



MINUTES OF COUNCIL MEETING
HELD ON 19 DECEMBER 2000

INDEX

No:	Item	Page
	OPEN AND WELCOME	1
	ATTENDANCES	1
	APOLOGIES AND LEAVE OF ABSENCE	2
C78-12/00	SECOND PUBLIC QUESTION TIME	2
	PUBLIC QUESTION TIME	2
	DECLARATIONS OF FINANCIAL\NON FINANCIAL INTEREST	6
C79-12/00	CONFIRMATION OF MINUTES	7
	MINUTES OF COUNCIL MEETING HELD ON 28 NOVEMBER 2000	
	ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION	7
C80-12/00	PETITIONS	9
	FINANCE AND COMMUNITY DEVELOPMENT	
CJ387-12/00	PROPOSED SUBDIVISION FOR LOT 64 (8) WAVERTON COURT, KALLAROO - [54136].....	11/117
CJ354-12/00	ACTING CHIEF EXECUTIVE OFFICER - [97127].....	17
CJ355-12/00	WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30 NOVEMBER 2000 - [09882].....	18
CJ356-12/00	FINANCIAL REPORT FOR THE PERIOD ENDING 30 NOVEMBER 2000 - [07882].....	19
CJ357-12/00	MINUTES OF MEETING OF HOUSE COMMITTEE - [59064].....	20
CJ358-12/00	MINUTES JOONDALUP FESTIVAL AND SUMMER EVENTS COMMITTEE - [50027].....	21
CJ359-12/00	MINUTES OF THE ENVIRONMENTAL ADVISORY COMMITTEE MEETING - 15 NOVEMBER 2000 - [00906].....	22
CJ360-12/00	MINUTES OF DRY PARKS, MEDIAN AND VERGE COMMITTEE MEETINGS - 21 SEPTEMBER 2000, 19 OCTOBER 2000 & 27 NOVEMBER 2000 - [42938].....	23
CJ361-12/00	PROPOSED ONLINE SERVICES POLICY - [47938].....	26

CJ362-12/00	CITIES FOR CLIMATE PROTECTION MILESTONE 1 INVENTORY AND FORECAST OF GREENHOUSE GAS EMISSIONS FOR CITY OF JOONDALUP - [09717]	31
CJ363-12/00	URBAN ANIMAL MANAGEMENT ACTION PLAN - [07086] [45234]	38
CJ364-12/00	COMMUNITY FUNDING PROGRAM 2000-2001 GRANTS ALLOCATIONS - [50066] [51066]	43
CJ365-12/00	TENDER 072-99/00 OPERATIONAL MANAGEMENT AND LEASE CITY OF JOONDALUP LEISURE CENTRES - [46492]	51
	ADJOURNMENT OF MEETING	55
	RECONVENING OF MEETING	55
CJ366-12/00	PINNAROO POINT BEACH ACCESS FOR LAUNCH OF PERSONAL WATER CRAFT - [07189]	56
CJ367-12/00	COMMUNITY TRANSPORT SERVICE - [16813] [01075] [07310]	62
CJ368-12/00	THE TRANSFER OF SERVICES TO THE COMMUNITY BASED SECTOR - [40958]	121
CJ369-12/00	EXTENSION OF CONTRACT NO. 084-99/00 SUPPLY AND DELIVERY OF HOME SUPPORT SERVICES - [43606]	68
	INFRASTRUCTURE MANAGEMENT	
CJ370-12/00	UPGRADE OF THE MATERIALS RECOVERY FACILITY, WANGARA - [53119]	69
CJ371-12/00	STATE BLACK SPOT PROGRAM - 2000/01 - [09480]	73
CJ372-12/00	RE-FURBISHMENT OF THE JOONDALUP ADMINISTRATION CENTRE – “FITOUT” CONTRACT: TENDER 030-00/01 - [51143] [04150]	133
CJ373-12/00	PETITION REQUESTING TRAFFIC TREATMENTS - WENTLETRAP WAY, MULLALOO - [19226] [01077]	76
CJ374-12/00	GALLEON ROAD AND DOLPHIN WAY- BELDON - [01294] [45297]	78
CJ375-12/00	SHENTON AVENUE AND PONTIAC WAY, JOONDALUP – FEASIBILITY OF ROUNDABOUT INSTALLATION - [07056] [03762]	137
CJ376-12/00	TENDER NO 026-00/01 GENERAL MAINTENANCE OF STORMWATER SUMPS - [50083]	80
CJ377-12/00	PARKING - KENNEDYA DRIVE, JOONDALUP - [02658]	82
CJ378-12/00	TURF WICKET FACILITIES AT BEAUMARIS SPORTS COMPLEX - [02046]	84
	PLANNING AND DEVELOPMENT	
CJ379-12/00	DELEGATED AUTHORITY REPORT - [07032]	87
CJ380-12/00	CLOSE OF ADVERTISING – MODIFICATIONS TO CURRAMBINE STRUCTURE PLAN - [11160]	88
CJ381-12/00	PROPOSED AMENDMENT NO 3 TO DISTRICT PLANNING SCHEME NO.2 - SCHEDULE 3 ‘COMMERCIAL AND CENTRE ZONES’ - [57082]	92
CJ382-12/00	PROPOSED AMENDMENT NO 4 TO DISTRICT PLANNING SCHEME NO 2 – LOT 656 (265) EDDYSTONE AVENUE, BELDON - [55134]	94
CJ383-12/00	SUBDIVISION REFERRALS PROCESSED 1 – 30 NOVEMBER 2000 - [05961]	99

CJ384-12/00	MIXED USE DEVELOPMENT - LOT 63 (2) NOTTINGHILL STREET & LOT 64 (35) GRAND BOULEVARD, JOONDALUP - [38553].....	100
CJ385-12/00	MULLALOO FORESHORE CONCEPT PLAN (PRECINCT PLANNING) - [48840] [46597]	140
CJ386-12/00	SORRENTO FORESHORE CONCEPT PLAN (PRECINCT PLANNING) - [49840] [46597]	107
CJ387-12/00	PROPOSED SUBDIVISION FOR LOT 64 (8) WAVERTON COURT, KALLAROO - [54136]	11/117
CJ388-12/00	SUBDIVISION OF LOT 3 KENNEDYA DRIVE, JOONDALUP AND MODIFICATIONS TO THE JOONDALUP CITY CENTRE DEVELOPMENT PLAN AND MANUAL - [52123].....	117
CJ389-12/00	REQUEST FOR CLOSURE AND SUBSEQUENT PURCHASE OF PORTION OF TRAILWOOD DRIVE, WOODVALE - [18715] [09618]	154
CJ390-12/00	TOWN PLANNING (LOCAL GOVERNMENT PLANNING FEES) REGULATIONS 2000 - [42657].....	156
CJ391-12/00	ALTERATIONS AND ADDITIONS INCLUDING NEW RIDES, WATER PLAYGROUND AND AMUSEMENT FACILITIES – THE GREAT ESCAPE, HILLARYS BOAT HARBOUR - [32262].....	159
	REPORT OF THE CHIEF EXECUTIVE	168
C81-12/00	TENDER 020-00/01 – ONE 2WD DUAL CAB UTILITY – [59062]	168
C82-12/00	TENDER 021-00/01 – TWO FOUR CYLINDER VANS – [50063]	172
C83-12/00	TENDER 022-00/01 – ONE FOUR CYLINDER SEDAN – [51063]	175
C84-12/00	TENDER 023-00/01 – ONE SIX CYLINDER SEDAN AND TWO SIX CYLINDER EXECUTIVE SEDANS – [52063]	179
C85-12/00	TENDER 024-00/01 – TWO 6 CYLINDER UTILITIES – [53063]	184
C86-12/00	MOTION TO GO BEHIND CLOSED DOORS	188
C87-12/00	CHIEF EXECUTIVE OFFICER’S ANNUAL REVIEW AND CONTRACT EXTENSION – [02154, 08122]	188
	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	
	NOTICE OF MOTION – CR ANDREW PATTERSON	189
	DATE OF NEXT MEETING	189
	SECOND PUBLIC QUESTION TIME	189
	CLOSURE	192

CITY OF JOONDALUP

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

OPEN AND WELCOME

The Mayor declared the meeting open at 1905 hrs.

Mayor:

J BOMBAK, JP

Absent from 2329 hrs to 2343 hrs

Elected Members:

CR P KADAK	Lakeside Ward	
Cr L A EWEN-CHAPPELL	Lakeside Ward	<i>Absent from 2115 hrs to 2130 hrs; 2311 hrs to 2312 hrs</i>
Cr D S CARLOS	Marina Ward	
Cr S P MAGYAR	Marina Ward	
Cr A T NIXON	North Coastal Ward	<i>To 2345 hrs; absent from 2115 hrs to 2117 hrs.</i>
Cr J F HOLLYWOOD, JP	North Coastal Ward	
Cr A A WALKER	Pinnaroo Ward	<i>To 2310 hrs; Absent from 2117 hrs to 2124 hrs</i>
Cr P ROWLANDS	Pinnaroo Ward	<i>Absent from 2030 hrs to 2036 hrs</i>
Cr T BARNETT	South Ward	
Cr A W WIGHT, JP	South Ward	
Cr A L PATTERSON	South Coastal Ward	<i>To 2355 hrs; Absent from 1947 hrs to 1951 hrs; 2120 hrs to 2124 hrs</i>
Cr G KENWORTHY	South Coastal Ward	<i>Absent from 1952 hrs to 1954 hrs; 2131 hrs to 2135 hrs; 2328 hrs to 2330 hrs</i>
Cr J A HURST	Whitfords Ward	<i>To 0037 hrs; Absent from 2047 hrs to 2049 hrs.</i>
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
Director, Community Development:	C HALL
Executive Manager, Strategic Planning:	R FISCHER
Manager, Executive Services:	K ROBINSON
Manager, Council Support Services:	M SMITH
Publicity Officer:	L BRENNAN
Committee Clerk:	L TAYLOR

Mayor Bombak acknowledged the attendance of Cr Glynis Monks, City of Wanneroo.

APOLOGIES AND LEAVE OF ABSENCE

Nil

There were 67 members of the Public and 1 member of the Press in attendance.

C78-12/00 SECOND PUBLIC QUESTION TIME – [36589]

Cr Magyar raised a Point of Order in relation to the allowing of a second period of public question time prior to the conclusion of the meeting.

MOVED Cr Magyar, SECONDED Cr Nixon that, in accordance with Clause 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.

Chief Executive Officer gave an explanation of Clause 3.2 of Standing Orders in relation to Order of Business.

The Motion was Put and

CARRIED

PUBLIC QUESTION TIME

The following questions, submitted by Mr M O'Brien of Warwick, were taken on notice at the Council meeting held on 28 November 2000:

Q1 On Page 51 – Council Agenda 24 October 2000 at Item CJ293-10/00 there is mention of “K Foster an.... Independent Consultant.” How much was K Foster paid for “Consultancy” in the matter mentioned?

A1 Connell Wagner Pty Ltd was paid \$1,791.97 plus \$179.19 GST for the services of Mr K Foster to assist the panel with the evaluation of the tenderer.

Q2 At Page 50 – Council Agenda 24 October 2000 a contract option for 31 weeks (\$458,113.71 plus GST \$45,812.37) amounting to \$503,926.08. Is it true that Chubb Security, a private company, will collect \$45,812.37 indirectly from already “overtaxed” citizens of Joondalup and pay the \$45,812.37 into Peter Costello’s Federal Treasury, either directly or indirectly?

A2 The contract amount, GST inclusive, is \$503,926.08.

The City would fully recover the GST amounts charged on the invoices from Chubb Security under the input tax credit arrangement.

Q3 If Council had decided to employ its own Rangers as temporaries, casuals and/or part-timers, on wages, what would be an estimate of the amount of GST money that would have remained in the Joondalup or near areas?

A3 The City does not pay GST on wages.

Q4 *Where do the shareholders of the Council's tenderers Chubb Security predominately reside?*

A4 The City does not have information regarding Chubb Security shareholders.

Q5 *In regard to a question to the Town Clerk (CEO) in Council Session on Tuesday 10 October 2000, in part of the answer, relating to 54(d) of the Local Government (Financial Management) Regulations, the CEO used the phrase:*

"The Department also feels it best practice that there is a flat rate...."

In light of a subsequent letter from the Minister responsible for the Department, in which no such reference is made to any "feel" of a "flat tax" as a priority over a "proportional tax", will the CEO now apologise for misleading the Questioner, the Councillors and the public in this matter?

A5 The flat rate categories were introduced in the Financial Management Regulations by the Minister based on the philosophy of properties that receive equal service should share equally in the cost of providing that service. Conversely, including these charges under the general rate based on valuation can be viewed as providing subsidisation, which in modern management terms could not be considered to be best practice.

Mr V Cusack requested that Questions 8 – 11 from the Council meeting held on 28 November 2000 be resubmitted:

Q8 *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?*

A8 No. In relation to lighting outside the school in Cadogan Street, the Director Infrastructure Management's answer to your question at the meeting on 28 November 2000 has been found to be incorrect as the funding for this project was taken from the City's lighting programme, Municipal Funding.

Q9 *If yes, can Council provide full details of the total amount provided?*

A9 Refer Answer, Question 8.

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) The City understands and is complying with the statutory requirements of Part 5 – Rates and Service Charges, Local Government (Financial Management) Regulations 1996.

- (ii) The City understands and is complying with the statutory requirements of section 6.38, Local Government Act 1995.

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 imposed a service charge in the financial years 1999/00 and 2000/01 for the prescribed service of property surveillance and security. The prescribed service of property surveillance and security, branded as the Safer Community Program, meets all the statutory requirements of Part 5, Rates and Service Charges, Local Government (Financial Management) Regulations 1996 and section 6.38, Local Government Act 1995. Report No. CJ305-11/00 to the Council detailed the Safer Community Program 1999/00 service. The service is following a similar course of action this financial year and a similar report shall be submitted at the end of the year for this year’s program.

Mr A Bryant, Stocker Court Craigie:

Re: Property No 154764 Lot 1 Strata Plan 8750 being 6A Stocker Court Craigie and Property No 154765 Lot 2 Strata Plan 8750 being 6B Stocker Court Craigie:

Q1 I ask that I be advised of the number of visits, patrols, the times and dates the Security Rangers gave a measurable service to these two properties, since the introduction of this “security” scheme for which I pay \$54 per annum as a levy charge come flat tax?

A1 This question will be taken on notice.

Ms Maree McDonald, Mullaloo:

Q1 In relation to the Mullaloo Foreshore Concept Plan, why has the whole plan not been costed to date?

A1 The Plan is very much a draft concept plan at the present time and any costings that have been done are extremely indicative and it was not considered desirable at this stage to do full costings. Detailed plans and consultation with the community needs to take place before full costings can be undertaken

Mr John Broadley, Italian Café owner, Hillarys Boat Harbour:

Q1 I am the owner of the Italian Café, a 300 seat restaurant at Hillary’s Boat Harbour and have recently been unsuccessful in obtaining a liquor licence. A neighbouring business operator, the Great Escape, plans to further develop, which will increase traffic and will place additional stress on the already constrained parking. Is the Council going to give approval for new buildings for this particular business operator when I can’t get approval for building in my business?

A1 The Council cannot speak for the Department of Transport. The Council is unaware of the reasons why it has or has not supported this particular application for a liquor licence. In terms of the item before Council this evening, the recommendation is to

support those elements of the proposal which have been approved in the past or parts of which have been approved in the past and for which the City does not believe will be a significant increase in parking requirements. A further part of the recommendation is to defer those elements which the City believes will have an impact on parking and access to the Marina. It should also be pointed out that the Council decision is only a recommendation to the Western Australian Planning Commission, who is in fact the determining authority in this regard.

Ms Karen Martin, Woodvale:

Q1 Have the Councillors read the email sent on my behalf on the subsequent purchase of a portion of Trailwood Drive, Woodvale?

A1 Yes, it is assumed that most Councillors would have received it.

Mr M O'Brien, Warwick:

Q1 In response to a question asked at the meeting on the 28th November 2000 in regard to flat taxing, the Chief Executive Officer's reply was the flat rate charges were introduced in the Financial Management Regulations by the Minister based on the philosophy of properties that receive equal service should share equally in the cost of providing that service. Conversely, including these charges under the general rate based on valuation can be viewed as providing subsidisation which in modern management terms cannot be considered best practice. I would like to ask the Chief Executive Officer what he means by way of subsidisation when we have at the present time most of the ordinary electors of the municipality that live in residential properties subsidising the likes of the Whitford Shopping Centre and so on, is that what he means?

A1 Much the same as introduced in local government, the waste management fee which Mr O'Brien would prefer to say is a flat tax, is a user pay principle where an area is isolated in the Council's Budget and the full cost of providing that service is calculated in that area and then the total cost divided amongst the users to make their payment; much the same as the security system, the same way Mr O'Brien referred to the Whitford Shopping Centre and talked about subsidisation. The Council was conscious when, and no doubt other Councils are also, Mr O'Brien when you make a charge. A large centre like Whitford Shopping Centre also outlays a substantial sum of money for private security. They also have elaborate security alarm systems which are armed and on call. Our service in that area would be no different to any other property in that our security surveillance service would simply drive past the property and inspect it from the exterior. Therefore, if they were charged in accordance with their valuation, their fee would be substantially over and above the costs that they are already outlaying for their security now.

Mr V Cusack, Kingsley:

Q1 Regarding the answers printed in the Agenda tonight to my earlier questions, can I ask if the Director Infrastructure Management's answer to my question was incorrect. Does that mean the minutes of the 14th November 2000 are also incorrect? On Appendix 3, page 21 it states - I am talking about lights that were put outside Cadogan Street school which I was told on a few occasions were paid for by the Safer Community programme not from municipal funds. In the minutes of

that meeting it says the project was funded from the Safer Community Programme. Which is the correct? Are the Minutes of 14 November 2000 correct or the answer to my earlier questions?

- A1 The minutes from 14 November 2000 would be correct. The advice I gave at that time was my understanding at that time, and my understanding was incorrect. The correct answer is as given in the Agenda this evening. According to our records the lights were paid from municipal funds.

Mr K Zakrevsky, Mullaloo:

Q1 Referring to an answer in relation to the security costs, and in particular to a shopping centre such as Whitfords and why they have their own security service. It might sound very simplistic but there are thousands in the City of Joondalup who have household insurance policies also linked to a central security, which costs them so much per month. They provide their own security and we are expected to pay the additional amount with our rates, but Whitfords Shopping Centre, which is a large conglomerate who often put their rents up do not have to. I ask the question why?

- A1 I cannot explain it any clearer than I already have. Whitfords Shopping Centre pay \$27. That is an option that is available under the current legislation that is given to us by the Local Government Act.

Q2 My family have a duplex and as the gentleman stated earlier, does that mean we can pay just \$27 and not the \$54 that we are charged? When Canning can do this for Westfield, why can't the City of Joondalup?

- A2 I can appreciate there will be differing views. There are Councils as you pointed out that have it remain under their rate and therefore it goes on the valuation of the property and that is an option. As is laid out under the Financial Regulations of the Local Government Act, they can have a separate fee and if a Council chooses to go down that path which the Cities of Stirling and Melville have done, you can only charge the flat fee.

DECLARATIONS OF FINANCIAL INTEREST

Cr Mackintosh declared a non-financial interest in Item CJ364-12/00 – Community Funding Program 2000-2001 Grants Allocations as she is connected with Joondalup City Rollers.

Cr Wight declared a non-financial interest in Item CJ364-12/00 Community Funding Program 2000-2001 Grants Allocations as he is associated with the Joondalup Hockey Club.

Director, Community Development declared a non-financial interest in Item CJ364-12/00 Community Funding Program 2000-2001 Grants Allocations as he is a member of the Association of Relationships Australia Western Australia Inc.

Director, Infrastructure Management declared a non-financial interest in Item CJ364-12/00 Community Funding Program 2000-2001 Grants Allocations as he is associated with the Kingsley Amateur Football Club.

Cr Rowlands declared a non-financial interest in Item CJ368-12/00 – The Transfer of Services to the Community based Sector as his brother is employed within the Community Development directorate.

Cr Hollywood declared a non-financial interest in Item CJ372-12/00 – Re-furbishment of the Joondalup Administration Centre – “Fitout” Contract: Tender 030-00/01 as the contractor undertaking the refurbishment of the administration building is personally known to him.

Cr Ewen-Chappell declared a financial interest in Item CJ375-12/00 – Shenton Avenue and Pontiac Way, Joondalup Feasibility of Roundabout Installation as she owns a business in the Joondalup Business Park.

Cr Wight declared a non-financial interest in Item CJ378-12/00 – Turf Wicket Facilities at Beaumaris Sports Complex as he has an association with the Beaumaris Sports Club.

Mayor Bombak declared a financial interest in Item CJ391-12/00 – Alterations and Additions including new rides, water playground and amusement facilities – The Great Escape, Hillarys Boat Harbour as his daughter is employed on a part-time basis at Portofinos Restaurant.

CONFIRMATION OF MINUTES

C79-12/00 MINUTES OF COUNCIL MEETING – 28 NOVEMBER 2000

MOVED Cr Magyar, SECONDED Cr Wight that the Minutes of the Council Meeting held on 28 November 2000, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

JOONDALUP WINS NATIONAL AWARD FOR “EXTREME EXPO” YOUTH EVENT

The City of Joondalup’s “Extreme Expo” event for young people has received a National Award.

Extreme Expo won a commendation in a record-breaking field of 387 entries from across Australia in the 2000 National Awards for innovation in Local Government.

The City of Joondalup youth services received a commendation award in the youth services category for the Extreme Expo.

The City is delighted with this success.

Our Team has developed an exciting youth event at Craigie Leisure centre that is proving popular with local youth and visitors to the region.

Extreme Expo has been held for the past two years and on each occasion the feedback obtained has led to a better and more innovative event.

Increased media coverage this year made a significant difference with about 6000 people attending the event.

The two Joondalup Youth Advisory Councils and the City's youth project workers formed a committee to organise the Extreme Expo.

Congratulations to them all and on their behalf, I call on City of Joondalup Youth Worker Belinda Martin to receive the award.

EXTREME EXPO 2001

The City of Joondalup is planning the Extreme Expo 2001 for young people on Sunday, 4 March 2001 and is already inviting young people to take part.

CAROLS BY CANDLELIGHT

The City's 2000 Carols by Candlelight, a joint venture between the City and Sorrento Quay, Hillary's Boat Harbour last Sunday, was an outstanding success.

An estimated 7000 people turned out to enjoy the spirit of Christmas

2000 COASTCARE AWARDS

The City of Joondalup has done well at the inaugural Coastcare Awards.

The Dunal Rehabilitation project at Whitford nodes undertaken by Jesus Christ Latter Day Saints Church and supported by Operations Services took out the outstanding Coastcare Project Award.

The City, together with Conservation Technical Officer, Keith Armstrong, received a special commendation for coastal leadership.

WHITE RIBBONS FOR ROAD SAFETY

The City is once again encouraging people to wear 'white ribbons' on road safety.

The white ribbons are available free of charge from the City's Administration Building and Whitfords Customer Service Centre kiosk.

HUMAN SPIRIT AWARDS

In yet another win for the City, Gani Pablo the City's Road Safety Officer, Infrastructure Management, was presented with a Human Spirit Award to acknowledge his contribution to Road Safety Programs in particular, safe routes to schools during 2000.

Congratulations Gani.

SCHOOL HOLIDAY ACTION

The City is running a holiday program for young people from Anchors Youth Service in Heathridge.

The program targets young people aged 11 – 16 years.

Activities include indoor rock climbing, movies, Adventure World, video and hot-dog days, water skiing and loads more.

Four weeks of action packed fun and challenges.

CHRISTMAS GREETINGS

I take this opportunity to wish all residents, Councillors and staff of the City of Joondalup all the very best for Christmas 2000 and best wishes for a happy and prosperous New Year.

PETITIONS

C80-12/00 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 19 DECEMBER 2000

1 PETITION REQUESTING THE FENCING OFF OF A SECTION OF MINCHIN RESERVE ABUTTING BUCHANAN WAY, PADBURY - ACCESS (3) – [41156]

A 10-signature petition has been received from Padbury residents requesting the fencing off of a section of Minchin Reserve abutting Buchanan Way, Padbury in an effort to eliminate the occurrence of anti-social behaviour causing a menace to the inhabitants of Buchanan Way and Minchin Court, Padbury.

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

2 PETITION REQUESTING REMOVAL OF ILLEGALLY PLANTED TREE – 142 WATERFORD DRIVE, HILLARYS – [08429]

Cr Hurst submitted a 6-signature petition from Hillarys residents requesting the removal of an illegally planted gum tree on Council verge by the owner/occupier located at 142 Waterford Drive, Hillarys.

This petition will be referred to Infrastructure Management for action.

3 PETITION REQUESTING THE PROVISION OF A SKATEPARK- BURNS BEACH – [08096]

Cr Hollywood submitted a 20-signature petition from children living in Burns Beach requesting the construction of a skatepark.

This petition will be referred to Community Development for action.

4 PETITION OBJECTING TO THE PROPOSED CLOSURE AND SUBSEQUENT PURCHASE OF A PORTION OF TRAILWOOD DRIVE, WOODVALE – [18715] [19618]

Cr Kadak submitted an 8-signature petition objecting to the proposed closure and subsequent purchase of a portion of Trailwood Drive, Woodvale.

The petitioners state the area in question provides a buffer to the Mitchell Freeway road reserve.

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

MOVED Cr Hurst, SECONDED Cr Walker that the petitions:

- 1 **requesting the fencing off of a section of Minchin Reserve abutting Buchanan Way, Padbury in an effort to eliminate the occurrence of anti-social behaviour causing a menace to the inhabitants of Buchanan Way and Minchin Court, Padbury,**
- 2 **requesting the removal of an illegally planted gum tree on Council verge by the owner/occupier located at 142 Waterford Drive, Hillarys;**
- 3 **requesting the construction of a skatepark;**
- 4 **objecting to the proposed closure and subsequent purchase of a portion of Trailwood Drive, Woodvale;**

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

The Motion was Put and

CARRIED

FINANCE AND COMMUNITY DEVELOPMENT

Cr Mackintosh requested that due to the number of children in the public gallery Item CJ387-12/00 be considered at this point.

MOVED Cr Mackintosh, SECONDED Cr Rowlands that the normal order of the agenda be altered to allow Item CJ387-12/00 to be considered at this point.

The Motion was Put and

CARRIED

**CJ387-12/00 PROPOSED SUBDIVISION FOR LOT 64 (8)
WAVERTON COURT, KALLAROO - [54136]**

WARD - Whitford

CJ001212_BRF.DOC: ITEM 34

SUMMARY

Koltasz Smith & Partners has submitted a subdivision application on behalf of P & N Landreach Pty Ltd for Lot 64 Waverton Court, Kallaroo to the Western Australian Planning Commission. The proposal will involve the creation of 16 green title lots and access road 5.5 metres in width.

Two previous subdivision proposals were submitted to the City for preliminary support. Council considered both proposals at its meeting on 22 August 2000 and made a number of recommendations concerning density, lot design, drainage and amenity to be considered when a proposal is submitted for formal assessment.

The subdivision application addresses some of these issues and has maintained a density of R20. There is concern regarding lot design and interface with public open space.

The proposal is considered to be an infill subdivision that will provide for a variety of lot sizes in an area where there is limited variation.

It is recommended that the Western Australian Planning Commission be advised that the City supports the subdivision subject to a number of conditions.

BACKGROUND

Lot No	64
Street Address	8 Waverton Court, Kallaroo
Land Owner	ALN Shore Pty Ltd
MRS Zoning	Urban
DPS2 Zoning	Residential (R20)
Lot Area	1.0582ha

Site History

The Western Australian Planning Commission has previously approved of the following subdivision applications for the subject land:

- The creation of two green title (freehold) lots of 5291m² each, approved 13 September 1999; and
- The creation of four survey strata lots ranging in size from 1890m² to 2495m², approved 29 June 1999.

Previous Reports to Council

Informal subdivision plans were considered (CJ224-08/00) for proposals for the creation of 15 lots and 16 lots by G L Francis & Associates and Koltasz Smith & Partners at the Council meeting on 22 August 2000. Whilst the G L Francis & Associates option was the preferred design, a number of issues including lot layout, vehicle access and drainage were raised concerning both designs. A number of issues were also raised by adjoining landowners as to the density proposed for the subdivision, not being in keeping with surrounding developments. Surrounding residents raised particular concerns to increased traffic and loss of amenity.

Council resolved that it would support a subdivision design similar to that shown in the proposal by G L Francis and “..it would be prepared to consider a subdivision proposal for up to 10 freehold title lots which addresses the concerns expressed in (1) subject to”:

- (a) *the provision of a 12 metre road reserve where it abuts the public open space and 14 metres elsewhere;*
- (b) *the provision of a suitable interface between the proposed lots and the park;*
- (c) *the provision of details demonstrating that the road and drainage can be designed to meet the City’s requirements and specifications.*

DETAILS

The subject lot is 1.0582 ha in area abutting Aristride Park (Attachment 1) and coded R20 under the City’s District Planning Scheme No.2. The Residential Planning Codes nominate a minimum lot size of 450m² and an average lot size of 500m² for the purpose of creating green title (freehold) lots. Access is available via an eight-metre frontage to Waverton Court, a small cul de sac providing access to two other lots. The maximum number of lots permitted for this development is twenty-one lots.

