministry for Planning has acknowledged that Council's Lot 1029 is freehold land earmarked for coastal node development for the benefit of the community and is zoned Parks and Recreation in the Metropolitan Region Scheme (MRS). The Ministry has also confirmed that it is proposed to identify the subject lot on a detailed site map in the final Bush Plan as a "Possible Future Strategic Regional Recreation and Tourism Node". Wider planning and community objectives for existing Parks and Recreation reserves will also be recognised in the final Bush Plan.

Commercial Advice

A preliminary overview of the commercial potential of the Ocean Reef Boat Launching Facilities and surrounding land was undertaken by Turen Property Consulting to identify short and long term income generating potential of the site to offset the on-going maintenance costs associated with the facilities.

The likelihood of private developers and tenants investing, short term, in the site for potential profit either through development or by the establishment of businesses in the area, is considered extremely remote. The short-term income generation potential of the land appears to be limited to licensing of mobile vendors, minor facilities and existing “pay as you use” launching facilities.

Long term, the report identified possible income generation potential for the site, however planning encumbrances of Lot 1029 and the boat harbour facilities need to be addressed.

The approach to the master planning and development of the site is critical for the City to realise the commercial potential of the site and to also recognise and address the implications of Bush Plan. In simple terms the options would be for the City:

1. To retain the land and complete the partial development, incurring all the development expenses and associated risk.
2. Undertake a joint venture with an experienced developer and to share the risk and rewards.
3. Sell the land to a developer as a re-zoned englobo parcel and take no risk but control, to the extent possible, the development outcome.

Future Action

To address the important issues associated with the master planning and development of the Ocean Reef site and facilities, it is recommended that the City engages a suitably qualified consultancy team, incorporating both commercial and master planning skills, to review; develop a master plan and recommend options for the development of the site. The commercial expertise is essential to the master planning process to ensure commercial rigour is applied to planning options so as to achieve the desired outcomes.

It is estimated that it would cost in the vicinity of \$50,000 for a consultant team to undertake a master planning and development option study. Funds have been allocated in the 2000/01 budget for a such a study and report.

Although there would be initial costs associated with the change in vesting it will ensure that the City has more control over the structure planning implications and the potential future development of the area at Ocean Reef. The short term commercial potential is limited, however the long term prospects would provide the City with an income base to assist the servicing and maintenance costs associated with the Boat Harbour facilities.

OFFICER’S RECOMMENDATION: That Council:

- 1 to execute the Deed for the vesting of the Ocean Reef boat launching facility and groynes with the City under its Common Seal
- 2 to engage a consultant team or joint venture partner to develop a master plan for Ocean Reef and to recommend options for the development of the site.

Cr Magyar moved the following motion as one. During discussion on the matter, it was requested that each part of the motion would be voted upon separately.

MOVED Cr Magyar, SECONDED Cr Carlos that Council RESOLVES:

- 1 to execute the Deed for the vesting of the Ocean Reef boat launching facility and groynes with the City under its Common Seal;**

Discussion ensued.

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Carlos that Council RESOLVES:

- 2 to engage a consultant team to develop a master plan for Ocean Reef and to recommend options for the development of the site including a possible joint venture strategy, the consultant team's brief is to include but not to be limited to:
 - (a) determining the area of Lot 1029 available for development by negotiating with the Ministry for Planning's Bushplan Reference Group;**
 - (b) engaging in extensive consultation with the residents of Ocean Reef to determine the level of development acceptable to the local community;****

Discussion ensued.

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Carlos that Council RESOLVES:

- 3 to refer the botanical assessment of Lot 1029 to the Environmental Advisory Committee for review and comment to the consultant team and Council;**

Discussion ensued.

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Carlos that Council RESOLVES:

- 4 to seek a further report on the requirements of complying with section 3.59 of the Local Government Act 1995 in regard to the possible development of the Ocean Reef Marina.**

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf211100.pdf](#)

CJ336 - 11/00 ART COLLECTION WORKING PARTY - [14158]**WARD** - All

CJ001121_BRF.DOC:ITEM 16

SUMMARY

A meeting of the Art Collection Working Party was held on 8 November 2000 and the unconfirmed minutes are submitted for noting by Council.

The Working Party has also recommended that Council purchase the following art work:

Egyptians II, 2000
Automotive Acrylic on Etched Aluminium 100 x 120cm
Priced at \$5,909

BACKGROUND

The City of Joondalup Art Collection has the following objectives:

- To support contemporary Western Australian art and Artists.
- To provide the citizens of the City access to high quality visual art within the boundaries of the region.

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

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

Members of the Art Collection Working Party are:

Cr Laeraine Ewen-Chappell
Cr Tanya Barnett
Rie Heymans, Curator City of Joondalup Art Collection
Mark Stanton, Manager Leisure and Ranger Services

DETAILS

The minutes of the Art Collection Working Party meeting held on 8 November 2000 are included as Attachment 1.

Amendments to the Terms of Reference (Attachment 2 refers) are recommended to include a change in the Membership which now includes:

- two elected members in place of a Commissioner;
- Cultural Development Coordinator in place of the Manager Leisure & Ranger Services.

These changes are highlighted in italics in Attachment 2.

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

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE
Brian McKay	Egyptians II	Automotive Acrylic on Etched Aluminium	Gallerie Dusseldorf	\$5,909.10
TOTAL				\$5,909.10

COMMENT/FUNDING

The Consultant recommended purchase of *Egyptians II* by Brian McKay for \$5,909.10 because the work:

- meets the Art Collection profile;
- is an excellent example of work by one of Western Australia's most respected senior artists;
- is highly suitable for display in the Joondalup Civic Centre and in the proposed Performing Arts Facility.

Funds are listed in the 2000/2001 budget for the purchase of Artworks; details are listed below

Account No: 11 80 82 871 4505 A007
 Budget Item: Art Purchases
 Budget Amount: \$10,000
 Budget Balance \$6,034.54
 Cost of Artwork \$5,909.10 (Excluding GST)
 Remaining Budget \$125.44

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

- 1 NOTES the unconfirmed minutes of the Art Collection Working Party held on 8 November 2000, forming Attachment 1 to Report CJ336-11/00;**
- 2 ENDORSES the amended Terms of Reference for the Art Collection Working Party forming Attachment 2 to CJ336-11/00 Report;**
- 3 REMOVES from the membership of the Art Collection Working Party, Mr Mark Stanton, Manager Leisure and Ranger Services and REPLACES with Mr James Boyd, Cultural Development Co-ordinator;**

4 PURCHASES the following art work for the Art Collection at a cost of \$5,909 from Account Number 11 80 82 871 4505 A007 - Art Purchases:

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE
Brian McKay	Egyptians II	Automotive Acrylic on Etched Aluminium	Gallerie Dusseldorf	\$5,909.10
TOTAL				\$5,909.10

Cr Carlos advised 120 items of art were listed in the City's Asset Register, some of which are held in storage and raised his concerns in regard to the purchase of additional artworks.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf211100.pdf](#)

**CJ337 - 11/00 TENDER 072-99/00 – OPERATIONAL
MANAGEMENT AND LEASE, CITY OF JOONDALUP
LEISURE CENTRES - [46492]**

WARD - ALL

CJ001121_BRF.DOC:ITEM 17

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.

Council at its meeting on 24 October 2000 nominated RANS Management Group as the preferred tenderer, and authorised 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 the provision of Regulation 20 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 final report detailing the outcomes of the negotiations being presented for consideration and if deemed appropriate, approval by Council (Report CJ290-10/00 refers).

The negotiations with RANS Management Group have in the view of the Tender Evaluation Team been successful and it is now recommended that Council declines all tenders previously received under Tender 072-99/00 and authorise the execution of a Lease with RANS Management Group for five plus five years for the Operational Management and Lease of the City of Joondalup's Leisure Centres incorporating the negotiated terms and Conditions of Lease outlined in this report.

BACKGROUND

At the meeting of Council held 24 October 2000 the following was resolved:

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 final report detailing the outcomes of the negotiations being presented for consideration and if deemed appropriate, approval by Council;

- 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.

A special electors meeting has also been held to discuss the future directions of the management of the City's leisure services and to review Reports CJ252-07/99 and CJ290-10/00.

The notes from the meeting held on 6th November 2000 between the Director Community Development, tender evaluation team and representatives from RANS Management Group and subsequent correspondences between the City and RANS are available for the information of elected members if required.

DETAILS

SPECIAL ELECTORS MEETING

Any outcomes from the Special Electors meeting will be tabled at the Council briefing session on 21 November 2000.

NEGOTIATIONS - RANS MANAGEMENT GROUP

The Director Community Development and the Tender Evaluation Committee comprising the following members:

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

met with RANS Management Group to negotiate those matters outlined in Report CJ290-10/00. The suggested variations were forwarded to the City's solicitor to review the impact on the Lease terms and conditions and he has advised on the legal implications of the proposed changes. The outcomes from these negotiations are as follows.

Commencement of Lease

It was agreed that if Council at its meeting on 28 November 2000 was to accept the Tender for the operational management and Lease of the City's leisure centres to RANS incorporating the negotiated terms, then the intended date for RANS to commence operations and management as Lessee of the centres would be 1 February 2001.

Facility Physical Condition Report

It was agreed that an physical condition report of the facilities as per the Lease provisions should be conducted in early December 2000 to identify:

- the current condition of the facility, as intended for hand-over and to be recorded as the condition in which the facilities are to be returned to Council at the end of the Lease term (save for fair wear and tear)
- those items requiring repair/replacement in order to bring them up to a functional and effective standard prior to hand-over.

The audit is to be carried out by an independent party acceptable to both RANS and the Council, the cost of which is to be met equally by RANS and the Council.

Capital Contributions

RANS tender offered the sum of \$1.18m for capital improvements to the Centres. The sum offered included the cost of finance. The bid indicated two likely projects however the offer was conditional upon:

- RANS conducting further market research to determine the most viable capital improvement projects on which to spend their capital contribution; and
- Council providing a capital contribution guarantee to assist RANS in developing and enhancing the facilities

It was agreed that RANS would, subject to the conduct of market research proving the nature of the projects nominated to be most suitable, commit contractually to the following:

Project 1:	Expansion of the Health and Fitness Centre at Craigie Leisure Centre	
Value:	\$1,000,000	
Timing:	Planning and development	April 2001 to August 2001
	Construction	September 2001 to February 2002

Operating and Official Opening March 2002

Project 2:	Development of a Soft Play Area at Craigie Leisure Centre	
Value:	\$180,000	
Timing:	Planning and development	November 2001 to March 2002
	Construction	April 2002 to June 2002

Operating and Official Opening July 2002

Should market research determine another project or projects to be more desirable than those currently nominated, then alternative developments can be considered subject to the written consent of Council, such consent not to be unreasonably withheld. The magnitude and timing of the projects shall however not be substantially altered. The financing of the project should rest with a reputable financial institution and the cost of finance should be in accordance with market rates.

Capital Contribution from the City

Council agreed at its meeting 24 October 2000, 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.

The Director Community Development and the Tender Evaluation Team, following negotiations with RANS now recommend that Council agree to:

- Making good at its cost any items identified in the independent physical audit as requiring repair and replacement as would be expected in a commercial Lessee/Lessor relationship in the period prior to, or if not practical, as soon as possible after hand-over.
- Set aside each year in a Reserve Account, as a minimum sum, the base rental paid to Council by RANS for the purpose of capital improvements to the facilities. Expenditure of this sum is to be subject to Council approval following presentation of a strategic and capital improvement plan prepared by RANS each year generally in the month of February. Requests for expenditure beyond the base rental sum committed each year are to be considered on their merits and the return to Council and the community.

The Lease is specific in terms of responsibility for ongoing repairs and maintenance (the Lessee) which excludes structural repairs.

Fees and Charges

Following negotiations with RANS on this matter, the Tender Evaluation Team has recommended to Council the following fees and charges strategy to graduate the proposed increase in fees and charges as outlined in RANS tender bid.

- RANS to commence operation on 1 February 2001 and levy the current fees and charges set by Council at all 3 centres;
- On 1 July 2001 RANS to adjust the fees and charges across all centres by the CPI for Perth as has been Council's practice in the past;
- On 1 March 2002 RANS would adjust the fees and charges at the Craigie Leisure Centre to conform to the schedule of fees and charges submitted by them in their tender.

Before this fee increase can be implemented, the successful completion of Project 1 of the capital improvements plan (approximately \$1,000,000) submitted by RANS must be achieved.

- On 1 July 2002 RANS to adjust the fees at Sorrento Duncraig and Ocean Ridge Leisure Centres by a maximum of 5% in accordance with the Lease specification and tender submission; and
- On 1 July 2003, and annually thereafter, RANS would adjust the fees and charges at all centres by a maximum of 5% if CPI were less than 5% or by the CPI increase if greater than 5%.

It was considered that there was some potential for inflation to extend beyond 5% in the foreseeable future. By making this latter adjustment to fees it will create a win win situation for the City and RANS and be consistent with past Council practice.

If Council would prefer to cap fee increases at a maximum of 5%, irrespective of the increase in inflation, then RANS have indicated that the base rent increase should be capped at 5% as well. The base rental applicable each year is linked to the CPI and will increase by the CPI each year. The most advantageous outcome however is to ensure that the fees and rent remain at least in line with inflation.

RANS have indicated that the proposed fee strategy proposed by the City's team does impact on the viability of the Centre's operations and they would have to bear a loss of about \$50,000-\$75,000 in first two years . To resolve this, it is proposed that there will be no change to the base rental return as outlined in Item CJ290-10/00, however the percentage of turnover in the first two years will be revised as follows.

	Original Submission		New Proposal	
	% Rent	% Rent	% Rent	% Rent
Year One	1.0%	31,511	0.25%	7,876
Year Two	1.5%	53,364	0.50%	16,009

It is considered that the proposed strategy will deliver a fair and realistic outcome to customers of the Centres and ratepayers. The increase in fees and charges beyond that would normally be levied through a consumer price index increase will only occur once there has been a significant enhancement to the facilities at Craigie Leisure Centre.

RANS have advised that there is no significant change to the budget to reflect the changes negotiated and satisfactorily addresses all requirements. The proposed fees and schedule charges as previously proposed have not changed as the introduction of fee increases will be graduated as outlined above to minimise the impact on customers of the Centres. The issue of discounted books of swimming pool entry tickets has been discussed with RANS who have indicated it will either retain the discounted tickets system or introduce an alternative to better meet the needs of the market place.

Programming as submitted by RANS

RANS has provided an explanation of the programming strategies and initiatives it proposes to implement to achieve the forecast improvement in the financial performance of the Centres.

RANS has indicated the following:

- All current facility programming will be continued and reviewed for suitability and viability on an ongoing basis. RANS have stated that it is in Council's and RANS best interests to keep all existing users at the facilities satisfied in the transition period;
- It is RANS programming policy to programme available space with centre based programmes and then to offer the remaining facility space and time to external hirers. The exception to this is when an external hirer or provider can offer a specialist or unique service that is not offered, or not viable as an in house programme;
- Optimum use of facilities will be reviewed on the following criteria
 - Programmes offered providing users with the broadest range of options;
 - Prioritised time usage, to ensure maximised profitability;
 - Marketing support and promotional effort required;
 - Efficient use of human resources;
 - Administrative support and systems for programmes required; and
 - Current attendance levels and perceived potential of programmes
- A high degree of importance will be placed on researching the market

- Introduction of the following programmes;
 - RANS generic programmes;
 - School swim programmes and intensive programmes to develop school market;
 - Fitswim programmes for those wishing to swim for fun but improve techniques;
 - Family fun days;
 - Expand swim school programme;
 - Latest group fitness and health classes including spinning, pilates and fitball;
 - Packaged birthday parties and bookings; and
 - Capitalise on Olympic sports popularity.

Chattels

The Lease provides that any chattels in the Centres that within three months of the commencement of the Lease that the Lessee does not require shall be disposed of by Council. RANS have requested that the proceeds of any sale be transferred to the reserve account for capital improvements to the Leisure Centres. This is considered to be a reasonable proposal and will be advantageous to the performance of the Centres.

Insurance

RANS has confirmed that it will fully comply with the insurance requirements specified in the Lease. There has been a request for indemnification of RANS for any wrong doing by the City as a cross liability. The City's solicitor has advised against accepting this request.

Transmission of Business Strategy

RANS have submitted a transmission of business strategy that satisfactorily addresses the issues. This is available for the information of elected members if required.

RANS indicated in the negotiations with the Director Community Development and the Tender Evaluation Team that it was its intention to recruit and appoint staff whether they were current City of Joondalup employees or employed elsewhere on merit. RANS would be solely responsible for the recruitment and did expect that many of the existing staff at the Centres would be re-employed at the Centres.

Should Council award the contract 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 who are employed on a permanent basis either full time or part time is approximately 18 FTE's.

Leisure Centre Reference Group

The terms of reference for the Leisure Centre Reference Group which will be known as the Leisure Centre Strategic Management Group are being developed in conjunction with RANS and will be included in the Lease for reference. The proposed objectives for the Reference Group are as follows.

- 1.1 To discuss the preparation and contents of the annual Leisure Centres Strategic Plan.
- 1.2 To receive and consider the final draft of the annual Leisure Centres Strategic Plan for presentation to Council with recommendation for adoption
- 1.3 To consider proposed amendments and increases to the Schedule of Fees and Charges for the use of the three leisure centres where the proposal presents a variation from those adjustments as permitted by the Lease agreement
- 1.4 To review financial and other performance measures of the leisure centres and to keep Council apprised of performance against the business plan for the centres.
- 1.5 To discuss and make recommendations to Council on policies applicable to the operation of the City's leisure centres
- 1.6 To assess facility improvement and major maintenance proposals for the Leisure Centres and make recommendations to Council and RANS for approval and on funding contributions.
- 1.7 To provide direction to the City and RANS based on strategies identified and developed by the Management Group to deliver consistent and cohesive leisure services to the community.
- 1.8 To consider the future development of the leisure services within the City
- 1.9 To consider proposals for leisure initiatives and programs that reflects a whole of City approach to leisure services.
- 1.10 To ensure that the local community continue to perceive the leisure centres as facilities offering services provided by the City of Joondalup

Representation on the Management Group would include two elected members, two Council staff and representatives from RANS.