Subdivision Design

The subdivision application submitted by Koltasz Smith and Partners would create 16 green title lots with a minimum size of 460m² and an average lot size of 519m² (see Attachment 1). The lots will be served by a road reserve of 12 metres where it abuts the park and 14 metres where it serves the lots. The proposed subdivision meets the minimum lot area and average lot area requirements of the R20 density code as stipulated in Table One of the Residential Planning Codes (1991).

Access to lots is via a curved access road that leads to a cul de sac head. The lots have been mostly created in rectangular form to provide for easier development in future. A large road reserve has been provided fronting lots 12 and 13 to provide for vegetation. Verge parking bays have also been provided for. Lot 65 has been purchased by the landowner of Lot 64 to facilitate creation of a suitable access road. Further realignment of property boundaries between the existing Lot 65 and the abutting lot 16 could create a more regular lot shapes.

COMMENT

Lot Frontage

Lot 64 has only an 8.12 metre frontage to Waverton Court. To accommodate the required 12-metre wide road reserve connecting to Waverton Court, the applicant proposes to include 24m² of land from the adjoining property, Lot 65 preferring this option over the alternative of a land swap for a portion of public open space (Aristride Park).

The landowner of Lot 65 has agreed in writing for a small portion of that lot to be subdivided and amalgamated with Lot 64. This option allows the existing driveway on Lot 65 to be orientated towards the new road or existing frontage to Waverton Court. Either way access is not inhibited, as a clear line of sight is available in both options.

Density

The proposed subdivision will create 16 new green title lots, which complies with minimum and average lots sizes required for the R20 density. The proposed lots, however, are considerably smaller than the lots abutting the subject site, which range in size from 908m² to 1180m². This has raised the issue of compatibility with the surrounding development, which has been previously discussed at Council's meeting on 22 August 2000. Particular concerns have been raised to increased traffic and loss of amenity, through smaller lots and smaller gardens and overall compatibility of the subdivision with surrounding development.

Council has acknowledged the concerns of the residents by recommending at its Council meeting on 22 August 2000, to support a subdivision plan for the site which accommodates a design of up to 10 lots in keeping with the development of the surrounding area. However when assessing the proposed subdivision application due consideration must be given to the location of the proposed subdivision and its relationship to surrounding development.

The proposed subdivision is considered an infill subdivision that will provide for a variety of lot sizes in an area where there is otherwise limited variation. In any other situation if a subdivision of this density were located directly opposite an existing built up area the physical characteristics of each development would be clearly evident, as greater exposure would be given to the contrast. However in this case it the new subdivision is located in an isolated location with little visual or functional impact upon the surrounding area. Therefore the different physical and functional characteristics between the proposed and existing developments are restricted.

Furthermore the proposal has attempted to address issues concerning loss of amenity by having a large road reserve created to accommodate additional landscaping. The lot areas between 456m² and 566m² proposed by the subdivision are considered large enough to accommodate a medium sized dwelling and generous outdoor space.

The curved access road and cul de sac has been designed specifically to maximise road safety for pedestrian activity. It is not envisaged high volumes of traffic will be generated from the subdivision as only sixteen new lots are being created.

Public Open Space

The subject lot abuts Aristrade Park for the full length of its western boundary. Due to the ground level differences a retaining wall exists along approximately two thirds of the boundary. The City's policy 3.2.6. requires the resultant contours of Lot 1 to be a minimum of one metre higher than the finished ground level of the area of public open space and for the provision of uniformed fencing.

The proposed subdivision needs to demonstrate the provision of a suitable interface between the lots and the park. In accordance with Policy 3.2.6 and 3.1.6 both uniformed fencing and minimum retaining walls of 1.0 metre in height is required to be provided along the boundary abutting the park. It is also required to be demonstrated how development of lots 1-6 is to relate to the abutting park.

Drainage

The City requires storm water runoff from a 10 year 10 hour storm to be accommodated on-site. Alternatively, the applicant can investigate the possibility of connecting into the existing stormwater drainage system in Waverton Court. However, the City would require some form of contribution from the applicant for this connection. It would need to be demonstrated that the existing drainage system could accommodate the additional flows from the subdivision and that of a 100 year 24 hour storm for the entire catchment. Any modifications required to the existing drainage system would be at the applicant's expense. Some preliminary discussions with the applicant have been conducted regarding drainage details. More detailed discussions can be conducted when engineer drawings are required.

Lot Design

The modified cul de sac design allows the creation of regular (rectangular) lot shapes enabling development on these properties to be easier. Lot, 15 and 16 however have been created in an irregular shape and may present some difficulties in future when designing dwellings for these lots.

An opportunity exists to have the lot boundaries for Lots 16 and 65 modified to produce a more regular shape for these lots.

Road Reserve and Access

The road reserve has been widened greater than a traditional cul de sac design in front of Lots 12 and 13 to accommodate a greater area of landscape on the verge and a curve in the access road. The design acts as a physical traffic calming measure whilst creating a more attractive landscape. Additional provision has been made to provide vehicle parking on the verge.

The excision of a portion of land from Lot 65 will enable a wide frontage to the existing dwelling and enable access to be from the newly created road or directly from Waverton Court.

OFFICER'S RECOMMENDATION: That Council: **ADVISES** the Western Australian Planning Commission that it supports the proposed subdivision of Lot 64 (8) Waverton Court, Kallaroo submitted by Koltasz Smith & Partners on behalf of A L N Shore Pty Ltd 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 subdivisional road(s) to the local road system and each subdivisional road(s) being constructed and drained at the subdividers cost to the specification and satisfaction of the City of Joondalup. As an alternative, the City is prepared to accept the subdivider paying 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 the cul-de-sac head being designed and constructed to the specification and satisfaction of the City of Joondalup;
- 4 those lots with restricted frontage to a constructed road(s) being provided with vehicle crossovers to the specification and satisfaction of the City of Joondalup;
- 5 the battle-axe access leg(s) being constructed and drained at the subdivider's cost to the specification and satisfaction of the City of Joondalup;
- 6 the battle-axe leg(s) being increased in width to a minimum of 6 metres;
- 7 the subdivider entering into an agreement with the City of Joondalup to ensure reciprocal rights of access over adjoining battle-axe access legs;
- 8 the end of the battle-axe leg(s) being modified to accommodate a 1.5 metre by 1.5 metre corner truncation, to the satisfaction of the City of Joondalup;
- 9 the land being filled and/or drained at the subdivider's cost to the specification and satisfaction of the City of Joondalup and any easement and/or reserves necessary for the implementation thereof, being provided free of cost to the City;
- 10 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;
- 11 measures being taken to the satisfaction of the City of Joondalup to ensure identification and protection of any vegetation on the site worthy of retention prior to commencement of site works;
- 12 all buildings having the necessary clearance from the new boundaries as required by the relevant Town Planning Scheme.
- 13 the provision of uniform style fencing along all lot boundaries adjacent to public open space and drainage sites to the specification and satisfaction of the City of Joondalup;

- 14 a notification in the form of a Memorial to be placed on the Certificates of Title of all lots within the application area advising of the existence of a hazard or other factor, in accordance with Section 12A of the Town Planning and Development Act 1928 to the satisfaction of the City of Joondalup. The Memorial is to state as follows: *'This lot may be affected by the retaining walls abutting or within the property. Further information in this regard can be obtained from the City of Joondalup'*;
- 15 the road reserve width between Lots 1 and 16 be widened to 14 metres;
- 16 access crossover for Lot 65 to be defined and marked on the subdivision plan;
- 17 that bin pads to be located where appropriate on the subdivision plan to the satisfaction of the City of Joondalup;
- 18 the lot sizes to conform to minimum and average lot size requirements for the R20 code of the Residential Planning Codes;
- 19 that the landowner of Lot 65 be approached to consider a proposal to re-align lot boundaries for Lot 65 and Lot 16 to create a more regular lot shape.

Advice Notes:

- 1 All road verge and median landscaping plans must be submitted to the City of Joondalup for approval, in conjunction with Engineering drawings (earthworks and drainage).
- 2 The City of Joondalup approval for subdivision should not be construed as an approval to development on any of the lots proposed.
- 3 The applicant being advised that the subject lot may be affected by a Restrictive Covenant that may affect the use and enjoyment of this land. It is suggested that a search of the Certificate of Title be undertaken.

MOVED Cr Mackintosh, SECONDED Cr Hurst that Council:

- 1 **ADVISES** the Western Australian Planning Commission that in recognition of strong community concerns it **DOES NOT SUPPORT** the subdivision of Lot 64 (8) and Lot 65 (10) Waverton Court, Kallaroo as contained in the Western Australian Planning Commission letter dated 9 November 2000 as it does not consider the proposed lot sizes to be compatible with the surrounding area and that the proposal will result in reduced community amenity and increased traffic in the surrounding roads;
- 2 **SEEKS** an appointment between Council representatives and the Chairman of the Western Australian Planning Commission to convey Council's views on this matter prior to the Western Australian Planning Commission making its determination;

- 3 **ADVISES the Western Australian Planning Commission that it would be prepared to consider a subdivision proposal containing up to 10 freehold lots on this site;**
- 4 **NOTES that the Residential Planning Code of R20 applying over the area will be subject to a review as part of the local housing strategy to be conducted in 2001.**

Cr Mackintosh gave the following reasons for her departure from the Officer's original Recommendation:

- 1 strong community concerns;
- 2 incompatible lot sizes with surrounding residential area;
- 3 reduced garden areas, giving rise to reduced amenity;
- 4 increased traffic in surrounding streets.

Cr Mackintosh spoke to the motion and gave an overview on the background on the creation of the suburb of North Shore, Kallaroo and the conditions imposed, including covenants.

The Motion was Put and

CARRIED

Appendix 27 refers

To access this attachment on electronic document, click here: [Attach27brf121200.pdf](#)

Cr Patterson left the Chamber, the time being 1947 hrs.

The Mayor reverted back to the normal order of the agenda at this point.

CJ354-12/00 ACTING CHIEF EXECUTIVE OFFICER - [97127]

WARD - All

CJ001212_BRF.DOC: ITEM 1

SUMMARY

The Chief Executive Officer will be on annual leave from 27 December 2000 through to 19 January 2001 inclusive. During this period, it is recommended that John Turkington, the Director Resource Management be appointed the Acting Chief Executive Officer.

DETAILS

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

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

MOVED Cr Ewen-Chappell, SECONDED Cr Kadak that the Director Resource Management, Mr John Turkington be APPOINTED the Acting Chief Executive Officer from 27 December 2000 through to 19 January 2001 inclusive, whilst the Chief Executive Officer is on annual leave.

The Motion was Put and

CARRIED

**CJ355-12/00 WARRANT OF PAYMENTS FOR THE PERIOD
ENDING 30 NOVEMBER 2000 - [09882]**

WARD - All

CJ001212_BRF.DOC: ITEM 2

SUMMARY

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

BACKGROUND

FUNDS	VOUCHERS	AMOUNT	
		\$	c
Director Resource Management Advance Account	-	6,314,171.68	
Municipal	000228-000232	6,314,171.68	
	TOTAL	\$	12,628,343.36

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 November 2000, the amount was \$941,211.19.

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 \$12,628,343.36 which is to be submitted to each Councillor on 19 December 2000 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

RHONDA HARDY
Manager Accounting Services

J B TURKINGTON
Director Resource Management

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$12,628,343.36 submitted to Council on 19 December 2000 is recommended for payment.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	-	6,314,171.68
Municipal	000228-000232	6,314,171.68
	TOTAL \$	12,628,343.36

.....
Mayor John Bombak

MOVED Cr Walker, SECONDED Cr Rowlands, that Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 30 November 2000, certified by the Mayor and Director of Resource Management and totalling \$12,628,343.36.

The Motion was Put and

CARRIED

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf121200.pdf](#)

CJ356-12/00 FINANCIAL REPORT FOR THE PERIOD ENDING 30 NOVEMBER 2000 - [07882]

WARD - All

CJ001212_BRF.DOC: ITEM 3

SUMMARY

The monthly financial report for the period ending 30 November 2000 is appended as Attachment A.

The November report is the fifth financial report for the 2000/2001 financial year. The report reveals an overall surplus of **\$23.7m**, a surplus of **\$6.5m** when compared to budget for the year to date. This surplus position can be analysed as follows:

- Operating Budgets show an overall surplus of **\$3.8m** at the end of the month as compared to budget due to underspending in Employee Costs of **\$0.8m**, Materials & Contracts of **\$2.0m** and Utilities of **\$0.2m**.

- Capital Expenditure Budgets show a surplus of **\$1.6m** 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 **\$1.1m** 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;
 - **\$0.3m** relating to Dual Use and Footpaths and;
 - **\$0.4m** relating to Parks related works which are currently in progress and will be brought to account on completion of the works.

The City will be undertaking a mid-year budget review at the end of December 2000 that will identify potential savings or deferral of expenditure.

MOVED Cr Rowlands, SECONDED Cr Kenworthy that the financial report for the period ended 30 November 2000 be noted.

The Motion was Put and

CARRIED

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf121200.pdf](#)

CJ357-12/00 MINUTES OF MEETING OF HOUSE COMMITTEE – [59064]

WARD - All

CJ001212_BRF.DOC: ITEM 4

SUMMARY

A meeting of the House Committee was held on 29 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 29 November 2000 are included as Attachment 1.

MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council NOTES the unconfirmed minutes of the House Committee meeting held on 29 November 2000, forming attachment 1 to report CJ357-12/00.

The Motion was Put and

CARRIED

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf121200.pdf](#)

Cr Patterson entered the Chamber, the time being 1951 hrs.

Cr Kenworthy left the Chamber, the time being 1952 hrs.

CJ358-12/00 MINUTES JOONDALUP FESTIVAL AND SUMMER EVENTS COMMITTEE - [50027]

WARD - All

CJ001212_BRF.DOC: ITEM 5

SUMMARY

A meeting of the Joondalup Festival and Summer Events Committee was held on 15 November 2000 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the Joondalup Festival and Summer Events Committee meeting held on 15 November 2000 are included as Attachment 1. There are no actions required by Council and the minutes are submitted for noting.

MOVED Cr Kadak, SECONDED Cr Hurst that Council NOTES the unconfirmed minutes of the Joondalup Festival and Summer Events Committee meeting held on 15 November 2000 forming attachment 1 to report CJ358-12/00.

Cr Kadak spoke in favour of the motion and provided a brief overview of the proposed forthcoming events.

The Motion was Put and

CARRIED

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf121200.pdf](#)

CJ359-12/00 MINUTES OF THE ENVIRONMENTAL ADVISORY COMMITTEE MEETING – 15 NOVEMBER 2000 - [00906]

WARD - All

CJ001212_BRF.DOC: ITEM 6

SUMMARY

A meeting of the Environmental Advisory Committee was held on 15 November 2000 and the minutes of the meeting are submitted for noting by Council and endorsement of motions.

BACKGROUND

The Environmental Advisory Committee meeting held on 15 November 2000 achieved a quorum and considered business items arising from the previous meeting held on 18 October 2000.

Discussions centered around the following items:

- an update of a report for the Environmental Advisory Committee on Liquefied Petroleum Gas (LPG) vehicles for the City of Joondalup vehicle fleet;
- the Conservation Advisory Committee becoming a sub-committee of the Environmental Advisory Committee;
- the National Biodiversity Survey Report;
- an update on the Perth Air Quality Management Plan public submission.

DETAILS

The minutes of the Environmental Advisory Committee held on 15 November 2000 are included as Attachment A.

The following recommendations were made to the Council:

“That:

- *the Conservation Advisory Committee be re-established as a sub-committee of the Environmental Advisory Committee;*
- *the proposed sub-committee retains the existing membership and terms of reference of the Conservation Advisory Committee;*
- *the proposed sub-committee regularly reports to the Environmental Advisory Committee.*

- *the Environmental Advisory Committee recommends to Council that a portion of Council News be allocated to environmental news items and issues.”*

MOVED Cr Magyar, SECONDED Cr Nixon that Council:

- 1 NOTES the unconfirmed minutes of the Environmental Advisory Committee meeting held on 15 November 2000 forming Attachment A to Report CJ359-12/00;**
- 2 RE-ESTABLISHES the Conservation Advisory Committee as a sub-committee of the Environmental Advisory Committee subject to the following conditions:**
 - (a) the proposed sub-committee retains the existing membership and terms of reference of the Conservation Advisory Committee;**
 - (b) the proposed sub-committee regularly reports to the Environmental Advisory Committee.**
- 3 AUTHORISES that a portion of Council News be allocated to environmental news items and issues.**

Cr Kenworthy entered the Chamber, the time being 1954 hrs.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf121200.pdf](#)

**CJ360-12/00 MINUTES OF DRY PARKS, MEDIAN AND VERGE
COMMITTEE MEETINGS - 21 SEPTEMBER 2000, 19
OCTOBER 2000 & 27 NOVEMBER 2000 - [42938]**

WARD - All

CJ001212_BRF.DOC: ITEM 7

SUMMARY

Meetings of the Dry Parks, Median and Verge Committee were held on 21 September 2000, 19 October 2000 and 27 November 2000 and the minutes of all meetings are submitted for noting by Council.

DETAILS

The minutes of the Dry Parks, Median & Verge Committee meeting held on 21 September 2000 are included as Attachment 1. As a quorum was not achieved, this meeting was counted out.

The minutes of the Dry Parks, Median & Verge Committee meeting held on 19 October 2000 are included as Attachment 2.

The minutes of the Dry Parks, Median & Verge Committee meeting held on 27 November 2000 are included as Attachment 3. The following motions were put and carried to be recommended to the Council:

- that the committee unanimously endorses the Dry Parks Selection Criteria and associated Capital Works Program, as adopted by Council in its 2000/2001 Capital Works Program;
- that officers prepare a report in relation to future directions for major road median and verge enhancement works within the City;
- that the committee notes the proposed Marmion Avenue median and verge enhancement works from Beach Road through to Warwick Road (refer Attachment 4).

OFFICER'S RECOMMENDATION: That Council:

- 1 NOTES the minutes of the Dry Parks, Median & Verge Committee meeting held on 21 September 2000 forming Attachment 1 to Report CJ360-12/00;
- 2 NOTES the minutes of the Dry Parks, Median & Verge Committee meeting held on 19 October 2000 forming Attachment 2 to Report CJ360-12/00;
- 3 NOTES the unconfirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 27 November 2000 forming Attachment 3 to Report CJ360-12/00;
- 4 ENDORSES the recommendation that the committee unanimously endorses the Dry Parks Selection Criteria and associated Capital Works Program, as adopted by Council in its 2000/2001 Capital Works Program;
- 5 REQUESTS a report be prepared in relation to future directions for major road median and verge enhancement works within the City;
- 6 NOTES the proposed Marmion Avenue median and verge enhancement works from Beach Road through to Warwick Road forming Attachment 4 to Report CJ360-12/00.

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 Hollywood that Council:

- 4 ENDORSES the recommendation that the committee unanimously endorses the Dry Parks Selection Criteria only and associated Capital Works Program on parks only, as adopted by Council in its 2000/2001 Capital Works Program;

Discussion ensued. Cr Patterson, as Chairman of the Dry Parks, Median and Verge Committee gave an explanation as to the committee's intentions in this regard.

The Motion was Put and

LOST

Mayor Bombak advised he did not believe this was a Point of Order, but stated the comment made by Cr Hollywood in his opinion reflected adversely on some Councillors and suggested Councillor Hollywood withdraw his remark.

Councillor Hollywood apologised for his remark.

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Hurst that Council:

6 NOTES the proposed Marmion Avenue median and verge enhancement works from Beach Road through to Warwick Road forming Attachment 4 to Report CJ360-12/00 includes the use of water sensitive urban design saving the ratepayers considerable capital costs.

Director, Infrastructure Management advised that where practical, water sensitive urban design standards were promoted.

The Motion was Put and

CARRIED

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf121200.pdf](#)

Cr Rowlands left the Chamber, the time being 2030 hrs.

CJ361-12/00 PROPOSED ONLINE SERVICES POLICY - [47938]

WARD - All

CJ001212_BRF.DOC: ITEM 8

SUMMARY

The advent of the Internet and electronic mail (email) has revolutionised the way the City conducts business.

Without regulation of these facilities a variety of old themes like discrimination, harassment, invasion of privacy, record management and copyright infringements become predominant. Also there are threats to the City's information technology systems, which can cause much damage. The adoption of an appropriate policy will assist in the management of these risks.

Currently the City of Joondalup has a draft Online Service Code of Practice – Policy 4.2.2, (Attachment 1) which was prepared and endorsed by the Information and Technology Advisory Committee. However, Council did not adopt the draft Online Services Code of Practice.

Changes in technology and responsibility have resulted in the preparation of a new draft policy entitled 'Online Services Policy' for Council consideration.

The draft policy (Attachment 2), 'Online Services Policy' aims to provide all users of the City's Internet and email facilities with a set of clear and concise guidelines for the proper and acceptable use of online information services, using both internal and external networks. These networks currently include: Internet access and email.

BACKGROUND

The City of Joondalup currently has an Online Services Code of Practice, which was adopted in April 1999, by the Technology Advisory Committee, however, this Code of Practice has not been formally adopted by Council.

The purpose of the Code of Practice is to safeguard the organisation against the mis-use of the information technology systems by Council Users.

This Online Services' Code of Practice "appropriateness", has become an important matter due to issues of enforcement. Recently, a number of court cases regarding unfair dismissal have arisen when employees have been dismissed due to inappropriate use of the Internet and email facilities. In many cases the employers did not clearly advise their staff on their online policy, nor did they publish or update any new restrictions.

In the case of Ansett an employee was dismissed for distributing a union report status of the enterprise bargaining agreement on the company's email system. It was seen as being 'highly objectionable' from Ansett's point of view, furthermore the action was not for the purpose of performing authorised lawful business activities. The Court case criticised Ansett's process leading up to termination, concluding they did not effectively educate their employees or enforce the policy. Ansett was liable for breaching the Workplace Agreement Act and had to reinstate the employee.

Telstra also experienced similar events in June 2000. This was over discriminatory images from the Internet. The Court's outcome was the same as the Ansett case, due to the lack of employer enforcement and education of the online policy.

In addition to enforcement and education issues, there are further issues which have occurred from Human Resource cases, since the development of the current policy. These are required to be addressed to ensure the efficient and effective running of the Internet and email facilities. Common issues include:

- Monitoring and Surveillance of Internet and email facilities;
- Sensitivity;
- Confidentiality;
- Penalties.

Furthermore, the present Online Services Code of Practice is not easy to read or understand due to the use of technical terms.

Most employees and all elected members at the City of Joondalup have access to the Internet and email facilities. Therefore, the City requires a policy which is easy to read and understand.

DETAILS

A working group was established to develop a new Online Services Policy for the City of Joondalup. The working group has reviewed a number of policies prepared by other Government agencies – Cities of Melbourne, Subiaco, Melville, and Telstra and the private sector. These policies assisted the working group in producing a draft policy. This draft policy was presented to the Executive Management Team and Business Unit Managers for comments and suggestions. Following this the draft policy was sent to the Gartner Group Consultancy, that specialises in information technology, for their comment and suggestions.

The proposed Online Services Policy (Attachment 2) addresses a variety of issues, some of which have been affecting the City since the inception of the Internet and email facilities and others have only recently becoming topical to the information technology environment. The major policy issues are discussed below.

- Council Representatives:

The policy will apply to all persons who have access to the Internet or email facilities at the City of Joondalup. These include Councillors, employees, contracted and temporary workers, work experience students and volunteers.

- Prohibited Activities:

The proposed policy clearly states the activities that Council representatives are not permitted to undertake on the City's information technology systems.

The Online Services Policy Working Group considered that the use of chat lines should remain prohibited. The decision made by the working group was based upon the experience of other organizations, where there have been a number of adverse experiences with the use of chat lines within the organization. In respect to chat lines being used for research purposes or the exchange of information regarding certain topics, the email facility would be adequate.

These restricted activities are not inclusive and the Web and Systems Administrator will frequently revise these activities as necessitated by changing business requirements, and advertise other activities that should be avoided. These activities will be advertised through the email network and in the Desk of the CEO publication.

- Study Purposes:

The City of Joondalup promotes the idea of being a Learning City and encourages its staff and members to further develop their skills. The proposed policy allows for persons who are studying an approved course, which is appropriate to the needs of the Council to use the facilities, during non-work hours for study purposes. This will assist students in achieving their goals and in turn increases the specialist capacity of the staff and members.

- Risk Management:

The proposed policy ensures that a risk management process will be put into place for a number of issues, which could be a potential threat to the City of Joondalup.

The policy outlines the importance of confidentiality over the Internet and email due to the facilities being an insecure medium for distributing sensitive information.

The issue of copyright has been clearly outlined with the actions which need to be taken when dealing with copyright material.

Others issues addressed include, harassment, discrimination and offensive images.

- Monitoring and Surveillance:

The proposed policy clearly outlines that all Internet and email access and transactions are the property of the City of Joondalup and the City has the right to examine all usage.

It is very important for all users to understand that the City maintains logs of Internet and email access transactions and may instigate other monitoring.

The City may need to access records under the Freedom of Information Act or to produce records for a Government inquiry from its information technology systems.

- Online Service – Acknowledgment of Policy Understanding:

The “Acknowledgment of Policy Understanding” statement is an important aspect of the Online Services Policy. The signing of the Acknowledgment declaration allows the City to record who has read and understood the policy.

COMMENT/FUNDING

The introduction and adoption of an Online Services Policy is of a high importance to the City of Joondalup. The City needs to have a clear and concise policy, which is distributed to, and understood by all Internet and email users.

RECOMMENDATION: That Council **DELETES** Policy 4.2.2 – Online Services Provision and replaces it with On-line Services Policy as detailed in Attachment 2 to Report CJ361-12/00 – to be numbered Policy 2.3.5.

ADDITIONAL INFORMATION

On Monday 18 December 2000 a number of changes to motions were suggested with respect to the proposed Online Services Policy (CJ361 – 12/000).

The current Recommendation states:

That Council DELETES Policy 4.2. – Online Services Provision and replace it with Online Services Policy as detailed in Attachment 2 to this report – to be number Policy 2.3.5

It was identified that policy 4.2.2 is specific to Library Services and primarily deals with public acceptable use of the electronic facilities. However the policy does make reference to use of on-line services by employees and Elected Members. This needs to be reviewed and amended so that it is compatible with the proposed On-line Services Policy.

OFFICER'S RECOMMENDATION: That Council:

- 1 ADOPTS the Online Services Policy to be item 2.3.5 of the City of Joondalup Policy Manual;
- 2 SEEKS a report on Policy 4.2.2 On-line Service Provision.

Cr Rowlands entered the Chamber, the time being 2036 hrs.

MOVED Cr Magyar, SECONDED Cr Kadak that Council:

- 1 ADOPTS the Online-Services Policy to be Item 2.3.5 of the City of Joondalup Policy Manual;
- 2 SEEKS a report on the implications of allowing Council representatives to access approved newsgroups or other on-line facilities that may be useful to Council or assists in the professional development of the individual user;
- 3 SEEKS a report on the impact of Policy 2.3.5 on Policy 4.2.2 – On-line Service Provision;
- 4 SEEKS a further report on the implications and costs of enabling Councillors or senior staff to encrypt E-mail under certain situations
- 5 SEEKS a further report on the concerns raised at this meeting.

Discussion ensued. Concerns were raised by elected members with respect to certain administrative staff having the capabilities to access E-mails they may have sent or received. Executive Manager, Strategic Planning advised access was limited to those persons administering the system.

With the approval of Cr Kadak who seconded the Motion, Cr Magyar sought to make amendments to Points 1 and 4 of the Motion.

MOVED Cr Magyar, SECONDED Cr Kadak that Council:

- 1 ADOPTS the Online-Services Policy to be Item 2.3.5 of the City of Joondalup Policy Manual pending a report as detailed in Point 2(c) below;
- 2 SEEKS a report:

- (a) on the implications of allowing Council representatives to access approved newsgroups or other on-line facilities that may be useful to Council or assists in the professional development of the individual user;
- (b) on the impact of Policy 2.3.5 on Policy 4.2.2 – On-line Service Provision;
- (c) regarding the concerns and issues raised at this meeting, particularly relating to the security of the email facility.

The Motion was Put and

CARRIED

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

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

Against the Motion: Crs Kenworthy, Patterson and Carlos

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7amin191200.pdf](#)
[Attach7bmin191200.pdf](#)

CJ362-12/00 CITIES FOR CLIMATE PROTECTION MILESTONE 1 INVENTORY AND FORECAST OF GREENHOUSE GAS EMISSIONS FOR CITY OF JOONDALUP - [09717]

WARD - All

CJ001212_BRF.DOC: ITEM 9

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

Following consideration of Report CJ334-11/00 by Council on 28 November 2000, the following motion was carried.

“that the matter pertaining to the Cities for Climate Protection Milestone 1 Inventory and forecast of greenhouse gas emissions for City of Joondalup be DEFERRED to the Ordinary meeting of Council to be held on 19 December 2000 pending further consideration by elected members.”

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 refers) 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 2.

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.

ADDITIONAL INFORMATION

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*' was deferred at the meeting held on 28 November 2000 pending further consideration by elected members. This additional information provides comment on the recommendations of that study and any likely budget implications. The recommendations of the Milestone 1 report are primarily administrative in nature and do not impact upon or change Council policy. The recommendations had been reviewed by the Administration and some were considered not for implementation, others for possible implementation where appropriate, or subject to further investigation before any decision taken to implement as detailed in Attachment 1.

The Milestone 1 report is essentially a research report on energy usage and related Greenhouse gas emissions, collated data from a wide variety of sources, and processed using Cities for Climate Protection (CCP) software.

The recommendations of the Milestone 1 report are primarily administrative in nature and do not impact or change any Council policies. The recommendations relate mainly to the management of data, record keeping and the technical records requirements and needs for the Cities for Climate Protection campaign.

The recommendations are therefore quite specific in most cases and include measures to improve the accessibility of information and the accuracy of data. Benefits to the City of Joondalup relate to improved data management and access to information which can guide ongoing monitoring of energy use and Greenhouse Gas emission reviews, with direct application in the subsequent CCP Milestones (2-5).

The report does not set out to provide recommendations on actions directed towards achieving Greenhouse gas emission reduction. This scope falls within Milestone 3 of the CCP programme, of which preliminary research is presently being undertaken.

Table 1 provides a list of the Cities for Climate Protection Milestone 1 report recommendations, their benefits for the City and Budget Implications. Indicative budget estimates are included where possible, however, it should be noted that implementation of some Recommendations require clarification of the scope of works required, level of staff involvement and costings for development of information management systems.

Due to recent developments within the City’s Administration, some recommendations are obsolete and do not need to be implemented. Other recommendations are subject to further evaluation in terms of their benefit and cost to the City.

Cr Hurst left the Chamber, the time being 2047 hrs.

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 CJ362-12/00;
- 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.

Cr Hurst entered the Chamber, the time being 2049 hrs.

MOVED Cr Magyar, SECONDED Cr Nixon 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.

Discussion ensued. Councillors asked a number of questions of Executive Manager, Strategic Planning, including cost implications to the City and staffing issues.

To a query on when an update on costings may be expected, Executive Manager, Strategic Planning advised endeavours were being made to collate the information for next year’s Budget consideration.

The Motion was Put and

CARRIED

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

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

Against the Motion: Crs Kenworthy and Patterson

MOVED Cr Magyar, SECONDED Cr Nixon that Council:

- 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

Discussion ensued.

The Motion was Put and**CARRIED**

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

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

Against the Motion: Crs Kenworthy and Patterson

MOVED Cr Magyar, SECONDED Cr Nixon that Council:

- 3** IMPLEMENTS the recommendations as possible in the report “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.

Discussion ensued.

The Motion was Put and**CARRIED**

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

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

Against the Motion: Mayor Bombak, Crs Kenworthy and Patterson

MOVED Cr Magyar, SECONDED Cr Nixon that Council:

- 4** NOTES the benefits to the City for climate protection campaign as detailed in Report CJ334-11/00.

Discussion ensued.

The Motion was Put and**CARRIED**

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

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

Against the Motion: Crs Kenworthy and Patterson

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf121200.pdf](#)

Crs Ewen-Chappell and Nixon left the Chamber, the time being 2115 hrs.

CJ363-12/00 URBAN ANIMAL MANAGEMENT ACTION PLAN - [07086] [45234]

WARD - All

CJ001212_BRF.DOC: ITEM 10

SUMMARY

A meeting of the Urban Animal Management Committee was held on 27 November 2000. The Committee has recommended the following to Council:

- 1 Endorsement of the Urban Animal Management Action Plan for Dog;
- 2 Acceptance of the resignation of Cr Nixon from the Committee; and
- 3 Extension of the term of the Committee for a further six months to 30 June 2001

The minutes of the meeting are included as Attachment one to this report. The Committee's recommendations are supported.

BACKGROUND

The Urban Animal Management Committee was established by Council in April 2000. The terms of reference for the Committee that were established include a sunset clause requiring the Committee to cease its activities by 31 December 2000.

Dog control is an issue that all local governments encounter. Specific problems that arise with dog ownership include dog faeces, unregistered dogs, roaming dogs, barking dogs, dogs exercised without leads and dogs in restricted or prohibited areas such as reserves and foreshores.

The Dog Act and relevant local laws manage dog control through the application of cautions and infringements for non-compliance. Statistics for last financial year show that dog complaints made up over 1,896 service requests and 350 infringement notices were issued.

Through the Urban Animal Management Committee, an action plan has been formulated to facilitate the positive management of dogs to deal with the specific issues as well as encouraging responsible dog ownership in the community to support the legislative framework.

DETAILS

At the meeting of the Urban Animal Management Committee on the 27 November 2000, the Committee recommended to Council the following:

- Cr Nixon's resignation from the Committee be accepted;
- the Urban Animal Management Action Plan for Dogs be endorsed; and
- a 6 month extension of the Committee to 30 June 2001 be granted so as to ensure all necessary work in this area is complete.

Cr Nixon has found it difficult to attend the meetings of the Urban Animal Management Committee due to the time of the meetings and considered it was appropriate that he resigns from the Committee.

Committee Term Extension

The Committee was of the view that there are still a considerable number of issues to be addressed and that it would be beneficial if the Committee monitored implementation of the Urban Animal Action Plan for Dogs.

Urban Animal Management Action Plan for Dogs

The action plan (attachment two refers) focuses on six areas of action with a number of strategies. These are as follows:

- 1 Partnerships;
- 2 Management Strategies ;
- 3 Early Intervention Strategies;
- 4 Education Strategies (Alternatives to Infringements);
- 5 Reward and Recognition for Good Dog Ownership; and
- 6 Training.

To ensure the successful implementation of this action plan, the City has been developing significant partnerships with key stakeholders to ensure a coordinated approach. Organisations such as the Canine Association of WA, AMREX, Local Vets and Pet Stores are involved in the action plan strategies.

All strategies focus on positive reinforcement and developing community responsibility.

COMMENT/FUNDING

Foreshore Dual Use Path

One of the innovative management strategies proposed includes a 3 month trial period for use of the coastal dual use path for dog exercise. The issue of allowing the use the dual use paths along the coast in the reserve areas for dog exercise, is an emotive issue in the community.

The coastal dual use path extends between the two foreshore reserves of Hillarys and Burns Beach/Iluka. The path is located on road reserves and on the foreshore reserve. At present, dogs are prohibited in the foreshore reserve under the City's Animal Local Law. This situation makes managing the area to control dogs difficult as the community is confused regarding where dogs can be exercised. There is significant community support for the foreshore reserve to be opened up to dogs. Equally there is opposition to dogs being permitted on dual use paths.

The introduction of a trial period during which dogs can be exercised on the foreshore paths through these areas coupled with a community education programme, improved signage and other reserves will help establish the viability of opening these pathways on a permanent basis. All other conditions of the Dog Act and Animal Local Laws will apply such as dogs being controlled on a lead at all times and cleaning up after dogs. The Rangers and Operation Services will monitor the area and a further report on the trial will be submitted to Council in April 2001.

To compliment the trial period and encourage correct use of the dual use path and reserves, Operation Services will place extra signage, bins and pooch pouches (dog excreta bags) at strategic locations along the path.

Hillarys Animal Exercise Area

The Action Plan recommends that the option of converting the horse section of the animal exercise area to a small dog exercise area be explored. A survey will be conducted to ascertain the level of use of the horse beach and the suburbs in which the horse owner lives so that the future use of this area can be determined.

Dog Ownership Seminars

It is considered that by promoting and conducting good dog ownership seminars, dog owners can obtain help and advice with dog issues that will assist in minimising any future problems that may arise.

Education Strategies

It is proposed to examine the merit of implementing a strategy of withdrawing infringement notices for offenders in lieu of offenders completing a recognised dog obedience course. Should a person choose this alternative, it is considered that the person will gain additional knowledge and understanding of the requirements of good dog ownership and assist in preventing a reoccurrence of the offence.

Reward and Recognition for Good Dog Ownership

It is proposed that dog registrations be discounted for those persons who can demonstrate recent participation in a recognised dog obedience course or attendance at one of the City's Responsible Dog Ownership Seminars.

It is considered that the Urban Animal Action Plan for Dogs is a positive and innovative step to improve the quality of life in the community by encouraging responsible dog ownership.

OFFICER'S RECOMMENDATION: That Council:

- 1 NOTES the unconfirmed minutes of the meeting of the Urban Animal Management Committee held 27 November 2000 forming Attachment 1 to Report CJ363-12/00;
- 2 ACCEPTS the resignation of Cr Nixon from the Urban Animal Management Committee;
- 3 ENDORSES an extension for a further 6 month period, ending 30 June 2001 of the Urban Animal Management Committee;
- 4 ENDORSES the Urban Animal Management Action Plan for Dogs;
- 5 SEEKS a further report in April 2001 on the outcomes of the three (3) month trial period for the use of the coastal dual use path for dog exercise between the two foreshore reserves of Hillarys and Burns Beach/Iluka.

ADDITIONAL INFORMATION

During discussion of the above item at the briefing session on 12 December, reference was made to the Second Schedule of the City of Joondalup Animals Local Law 1999 that details "Prohibited Dog Exercise Areas" including large sections of the dual use path. The matter of having to comply with Section 3.12 of the Local Government Act 1995, relating to the process of making or amending a local law was also raised.

Both the City's solicitor and Department of Local Government have been consulted on these matters. There are differing opinions as to how to go about suspending or not enforcing the relevant provisions of the local law during the trial period. The far more practical approach, and that favoured is, as a matter of policy, not to enforce the provisions of the local law thereby enabling dogs to be exercised on a lead on the dual use path, in what is now a prohibited dog exercise area.

This approach would enable the proposed three month trial to proceed without loss of time and the dual use path to be used and evaluated as a dog exercise area, during the trial period.

Accordingly, the following additional recommendation is proposed for Council consideration:

- 6 As a matter of Interim Policy, and until such time as a decision is made on the outcome of the three (3) month trial period, the City NOT ENFORCE the provisions of the City of Joondalup Animals Local Law 1999 relating to the dual use path between the two foreshore reserves of Hillarys and Burns Beach/Iluka, as a prohibited dog exercise area.

During discussion on this item:

- Cr Nixon entered the Chamber, the time being 2117 hrs.
- Cr Walker left the Chamber, the time being 2117 hrs and returned at 2124 hrs.
- Cr Patterson left the Chamber, the time being 2120 hrs and returned at 2124 hrs.
- Cr Ewen-Chappell entered the Chamber, the time being 2130 hrs.
- Cr Kenworthy left the Chamber, the time being 2131 hrs and returned at 2135 hrs.

MOVED Cr Barnett, SECONDED Cr Hurst that Council:

- 1 **NOTES** the unconfirmed minutes of the meeting of the Urban Animal Management Committee held 27 November 2000 forming Attachment 1 to Report CJ363-12/00;
- 2 **ACCEPTS** the resignation of Cr Nixon from the Urban Animal Management Committee;
- 3 **ENDORSES** an extension for a further 6 month period, ending 30 June 2001, of the Urban Animal Management Committee;
- 4 **ENDORSES** the Urban Animal Management Action Plan for Dogs;
- 5 **SEEKS** a further report in April 2001 on the outcomes of the three (3) month trial period for the use of the coastal dual use path for dog exercise between the two foreshore reserves of Hillarys and Burns Beach/Iluka;
- 6 as a matter of Interim Policy, and until such time as a decision is made on the outcome of the three (3) month trial period, the City **NOT ENFORCE** the provisions of the City of Joondalup Animals Local Law 1999 relating to the dual use path between the two foreshore reserves of Hillarys and Burns Beach/Iluka, as a prohibited dog exercise area.

Discussion ensued. Cr Barnett advised the inclusion of Point 6 was to fulfil Point 5 for the anticipated trial period until such time as the local law has been amended.

Cr Magyar raised his concerns in relation to the possible amendment of the local law and the requirement to follow the Local Government Act 1995.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf121200.pdf](#)

Cr Mackintosh declared a non-financial interest in Item CJ364-12/00 – Community Funding Program 2000-2001 Grants Allocations as she is connected with Joondalup City Rollers.

Cr Wight declared a non-financial interest in Item CJ364-12/00 Community Funding Program 2000-2001 Grants Allocations as he is associated with the Joondalup Hockey Club.

Director, Community Development declared a non-financial interest in Item CJ364-12/00 Community Funding Program 2000-2001 Grants Allocations as he is a member of the Association of Relationships Australia Western Australia Inc.

Director, Infrastructure Management declared a non-financial interest in Item CJ364-12/00 Community Funding Program 2000-2001 Grants Allocations as he is associated with the Kingsley Amateur Football Club.

**CJ364-12/00 COMMUNITY FUNDING PROGRAM 2000-2001
GRANTS ALLOCATIONS - [50066] [51066]****WARD** - All

CJ001212_BRF.DOC: ITEM 11

SUMMARY

The City's Community Funding Program came into operation on 1 July 1999. The Program has been developed to provide financial assistance to not-for-profit and other eligible organisations in support of a range of community development initiatives consistent with the City's strategic objectives.

This report provides information and includes recommendations on the provision of financial grants in the current financial year to various organisations and community groups operating within the City in accordance with the Program's policy and guidelines.

BACKGROUND

At the Council meeting of 22 December 1998, the City's Community Funding Policy was first adopted to take effect from 1 July 1999 and a further report was sought detailing the funding guidelines for each funding category of the Policy (Report CJ286-1298 refers).

At the Council meeting of 14 September 1999, the Community Funding Program Guidelines were adopted (Report CJ304-09/99 refers) together with various amendments to the Community Funding Policy (Report CJ303-09/99 refers).

At the Council meeting of 26 September 2000, the Elected Members adopted the Community Funding Program Guidelines (Report CJ252-09/00 refers) and adopted various amendments to the Community Funding Policy (Report CJ247-09/00 refers).

Together, the Policy and Guidelines form the City's Community Funding Program, a program which has been developed to enable the City to provide financial assistance to not-for-profit and other eligible organisations in support of a range of community development initiatives consistent with the City's strategic objectives.

The Community Funding Program has been developed in response to the following:

- Council is under increasing pressure to provide funds to support individuals, community groups and organisations for a wide range of community development purposes within an environment of escalating community need and declining resources.
- An internal audit of funds which had been granted to individuals, community groups and organisations in the 1997/98 financial year in the form of donations and related funds allocations, revealed that a large sum of public funds had been provided by Council to a wide range, type and number of individuals, community groups and organisations.

- The audit revealed serious problems with the processes and procedures which had been adopted by Council for the administration of public funds in terms of relevance, equity, access, accountability, transparency, strategic and allocation issues.

The Community Funding Program has been developed and implemented in order to address the above issues. A major change is reflected in the Program from how Council has managed its affairs in this area in the past. This has been a shift away from what had traditionally been a reactive approach to meeting community need by responding to individuals, community groups and organisations which had identified a need in the community and lobbied Council for financial and other forms of in-kind assistance to a more pro-active and strategic approach which focuses on forward planning and setting priorities for community funding. In this context, the Program aligns the provision of community funding with Council's customer consultation and strategic planning processes and outcomes.

The overall objective of the Program is to provide a framework for the provision of targeted funding which meets Council's strategic objectives in facilitating community development in partnership with the community. The Program aims to support the strategic objectives of the City in the areas of sport and recreation development, culture and arts development, economic development, environment development and provision of community services.

Eligible projects, events and activities include:

- Capital projects and items;
- Discrete projects, activities or events;
- Seeding grants for projects, activities or events which can demonstrate independent viability after an appropriate period;
- Projects, activities or events where all other potential sources of funding have been exhausted or are not available.

Council will not fund the following:

- Deficit funding – for organisations which are experiencing a shortfall in cash revenue or anticipated revenue;
- Recurrent salaries and recurrent operational costs;
- Proposals where alternative sources of funding are available;
- More than one request for funding in a given twelve month period;
- Individuals, unless they are sponsored by an eligible organisation and are residents of the City;
- Government and quasi-government agencies;
- For profit organisations.

The Program incorporates the City's Formal Facilities Assessment Process, which provides financial support for the construction or upgrade of community facilities, and for which separate guidelines apply. Applications for this type of infrastructure financial assistance, which exceed \$10,000 in value, require an additional formal assessment under the Formal Facilities Assessment Process.

Five major fund categories have been developed as follows:

- Sport and Recreation Development Fund
- Culture and Arts Development Fund

- Economic Development Fund
- Environment Development Fund
- Community Services Fund

Each of these fund categories has its own specific strategic objectives. In accordance with the Community Funding Policy, guidelines specific to each fund were developed for the current financial year and these will be reviewed on an annual basis in accordance with policy requirements.

In addressing the issues of strategic distribution, accessibility, equity, transparency and accountability, the Program provides the framework for various common funding guidelines, eligibility criteria and accountability requirements which have been applied across the organisation to assess all applications for funding under the Program. Applications were assessed against the following criteria:

- All eligibility criteria for funding are met;
- The application supports the mission statement, values and strategic direction of Council;
- The application addresses the funding objectives and identified priorities of the relevant fund category;
- Value for money;
- Demonstrated need;
- Community support either in cash or kind;
- Appropriate accountability processes being in place;
- Inclusion of relevant documentation; and
- Compliance with Council's Community Funding Policy and Guidelines.

DETAILS

Under the 2000/2001 Program, \$132,630 is available for distribution to eligible organisations in the current financial year distributed across the fund categories as follows:

Culture and Arts Development Fund	\$18,630
Community Services Fund	\$24,000
Environment Development Fund	\$10,000
Economic Development Fund	\$60,000
Sport and Recreation Development Fund	\$20,000

Council has already allocated \$2,909 from the Community Services Fund to Granny Spiers Community House Inc under a special one off funding arrangement leaving a balance of funds of \$21,091 available for allocation.

In addition to the above funds, \$12,205 is available for distribution from funds left over in the Bicentennial Trust Fund. This brings the total of funds available for distribution under the Community Funding Program in the current financial year to \$144,835.

The objectives and funding priorities for each fund category for the 2000/2001 financial year are as follows:

Sport and Recreation Development Fund

Objectives

- To extend and support the level of participation in recreation activities within the community
- To increase the number and variety of recreation opportunities in the community
- To assist in the improvement of community recreation
- To positively contribute to the well being of the community

Funding Priorities

To provide funding for projects, events or activities which promote a healthy lifestyle and specifically:

- Demonstrate significant benefits to the community's overall quality of life;
- Promote active participation in recreational activities; and
- Expand the active membership and participation base of sport and recreation organisations.

Culture and the Arts Development Fund

Objectives

- To extend and support the level of participation in cultural activities within the community
 - To increase the number and variety of cultural opportunities in the municipalities
 - To assist in the improvement of community recreation
 - To positively contribute to the well being of the community.

Funding Priority

To support projects, events or activities which encourage skills development and greater participation by young people with a particular focus on creating a sense of community.

Community Services Fund

Objectives

- Projects, events or activities which are unique in the City and which support new initiatives bringing identified positive benefits to young people in the City.
- Proposals which support activities, events or projects which demonstrate a local response to the needs of seniors in the City.

Funding Priorities

Projects, events or activities which:

- Encourage the involvement and interaction of young people with their community;
- Foster a positive image of young people in the community;
- Involve seniors in active involvement in their community;
- Have a clear practical outcome;
- Are sustainable at their completion.

Environment Development Fund

Objectives

Projects, events or activities, which provide opportunities for people to become actively involved in environmental protection and conservation activities.

Funding Priorities

Projects, events or activities which:

- Encourage community participation to enhance community awareness of environmental protection, conservation and management issues.
- Have a clear, practical direction and are sustainable at their completion.
- Evidence environmental benefit/s to the community.
- Integrate with the other environmental programme/initiatives.

Economic Development Fund

Objectives

Projects, events or activities which:

- Encourage the development of new businesses within the city;
- Have the potential to become self-funding;
- Fill an identified economic need within the community; and
- Do not operate as direct competition to existing business.

Funding Priorities

Projects, events or activities which:

- Support strategic economic development within the City;
- Encourage participation of the local business community in partnership arrangements with other business sectors.

The Community Funding Program was promoted locally from October 2000 until the closing date for all applications, which was 17 November 2000.

Advertisements and editorial statements promoting the new program were published in the Wanneroo Times Community newspaper. An article appeared in the Spring edition of the Council News publication. Information on the Program was posted on the Council's Web page. Promotional material was forwarded via direct mail to approximately 440 relevant organisations and local community groups. Posters advertising the Program were also placed in the City's Libraries and Leisure Centres.

An information package, which contained the Community Funding Program Guidelines and applications forms, was sent, upon request, to 96 organisations and community groups. The information package was also available electronically via the City's Web site and approximately 68% of the applicants obtained the information package in this manner.

A number of one to one meetings were held between Council officers and representatives from various organisations and community groups who had expressed an interest in receiving assistance to complete the application forms or obtain additional information about the Program.

Each application received was assessed against the generic eligibility and assessment criteria together with the specific funding objectives and priorities for the 2000/2001 financial year as contained in the Community Funding Guidelines.

Assessment panels, consisting of Council Officers and external community members, were established as follows:

Sport and Recreation Development Fund:

- Mr Des Choakes - President Sorrento Surf Lifesaving Club
- Mr Paul Morris - Operations Manager, Arena Joondalup
- Mr Mark Stanton - Manager Leisure and Ranger Services

Community Services Fund:

- Mr Trevor Muller - Seniors Representative
- Ms Marinee Provost - Family and Children's Services
- Ms Marilyn Beresford - Manager Community & Health Services
- Ms Michelle Wolsoncroft - Senior Administration Officer, Community & Health Services

Culture and the Arts Development Fund:

- Ms Marie Keating - Artist/Art School Teacher
- Mr Albie Herbert - Professional Artist and Sculptor
- Ms Jan Bowdler - Primary School Art Teacher
- Mr Wai Paki - President of the Te Rangatahi Maori Club/Board of Kulcha
- Mr Mark Stanton - Manager Leisure and Ranger Services

Economic Development Fund:

- Mr Keith Anthonisz - Dept of Commerce & Trade
- Mr James Kirton - Manager Organisation & Strategic Development
- Mr Ray Fischer - Executive Manager Strategic Planning
- Ms Yasmine Majid - Research Officer, Strategic Planning

Environment Development Fund:

- Mr Vic Harman - Community Representative
- Mr James Kirton - Manager Organisation & Strategic Development
- Mr John Goldsmith - Local Agenda 21 Officer
- Mr Dennis Cluning - Manager Operations Services

The following chart provides a profile of the number of applications processed:

	Applications Received	Applications Received for Funding ≤ \$2,500	Applications Received for Funding > \$2,500	Applications Recommended for Full or Partial Funding	Applications referred to Formal Facilities Assessment Process
Sport & Recreation Development Fund	20	18	2	12	0
Culture & Arts Development Fund	25	24	1	13	0
Community Services Fund	18	12	6	8	0
Environment Development Fund	10	9	1	6	0
Economic Development Fund	2	0	2	2	0
TOTAL	75	63	12	41	0

Attachment 1 includes a full listing of all applications received and applications recommended for full or partial funding. A number of applications have been recommended for approval subject to the applicants agreeing to meet certain conditions of funding.

Applications from the following organisations have been recommended for funding:

1 st Beldon Scout Group	Relationships Australia
Beaumaris Primary School	Sacred Heart College
Connolly Little Athletics Club	Sorrento Soccer, Sports and Social Club
Currambine Primary School	Sorrento Surf Life Saving Club
Dads Landing Pad	Storytelling Guild of Australia
Friends of Warwick Bushland	Sunset Coast Tourism Association Inc
Friends of Warwick Senior High School Bushland	Te Rangatahi Maori Club
Friends of Yellagonga Regional Park Inc	The Embroiderers' Guild of Western Australia
Joondalup Brothers Rugby Union Football Club	Wanneroo Basketball Association
Joondalup Business Association	Wanneroo Lacrosse Club
Joondalup City Church Inc.	Wanneroo Sofcrosse Modcrosse Club
Joondalup City Rollers	West Coast Warblers
Joondalup District Cricket Club	West Perth Football Club
Joondalup Encore Theatre Society	Whitford Catholic Primary School
Joondalup Hockey Club	Whitford Church of Christ
Kingsley Junior Football Club	Whitfords Junior Cricket Club
North Metro Music Club	Whitfords Volunteer Sea Rescue Group
Ocean Reef Primary School	Woodturners Association of WA
Our Lady of the Mission Whitford Parish	Woodvale Baptist Church
Perth Wave Ski Club	Woodvale SHS
Peter Cowan Writers Centre	

COMMENT/FUNDING

The following chart shows a profile of the funding arrangements for each fund category:

	Funding included in 2000/2001 Budget	Funding Requested by all Applicant Organisations	Funds Recommended for Allocation	Balance of Funds Remaining
Sport & Recreation	\$20,000	\$55,752	\$18,340	\$1,660
Culture & Arts	\$18,630	\$54,997	\$18,630	\$0
Environment Development	\$10,000	\$32,442	\$9,095	\$905
Economic Development	\$60,000	\$37,200	\$37,200	\$22,800
Community Services	\$24,000	\$58,167	\$14,730	* \$6,361
TOTAL	\$132,630	\$238,558	\$97,995	\$31,726

* Council has already allocated \$2,909 from the Community Services Fund to Granny Spiers Community House Inc under a special one off funding arrangement leaving a balance of funds of \$6,361 available for allocation.

GST will be payable on those grants where an organisation is registered for GST. These payments will need to be added to the abovementioned amounts.

Given the availability of \$12,205 from the Bicentennial Trust in the current financial year, it is intended that these monies be used to fund the GST costs associated with the above grants. Based on 10% GST payable and the funds recommended for allocation, up to \$9,800 will be expended for GST purposes from the \$12,205 available.

It is intended that the balance of the funds from the Bicentennial Trust and remaining funds from the fund categories be used to conduct a second funding round for the current financial year in February 2001. Work will be undertaken to redistribute the balance of funds across the fund categories in order to better respond to community need in each category.

All funded organisations will be required to expend grant funds prior to 30 June 2001.

In accordance with the provisions of the Community Funding Policy and Guidelines, all applicants will be advised as to the outcomes of their applications. Successful applicants will be required to enter into contractual agreements with the City for funds allocated under the Community Funding Program and the City will register the grants allocated. Successful applicants are also required to suitably acknowledge the financial support provided by the City. The nature of such acknowledgment will be negotiated with each successful applicant as part of the process of drafting the required funding agreements.

The Community Funding Policy provides that decisions regarding funding applications are final and will not be reconsidered during the financial year in which the application is made.

The advice provided by members of the community who voluntarily participated on the various assessment panels has been invaluable. It is recommended that their contributions be acknowledged by Council.

MOVED Cr Wight, SECONDED Cr Barnett that Council:

- 1 APPROVES the grants recommended for approval under the City of Joondalup's Community Funding Program for the financial year 2000/2001 as detailed in Report CJ364-12/00;**
- 2 NOTES that a further round of funding under the Community Funding Program will be conducted in February 2001;**
- 3 ACKNOWLEDGES and thanks those members of the community who participated on the various assessment panels.**

The Motion was Put and

CARRIED

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10ag191200.pdf](#)

CJ365-12/00 TENDER 072-99/00 OPERATIONAL MANAGEMENT AND LEASE CITY OF JOONDALUP LEISURE CENTRES - [46492]

WARD - All

CJ001212_BRF.DOC: ITEM 12

SUMMARY

Following questions raised at the Council meeting of 27 November 2000 relating to Council's ability to lease the City's leisure centres as proposed by the tender for the operational management and lease of the centres (Report CJ337-11/00 refers), advice has been obtained from Council's solicitors and the Department of Land Administration DOLA.

The specific questions posed related to the City's need to comply with Section 3.59 of the Local Government Act 1995 and relevant sections of the Land Administration Act. Section 3.59 of the Local Government Act is relevant to the proposed lease of the leisure centres.

Legal advice received indicates that the lease of the leisure centres does constitute a major land transaction under section 3.59 (1) of the Act, as the benefits accruing to the City exceed \$500,000 in value. Advice received also indicated that the lease is considered a disposition of property and therefore is captured by the requirements of section 3.58 of the Act requiring statewide public notice of the Council's intention to lease the land. Section 3.59 requires the preparation of a business plan for the land transaction and similar advertising requirements. This requirement is yet to be satisfied and accordingly a draft business plan is attached for consideration and endorsement by the Council and subsequent statewide advertising.

Advice has been received from DOLA indicating that the requirements of the Land Administration Act are being adequately complied with by the City. They advise that endorsement of the Ministerial approval of the lease will be required following Council's execution of the document and request it be forwarded in due course for approval by the Minister prior to it being stamped by the State Revenue Department.

It is recommended that, in accordance with the provisions of Section 3.58 and 3.59 of the Local Government Act 1995, the business plan for the lease of the City's Leisure Centre is endorsed and, together with the intention to lease the land, be advertised statewide. A further report will be presented to Council following the closure of the 6 weeks advertising period addressing the content of submissions received in response to the business plan.

BACKGROUND

At the meeting of Council on 28 November 2000 Council resolved in relation to the tender for the operational management and lease for the City's leisure centres as follows:

- 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 CJ 337-11/00;**
- 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 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** Crs Carlos and Wight 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 and sections 18 and 46 of the Land Administration Act 1997, should those sections apply.**

DETAILS

Legal opinion has been sought from Council's solicitors in relation to the matters raised in clause 6 of the resolution. This advice is as follows:

The City must comply with Sections 3.58 and 3.59 of the Local Government Act 1995 as a lease under section 3.59 of the Act is categorised as a major land transaction where the value of the transaction exceeds \$500,000. The preparation of a business plan is required with

statewide public advertising for a period of 2 weeks in the case of section 3.58 and 6 weeks for section 3.59 of the Act.

Council must then consider any submissions received from the public prior to continuing with the transaction. Should Council determine to proceed with the land transaction (lease) after consideration of the public submissions, then approval of the Minister for Lands to enter into the lease with RANS Management Group would be required.

The impact of this requirement is that the advertising period will now extend the earliest anticipated lease transfer date with RANS until 2 April 2001. However, should the implementation plan be progressed more rapidly, an earlier transfer date may be possible and would need to be negotiated with RANS.