COMMENT/FUNDING

It is considered that the negotiations with RANS have achieved a satisfactory outcome for Council. The proposed increase in fees and charges have been graduated to coincide with the completion of the first capital improvements project at Craigie Leisure Centre proposed by RANS (expansion of the Fitness Centre). The staging of the fee increases will minimise the impact on customers who will also have the opportunity to utilise an improved facility at the same time as the fee increase to bring the fees up to that proposed by RANS in its submission.

The specifications sought to reflect three major goals:

- Improve the financial performance of the Leisure Centres by enhancing the ability of the Centres to operate in a more commercial manner without some of the constraints that can exist when a Centre is operated by Local Government;
- Develop a strategic partnership approach with the successful tenderer; and
- Assist the Leisure Services business unit to achieve the broader strategic goals outlined in the City's Strategic and Principal Activities Plans.

It is considered that Council should award RANS the contract because the RANS tender will help the City achieve the above goals due to 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; and
- RANS proposes better options for the transfer of existing staff to the new operator.

The independent market test 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.

As a result of the negotiations authorised by Council at its meeting 24 October 2000 a number of variations to the original tender by RANS have been negotiated for consideration by Council. The variations are considered to be acceptable by Council staff and any legal implications have been vetted and advice taken by the City's Solicitor, Mr John Woodhouse. It is considered that Council should now proceed to decline all previous tenders and proceed to enter into a lease with RANS on the terms of the lease as outlined in this report awarding the contract to RANS Management Group for five plus five years for the Operational Management and Lease of the City of Joondalup's Leisure Centres.

OFFICER'S RECOMMENDATION: That Council:

- 1 **DECLINES** all previous tenders for Tender 72-99/00, Operational Management and Lease of the City's Leisure Centres;
- 2 **AWARDS** the Lease to RANS Management Group for five plus five years for the operational management and Lease of the City's Leisure Centres in accordance with the negotiated terms and conditions as outlined in Report CJ 290-10/00 and Report CJ337-11/00;
- 3 **AUTHORISES** the execution of the Lease from 1 February 2001 for a period of 5+5 years for the Management and Lease of City of Joondalup Leisure Centres under the common seal;
- 4 **BY AN ABSOLUTE MAJORITY** pursuant to the provisions of Section 6.11(1) of the Local Government Act 1995 **CREATES** a new Reserve Account titled Leisure Centre Capital Improvements for the purpose of Capital Improvements to the City's Leisure Centres operated by RANS Management Group; and
- 5 **NOMINATES** two elected members as representatives to the Leisure Centre Strategic Management Group.

MOVED Cr Magyar, SECONDED Cr Carlos that Council:

- 1 DECLINES all tenders for Tender 72-99/00, Operational Management and Lease of the City's Leisure Centres;
- 2 DOES NOT AWARD the Lease to RANS Management Group for the operational management and Lease of the City's Leisure Centres;
- 3 DOES NOT AUTHORISE the execution of the Lease for the Management and Lease of City of Joondalup Leisure Centres under the common seal;
- 4 BY AN ABSOLUTE MAJORITY creates a new Committee titled Leisure Centres Improvement Committee, for the purpose of developing the strategic framework to provide the residents of Joondalup with quality leisure centres managed for the benefit of the whole of the community;
- 5 NOMINATES three elected members to the committee, with staff representatives decided by the Chief Executive Officer;
- 6 SEEKS an urgent further report on the effects of Section 3.59 of the Local Government Act 1995 regarding processes applicable to and financial implications of leasing Council Owned Facilities located on Crown Reserves;
- 7 SEEKS an urgent further report on the effects of Sections 18 and 46 of the Land Administration Act 1997 regarding prescribed processes and financial implications of leasing Council Owned Facilities located on Crown Reserves.

Discussion ensued.

During discussion, Director Infrastructure Management left the Chamber at 2105 hrs and returned at 2108 hrs.

The Motion was Put and

LOST

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

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

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

MOVED Cr Patterson, SECONDED Cr Mackintosh that Council:

- 1 **DECLINES all previous tenders for Tender 72-99/00, Operational Management and Lease of the City's Leisure Centres;**
- 2 **AWARDS the Lease to RANS Management Group for five plus five years for the operational management and Lease of the City's Leisure Centres in accordance with the negotiated terms and conditions as outlined in Report CJ 290-10/00 and Report CJ337-11/00;**

- 3 AUTHORISES the execution of the Lease from 1 February 2001 for a period of 5+5 years for the Management and Lease of City of Joondalup Leisure Centres under the common seal;**
- 4 pursuant to the provisions of Section 6.11(1) of the Local Government Act 1995 CREATES a new Reserve Account titled Leisure Centre Capital Improvements for the purpose of Capital Improvements to the City's Leisure Centres operated by RANS Management Group;**
- 5 NOMINATES Crs Wight and Carlos as representatives to the Leisure Centre Strategic Management Group;**
- 6 as detailed in (2) above awards the lease to RANS, SUBJECT to confirmation being obtained that awarding the lease will not be in contravention of Section 3.59 of the Local Government Act 1995 and Sections 18 and 46 of the Land Administration Act 1997, should those sections apply.**

With regard to Point 5 of the Motion, Cr Ewen-Chappell nominated Crs Barnett and Walker.

Crs Barnett and Walker declined the nomination.

Cr Barnett nominated Cr Wight. Cr Wight accepted the nomination.

Cr Magyar nominated Cr Carlos. Cr Carlos accepted the nomination

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CJ338 - 11/00 SPECIAL MEETING OF ELECTORS HELD ON MONDAY 20 NOVEMBER 2000 - [46492]

WARD – All

SUMMARY

A Special Meeting of Electors was held on Monday 20 November 2000, in accordance with Section 5.28(1)(b) of the Local Government Act 1995, to discuss the future directions of the management of the City of Joondalup's Leisure Services and to review reports CJ252-07/99 and CJ290-10/00.

In accordance with Section 5.33 of the Local Government Act, all decisions made at an electors meeting are to be submitted to Council for consideration.

The Minutes of the Special Meeting of Electors are submitted for noting by the Council and consideration of the motions contained therein.

BACKGROUND

A request for a Special Electors Meeting was submitted on 24 October 2000, in accordance with the provisions of Section 5.28(1)(b) of the Local Government Act 1995, to discuss the future directions of the management of the City's leisure services and to review Reports CJ252-07/99 and CJ290-10/00.

DETAIL

A Special Meeting of Electors was held on Monday 20 November 2000, in accordance with Section 5.28(1)(b) of the Local Government Act 1995.

There were 13 Electors (six of whom signed the attendance record) in attendance.

Following a period of question and comment time, the following motions were Moved:

MOVED Mr R De Gruchy, SECONDED Mr V Harman that Council DEFERS any final decision on accepting the RANS tender and:

- 1 re-examines the financial aspects involved;**
- 2 gives more consideration to the fact that the three centres are community facilities and should not necessarily be regarded as a commercial enterprise.**

The Motion was Put and

CARRIED

Section 5.33 of the Local Government Act 1995 requires any decisions made at a Special Electors' meeting to be considered, where practicable, at the next Ordinary Meeting of the Council. Part 2 of section 5.33 states that if at a meeting of the Council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the Council meeting.

COMMENT

The Council is currently considering the outcome of Tender 072-99/00 for the operational management and lease for the City of Joondalup Leisure Centres. It is suggested that the Council give consideration to the resolution of the Special Electors Meeting held on 20 November 2000.

MOVED Cr Patterson, SECONDED Cr Mackintosh that Council:

- 1 NOTES the Minutes of the Special Meeting of Electors held on Monday 20 November 2000, forming Attachment 1 to Report CJ338-11/00, to discuss the future directions of the management of the City of Joondalup's Leisure Services and to review reports CJ252-07/99 and CJ290-10/00;**

2 NOT DEFER the final decision of accepting the RANS tender for the operational management and lease of the City of Joondalup's leisure centre for the following reasons:

- **As outlined in report CJ338-11/00 as included in the agenda for the ordinary meeting of the Council scheduled for 28 November 2000;**
- **An independent financial analysis and review of the Tender submissions and market test has already been conducted;**
- **The tender specification and tender submissions address the need to consider the Leisure Centre as community facilities balancing financial and social outcomes**

The Motion was Put and

CARRIED

Appendix 22 refers

To access this attachment on electronic document, click here: [Attach22ag281100.pdf](#)

Manager, Leisure and Ranger Services, and Mr M Casserly of CCS Management left the Chamber, the time being 2133 hrs.

CJ339 - 11/00 CONTROLLING MIDGES AT LAKE JOONDALUP AND LAKE GOOLLELAL - [03171] [01367]

WARD .._ ALL

CJ001121_BRF.DOC:ITEM 18

SUMMARY

At the meeting of the Council on 11 May 1999 a report (CJ154-05/99 refers) was considered which advised of the severe midge problems that were being experienced by residents living in the vicinity of Lake Joondalup and Lake Goollelal. At that meeting Council:

- endorsed the midge strategy and action plan for Lake Joondalup and Lake Goollelal outlined in the report;
- approved \$21,000 to be listed for consideration as a new initiative in the 1999/2000 annual budget as a high priority (this amount was subsequently approved for research to be undertaken by Edith Cowan University);
- encouraged the Midge Control Group to establish an integrated Catchment Management Program for the management of natural resources at the local and regional level.

This report outlines the progress of the Midge Control Group, now known as the Yellagonga Catchment Group, towards establishing an integrated catchment management program for the management of natural resources at the local and regional level. It also provides a summary of

the findings of the Edith Cowan study of the midge problem associated with Lake Joondalup and Lake Goollelal. In addition it presents a Draft Management Strategy to control midges in Lake Joondalup developed by the Department of Conservation and Land Management (CALM) in conjunction with the Cities of Joondalup and Wanneroo, the Water and Rivers Commission and Water Corporation.

BACKGROUND

Residents living in the vicinity of Lake Joondalup and Lake Goollelal experienced a severe midge problem during the latter part of 1998 and the early part of 1999. The problem was assessed as being the worst incidence of midge in the past twenty to thirty years.

In order to avoid the reoccurrence of midge in the same proportions the City of Joondalup and the Shire of Wanneroo established a Midge Control Group (now the Yellagonga Catchment Group) in December 1998. This group included representatives from the community, state government, local government and Edith Cowan University and its aim was to investigate treatment options for both lakes in the short term and then to develop a longer term strategy to improve the water quality of the Yellagonga Wetlands.

The Yellagonga Catchment Group developed a formal Strategy which was adopted by Council as outlined above. Funding of \$21,000 from each local government was provided in the 1999/2000 to fund research into the midge problem.

The Yellagonga Catchment Group identified its role as being broader than just rectifying the midge problem and determined the need for the community and government to work together to ensure the sustainability of the Yellagonga Wetlands. The Yellagonga Catchment Group has been meeting monthly since the report to Council on 11 May 1999 and has achieved a number of outcomes.

DETAILS

ACTIVITIES OF THE YELLAGONGA CATCHMENT GROUP

The Yellagonga Catchment Group has developed a detailed plan of action in order to implement the Midge Strategy adopted by Council on 11 May 1999. It has also been involved in a range of initiatives including:

- the installation of groundwater quality monitoring bores by Waters and Rivers Commission;
- with Ribbons of Blue, preparation for the training of community members to sample and analyse these bores;
- the development of partnerships with the Centre for Ecosystem Management at Edith Cowan University;
- endorsement of the recommendations of an Edith Cowan University Report, commissioned by the Cities of Wanneroo and Joondalup, on the monitoring and treatment of midges;
- the organisation of a community consultation meeting on the CALM Draft Management Plan 2000-2001 for the Yellagonga Regional Park;

- regional advocacy with the Ministers for the Environment, Water Resources and Planning and with the Environmental Protection Authority concerning the Wetlands;
- the development and distribution of an information brochure on Midges; and
- the production of a community newsletter.

The Group is in the process of developing a constitution so that it can become a separately incorporated body. This will enable the Group to apply for funding to carry out its work. The 2000/2001 budgets for the Cities of Wanneroo and Joondalup include amounts for the employment of a Coordinator three days per week to support the work of the Group so that it can achieve even more towards the rehabilitation of the Yellagonga Wetlands. The advertisement for this position appeared in the press on 18 November with a closing date of 1 December 2000.

EDITH COWAN RESEARCH RESULTS

The aims of the study were to gain an understanding of the ecology and distribution of midge larvae and apply this to improved control strategies at both lakes. More specifically, the study sought to list the species present; identify midge larvae hot spots and relate this to a range of habitat factors; correlate larval numbers with the density of adult midge plagues; assess the effectiveness of the pesticide Abate in treating midge larvae; and make recommendations for better control measures.

Findings from the study of Lake Joondalup

The main nuisance species are *Chironomus occidentalis* and *Polypedilum nubifer*. ‘Hotspot’ areas for these species lie between Neville Drive and Ariti Avenue. It is most significant on the eastern side of the lake but extends across to the western shore. The nutrient data suggests that the stormwater drains on the eastern side are a major contributor to nutrient enrichment of the lake. Other possible sources include the old landfill site north of Hawkins Park and fertilising of Council lawns adjacent to the lake.

C. occidentalis densities appeared to decline naturally throughout spring although remained sufficiently high to cause a nuisance. *P. nubifer* levels were relatively high and stable throughout spring. This is typically a summer species and numbers would likely have increased during this period if the water level had not declined. A third species *C. alternans* had high numbers during late winter but declined to insignificant levels by mid spring.

Spraying Abate at the rate of 4kg per hectare is effective in reducing midge numbers to around 2000 larvae per m². At this level there does not appear to be any substantial midge problem for residents. Although given the size of Lake Joondalup, low levels of midge funnelled together by winds could still cause occasional problems. Monitoring results suggest the Abate spraying is probably effective for 6-8 weeks.

Findings from the study of Lake Goollelal

Midge larval densities were low compared to that found in Lake Joondalup. No substantial nuisance problems were reported, with larval levels reaching just below 5000 larvae m². This suggests that a trigger threshold for spraying may be greater than 5000 larvae m². Water quality within the lake is reasonable. However, given the current expansion of urban areas around the lake, this lake is potentially threatened and could quickly become a major source of midges.

Recommendations from the study

The recommendations are focused on Lake Joondalup but are equally applicable to Lake Goollelal.

Long-term strategies

- The nutrient load into Lake Joondalup needs to be substantially reduced to improve water quality within the lake, which in turn will make the lake less able to support high midge densities. The formation of the Yellagonga Catchment Group is a positive beginning to the long term management of the lake.
- Research is required to identify the major inputs of nitrogen and phosphorous onto the lake. The study suggests that stormwater drains need immediate investigation.
- Public education is required to inform residents how they can reduce nutrient loads into the lake and therefore participate in the recovery of the lake.
- Revegetation (with native species) of the lake edge on the Wanneroo side should be seen as a priority, as this will help reduce nutrients in the lake as well as provide a buffer against adult midges.
- The lawn adjacent to the lake edge should no longer be fertilised. Irrigation water taken from the lake will provide sufficient nutrients for a healthy lawn.
- Until it has been established through research that drying increases midge numbers and the mechanism through which this happens is understood, it is not possible to recommend that any alteration to the lakes hydrological regime be attempted. There is a strong possibility that increased water levels throughout summer will actually serve to extend the midge problem throughout the summer.
- The Councils should consider the installation of more light traps on the lake itself and near the paths in problem areas (as used at Lake Monger). Consideration should also be given to using yellow light covers (or non-insect attracting bulbs) for street lighting. Residents should be advised to reduce the amount of white light that can be seen around their houses.
- A public education campaign focusing on the midge problem may help reduce the level of complaints and foster better catchment practices amongst the general public.
- More research is needed into the habitat preferences of midge species to allow prediction of midge plagues and more effective control.
- Year round monitoring is required. This should cover midge densities, and nutrient and chlorophylla levels.

In regards to Lake Goollelal every effort should be made with new urban developments to prevent further enrichment. All the indications are that further enrichment of the lake will create a substantial midge problem for the future.

Short term control:

- Alternatives to Abate (when and if available) should be considered. Excessive use of Abate is undesirable on environmental grounds, as it is known to effect non-target fauna (particularly crustacea). It does not appear to reduce larval densities below 2000 larvae m². Applications are also relatively expensive.

With consideration for both controlling midge and protecting the environment the following guidelines are recommended in regards to spraying:

- Focus spraying on the major ‘hotspot’ between Ariti Avenue and Neville Drive. Other areas should only be treated when larval densities exceed 5000 larvae m². This allows non-target fauna areas of refuge.
- No spraying before September and then only if larval density exceeds the 5000 larvae m². Follow-up spraying should only be considered if levels again exceed 5000 larvae m² and the lake is not close to drying.
- Resident complaints should not be used as a primary trigger for spraying. Weather conditions can cause localised problems at very low midge densities, but these are likely to be short lived.
- If persistent complaints occur at midge densities below 5000 larvae m², then the threshold needs to be reviewed.
- Spraying of adult midges by fogging is not recommended, given the 2-3 weeks life span of adult midges and the potential negative effects of fogging on human and environmental health.

PROPOSAL FROM CALM

CALM has developed a draft management strategy and has conveyed the strategy and an offer of funding via correspondence from the Minister for the Environment and Labour Relations dated 1 and 2 November 2000. The strategy was prepared following consultations with officers from the Cities of Wanneroo and Joondalup. A copy of the draft strategy can be found at Attachment 1 to this report. In summary, the draft strategy proposes:

1. Continued treatment of Lake Joondalup with Abate – up to 4 times per year at a cost of \$100,000.00 per annum. The treatment program to be managed by the Cities of Wanneroo and Joondalup as is currently the case.
2. Refined monitoring by an independent agency at a cost of \$30,000 per annum. (The Cities currently undertake the monitoring of the lakes.)
3. Ongoing research (\$50,000 per annum).
4. Maintenance of a suitable vessel to enable full access to the Lake. The vessel to be purchased from the 2000/2001 budget.

There is no sunset clause or review period for the strategy. The Minister’s letter of 2 November states that “the total cost of the strategy will be \$154,000 for the remainder of this financial year, with ongoing annual costs being \$185,000” and the Minister’s letter of 1 November requests that each City make a contribution of 25% of the total cost. This would mean \$38,500 for the current financial year, dependent upon the number of times the Lake needs treating, and \$46,250 for subsequent years. It will be essential to gain a commitment from the State Government ensuring 50% of funding for the implementation of the strategy over at least 5 years.

In addition, CALM is proposing the establishment of a steering committee to advise on the implementation of the strategy. This group would be a technical committee consisting of officers from CALM, Water Corporation, Waters and Rivers Commission and the Cities of Joondalup and Wanneroo.

COMMENT/FUNDING

The recommendations from the Edith Cowan University study are not viewed as the final solution to preventing further midge problems. There is still a lot to learn about the relationship between the lakes, the catchment areas and breeding of the midge. The report is seen as a useful reference to assist with future management and research strategies and its findings have been endorsed by the Yellagonga Catchment Group. As acknowledged in the study, the recommended actions need to be revised and adapted as new research and monitoring data becomes available. The need for further research has been captured in CALM's draft midge strategy.

At this stage no budget provision has been made for additional expenditure in this financial year to support the CALM proposal. However, an amount of \$22,550 was allowed in this year's budget for the spraying of the lake. To date three treatments have been undertaken and CALM has already agreed to contribute to two of these treatments. In addition, the Minister for Water Resources has reaffirmed an offer of funding from the Waters and Rivers Commission to assist in the current treatment program. Taking these contributions into account reduces the City's expenditure to date and leaves sufficient funds for the cost of 25% of a further treatment of hotspots if required. In addition, the City's current budget includes an amount of money for a strategy for the *Rehabilitation of the Yellagonga Wetlands*. This includes:

PURPOSE	AMOUNT
1.5 days of Coordinator's position	\$13,800
Community Action Days - YCG initiative	\$1,000
Further research	\$5,000
Contribution towards the Cockburn Midge Steering Group	\$2,000
Distribution of information about the YCG's activities	\$500
Implementation of Midge Busters Program, Brochure development and dissemination – YCG initiative	\$1,500
Support of environment events – YCG initiative	\$1,000
TOTAL	\$25,000

Savings of some \$12,000 can be expected by the end of December with this initiative. This would leave a shortfall of \$4,000 to reach the \$38,500 requested by the Minister for the Environment and Labour Relations. It would be possible to find this amount from within the Health Budget due to savings in labour costs to date.

MOVED Cr Kadak, SECONDED Cr Barnett that Council:

- 1 ENDORSES the work of the Yellagonga Catchment Group and continues to support the broader catchment management role of this group;**
- 2 NOTES the findings of the research prepared by Edith Cowan University into the study of the midge problem associated with Lake Joondalup and Lake Goollelal;**
- 3 ADOPTS the Draft Midge Management Strategy for Lake Joondalup as presented by the Department of Conservation of Land Management subject to:**
 - (a) a commitment being given from the Minister for Conservation and Land Management, ensuring fifty percent of the funding being provided for the implementation of the strategy over at least 5 years;**
 - (b) listing for consideration in the City's 2001/2002 draft budget an amount of \$46,250.00 to implement the CALM Midge Management Strategy for Lake Joondalup;**
 - (c) a commitment from the City of Wanneroo to contribute twenty five percent of the cost of the strategy.**

The Motion was Put and

CARRIED

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf211100.pdf](#)

INFRASTRUCTURE MANAGEMENT

**CJ340 - 11/00 NATIONAL ROAD FUNDING CAMPAIGN - [03011]
[13823]**

WARD - All

CJ001121_BRF.DOC:ITEM 19

SUMMARY

The City of Joondalup has been requested by Western Australian Municipal Association to make a contribution towards a National Road Funding Campaign. Co-ordinated across Australia by the Australian Local Government Association (ALGA), the campaign will seek to target politicians during the forthcoming Federal Election to increase awareness about road funding shortages and to seek a \$1.3 billion income in road funding over the next ten years.

BACKGROUND

ALGA, in conjunction with State based Local Government Association, national trade, industry, professional and community organisations will undertake a national campaign in the lead up to the 2001 federal election to substantially increase spending on roads. The professionally co-ordinated campaign will involve extensive lobbying of all federal political candidates particularly those in marginal seats and an Australia wide advertising campaign based on the “Fix Australia, Fix the Roads” campaign. ALGA has asked all Councils in Australia to contribute to the campaign with a budget of \$2,000,000 to achieve a \$1.3 billion increase in road funding over ten years. WAMA is co-ordinating the campaign in WA and has requested a contribution of \$3,500 from the City of Joondalup.

DETAILS

Through research and data collections, ALGA has highlighted the following basic statistics to support additional road funding:

- Despite increased passenger and freight traffic, the Commonwealth’s road funding contribution, in real terms, has been declining since 1993.
- Government taxes, including GST, total 47 cents per litre of petrol. Fuel excise accounts for 38 cents per litre, with the government returning only seven cents per litre to roads.
- Sub-standard roads are killing and maiming innocent Australians, The decline in road fatalities since the 1980’s has stopped, corresponding with a real terms reduction in road funding. Estimates put the cost of road trauma to the Australian community at \$6 billion per year.
- Roads are used for 95 per cent of urban passenger travel, 79 per cent of rural passenger travel, 66 per cent of urban public transport and 74 per cent of freight transport.
- Research indicates a \$1 billion investment in an improved road network would result in a \$700 million annual stream of benefits to the Australian economy.

It is in this context that ALGA considers the campaign to have a high priority and that the relatively small contribution by all Councils could achieve significant road funding increases well beyond the contribution cost.

Western Australia’s contribution to the \$2 million campaign has been calculated at \$246,000. WAMA has used the current metropolitan/rural split of state road funding which is 36% to 64% to determine the contribution from all Councils. As a result the following contributions are expected:

LGA	Councils (Local Government Associations)	\$3,500
CUCA	Councils (Country Urban Councils Associations)	\$2,500
CSCA	Councils (Country Shire Councils Associations)	\$1,000

The campaign will be run in phases, the first being the production of information kits to be forwarded to all Members of Parliaments across Australia to highlight the deteriorating conditions of the nation's roads and the need for increased funding. The next phase is media liaison, direct lobbying, petitions, feature articles and editorials at national, state, regional and local levels to focus political and public interest in the campaign. A major feature will be a cavalcade of vehicles travelling from each capital city to Canberra to arrive at Parliament House together. Tentatively named the "Pot Hole Express", the cavalcade is designed to generate additional nationwide interest

The next phase involves a concentrated media campaign involving television, radio and press advertising to be conducted when the Federal Election campaigns start. The objective is to obtain commitments from all political parties for increased road funding. All funds will be held by ALGA in a trust fund titled "ALGA National Roads Campaign".

COMMENT/FUNDING

A contribution from the City of Joondalup towards this campaign is recommended. It demonstrates the support both in principle and in monetary terms that the level of investment in roads is can be improved. This is amply demonstrated by the need for the Mitchell Freeway extensions further north from Hodges Drive and other major roads in the northern region. Additional funding of Black Spots is also warranted because of the excellent results achieved by treating these locations using the latest traffic management treatments.

Funding from Federal sources is reported to be insufficient on a national basis to meet the maintenance of ageing road infrastructure. If the campaign achieves nothing more than funding increase that matches the contribution, the City has lost nothing. However, it is likely that much more will be achieved, certainly the recognition that private transport is the main form of transport in Australia and will continue to be for many years and requires better roads and road funding to meet future urban, rural and commercial development.

It is considered that a nationally co-ordinated targetted campaign is the most effective approach in dealing with this matter.

Funds are available in Project No 6250 – Road Resurfacing Programme – Various Roads for Asphalt Overlay \$554,132 to meet the contribution cost.

OFFICER'S RECOMMENDATION: That Council:

- 1 **ENDORSES** the National Road Funding Campaign;
- 2 **AUTHORISES** a contribution of \$3,500 to the National Road Funding Campaign to be paid to Western Australian Municipal Association from Project No 6250 – Road Resurfacing Programme – Various Roads for Ashphalt Overlay.

MOVED Cr Magyar, SECONDED Cr Carlos that Council:

- 1 **DOES NOT ENDORSE** the National Road Funding Campaign;
- 2 **DOES NOT AUTHORISE** a contribution of \$3,500 to the National Road Funding Campaign to be paid to Western Australian Municipal Association from Project No 6250 – Road Resurfacing Programme – Various Roads for Ashphalt Overlay.

- 3 NOTES that petroleum reserves are only being discovered at the rate of 7 billion barrels per year whilst the world consumes 23 billion barrels a year, making long term investment in road infrastructure questionable;
- 4 AUTHORISES the expenditure of \$3,500 on a report to establish the best options for Joondalup in regard to long term transport options.

The Motion was Put and

LOST

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 1 ENDORSES the National Road Funding Campaign;**
- 2 AUTHORISES a contribution of \$3,500 to the National Road Funding Campaign to be paid to Western Australian Municipal Association from Project No 6250 – Road Resurfacing Programme – Various Roads for Ashphalt Overlay.**

The Motion was Put and

CARRIED

Director, Community Development left the Chamber, the time being 2136 hrs.

Cr Ewen-Chappell left the Chamber, the time being 2138 hrs.

CJ341 - 11/00 VERGE TREATMENT - ST IVES RETIREMENT VILLAGE, 177 DAMPIER AVENUE, KALLAROO - [00040]

WARD - Whitfords

CJ001121_BRF.DOC:ITEM 20

SUMMARY

A 138 signature petition has been received from the St Ives Northshore Residents Association requesting the City to undertake action to prevent motorists driving across the verge adjacent to the St Ives Retirement Village located at 177 Dampier Avenue, Kallaroo.

It is recommended that bollards are installed on the verge adjoining the St Ives Retirement Village in accordance with the City's policy and specifications, at the expense of the Resident's Association.

BACKGROUND

A 138 Signature petition has been received from the St Ives Northshore Residents Association requesting advice and action to prevent motorists driving across the verge and doing "burn-outs" on the landscaped lawn adjacent to the St Ives complex situated on Dampier Avenue, Kallaroo.

Concern has been expressed that due to this unlawful driver behaviour there is safety concerns for residents of the Retirement Village and other pedestrian and footpath users.

At the ordinary meeting of Council on 27 June 2000, it was resolved to review the Corporate Procedures Manual and amend certain policies that relate to the City's functions (Report CJ148-06/00 refers). As part of this review the Council adopted Policy 5.3.1 – Verge Treatments – Protective Devices which is as follows:

Property owners may make written application to the Director Infrastructure Management to install barrier type kerbing or bollards within the road verge to protect reticulation, landscaping and to discourage verge parking.

The installation of bollards shall only be approved for commercial or industrial zoned properties at the property owners expense and to the satisfaction of the Director Infrastructure Management.

Where a residential property on an intersection or junction is experiencing damage to the verge, they may install barrier type kerbing. The installation of this kerbing around residential properties, is on the basis of a 50:50 split between the City and the property owner.

The City has previously suggested to the Residents Association to install garden beds and install landscaping through the lawn to segregate the area in an attempt to distract such antisocial driver behaviour.

The other option for the Residents Association is to install bollards adjoining the retirement village along Dampier Avenue, however this is not in accordance with the above policy and requires the approval of Council.

DETAILS

In accordance with Policy 5.3.1, the installation of bollards on verges is only approved for commercial and industrial zoned properties to protect reticulation, landscaping and discourage verge parking. Various reserves within the district also have bollards installed on the verge.

The bollards must be installed to the City's standard for verge bollards (copy of specification attached to this report) at the adjoining property owners expense.

Attempts made by the Residents Association to install landscaping, have not resolved drivers mounting the verge and doing "burn outs" which is continually damaging the landscaping and lawn.

It is in this regard that it is recommended that the Council approves the installation of bollards on the verge adjoining the St Ives Retirement Village in accordance with the City's specifications for installing bollards, at the Residents Association's expense.

COMMENT

The type of antisocial driver behaviour adjoining the St Ives Retirement Village is a common problem experienced throughout the district which causes not only distress for adjoining property owners, but also safety concerns for pedestrians, cyclists and other footpath users.

The placement of obstructions on the verge such as rocks, stakes and string and other obstructions can be dislodged onto the road and adjoining footpaths and can also create similar safety concerns for not only the above but also road users.

Notwithstanding the above the installation of bollards in certain situations can prevent damage to verge treatments, still maintain pedestrian access and also resolve safety concerns for both pedestrians and road users.

It is therefore recommended that the Council approve the installation of bollards on the verge adjoining St Ives Retirement Village in accordance with the City's specifications, at the expense of the Residents Association.

OFFICER'S RECOMMENDATION:

That Council APPROVES the installation of bollards on the verge adjoining the St Ives Retirement Village in accordance with the City's specifications for bollard installation at the Residents Association's expense.

MOVED Cr Hurst, SECONDED Cr Mackintosh that Council APPROVES the installation of 10 trees on the verge adjoining the St Ives Retirement Village in accordance with the Council's sight line and safety requirements, as part of Council's tree planting program in consultation with the St Ives residents.

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf211100.pdf](#)

Director, Community Development entered the Chamber, the time being 2139 hrs.

**CJ342 - 11/00 PETITION IN PROTEST OF INADEQUATE
TREATMENT APPLIED TO STAGES 1-4 KINROSS
AND DETERIORATION OF SUBURB - [41676] [51079]**

WARD - North Coastal

CJ001121_BRF.DOC:ITEM 21

SUMMARY

At its meeting dated 10 October 2000, Council received a 240-signature petition from residents of Kinross. The petitioners identified Development Stages 1-4 as the area of inadequate maintenance and landscape deterioration.

Additional maintenance has been undertaken this year, during the winter months to improve the areas identified previously as below standard.

Inspection of Kinross indicates that the standard of maintenance is equal to other localities.

Works being undertaken within the Marmion Avenue median have detracted from the appearance of the suburb, however this was unavoidable as it involved significant disturbance of the former verge areas.

The petitioners have provided a very broad statement regarding “deterioration of our suburb” and it is difficult to address any particular. Officers from Operations Services have met with residents and carried out various inspections to alleviate specific issues and this option will always remain open.

BACKGROUND

Kinross is being developed by Peet & Co, on behalf of Burns Beach Property Trust Pty Ltd. Development commenced in mid 1992 and the area has progressed continuously.

The landscape adopted by Peet & Co incorporated minor entry statements with short-term reticulation situated at strategic locations to enhance various development cells.

The initial landscaped entry statements within Kinross were designed for retention of irrigated grass only and this has occurred.

Suburb identification signage was the major theme adopted and various entry points have the Kinross name in limestone.

Residents were extremely disappointed when the castle icon was removed from the Connolly Drive/Burns Beach Road junction. This structure was on private property and was removed due to excessive vandalism and antisocial activities.

Council officers met with a Kinross resident on three occasions in 1999 and undertook a walk around various areas to determine the work required. Various works resulted from these discussions, as follows:-

1. Clean up of the embankment bordering Glencoe Loop.
2. Replacement planting undertaken during June/July 2000.
3. Footpath repairs.
4. The installation of a concrete access ramp, linking Connolly Drive and Airdrie Corner.
5. Reconstruction of drainage sump banks in two locations.
6. Clean up and replanting of wall screening plants in Kinross Drive.
7. Planting of additional advanced plants in Connolly Drive to replace plants damaged during Water Corporation works.

DETAILS

Council has progressively accepted responsibility for the suburb following the normal two year maintenance period, as follows:-

1. Earlsferry Park - Initially a dry park, recently irrigated as part of the Dry Parks, Median & Verge reticulation program, in conjunction with the Marmion Avenue median development.
2. Glencoe Loop Verge - This area borders Burns Beach Road and Marmion Avenue. The significant level variation restricts the landscape options and has resulted in a high weed control problem.
3. Edinburgh Avenue Verge - Both verges are irrigated via the Falklands Park bore, as per developer installation. The entry statement initially developed at the junction of Marmion Avenue was modified during installation of the dual carriageway and this has affected the visual appearance.
4. Marmion Avenue, Eastern Verge - This verge was irrigated prior to construction of the dual carriageway. Construction of the second carriageway has now eliminated the need for irrigation.
5. Connolly Drive - The unconstructed second carriageway is irrigated from a bore in MacNaughton Park and maintained by Council. Recent road extension to the City's northern boundary has necessitated additional irrigation. A new bore supply was installed in Rutherglen Park to supply water to the unconstructed dual carriageway section from Selkirk Avenue, north to the boundary; Stow Park and Rutherglen Park (both formerly dry parks) and the recently constructed underpass entrances.
6. POS Development -

Falklands Park - Irrigated by Council

MacNaughton Park - Irrigated by Council

Thornton Park - Irrigated by Council

Stonehaven Park - Irrigated by Council

Menteith Park - Stage 1 irrigated by Council, Stage 2 irrigated by Developer

Earlsferry Park - Irrigated by Council
 Rutherglen Park - Irrigated by Developer
 Callender Park - Irrigated by Council
 Stow Park - Irrigated by Developer
 Blairgowrie Park - Proposed bushland area abutting Tamala Park boundary and Marmion Avenue.

All existing areas of POS within Kinross are reticulated. Maintenance is undertaken at all parks, with the exception of Menteith and Stow Parks. These parks will remain with the Developer until June 2002.

Maintenance Expenditure for Kinross

Public Open Space areas total - \$124,589
 Building Maintenance - \$4,907
 Cleaning Maintenance - \$3,760
 Street Sweeping (as per recent Tender) - \$3,620

Budget Estimates

The following items are combined within a single account for all suburbs-

Drainage Sump Maintenance
 PAW Maintenance
 Bicycle Facilities DUP'S
 Footpath Maintenance
 Kerb and Footpath Spraying
 Street Lighting Tariff
 Verge Maintenance
 Sign Maintenance

Specific Maintenance Expenditure

Works undertaken in Kinross during the period July to October 2000 -
 Sump Maintenance -
 Reform embankments (two sites) - \$18,600
 Tree and shrub planting in June/July (750 plants) - \$10,500
 Footpath construction and repairs (four sites) - \$7,093
 Weed spraying June/July - ext. \$11,800
 Topdressing MacNaughton Park - \$1,300
 Mulching - \$940
 Grassing - \$14,000

The above works are additional to the normal scheduled maintenance works of mowing and park maintenance. Maintenance programs for all suburbs are carried out on a cyclic basis.

Council, in the 2000/2001 Strategic Initiatives, authorised the provision of an additional three-man mowing crew and a reticulation officer. This increase will reduce the total mowing cycle by one week per zone. The schedules have been extended to accommodate the increasing areas of reticulated POS and road medians. The "trim out" maintenance crews have been required to work additional hours to complete these works. It is anticipated that the additional crew will be fully operational in February 2001.

Inspection of Kinross indicates that the standard of maintenance is equal to other localities.