COMMENT/FUNDING

The requirement to comply with the provisions of Sections 3.58 and 3.59 of the Local Government Act 1995 was not previously identified. The City's solicitors have advised that compliance is possible simply by following the procedure outlined in the Act which requires the preparation and statewide advertising of a business plan relating to the proposed land transaction inviting public comment plus similar advertising to provide notice of the City's intention to lease the land.

A business plan has now been prepared in accordance with the provisions of section 3.58 and 3.59 of the Local Government Act 1995. (Attachment One refers).

Advice has been received from DOLA indicating that the requirements of the Land Administration Act are being adequately complied with by the City. They advise that endorsement of the Ministerial approval of the lease will be required following Council's execution of the document and request it be forwarded in due course for approval by the Minister prior to it being stamped by the State Revenue Department.

OFFICER'S RECOMMENDATION: That Council:

- 1 ENDORSES the business plan for the lease of the City's three Leisure Centres as contained in Attachment One to this Report for the purposes of seeking public comment on the plan;**
- 2 AUTHORISES in accordance with the provisions of Sections 3.58 and 3.59 of the Local Government Act 1995 the advertising of the Business Plan for the lease of the City's three Leisure Centres and the intention of the City to lease the Leisure Centres to RANS Management Group.**

ADDITIONAL INFORMATION

On 12 December 2000, it was indicated that the City's solicitor had advised that the Business Plan attached to the above report meets the legal requirements of Section 3.59 of the Local Government Act 1995.

Since 12 December 2000, comments have also been obtained from the Department of Local Government as to the adequacy of the contents of the Business Plan.

The Department has made some suggestions for additional information to be included in the Business Plan. The attached Business Plan includes some additional information which is intended to further assist the public to gain a fuller appreciation as to the proposed major land transaction in relation to the leasing of the City's three leisure centres.

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

MOVED Cr Mackintosh, SECONDED Cr Rowlands that:

- 1 Council ENDORSES the business plan for the lease of the City's three Leisure Centres as contained in the revised Attachment One to Report CJ365-12/00 for the purposes of seeking public comment on the plan.**

Director, Community Development gave an overview of the additional information and the current situation in relation to this issue after the receipt of advice from both the City's solicitors and the Department of Local Government.

Queries were raised in relation to the outcomes of the Annual General Meeting of Electors held on 18 December 2000. Chief Executive Officer gave an explanation of the requirements in this regard.

The Motion was Put and

CARRIED

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

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

Against the Motion: Crs Walker, Hollywood, Nixon, Magyar and Carlos

MOVED Cr Mackintosh, SECONDED Cr Rowlands that:

- 2 Council AUTHORISES in accordance with the provisions of Sections 3.58 and 3.59 of the Local Government Act 1995 the advertising of the Business Plan for the lease of the City's three Leisure Centres and the intention of the City to lease the Leisure Centres to RANS Management Group;**

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

"in the local community newspapers known as the Wanneroo and Joondalup Community."

Discussion ensued. Mayor queried the requirements for advertising under the Local Government Act 1995.

Director, Community Development advised the Act required statewide advertising in relation to the Business Plan under Section 3.59 4 (a) and it is intended to advertise in both the West Australian and in the local community newspaper.

The Amendment was Put and

CARRIED

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

In favour of the Motion: Mayor Bombak Crs Hurst, Rowlands, Walker, Hollywood, Nixon, Magyar, Carlos and Kadak

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

Cr Kenworthy requested Cr Hollywood withdraw remarks he made in relation to social responsibilities.

Cr Hollywood withdrew his comments.

The Motion as Amended was Put and

CARRIED

ADJOURNMENT OF MEETING – [02154] [08122]

Mayor Bombak advised that the meeting be adjourned for five (5) minutes, the time being 2221 hrs, reconvening at 2226 hrs on 19 December 2000 in order to provide appropriate wording for part of the Motion in relation to CJ365-12/00 – Tender 072-99/00 Operational Management and Lease – City of Joondalup Leisure Centres.

In accordance with clause 5.1 of the City's Standing Orders, the following members had spoken on the Motion proposed;

Mayor Bombak
Cr Carlos
Cr Magyar

Cr Hollywood
Cr Mackintosh

RECONVENING OF MEETING – [02154] [08122]

The meeting reconvened, the time being 2228 hrs, to further consider appropriate wording for part of the Motion in relation to CJ365-12/00 – Tender 072-99/00 Operational Management and Lease – City of Joondalup Leisure Centres.

MOVED Cr Magyar, SECONDED Cr Patterson that Council:

- 3 **CONSIDERS a report on the Motion from the Annual General Meeting of Electors relating to the proposed lease of the Leisure Centres to be listed for consideration at the Council meeting to be held in February 2001 in conjunction with the outcome of the public consultation period of the Business Plan.**

Discussion ensued.

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Walker that Council:

- 4** **INFORMS RANS Management Group of the current situation, including the resolutions of the Annual General Meeting of Electors.**

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Rowlands that Council:

- 5** **REVIEWS legal advice received on this item relating to Tender 072-99/00 - Operational Management and Lease – City of Joondalup Leisure Centres.**

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Rowlands that:

- 6** **included in the advertisement detailed in (2) above, is reference that further information relating to this matter is available in Council Reports CJ252-07/99, CJ290-10/00, CJ337-11/00 and CJ338-11/00.**

Director, Community Development advised that advice received from the City's solicitor is that the Business Plan should stand alone.

The Motion was Put and

CARRIED

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11amin191200.pdf](#)
[Attach11bmin191200.PDF](#)

CJ366-12/00 PINNAROO POINT BEACH ACCESS FOR LAUNCH OF PERSONAL WATER CRAFT - [07189]

WARD - All

CJ001212_BRF.DOC: ITEM 13

SUMMARY

Jet Sport West Boating Association Inc and the Boating Industry of Western Australia Inc have expressed concerns that Section 41 of the City's Local Government and Public Property Local Law which prohibits the launching of jet skis from the Pinnaroo Point Beach Access, Hillarys is discriminatory.

The City's solicitors Watts and Woodhouse have subsequently advised that the section of the local law is not discriminatory and therefore is a valid local law.

Due to the level of boating use from Pinnaroo Point, vehicle access to the beach and the demand for access to the area for jet ski's, it is considered that a public consultation process should be implemented to ascertain the community's views on whether the restriction should be lifted and on the level of vehicular access to Pinnaroo Point.

BACKGROUND

There is a limestone access road to the beach at Pinnaroo Point, Hillarys for the launching of boats. This site has been used to launch boats for many years but does not have a constructed boat ramp. As a consequence only small boats can launch from Pinnaroo Point. Launching boats from this site is free whereas at Hillarys Boat Harbour and Ocean Reef Boat Harbour a fee is charged to launch boats.

Whitfords Bay Sailing Club and a number of people that regularly fish in the area, launch boats from the area as well as other users of the area.

The City's Local Government and Public Property Local Law 1999 prevents the launch of personal water craft (Jet Ski's) into the sea other than at a boat launching ramp designed, constructed and approved for the purpose. These locations are at Hillarys and Ocean Reef Marinas and does not include the Pinnaroo Point Site.

Four Wheel Drive Vehicles and Jet Skis at Pinnaroo Point

To better understand the City's position on this matter it is important to review what has happened in the past. Concerns about four wheel driving, parking of four wheel drive vehicles plus storage of fuels on the beach, and operation of jet skis on and from the beach at Pinnaroo Point, were initially raised by the Member for Hillarys in response to complaints from adjacent residents about these activities. At that time, it was suggested that a gate be placed across the limestone accessway to the beach to restrict access to other than those persons who obtained approval. Public comment was sought on the proposal and the majority of submissions received opposed the installation of a gate and bollards to prevent/control access to the area.

The report submitted to the Council at the time (Report DP109-04/98 refers) supported the continuation of the long established activities of the Whitfords Bay Sailing Club, as acceptable and complimentary to swimming and other activities in the area. However, the report re affirmed concerns with the parking of four wheel drive vehicles on the beach by jet ski users, the storage of fuel on the beach for jet skis, deterioration of sand dunes as a result of four wheel driving and the conflict with the animal exercise area.

Other concerns included noise levels from jet ski's affecting the amenity of residents living nearby along with safety concerns.

In consideration of this matter at the meeting Joint Commissioners on 28 April, 1998, it was resolved in part that:

“... after careful consideration of the submissions made by the public in regard to a proposal to close the access road to the beach at Pinnaroo Point, Hillarys to stop four wheel driving and jet skiing:

- 1 **do not close the access road;**
- 2 **include in the review of the City’s local laws the matter of preventing the launching of jet skis from the beach;**
- 3 **increase the patrolling service and improve signage to stop four wheel driving/parking and jet skiing at Pinnaroo Point Beach;.....”**

Local Law Development

Part of the development process for a local law includes a six week public advertising and comment period. Any comments received in this period must be considered prior to the adoption of a local law. Two submissions were received concerning this matter from Whitfords Bay Sailing Club and the Boating Industry Association, when the draft Local Government and Public Property Local Law was being considered. The following assessment of those submissions was included in the report that recommended adoption of the local law. It is considered that this information will assist in explanation of the City’s position on this matter.

“Whitfords Bay Sailing Club

Comment

Whitfords Bay Sailing Club, which has operated from Pinnaroo Point, Hillarys for some 27 years, requested that they be permitted to continue to operate from that area. They have indicated that the majority of boats their members launch from the beach at Pinnaroo Point are small catamarans. In discussion, it was indicated that they also regularly launch a small cabin cruiser rescue boat on race days and occasionally a second rescue boat if required.

Assessment

The use of the Pinnaroo Point Beach by Whitfords Bay Sailing Club as in the past 27 years, appears complimentary to the other activities of peaceful enjoyment, swimming and family use of this area by the public. The fact that Whitfords Bay Sailing Club have based their activities at this area without any conflict, suggests that they should be permitted to do so in the future. That they are a reasonably small, well structured club that conducts organised and co-ordinated activities for their members, makes it relatively easy for the City to deal with them should there be any matter which could be a concern. There appears to be no reason why the club should not continue to operate from the Pinnaroo Point Beach area.

Boating Industry Association of Western Australia Inc.

BLAWA has opposed any restriction on the launching and retrieval of personal water craft (jet ski) on any part of the coastline under the control of the City and makes the following four points:

- 1 *May be in breach of the Marine Act under the jurisdiction of the Department of Transport.*

Assessment

It is unlikely that the proposed restriction could be in breach of that legislation, as the Marine and Harbours Act 1982 provides the authority for the Department of Transport to control and manage waterways and adjacent land reserves, vested in the Minister and necessary to support marina and port activities. Eg Hillarys Marina. A review of that Act failed to provide evidence of a possible breach, as Pinnaroo Point is under the care, control and management of the City. If the City proposed to use the local law to prevent boats or personal water craft from operating in the sea adjacent to Pinnaroo Point, which is a designated water ski and personal water craft freestyle area, then the local law would be ultra vires.

- 2 *Discriminates against personal water craft which are registered vessels and entitled to use the waterways in exactly the same manner as other registered vessels.*

Assessment

This statement is somewhat misleading, as the intent of the local law is to restrict the launching and retrieval of personal water craft from the beach at Pinnaroo Point and all other beach areas in the City. It is not the intention of the local law to restrict the entitlement of personal water craft to use the waterways. It is recognised that the City has limited or no control over the conduct of boats once they are in the water. This is clearly the responsibility of the Department of Transport which is the responsible agency for licencing and controlling boating activities in the State.

Most waterway areas throughout the State have restrictions relating to water craft, water sports and activities, mainly for safety and control reasons. Water skiing and freestyle jet skiing is restricted to designated areas only. One of these areas is north of Pinnaroo Point.

Unlike Whitfords Bay Sailing Club, there are large numbers of jet ski users and it is extremely difficult to effectively communicate with them all. In the event that some riders act irresponsibly, in the use of their jet skis, it has been extremely difficult to take positive action to achieve a more responsible outcome.

- 3 *Discriminates against Joondalup residents who make up a large proportion of personal water craft owners, wishing to launch and retrieve their vessels locally.*

Assessment

It is not proposed to discriminate against Joondalup residents or any other owners of personal water craft, but simply treat them the same, by requiring personal water craft to be launched at boat launching ramps designed, constructed and approved for the purpose. Boat launching ramps are located at Hillarys and Whitfords Marinas so Joondalup residents who own personal water craft would not be disadvantaged by using either of these local facilities instead of the beach at Pinnaroo Point.

- 4 *Is not supported by the BIAWA.*

Assessment

Comment noted."

Risk Management and Sand Dune Damage

The City has placed limestone boulders on the beach in an attempt to restrict access by four wheel drive vehicles. The driving of these vehicles along the beach area represents a litigation risk to Council should there be an accident involving personal injury or property damage. The City has also spent considerable funds in stabilising and managing the ecology and sand dunes in the area. Permitting unlimited four wheel drive access to the beach provides the opportunity for damage to the ecology and dune system destroying the good work that has been achieved.

Jet Sport West Boating Association Inc

The City has since received correspondence from Jet Sport West Boating Association Inc and the Boating Industry of Western Australia Inc regarding the prohibition of launching jet skis from Pinnaroo Point. Both organisations have expressed concerns alleging the City's Local Law is discriminatory in respect to preventing the launch of jet skis from Pinnaroo Point.

At present, jet skiers are required to launch their vessels at Hillarys Boat Harbour and then jet to Pinnaroo Point if they wish to base themselves in this area. The waters around Pinnaroo Point are considered ideal for jet skiers and many other forms of boating due to the sheltered waters.

Officers have met with senior representatives of the Jet Ski/Boating Industry. At that meeting several matters supporting the Jet Ski/Boating Industry case were outlined including a proposal to separate swimmers from jet skis by designating areas either side of the launching area. While this could assist with the safety of swimmers it would require some enforcement to be effective. The City would be the responsible party in having to provide signage and enforcement and would be further exposed to potential litigation in the event of an accident involving personal injury or property damage.

DETAILS

In view of the likely strong public interest in this matter and assertion by the Boating Industry Association that this local law was discriminatory, a legal opinion was obtained on the matter. The City's solicitors have advised that the questions raised by the State Boating Council and Jet Sport West Boating Association Inc do not question the validity of the local law.

COMMENT/FUNDING

The view of Jet Sport West Boating Association Inc and the Boating Industry of Western Australia Inc that Clause 41 of the City's Local Government and Public Property Local Law is discriminatory has not been supported in legal advice received by the City. From a legal perspective there is no reason for the City to amend the local law prohibiting jet skis from launching at Pinnaroo Point.

The Local Government Act 1995 provides local governments the opportunity to create local laws that represent the best interests of the particular local government. In this instance, it is clearly up to the City to determine if it wants jet skis to be launched at Pinnaroo Point and if so how this should be managed firstly, in the best interests of the local community and then for the broader community.

Pinnaroo Point is a popular site for jet skis and the Association is anxious to improve access to the area for its members. Participants have found in recent years that access to suitable locations for jet ski's has become more restricted due to perceived noise problems and an element resulting in anti social behaviour by speeding in restricted waters.

Because of the popularity of boating around Pinnaroo Point and the congestion that can ensue at the launch site, the request by the two bodies that the local law be amended raises concerns. Given the previous objections from local residents, it is considered that a public consultation process be conducted to assess community views on the level of vehicular access to the beach at Pinnaroo Point and determine whether to continue banning the launch of jet ski's at Pinnaroo Point.

OFFICER'S RECOMMENDATION: That Council:

- 1 **ADVISES** the Jet Sport West Boating Association Inc and the Boating Industry of Western Australia Inc that the prohibition on the launching of personal watercraft (Jet Skis) from the Pinnaroo Point Beach Access, Hillarys will remain in place and that Council will give further consideration of this matter following a period of community consultation;
- 2 **ENDORSES** the implementation of a public consultation process to establish community views on vehicle access at Pinnaroo Point and the impact of jet ski use at Pinnaroo Point, Hillarys.

MOVED Cr Hurst, SECONDED Cr Mackintosh that Council:

- 1 **ADVISES** the Jet Sport West Boating Association Inc and the Boating Industry of Western Australia Inc that the prohibition on the launching of personal watercraft (Jet Skis) from the Pinnaroo Point Beach Access, Hillarys will remain in place and that Council will give further consideration of this matter following a period of community consultation;
- 2 **ENDORSES** the implementation of a public consultation process to establish community views on vehicle access at Pinnaroo Point and the impact of jet ski use at Pinnaroo Point, Hillarys;
- 3 **INVESTIGATES** a call for funding applications for recreational boating facilities by the Department of Transport recently advertised to determine whether the City of Joondalup is eligible for funding to possibly construct a small ramp within the vicinity of Pinnaroo Point for the use of jetskis.

Discussion ensued. Director, Planning and Development advised the issue of obtaining funding grants is currently being investigated.

The Motion was Put and

CARRIED

MOVED Cr Patterson, SECONDED Cr Kenworthy that, in accordance with Clause 4.2 of Standing Orders, Council VOTES on all recommendations in Reports CJ367-12/00 to CJ388-12/00 inclusive, with the exception of CJ368-12/00, CJ372-12/00, CJ375-12/00 and CJ385-12/00.

The Motion was Put and

CARRIED

**CJ367-12/00 COMMUNITY TRANSPORT SERVICE - [16813]
[01075] [07310]**

WARD - All

CJ001212_BRF.DOC: ITEM 14

SUMMARY

The City currently operates two related but separate transport services – Community Transport and Volunteer Services Transport. Community Transport is funded by Council and Volunteer Services Transport is funded through the Home and Community Care Community (HACC) Program administered by the Health Department of WA (HDWA).

At its meeting held on 10 October 2000 (Report CJ272 refers), it was resolved that Council:

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

It is likely that the HACC Volunteer Services Transport will eventually transfer to the North Metropolitan Transport Brokerage Project. This would leave the City with the Council funded Community Transport Service.

With a view to establishing a new direction for the City's Transport services post the establishment of the Transport Brokerage, a review of the City's Volunteer and Community Transport Services was undertaken earlier this year. This report, which refers only to the Council funded Community Transport Service, outlines relevant review recommendations and recommends a way forward for the City's Community Transport Service. The report also explores the option of the use of maxi-taxis for the service.

BACKGROUND

The City operates a Community Transport Service which is largely focussed on providing services for some well seniors who are disadvantaged in their access to regular public transport. The service focuses mainly on transporting people to shopping centres and to Senior Citizens Centres for social activities and is targeted at people who are physically independent. It provides 5,564 transport services per year to approximately 214 residents.

The majority of these transports are return journeys. This service is funded by Council. It currently uses two part time paid drivers and thirteen volunteers to achieve this level of service.

The following table presents the resources currently available in the Community Transport Service:

COMMUNITY TRANSPORT	
Vehicles	1 x 11 seater vehicle, 1 x 21 seater vehicle, 1 x 29 seater vehicle*
Staff	1.25 staff members*
Volunteers	13 volunteers
Total expenditure excluding corporate, directorate and business unit overheads	\$102,840 (\$66,276 without Marketing bus driver position)
Total income from fees	\$12,500
Number of transports provided per annum	5,564
Number of residents assisted	214
Types of transports	Transport to shopping centres and senior citizens centres for social activities

*The 29 seater vehicle was transferred to the Community Transport Service from the Marketing Business Unit in the last financial year. A bus driver was also temporarily transferred but is not part of the Community Transport budget. Without this position the total expenditure budgeted for the 2000/2001 year for the Community Transport Service is \$66,276.

The City's Review of its Transport Services

In March this year, the City commissioned a review of its transport services in response to two key issues:

- The need for the City to establish its own policy and priorities for the utilisation of volunteers as part of its service delivery to residents following the split of the former City of Wanneroo into two Local Government Authorities; and
- The need to consider the impact of the proposed HACC North Metropolitan Transport Brokerage Pilot Project on the City's transport services, these services being the ones which currently make most use of volunteers as service deliverers.

This review, which was undertaken by Barbara Gatter of Bandt Gatter and Associates, identifies the main impacts likely to be experienced as a result of the Transport Brokerage and recommends how the City might respond. It recommends that a new position be created to cover the residual transport related functions and to take on the role of recruitment and support of volunteers. It also recommends that a range of other issues be addressed in relation

to volunteers including a more comprehensive screening process, a better support structure and the need to underpin the work of volunteers with a more comprehensive policy framework. Consultation with Senior Citizens Groups to enable changes in the arrangements for the transport is also recommended. The review finds that those most in need of help to get to shopping centres are not eligible for the service within the current criteria.

In conducting the review, contact was made with five other Local Government Authorities to consider their approaches to community transport and how volunteers are used. Not all of the review recommendations remain relevant with the changes that have occurred in Aged and Disability Services since the completion of the review. Therefore, relevant recommendations and those that could be adapted to meet current needs, have been used as a basis for the suggested actions outlined in this report.

DETAILS

The review report made a range of suggestions for the provision of Community Transport Services and to improve the operation of the current service.

Creation of a position to manage Volunteer Operations

It is important to clearly separate out the duties of the Community Transport Service from those of the HACC Transport Service which will eventually be transferred to the North Metropolitan Transport Brokerage. The Community Transport Service must be able to stand on its own without the support of HACC funds. Currently 1.75 staff members are employed in the HACC Transport Service and 1.25 staff members are employed in the Community Transport Service. One of these positions is that of full time bus driver which was temporarily transferred from the Marketing Business Unit, together with the Marketing bus. This position is not part of the Community Transport budget and has been excluded from the costing for the direction for Community Transport. It is suggested that a full time position be created to undertake the following duties:

- Management of the recruitment, assessment and induction process for volunteers;
- Management of the schedules for the use of and hiring (including community hire) of all buses;
- Preparation of all documentation associated with Tourist Charter licence plates and the auditing of defect reporting procedures;
- Undertaking of daily inspection procedure for all omnibuses;
- Phone assessment of clients to assess level of frailty;
- Allocation of volunteers to appropriate tasks; and
- Identification of training needs of volunteers and negotiation with appropriate volunteer training providers for those needs to be addressed.

The cost of this position would be \$35,567 per annum less the amount included in the budget for the 0.25 position of \$8,518 leaving a shortfall of \$27,053 per annum.

The Shopping Buses

The review recommends that the City continue to operate the Shopping Buses and provide services to existing users. In addition, buses should be modified to enable them to safely carry mobility aids, so that those most in need of assistance to do their shopping because of frailty and disability have access and priority from now on. Access to the service should be via a phone assessment with criteria including:

- Lack of alternative transport options;
- Location in relation to the nearest shopping centre;
- Difficulty in accessing other forms of transport due to frailty and disability (not age); and
- Capacity to manage shopping independently once at the shopping centre.

Service users with a temporary incapacity and eligibility should be accepted with clear and enforced time limits, with the responsibility for monitoring this being with the Community Transport Officer.

While this is a worthwhile direction, there are some resource issues in relation to vehicle modifications and physical assistance which would need to be addressed as follows:

Vehicle	Option	Estimated Cost
21 Seater Coaster	Take out one seat and replace with facility to carry walking frames etc	\$500.00
11 Seater Toyota Commuter	To modify this vehicle would require removal of the back seat which seats 3 people leaving a seating capacity of only 8. This would not cater for current client groups which average 10 per trip. Replace with bigger bus. (24 Seater Mitsubishi Standard Vehicle)	\$61,830.00 (full price of \$83,830.00 including GST less an allowance of \$22,000 for the sale of the existing vehicle)
29 Seater Marketing Bus	This vehicle could not be used to transport frail people because the steps are too steep. Replace with 24 Seater Mitsubishi Standard Vehicle	\$33,830.00 (full price of \$83,830.00 including GST less an allowance of \$50,000 for the sale of the existing vehicle)
TOTAL		\$96,160.00

In addition, frail clients would require physical assistance on and off the bus. It should be noted that it is not just the presence of a walking aide that is the issue but the fact that it is an indicator of frailty and flags the need for physical assistance due to balance, stroke, arthritis or some other medical condition. The volunteer drivers themselves are seniors who have not been assessed or trained to accept/carry out mobility assistance. The City would be negligent if it did not provide support in this area. It is suggested that, in addition to the volunteer driver, a volunteer be available to assist passengers on and off the bus. This would require the recruitment of approximately another 15 volunteers. The second volunteer on the bus would not require an F class licence but would require:

- Extensive training and supervision – particularly in manual handling and occupational safety and health; and
- Medical assessment to ensure their fitness for the role.

The cost associated with medical assessment for the 15 new volunteers would be approximately \$975. This would be an ongoing expense with the turnover of volunteers. The cost of manual handling and occupational safety and health training would be approximately \$910. This would also be an ongoing expense with the turnover of volunteers.

Policies to support volunteers

The review suggests the need for a more comprehensive policy framework to guide the recruitment, training and support of volunteers. These policies should be included in an expanded Voluntary Services Handbook/Information Kit which should be provided to all existing volunteers and to new volunteers before they commence their volunteer duties. The cost to implement this recommendation would be an initial amount of approximately \$1,000 for production and a further amount of approximately \$100 per annum to provide copies to new volunteers as they are recruited.

Police checks for Volunteers

The review suggests the need for all new volunteers to gain a police clearance, with the City accepting the costs for this. The service users with whom the Joondalup volunteers work are in a vulnerable group. They often accept the volunteer into their own home and need to be confident that the City has looked after their interests in selecting the volunteer who will assist them. A police clearance is an important part of the process to assess suitability. The cost of these checks would be approximately \$450 per annum.

Training of Volunteers

Finally, the review suggested that all volunteers should have training in the role and expectations of volunteers, and in some of the issues they will encounter in forming volunteer relationships with their clients. It is suggested that the City should negotiate with a body experienced in volunteer management to provide this training. The cost of this training would be approximately \$1,000 per annum.

COMMENT/FUNDING

A number of Elected Members have been approached in relation to the current operation of the Community Transport Service and its exclusion of clients who require walking aides. The current guidelines, which were established in 1991, are as follows and do not allow for those most in need of assistance to do their shopping because of frailty and disability to have access:

- Aged or minor disability;
- Not requiring personal assistance;
- Not able to access public transport;
- No other means of transport;
- No other means of support from either friends or family;
- No mobility equipment, for example, walking frames, wheelchairs.

The review recommendations would address these issues. In order to improve the Community Transport Service through the implementation of relevant review recommendations, funding would be required as follows:

Recommendation	One off capital cost	Recurrent cost
Employment of a full time Community Transport Officer		\$27,053.00 (After taking into account the existing 0.25 position)
The Shopping Buses	\$96,160.00	
Medical assessments for volunteers		\$975.00
Manual handling and occupation safety and health training		\$910.00
Volunteer Handbook and Information Kit	\$1,000	\$100.00
Police checks		\$450.00
Volunteer training		\$1,000.00
TOTAL	\$97,160.00	\$30,488.00

The total recurrent expenditure for the Community Transport Service would consequently increase from \$66,276 to \$96,764.00 per annum. This would provide a personalised service with the capacity to increase the number of transports per annum. All community transport runs are currently full and no waiting lists are kept because of the very slow turnover of passengers using the buses. The service is never advertised because no further places can be offered.

The funds required to replace the 11 and 29 seater buses are not available within the current budget and would have to be requested through the normal budget process. The one-off cost of \$500.00 to modify the 21 seater could be accomplished within the existing budget as could the development of the Volunteer Handbook and Information Kit. The recurrent costs associated with other recommendations would have to be requested through the normal budget process.

In the meantime, Aged and Disability Services will continue to address individual needs on a case by case basis as exclusion from Community Transport arises because of the issue of mobility aides.

Use of Maxi-taxis for Community Transport

Administration has been requested to explore the option of the use of maxi taxis for the Community Transport Service. This was not a recommendation from the review but a subsequent suggestion. Maxi taxis would not be suitable for six trips per month involving 100 transports or 1,200 transports per annum.

It was also suggested that it may be possible to negotiate with the Minister for Transport to make an arrangement with the City regarding the use of the Department of Transport's Taxi Users' Subsidy Scheme (TUSS). TUSS provides taxi travel at up to 50 percent reduced rate for people with an assessed need and disability. The Community Transport Service is currently largely focussed on providing services for well seniors who are disadvantaged in their access to regular public transport. It is estimated that at least 65 percent of the current users would not be eligible for this scheme. In addition, with a multiple pick up, taxi companies will not accept vouchers under TUSS from each person, because they class these trips as single jobs.

The maxi taxi option would require the employment of a part time Community Transport Officer to schedule the runs and take bookings. This could probably be undertaken by a 0.25 position at a cost of \$9,018 per annum. The cost of the maxi taxi travel would be approximately \$62,705 per annum giving a total expenditure of \$71,723.

While the maxi taxi option would save the City \$25,041 per annum and would also have the capacity to increase the number of transports per annum, it would still leave 1,200 transports per annum unaccommodated. Therefore, at this stage it is suggested that the review recommendations be adopted rather than the implementation of the maxi taxi option.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 1 APPROVES in principle the direction proposed for the Community Transport Service outlined in Report CJ367-12/00;**
- 2 LISTS for consideration in the City's 2001/2002 draft budget, a recurrent amount of \$30,488 and capital amount of \$97,160 to implement the proposed direction for the Community Transport Service.**

The Motion was Put and

CARRIED

CJ369-12/00 EXTENSION OF CONTRACT NO. 084-99/00 SUPPLY AND DELIVERY OF HOME SUPPORT SERVICES - [43606]

WARD - All

CJ001212_BRF.DOC: ITEM 16

SUMMARY

The above contract is for the supply and delivery of the City of Joondalup's home support services to residents who are frail, aged or have a disability and, in accordance with the General Conditions of Contract Clause 24 Contract Period, the City has the option to extend the contract for another six months or part thereof. The contractors have expressed their desire for availing the extended period. Both contractors have performed in accordance with the terms and conditions of the contract.

BACKGROUND

Bellhealth and Perth Home Care Services Inc. were awarded the contract in April 2000 to begin services 1 May 2000 for a period of eight months.

On 11 April 2000 council passed a resolution to accept the tenders from Perth Home Care Services and Bellhealth "to commence services with effect from 1 May 2000 to 31 December 2000 on the basis of the Schedule of Rates provided in Attachment 1 to Report CJO78—4/00, with an option to extend the contracts for a further six months"(Report CJO78-04/00 Refers).

DETAILS

The initial contract period of eight months expires on 31 December 2000 and in accordance with Clause 24 Contract Period, Perth Home Care Services Inc. and Bellhealth have indicated a willingness to extend the contract for the period 1 January 2001 to 30 June 2001.

This contract is designed to provide domestic assistance, personal care, respite care and assistance with daily living tasks for residents who are frail, aged or have a disability. Specific personnel are needed to meet the differing needs of customers of the City's Aged and Disability Services.

COMMENT/FUNDING

The City receives funding from the Disability Services Commission, Health Department of Western Australia, and Commonwealth Department of Aged Care to provide services that maximise quality of life, and assist independence for eligible persons who wish to remain living in their community.

The budget provision for the six month period is for 7,130 hours of service and limited to \$171,299.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council APPROVES the extension of contract number 084-99/00 Supply and Delivery of Home Support Services by Perth Home Care Services Inc. and Bellhealth, in accordance with the General Conditions of Contract Clause 24 Contract Period, from 1 January 2001 to 30 June 2001, on the basis of the Schedule of Rates provided in Attachment 1 to Report CJ078-04/00.

The Motion was Put and

CARRIED

INFRASTRUCTURE MANAGEMENT

CJ370-12/00 UPGRADE OF THE MATERIALS RECOVERY FACILITY, WANGARA - [53119]

WARD - All

CJ001212_BRF.DOC: ITEM 17

SUMMARY

The purpose of this report is to gain Council approval to participate in the upgrade of the Materials Recovery Facility (MRF) at Wangara. It has been recognised there are considerable efficiencies to be made in upgrading the MRF to a regional commingled facility. The MRF is owned by the City of Wanneroo.

At its meeting on 11 July 2000, Council endorsed participation in discussions with the City of Wanneroo on the best type of sorting plant for recyclables, either commingled or a 'split bin' system. A further update on discussions has been provided to Councillors on the Desk of the CEO, 13 October 2000.

The project is to upgrade the MRF to a regional facility for the Cities of Wanneroo, Joondalup and Swan. The upgrade will cost approximately \$525,000 to be split three ways, \$175,000 for each local authority, with the capital contribution being repaid over 5 years at \$35,000 to each contributing local government. The potential financial gains from the initiative will mean a decrease in recycling sorting costs of a budgeted amount of \$258,000 per year to a break even situation depending on commodity markets. An indicative budget has been developed based on current commodity prices as depicted at Attachment 2.

As the City's contribution of \$175,000 was not budgeted in the 2000/01 financial year, authority for payment will need to be by an Absolute Majority of Council pursuant to the provisions of S6.8(1) of the Local Government Act 1995. It is considered that funding of the \$175,000 would be from the Domestic Cart Refuse Collection Reserve. At the 31 October 2000, the balance was \$646,788.

Under the current Service Level Agreement (SLA), Council is currently paying \$56.85 per tonne for sorting of collected recyclable materials. The basis of this Agreement meant that Council was not to be exposed to the market for the sales recyclable material. Under the proposed Agreement, Council will be exposed to the markets but will be in a stronger position because of improved markets, efficiencies gained through the upgrade of the MRF and being able to market a greater variety of recyclable materials. It is acknowledged that a commingled MRF is more efficient system than the current 'split system' type MRF. Given these factors, it is reasonable for Council to review the basis of the agreement and acknowledge the benefits of accepting a reasonable risk from the marketing of recycled materials which outweighs the current upfront gate charge agreement currently in place.

Council's legal advisor, Mr John Woodhouse from Watts and Woodhouse, is currently drafting an agreement for the establishment of the regional MRF on behalf of the three participating Councils and it is anticipated that a final draft will be available for Council's consideration at its meeting scheduled for 19 December 2000 (Attachment 3 refers).

BACKGROUND

Council currently provides a bag service and an optional recycling cart service to its residents through its SLA provider, the City of Wanneroo. The sorting cost for the service is \$56.85 per tonne.

The MRF was originally designed to accept the bag system. At the time the split cart trial was being initiated, the MRF was modified to accommodate this new format. For information, the split type cart has a divider which splits the cart into two, the lids are also split to gain entry into each side of the cart. The trucks that collect the carts have a horizontal divider in the body with separate compaction apparatus. The sorting facility at Wangara is also designed to accept the material from the divided trucks as well as the bag service. For sometime officers have had the view that this system is expensive to operate and that a commingled system is less expensive and more efficient operation.

In order to progress matters, Council officers have had numerous discussions with the City of Wanneroo and the City of Swan which also showed an interest in participating in the facility. The City of Swan which has now formally agreed to participate in the project following a tender process earlier this year for the sorting of its recyclable materials. The prices received from the eight tender submissions varied from \$54.25c per tonne to \$30.85c per tonne and included sorting, disposal and management costs for each submission. The City of Swan

considers the tripartite arrangement with Joondalup and Wanneroo to be far more attractive than the submissions received earlier this year.

With respect to the adopted waste management strategy, this proposal is in keeping with the interim strategy to provide ratepayers with a recycling bag service and an optional cart service while the long term strategy is being finalised. The upgrade of the MRF is consistent with the interim strategy and the proposal shows significant efficiency gains, allows for a greater variety of materials for recycling and reduces costs during the interim period.

DETAILS

The discussions have progressed and have now reached a stage where Council approval for the project is required. The agreement is based on business principles developed with the assistance of Deloitte Touche Tohmatsu, financial consultants and includes: -

- 5 year period commencing on or before 1 July 2001 with two one year options to extend;
- An upfront capital contribution to modify the MRF to a commingled facility. The total costs of the modifications is estimated to be \$525,000 split three ways with the capital contribution being repaid over 5 years at \$35,000 per year to each of the parties;
- A Senior Management Team (SMT) will oversee the operation of the agreement, handle disputes and set strategic directions for the operation of the agreement;
- A commercial land rent, payable to the City of Wanneroo, is to be included as an operating expense. This is for the approximate 23,000 m² at the Motivation Drive, Wangara currently being used for the MRF and its non-exclusive access including weighbridge;
- Operating costs will include (but not limited to) sorting costs, depreciation, rent, insurance, utilities, lease fees, composition audits, all repairs, maintenance and minor capital purchases (up to \$10,000), commodity preparation and selling costs and other items agreed by the SMT;
- Budget agreed annually by all parties to the agreement. Should a Council object to two successive budgets, then it has the option to withdraw from the contract and forego its annual capital repayment;
- City of Wanneroo will allocate to the operation as an expense, 5% of the actual annual operating costs and distributed overheads of its Environmental Waste Services Business Unit;
- Depreciation of fixed assets will be charged as an operating expense, based on straight line basis;
- All actual operating costs will be proportioned in accordance with the gross tonnes of material delivered to the facility for sorting, based on open book principles overseen by the SMT;
- The composition of each council's deliveries shall be determined by audit of incoming loads to the satisfaction of the SMT;
- All income from the sale of sorted material will be proportioned in accordance with the estimated recoverable net tonnes of saleable material delivered to the facility;
- During the period of the contract the surplus or shortfall shall be accounted for on a quarterly basis and overseen by the SMT;
- Major Capital Works include capital purchases greater than \$10,000 and requires the agreement of all Council representatives on the SMT followed by endorsement by the City of Wanneroo if purchases are not budgeted prior to works proceeding;
- Depreciation on approved major capital purchases is amortised over the remaining period of the agreement.

A schematic has been developed depicting the distribution of operational costs and revenue and detailed at Attachment 1.

The potential financial gains from the initiative will mean a decrease in recycling sorting costs from a budgeted amount of \$258,000 under the current SLA to either a break even situation or a surplus at this point in time based on an estimate of gross tonnes delivered of approximately of 5,362 tonnes and will be subject to commodity prices at the time of sale. This will be for an outlay of \$175,000 upfront to be repaid over 5 years at \$35,000 per year.

In order to progress the matter, the working party has agreed to establish a Senior Management Team (SMT) comprising a representative from each government, to oversee the management of the facility and the development of a draft establishment agreement based on a SLA model. It is anticipated the final SLA based on the above mentioned business principles will be circulated for Council's consideration at its meeting scheduled for 19 December 2000.

The City's 2000/01 Budget did not provide \$175,000 for expenditure associated with the set up costs. Consequently, approval would need to be by Absolute Majority of Council pursuant to the provisions of S6.8(1) of the Local Government Act 1995. Funding would be from the Domestic Cart Refuse Collection Reserve Account.

An indicative budget on the MRF is provided at Attachment 2.

COMMENT/FUNDING

Under the present arrangements, the City is invoiced for sorting based on tonnes delivered to the MRF. The proposed new arrangements allow for a share of the sales of the recyclable material. Although this exposes the Council to a risk on the commodity market, it is now considered acceptable because of the shared arrangements through the regional agreement, the greater variety of products collected and retrieved for the market, efficiencies gained through the re-configuration of the MRF and the savings to be made on sorting costs under the current SLA .

The financial implications of the new arrangement will mean that based on the current SLA, a saving in recycling sorting costs of approximately \$258,000 per year is anticipated. Based on the previously outlined business principles and current commodity prices, the result will be either a break even situation or a small surplus. The savings on costs for this year will be pro rata depending when the plant becomes operational. This will be for an outlay of \$175 000 repaid over 5 years at \$35 000 per year. The City's contribution will be funded from the Domestic Cart Refuse Collection Reserve Account. It is envisaged that if this arrangement proceeds then savings may be realised in 2001/2002 or 2002/2003 subject to Council's forthcoming budget deliberations.

The Business Principles are sufficiently flexible to accommodate the entry of additional participants, if this situation arises in the future. The likelihood of this proposal at this stage is remote.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 1** **AGREES** to enter into a Service Level Agreement with City of Wanneroo and City of Swan for joint use of the Motivation Drive Materials Recovery Facility, Wangara under the business principles outlined within the report for a term of 5 years with two one year options to extend;
- 2** **in accordance with Section 6.8(1) of the Local Government Act 1995 AUTHORISES** the payment of \$175,000 to be paid to the City of Wanneroo as its capital contribution towards the facilities modification works with such funding to be sourced from the Domestic Cart Refuse Collection Reserve Account;
- 3** **AUTHORISES** the Mayor and the Chief Executive Officer to execute under Common Seal the Service Level Agreement with the City of Wanneroo and City of Swan.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13ag191200.pdf](#)

CJ371-12/00 STATE BLACK SPOT PROGRAM - 2000/01 - [09480]

WARD - All

CJ001212_BRF.DOC: ITEM 18

SUMMARY

In November 2000, the City successfully gained \$240,000 in funding as part of the 2000/01 State Black Spot Funding Program. The successful applications featured two projects currently listed in the City's 2000/01 Capital Works Program. However, completion of one project is dependent on the allocation of funds, previously allocated to the other successful project. In view of this, surplus funds from one project can fund the other.

BACKGROUND

In August 2000, the State Government announced a new initiative to improve road safety, targeting black spots and road improvements around Western Australia.

Under the *State Black Spot Program*, the State Government will inject \$13M per year for the next four years into fixing black spots. The State Black Spot Program commences this financial year (2000/01).

Submissions for the 2000/01 round of funding were immediately called and subsequently submitted prior to the October 2000 deadline.

While the criteria for projects was essentially the same for those used to establish priority for the Federal Black Spot Program, a funding contribution from the local government towards each project was essential.

On this basis, only projects that had previously been approved for funding as part of the City's 2000/01 Capital Works Program could be considered.

DETAILS

Of the projects currently listed as part of the City's 2000/01 Capital Works Program, two projects met this criterion.

Davallia Road – Lane Narrowing, residential kerb side parking and channelisation.

This project had been allocated \$190,000 as part of the City's 2000/01 Capital Works Program.

The State Black Spot submission featured lane narrowing and associated work similar to that recently carried out on Allenswood Road, Greenwood. The revised estimated cost of this project is \$240,000.

Ocean Reef Road / Oceanside Promenade – Single Lane Arterial Roundabout

This project had been allocated \$25,000 as part of the City's 2000/01 Capital Works Program to construct a right turn lane and pedestrian facilities at this intersection. This had been envisaged as an interim treatment, pending the outcome of a 2001/02 Federal Black Spot Program submission for funding of a single lane roundabout at this intersection.

Given the \$25,000 funding allocation, this project was also considered suitable for submission to the State Black Spot Program.

The State Black Spot submission also featured construction of a single lane roundabout at this intersection. The proposal is similar to that recently constructed at the intersection of Whitfords Avenue and Northshore Drive. The estimated cost of this project is \$200,000.

An announcement in November confirmed that these projects have been successful in obtaining \$240,000 in funding as part of the 2000/01 State Black Spot Program.

COMMENT/FUNDING

In order to meet the funding criteria only those project which had funding allocated as part of the current 2000/01 Capital Works Program where submitted. However, to complete the Ocean Reef Road/Oceanside Promenade project a funding allocation will be required to be identified.

With the allocation of an additional \$106,667 in funding towards the Davallia Road project it is possible that surplus municipal funds previously allocated to this project may be allocated to cover any shortfall in the Ocean Reef Road/Oceanside Promenade project.

Project	Black Spot Funds \$	Budget \$	Total Funds \$	Total Project Cost \$	Difference \$
Davallia Road	106,667	190,000	296,667	240,000	+56,667
Ocean Reef Oceanside	133,333	25,000	158,333	200,000	-41,667

As shown above the anticipated surplus (\$56,667) in budget funds for the Davallia Road project (Account No 6199) will fund the (\$41,667) shortfall to Account No. 6195 (Ocean Reef Road Oceanside Prom).

The availability of additional funding through the State Black Spot Program has provided an opportunity to enhance and bring forward previously funded projects.

While the current Capital Works Program for 2000/01 is at the upper limits, it is expected that the additional work associated with these projects may be accommodated without adversely affecting the existing Capital Works Program, which may result in some carry forward works being realised.

As it is a funding requirement that the works be completed by 30 June 2001, it will be required that each project will be issued, to external consultants for design, documentation and construction by public tender. Project management will be coordinated by Infrastructure Management.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

1 REAFFIRMS the following projects as part of the 2000/2001 Capital Works Program:

- (a) **Davallia Road, Duncraig – lane narrowing, residential kerbside parking and channelisation at an estimated cost of \$240,000 to be funded from Account Number 6199;**
- (b) **Ocean Reef Road/Oceanside Promenade, Ocean Reef – single lane arterial roundabout at an estimated cost of \$200,000 to be funded from Account 6195;**

2 NOTES that the savings of approximately \$57,000 from the Davallia Road, Duncraig – lane narrowing project will be used to fund the anticipated over expenditure of approximately \$42,000 for the Ocean Reef Road/Oceanside Promenade, Ocean Reef – single lane arterial roundabout project.

The Motion was Put and

CARRIED

**CJ373-12/00 PETITION REQUESTING TRAFFIC TREATMENTS -
WENTLETRAP WAY, MULLALOO - [19226] [01077]****WARD - Whitfords**

CJ001212_BRF.DOC: ITEM 20

SUMMARY

A 23-signature petition has been received from Mullaloo residents seeking the installation of traffic calming devices to control vehicles speed on Wentletrap Way, Mullaloo.

A preliminary investigation of traffic flow on Wentletrap Way has not established a significant warrant for traffic treatment of this road. However future monitoring of traffic flows to determine the effectiveness of the proposed metropolitan 50km/h speed limit on local roads and a review of the need to traffic treat Wentletrap Way is supported.

BACKGROUND

In September 2000, Council received a 23-signature petition from Mullaloo residents seeking the installation of traffic calming devices to control vehicles speed on Wentletrap Way, Mullaloo.

Essentially the petitioners are concerned with a number of recent crashes and the use of their street as a daily race circuit by irresponsible and dangerous drivers. The petitioners have specifically requested that the City consider the installation of traffic calming devices to prevent these type of incidences.

DETAILS

Wentletrap Way is a 7.4m wide local road in Mullaloo. Its location and relationship to the surrounding road network are shown on Attachment 1. Wentletrap Way has been constructed to the appropriate standard for a low speed local access road.

A detailed analysis of the traffic data recorded over a 7 day survey period in October shows that the majority of vehicles are traveling well below 60km/h. The 85th percentile speed of vehicles recorded on Wentletrap Way (midblock) was 43 km/h.

While some incidences of excessive vehicle speed (greater than 70km/h) where recorded during the survey period (average of 3 vehicles per day), these generally occurred late at night when traffic volumes where lowest. This type of event is normally associated with antisocial driver behaviour.

The recorded traffic volume on Wentletrap Way is 520 vehicles per day. This would be considered a reasonable volume on a road of this type.

Crash data obtained from Main Roads WA for the five-year period to December 1999 indicates that there has been 1 'rear end' vehicle crash on Wentletrap Way recorded in May 1995. There had also been a single vehicle/bicycle crash recorded at the intersection of Wentletrap Way and Scaphella Avenue in October 1998. No other crashes have been

recorded. Unreported crashes are by nature, also associated with excessive speed and antisocial driver behaviour.

Overall, the data suggests that Wentletrap Way is operating normally as a low speed local road.

COMMENT/FUNDING

While the isolated incidences of excessive speed which occur on Wentletrap Way are a concern, it is difficult to address what is essentially a driver behavioural problem with traditional traffic treatments.

Experience has shown traditional traffic treatments are ineffective in modifying driver behaviour in those motorists that drive with little or no regard for their legal or social responsibilities. Invariably these type of motorists see traditional traffic calming treatments as a challenge which may in some instances, exacerbate problems associated with this type of driver behaviour.

Ideally incidences of excessive speed or antisocial driver behaviour should be referred to the Local Police Service for action.

On this basis, the petitioners should be encouraged to report any incidences of excessive speed or antisocial driver behaviour to the local Police Service.

In early this year, the majority of Western Australian Local Authorities including the City of Joondalup strongly supported the introduction of a lower (50km/h) speed limit on all local roads.

The introduction of the 50km/h local road speed limit, which is tentatively programmed for March 2001 is intended to lower overall vehicle speeds on local roads and therefore improve safety for all road users.

Following its implementation, it is anticipated that the introduction of the 50km/h local road speed limit may also negate the need for funds to be committed to costly traffic treatments on local roads such as Wentletrap Way.

On this basis, while the traffic data collected during October does not establish a warrant for traffic treatment on Wentletrap Way at this stage, Infrastructure Management will continue to monitor overall vehicle speeds following the introduction of the lower 50km/h speed limit early in 2001.

Following a determination of the effectiveness of the new local road speed limit to reduce overall vehicle speeds on local roads, the need for traffic treatments on roads such as Wentletrap Way will be reviewed accordingly.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 1 DOES NOT support the petitioners' request for traffic treatment of Wentletrap Way on the basis that it would not address concerns in relation to excessive speed or antisocial driver behaviour;**

- 2 CONTINUES to monitor the effectiveness of the 50km/h local road speed limit following its introduction in March 2001 and review the need for traffic treatments on roads such as Wentletrap Way accordingly;**
- 3 ADVISES the petitioner and residents of Wentletrap Way accordingly.**

The Motion was Put and

CARRIED

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf121200.pdf](#)

CJ374-12/00 GALLEON ROAD AND DOLPHIN WAY- BELDON - [01294] [45297]

WARD - Pinnaroo

CJ001212_BRF.DOC: ITEM 21

SUMMARY

A 97-signature petition has been received from Beldon residents requesting traffic calming devices in Galleon Road, the road closure of this road at Dolphin Way and provision of a footpath. Investigation of these requests indicates that while the incidences of antisocial driver behaviour remain a concern, the traffic treatment or road closure of a road to prevent these type of incidences cannot be supported. However the construction of a footpath in Galleon Road is recommended and can be listed in the Five Year Capital Works Programme.

BACKGROUND

The concerns of Galleon Road residents was initially considered by Council in June 1996 following submission of a 7-signature petition seeking construction of a footpath in Galleon Road, Beldon. At that time, Council resolved to advise the petitioners that provision of a footpath was not warranted at that time given the low volume of vehicular and pedestrian traffic.

In February 1998 the former City of Wanneroo Joint Commissioners considered a report in relation to a 21-signature petition from residents of Galleon Road, Beldon requesting traffic calming treatments for this street (Item No TS20-02/98 refers).

The petitioners requested traffic calming on Galleon Road, Beldon to reduce the incidences of speeding vehicles and antisocial driver behaviour problems (tyre squealing) in the street. After careful consideration of this report, the Joint Commissioners resolved not to support the request for installing traffic treatments on Galleon Road, Beldon on the basis that treatment of a road to prevent antisocial driver behaviour would be inappropiate.

In May 1999, another 27-signature petition from Beldon residents requesting traffic calming or a road closure in Galleon Road, Beldon was presented to the Joint Commissioners. The submission of the petition followed two recent crashes involving errant vehicles on Galleon Way, Beldon. The petitioners were also concerned that there is no footpath in Galleon Way.

At that time, after consideration of this report to the Joint Commissioners in June 1999, it was resolved not to support treatment or road closure of Galleon Road, Beldon (Item No CJ236-06/99 refers). Again treatment of a road to prevent antisocial driver behaviour was considered inappropriate.

Notwithstanding this, the Joint Commissioners resolved to list construction of a footpath along Galleon Road, Beldon for funding on a priority ranking as part of the capital works budget. In relation to other projects this footpath is currently listed as a medium priority.

In July 2000, Council received a 97-signature petition from Beldon residents seeking the installation of traffic calming devices on the corner of Galleon Way, Beldon (between house numbers.23-27), blocking off Galleon Way where it meets with Dolphin Way, Beldon and provision of a footpath.

Essentially the petitioners concerns relate to the use of their street as a 'race track' by motorists who have chosen Galleon Road and Dolphin Way, Beldon for this activity. The petitioners concerns include excessive vehicle speed and antisocial driver behaviour.

DETAILS

Galleon Road and Dolphin Way, Beldon both have a 7.4 m wide carriageway and provide a local residential link to Ensign Way, Beldon. Both roads have been designed as a low speed local traffic environment and are typical of many standard local streets throughout the municipality. A plan showing the road layout and the surrounding road network is shown on Attachment 1.

A survey of traffic flow in 1998, established that traffic volumes on Galleon Road, Beldon are between 370 vehicles per day (VPD) north of Ensign Way and 120 VPD east of Dolphin Way, Beldon. The 85th percentile speed of vehicles recorded along Galleon Road is between 31-48 km/h.

The data suggests that the majority of motorists are local residents who would be familiar with the low speed environment and indicates that both Galleon Road and Dolphin Way, Beldon function normally as low speed local roads.

Prior to February 1998, there had been no recorded vehicle crashes over a three-year period on Galleon Road, Beldon subsequently two crashes had been recorded. Both had been single vehicle 'out of control' crashes. A third crash that occurred on 6 June 2000, has been reported in the petitioner's submission.

COMMENT/FUNDING

Recently Local Government and in particular the City of Joondalup has given its support for the introduction of lower speed limits on local roads.

However, it would be inappropriate to expect Councils to physically treat all local roads in an effort to forcibly limit motorist speed to 50km/h or below. The majority of these local roads are designed to be conducive of lower vehicles speeds.

While the petitioners request that preventative measures be taken to stop these reported incidents, it is difficult to address what is essentially a driver behavioural problem with traditional traffic calming treatments.

Experience has shown that traditional traffic treatments are ineffective in modifying driver behaviour in motorists that drive with little regard for their legal or social responsibilities. Some of the motorists invariably see traffic treatments as a challenge that can exacerbate problems normally associated with antisocial driver behaviour.

In view of this, traffic treatment of these roads would be an expensive and in the long-term ineffective way of addressing problems associated with high vehicle speeds and antisocial driver behaviour on local roads. Similarly a road closure would not guarantee that these type of incidences would be prevented. On this basis, traffic treatment or road closure of Galleon Road remains a low priority and can not be supported at this time.

The incidences of excessive speed or antisocial driver behaviour should be referred to the local Police Service for action.

However construction of a footpath along Galleon Road may be considered for funding in the Five Year Capital Works Programme. The estimated cost of the footpath as shown on Attachment 2 is \$8,250.00.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 1 DOES NOT support traffic treatment or closure of Galleon Road and Dolphin Way, Beldon;**
- 2 LISTS for funding consideration on a priority ranking the construction of a footpath on Galleon Road in the Five Year Capital Works Programme;**
- 3 ADVISES the petitioners and residents of Galleon Road and Dolphin Way accordingly.**

The Motion was Put and

CARRIED

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf121200.pdf](#)

CJ376-12/00 TENDER NO 026-00/01 GENERAL MAINTENANCE OF STORMWATER SUMPS - [50083]

WARD - All

CJ001212_BRF.DOC: ITEM 23

SUMMARY

This tender was advertised and three documents were issued.

The tender involves maintenance of 199 sumps located throughout the 22 suburbs of the city. This work has traditionally been undertaken by 30% in-house labour and 70% by various specialist contractors. The tender was designed to identify a single contractor to undertake the variety of maintenance involved.

A single tender was received from Conquest Earthmoving and letters of acknowledgment from DM Drainage Construction Pty Ltd and Kalcon Earthmoving. It is recommended that Conquest Earthmoving be awarded the tender for a period of 12 months.

DETAILS

Tender 026-00/01 General Maintenance of Stormwater Sumps has been initiated as a maintenance process to improve the appearance and function of existing drainage sumps. The option for a tender was preferred due to high contractor involvement previously.

Current Maintenance Program:

1. Council staff identify specific problems and allocate repairs, for example:-
 - Fencing repair
 - Embankment stabilization
 - Outfall pipe restoration
 - Weed control spraying
2. Minor works by in-house labour, eg. tree pruning and slashing of verge.

The intermittent requirement and insufficient resources have resulted in a lack of maintenance priority for a high proportion of sumps.

To address the lack of resources in this particular maintenance area the implementation of a sump maintenance contract was therefore progressed. The tender specification identified all maintenance works both major and minor and tenders were required to submit hourly rates for a variety of functions (refer Attachment 1 Schedule of Rates).

The City has retained the basic mowing maintenance functions and this work is undertaken in conjunction with the normal park mowing cycle, where possible, and implemented with the additional mowing crew commencing on 1 January 2001.

The rates submitted for labour and minor plant, eg. chainsaw/brushcutter, are very competitive. Rates submitted for larger excavator units are in accordance with normal hire rates. Prices submitted for supply and delivery of sand, limestone and limestone armour rock are slightly higher than Council rates per cubic metre or tonne and Council has the option to supply all materials to site.

Conquest Earthworks has undertaken drainage sump maintenance works previously to the satisfaction of Council, eg. two sumps in Kinross 1999/2000 program.

It is therefore recommended that Council accept the tender and the schedule of rates submitted by Conquest Earthworks for a period of 12 months from 1 January 2001 to 31 December 2001.

COMMENT/FUNDING

Drainage sumps are visually unattractive to adjoining residents and an improved visual appearance is desired. Developing a regular maintenance program will result in improved appearance.

The function of a drainage sump must also be recognized and the maintenance procedures adopted must fulfill the drainage objectives, ie:-

1. Mitigation of Stormwater;
2. Entrapment of traffic effluent and impurities.

Two contractors, DM Drainage and Kalcon Earthmoving, were contacted to determine why no tender was submitted. Both responded that the scope of works was unsuitable and outside their intended core business. DM Civil has also recently been awarded a major drainage project.

The intention is to progress in partnership with the contractor, a planned maintenance program for general sump maintenance works.

Council has allocated in various areas, a total of \$228,830 for sump maintenance works, therefore sufficient funds exist in order for this contract to proceed.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 1 ACCEPTS the tender (including the price schedule) submitted by Conquest Earthmoving for Tender No 026-00/01 General Maintenance of Stormwater Sumps, in accordance with the Conditions of Tender, for a period of 12 months from 1 January 2001 to 31 December 2001;**
- 2 AUTHORISES signing of the contract documents.**

The Motion was Put and

CARRIED

Appendix 17 refers

To access this attachment on electronic document, click here: [Attach17brf121200.pdf](#)

**CJ377-12/00 PARKING - KENNEDYA DRIVE, JOONDALUP -
[02658]**

WARD – Lakeside

CJ001212_BRF.DOC: ITEM 24

SUMMARY

The Lake Joondalup Baptist College is seeking to restrict parking along Kennedy Drive, Joondalup to alleviate parking congestion problems associated with parent parking. As the parking restrictions form part of an overall Road Safety and Parking Strategy for this school,

the implementation of the parking restriction on this road is supported and presented for consideration.

BACKGROUND

At the 7 November 2000 meeting of the school's Road Safety Committee, RoadWise and the City, the school expressed their concerns at parking congestion problems in Kennedy Drive, Joondalup.

Officers of the City have been concurrently working with Lake Joondalup Baptist College Road Safety Committee and RoadWise to implement a comprehensive road safety and parking strategy at this school.

As part of this strategy, the school's Road Safety Committee has requested that a parking restriction be implemented in Kennedy Drive, Joondalup.