Works in Progress -

1. Glencoe Loop – Additional plants will be planted to increase the screening effect and to minimise weed growth.
2. Marmion Avenue East Verge – On completion of DUP installation, the area will be dry grassed. The DUP is listed for completion in June 2001. Grassing will be undertaken during June/July 2001.
3. Marmion Avenue Median – The installation of inground reticulation is listed for final completion in December 2000.

Works being undertaken within the Marmion Avenue median have detracted from the appearance of the suburb, however this was unavoidable as it involved significant disturbance of the former verge areas.

There is a significant rubbish problem due to vehicles accessing the Tamala rubbish disposal site, as paper and general material is blown from trailers. The Operations' Corrective Service labour crew regularly visits this area to remove rubbish.

This is an ongoing process, but the amount of rubbish collected during August/September/October is significantly higher than the remaining months due to annual clean ups by residents. It is a problem not experienced by many suburbs and the additional verge clean up process is justified in this area.

COMMENT/FUNDING

Kinross is a suburb where development has occurred over a period of change, for example :-

1. The standard of entry statements has varied.
2. Council policy on irrigation of medians and verges has changed.
3. Community expectations, ie. comparisons are made between Iluka and Kinross.

All of the above factors have influenced the maintenance procedures adopted by Operations Services. The fact that all parks in Kinross are now irrigated and two of the three adjoining arterial roads have irrigated medians, provides the suburb with a sound basis to develop community spirit via visual enhancement.

The petitioners have provided a very broad statement regarding “deterioration of our suburb” and it is difficult to address any particular. Officers from Operations Services have met with residents and carried out various inspections to alleviate specific issues and this option will always remain open.

MOVED Cr Hollywood, SECONDED Cr Nixon that Council:

- 1 RECEIVES the petition as presented by residents of Kinross;**
- 2 INITIATES the formation of a liaison group, with representation from the Administration of the City of Joondalup and the local ratepayers' association, to work through specific concerns regarding landscape standards;**
- 3 ADVISES the petitioners accordingly.**

Cr Hollywood thanked the Infrastructure Management directorate for arranging a meeting involving staff and ratepayers of Kinross with a view to developing a plan for the suburb for the next five years.

The Motion was Put and

CARRIED

Cr Kadak left the Chamber, the time being 2140 hrs.

**CJ343 - 11/00 EXTENSION OF CONTRACT NO 050-99/00 SUPPLY
OF CONTRACT LABOUR - [48340]**

WARD - All

CJ001121_BRF.DOC:ITEM 22

SUMMARY

The above contract forms part of the City of Joondalup maintenance contracts and, in accordance with the General Conditions of Contract Clause 3 Duration of Contract, the City has negotiated the appropriate extension with Logo Appointments.

DETAILS

The initial contract period expires on 30 November 2000 and in accordance with Clause 3 Duration of Contract, the option to extend has been exercised by the contractor, Logo Appointments.

This contract is designed to provide temporary labour for the external workforce during high work periods. Specific personnel are provided on a daily basis to meet the various requirements within the Operations unit.

Operations Services regularly requires the services of between 3-5 employees due to long service leave commitments and workers' compensation.

The contract provides for Logo Appointments to utilise local residents where possible and this is considered when assessing applicants.

OPERATIONS 2000/2001		
Labour Activity	Council's Direct Labour Rate	Logo Rate (Incl. GST)
Engineering & Parks	18.58	17.77
Building Maintenance	18.96	22.17
Cleaning	20.09	18.54

Currently, we have budgetted for 143 permanent positions within the Operations Business Unit. There are currently 137 permanent employees consisting of:

Building Maintenance	4
Park Maintenance	83
Cleaning	20
Engineering Maintenance	30
TOTAL	137

The remaining 6 vacant positions are held by Logo contract employees. These positions will progressively be transferred to permanent if considered appropriate.

Due to the scope of works involved and employees entitlements e.g. Long Service Leave, Workers Compensation it is essential that Operations have a reliable source of temporary labour. Currently Operations have 3 employees on worker's compensation leave and two on extended special leave.

The contract provides for a variation of the Price Schedule subject to agreement by both parties. Logo Appointments has submitted a request for a 3.19% increase, comprising -

1. Compulsory superannuation guarantee increase of 1% from 1 July 2000;
2. Workers' Compensation increased premiums;
3. Employee base rate increase of 10 cents per hour in accordance with the National Wage Case increase.

Contract 050-99/00 Supply of Contract Labour

Contract extension - 1 December 2000 to 30 November 2001.
Schedule of Rates to increase by 3.19% (refer Attachment 1).

COMMENT/FUNDING

The 3.19% increase is similar to the increase awarded to Council's in-house employees via EBA negotiations.

MOVED Cr Nixon, SECONDED Cr Wight that Council AUTHORISES the extension of Contract 050-99/00 Supply of Contract Labour to Logo Appointments, for a period of 12 months from 1 December 2000 to 30 November 2001, with the 3.19% increase to the Schedule of Rates, shown as Attachment 1 to Report CJ343-11/00.

The Motion was Put and

CARRIED

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf211100.pdf](#)

CJ344 - 11/00 SHENTON AVENUE RAIL BRIDGE - FUNDING APPLICATION - [52096] [04115] [02998]

WARD – Lakeside and Marina

CJ001121_BRF.DOC:ITEM 23

SUMMARY

The programmed dualling of Shenton Avenue between Joondalup Drive and Marmion Avenue over the next two years will require the extension of the Northern Suburbs Railway Bridge next to Pontiac Way. It is considered that the State Government should be requested by Council to provide funding assistance. It is therefore proposed that an application for the \$1.9 million estimated cost of the project be submitted to the Minister of Transport to enable this infrastructure to be constructed.

BACKGROUND

Shenton Avenue between Joondalup Drive and Marmion Avenue is a District Distributor road connecting the Joondalup City Centre. Constructed as a single carriageway, its present traffic volume is 13,000 vehicles per day (vpd). This is expected to increase to 26,000 vpd by 2005 without connection to the Mitchell Freeway, and to greater than 30,000 vpd by 2021 with connection to the Mitchell Freeway. Shenton Avenue, along with Hodges Drive and Joondalup Drive will become the main arteries to the Joondalup City Centre. The Mitchell Freeway currently terminates at Hodges Drive and the Minister for Transport has advised that the Freeway extension north will commence in 2004.

The Joondalup City Centre road layout and connections to the Mitchell Freeway is shown on Attachment 1. Shenton Avenue will become one of the major road links to the Freeway and needs to be upgraded to cater for future traffic growth. As well Shenton Avenue will be an access link to the Arena Sporting Complex with a planned access directly off Shenton Avenue and through providing a connection to the Freeway for the main access off Joondalup Drive. Shenton Avenue also currently provides restricted access to the Joondalup Business Park at Pontiac Way.

To meet this future traffic demand, the City has made application for funds under the State Road Funds to Local Government – Metropolitan Region Roads Program (MRRP) for a dual carriageway construction. Recent advice from Main Roads WA indicates that the \$3.15 million project will be granted \$1.0 million dollars in 2001/2002 and \$1.0 million in 2002/2003. Under the 2:1 rule for the MRRP grant, \$1.15 million dollars will need to be funded by the City over two years to complete the project. Council has identified this need in its current Five Year Capital Works Program with \$1,500,000 allocated to Major Road Construction for each year. The road construction costs have therefore been addressed. However, of major concern to Council is the funding for the extension of the railway bridge under Shenton Avenue, spanning the northern suburbs rail line.

DETAILS

In April 1991, the then Department of Transport undertook a study to determine the cost, timing and provision of bridge structures for the northern suburbs railway. The report was submitted to the Urban Rail Steering Committee as a result of Perth Urban Rail not being able to reach agreement with the former City of Wanneroo and Joondalup Development Corporation (now Landcorp) on the ultimate bridge infrastructure. The main issue was the provision of full width dual carriageway bridges over the proposed rail line at Moore Drive and Shenton Avenue rather than single carriageway width bridges. Two different views were expressed in relation to the source of funding for the incremental costs associated with the construction of the second carriageway at the two bridge structures. These were:

- (i) the City's view that the need for the bridges, is a direct consequence of the rail project and therefore, all construction costs should be attributed to the rail project, including costs associated with construction of the second carriageway, whether these arise in the initial construction phase or, at a later time;
- (ii) Perth Urban Rail view that the rail project should only be responsible for those costs which must be incurred in undertaking the project; since only one carriageway is currently required at both Shenton Avenue and Moore Drive (and will be for some time to come), only the costs associated with construction of structures to meet that capacity should be attributed to the rail project.

The Department of Transport Study concluded:

- that there was no clear advantage in terms of financial break-even analysis to construct the rail bridge to their ultimate length at the initial stage, and
- that the proponent of any future road works should bear the cost of the rail bridge extension to suit the dual carriageway.

The decision was also reinforced by the principle that a major public transport project trying to target greater public transport mode share, and reduced private vehicle use and greenhouse gas emissions should not be funding infrastructure that increased these outputs.

The former City of Wanneroo and Joondalup Development Corporation did not contribute to the bridge funding request from Perth Urban Rail Development and therefore the bridges at Shenton Avenue and Moore Drive were constructed to suit the existing single carriageway road layout. This has now caused the current situation that to construct Shenton Avenue to a dual carriageway standard appropriate to meet future traffic volumes and the State Governments commitment for the Mitchell Freeway extension, the existing rail bridge at Shenton Avenue must be extended. The rail bridge extension must take place prior to the completion of the dual carriageway for Shenton Avenue, programmed for the 2002/2003 financial years.

The City engaged GHD Consulting Engineers to undertake a study of the options on the bridge extension layouts. In general terms, a dual lane carriageway layout providing ultimate options on access to Pontiac Way and Arena Access, was developed. This layout is shown at Attachment 2. The bridge extension required is 56m and is estimated to cost \$1.9 million.

The extension is based on using the same type of prefabricated concrete arch panels and erecting on site over the existing track. Allowance has been made for track closures, bussing rail patrons to and from stations and other track closure costs.

COMMENT/FUNDING

It is evident that the Shenton Avenue Bridge Rail Extension must proceed in a timely manner to meet the dualling of the Shenton Avenue works and not to delay the connection to the Mitchell Freeway extension north of Hodges Drive. The bridge must allow for the creation of a road reserve space to provide for transport and service links. At a cost of \$1.9 million it will have a major impact on the City's future Capital Works Program.

Funding options are as follows:

- 1 Provide funding from municipal funds;
- 2 To borrow funds;
- 3 Seek State Government funding to correspond with MRRP Road Program.

Option 1

Funding from municipal funds

This option would require additional budget funding to the annual Capital Works Programme or a change on the priority funding of other works. Changes to the funding of major road construction, road preservation and resurfacing, is not supported. It is considered that the road preservation program should not be reduced because of the ongoing program needed over a 20 year cycle to resurface the City's roads. Originally costed at \$2.55 million dollars/year, it has increased to \$3.0-3.5 million dollars/year because of bitumen price increase and increased need for kerbing replacement as part of the program. If this funding option is pursued then a reduction in the Traffic Management, Stormwater Drainage, Parking Facilities and Dry Park, Median and Verge, Foreshore & Bushland Management and Parks Landscaping Enhancement Programs will occur. This option is not recommended at this time.

Option 2

Borrow funds

In the past, Council has borrowed funds to finance large public works to meet a community demand ahead of the capacity to pay for it from revenue or grants. The former City of Wanneroo resolved in 1988 to wind back load debt and the City is now debt free. This option puts the Council into debt and creates a precedent for funding other large scale public works. This option is not recommended.

Option 3

Seek State/Federal Government Funding to correspond with MRRP Program

The City will receive Metropolitan Regional Road Program funding of \$1,000,000 in each of the 2001/2002 and 2002/2003 financial years for the dual carriageway construction of Shenton Avenue. The single factor at this time requiring the dual carriageway construction of Shenton Avenue is current and future traffic volumes. The commitment of MRRP funds to the project is as a result of the scores achieved in a multi-criteria assessment for the existing and future traffic volumes, related crash statistics, and roadway capacity increases achieved for a dual carriageway.

It is considered that the provision of funding for the bridge extension should be linked to the provision of the MRRP grant for road construction. If the full width bridge had been constructed at the time of the rail line installation, the cost would have been borne by the State Government. Although a request was made by Perth Urban Rail for Council to fund the extension this was rejected by Council in May 1991. It was considered that all costs with the Bridge Construction should be borne by that project as the City would be funding expensive infrastructure from limited funds available for road development. The City has also not previously funded any bridge works and has a position that developers are required to contribute to the full cost of Underpasses and pedestrian bridges associated with dual carriageway works. Main Roads WA, has traditionally had a role in investigation, design and construction of Local Government bridges. Such assistance still continues to be provided today albeit in a different manner, with MRWA currently outsourcing these activities through Term Consultancy Contracts and Term Asset Contracts.

It has been recognised in the past, that the high cost and complexity of specific bridge maintenance and their refurbishment is often beyond the capacity of Local Governments. For this reason funding has largely been provided for this work by Federal and State Governments, through MRWA who traditionally assist Local Governments by providing specialised technical resources, advice and engineering support.

It is recommended that Council make a submission to the State Transport Minister for special assistance to fund the Shenton Avenue rail bridge extension to match the MRRP road funding timeframe due to the following reasons:

1. Funding for routine and preventative maintenance works and capital improvements on bridges has traditionally been provided in full by MRWA and the WA Local Government Grants Commission.
2. If the full width of the bridge had been constructed at the time of the rail line installation, the cost would have been borne by the State Government.
3. The need for the bridge duplication works will be exacerbated with the proposed extension of the Freeway programmed to commence sometime between 2004 to 2006.
4. Shenton Avenue will become an important regional link to the Freeway.
5. Combining the duplication of Shenton Avenue road works with the bridge works will cause the least interference with rail operations, road users and the community.

MOVED Cr Wight, SECONDED Cr Hurst that Council:

- 1 **MAKES a written submission to the State Minister for Transport for funding assistance for the extension of the Shenton Avenue Rail Bridge;**
- 2 **SEEKS a deputation with the State Minister for Transport to present the report.**

The Motion was Put and

CARRIED

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf211100.pdf](#)

PLANNING AND DEVELOPMENT

Cr Hollywood declared a non-financial interest in Item CJ345-11/00 – Delegated Authority as he is building units next door to one of the applications listed at Joondalup North.

Cr Hollywood left the Chamber, the time being 2141 hrs.

CJ345 - 11/00 DELEGATED AUTHORITY REPORT - [07032]**WARD - All**

CJ001121_BRF.DOC:ITEM 24

SUMMARY

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

MOVED Cr Wight, SECONDED Cr Barnett that Council NOTES the determinations made under Delegated Authority in relation to the applications described in Report CJ345-11/00.

The Motion was Put and**CARRIED**

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf211100.pdf](#)

Cr Hollywood entered the Chamber at this point, the time being 2142 hrs.

CJ346 - 11/00 EXTENSION OF THE NORTHERN SUBURBS TRANSIT SYSTEM GREENWOOD & CURRAMBINE STATIONS AND INFRASTRUCTURE WORKS - [57093]**WARD - South and North Coastal**

CJ001121_BRF.DOC:ITEM 25

SUMMARY

An application for planning approval has been received from the Department of Transport (DoT) to extend the northern suburbs transit system, construct a new Greenwood Station, relocate the Currambine Station and undertake infrastructure works. These public works are on reserved land. The proposal requires a determination by the Western Australian Planning Commission (WAPC) pursuant to the Metropolitan Region Scheme (MRS).

The key aspects of the proposal are as follows:

- Construction of a new Greenwood Station within the freeway reserve adjacent to the Hepburn Avenue and Mitchell Freeway intersection;
- Relocating the Currambine Station platform to the median of the proposed Mitchell Freeway alignment;
- Bridging of the railway over Burns Beach Road; and
- Extension of the railway from Currambine to Clarkson.

The planned northern suburbs rail system extension, together with the extension to Mandurah will form a continuous north-south rapid transit rail link in excess of 130 kilometres long as part of the Metropolitan Transit Network. The proposal has been referred to the Council to form a recommendation to the WAPC. As this project is a major Government initiative it has been requested that the Council treat the proposal as extraordinary and give it priority consideration.

BACKGROUND

In 1989, planning for the Northern Suburbs Railway resulted in the State Government preparing of a Master Plan. Construction commenced in July 1991 and the Northern Suburbs Transit System was opened in March 1993. Planning for the extension of the railway beyond Currambine was initiated during the construction of the Northern Suburbs Transit System in 1992.

Northern Suburbs Transit System – Interim Master Plan

The State Governments Transit Interim Master Plan is a comprehensive report that identifies strategic extensions to the public transport system in the expanding North West Metropolitan Region. The rail system proposal for the northern suburbs and the proposed extension of the passenger railway network into the South West Metropolitan Area is intended to be part of a high quality integrated public transport network. This rail network is planned for people living in areas from Mindarie to Mandurah some 115 kilometres in distance, which is eventually intended to extend to Two Rocks, and beyond.

The cost of the extension to Clarkson is estimated to be \$58 million for infrastructure and \$23 million for rolling stock.

The following considerations are made in the Interim Master Plan:

- The Metropolitan Transport Strategy has set targets to increase the public transport share of all trips from 6% to 12.5% of all trips in the Perth Metropolitan Region by the year 2029 and to reduce dependence on the private vehicle;
- As the North West Growth Corridor continues to develop in population and employment, the transport system requires expansion to meet the demand for a rapid transit inter-regional system.

Public Response

Following the Minister for Transport's press release in March 1999 announcing that a new railway station was to be built at Hepburn Avenue, Greenwood a public consultation period was initiated. A preliminary design for the new station was on display (similar to the final design) at the City of Joondalup Main Administration Centre and the Civic libraries at Joondalup, Whitfords and Woodvale from March to April 1999.

At the close of the advertising period a total of five (5) submissions were received from local residents of:

1. Winster Close, Duncraig
2. Kanangra Crescent, Greenwood
3. Bracadale Avenue, Duncraig
4. Marden Street, Marangaroo
5. Doveridge Drive, Duncraig

The most important consideration from the submissions received was to ensure the Station is safe both day and night to access from the surrounding suburbs of Greenwood and Duncraig given the location and proximity to surrounding residents. Natural surveillance is limited to pedestrians who may be crossing the reserve and footbridge over the freeway to access Doveridge Drive from Karrangra Reserve. The correspondents also believed the pedestrian accessibility could be improved for rail patrons west of the freeway, as opposed to the indirect access at a distance to the pedestrian overpass. There is also an inference that kiss 'n' ride patrons will use Doveridge Drive as an alternative to being "dropped off" at the Greenwood Station. Although the Station is proposed on the west of the freeway, kiss 'n' ride patrons can be conveniently dropped off and vehicles can return onto Hepburn Avenue without interfering with the Freeway South 'on-ramp'.

These matters have been addressed by DoT in the development of its final design with major emphasis being placed on safety and security.

DETAILS

Greenwood Station

The Department of Transport has outlined the following points in support of the new rail station which is estimated at \$6.4 million and will take 2 years to construct. The construction of the station is dependent upon the arrival of additional rolling stock and is influenced by the complexity in constructing the station within the freeway median and in the vicinity of power lines to the rail system.

The initial planning of the rail line has established that a small number of additional stations would be required after the initial railway construction when public demand increased. One of the preferred locations is the vicinity of Hepburn Avenue. The Warwick and Whitfords Stations have exceeded their park 'n' ride capacity with growing demand. The proposed Greenwood Station will relieve the pressure on both the Warwick and Whitford Stations.

DoT believes the selected design will create an attractive and harmonious facility to add to the Northern Suburbs Transit System. The station will be designed for safety, be user friendly and provide convenience for the whole community. Rail patrons will access dual platforms from a pedestrian bridge over the freeway through the station entrance building located at the western edge of the carpark. The bridge will connect to a stair and glass walled lift for each platform.

The platforms will be 50% covered with a curved vaulted steel-framed roof. Side walls are to be fully glazed for weather protection. The building will also contain a kiosk, ticket facilities, public telephones and under-cover security for cycle storage. Security gates are to be installed at the building entrance and closed to the public during after hours.

The DoT and Westrail policy is only to provide public toilets at bus interchange stations and terminal stations. The Greenwood Station would therefore not have any provision for these facilities. The rationale here is to provide toilet facilities where it is likely that commuters would need to stay for longer than usual periods. This also reduces the financial burden on the provision of these facilities and the potential security problems.

Bus/rail interchange facilities are available at Warwick and Whitford and are therefore not required at Hepburn. The design addresses all Westrail obligations under the Disability Services Act 1992 and the Disability Standards for Accessible Public Transport.

The intersection with Hepburn Avenue will be modified to include an exit left and right turn movement onto Hepburn Avenue. Main Roads WA are understood to have approved these modifications.

Carparking

Vehicle access to and from the carpark will be via the freeway southbound 'on ramp' leading from Hepburn Avenue. Park 'n' Ride patrons may access secure carparking on both sides of the centrally located roundabout.

Kiss 'n' ride and taxi parking has been accommodated along with 14 short-term parking bays and 15 disabled parking bays. There are 637 park 'n' ride bays and overall parking for 671 cars. Under the covered area 30 bicycle lockers, 30 bicycle rails and 18 seats will be provided.

Security

Patron security will be achieved using the following elements:

- Well lit platform, car park and all associated access routes;
- Access routes will be direct and clearly viewed from adjacent areas;
- The paving system will incorporate tactile paving in accordance with Westrail policy;
- A safe zone seating area will be located on the platform complete with an emergency phone system;
- The station will be monitored by a Rail Officer with a closed circuit TV surveillance system covering the station, the carparks and all associated access routes. A secure car operator is also added to the station security; and
- The station platforms have transparent walls to increase visibility.

Pedestrian Access

Pedestrian access is available from Hepburn Avenue and via the path running alongside the south bound carriageway of the freeway. The dual use path crosses the freeway at the pedestrian cycle bridge to the south of the site and continues alongside the northbound carriageway, adjacent to Duncraig.

Currambine - Clarkson Railway Extension

The route of the Currambine to Clarkson Railway extension runs just south of the existing Currambine Station within the future Mitchell Freeway median between Kinross residential/Tamala Park and the Neerabup National Park. The passenger services will terminate at Clarkson Station immediately north of Neerabup Road. Future extensions of the passenger services would follow the future freeway reserve further north with progressive urban development.

Two tracks are to be constructed from Currambine to Clarkson, an “Up” and a “Down” Main. From Joondalup Station the service will use the existing tracks to 400metres south of the Currambine Station where it will cross into the median of the future Mitchell freeway.

Relocating the Currambine Station platform

The Currambine Station platform will be relocated into the median of the future freeway. The tracks will cross over Burns Beach Road using twin rail bridges and continue with the freeway median to the new Clarkson Station in the City of Wanneroo. North of Burns Beach Road, the combined freeway/railway corridor has been located as far to the west as possible to minimise the impact on the Neerabup National Park.

The existing carparking facilities, such as the entry structure and canopy will be retained as they are established and used. Consideration is also being given to converting part of the parking area to a more secure facility. The relocation of the platform will be staged to minimise disruption to passengers, with the new platform and access from the existing underpass being constructed before the existing platform is removed.

Access from the existing entry will be extended as a walkway cut into the surrounding land, which would connect under the platform through to the existing accessway from Bonneville Way to the east. With a future freeway extension, a pedestrian underpass would be created linking the Station to Bonneville Way. The works proposed at the Currambine Station were summarised as follows:

- Retain the carparking and other side infrastructure;
- The new platform in the median would include a covered way to full length of the accessway from the existing entry wall to platform, stairs and ramp up from the platform underpass, platform cover, security and amenity similar to existing facilities, platform wind barriers around seating and relocation of the existing roof structure;
- Temporary hoardings and protection to existing platform during roof structure changeover;
- Removal of the existing platform, cleaning facilities and earthworks; and
- Landscaping around the new accessway and land between the new platform and the existing entry.
- The maintenance of existing public toilet facilities in the administration block near the car park.

COMMENT

The extension of the Northern Suburbs Transit System and station works will improve access to the public transport system. This can only enhance the mobility and access for people without private transport. Without public transport private car dependence will also increase. The high level of confidence in population growth in the North West Corridor and expected trends in employment self sufficiency have culminated in this proposal to extend and improve the Northern Suburbs Railway System.

A high standard of service is proposed which focuses on a rapid transit system that is reliable, has high frequency, minimal journey times, is strategically located to allow minimal penalty for transferring from rail to car or bus, where there is good connection to feeder services (car & bus) and which has a high standard of comfort, safety and amenity. The key being to maximise the desirability of the system to car users and thereby maximise the rail patronage.

Metropolitan Region Scheme (MRS)

The transit railway system is situated within the Mitchell Freeway and reserved under the MRS. The land is owned by the Crown and is under the control of Main Roads WA. Approval to commence development is required from the Western Australian Planning Commission (WAPC) under clause 32 of the MRS. The City referred the application to the WAPC for its determination and advised comments would follow. Approval from the Council is not required as an approval from the WAPC is an approval under both the MRS and the City of Joondalup District Planning Scheme No 2.

Greenwood Transit Station

The Greenwood Station will ease the congestion at the Warwick and Whitfords Stations, which have been operating at full capacity. The new station will also greatly improve the passenger rail accessibility to the surrounding suburbs like Greenwood and Duncraig.

The site of the new station is situated in a location with some surveillance afforded by houses that overlook open space between the existing freeway south bound “on ramp”. The station will have better pedestrian access from Wahroonga Way than from Doveridge Drive from the west. Access from the west is less direct via the existing pedestrian footbridge (not illuminated by MRWA) across the freeway, along the proposed carpark and across the south-bound freeway lanes to access the railway platform. The existing footbridge is practical as it connects to Doveridge Drive. Further north is St Stephens School, where pedestrian access is limited. Security fencing to the path/footbridge and effective illumination will improve personal safety.

CONCLUSION

The Northern Suburbs Transit System improvements will enhance the convenience and patronage of the passenger rail system and represents a substantial capital expenditure by the Government within the North West Growth Corridor. It is recommended that the application by DoT be supported and the WAPC be notified accordingly.

MOVED Cr Magyar, SECONDED Cr Wight that Council:

- 1 ADVISES the Western Australian Planning Commission of its support of the application received on 23 October 2000 from by the Department of Transport to extend the Northern Suburbs Transit System - Greenwood Station and Currambine Station and associated infrastructure within the City of Joondalup and requests that the following conditions be imposed relative to the Greenwood Station:**
- (a) the preparation of detailed engineering drawings, in liaison with Main Roads WA and the City of Joondalup, for the traffic intersection to the Station exit at Hepburn Avenue;**
 - (b) all traffic management measures and intersection improvements being completed prior to the development being occupied;**
 - (c) the parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890). Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the City prior to the development first being occupied. These works are to be done as part of the building programme;**
 - (d) fifteen (15) disabled carparking bays being provided in an accessible location to the main entrance and being designed to 3.2 metre width, constructed and marked accordingly. Provision must also be made for disabled access and facilities in accordance with the Australian Standard for Design for Access and Mobility (AS1428.1);**
 - (e) the installation of pedestrian, cyclist and disabled access along Hepburn Avenue, from the pedestrian footbridge and Wahroonga Way (including suitable treatments at all intersections and driveways) and pedestrian and disabled access at the entrance/exit of the Station in liaison with the City of Joondalup, Bikewest and the Disability Services Commission;**
 - (f) provision being made in liaison with the Department of Transport and the City of Joondalup for a taxi stand/rank in a secure and convenient location;**
 - (g) all stormwater drainage must be contained on-site;**
 - (h) detailed landscaping plans being prepared for the development site and the adjoining road verge(s). For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100 and show the following:**
 - (i) the location and type of existing and proposed trees and shrubs within the carpark area;**
 - (ii) any lawns to be established;**

- (iii) any natural landscape areas to be retained; and
 - (iv) those areas to be reticulated or irrigated.
- (i) landscaping and reticulation to be established in accordance with the approved plans prior to the development being occupied and thereafter maintained;
 - (j) provision being made in liaison with Bikewest of at least 30 undercover lockable bicycle parking enclosures prior to the development first being occupied;
 - (k) lighting being installed to all public areas, including footpaths, carpark and nearby footbridge. Floodlighting must be designed in accordance with the Australian Standard for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be where possible internally directed not to overspill into the nearby residential lots;
- 2 COMMENDS the Minister for Transport and the Department of Transport for their initiative of improving the accessibility to the passenger rail system in their application for approval to commence development dated 17 October 2000.**

Cr Hurst queried whether it has been established that public toilets would be provided at both locations.

Director, Planning and Development advised both the Department of Transport and Westrail policy is to only provide public toilets at bus interchange stations and terminal stations. As this proposal does not qualify, there will be no provision of public toilets.

The Motion was Put and

CARRIED

Cr Kadak entered the Chamber, the time being 2143 hrs.

**CJ347 - 11/00 SUBDIVISION REFERRALS PROCESSED 1 - 31
OCTOBER 2000 - [05961]**

WARD - All

CJ001121_BRF.DOC:ITEM 26

SUMMARY

Overleaf is a schedule of the Subdivision Referrals processed by the Subdivision Control Unit (SCU), from 1 October – 31 October 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 7 additional commercial/residential lots and 2 additional strata residential lots. The average processing time taken was 10 days.

MOVED Cr Barnett, SECONDED Cr Walker that Council: NOTES the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ347-11/00.

The Motion was Put and

CARRIED

Appendix15 refers

To access this attachment on electronic document, click here: [Attach15brf211100.pdf](#)

Cr Ewen-Chappell entered the Chamber, the time being 2145 hrs.

CJ348 - 11/00 ILUKA STRUCTURE PLAN - [48934]

WARD - North Coastal

CJ001121_BRF.DOC:ITEM 27

SUMMARY

The structure plan comprises the following major elements (Attachment 1):

- The structure plan is divided into the ‘Centre Zone’, ‘Residential Zone’ and ‘Parks and Recreation local scheme reserve’.
- The Residential Zone includes densities of R20 (minimum lots size of 450m² and average lot size of 500m²) and R30 (minimum lot size of 270m² and an average lot size of 300m²). The R30 sites have been located adjacent to public open space and along the designated main street being O’Mara Boulevard.
- Development Area Plans are proposed for all laneway residential lots addressing side rear and front setbacks, building height, building detail, frontage orientation, roof form, crossover and car parking locations, private open space dimensions and locations, fencing material, height and location.
- General objectives have been included for the centre zone. No subdivision or development is to commence or be carried out within the centre zone until a structure plan has been prepared and adopted in accordance with Part 9 of the scheme.
- A density code of R100 is being pursued in relation to the centre zone including a maximum height of 5 storeys. A five storey height limit will enable upper floor levels to capture views of the ocean over the dunes without dominating the foreshore reservation or nearby residential development.

A number of the issues raised such as road design, drainage and public open space can be addressed during the advertising period.

In conclusion it is determined that the Iluka Structure Plan conforms with the requirements of Part 9 of the City of Joondalup District Planning Scheme and is acceptable for the control of development within the Structure Plan area. It is considered to be suitable for advertising.

BACKGROUND

Lot No	Swan Location 1370 Lot M1722
Street Address	Bounded by Burns Beach Road to the west and north, Silver Sands Drive to the south and Naturaliste Boulevard and Delgado Parade to the east.
Land Owner	Beaumaris Land Estate
MRS Zoning	Urban
TPS Zoning	Rural
Lot Area	95ha

Amendment No 641 to Town Planning Scheme No.1 was initiated by Council at its meeting in December 1992. This amendment sought to rezone the major part of Iluka to accommodate a residential development including a commercial component.

At its April 1993 meeting Council resolved to advise the applicant that in the interest of facilitating the prompt development of the subject land that prior to granting final approval to the amendment it would require a legal agreement ensuring the ceding, free of cost to Council, 5000m² of area for community purposes and to secure obligations in respect to the provision of regional roads and associated facilities.

The legal agreement has been prepared and is awaiting some minor additions, prior to being finalised. Attachment 2 is an extract of the legal agreement listing the obligations and the associated location of these.

DETAILS

Current Proposal or Issue

The subject land is zoned Urban under the Metropolitan Region Scheme (MRS) and Urban Development under the City of Joondalup District Planning Scheme No.2 and has not been afforded an R Code density under this scheme.

The City of Joondalup District Planning Scheme No.2 proposes to zone this land in the Urban Development zone. Clause 9.13.2 of scheme No.2 provides for where a draft structure plan was prepared under the provisions of Town Planning Scheme No.1 but had not completed the procedures required to give it the status of an Agreed Structure Plan the procedures may be completed under scheme No.2. Once all procedures have been completed the structure plan shall have the effect for all purposes as an Agreed Structure Plan under this Scheme.

Roberts Day Group on behalf of Beaumaris Land Sales have submitted a structure plan for Iluka, the primary objectives are:

- Promote the development of a premier coastal community with its own clear identity and sense of place, using the coastal location and natural undulating topography of the site as key foundations;
- Design a neighbourhood which promotes the building of a ‘real’ local community, including a strong emphasis on a mixed-use neighbourhood centre;
- Provide opportunities for a mix of uses to promote vibrant and dynamic spaces and to generate local employment activity;
- Provide efficient, safe, convenient and fully integrated transport networks for pedestrian, cyclists, public transport and motorists;
- Provide public open spaces that are well distributed, designed and managed to provide choice of recreational opportunities for all members of the community;
- Promote environmentally sustainable development which, where possible, incorporates solar and water sensitive design principles and sustainable waste water management practices;
- Provide a diversity of lots for a wide range of quality housing and a diverse community;
- Incorporate the main elements of traditional neighbourhood design into the Structure Plan to promote a place for quality living, recreating and working.

The structure plan comprises the following major elements (Attachment 1):

- The structure plan is divided into the ‘Centre Zone’, ‘Residential Zone’ and ‘Parks and Recreation local scheme reserve’.
- The Residential Zone includes densities of R20 (minimum lots size of 450m² and average lot size of 500m²) and R30 (minimum lot size of 270m² and an average lot size of 300m²). The R30 sites have been located adjacent to public open space and along the designated main street being O’Mara Boulevard.
- Development Area Plans are proposed for all laneway residential lots addressing side rear and front setbacks, building height, building detail, frontage orientation, roof form, crossover and car parking locations, private open space dimensions and locations, fencing material, height and location.
- General objectives have been included for the centre zone. No subdivision or development is to commence or be carried out within the centre zone until a structure plan has been prepared and adopted in accordance with Part 9 of the scheme.
- A density code of R100 is being pursued in relation to the centre zone including a maximum height of 5 storeys. A five storey height limit will enable upper floor levels to capture views of the ocean over the dunes without dominating the foreshore reservation or nearby residential development.

Relevant Legislation

Under the provisions of Clause 9.7 of the Scheme, Council may amend a Structure Plan and may advertise the changes for a minimum of 21 days. Council may apply those provisions of Clause 9.6 regarding consideration of a Structure Plan, which are considered to be appropriate.

Under the provisions of Clause 9.6.1 of the Scheme, Council shall consider all submissions received and shall either refuse to adopt the Structure Plan or resolve that the Structure Plan is satisfactory with or without modifications and shall submit three copies to the Commission for adoption and certification.

COMMENT

Issues

Road Design

With respect to the proposed road design of the subdivision the following critical points have previously been raised:

- There is considerable use of four-way intersections throughout the structure plan and this is of concern from a traffic management and safety viewpoint. Consideration should be given to the removal of some of the four-way intersections.
- There is concern with the safety of pedestrians and cyclists negotiating the many intersections along the cycle and pedestrian routes identified in the traffic report, particularly along O'Mara Bd.
- A comprehensive plan annotating the proposed dual use paths and footpaths is required to form part of the structure plan.
- Several roundabouts are considered necessary. Two have been identified in the traffic report at the intersections of Silver Sands Dr/Delgado Pd and O'Mara Bd/Delgado Pd. Several others are considered warranted including the intersection at Naturaliste Bl/Delgado Pd. The priority control of all other T-intersections and four-way intersections is required. It is requested that traffic measures be included.
- The street running generally north-south between O'Mara Bd and Delgado Pd is long and could be a potential 'rat run'. Consideration should be given to some form of traffic management or the creation of a discontinuity in the street.
- A traffic management plan showing intersection control and speed management is required.
- It is considered that Main Roads WA, which has jurisdiction over the implementation of priority control signing and linemarking, should comment on the proposed layout.
- The traffic report suggests access streets be provided with 14 to 16 metre wide reserves and neighbourhood connectors provided with 20 to 25 metre wide reserves. Proposed road reserve and pavement widths need to be clearly identified on the structure plan for all roads and laneways.
- The continuation of the boulevard treatment for Burns Beach Road from Silver Sands Dr to Ocean Pd is considered acceptable. East of Ocean Pd to Marmion Av requires further consideration.
- There are concerns with the length of some of the laneways, particularly the laneway on the northern side of O'Mara Bd, which has several four-way intersections along its length. Consideration should be given to reducing the length of some of the laneways.
- The use of four-way laneway intersections is not supported.
- Laneway reserve width to be 6 metres. Narrower pavements may be considered.