DETAILS

Lake Joondalup Baptist College is bounded by Shenton Avenue, Joondalup Drive, Kennedy Drive and the Joondalup Arena. Kennedy Drive, Joondalup provides formal access to the school and the Joondalup Arena adjacent. Speed is restricted to 40km/h between 7:30am-9:00am and 2:30pm-4pm. During school peak times and or events at Joondalup Arena, Kennedy Drive is used by parents for parking, resulting in Kennedy Drive, Joondalup becoming congested and restricting the normal traffic flow.

The school is concerned that parent parking on both sides of Kennedy Drive during peak times restricting normal traffic flow and making it hazardous for students to cross Kennedy Drive to access the Joondalup Arena carpark. The nature of parent parking on Kennedy Drive is normally non-uniform and therefore can create obstructions from time to time. While this creates a desirable low speed environment it invariably leads to driver and parent frustration and reduced level of safety for pedestrians.

The School's Road Safety Committee has requested that consideration be given to restrict parking in Kennedy Drive. In this instance, a "NO STOPPING" restriction would be the most appropriate to reduce the congestion caused by parked vehicles and maintain the general traffic flow at all times. The type and extent of the proposed parking restriction strategy is shown on Attachment 1.

As part of the overall road safety and parking strategy for the school, Joondalup Arena has accepted the strategy to restrict parking in Kennedy Drive and has permitted parent's to park in the Joondalup Arena carpark. In view of this, the school's Road Safety Committee is instructing parents to drop-off and pick-up at the Joondalup Arena carpark. This will be achieved through an educational package to students and through the school's newsletters.

Future planning for the school and the Joondalup Arena also includes an access off Shenton Avenue. This will provide alternative vehicular access to the Joondalup Arena and also additional on site parent parking at the school.

On this basis, implementation of parking restrictions on Kennedy Drive is supported.

COMMENT/FUNDING

As part of the overall road safety and parking strategy for this school, the implementation of parking restrictions in Kennedy Drive is supported. With the Joondalup Arena carpark being close proximity to the school it will provide formalised parking for parent motorists to drop-off and pick-up students. The proposal to restrict parking in Kennedy Drive will eliminate parent parking, maintain general traffic flow during school peak times and make it safer for students to cross the road. In addition, the proposal will effectively maintain traffic flow and improve safety during peak use (events) at the Joondalup Arena.

On this basis, the parking restrictions shown on Attachment 1 are supported and submitted for consideration.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

1 ADOPTS the parking restriction strategy for Kennedy Drive, Joondalup as shown on Attachment 1 to Report CJ376-12/00;

2 ADVISES Lake Joondalup Baptist College and Joondalup Arena accordingly.

The Motion was Put and

CARRIED

Appendix 18 refers

To access this attachment on electronic document, click here: [Attach18brf121200.pdf](#)

Cr Wight declared a non-financial interest in Item CJ378-12/00 – Turf Wicket Facilities at Beaumaris Sports Complex as he has an association with the Beaumaris Sports Club.

CJ378-12/00 TURF WICKET FACILITIES AT BEAUMARIS SPORTS COMPLEX - [02046]

WARD - North Coastal

CJ001212_BRF.DOC: ITEM 25

SUMMARY

Development of the Beaumaris Sports Complex commenced as a joint project between the City of Joondalup and Beaumaris Land Sales.

Various sporting clubs have continued to develop the concept of the Sport's Association accepting responsibility for the operation of club facilities, eg. buildings and specific sports play areas such as bowls and turf wickets.

The Joondalup District Cricket Club has approached the City of Joondalup for assistance with the establishment of the turf wicket facilities within the Iluka complex. The club has provided a detailed breakdown of club expenses and requests the City to consider a one-off assistance contribution of \$15,000.

Council will continue to undertake maintenance of the standard park areas, in accordance with normal park schedules.

BACKGROUND

The North Perth Cricket Club relocated to Iluka during 1999 and installed dual turf wicket and practice facilities at the oval. Approval was given by the City for the club to install the wickets.

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

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

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

A report was previously presented to Council at its meeting on 10 October 2000 (refer Attachment 1 for a copy of the report).

DETAILS

At Council's meeting held on 10 October 2000, a deputation was received from club representatives whereby it was revealed that the club was not seeking ongoing support for maintaining the turf wickets. The representatives from the club put forward a case in support of a one-off request for financial assistance to the City in relation to the maintenance of the turf wicket facilities. This is based on the club's purported position that it will be able to be financially self-sufficient should this funding be made available. The club also claims that extra works were required by the club in relation to oval sand fill and roll-on turf.

It was moved Councillor Wight, Seconded Councillor Ewen-Chappell "*that the matter pertaining to the request for funding from the Joondalup District Cricket Club be deferred to the Ordinary Meeting of Council, scheduled to be held on 14 November 2000, pending a further report to be presented in relation to various matters.*" This motion was put and carried.

Further information was sought from the club, however, it was unavailable for the meeting on 14 November 2000.

The club has submitted details of the expenditure required to enable the turf wicket practice and match areas to be available for summer sports, as follows:-

1.	<u>Machinery</u>		
	Specialised equipment purchased from WACA		\$7,000
2.	<u>Turf for Practice Wickets</u>		
	Wintergreen Rolls	\$594	
	Wintergreen Rolls	\$3,082	
3.	<u>Reticulation Fittings</u>		
	Purchased from Hugall & Hoile - Parts for surrounds to practice and match areas, due to specialised reticulation requirements.	\$2,778	
4.	<u>Sight Screens x 4</u>		
	Special requirement for cricket - Amalgamated Engineering	\$2,500	
5.	<u>Scoreboard x 2</u>		
	Amalgamated Engineering	\$6,788	
		\$22,742	

COMMENT/FUNDING

Council has the option of contributing a one-off establishment grant to the Joondalup District Cricket Club for set-up costs associated with the turf wicket facility, via:-

Option 1 - Funding can be applied via the mid year Budget review.

Option 2 - Direct debit to the annual maintenance costs associated with the district open space.

2000/2001 Annual Budget - \$36,198

Current expenditure for this location is high due to the turf development work undertaken during September and October 2000.

Allocation of the \$15,000 to the maintenance account would over-expend this location, however it would reflect the true costs for the location. The over-expenditure would have minimal impact on the combined Operations Maintenance Budget for 2000/2001.

Option 3 – Provision of funds via the Leisure Services budget. Grant allocation is available from Account Number 11-80-82-860-4402-0001 Recreation Development.

It is acknowledged by Council officers that the integration of the oval and the turf wicket facilities required additional sand fill and turf, however, it is unclear as to the extent and responsibilities as there was no formal agreement pertaining to this. Consequently, in order to progress this matter, a one-off establishment grant is worthy of consideration in addressing the club's immediate funding shortfall.

MOVED Cr Patterson, SECONDED Cr Kenworthy that:

- 1 Council ALLOCATES \$15,000 from the Account No 11-80-82-860-4402-0001 Recreation Development, to the Joondalup District Cricket Club as a one-off establishment grant for the development of the turf wicket facilities at the Beaumaris Sports Complex;**
- 2 this represents Council's final contribution to the establishment of the turf wickets and the ongoing maintenance for the turf wickets shall be the responsibility of the Joondalup Cricket Club.**

The Motion was Put and**CARRIED**

Appendix 32 refers

To access this attachment on electronic document, click here: [Attach32brf121200.pdf](#)

PLANNING AND DEVELOPMENT

CJ379-12/00 DELEGATED AUTHORITY REPORT - [07032]**WARD - All**

CJ001212_BRF.DOC: ITEM 26

SUMMARY

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

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council NOTES the determinations made under Delegated Authority in relation to the applications described in Report CJ379-12/00.

The Motion was Put and**CARRIED**

Appendix 19 refers

To access this attachment on electronic document, click here: [Attach19ag191200.pdf](#)

**CJ380-12/00 CLOSE OF ADVERTISING – MODIFICATIONS TO
CURRAMBINE STRUCTURE PLAN - [11160]****WARD - All**

CJ001212_BRF.DOC: ITEM 27

SUMMARY

At the Council meeting held 26 September 2000 it was resolved to advertise the draft Currumbine Structure plan, as modified, for comment. At the close of the advertising period only one submission was received from Mitchell Goff and Associates on behalf of Landcorp being the landowners.

The reason for the proposed modifications is as a result of LandCorp's request to reduce the area of the Commercial precinct as research has revealed that it is not commercially viable. The essence of the structure plan remains relatively unchanged, except for the location and area of the community purpose site and open space.

The Structure Plan, as modified, conforms to 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.

In accordance with clause 9.6.1 of the Scheme, it is recommended that Council submit three copies of the modified structure plan to the Western Australian Planning Commission (WAPC) for adoption and certification (Attachment 1).

BACKGROUND

At their meeting on 24 November 1998, the Joint Commissioners adopted the Structure Plan for Currumbine as satisfactory. On 28 June 1999 it was adopted and certified by the WAPC. The agreed Currumbine Structure Plan controls development of the Currumbine Centre.

At its meeting held 26 September 2000 Council resolved to advertise the draft Currumbine Structure plan as modified for comment. At the close of the advertising period only one submission was received from Mitchell Goff and Associates on behalf of Landcorp (Ref CJ260-09/00).

The Currumbine Structure Plan refers to Currumbine Estate, which is a portion of Lot 998, Connolly Drive and Moore Drive, Currumbine (Attachment 2). The Currumbine Structure Plan was adopted in order to provide attractive streetscapes in public areas and adequate flexibility for home designers to maximise amenity for new residents. The structure plan determines the overall detailed land use and form for urban development within the following four precincts:

1. Commercial Centre Precinct;
2. Residential Mixed Use Precinct;
3. Residential Precinct;
4. Small Lot Residential Precinct.

The Structure Plan Map (see Attachment 1) indicates the Land Use precincts for the Centre Zone and adjoining land, together with the main road structure and the area of 'Main Street' including the location of the community purpose site.

DETAILS

Current Proposal or Issue

The modifications are being sought as LandCorp conducted a number of studies on the commercial viability of the identified commercial centre precinct site and further investigations indicated a limited demand for shopping centres with small supermarkets. As a result the modified structure plan provides for a significantly reduced commercial centre precinct. In summary the following modifications are proposed:

- Significant reduction of the area designated Commercial Centre Precinct;
- Introduction of Community Precinct;
- Reduction of the community purpose site from 5000m² to 4500m²;
- Relocation of community purpose site;
- Deletion of Small Lot Residential Precinct;
- Increase of Parks and Recreation area from 4000m² to 5791m².
- Shift of 'Main Street' from Continental Boulevard to Ascot Way.
- Introduction of the R20 code for the Residential Precinct.

The area set aside for Residential/Mixed Use precinct is relatively the same.

Relevant Legislation

Part 9 of the scheme relates to structure plans and outlines the general procedures to be followed including those in relation to modifications, advertising and adoption. This report considers submissions received and provides a recommendation on whether to refuse to adopt the Structure Plan or resolve that the Structure Plan is satisfactory with or without modifications. Three copies of the structure plan are then forwarded to the WAPC for adoption and certification.

Advertising and Summary

All landowners of "The Crest", abutting landowners to the north and west, Chris Baker MLA, Councillor Andrew Nixon Chairman Currambine Community Association and Mitchell Goff & Associates were notified of the proposed modifications by way of correspondence. At the close of the advertising period only one submission was received from Mitchell Goff and Associates on behalf of Landcorp being the landowners.

The submission aims to address the following resolution of Council at its meeting on 26 September 2000:

- "4. *Requests the landowner during the advertising period to address the subdivision design, specifically the lots abutting the proposed public open space to accord with the City's policy 3.2.6 – Subdivision and Development Adjoining Areas of Public Space, and ways of minimising any potential conflict between future uses on the community purpose site, and adjacent residential development.*"

COMMENT

Issues

Community Purpose Site

There is an existing legal agreement between the City and LandCorp with respect to the ceding or transfer to the City of an area of 5000m² for community purposes and to be located to the satisfaction of the City within the proposed Centre Zone. The area of the Community Purpose Site forms part of the contribution to public open space the applicant is or may be required to make in any subdivision of the land. The structure plan provides for a 4500m² site, this is acceptable in light of the additional area added to the Parks and Recreation area.

Further, the location now proposed being to the north of Ascot Way (Main Street) is preferable as it provides the site with good exposure and the ability to connect the site with the proposed commercial activity creating a town centre. The concern with respect to minimising the conflict between the future uses on the community purpose site and adjacent residential development may be addressed at the detail design stage of the proposal. The community purpose facility may be located well clear of the existing residential areas. Further abutting landowners were notified and no submissions have been received.

Traffic

The traffic report indicates that there would be a significant decrease in the traffic volumes by 62% based on the revisions. It is considered that a roundabout at the intersection of Ascot Way and Continental Boulevard similar to that provided in Palace Way is necessary. This is based on the geometry of the intersection and will provide an interface for the two lane boulevard intended for Ascot Way with the single lane Metroliner Drive and Continental Boulevard. This matter can be accommodated at the subdivision stage.

There is some concern with access to lots fronting Palace Way particularly the most eastern and western lots. It is considered that a form of access restriction, for example rear laneway, may be incorporated in the design. It is intended to mark up the plan to clearly define the subdivision design nominated in the structure plan as indicative only.

Public Open Space

A portion of public open space has been identified as Parks and Recreation on the plan. The existing structure plan identifies this as being bound by subdivisional roads. The modified plan shows lots abutting the boundary of the park. This is not in accordance with the City's policy that requires areas of public open space to be fronted along all boundaries by roads and lots backing onto public open space are not supported. Whilst not desirable the City acknowledges that there will be situations where lots directly abut areas of public space. In these instances, the boundaries of the lots and areas of public space need to be clearly demarcated and for this reason, a minimum one metre difference should be provided between the finished ground level of the area of public space and the finished ground level of the abutting lots. Such difference in finished ground level provides increased privacy and security for those living on the abutting properties. The submission states that the earthwork details have been completed showing a minimum one metre horizontal separation between the open space and adjacent lots.

District Planning Scheme No.2

The draft structure plan lists a number of uses that subject to Council approval may be permissible in the Community Precinct, Commercial Precinct and Residential Mixed Use Precinct. The City's Scheme No.2 was gazetted on the 28th November 2000. With a view to improving the implementation of the structure plan it is proposed to modify the structure plan by way of deleting the land uses listed and making reference to the provisions and uses permitted as provided for in Scheme No.2.

Assessment and Reasons for Recommendation

The Structure Plan, as modified, conforms to 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 adoption.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 1** pursuant to Clause 9.6 of District Planning Scheme No 2, **RESOLVES** that the Currambine Structure Plan is satisfactory with modifications to the section relating to permitted uses making appropriate reference to District Planning Scheme No 2;
- 2** **ADVISES** the landowner that:
 - (a) any subdivision applications are to incorporate a roundabout at the intersection of Ascot Way and Continental Boulevard similar to that provided in Palace Way and address the access issues relating to the lots fronting Palace Way particularly the most eastern and western lots.;
 - (b) the legal agreement relating to the provision of a community purpose site will require modification prior to final approval of the modified structure plan;
 - (c) the horizontal separation of a minimum of one metre where lots abut the public open space is to be reflected in any engineering drawings submitted to Council, alternatively road separation should be provided.

The Motion was Put and

CARRIED

Appendix 20 refers

To access this attachment on electronic document, click here: [Attach20brf121200.pdf](#)

**CJ381-12/00 PROPOSED AMENDMENT NO 3 TO DISTRICT
PLANNING SCHEME NO.2 - SCHEDULE 3
'COMMERCIAL AND CENTRE ZONES' - [57082]**

WARD - All

CJ001212_BRF.DOC: ITEM 28

SUMMARY

This report proposes to initiate an amendment to Schedule 3 of District Planning Scheme No.2 (DPS) to increase the retail net leasable area for nine of the 41 commercial centres identified in the City (see Attachment 1).

The problem has been identified by a survey into net lettable area for all centres, conducted by the Western Australian Planning Commission (WAPC) in 1997. This survey is considered an accurate account of existing NLA of the City's centres and was not used when Schedule 3 of DPS2 was being prepared.

Whilst the Centres Strategy will lead to a proposed replacement of Schedule 3 of DPS2, it is expected the Commission will need some time to conduct an assessment of the proposal before a decision is made and it is important for a corrective measure to be put in place in case endorsement of the Strategy takes longer than expected.

It is recommended that Council adopt Amendment No 3 to modify Schedule 3 (see attachment 2) to increase retail net lettable area for the nine centres in line with actual development.

DETAIL

At present an inconsistency exists between the existing floor area as revealed by the 1997 WAPC survey and District Planning Scheme No.2 in respect to maximum net lettable area permitted for nine of the 41 centres in the City. Attachment 1 provides a comparison between net lettable area limit in Schedule 3 of DPS2 and existing floor area as revealed by the 1997 WAPC survey. District Planning Scheme No.2 is the operative document with regard to future development of these sites.

The nine centres represented in Attachment 1 have already exceeded the maximum NLA permitted by DPS2. It is understood that the figures for these centres have been based on outdated data and in some cases is the result of differing interpretations of retail floor space. Figures obtained for the Centres Strategy are based on an independent survey conducted by the WAPC in 1997. The recent gazettal of the Metropolitan Centres Policy provides an opportunity for the interpretation provided in that document to become the standard.

District Planning Scheme No.2

District Planning Scheme No.2 was gazetted on 28 November 2000 and replaces Town Planning Scheme No.1. Clause 3.7 is a guide to development requirements for commercial areas and includes a section referring to Schedule 3 of the scheme, which identifies maximum net lettable area for all commercial centres in the City. The scheme stipulates that *'the maximum NLA shall be included in Schedule 3 of this scheme and shall bind the development of the land to no more than the area specified'*.

The nine centres identified in Attachment 1 and included in Schedule 3 have maximum NLA that is less than the existing level of development. Future development proposing an increase in retail floor area will not be permitted whilst Schedule 3 remains in its current form.

Preparation of Schedule 3 was conducted following an examination of existing retail floor space of each commercial centre in the City based upon outdated records which defined retail floor space differently from the WAPC survey.

WAPC Survey 1997

In 1997 the Western Australian Planning Commission (WAPC) conducted a survey to determine net lettable area (NLA) of existing centres. The survey is conducted periodically to maintain an accurate record of centre growth. The survey is considered an accurate and consistent account of floor area for each of the centres.

COMMENTS

Each of the nine shopping centres identified in Attachment 1 are currently built to a size, which exceeds the maximum net lettable area permitted under District Planning Scheme No.2. The NLA shown in Schedule 3 of DPS2 was determined from inconsistent data, which is considered less accurate than the survey conducted by the WAPC in 1997.

It is intended to amend NLA in Schedule 3 for the nine centres to levels just above existing floor space levels as determined by the 1997 WAPC.

The amendment is crucial as an interim measure to correct a discrepancy in DPS2 and to allow development to occur in these centres until the Centres Strategy is endorsed and a suitable amendment put in place. Whilst the Centres Strategy is awaiting endorsement from the WAPC, new developments for the nine centres will be restricted to standards set under District Planning Scheme No.2.

The proposed amendment therefore intends to correct Schedule 3 of District Planning Scheme No.2 to bring NLA more in line with the 1997 survey to enable future developments to be given due consideration before the City's Centres Strategy becomes operative.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended), AMENDS the City of Joondalup District Planning Scheme No 2 to modify selected net leasable area figures in schedule 3 and adopts amendment No 3 accordingly.

The Motion was Put and

CARRIED

Appendix 21 refers

To access this attachment on electronic document, click here: [Attach21brf121200.pdf](#)

CJ382-12/00 PROPOSED AMENDMENT NO 4 TO DISTRICT PLANNING SCHEME NO 2 – LOT 656 (265) EDDYSTONE AVENUE, BELDON - [55134]

WARD - Pinnaroo

CJ001212_BRF.DOC: ITEM 29

SUMMARY

The City has received a request to initiate an amendment to District Planning Scheme No. 2 to rezone Lot 656 (265) Eddystone Avenue, Beldon, from the “Special Use (Office, Hardware, Garden Centre (700m²) and Medical Centre) Zone” to the “Business Zone”.

The rezoning has been sought as the property’s existing zoning is considered too restrictive in terms of permissible land uses.

The City intended the property to be zoned Business under District Planning Scheme No. 2 however the landowner was unable to arrange for a advertising sign to be erected on site at the required time and as a result, the Hon. Minister for Planning requested the City to retain the Special Use zoning over the property.

It is recommended that Council amends the City of Joondalup District Planning Scheme No. 2 for the purpose of rezoning Lot 656 (265) Eddystone Avenue, Beldon, from the “Special Use (Office, Hardware, Garden Centre (700m²) and Medical Centre) Zone” to the “Business Zone”.

BACKGROUND

Lot No	656
Street Address	265 Eddystone Avenue, Beldon
Land Owners	Woodland Joint Ventures Pty Ltd; Norse Pty Ltd; Boudra Pty Ltd; Anchor Holdings Pty Ltd; JG & AM Stewart; RV & M Smith; KC Smith; A & KD Feighan
MRS Zoning	Urban
TPS Zoning	Special Use – Office, Hardware, Garden Centre (700m ²) and Medical Centre
Land Use	Medical Centre, Office & Banks (ATMs)
Lot Area	5137m ²

Site History

Lot 656 was created in June 1989 as part of a subdivision which also created the adjoining shopping centre and service station sites. The property’s “Special Use (Office, Hardware, Garden Centre (700m²) and Medical Centre) Zone” had been put in place earlier that year. Development approval was issued on the 16 February 1990 for the existing medical centre and offices.

During the preparation of the City's District Planning Scheme No. 2 (DPS 2), the Hon. Minister for Planning requested the City to review, and reduce if possible, the list of Special Zones (Restricted Use) under the City's Town Planning Scheme No. 1. A review was undertaken and as a result, a number of sites, including Lot 656 Eddystone Avenue, were recommended for inclusion in the Business zone. The Minister advised that signs would be required to be placed on each site within one week of the commencement of the advertising period. The signs were required to advise of the proposed zoning and to invite public comment.

The City forwarded a letter to the strata managers of Lot 656 Eddystone Avenue advising them of the need for a sign to be erected on the site however, due to a change in strata managers, the letter was temporarily misplaced, and a sign was not erected on the property. Despite this, Council at its meeting on the 12 October 1999 resolved to zone Lot 656 Eddystone Avenue Business under DPS 2, as it believed that the zoning would have minimal impact on the surrounding residential amenity.

The Minister however requested the City to retain the Special Use zoning over the property as he considered that a Business zoning over the property would substantially increase the range of uses that could be considered on the lot and nearby residents should be given an opportunity to comment. The Minister advised that the re-zoning of the site should be the subject of a separate amendment.

DETAILS

Location

Lot 656 Eddystone Avenue, Beldon, forms part of a centre, which is bound by Ocean Reef Road to the north, Eddystone Avenue to the east, Cumberland Drive to the south and Gwendoline Drive to the west. Refer to **Attachment No. 1**.

Existing Zoning, Development & Land Uses

Lot 656 Eddystone Avenue

Lot 656 Eddystone Avenue, Beldon, is currently zoned Special Use Zone under the City's DPS 2. With respect to the Special Use Zone, clause 3.17 of DPS 2 states:

"No person shall use any land or any structure or buildings on land, in a Special Use Zone except for the purpose set out against that land in Schedule 2 and subject to compliance with any conditions set out in Schedule 2 with respect to that land."

The following uses are set out in Schedule 2 of the Scheme with respect to Lot 656 Eddystone Avenue, Beldon:

"Office, Hardware, Garden Centre (700m2) and Medical Centre."

Eleven suites and associated carparking areas have been developed on the property. Refer to **Attachment No. 2**. The suites are currently occupied by various medical practitioners and a financial advisory business. Three of the suites are currently vacant. Two automatic teller machines are also located on the property.

Surrounding Properties

Refer to **Attachment No. 1**

Lot 657 Eddystone Avenue, which abuts Lot 656's eastern boundary, is zoned Commercial under the City's DPS 2 and is currently occupied by a service station.

Lot 3 Eddystone Avenue, which abuts Lot 656's western and northern boundaries, is zoned Commercial under the City's DPS 2 and is occupied by the Belridge City Shopping Centre. The Shopping Centre comprises a supermarket and several smaller retail outlets, banks, medical practices and offices.

Lot 1 Gwendoline Drive and Lots 2, 660 and 659 Eddystone Avenue, which form part of the centre, are zoned Commercial under the City's DPS 2 and are occupied by a variety of fast food outlets.

Lot 656's southern boundary abuts the Cumberland Way road reserve and Lot 654 Cumberland Way. Lot 654 Cumberland Way is zoned Residential and is coded R20 under the City's DPS 2 and has been developed with grouped dwellings.

Access is not available onto Cumberland Way from Lot 656 due to a difference in ground levels. Access to Lot 656 is instead obtained via adjoining Lot 657 or Lot 3 Eddystone Avenue. A reciprocal rights of access agreement facilitates this access arrangement.

Proposal

As outlined above, Lot 656 Eddystone Avenue is proposed to be zoned Business under DPS 2. The objectives of the Business Zone, as outlined in DPS 2, are as follows:

“3.6.1 The Business Zone is intended to accommodate wholesaling, retail warehouses, showrooms and trade and professional services and small scale complementary and incidental retailing uses, as well as providing for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets that provide for the needs of the community but which due to their nature are generally not appropriate to or cannot be accommodated in a commercial area.

The objectives of the Business Zone are to:

- (a) provide for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets as well as complementary business services;*
- (b) ensure that development within this zone creates an attractive façade to the street for the visual amenity of surrounding areas.”*

The uses which are or may be permitted under this zoning are outlined in **Attachment 3**.

Relevant Policies

The Western Australian Planning Commission (WAPC)'s Statement of Planning Policy No. 9 – Metropolitan Centres Policy Statement for the Perth Metropolitan Area

The purpose of the WAPC's Statement of Planning Policy No. 9 – Metropolitan Centres Policy Statement for the Perth Metropolitan Region is to provide a broad regional planning framework to coordinate the location and development of retail and commercial activities in the metropolitan region.

The Belridge Centre is classified as a Neighbourhood Centre under the policy. The policy states with respect to Neighbourhood Centres:

“4.2.5 Neighbourhood and Local Centres

Neighbourhood and Local Centres which range from corner shops to small centres should be promoted as predominantly for convenience retailing and (in the larger centres) weekly food and groceries shopping. Provision should also be made for small offices which serve the local community, as well as health, welfare and community facilities.

Shopping floorspace should generally be confined to 4,500m² unless consistent with a Commission endorsed Local Planning Strategy.”

City of Joondalup Draft Centres Strategy

An objective of the WAPC's Statement of Planning Policy No. 9 – Metropolitan Centres Policy Statement for the Perth Metropolitan Region is to encourage local governments to develop local planning strategies to provide detailed planning mechanisms to implement the objectives of the policy. The policy states that local planning strategies will be used as a basis for preparing and amending town planning schemes and assessing development applications.

The City's Draft Centres Strategy fulfills the purpose of a local planning strategy and was adopted by Council at its meeting on the 28 November 2000. The strategy has been forwarded to the WAPC and the Minister for Planning for endorsement.

The Belridge Centre is classified as a Village Centre under the Draft Centres Strategy. Village Centres being:

“Low key centres for convenience shopping, small offices and local services and community facilities within easy access from residential neighbourhood.”

The Draft Centres Strategy also allows for other low impact employment premises to be established within Village Centres.

Relevant Legislation/Procedures

The procedures for amending town planning schemes are outlined in the Town Planning Regulations 1967 and the WAPC's Planning Bulletins. In order to amend its Town Planning Scheme, the City is first required to adopt the proposed Amendment. The Amendment is then required to be forwarded to the Environmental Protection Authority (EPA) for consideration of the need for environmental assessment. If an environmental assessment is required, an environmental review must be undertaken. Following completion of the environmental

review, the Amendment is required to be forwarded to the WAPC for its consent to advertise the Amendment. The local government may advertise the proposed Amendment without seeking the WAPC's consent subject to the Amendment meeting several criteria.

The applicant has requested a reduced advertising period of 28 days instead of the standard 42 day advertising period in accordance with the Town Planning Regulations 1967. The WAPC's consent is required for the lesser advertising period.

COMMENT

Issues

The existing Special Use zoning over Lot 656 Eddystone Avenue is extremely limiting in terms of permissible land uses and as such, is likely to be one of the contributing reasons for the centre's current vacancies. To increase the range of permissible landuses on the property, a change in zoning is required.

The applicants have requested a "Business" zoning over the property, however consideration has also been given to alternative zonings, specifically, "Commercial" and "Mixed Use" zonings over the property.

Whilst the objective of the Business zone is not considered to be the desired objective for the property, a Business zone is the preferred zone for the property for the following reasons:

- The existing landuses (medical centre & office) are permissible under the zone and therefore will not become non-conforming landuses.
- The zone allows for the landuses which are permissible under the property's current zoning (i.e. office, hardware, garden centre (700m²) and medical centre) to be established on the property. Under a Mixed Use zoning, a hardware store and garden centre would be prohibited landuses.
- The zone allows for most of the landuses which are, or may be, permitted under a Commercial zoning, with the exception of retail activity. Retail activity however is not considered appropriate on the property at this point in time as the retail net lettable floor area specified for the centre in Schedule 3 of the DPS 2 has already been assigned to the adjoining Belridge City Shopping Centre.
- The zone allows for a greater range of landuses than the Mixed Use zone. Lot 656 Eddystone Avenue is bound by Commercial zoned land on three sides. As a result, the range of landuses permissible under a Commercial zone is considered to be more appropriate than the range of landuses permissible under a Mixed Use zone. As outlined above, the Business zone and Commercial zone are very similar in terms of permissible landuses with the exception of retail activity.
- The property is already developed and is therefore constrained in terms of the types of landuses possible. Medical practitioners occupy and are intended to occupy most of the suites. The addition of alternative uses in the vacant suites is unlikely to substantially alter the character of the centre.
- A precedent has been set in that several properties, which possessed Special Use zonings under the City's Town Planning Scheme No. 1, and adjoined or formed part of Neighbourhood/Small Town Centres, have now been zoned Business under DPS 2.