Public Open Space

During March 1999, the City of Joondalup considered and confirmed the accuracy of the public open space Schedule that was prepared for the whole of the Beaumaris Estate (Attachment 3). This schedule shows a 5000m² surplus of POS for the Beaumaris Estate. The applicant is seeking a discount of 2% of the public open space contribution as provided for by Liveable Neighbourhoods. The 2% discount is subject to compliance with the following:

- Element 1- Community Design Objectives having been satisfied to achieve the desired urban structure, lot layout and parkland distribution.
- Any local parks having the support of the local government and both neighbourhood and local parks being constructed in accordance with an approved landscaping and management plan to the satisfaction of the local government.
- Any regional open space or foreshore reserve being provided in accordance with the WAPC's policy DC 2.3.

With respect to the first point the Structure Plan and accompanying report demonstrate compliance with the Community Design objectives outlined under Element 1 of Liveable Neighbourhoods. With regard to the second point, a Parkland Agreement is provided under Appendix A which provides an undertaking to the City of Joondalup that development of the POS areas within the Structure Plan area will be carried out in accordance with an approved landscaping and management plan to the satisfaction of the City. With regard the last point of the above points, the regional coastal reserve complies with the WAPC's policy DC 2.3.

Drainage

Combining public open space with a suitably designed drainage component may be supported, provided the drainage area is designed for safety and fulfils an appropriate recreation function. Where appropriate a credit may be granted of up to 50% for drainage when included within public open space. The applicant is yet to provide detail of the proposed new stormwater disposal area within the public open space south of the village centre.

Community Purpose Site

A site area generally in the order of 0.5ha per 1250 dwellings (neighbourhood catchment) is used as a guide, the WAPC policy also provides for sites not less than 2000m² or greater than 20% of the public open space requirement to be set aside for community purposes.

It is intended to locate 1000m² of community purpose land within the centre zone of the structure plan. The City previously had a policy relating to the design of centres and the inclusion of community purpose sited for future development areas.

There is a draft legal agreement for Iluka that nominates that an area of 5000m² is to be ceded or transferred to the City for community purposes and located to the City's satisfaction. An area of 1000m² has been identified in previous structure plans for Iluka, being located adjacent to or in the vicinity of the proposed commercial land use, which has now been relocated to the coast.

Height and Scale

The structure plan proposes a variation to the City of Joondalup’s Policy 3.1.9 – “Height and Scale of Buildings within a Residential Area”. This policy includes specifications for a maximum building threshold envelope, which provides for a maximum building height of 8.5 metres, setback at least 5.0 metres from the side lot boundary and measured from the natural ground level of the site.

The applicants nominate that the difficulties with this policy for Iluka are as follows:

- The truncated roof characterising the maximum building threshold envelope restricts opportunities for variation of roof form and denies opportunities from steeply pitched roofs. The envelope would be particularly limiting for the narrow frontage lots proposed to front O’Mara Boulevard which will be dimensioned to accommodate buildings with a strong vertical element.
- The Policy implies that the building threshold envelope is to run parallel to the slope of the land. This will constrain two storey framed construction and ‘cut and fill’ development from occurring on natural sloping sites.
- Provision is also made for tower elements that contribute to the landmark quality of the building to exceed these limits.

The applicants nominate the following maximum building height limits:

Two Storey	Wall Height	6.5m
	Roof Ridge	10.0m
Single Storey	Wall Height	3.5m
	Roof Ridge	6.5m

Assessment and Reasons for Recommendation

Road Design

With respect to the issues raised in regards to the road design the applicants nominate that a traffic management plan will be submitted to address the issues raised, also typical layouts of roads will be provided and recommendations on the actual road reserve widths required.

Public Open Space

The applicants are seeking a 2% reduction of the normal contribution of 10% of public open space of the gross subdivisible area. A requirement of the Liveable Neighbourhoods is for local parks to have the support of the local government and both neighbourhood and local parks being constructed in accordance with an approved landscaping and management plan to the satisfaction of the local government. It is considered that in order to apply the 2% reduction a landscaping and management plan be submitted during the advertising period.

Drainage

The applicants have yet to provide details of the stormwater drainage management plan. This is required to determine whether the drainage component located within the public open space may be supported and credit towards public open space be allowed. Such details may be submitted during the advertising period.

Community Purpose Site

The community purpose requirements are considered to be in accordance with the legal agreement.

Height and Scale

From an administrative and implementation point of view it is considered beneficial that the City's existing policy apply to the entire municipality. Should the applicants believe that the policy does not allow for a variety of built forms then detail may be submitted to Council during the advertising period explaining in detail their case.

Conclusion

In conclusion it is determined that the Iluka Structure Plan conforms with the requirements of Part 9 of the City of Joondalup District Planning Scheme and is acceptable for the control of development within the Structure Plan area. It is considered to be suitable for advertising.

MOVED Cr Nixon, SECONDED Cr Hollywood that Council:

- 1 Pursuant to Clause 9.4 of the City of Joondalup District Planning Scheme No 2, ADOPT the draft Iluka Structure Plan and make it available for public comment for 28 days;**
- 2 REQUEST the applicant during the advertising period to address the following:**
 - (a) a drainage management plan to be submitted to the City's satisfaction;**
 - (b) a detailed landscaping and management plan to be submitted;**
 - (c) the legal agreement for amendment No.641 being finalised and the details of that agreement forming part of the structure plan;**
 - (d) a traffic management plan being submitted addressing the issues raised in the City's letter dated 24 October 2000 and showing intersection controls and speed management;**

- (e) detail being submitted of the proposed street hierarchy and in particular proposed road reserve and pavement widths;
- (f) detail being submitted to substantiate the need for variation of height policy.

The Motion was Put and

CARRIED

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16ag281100.pdf](#)

**CJ349 - 11/00 SUBDIVISION OF LOT M1722 DELGADO PARADE,
ILUKA - [41821]**

WARD - North Coastal

CJ001121_BRF.DOC:ITEM 28

SUMMARY

The subdivision proposes the creation of 37 lots ranging in size from 640m² to 730m², providing an average lot size of 659m² (Attachment 1). The average lot size reflects a density between R15 and R17.5, which is considered to be low density. The subdivision is part of the Iluka Structure Plan, forming part of the north eastern section (Attachment 2).

In this case it is considered reasonable to support the subdivision application in view of the following:

- the subject land is zoned 'Urban Development' under scheme No.2
- The WAPC in making its decision on subdivision applications is not fettered by zoning under a town planning scheme
- Existing development in Iluka occurred on land zoned Rural.
- the Iluka Structure plan is considered to be generally acceptable for advertising
- the proposed subdivision:
 - is in accordance with the submitted structure plan;
 - is a minor subdivision application creating only 37 residential lots;
 - does not impact on the design of the remainder of the Iluka structure plan area as the roads are not shown to be connecting through and there is the flexibility to design around the subdivision if required.

It is recommended that the Western Australian Planning Commission (WAPC) be advised that Council supports the application submitted by Roberts Day Group on behalf of the Roman Catholic Archbishop of Perth and Davidson Pty Ltd for the subdivision as depicted on the plan dated 1 May 2000 subject to standard conditions.

BACKGROUND

Lot No	M1722
Land Owner	Beaumaris Land Estate
MRS Zoning	Urban
TPS Zoning	Rural
Lot Area	3.27ha

The WAPC forwarded the subdivision application in May 2000 seeking the City's comments. The City advised that the application is not supported for the following reasons:

1. Amendment No.641 proposes to rezone Pt Lot M1722 Marmion Avenue, Iluka from Rural to Residential Development R20 and R40 and Special Zone (Additional Use) Corner Store. Council resolved that final approval of the amendment be withheld until such time that a legal agreement was drawn to secure the applicants regional obligations. Consequently the land is not appropriately zoned for the intended use.
2. The subject land forms part of a larger area which requires comprehensive planning, including agreement to an overall road pattern, the allocation of land for recreation and other public uses, provision for essential infrastructure and equitable arrangements for developer contributions. Approval of the subdivision would be premature and prejudice the overall planning for the area.
3. The proposal is not in accordance with the previously prepared structure plan for the area.
4. Approval to the subdivision would set an undesirable precedent for the further subdivision of surrounding lots.

The WAPC in July 2000 resolved to defer the application to allow for the submission of a structure plan for the Iluka area.

Current Proposal

The subject land is zoned Urban under the Metropolitan Region Scheme (MRS) and Urban Development under the City of Joondalup District Planning Scheme No.2 and has not been afforded an R Code density under this scheme.

The City of Joondalup District Planning Scheme No.2 includes this land in the Urban Development zone. The provisions within Scheme No.2 are such that the Council may require the preparation and presentation to it of a Structure Plan as a prerequisite to the Council's support for an application to subdivide. The scheme provisions also state that should Council be required to consider an application in respect of a subdivision proposal before a structure plan has been prepared and adopted, then the Council shall in addition to any other matters required by the scheme to be considered have regard to the following considerations:

- as an overriding consideration, the intent of the application;
- the desirability from a planning point of view of having an Agreed Structure Plan in place before development or subdivision occurs; and
- the interests of orderly and proper planning, and concern for the amenity of the relevant locality in the short, intermediate and long term.

The subdivision proposes the creation of 37 lots ranging in size from 640m² to 730m², providing an average lot size of 659m² (Attachment 1). The average lot size reflects a density between R15 and R17.5, which is considered to be low density. The subdivision is part of the Iluka Structure Plan, forming part of the north eastern section (Attachment 2).

Relevant Legislation

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

COMMENT

Issues

The applicants acknowledge that the subject land is zoned Rural under the scheme and that a structure plan has not been endorsed by the City. However, they request the City to consider their application for the following reasons:

- The WAPC has granted approval to other subdivision applications for Iluka where the land was zoned Rural;
- The subdivision application has been submitted in order to maintain the availability of lots for sale;
- A structure plan for the remainder of Iluka has been submitted for consent to advertise. This is the subject of a separate report to be considered at the same Council meeting;
- The proposed subdivision is in accordance with the submitted structure plan.

Assessment and Reasons for Recommendation

In this case it is considered reasonable to support the subdivision application in view of the following:

- the subject land is zoned 'Urban Development' under scheme No.2
- The WAPC in making its decision on subdivision applications is not fettered by zoning under a town planning scheme
- Existing development in Iluka occurred on land zoned Rural.
- the Iluka Structure plan is considered to be generally acceptable for advertising
- the proposed subdivision:
 - is in accordance with the submitted structure plan;
 - is a minor subdivision application creating only 37 residential lots;
 - does not impact on the design of the remainder of the Iluka structure plan area as the roads are not shown to be connecting through and there is the flexibility to design around the subdivision if required.

MOVED Cr Hollywood, SECONDED Cr Nixon that Council ADVISES the Western Australian Planning Commission that it supports the application submitted by Roberts Day Group on behalf of the Roman Catholic Archbishop of Perth and Davidson Pty Ltd for the subdivision as depicted on the plan dated 1 May 2000 subject to the following conditions:

- 1 those lots not fronting an existing road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost to the specification and satisfaction of the City of Joondalup. As an alternative, the City is prepared to accept the subdivider paying to the City the cost of such works and giving an assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission;**
- 2 street corners within the subdivision being truncated to the standard truncation of 8.5 metres;**
- 3 modification of the subdivision design so that consecutive intersections on Delgado Parade are a minimum of 40 metres apart, measured between the centre line of the two road reserves;**
- 4 the reserve width of Delgado Parade between Burns Beach road and the first internal road being widened to accommodate the intersection treatment;**
- 5 the land being filled and/or drained at the subdivider's cost to the specification and satisfaction of the City of Joondalup and any easements and/or reserves necessary for the implementation thereof, being provided free of cost to the City;**
- 6 the land being graded and stabilised at the subdivider's cost to the specification and satisfaction of the City of Joondalup. Final ground levels to be coordinated with adjacent roads and development;**
- 7 all buildings having the necessary clearance from the new boundaries as required by the relevant Town Planning Scheme;**
- 8 the dual use paths and footpaths shown on the plan being constructed by the subdivider to the satisfaction of the City of Joondalup.**

The Motion was Put and

CARRIED

Appendix17 refers

To access this attachment on electronic document, click here: [Attach17brf211100.pdf](#)

CJ350 - 11/00 CAMPUS DISTRICT STRUCTURE PLAN - [52070]**WARD** - Lakeside

CJ001121_BRF.DOC:ITEM 29

SUMMARY

Taylor and Burrell on behalf of Landcorp have submitted a structure plan for the southern portion of the Campus District as identified in the Joondalup City Centre Development Plan and Manual for the City's consideration.

The subject land is included in the Centre zone under the City's District Planning Scheme No.2. The Joondalup Development Plan and Manual has been adopted as the Structure Plan for the Centre zone. This addition to the manual will provide the framework for the progressive development of the subject land.

The structure plan provides particular guidance with respect to the subdivision/development of a portion of land within the southeast section of the structure plan area referred to as the 'University Village' (see attachment No.1). This area is mainly for residential purpose but includes a small mixed use/residential area located on the corner Lakeside Drive and Joondalup Drive.

A subdivision guide plan for the area (included in part two of the report) has been assessed and has raised a number of issues mainly concerning road hierarchy and traffic management. These issues will be examined in more detail at subdivision stage.

Before further consideration can be given to the structure plan, the proposal pursuant to clause 9.5 of District Planning Scheme No.2 is required to be advertised for public comment. As the proposal is generally in keeping with development standards as intended by the Joondalup City Centre Development Plan and Manual it is recommended that the structure plan be advertised for public comment.

BACKGROUND

Taylor and Burrell on behalf of Landcorp have submitted a structure plan for the southeastern portion of the Campus District as identified in the Joondalup City Centre Development Plan and Manual for the City's consideration.

Amendment No. 385 gazetted on 15 April 1988 rezoned the land the subject of this report to Joondalup City Centre Zone. The Joondalup Structure Plan known as the Joondalup City Centre Development Plan and Manual was adopted in December 1995. The Development Plan is essentially the vision for the City and includes the planning framework and policies to guide development. The Development Manual contains development guidelines for four (4) districts the Central Business District, City North, Western Business and Lakeside. Three (3) more are shown on the plan (Campus, North Recreation and Southern Business) but do not have guidelines at this stage.

The campus district was originally intended to be for general use for TAFE and University purposes, but it has always been recognised that there would be development potential for other city centre related uses.

The City is currently reviewing the Joondalup City Centre Development Plan and Manual. At this stage the document is being reviewed after advertising concluded in May 2000. The revised document will require to be advertised for further public comment.

DETAILS

Lot No	Part Lot 5
Street Address	Lakeside Drive and Joondalup Drive
Land Owner	Edith Cowan University
MRS Zoning	Central City Area
TPS Zoning	Joondalup City Centre Zone

Current Proposal

The landowners, Edith Cowan University and Landcorp, are keen to subdivide and develop a portion of the Campus District of the City Centre. It is intended that a land swap will occur with LandCorp acquiring the bulk of the south east portion of the Campus District (University Village site) and Edith Cowan University acquiring the land bounded by Collier Pass, Grand Boulevard and the Railway Line (see attachment No.2).

Location

The Campus District is bounded by Grand Boulevard, Joondalup Drive and Lakeside Drive and consists of a number of educational facilities, which include TAFE, Edith Cowan University and the Police Academy (under construction). The structure plan provides particular guidance with respect to the subdivision/development of a portion of land within the southeast section of the structure plan area referred to as the 'University Village' (see attachment No.1). This area is Part Lot 5 and is approximately 6.9 hectares in area and is mainly for residential purpose. Located on the corner of Lakeside Drive and Joondalup Drive is a small area reserved for mixed use/residential.

Campus District Guidelines

LandCorp has put forward the proposed text and illustrations for the Campus District on the south of the City. The 'University Village will provide residential development at a density of R60. The mixed use/residential site will promote the following uses:

- Residential (R60)
- Retail
- Office
- Entertainment
- Restaurant/café
- Medical Suites
- Accommodation
- Community Facilities
- Recreation.

In addition to these matters of land use and density, the guidelines control the location of primary frontages, access for vehicles, setbacks, site coverage and building heights.

The mixed use/residential site has specific significance because of its location and is recognised as a strategic entry point to the city. Council will have discretion to vary development requirements for the mixed use/residential site to promote development on this site of buildings with significant landmark qualities. Discretion to vary development standards include plot ratio, building height and residential density.

Subdivision Guide Plan

The Subdivision guide plan (see attachment No.3) found in the second part of the report provides a detailed examination of the 'University Village' and outlines the following key issues which relate to the subdivision plan and further development of the site:

- Land uses
- Movement Systems (vehicle, pedestrian and cycle)
- Public open space
- Services
- Traffic study and management

A detailed assessment of the subdivision plan has raised a number of issues concerning road hierarchy and traffic management. The applicant has been made aware of these issues. The subdivision plan in the report is 'indicative only' and detailed discussions between the applicant and the City at the subdivision stage will address these issues.

Relevant Legislation

Clause 3.11.2 of the Scheme states that no development or subdivision should occur on land in the Centre zone until a structure plan in respect of this land has been prepared and adopted. In this case a structure plan does exist however there is no content in the Development Manual part that relates to the 'Campus District'.

Under the provisions of clause 9.7 of the Scheme, Council may amend a Structure Plan. To proceed with an amendment the proposal pursuant to clause 9.5 of the scheme is required to be advertised for public comment. Conditions for advertising are detailed in clause 6.7 of the scheme.

Upon completion of advertising Council is required to review all submission within sixty (60) days and then proceed to either refuse to adopt the structure plan or resolve that the structure plan is satisfactory with or without modifications.

COMMENT

The form and arrangement of the guidelines for the Campus District have been reached following detailed discussions between officers of LandCorp and the Council. Some changes have been made to grant Council more discretion to vary development standards applicable to the mixed use/residential site.

Following the changes the guidelines for Campus District are considered to be a clear and consistent set of rules for the control and administration of the development proposed.