Accordingly, it is recommended that the Scheme be amended to include the site in the Business Zone. The amending text is contained in Attachment 4.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council in pursuance of Section 7 of the Town Planning and Development Act 1928, AMENDS the City of Joondalup's District Planning Scheme No 2 for the purpose of rezoning Lot 656 (265) Eddystone Avenue, Beldon, from the "Special Use (Office, Hardware, Garden Centre (700m²) and Medical Centre) Zone" to the "Business Zone" and ADOPTS Amendment No 4 accordingly.

The Motion was Put and

CARRIED

Appendix 22 refers

To access this attachment on electronic document, click here: [Attach22brf121200.pdf](#)

CJ383-12/00 SUBDIVISION REFERRALS PROCESSED 1 – 30 NOVEMBER 2000 - [05961]

WARD - All

CJ001212_BRF.DOC: ITEM 30

SUMMARY

Overleaf is a schedule of the Subdivision Referrals processed by the Subdivision Control Unit (SCU), from 1 November – 30 November 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

A referral to Council (CJ349-11/00) will enable the potential creation of 37 additional residential lots in Iluka, however the total number of subdivisions processed under delegated authority will not result in any additional lots. The average processing time taken was 28 days.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council NOTES the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ383-12/00.

The Motion was Put and

CARRIED

Appendix 23 refers

To access this attachment on electronic document, click here: [Attach23brf121200.pdf](#)

CJ384-12/00 MIXED USE DEVELOPMENT - LOT 63 (2) NOTTINGHILL STREET & LOT 64 (35) GRAND BOULEVARD, JOONDALUP - [38553]

WARD - Lakeside

CJ001212_BRF.DOC: ITEM 31

SUMMARY

An application has been received for a mixed-use development of commercial and residential apartments on (2) two City North lots in Joondalup.

The site has a current development approval for 20 residential units and 1 commercial unit. Ten (10) ground floor units were originally intended to be used for temporary residential use and have the potential to be later converted to commercial activities.

The key aspects of the new proposal are listed below:

- The proposal consists of (26) twenty-six (2 & 3 bedroom) apartments and (7) seven ground floor commercial units of which (6) are to be used for residential apartments in the interim. There is also provision for (1) commercial ground floor commercial unit;
- The complex includes three separate buildings of 2 to 3 storeys high which creates a continuous urban facade along Grand Promenade, Piccadilly Circus and Nottinghill Street;
- The buildings address the prominent street corner location with window locations and balconies providing natural surveillance of the surrounding area;
- The design provides for communal amenities including a swimming pool and spa, pedestrian paths, services and car parking for current and future commercial requirements; and
- The proposal generally conforms to District Planning Scheme No 2 (DPS2) and the Joondalup City Centre – Development Plan & Manual (Manual).

The revised plans enhance the design and overall appearance of the proposal. Having regard to the merits of the proposal, it is recommended that Council approve the proposal based on its compliance with the Manual and DPS2.

BACKGROUND

Lot No	63 and 64
Street Address	2 Nottinghill Street and 35 Grand Boulevard, Joondalup
Applicant	CMP Architects
Land Owner	Prestigious Enterprises Pty Ltd
MRS Zoning	City Centre Area
DPS Zoning	Joondalup City Centre
Land Use	Vacant
Lot Area	Lot 63 (1267m ²) & Lot 64 (1315m ²)
Structure Plan	Joondalup City Centre – Development Plan & Manual Mixed Use (General City)

On 24 September 1999 Approval to Commence Development was granted for the development of 20 residential units and 1 commercial units. Nine (9) ground floor units were for temporary residential purposes until commercial uses becomes economically viable.

The subject lots form part of the City North subdivision (commenced in 1992). The properties are situated in a prominent position along Grand Boulevard at the southeast corner of the landscaped Piccadilly Circle and are visible from Joondalup Drive. These lots have remained vacant since subdivision.

DETAILS

Proposed Development

The development proposal consists of the following elements:

- 26 Apartments (6 x 3 bed) (26 x 2 bed)
- 1 small Commercial tenancy
- 7 ground floor commercial tenancies of which 6 would be used for temporary apartments until the commercial need arises
- Communal amenities – swimming pool and spa
- 32 storerooms and service areas (eg bins)
- Service, vehicle access and car parking for all units is provided from the rear laneway. A total of 45 Bays are provided
- Secure access is provided direct from the public street to all residential uses via entry lobbies or secure staircases

The applicant will amalgamate Lot 63 and Lot 64 to facilitate the construction of the 32 apartments and commercial unit. All units have balconies/outdoor terraces, which abut the lot boundary line to match the main building facade.

The applicant has provided the following justification for the revised proposal. The initial application:

- contained a full basement carpark, providing a cost disadvantage over the revised “at grade” and undercroft parking arrangement;
- did not match current market demands relative to unit configuration and space allocation;
- lacked communal facilities which disadvantaged the marketability and viability of the project;
- had not provided sufficient open space for residents to enjoy; and
- lacked a strong identity from the eastern approach of Grand Boulevard.

The applicant has advised that the revised proposal addresses all the shortcomings of the earlier proposal in the above respect and also:

- allows for improved sunlight penetration, natural breeze circulation and a large central public open space in a central location;
- includes an animated building with 3 different colour material palettes for each of the buildings to compliment active street frontages of Grand Boulevard and Piccadilly Circus and also the passive area along Nottinghill Street; and

- provides a tower form and sheltered vista into the communal open space which will add diversity to the streetscape.

Car Parking

New Proposal	Car Parking Provision	No of Bays Req'd	No of Bays Provided
32 residential apartments	1 space per dwelling x 32	32	
1 (28m ²) shop/office	1 space per 30m ² commercial floorspace	1	
Total		33	45
After conversion of Ground Floor	Car Parking Provision	No of Bays Req'd	No of Bays Provided
Future Commercial 6 ground floor units and 1 current commercial unit	1 car bay per 30 m ² i.e. 537m ² = 18	18	
26 Balance residential apartments	1 car bay per dwelling unit (26)	26	
Total		44	45

There is sufficient car parking for the development proposed and future conversion of ground floor units to commercial uses. Parking would be predominantly in covered carports, accessed from the rear Right of Way from Nottinghill Street and Plaistow Street.

Relevant Legislation

The applicant has requested the Council to:

- Relax the 'nil' front setback to enable the punctuation of courtyards into the front façade to a maximum of 3.6 metres deep along Grand Boulevard and Piccadilly Circle.

The Council has the discretion to vary the setback requirements involving a mixed use development under Clause 4.3 of DPS2. The proposal satisfies the objective of the Manual in relation to building location and orientation to overlook the street.

COMMENT

The subject site is situated on a general city use precinct of the Joondalup City Centre. Mixed use development comprising of a range of commercial land uses and residential accommodation, are appropriate in this location, according to the Manual.

Joondalup City Centre – Development Plan & Manual (Manual)

The vision for City North is to create a vibrant inner-city community offering the opportunity to live, work, shop and recreate. This district is located north of the Central Business District. It is intended to offer employment and residential opportunities in close proximity to the commercial, cultural and recreational amenities provided in the city centre.

The proposal is ‘robust’ in design to achieve the vision of City North but the establishment of shops and offices other than the small single shop proposed will be dependant upon future economic viability. The opportunities at least in the interim can be achieved in terms of a building that could boost resident population while providing for future commercial development.

Residential Density

The Manual does not specify a residential density for general city lots, including the new proposal. The Manual allows for a high-density code for a development that significantly contributes to the legibility, orientation and amenity of the city centre by its landmark qualities. The Council previously approved a proposal in September 1999 that achieved this design criterion and further permitted the future conversion of commercial units for residential use.

The current application is similar to the September 1999 approval for 20 dwelling units with temporary residential use of ground floor commercial units. The current proposal is:

- an improvement from the earlier approval in terms of design, layout and streetscape frontage;
- of landmark proportions and satisfies the design objectives of the Manual; and
- enables the future commercial conversion of 6 ground floor residential units.

The proposed residential density is supported given the landmark characteristics of the site.

Plot Ratio

The City of Joondalup - Development Plan and Manual permits development to a maximum (commercial) plot ratio of 1.0 excluding the apartment floor area. The proposal on this basis complies with plot ratio requirements.

Urban Design Analysis

The proposed building is designed to integrate into the urban streetscape and incorporates a continuous 3 storey animated facade of walls and openings for doors, windows, terraces and balconies overlooking the public street. Such features will contribute to surveillance of public spaces particularly along Grand Promenade and Piccadilly Circus.

The Nottingham Street building frontage includes a proposal for a wall to screen undercroft parking. Opposite the property is a corner residential/mixed use lot. Two lobby entrances are proposed at street level accessing first and second floor apartments above. The apartments would still provide some surveillance with balconies overlooking the public street but not at pedestrian level. At ground level the building would include landscaping along the wall and architectural detailing of the two apartment entrances that will generate some pedestrian

activity. This component of the proposal has to be balanced with other aspects of the proposal that will provide a higher level of street animation along Grand Boulevard.

The design also includes interesting elements that articulate each street corner. The main street corners are also marked by elements that differ in form, treatment or fenestration from the bulk of the building. Building elements and facade treatments establish a pedestrian scale at street level.

The land has excellent exposure to Grand Boulevard and the ground floor of units fronting the street should, in time, accommodate more commercial uses that will bring life ('animation') and interest to the street.

Other Matters

There are minor plan variations, which are required to meet the detailed technical standards. These are briefly as follows:

- Ensuring adequate vehicle manoeuvring for vehicles;
- Provision of adequate visual sight lines for traffic; and
- Ensuring adequate provision of privacy between units.
- The proposed parapet wall relative to the adjoining property being positioned to ensure a minimal gap between buildings and any opening being filled in an appropriate manner.

Modifications can be achieved by the applicant in liaison with City officers and reflected as recommended conditions of approval.

CONCLUSION

The proposed design satisfies the objectives and the requirements of the Manual in terms of the proportions proposed and active street frontages and orientation to the street. The development would contribute positively towards achieving the objectives of inner city living, by adding more variety of unit types for different family types. The design also provides a range of communal recreational facilities for future residents to enjoy. The setback variations are considered minor. The proposal and still achieves the objectives of buildings close to the front lot boundaries from the Manual.

The development will raise the residential population of the City Centre and maintain the flexibility for future commercial opportunities that will enliven the City. This form of development may contribute to investor confidence within the City Centre. On balance the proposal is supported.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

1 EXERCISES DISCRETION for 32 dwelling units and 1 retail commercial unit on Lot 63 (2) Nottingham Street and Lot 64 (35) Grand Boulevard Joondalup under clause 4.3 of the City of Joondalup District Planning Scheme No 2 to:

- (a) relax the front setback requirements from a 'nil' setback along the front lot boundary along Piccadilly Circle (Lot 63) and Grand Boulevard (Lot 64) to a maximum of 3.6 metres where shown on the revised plans dated 31 October 2000;**

is appropriate in this instance;

- 2 APPROVES** the application and revised plans dated 31 October 2000 for 32 dwelling units and 1 commercial unit on Lot 63 (2) Nottinghill Street and Lot 64 (35) Grand Boulevard, Joondalup subject to the following conditions:
- (a) the amalgamation of Lots 63 (2) Nottinghill Street and 64 (35) Grand Boulevard;
 - (b) the parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Off-street 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;
 - (c) the vent and traffic screens to the garages must be designed so as to provide safe and adequate visibility of traffic travelling along the Right of Way to the satisfaction of the City;
 - (d) the plans being amended on the approved plan as shown **IN RED** in relation to:
 - Bays 9 and 17 (additional reversing space);
 - Bay 18 (truncation of store to provide a 1.5 x 1.5 metre sight line);
 - Bay 28 to be marked as a small carbay (5.0 x2.6 metre) so that the access from the Right of Way to the bin store area is widened;
 - Bay 37 (widened to 3.5 metres);
 - Provision of 1 disabled carbay;
 - The wall separating in the residential and office/shop bins being deleted; and
 - Privacy screening being provided along the southwest side of the balcony to Unit 13.
 - (e) no building is permitted over easement areas. The storeroom adjacent to carbay 1 must be reduced in size to clear the easement for Lot 63;
 - (f) an on-site stormwater drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. Alternatively, the stormwater can be disposed of via the City's existing stormwater disposal system. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;
 - (g) submission of a Construction Management Plan detailing phasing of construction, access, storage of materials, protection of paths and other infrastructure;
 - (h) the footpath treatment in the adjoining road reserve shall be continued to the building line to match the existing paving at a grade of 2% to the satisfaction of the City;

- (i) 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;
 - (iv) those areas to be reticulated or irrigated;
- (j) 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;
- (k) any roof-mounted or free standing plant or equipment such as air conditioning units, radio masts and satellite dishes must be located and screened so as not to be visible beyond the boundaries of the development site;
- (l) each dwelling shall be provided with an adequate area for clothes drying that is screened from view or alternatively be provided with clothes drying facilities within the unit;
- (m) an acoustic report being prepared by a qualified acoustics consultant (at the applicant's cost) to indicate that the proposed development (including mechanical plant & equipment and future commercial land use) will comply with the Environmental Protection (Noise) Regulations 1997;
- (n) any gaps between parapet walls relative to the adjoining property being filled with an appropriate material;
- (o) one additional storeroom is to be provided to increase the number of storerooms so that each unit has a storeroom (total 32);
- (p) pedestrian shelters being provided at the entrance to each lobby accessible from Nottinghill Street and the entrance to the proposed shop on Piccadilly Circle in accordance with the City of Joondalup- Development Plan and Manual;
- (q) future residents being notified in writing by the proponent that the City Centre is planned to become a vibrant and bustling city centre comprising a mix of land uses where street level activity may occur of an intensity not normally associated with a traditional suburban environment.

Footnotes

- (a) **The proposed vegetation in the road reserve along Nottinghill Street has been deleted;**
- (b) **Specifications of the public pool must be provided to the Executive Director of Health for Approval;**
- (c) **Lighting is recommended along internal walkway/s car parks and pool area within the development to the satisfaction of the City;**
- (d) **Letterboxes for Units 16-19 and 29-32 should be provided in the lobby areas accessible from Nottinghill Street;**
- (e) **Separate approvals from the City are required for any advertising signage in associated with a commercial use.**

The Motion was Put and**CARRIED**

Appendix 24 refers

To access this attachment on electronic document, click here: [Attach24brf121200.pdf](#)**CJ386-12/00 SORRENTO FORESHORE CONCEPT PLAN
(PRECINCT PLANNING) - [49840] [46597]****WARD - South Coastal**

CJ001212_BRF.DOC: ITEM 33

SUMMARY

The City of Joondalup has commenced a Precinct Planning programme focused on developing agreed community “visions” for precincts within the City. The “Visions” will be developed through and supported by a draft “Precinct Plan” for each area. These Precinct Plans will provide a guide to the future of the area and while developed through a process of consultation and consensus building, will be non-binding. That is they will be flexible enough to allow for adaptation to new challenges and opportunities.

The beachfront areas of Sorrento and Mullaloo were chosen as pilot projects for this process as both provide a somewhat under-utilised recreational opportunity for people from across the City. Consultants have been appointed for both areas and a focus group in each area formed and consulted in the development of a draft “Vision” and draft Precinct Plan. The consultants used a design review process (ie. using draft designs to focus the group’s discussion and aid communication) over several months, to develop the draft Precinct Plans. This report focuses on the Sorrento Precinct Planning exercise.

The Sorrento Vision and Plan proposes a continuation of the role of the area as a quiet family-focused beach front suburb, enlivened by a wider range of uses, and supported by improved

parking and access. The focus of the Concept is on enhancing coastal facilities for users, improving access, extending the Surf Club and converting a large area of dune system to parkland. The Concept also looks at improvements around the Shopping Centre and enhancement of recreation facilities in Geneff Park.

The Concept was costed to provide an indication of possible expenditure, and it was estimated that the works would cost \$7.12 million. Investment by private development may cover some of the cost e.g. the surrounds to the Surf Club but most of this money would have to come from public expenditure.

Beyond enhancing the foreshore public areas of the precinct little in the Concept provides much strategic direction for the area. Infil sewer programs, proposed in the near future, create the opportunity for subdivision of almost all residential blocks in the area. Little, if any, direction has been given by the process and outcomes as to how this might be managed.

This report seeks Council support to an advertising program for the outcomes of Stage One. This will include display and presentation of the outcomes to seek a response on the Draft Concept Plan from the broader Community.

Along with the Draft Preferred Plan put forward by the consultant after consultation with the focus group the key elements of the Vision will be explained through display panels. These deal with issues such as safety, traffic calming and parking, vitality, enhanced access and land conservation. To ensure the community is presented with a chance to comment on broader issues than the enhancement of public areas, a plan annotating private investment opportunities will be presented along with possible benefits to the community.

Advertising of the plan is part of the consultation process and is in no way intended to infer Council's support for the Concept in any way, other than as the product of the consultants work with the focus group.

HISTORY

Sorrento is one of the older suburbs on the City's coast and prior to this had a whaling history. It is, nevertheless, similar to many other suburbs in the area in that it has been designed as a low density, detached dwelling, suburban area. Sorrento is somewhat unique in that its street system is very well connected and it forms a natural amphitheatre overlooking a park. A broader range of uses and housing densities have developed in the area partly due to the exposure to West Coast Highway and proximity to the beach.

The attractions of the area are somewhat hidden with the park being located behind a low key community hall. The coast road brings visitors from the south around and down into the area, offering views of the beach and harbour beyond. However, the experience of travelling through the area is not well developed. Road verges are ill defined and there is little foliage to soften and improve the attractiveness of the area.

While the last ten years have marked a revival in boardwalk culture up and down the coast, a lack of pedestrian planning and limited diversity of retail and catering facilities has seen the Sorrento coastal area remain largely unchanged in nature. Hillary's Harbour has become a major attraction just to the north of Sorrento, trading on much the same attractions Sorrento could have offered. The area remains full of potential that has yet to be properly harnessed. Through the Precinct Planning process an integrated Vision for the area is being developed.

BACKGROUND

Program Endorsement

On 14 March 2000, Council resolved to initiate “Precinct Planning” (Item CJ049-03/00) as a means of developing plans for the future of local centres and the suburbs around them, based on regional issues and local community objectives. Council endorsed the process of the Urban Design Study as a means of involving the community not only in identifying the Vision but in the development of the indicative Precinct Plans.

Pilot Projects

The Plaza Shopping Centre, Sorrento and Tom Simpson Park, Mullaloo were chosen as pilot projects. Council endorsed the appointment of consultants to work with the respective focus groups to develop a Vision and Plan for these areas (i.e. the Concept), for public comment.

Adopted Process

The public consultation programme adopted for these pilot precincts is a six step process. The early steps involved the creation of the local focus group. It was this group’s role to inform the Consultants of local needs, create a “Vision” and to help with brain storm ideas for the area. The members were free to liaison with the broader community but not to discuss details of any working plans.

The Sorrento project has now reached the end of this initial process and is ready for public advertising. Advertising of the plan is part of the consultation process and is in no way intended to infer Council’s support for the Concept in any way, other than as the product of the consultants work with the focus group.

DETAILS

Extent of Project Area

The extent of the study area was determined on the basis of the maximum practical distance a pedestrian is likely to walk to a major focal point. A major focal point is considered to be a town, railway station or major facility. In this case, it was considered that the beach node created by The Plaza Shopping Centre, the Surf Club and Geneff Park would act as a major facility and attract pedestrians from as far away as 800m.

Statistically a distance of 400m (or approximately 5 minutes) is the distance pedestrians will commonly walk to a centre such as a local store or park. Beyond this distance, people will generally drive unless the destination is the major journey for the day (a visit to a shopping area, a walk to the train station, or a trip to a major facility) in which case they may walk up to 800m.

Car owners will be influenced by the availability of parking and the quality of streetscape in deciding whether they walk or drive. For youth, aged and others not able to access centres by car (equalling about 50%) and who are too far from a centre to walk, cycling or public transport may be an option. Invariably, these people are dependent on friends and relatives to provide a taxi service and are otherwise isolated from the business and life of the local centre.

While the physical study area, “area of influence” extended approximately 800m out around Sorrento Plaza, issues affecting the area were also considered at a district and regional scale.

Appointment of Consultants

Nine consultancy firms were invited to provide quotes for the City to consider. The successful consultants, Chris Antill Planning and Urban Design, were chosen on the basis of skill and experience in public consultation and urban design, as well as being seen to provide best value for money service. Their brief was extended to include the area north of the Surf Club as part of the core study area, on request of the focus group. This area is not considered to be part of the precinct’s centre.

Focus Group

The focus group was set up in such a way as to avoid it becoming a committee of special interest group representatives. A wide cross-section of people were invited onto the Focus Group by the Ward Councillors in consultation with City Officers. It was hoped these people would bring with them a deep knowledge of the area and a balanced perspective on local issues.

The focus group included local residential and non-residential property owners, as well as representatives of different age groups and users of the local facilities. The Ward Councillors were active participants in the focus group meetings.

The focus group included:

Councillors	
Councillor Andrew Paterson	South Coast Ward
Councillor Gerry Kenworthy	South Coast Ward
Non-Councillors	Broad Interest
Ms Gillian Cook	Local Community
Mr Denis Bryant	Local Community
Mr Des Choke	Sorrento Surf Lifesaving Club
Mr Vince Alessandrino	Business
Mr Mike Norman	Foreshore

Scope of Analysis

The scope of analysis included a range of issues identified under three key elements; Existing Land Uses & Activities, Access (Movement and Circulation), Existing Streetscape/Environment and Urban Design.

Setting and Reviewing Objectives – The Vision

To guide the consultants in the development of an integrated concept, the Focus Group was asked to identify Key Objectives for the area. This would form a record of community needs and expectations for the area and guide future decisions as to what initiatives should take place.

The Vision provides an outline position on a range of issues that the focus group discussed. These included safety, traffic, activities, convenience shopping, local employment, beach access and local character. It embraces an improved relationship between public and private areas and between community and commercial activities, forming a vital yet family orientated precinct and precinct centre.

Development of the Draft Concept

The focus group was proactive in brain storming an extensive range of possibilities for the precinct. The Consultant summarised these into development options for different sectors of the project area. These development options ranged from minor intervention to major redevelopment. The focus group generally opted to support a Concept Plan indicating the highest level of intervention in foreshore areas with less interest in areas to the East of West Coast Highway.

The consultant, who is highly experienced in the area of civic enhancement projects, made the focus group well aware that a grand plan on this scale would be difficult to fund for any Local Government. Such projects usually take many, many years and are intended to serve the broader community as a focus for the local region. A suggestion to sell part of Geneff Park to fund the project was floated but did not gain support. A long term lease/ joint venture to redevelop the community centre as an integrated community/ commercial site might benefit the area. This was not investigated.

Status of the Draft Concept Plan

The “Draft Preferred Plan” and the “Vision” (Contained in the report and explained in the panels) has been completed by Chris Antill Planning and Urban Design. At this stage it has no statutory or financial backing. It exists only as a concept.

Advertising and Management of Community Expectation.

The process thus far has produced valuable information and ideas that need to be reviewed by the broader community. Releasing the Concept for public comment is, however, likely to raise expectation among some sectors of the community that Council intends to implement the Concept more or less as it is. It is important that the consultation process makes it clear that the project is largely dependent on community support and that timing will be dependent on the City’s budget process and the extent to which the community is prepared to work with private investors to facilitate enhancements in the area.

Challenges facing the Sorrento Precinct will result in changes regardless of whether the Community and Council have a clear intent for the area. This is an opportunity to develop a clear and integrated Vision for the area. For it to be of use to decision-makers it needs to address the possibility of broader changes across the precinct. It must also be recognised that negotiation with State Agencies who manage the coastal reserves and other infrastructure is necessary before any major works are done in the area. Visible public support will be important to these Agencies before they will contemplate agreeing to any proposal.

Advertising Process:

State and Local Newspaper advertisements will inform people of the project and clearly indicate the advertising period and locations of displays, together with the date of an Open Day where the community can meet both the Consultants and City officers for one on one discussion. Presentation will be in the form of displays at local Shopping Centres and Whitford City Shopping Centre; in addition, a location a display will be mounted in the reception of the City's Offices and in the precinct for the duration of advertising.

It is envisaged that the consultation period will run for at least 8 weeks, but an extension may be granted if it is evident the community requires additional time to provide responses. During the consultation process State Agencies and other institutional stakeholders will be asked to provide comments on the Concept for the Precinct.

The information obtained through this process will be used to determine the level of support and preferred approach to implementation. Recommendations will be reported to Council to assist in determining whether to progress or not. Should Council endorse the outcomes as an in principle plan for the area, detailed staging and designs will be developed.

These Design Development plans, along with the costing and staging of the project, will be referred to Council for endorsement prior to implementation.

Project area in order of Revitalisation Priorities

1	<i>Sorrento Town Centre</i>	-	\$ 396,860
2	<i>Community Centre</i>	-	\$ 574,171
3	<i>Geneff Park</i>	-	\$ 837,322
4	<i>Surf Club</i>	-	\$ 621,211
5	<i>Promenade Area</i>	-	\$ 456,369
6	<i>Southern Beach Area</i>	-	\$ 905,627
7	<i>Northern Beach</i>	-	\$3,272,555

Costs Estimated \$7,034,863.00 (approx 7 million)

COMMENT

The table below provides a list of various components of the Plan along with approximate costs and an evaluation of the proposal. The consultants' report will be made available for public viewing once public advertising is endorsed.

Evaluation of Various Components of the Proposal:

For the purposes of evaluation, works are broken down into three areas: landscaping, civic-making and major initiatives.

Landscaping (Soft and Hard Landscaping in report schedule of costs – see appendix):

Refers to planting including lawns, shrubs and trees that soften, cool and stabilise the area and new pathways, walls and pavements.

Civic-making (Street furniture in the report schedule of costs – see appendix):

Refers to enhancement of seating, signage, shelter and other public facilities (drink fountains, public art etc.) that improve the comfort and interest of an area.

Major initiatives (Special Features in the report schedule of costs – see appendix):

Are projects that reshape the role of an area and require considerable change.

1) Sorrento Town Centre - Enhancement of Landscape, Access and Safety

		<i>Ped Crossing Issue</i>
Element	Estimated Cost	Comment
<i>Landscaping</i>	<i>\$155,190</i>	<i>After demolition most of cost is in improvements to verge paving with proposed trees being inexpensive and highly beneficial. Cost might be shared with Plaza Shopping Centre and area may include more parking.</i>
<i>Civic-making</i>	<i>\$140,000</i>	<i>Apart from proposals for a park to the north this is the highest level of civic-making expenditure and appropriately supports the potential all season hub of the area.</i>
<i>Major Initiatives</i>	<i>\$ 44,000</i>	<i>Predominantly cost of public art which might be incorporated in civic elements and private investment at less cost to City.</i>
Total + extras	\$ 398,860	<i>Highly beneficial in enhancing the prominence of the area as a centre to the precinct. Would assist in increasing safety through lighting and traffic calming</i>

2) Community Centre - Enhancement of Landscape, Access and Safety

Element	Estimated Cost	Comment
<i>Landscaping</i>	<i>\$ 68,240</i>	<i>Mostly cost of off road parking area. On-street parking should be investigated as a lower cost alternative.</i>
<i>Civic-making</i>	<i>\$ 67,500</i>	<i>Predominantly cost of sails in front of Community Centre</i>
<i>Major Initiatives</i>	<i>\$355,000</i>	<i>Refurbishment of centre (\$250,000) should be considered carefully as enhancement to the Surf Club could be more cost effective. Need for new tennis courts (\$100,000) should be assessed by City.</i>
Total + extras	\$ 574,170	<i>Opportunity to making better use of existing facilities and enhancing the prominence of the Plaza as a civic and commercial centre needs to be balanced against the opportunity to realise these benefits in conjunction with improvements to the surf club.</i>

3) Geneff Park - Enhancement of Landscape, Access and Safety

Element	Estimated Cost	Comment
<i>Landscaping</i>	<i>\$ 419,660</i>	<i>Allows for some improvements to planting but is mostly focused on replacing existing footpaths in and around the park. Should be assessed as part of City wide footpath program.</i>
<i>Civic-making</i>	<i>\$ 76,000</i>	<i>Allows for provision of shade and picnic structures within the protected bowl of the park. Highly beneficial in providing a place for recreation out of the hot sun and away from the wind.</i>

<i>Major Initiatives</i>	\$220,000	<i>Provides for new playground equipment and for a cascade of stairs that double as performance space. Significant contribution to local and regional amenity again building on existing infrastructure.</i>
Total + extras	\$ 837,320	Foot-paths may be undertaken as part of City wide programs. There may be alternative locations in the City for a stage though Geneff park does have an advantage in that it is a natural amphitheatre.

4) Surf Club**- Expansion to include café facilities and improved Setting**

Element	Estimated Cost	Comment
<i>Landscaping</i>	\$ 15,900	<i>Minor expense</i>
<i>Civic-making</i>	\$ 15,000	<i>Minor expense</i>
<i>Major Initiatives</i>	\$500,000	<i>Assists in realising the tremendous potential for the surf club to move from being a members' only domain to a public place on the coast.</i>
Total + extras	\$ 621,210	Improvements assist in creating a facility that improves the safety, vitality and attraction of the area. Private investment in café may cover some costs.