Assessment and Reasons for Recommendation

The overall intent of the Campus District Structure Plan is in keeping with the standards established in other residential districts within the Joondalup City Centre. The modifications made to the structure plan provide greater flexibility to Council to vary development standards to promote better development of the site.

In general the structure plan and ‘Indicative Subdivision Guide Plan’ are considered important for the provision of an orderly context for the ongoing development of the southeastern portion of the Campus District.

Whilst changes are proposed to the ‘Indicative Subdivision Plan’, this can be accommodated at a later stage. The structure plan itself is acceptable to guide development in the future.

MOVED Cr Kadak, SECONDED Cr Wight that Council PURSUANT to clause 9.4 of the City of Joondalup District Planning Scheme No 2, ADOPT the draft Campus District Structure Plan and make it available for public comment for 28 days.

The Motion was Put and

CARRIED

Appendix 18 refers

To access this attachment on electronic document, click here: [Attach18brf211100.pdf](#)

Cr Nixon declared a financial interest in Item CJ351-11/00 as he lives within close proximity to the Currambine Shopping Centre.

Cr Nixon left the Chamber, the time being 2146 hrs.

CJ351 - 11/00 CENTRES STRATEGY - [20454]

WARD - All

CJ001121_BRF.DOC:ITEM 30

SUMMARY

The Joint Commissioners adopted a draft Centres Strategy in September 1999. The draft Strategy was advertised for public submissions until November 1999 and 11 submissions were received. A consultant’s report on the submissions was obtained and the Western Australian Planning Commission (WAPC) has now released its Metropolitan Centres Policy (MCP) so the Draft Centres Strategy can now be considered for adoption as a planning policy.

The strategy sets out objectives and principles for centres in the City of Joondalup, identifies a hierarchy and lists functions and shopping floor areas appropriate to each level of the hierarchy.

Modifications to the Strategy are recommended together with its adoption and forwarding to the WAPC for endorsement.

BACKGROUND

The preparation of a Centres Strategy to determine the location, size, land use mix and related matters of all existing and planned future commercial centres within the City of Joondalup was initiated in August 1998. Consultants Planwest (WA) Pty Ltd and Belingwe Pty Ltd were appointed to conduct the study and prepare the report.

The Metropolitan Centres Policy statements of 1991 and 2000 require local governments to prepare local commercial strategies and centre plans to guide development at the local level.

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

The draft Strategy recognises a centre hierarchy in the City of Joondalup with Joondalup City Centre a City Centre (Strategic Regional), Warwick and Whitfords as Town Centres (Regional), three Small Town Centres (District), and a number of existing and proposed Village Centres (Neighbourhood) and Local Centres. The strategy sets out a range of functions appropriate to each level of the hierarchy, and a shopping floor space limit.

Creation of Business and Mixed Use areas are encouraged as potential local employment opportunities to provide a richer more varied fabric for centres at all levels of the hierarchy. Incremental expansion, revitalisation and remodelling of existing centres is encouraged particularly where *main street* principles can be incorporated. The strategy will form the basis for the WAPC to delegate development control to the City.

MAIN STREET is a term frequently used to describe the set of conditions that are recognisable in the traditional shopping street. These include a variety of separate lots with access to a public street containing through traffic and parking, a mixture of separately owned shops and other activities, and pedestrian facilities such as footpaths and awnings or other forms of shelter.

Adoption

The Joint Commissioners considered the consultants' report at their meeting held on 29 September 1999 and resolved to adopt the Draft Centres Strategy as a draft planning policy and make it available for public submissions.

Metropolitan Centres Policy

The WAPC has adopted (17 October 2000) a *Statement of Planning Policy No 9 Metropolitan Centres Policy Statement for the Perth Metropolitan Region* to replace the *Metropolitan Centres Policy Statement for the Perth Metropolitan Region (1991)* following the March 1997 public comment , and the May 1999 comment documents.

District Planning Scheme No2

At its meeting on 26 September 2000 Council adopted District Planning Scheme No 2 for final approval. Notice of approval of the Scheme was published in the Government Gazette on 28 November 2000.

City of Wanneroo

The City of Wanneroo considered and adopted its Centres Strategy at its meeting held on 8 August 2000. In adopting its Centres Strategy the City of Wanneroo has written asking the City of Joondalup through its strategy to delay any expansion of Currambine until such time as the Clarkson and Joondalup Centres mature.

DETAILS

Advertising

The draft Centres Strategy was advertised for 42 days from 7 October 2000 to 18 November 2000. Advertisements were placed in the Wanneroo Times and the West Australian, all owners and managers of shopping centres and adjoining businesses (156) were advised by letter, and copies of the draft Strategy were made available in the City's libraries and the two customer service centres.

Submissions

Eleven submissions were received during the advertising period and a summary is contained in the schedule of submissions in Attachment 1. Several of the submissions contained comments on the details of the mathematical model applied. Consequently, the consultants were requested to provide a report and recommendations regarding the submissions. A summary of the issues discussed in the consultants' report and their recommendations are discussed below.

This matter has not been reported before now because the Metropolitan Centres policy Statement had not been finalised and it was considered that this Policy could have a critical bearing on any Centres Strategy that the City of Joondalup sought to adopt.

Business and Mixed Use Areas

The draft Centres Strategy contains a theme of promoting the development and diversification of land uses in centres particularly relating to employment generating activities, mixed uses, embodying *main street* principles and providing community focus. This would be encouraged through the application of expanded Centre zones and the use of structure plans to include suitable adjacent land in the Business or Mixed Use zones. Two submissions objected to this principle on the grounds that such areas would compete with existing centres.

The consultants recommend retention of the principle as it would not create direct competition but would most likely enhance existing centres by providing increased variety and vitality.

Tourist Centres

The draft Centres Strategy recommended the tourist centre at Hillarys Boat Harbour and that proposed at Ocean Reef be classified as *Small Town Centres* and allowed significant expansion. Two of the submissions objected to this on the grounds that such development would be detrimental to surrounding centres. The consultants have reported that there is a problem in classifying these centres in the same terminology as other centres and have recommended two alternatives. These are to delete reference to these centres in the Centres Strategy and develop a separate Tourism Centre strategy, or create a separate class of centre within the Strategy with its own objectives and requirements.

Burns Beach/Kinross

One submission argued that centres planned for the development of Lot 2 Burns Beach should be included in the Centres Strategy. This area is currently the subject of a Metropolitan Region Scheme amendment the outcome of which is uncertain. The consultants recommended that these matters not be included until the various planning issues relating to the area have been resolved.

Role of the Strategy

The draft Centres Strategy contained observations and recommendations regarding the location and size of centres and the need for these to be reviewed. A number of submissions made the point that it is not the function of the Centres Strategy to recommend changes to the arrangement of centres arrived at through the subdivision structure planning process. The consultants comment that both processes have a role and that the City of Joondalup will need to reconcile the two processes.

Floor Area

The draft Centres Strategy contains argument that the current floor space provision in the City of Joondalup is below that of the rest of the metropolitan region, and below that recommended in the MCP (1991). It proposes that it is reasonable to aim to achieve the 1991 levels by the year 2006 and that a 2 percent per annum increase is necessary to achieve this level. Several submissions objected to this statement saying that the area is oversupplied with retail. The consultants have redrafted a section of the report to make their argument clear and maintain that any perceived oversupply relates to a particular class or type of retail only, and that there is a lack of variety, form and alternatives for retail and other businesses.

Whitfords Centre

The draft Centres Strategy proposed a limit of 50,000m² NLA shopping floor space for Whitfords Centre rising to 55,000m² after 2006. One submission objected to this on the grounds that it is discriminatory, restricts employment opportunities, precludes the development of a department store and weakens the centre relative to its growing competition. It also criticises the Strategy for adopting the draft Metropolitan Centres Policy (1999) which it claims is only a draft discredited by the retailing industry.

The consultants were prepared to agree with the submission to some extent to recommend that the limit on the Whitfords Centre be lifted to 55,000m² in anticipation of an approval by the WAPC. The most recent approval for this centre is still less than 50,000m² NLA of shopping floor space.

Currambine Centre

The draft Centres Strategy proposed a limit of 10,000m² for Currambine Centre rising to 15,000m² after 2006 to permit the development of a discount department store. This was the most controversial and widely criticised proposal in the Strategy. It was objected to on the grounds that it would impact adversely on the development of Joondalup, Clarkson, and Wanneroo, and surrounding neighbourhood centres. It was claimed that such expansion went against previous planning strategies, understandings, and undertakings by Government and the Council. The modelling that was used as the basis for the recommendation was claimed to be flawed in logic and data.

One submission supported by a number of leading consultants supported the proposal.

The consultants maintain their modelling is valid but accept that the inclusion of the date and potential expansion of the centres creates unnecessary uncertainties and risks for both Joondalup and Clarkson at sensitive stages of their development. They recommend that expansion of Currambine to permit a DDS be considered only after Joondalup has reached full regional shopping centre status by size and function and Clarkson has developed to its full 28,800m² and the planned sizes and trading patterns for the centres in the area have settled.

Schedule 3 – Centre Zones

The draft Centres Strategy contains a schedule of centres with columns headed *NLA (m²)* (Net Lettable Area) and *Viable by 2006 (m²)*. There was some confusion concerning these columns evident in the submissions. The consultants recommend the column headed *Viable by 2006 (m²)* be deleted and that the column heading *NLA (m²)* be replaced with *Planned Size NLA (m²)*.

Legislation

Clause 8.11 of DPS2 provides a process for the City to prepare and adopt a Local Planning Policy. Following adoption of a draft policy, it is required to be made available for public inspection and comment and then reviewed by Council in the light of any submissions made. Council shall either adopt the policy with or without modification or not proceed with the policy. Clause 8.11.5 provides that any policy adopted in accordance with the provisions of TPS1 shall have the status of a Local Planning Policy as if it were prepared and adopted under DPS2.

The key element for the implementation of the MCP (2000) is the preparation of Local Planning Strategies (LPS) and their endorsement by the WAPC. Once adopted and endorsed, a LPS will enable delegation of development control in accordance with the MCP. This Centres Strategy has been prepared in accordance with the guidelines for the preparation of LPS's and is proposed to function as a LPS for the City of Joondalup.

COMMENT

Business and Mixed Use Areas

While the draft Centres Strategy does promote the inclusion of an expanded area around each centre in the Centre zone with provision for peripheral areas to be included in the Business and Mixed Use zones within structure plans, it is not suggested that this be an immediate action. It is envisaged that this would occur with selected centres following appropriate study and the adoption of a suitable structure plan. Such expansions would be considered suitable where a particular centre could accommodate *main street* principles in the provision of additional facilities and employment opportunities. This element of the Strategy is amenable to implementation through the City's precinct planning activities.

Burns Beach/Kinross

The draft Centres Strategy contains only one Local Centre for Kinross, whereas there should be two: Kinross Avenue and Edinborough Avenue. The proposed Kinross Village Centre is also shown in the wrong place on the map and should be shown east of Connolly Drive on Selkirk Drive.

Tourist Centres

Tourist Centres such as Hillarys Boat Harbour and that proposed for Ocean Reef are clearly outside the normal hierarchy of centres required for the provision of shopping and service needs but they are extremely important in providing tourist and entertainment services particularly in the North West Corridor. The inclusion of separate requirements in the Strategy for these centres is supported. The alternative recommendation of a separate strategy offered by the consultants is not considered necessary. It seems contrary to the recognition that the Centres Strategy is about all centres, that different centres have different roles, and that retailing is just one of the functions of a centre.

Role of the Strategy

The draft Centres Strategy recognises many of the City of Joondalup's existing centres are not performing adequately. It recognises that this is sometimes due to poor location, poor design, mismatch with their trade area in size or services. The Strategy provides objectives and principles that can be applied to the review of centres created within the subdivision structure plan process in an effort to improve their performance. This is an important role of the Strategy particularly in relation to employment performance.

Floor Area

It is a common assertion that there is an oversupply of shopping floor space in the City of Joondalup, but it may be an oversimplification. The consultants claim after studying the figures that there is in fact an under supply. The apparent oversupply is limited to a particular type of shopping, the high rent enclosed shopping mall. This issue is in line with provisions of the MCP (2000) to allow *main street* style development beyond the floor space guidelines.

The idea that a wider range of shopping floor space and a diversity of ownership will encourage business is attractive, particularly from the point of view of sustainability. Increases in businesses in centres should have economic, environmental and social benefits.

Whitfords Centre

The MCP (2000) as a guide lists Regional Centres as having up to 50,000m² nla. Whitfords Centre already has the shopping floor space and retail functions listed for such a centre. To provide for any further retail expansion would promote this centre out of its position in the hierarchy to the detriment of all of the neighbouring centres. Any further increase in this centre should be limited to non retail employment creating activities.

Currambine Centre

The draft Centres Strategy recognises that the decision to allow this centre to move from Moore Drive to its current location is to the detriment of the Strategic Regional Centre, Joondalup. Any provision for expansion of this centre would be at the expense of other centres in the area. The consultants have recommended that expansion of Currambine only be considered if and when Joondalup has attained its full regional shopping status by size and function and Clarkson is developed to its full 28,800m².

Given the importance of the City attaining reasonable levels of local employment and the importance of Joondalup City Centre in that process, anything that detracts from the timely development of Joondalup City Centre should not be supported. Further, no expansion to Currambine should be considered unless it is clear that there would be no adverse impact on any of the surrounding centres.

While the development of a DDS at this centre is not supported, there is ample opportunity for the development of further services and facilities particularly employment related ones, including some shopping floor space, if the centre can be reconfigured to incorporate *main street* principles.

Schedule 3 – Centre Zones

The recommended change to the schedule is much clearer and removes any confusion there may have been about possible future expansion of centres.

As a result of the MCP it will be necessary to make a further adjustment to this schedule. The limit for Village Centre is now required to be 4,500m² Shopping Floor Space whereas previously it had been 5,000m².

Two of the existing centres, Gwendoline Drive, Beldon and Trappers Drive, Woodvale, already have in excess of this floor area and therefore should maintain an upper limit of 5,000m².

Implementation

It is proposed that section 5 of the draft Centres Strategy report be modified as discussed above and adopted as the City of Joondalup Planning Policy – Centres Strategy. The Centres Strategy Report and the consultants' report on submissions would then be supporting documentation to the strategy.

Once the Strategy is adopted it should be referred to the WAPC for endorsement to form the basis for delegation of development control in accordance with the MCP. Ministry for Planning officers were represented on the team directing the consultants for the preparation of the strategy but could not commit the WAPC to support the outcome. It may be necessary for further negotiations and changes to be made to the Strategy before the WAPC is prepared to endorse the document.

Following endorsement of the Strategy the major implementation item will be an amendment to DPS2. This will involve replacement of Schedule 3 –Commercial and Centre Zones in the Scheme with that in the Strategy and provision for minor retail to be approved in Business and Mixed Use zones. Further implementation measures will involve preparation of Centre Plans but these will have to be staged and will compliment the City's precinct planning and structure planning activities.

MOVED Cr Magyar, SECONDED Cr Carlos that Council:

- 1 NOTES the submissions received during the advertising of the draft Centres Strategy as set out in Attachment 1 to Report CJ351-11/00 ;**
- 2 MODIFIES the draft Centres Strategy by:**
 - (a) listing Hillarys Boat Harbour and Ocean Reef Boat Harbour separately as Tourist centres with their own list of characteristics;**
 - (b) adding an additional Local Centre for Kinross;**
 - (c) removing the *viable by 2006* column from Schedule 3;**
 - (d) replacing the Schedule 3 column heading *NLA (m²)* with *Planned Size NLA (m²)*;**
 - (e) changing the Planned Size of the Currambine Centre from *15,000m² after 2006* to *10,000m²*;**
 - (f) changing the shopping floor space guide for Village Centres from *5,000m²* to *4,500m²* to conform to the Metropolitan Centres Policy except for Gwendoline Drive, Beldon, Trappers Drive, Woodvale, and Schedule 3 accordingly;**
- 3 ADOPTS the Centres Strategy contained in Attachment 2 to Report CJ-11/00 as a Planning Policy pursuant to clause 8.11 of District Planning Scheme No1;**
- 4 REFERS the Centres Strategy together with supporting documentation to the Western Australian Planning Commission with a request for consideration and endorsement as a Local Commercial Strategy pursuant to the Metropolitan Centres Policy;**

- 5 ADVISES the City of Wanneroo that it has modified its Centres Strategy so that any expansion will only be supported if Joondalup City Centre, Clarkson Centre and other centres in the area, have achieved their planned size and function.**

The Motion was Put and

CARRIED

Appendix 19 refers

To access this attachment on electronic document, click here: [Attach19ag281100.pdf](#)

Cr Nixon entered the Chamber, the time being 2148 hrs.

**CJ352 - 11/00 PROPOSED THIRTY-EIGHT (38)
AGED/DEPENDENT PERSON'S DWELLINGS - PT
LOT 501 (7) MOOLANDA BOULEVARD, KINGSLEY
- [36981]**

WARD - South

CJ00121_BRF.DOC:ITEM 31

SUMMARY

An application has been received for thirty-eight (3-bedroom) aged or dependent persons' dwellings (ADPD) at Moolanda Boulevard, Kingsley. The subject land is located on the north-west corner of Hepburn Avenue and Moolanda Boulevard. The proposed development will complete the development of Lot Pt 501, which contains a nursing home, service station and 26 ADPDs. The applicant has requested development variations to the City's District Planning Scheme No 2 (DPS2) and the Residential Planning Codes (Codes) relative to residential density and the provision of 4m² storerooms for each unit.

The key elements of this proposal are detailed below:

- The proposed development is in keeping with the streetscape with its single level design;
- The provision of internal open space, pedestrian walkways, parking for cars and trailers;
- Lawn bowls are included in the design together with an upgrading of the existing Social Centre;
- The ADPDs provide the opportunity for local Kingsley residents to remain in the locality as they age, by improving choice of housing type.

It is recommended that the Council exercise discretion under DPS2 to vary the requirements of the R-Codes in granting approval to the proposal in the above regard.

BACKGROUND

Lot	Pt 501
Street Address	7 Moolanda Boulevard, Kingsley
Land Owner	The Grand Lodge of Western Australia Freemasons
MRS Zoning	Urban
TPS Zoning	Residential
Use Class	Aged or Dependent Persons' Dwellings
Lot Area	39011m ²

The subject site is located to the north of Hepburn Avenue, between Renegade Way and Moolanda Boulevard, Kingsley. The majority of land surrounding the above site is zoned 'Residential' with a service station and commercial centre land uses to the north along Moolanda Boulevard.

The vacant part of the site is reasonably level and is currently bushland. There are two existing vehicle access points. One to Renegade Way and the other is to Moolanda Boulevard. No vehicle access is proposed onto Hepburn Avenue.

Advertising

The proposal was advertised for a period of 21 days in accordance with the requirements of DPS2. This included an advertisement in the Joondalup Times and two signs were erected on-site. At the close of the advertising period no submissions were received.

Current Legislation

The current application was assessed for its conformity with DPS2 and the R-Codes which specify detailed development standards regarding density of development, carparking and building setbacks:

- The proposed use is a use that is not permitted, but to which the Council may grant its approval after following certain procedures for considering the proposal under DPS2. The Council can exercise its discretion and may grant its approval (with or without conditions), or may refuse the proposal.
- The R-Codes enable the Council in the case of dwellings designed for the accommodation of aged or dependent persons. An increase in the number of dwellings can be permitted by the Council up to 50% greater than provided for by the R-20 Code applying to the site.
- In the case of such dwellings, car parking bays must be provided at the rate of 0.5 spaces per dwelling unit. This may be increased at the discretion of the Council up to 1 bay per unit, with an additional provision for visitor car parking (10% with a minimum of two bays).
- In the case of aged persons' dwellings, the Council may, in a particular case vary any other provision of the Codes where necessary to enable the density increase to be achieved.

DETAILS

Description of Proposal

The development proposal consists of the following elements:

- 38 single storey (3 bedroom) Aged or Dependent Persons' Dwellings;
- The land permits 54 units under the R20 density code and 81 units with the 50% density bonus based on the land area of 24,477m² set aside for ADPDs.
- A total of 38 garages (1 bay per unit) and 13 visitor bays are proposed. A secured area for residents to park trailers is also proposed;
- Access to the site is via Renegade Way and Moolanda Boulevard only, with no vehicle access being permitted from Hepburn Avenue;
- Colourbond boundary fencing is proposed along Moolanda Boulevard and Hepburn Avenue;
- The existing Social Centre is being used by residents of the complex only, and the proposed upgrade would include a lawn bowls area;
- Arrangements will be made by the proponent for private contractors to collect household refuse. All garden and exterior maintenance will be undertaken by private contractors, hence the need for standard size stores of a minimum of 4m² is not required;
- The proponent believes there is demand for retirement accommodation in the northern suburbs, particularly within the City of Joondalup.

Setbacks, Car Parking, Open Space and Density

The proposed setbacks to the secondary streets of Moolanda Boulevard and Hepburn Avenue comply with the R-Codes.

Car Parking Table Based on DPS2

Current Use	Car Parking Provision	No of bays required	No of bays provided
Aged or Dependent Persons Dwellings	1 bay per dwelling	38	38
Visitor bays	10% of 38 bays	4	13
Total		42	51

Two (2) of the visitor bays have been designated as disabled carbays. From the table it is clear that the proposal complies with DPS2. It was concluded that there is sufficient car parking for the development proposed.

The open space of (72%) is well above the minimum requirement of 50% of the total site, based on the total lot area of 3,9011m².

The residential density coding is R20, however the Council has the discretion to grant a density bonus of up to 50% (ie maximum of 81 units). The proposed 38 units, and the existing 26 units, which amount to 64 units is well below the maximum 81 units allowed.

Discretionary Aspects of Proposal

The applicant has requested the Council to:

- Grant a 50% bonus to the number of dwellings that are permissible under the R20 coding in accordance with clause 5.1.3 of the R-Codes; and
- Reduce the 4m² size requirements for storerooms.

DPS2 specifies that residential development must conform to the R-Codes (under clause 4.2.3). The Council has the authority to exercise discretion under clause 5.1.3 of the Codes to vary the density of development.

COMMENT

Residential Density

The site (Pt Lot 501) comprises an existing nursing home, service station and aged or dependent persons' dwellings. To calculate the permissible residential density, only the land area comprising the ADPDs (both existing and proposed) was used (ie 24,477m² of the 39,011m² lot size). A total of 54 units are permitted under the R20 coding and a maximum of 81 units with the 50% density bonus. In comparison a total of 64 units inclusive of the 38 units are proposed.

Clause 5.1.3 of the R-Codes enables the number of dwellings permitted, at the discretion of the Council, be up to 50% greater than provided for by the Code applying to the site where accommodation for the aged is proposed. Having regard to the overall design and the provision of open space and setbacks proposed, the amenity of adjoining residential owners would be maintained if this proposal were approved. The proposal falls within the 50% bonus of dwellings to the above R20 coding and can be supported on this basis.

Car parking & Access

Aged or dependent persons' dwelling occupants do not generally have a high car ownership ratio. The development would provide 38 garages for 38 units, thus providing 1 bay per unit and 13 bays for visitor parking which complies with DPS2 and the R-Codes.

The existing access via Renegade Way and Moolanda Boulevard is adequate to cater for the total development of the site. The additional traffic from the development is expected to be evenly distributed between both street access points and will not have an adverse impact on the immediate area.

Communal Open Space & Storerooms

The existing social centre will be upgraded and together with the lawn bowls would contribute towards the internal communal facilities for existing and future tenants.

The need for stores to a minimum of 4m² per dwelling is not required in this instance as all internal garden maintenance is to be carried out by approved private contractors.

Use of the Development by Aged Persons

To ensure the development is used for its stated purpose and given the density bonus involved the development must be limited to occupancy for aged or dependent persons. A notification on the certificate of title is recommended to ensure prospective purchasers are advised the special requirements that relate to the restricted use of the ADPD units. This is to ensure that at least one person residing in each unit is over the age of 55 years of age or is a person with a recognised form of handicap requiring special accommodation for independent living or special care. The R-Codes provide the legal mechanism together with a condition of approval to commence development, to bind the owner and new owners in the above regard.

Conclusion

The applicant has provided a range of positive aspects related to the development in the form of design of units, size, internal open space and upgrade to communal facilities which has required some variations to the R-Codes that are considered acceptable. The proposal complies with the other relevant provisions of DPS2 and the R-Codes.

The approval of the proposal is recommended subject to conditions.

MOVED Cr Wight, SECONDED Cr Barnett that Council:

- 1 EXERCISES DISCRETION under Clause 4.2.3 City of Joondalup District Planning Scheme No 2 and Clause 5.1.3 of the Residential Planning Codes to:**
 - (a) increase the number of Aged or Dependent Persons' Dwellings by an additional 38 dwellings being within the 50% density bonus above the R20 Code applying to the site; and**
 - (b) vary the requirements relating to the provision of 4m² storerooms;**
- 2 APPROVES the application and plans received on 7 August 2000 submitted by Morley Davies Architects on behalf of the owner, The Grand Lodge of Western Australian Freemasons for 38 additional Aged or Dependent Person's dwelling on Pt Lot 501 (7) Moolanda Boulevard, Kingsley, subject to the following conditions:**
 - (a) a notification under section 70A of the Transfer of Land Act is to be prepared in a form acceptable to the City and lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot, prior to the commencement of development works. This notification is to be sufficient to alert prospective purchasers of the use and restrictions of the aged/dependent persons' accommodation as stipulated under condition (a) of this approval. The notification should (at the full cost of the applicant) be prepared by the City's solicitor McLeod & Co and be executed by both the landowner and the City;**

- (b) the lodging of detailed landscape plans, to the satisfaction of the City, for the development site and the adjoining road verge(s) with the Building Licence Application. For the purpose of this condition, a detailed landscaping plan shall be drawn to a scale of 1:100 and show the following:
- (i) the location and type of existing and proposed trees and shrubs within the carpark area;
 - (ii) any lawns to be established;
 - (iii) any natural landscape areas to be retained; and
 - (iv) those areas to be reticulated or irrigated
- (c) landscaping and reticulation to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the City;
- (d) the parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Car Parking (AS2890). Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the City prior to the development first being occupied. These works are to be done as part of the building programme ;
- (e) all stormwater must be contained on-site to the satisfaction of the City, which could include the option of connection to the City's drainage system;
- (f) submission of a Construction Management Plan covering hours of operation, access and other relevant details must be lodged with an application for a Building Licence.

Footnotes:

- (a) Compliance with the Building Code of Australia provisions for access and facilities for people with disabilities may not discharge an owner's or developer's liability under the Commonwealth Disability Discrimination Act (DDA). The Human Rights and Equal Opportunities Commission has developed guidelines to assist owners and developers in designing developments which may satisfy the requirements of the DDA. Copies of the guidelines may be obtained from the Disabilities Services Commission, 53 Ord Street, West Perth, telephone 9426 9200.

The Motion was Put and

CARRIED

Appendix 20 refers

To access this attachment on electronic document, click here: [Attach20brf211100.pdf](#)

**CJ353 - 11/00 PROPOSED CLOSURE OF PEDESTRIAN
ACCESSWAY BETWEEN DERICOTE WAY AND
GREENWOOD VILLAGE SHOPPING CENTRE,
GREENWOOD - [47409]**

WARD - South

CJ001121_BRF.DOC:ITEM 32

SUMMARY

The application to close the above pedestrian accessway (PAW) between Dericote Way and Greenwood Village Shopping Centre, Greenwood was supported by Council at its meeting of 23 May 2000 (Item No. CJ128-05/00 refers). Thereafter, the Department of Land Administration (DOLA) was requested to formally close the PAW and dispose of the land to the adjoining landowners. Since the City's request to DOLA, a petition has been received with signatures representing 37 households. The petition states that this corresponds to 100 residents overall. Attachment (1) is the plan originally used with Item CJ128-05/00, indicating the location of all objectors including those from the recent petition. The City has also been advised that the Minister for Lands will not consider closure at this time, however, if the City is prepared to construct a footpath from Dericote Way to Greenwood Village Shopping Centre, the application can be resubmitted for the Minister's consideration.

Apart from some minor footpath maintenance that is being attended to, the City does not consider the alternative pedestrian route as being unsafe, or a footpath as being necessary, even if the PAW closure went ahead. If Council chooses to stand by its previous resolution, the Minister for Lands will be advised of this. However, there are still strong planning principles for the subject PAW to remain open and based on the petition received strong public objection to its closure. It is therefore recommended that Council rescinds, by absolute majority, its previous resolution and does not support the closure of the pedestrian accessway between Dericote Way and Greenwood Village Shopping Centre.

BACKGROUND

The above application was first submitted to Council at its meeting held on 26 April 2000, (Item No. CJ100-04/00 refers) and Council resolved to defer consideration of the application until its meeting of 23 May 2000, at which time it resolved to support closure. DOLA was formally requested to close the accessway and dispose of the land to adjoining landowners.

On 12 July 2000, DOLA advised the City that it had received a petition from local residents objecting to the closure of the PAW. It had also noted that the Western Australian Planning Commission did not support the application and based on these matters, requested that Council reconsider the matter.

The City responded to DOLA on 2 August 2000, advising that it had followed due process as laid down in DOLA's Administrative Guidelines for Pedestrian Accessway Closure/Disposal. During the advertising period, the City had informed all of the residents in Dericote Way and Gerda Court by letter, regarding the proposal for closure. Accordingly, DOLA was again requested to commence formal actions to close the PAW.

DOLA advised the City on the 21 September 2000, that the Hon Minister for Lands is not prepared to close the PAW at this time. The Minister will consider closure of the PAW only on the basis that the City *“...constructs safe access to the shopping centre for elderly residents in Dericote Way and surrounds. If Council is prepared to construct a pathway from Dericote Way to the Centre, the closure of the PAW can be resubmitted for the Minister’s consideration.”*

DETAILS

Correspondence from adjoining landowners since Council’s determination advises that a car has been broken into causing \$300.00 worth of damage. Also, a letterbox has been pulled out twice and thrown into the garden. Washing has been stolen from the clothesline and sleepless nights have been endured due to skateboarding in the PAW and patrons of the local tavern congregating in the PAW. On separate occasions the bollards in the PAW have been used to access the adjoining landowners’ backyards, and as they both have swimming pools, this concerns them.

On 24 August 2000, the City received, from a local resident, a copy of the same petition of objection that had previously been forwarded to DOLA, the Hon Minister for Lands, the Hon Minister for Planning and the Hon Cheryl Edwardes MLA, Member for Kingsley. The petition is signed by residents representing 37 households, stating that this corresponds to 100 residents overall. The accompanying letter stated that the majority of residents in Dericote Way want the accessway to remain open, and that two disabled residents in Dericote Way were very distressed at the prospect of the PAW being closed. It also mentioned that for young children in the area, the alternative route along Leschenaultia Street is too busy and dangerous.

Since the second request to DOLA to formally close the PAW, the City has been advised that the Minister for Lands will not consider closure at this time. However, if the City is prepared to construct a footpath from Dericote Way to the shopping centre, then closure of the PAW can be resubmitted for the Minister’s consideration.

Officers of the City carried out a detailed inspection of Dericote Way with regard to the standard of pedestrian access to Greenwood Village Shopping Centre. The conclusion was that besides some minor footpath maintenance in Leschenaultia Street, the City does not see a need for a footpath to be constructed. If the PAW is closed, the alternative access is extra distance to walk, but is not considered by the City as “unsafe.” and the Minister for Lands will be advised of this.

COMMENT

Notwithstanding, the level of objection indicated by receipt of the petition, the strategic location of the PAW, and the extra walking distance involved to community facilities should closure of this PAW take place, indicates that all other options should be considered before this important link is closed.

Some of the problems being experienced by adjoining landowners may be able to be dealt with by less drastic action than the permanent closure of this PAW. More frequent Ranger Patrols may assist with the general vandalism and loitering by noisy teenagers in the PAW. The shopping centre management has been contacted and requested to assist in reducing the incidence of rubbish build up in this area, to save it blowing through the PAW on to Dericote Way. On separate occasions the bollards in the PAW have been used to access the adjoining landowners' backyards. The City can examine the position and type of bollards used in the PAW, to ascertain if any action can be taken to remedy the situation.

The above measures may assist with the problems being experienced by adjoining landowners and due to the strategic position of the subject PAW, these alternative solutions should be considered before closure. It is acknowledged that Council previously resolved to support the closure of this PAW, however, it is still considered that on balance the correct planning outcome is for the PAW to remain open. Therefore, it is recommended that Council rescind, by absolute majority, its previous resolution to support closure of the pedestrian accessway between Dericote Way and Greenwood Village Shopping Centre and resolve not to support the application.

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

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

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

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

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

OFFICER'S RECOMMENDATION: That Council:

1 **RESCINDS BY AN ABSOLUTE MAJORITY** its decision of 23 May 2000 (CJ128-05/00 refers) viz:

“That Council SUPPORTS the application to close the pedestrian accessway between Dericote Way and Greenwood Village Shopping Centre, Greenwood for the following reasons:

- *nuisance element to local residents;*
- *anti-social behaviour; and*
- *anti-social activities occurring in and around this area”*

- 2 RESOLVES NOT TO SUPPORT the closure of the pedestrian accessway between Dericote Way and Greenwood Village Shopping Centre, Greenwood and advises the Minister for Lands accordingly.

MOVED Cr Wight, SECONDED Cr Barnett that Council:

- 1 REAFFIRMS its decision of 23rd May 2000 (CJ128-05/00 refers) to support the closure of the pedestrian accessway between Dericote Way and Greenwood Village Shopping Centre, Greenwood for the following reasons:
- the conditions next to the pedestrian accessway and back of the shopping centre have not changed;
 - conditions will deteriorate with the future expansion of the shopping centre due to commence early 2001,
 - attract anti-social behaviour;
 - elderly residents in the area support the closure.
- 2 ADVISES the Hon Minister for Lands of its decision and that it has examined the pedestrian access from Dericote Way to the shopping centre and believes that no further upgrade to that access is necessary;
- 3 REQUESTS the Hon Minister for Lands reconsiders his decision in light of the above resolution.

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 21 refers

To access this attachment on electronic document, click here: [Attach21brf211100.pdf](#)

C75-11/00 MOTION TO GO BEHIND CLOSED DOORS

MOVED Cr Nixon, SECONDED Cr Walker that in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting be held behind closed doors to give consideration to Item C77-11/00 relating to the annual review and contract extension of the Chief Executive Officer, the time being 2200 hrs.

The Motion was Put and

CARRIED

C76-11/00 MOTION TO ADJOURN MEETING – [02154] [08122]

MOVED Cr Nixon, SECONDED Cr Walker that in accordance with clause 5.1 of the City's Standing Orders that the meeting be adjourned for five (5) minutes, the time being 2200 hrs, reconvening at 2205 hrs on 28 November 2000 in order to discuss the annual review and contract extension of the Chief Executive Officer

The Motion to Adjourn was Put and

CARRIED

The members of the Public and press left the Chamber at this point.

RECONVENE MEETING – [02154] [08122]

The meeting reconvened, the time being 2205 hrs to discuss the contract extension of the Chief Executive Officer.

REPORT OF THE CHIEF EXECUTIVE OFFICER**C77-11/00 CHIEF EXECUTIVE OFFICER'S ANNUAL REVIEW AND CONTRACT EXTENSION – [02154] [08122]**

MOVED Cr Wight, SECONDED Cr Carlos that Council:

- 1 NOTES that on the 14 November 2000 Council AUTHORISED the Mayor, Deputy Mayor and Cr Barnett to obtain legal advice concerning the method of calculation of Mr Delahaunty's salary subsequent upon a performance review;**
- 2 NOTES that legal advice has now been obtained that the method of calculation previously adopted is in accordance with Mr Delahaunty's contract;**
- 3 APPROVES the salary review in accordance with the contract, backdated to the 1 July 2000.**

The Motion was Put and

CARRIED

MOVED Cr Wight, SECONDED Cr Magyar that the Mayor, Deputy Mayor and Cr Barnett be further AUTHORISED to seek further independent advice on a remuneration package for a Chief Executive Officer at current market levels.

The Motion was Put and

CARRIED

MOVED Cr Nixon, SECONDED Cr Walker that the meeting be held with the doors open.

The Motion was Put and

CARRIED

Members of the public entered the Chamber at this point. In accordance with the Local Government Act 1995, the Chief Executive Officer advised members of the public of the item considered behind closed doors and read the above Motion.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 19 DECEMBER 2000** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 2253 hrs; the following elected members being present at that time:

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