5) Promenade Area**- Enhancement of Landscape and Access**

Element	Estimated Cost	Comment
<i>Landscaping</i>	\$312,040	<i>Allows for creation of a pedestrian link and beach access tying the Town Centre, Surf Club and Beach together on a shady pedestrian orientated promenade with traffic calming. Rehabilitation of dunes included. Very Beneficial</i>
<i>Civic-making</i>	\$ 62,400	<i>Realises the opportunity of compact town centre promenade, through seating, signage other furniture and lighting, create a place of social gathering and lingering. Highly beneficial.</i>
<i>Major Initiatives</i>	\$ 15,000	<i>Minor expense.</i>
Total + extras	\$ 456,370	Central to creating a boardwalk culture around this ageing centre. Highly beneficial. Problems with drifting sand need to be considered in the design..

6) Southern Beach Area**- Enhancement of Landscape, Access and Safety**

Element	Estimated Cost	Comment
<i>Landscaping</i>	\$ 255,540	<i>Predominant expense in a meandering decking running parallel to footpath. Difficult to justify expense given other demands and readily available alternatives.</i>
<i>Civic-making</i>	\$ 18,500	<i>Minor expense</i>
<i>Major Initiatives</i>	\$500,000	<i>Funds dedicated to the provision of a "Whale Watching" jetty. Higher points exist along the coast, better suited to whale watching. An opportunity may exist to add decks to the existing groins at less cost. These may include interpretative signage revealing the Sorrento's whaling history.</i>
Total + extras	\$ 905,630	While addressing access and dune care, the focus of these projects is on enhancing experiences. They should not be put before other higher priorities the City might have.

7) Northern Beach**- Development of park and parking areas.**

Element	Estimated Cost	Comment
<i>Landscaping</i>	\$ 447,200	<i>Roughly half of funds required to create steps off elevated terrace and the other half to instate park-lands in place of dune system.</i>
<i>Civic-making</i>	\$ 178,500	<i>BBQs and Shelters and improved lighting would be highly beneficial but do not require the expansive park area proposed.</i>
<i>Major Initiatives</i>	\$2,220,000	<i>Almost 2 million dollars worth of levelling and retaining to create park and car parking. Car bays might be provided at less cost in deck parking in Harbour area and possibly in a cost sharing arrangement. On street parking, as found all along the coast might be possible as might parking on the wide eastern verge of West Coast Highway. Traffic calming would be enhanced as part of works.</i>
Total + extras	\$ 3,272,560	<i>The benefits offered by the wholesale redevelopment of this area could for the most part be accommodated without the removal of dune system and the cost of cut and fill. If a beach side park is considered to be highly valuable this might be accommodated across the road from the Plaza at significantly less cost and greater contribution to the life and vitality of the centre.</i>

Project Cost Analysis Summary.

This project would represent the wholesale replacement of most of the existing streetscape at considerable expense. Rarely, other than in new developments where no infrastructure exists, is this level of investment poured into an area.

Works undertaken along the beach-front, in the past, have yet to integrate the area as a vibrant centre. Lack of planting creates a harsh desolate environment and the ageing Surf Club is a barrier to enjoyment of the whole beachfront. Successful planting would dramatically alter the character of the area while improvements to the core area and circulation could enhance the area, creating an attractive and interesting centre at considerably less cost.

Draft Preferred Plan Estimated Costs in total \$7,121,024.82 (i.e. approx 7 million)

COMMENTS

The projects for the Sorrento and Mullaloo areas were undertaken as Precinct Planning pilot projects. As well as being aimed at realising a concept plan for these areas the pilot projects were intended to test the consultation and concept plan development process.

Much of the City of Joondalup was developed in an era where residential developments and other uses were considered to be incompatible. While there are areas of retail amongst these residential suburbs they are stand-alone centres. Some are barely surviving and few have been the seed for growth in local employment and sense of community. Precinct Planning is

intended to address the future of these areas, given the realisation that the areas are increasingly facing challenges they were not designed to meet (high crime rates, expensive fuel prices, changing family structure, dual working parents and new economy changes in employment and service industries).

The Sorrento Precinct Planning exercise has barely considered the study area beyond the foreshore in terms of streetscape let alone the future form and use. The impact of Hillary's Harbour and Harbour Rise and the indications these give in regard to the possible future intensity of development is not considered in any depth. This largely reflects the fact that the Focus Group's Vision was aimed at the enhancement of the foreshore and providing a status quo for the remainder of the precinct. This is not an uncommon response when local residents are invited to participate in developing Urban Design plans but are not asked to consider the changes that are occurring in the area and region and across society.

While the process has not been ideal in terms of providing landowners, Council and the community with a guide to the future of the area, the process has produced a reasonable outline of opportunities for the foreshore. Recognition that the foreshore has a role to play in improving the amenity for all residents of the City of Joondalup and that the current traffic and parking problems need addressing, has been considered. It is not a short-term plan and there are elements of the plan that may present technical and statutory problems. For example the proposal to make West Coast Highway 40km/h through the area may be achievable through traffic management but difficult to implement as a legal speed limit.

As with any area of this significance the final proposal will be the result of community needs and value based decisions as much as statutory and technical issues. The estimated cost of the project makes it difficult to see it being realised for many years. This level of investment would not be possible across the City other than through a process of gradual improvements undertaken within the City's maintenance and replacement budgets over many, many years.

This section of coast line is a Community asset and could enhance peoples' image of the entire City. It is true it is experiencing regional demands borne at rate-payers expense but at the same time the State Owned coastal reserves are a benefit to the City. The City may well, therefore, look to find some funding sources such as commercial ventures to help realise the concept.

During advertising there may be suggestions as to how to achieve similar outcomes as less cost either here or elsewhere. As well there may calls form the broader community to consider other locations for some of the developments or questions regarding the level of benefit they would actually provide in relation to the cost. A forum for these issues as much as an opportunity to respond to the Draft Concept Plan should be made available to the Community.

It is possible that many issues and or questions could be raised during consultation. These may lead to significant changes to the proposal. Therefore, it may be necessary to provide a further opportunity for the community to respond to alternative options.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

1 NOTES the Draft Concept and the proposed public consultation program;

2 THANKS the focus group members for their valuable input.

The Motion was Put and

CARRIED

Appendix 26

To access this attachment on electronic document, click here: [Attach26brf121200.pdf](#)

**CJ387-12/00 PROPOSED SUBDIVISION FOR LOT 64 (8)
WAVERTON COURT, KALLAROO - [54136]**

This Item was considered earlier in the meeting, prior to Item CJ354-12/00.

**CJ388-12/00 SUBDIVISION OF LOT 3 KENNEDYA DRIVE,
JOONDALUP AND MODIFICATIONS TO THE
JOONDALUP CITY CENTRE DEVELOPMENT PLAN
AND MANUAL - [52123]**

WARD - Lakeside

CJ001212_BRF.DOC: ITEM 35

SUMMARY

The subject subdivision application was received from the Western Australian Planning Commission (WAPC) on 16 November 2000 (Attachment 1) for the City's comment. It is proposed to subdivide Lot 3 Kennedy Drive, Joondalup into 2 lots of 30.1228 ha and 2.8252 ha. The 2.8252 ha site is proposed to be purchased by the Lake Joondalup Baptist College, currently abutting the site (Attachment 2).

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.

The portion of land to be purchased by the Lake Joondalup Baptist College is allocated for sport uses as opposed to education under the structure plan. The structure plan will require modification to accommodate this proposal. The prominence of educational facilities in the city centre is a contributing factor to the image and character of the city, further the land uses being education and sport are considered to be compatible in nature and complimentary.

It is recommended that the WAPC be advised that Council supports the application submitted by the Western Australian Sports Centre Trust for the subdivision as depicted on the plan dated 9 November 2000 subject to standard conditions, and that the Joondalup City Centre Structure Plan and Manual be modified to include this area as educational uses.

BACKGROUND

Lot	3
Street Address	Kennedya Drive, Joondalup
Land Owner	Western Australian Sports Centre Trust
MRS Zoning	Central City Area
TPS Zoning	Centre Zone
Lot Area	Approximately 32.948 ha

The WA Sports Centre Trust is the registered proprietor of the subject land, which is an estate held in fee simple. The land comprises an area of 32.948 hectares and the improvements thereon consist of a major indoor and outdoor sporting complex known as the Arena Joondalup. The WA Sports Centre Trust operates the venue as a major regional sporting complex.

The Lake Joondalup Baptist College which owns an area of land of approximately 6 hectares adjacent to the Arena Joondalup, has offered to purchase from the Trust a portion of the Arena Joondalup land on which to expand the existing college. The Trust has agreed to sell the land to the College subject to the necessary approvals and will apply the proceeds from the sale of the land to infrastructure development at Arena Joondalup.

Amendment No. 385 gazetted on 15 April 1988 rezoned the land the subject of this report to Joondalup City Centre Zone under Town Planning Scheme No.1. Under District Planning Scheme No.2 the land is zoned Centre. 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, the remaining three being Campus, Northern Recreation and Southern Business do not have guidelines at this stage.

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

Current Proposal or Issue

The subject subdivision application was received from the WAPC on 16 November 2000 (Attachment 1) for the City's comment. It is proposed to subdivide Lot 3 Kennedya Drive, Joondalup into 2 lots of 30.1228 ha and 2.8252 ha. The 2.8252 ha site is proposed to be purchased by the Lake Joondalup Baptist College that currently abuts the site (Attachment 2)

The subject land is zoned Centre under the City of Joondalup District Planning Scheme No.2. The Joondalup City Centre Plan and Manual identifies the land as being part of the Northern

Recreation District, the indicative land use plan nominates education and sport as the land uses for this district.

The portion of land to be purchased by the Lake Joondalup Baptist College is allocated for sport uses as opposed to education under the structure plan. The structure plan will require modifications to accommodate this proposal. The prominence of educational facilities in the city centre is a contributing factor to the image and character of the city. Further the land uses being education and sport are considered to be compatible in nature and complimentary.

Relevant Legislation

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

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, the land is indicated as being for sport purposes. Under the provisions of clause 9.7 of the Scheme, Council may amend a Structure Plan.

COMMENT

Issues

Structure Plan

The structure plan is required to be modified to accommodate the proposed use of education on land currently identified for recreational uses. The City is currently reviewing the structure plan, therefore the matter can be considered during this review process and a separate request to modify the structure plan is not necessary. Further the land uses are compatible and complimentary, therefore from a land use point of view the proposal is considered acceptable.

Access

The access arrangement as identified on the attached plan is acceptable. Vehicular access restrictions may be applied through an easement instrument but still enable access and egress for special events at the Arena.

A roundabout is proposed for the intersection of Shenton Avenue and Pontiac Way and will be constructed in conjunction with the construction of the second carriageway in Shenton Avenue. Access to the proposed school site could then be provided from the roundabout and would also provide for temporary access to the Arena during special events. To accommodate this access road a 10 metre by 10 metre truncation will be required on the south western corner of the existing Baptist College lot.

Drainage

In the report submitted by the WA Sports Centre Trust in December 1999 the feasibility of accommodating the expansion of the school, a possible future rugby field and the relocation of the stormwater drainage sump was investigated. The report demonstrated that the drainage sump could be relocated to accommodate a future rugby field. However, there is a

discrepancy within the report on the location of the future rugby field that will affect the proposed relocation of the drainage sump. Among several other factors the report took account of significant vegetation in the vicinity of the proposed relocation of the sump. Though not directly related to the subdivision application this issue will need to be addressed by the WA Sports Centre Trust to ensure that the drainage sump can be relocated such that a future rugby field can be accommodated.

It is proposed to support the subdivision application subject to standard conditions and modify the Joondalup City Centre Development Plan and Manual to accommodate the change of use.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

1 ADVISES the Western Australian Planning Commission that it supports the application submitted by the Western Australian Sports Centre Trust for the subdivision as depicted on the plan dated 9 November 2000 subject to the following conditions:

- (a) 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;**
- (b) the proposed easement road being truncated to the standard truncation of 14 metres;**
- (c) the granting of an easement in gross in favour of the City of Joondalup to the satisfaction of the City at the applicants cost over the proposed vehicular accessway to facilitate reciprocal vehicular access;**
- (d) the proposed accessway being designed, constructed and drained to the satisfaction of the City of Joondalup;**
- (e) 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;**
- (f) 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 Shenton Ave, Kennedy Dr and adjacent development;**
- (g) measures being taken to the satisfaction of the City of Joondalup to ensure identification and protection of any vegetation on the site worthy of retention prior to commencement of site works;**
- (h) all buildings having the necessary clearance from the new boundaries as required by the relevant Town Planning Scheme;**

- 2** in accordance with clause 9.7 of the City of Joondalup District Planning Scheme No 2, **MODIFY** the Joondalup City Centre Development Plan and Manual to include the proposed lot in the Education land use category.

The Motion was Put and

CARRIED

Appendix 28 refers

To access this attachment on electronic document, click here: [Attach28brf121200.pdf](#)

The meeting then considered items CJ368-12/00, CJ372-12/00, CJ375-12/00 and CJ385-12/00.

Cr Rowlands declared a non-financial interest in Item CJ368-12/00 – The Transfer of Services to the Community based Sector as his brother is employed within the Community Development directorate.

CJ368-12/00 THE TRANSFER OF SERVICES TO THE COMMUNITY BASED SECTOR - [40958]

WARD - All

CJ001212_BRF.DOC: ITEM 15

SUMMARY

On 8 August 2000, Council resolved to:

- investigate a change in the role of the City's Community Services by establishing a new community based organisation to undertake the delivery of the majority of aged and disability and children and family services currently provided by the Community Services Business Unit;
- endorse a two stage consultation process;
- defer endorsement in the change in the role of the City's Community Services Business Unit until Council is satisfied that the community supports the change and the detailed implementation plan will not cause a decrease in the services provided to the community; and
- note that a further report will be submitted to Council which will provide the outcome of the community consultation exercise together with a detailed implementation plan for approval by Council. (Council Report CJ201 – 08/00 refers)

This report provides details of the community consultation exercise and a discussion of that information, gives additional information gained through discussion with a number of other organisations, provides an action plan and presents details of financial modeling for the new organisation. It seeks Council's approval for the new direction and to proceed with the plan of action with a view to implementing the transfer of services by 1 July 2001.

BACKGROUND

Council Report CJ201 – 08/00 proposed a change in role for the City's Community Services through the transfer the majority of the City's aged and disability and children and family services to a newly created community based organisation. A full list and description of the City's aged and disability and children and family services, highlighting those that will transfer, can be found at Attachment 1 to this report. As can be seen from this Attachment, Administration is not proposing to relinquish responsibility for service provision, nor is it proposing to outsource or contract out services. What is being proposed is that the City establish a new organisation which would be incorporated under the Associations Incorporation Act 1987. Those of the City's services that are well funded, well established and able to stand alone without Council's financial support would then be transferred to the new organisation. Once incorporated, the organisation would be a separate legal entity which would be able to enter contracts, employ staff, be the recipient of funding and sue and be sued. The services being transferred would also provide a good base to attract other services to the new organisation. A number of officers from both State and Commonwealth Government bodies have indicated their eagerness to see a new community based organisation located in the Northern suburbs which is small enough to be responsive to service users' needs but large enough to attract additional services to the area.

The transfer of services would benefit the Joondalup community because it would free up the resources that are currently being used to administer these services to:

- consult more widely with the community;
- work more with the community to develop services identified through consultation;
- develop partnerships and play a coordination role;
- mentor and support community groups;
- build on strategic initiatives such as Youth in Public Space, Community Consultation and Needs Analysis and the Community Buildings project;
- develop innovative service responses to issues identified through the Crime and Community Safety Study and the Customer Satisfaction Monitor 2000 particularly in relation to youth and their perceived involvement in criminal and antisocial behaviour; and
- take a more proactive planning, development, coordination and leadership role within the community in line with the City's strategic plan.

This change will enable the City to achieve a much better balance between service provision and community development and to really impact on the City's key result areas of Leadership, Lifestyle and Economic Vitality. Community Services, if it were to remain largely a service provider with a negligible role in community development, would not be able to address the emerging needs of the City within existing resources. It would not, for example, be able to address the issues to do with young people in public space, nor would it be able to take on a coordinating role with other service providers or provide support to the growing number of community groups in the City.

Consequently, the community's view on the change in role was sought. The consultation process was comprehensive and included:

- A full page advertisement in the Joondalup Community Times which goes into 54,846 homes in Joondalup calling for feedback from the community;
- The establishment of a telephone information line to more easily facilitate feedback from interested stakeholders;
- The provision of website information with an online feedback facility;
- Inclusion of information in the Desk of the CEO, Staff Update and Council News;
- A letter or newsletter to each service user in each of the services with a total of 1,507 individuals/families being contacted as follows:
 - Family Day Care - 65 carers and 493 families;
 - Occasional Care - 20 families;
 - Financial Counselling - 230 families;
 - Aged and Disability Services - 618 individuals/families;
 - Volunteers – 81 (76 Aged and Disability Services, 3 Family Day Care and 2 Occasional Care)
- Opportunity to attend a weekly update meeting for staff directly involved in the transfer;
- A focus group for Family Day Carers - 36 Carers (6 Parents also attended this session);
- A focus group for 11 volunteers in the Aged and Disability area (all 76 volunteers in this area were invited);
- A letter to each of the services contractors (Perth Home Care Services and Bell Home Care Services);
- Meetings with, or letters to, each of the funding bodies; and
- Letters to medical and health institutions in the area, to the community services sector and to parallel/referral agencies.

DETAILS

RECENT INDUSTRIAL DEVELOPMENTS

Before detailing the outcomes of the consultation, it should be noted that, since the presentation of the initial proposal to Council, and during the consultation exercise, the Federal Court handed down a transmission of business case. This case, Australian Municipal, Administrative, Clerical and Services Union [2000] FCA 1231 (4 September 2000) ("The Dandenong City Council Case") is of significance to this proposal.

Chamber of Commerce and Industry

Advice has now been received from the Chamber of Commerce and Industry suggesting that the new organisation may have to adopt the salaries and conditions of the City's Umbrella Enterprise Bargaining Agreement for all staff. Should this be the case, new employees would also be entitled to these rates of pay and conditions so would not be employed under the Social and Community Services Award (SACS) WA as previously proposed. This would mean that the less well funded services - financial counselling and occasional care - could not transfer to the new organisation at this time. The reason for this is that there is not sufficient funding in the Financial Counselling Program to allow for the full time position to be paid at the Local Government Award rate and there is no capacity for the new organisation to deficit fund any service. In relation to occasional care, the payment of all other staff members at Local Government Award rates would mean that there would be no capacity to carry the occasional care service should it not remain fully utilised. Consequently, the proposal would relate only to:

- Joondalup Client Support Services (Home and Community Care Funded - HACC);
- Joondalup Day Centre (HACC);
- Joondalup Food Services (HACC);
- Joondalup Home Support Services (HACC);
- Joondalup Podiatry Service (HACC);
- Community Aged Care Packages (Commonwealth Department of Health and Family Services);
- Child Respite (Disability Services Commission); and
- Family Day Care (Commonwealth Department of Family and Community Services).

In addition, there has been some dispute over the level of support of the staff for the transfer of services to a new organisation. At the time of consultation there were potentially 15 permanent and 6 temporary service delivery and administration staff who would be affected by the proposal. In addition, there are two temporary Coordinators. Staff were offered the opportunity to anonymously respond to a questionnaire to state their views on transferring to the new organisation. The responses are detailed in Attachment 3 to this report. Of the 21 affected service delivery and administration staff, 11 responded to the questionnaire. Of those, nine were supportive of the proposal and two were not.

More recently, the Australian Services Union conducted a survey and indicated that 11 staff members also responded to their questionnaire. A report of their survey results indicates that 64% of respondents, or 7 people if all 11 responded, were not supportive of a transfer to the new organisation, 18% or 2 people were supportive of the transfer and 18% or 2 people commented that no other option had been given.

Certainly, a number of staff have expressed the concern that they have not been given any other option other than transferring to the new organisation. It would be possible for staff to be offered the opportunity to seek out other employment options within the City at the time of the transfer, should such options exist. Another option would be for staff to be offered voluntary redundancy rather than transferring to the new organisation.

Further advice was sought in relation to the City's obligations to make redundancy payments to employees. The following advice was received:

The City's exposure to make redundancy payments to transferring employees is reduced if the City secures acceptable alternative employment for the employees. This test is likely to be satisfied where the new organisation offers employment on no less favourable terms and conditions than they currently enjoy, recognising accrued entitlements and providing continuity of service for service related benefits. The entitlement of employees who refuse employment with the private organisation to alternative employment or redundancy payments remain, but again, the entitlement to redundancy may be reduced by the City securing acceptable alternative employment.

LEGAL ADVICE

Legal advice has been obtained as to any legal risks the City might face with the development of the new organisation. The advice is that the City is empowered to form an association under the Associations Incorporations Act 1987. Once incorporated the proposed association would be a separate legal entity which could enter into contracts, employ staff, be the recipient of funding and sue or be sued.

It would be possible for the Committee of Management (Board) of the Association to include an employee and an elected member from the City. The City would not be exposed to liability for the actions of the Association merely by reason of having an employee or an

elected member on the Association's Committee of Management (Board). As members of the Committee of the incorporated association, the employee and the elected member take on certain responsibilities in their personal capacity. The employee and the elected member need to be aware of this. For example, section 42 of the Associations Incorporation Act provides that if a member of the Committee (Board) "*fails to take all reasonable steps to secure compliance by the association with its obligations*" under the Act then the member commits an offence. Accordingly, all members of the committee (Board) need to be conversant with the statutory compliance requirements of the association.

The legal advice also notes that where it is proposed that the association will make use of the City's premises, it is important to ensure that formal lease documentation is prepared and is in place before the association takes occupation.

The advice also suggests that careful consideration should be given to what is necessary to implement the proposal including:

- The incorporation process;
- Obtaining a common seal;
- Application for a licence under the Charitable Collections Act; and
- Application for tax status to the Australian Taxation Office.

The implementation issues outlined above have been incorporated into the implementation action plan which can be found at Attachment 2 to this report.

CONSULTATION

A total of 301 people provided feedback by phone, on line, by letter or petition and face to face through focus groups or meetings as follows:

- General public – 1;
- Community Services Organisation – 1;
- Funding bodies – 14;
- Staff – 23;
- Volunteers – 11;
- Aged and Disability Services Users – 3;
- Occasional Care Users – 3; and
- Family Day Care – 247.

A full account of the information gained through the consultation process can be found at Attachment 3. Stakeholders were asked to identify advantages of the proposal, disadvantages, ways in which disadvantages might be overcome and to provide general comments. There was a great deal of overlap in the feedback obtained from the various stakeholders. Advantages were identified in four broad areas:

- The benefits that accrue from a smaller organisation;
- Greater responsiveness, quality of service and capacity to develop new services;
- Financial security; and
- Staff and Family Day Carers having more control, greater recognition, opportunities for training and innovation and greater visibility.

Two users of Aged and Disability services, one user of Family Day Care services and two staff members clearly indicated that they were against the proposal. The balance generally supported the move of services out of Council but a significant number (227 of the Family Day respondents) felt that certain actions should be undertaken before any transfer of services takes place.

In view of this, the issues arising from Aged and Disability Services and those arising from Family Day Care will be explored separately.

Aged and Disability Services

Information was received from three service users and eleven volunteers out of the 694 contacted. Two of the service users were not supportive of the change but the other respondents were generally supportive.

The two service users saw the transfer as an abrogation of Council's responsibility and one was particularly concerned about the potential composition, structure and knowledge of the new organisation's Board. The potential for any community based Board of management to encounter difficulties is acknowledged and will be addressed through the new organisation's constitution. This will include the development of tight requirements regarding Board membership. The plan of action, which can be found at Attachment 2, incorporates many of the suggestions made by this service user to ensure good governance of the new organisation.

On the basis of this feedback, the position has been taken that the community generally supports the transfer of the City's Aged and Disability Services to the new organisation and is generally satisfied that a decrease in services will not result.

Family Day Care

As indicated Family Day Care respondents generally supported the move of services out of Council but felt that certain actions should be undertaken before any transfer of services takes place. Specifically mentioned in a petition were the following:

- Carer/parent representation on the Board;
- Further study into the Family Day Care component of a new organisation;
- Commonwealth funding intended for Family Day Care to be directed entirely to the new Family Day Care Scheme; and
- Quality of care currently provided to be maintained and improved upon through training and professional development.

In addition, other concerns/ideas were raised in letters, by phone and through the focus group as follows:

- the wisdom of locating children's services with aged and disability services;
- possibility that the scheme may be best served by being a part of an already established recognised childcare or early childhood entity;
- possibility of establishing a stand alone family day care scheme;
- the belief that the new organisation will have a 'top heavy' management structure; and
- the timing of the transfer.

Contact has been made with the other eleven metropolitan Family Day Care Schemes and with the Commonwealth Department of Family and Community Services in an attempt to address the concerns raised above, specifically:

Carer/parent representation on the board of management

The establishment of carer/parent representation on the Board of management can be accommodated within the constitution of the new organisation. Officers from the Department of Family and Community Services expressed the view that a position for one carer on the Board would be sufficient to represent the interests of carers and noted that carers receive money from the scheme and provide the care so do have a financial interest and a potential conflict of interest.

Need for further study

Further study into the family day care component of a new organisation has been accommodated in the plan of action that forms Attachment 2 to this report.

Commonwealth funding intended for Family Day Care to be directed entirely to the new Family Day Care Scheme

The Family Day Care Scheme would have its own budget in the new organisation as it does with the City. The Commonwealth Department of Family and Community Services requires funds intended for Family Day Care to be directed entirely to the Family Day Care Scheme and has in place accountability requirements to ensure that this occurs. The financial modeling for the new organisation (Attachment 3 to this report) includes a separate budget for family day care.

Quality of care currently provided to be maintained and improved upon

The budget for the family day care component of the new organisation includes a higher staffing level than is currently the case with the City. The role of the Children's Services Officers and the Playleader/toy librarians is to support and improve upon the quality of care. To these positions will be added a team leader whose sole responsibility will be for the Family Day Care Scheme. In addition, the scheme will be required to become quality assured. The Federal Government has made a financial commitment to quality assurance for family day care in its 2000/2001 budget. It is expected that piloting of the Quality Assurance System will commence before the end of the year. The Scheme will participate in this system whether located within the City or within the new organisation.

Locating children's services with aged and disability

Four of the other eleven family day care schemes are colocated with aged and disability services and a further one is co-located with a service that provides support for children with disabilities to be included in mainstream children's services. Another three schemes are co-located with services such as family support, financial counselling, family accommodation, foster care, home crisis, employment, refugees, mental health and legal. Only two family day care schemes are stand alone, offering only family day care. Officers from the Commonwealth Department of Family and Community Services commented that a lot of sponsors of Family Day Care are multi-functional and the special needs of Family Day Care could be accommodated through operating a committee system under the Board of management.

Finding an already established childcare entity

The issue of finding an already established childcare entity to take over the scheme raises some difficulties. The City's proposal has been underpinned by a number of principles, two of which are that the quality and level of service would continue at the same standard in the new organisation and that permanent staff would transfer with the service and not lose entitlements.

An existing organisation would have the right to employ its own staff for the scheme. This would result in redundancies for five permanent employees currently employed with the City. In addition, the City would have no influence in service delivery issues or priorities of the successful bidder and could, therefore, make no guarantees regarding the quality of service.

From the advice received from the Chamber of Commerce and Industry, it would seem that Council would still be seen to be transmitting business. This would mean that the existing childcare entity may be required to adopt the City's Umbrella Enterprise Bargaining Agreement for the Family Day Care Scheme even though the same staff were not employed.

It would seem that, in order for a transmission of business not to occur, the City would have to cease offering the service and cease any involvement with the scheme. It would have to be very clear that no relationship existed between the new provider and the City. To achieve this, the City would have to relinquish funding and the department would have to go through a process of locating an alternative existing provider. The City is aware that other providers would be interested to tender for this service. However, careful planning would be needed to ensure that a gap in service did not occur.

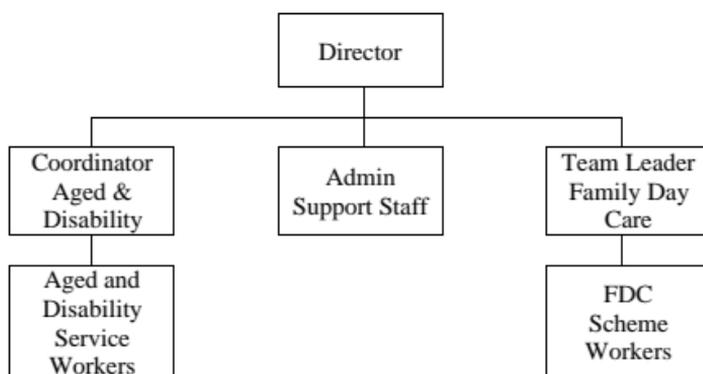
Officers from the Commonwealth Department of Family and Community Services indicated that the Department did not have a preference either way for the scheme to transfer to an existing childcare provider.

Developing a stand alone family day care scheme

Departmental officers expressed concern at the prospect of the scheme becoming a stand alone service where carers dominated the Board of management. They alluded to a recent situation where a family day care scheme had been defunded because of difficulties that had arisen in the scheme as a consequence of a carer-dominated Board. Officers expressed the view that they are comfortable with the proposal outlined by the City with the creation of a new organisation and the colocation of the scheme with a range of other human services.

Top heavy management structure

The draft structure for the new organisation has three levels including the staff directly delivering service. The organisational structure will ultimately be determined by the interim Board of management. If a structure such as the one outlined below is adopted, it is not seen as a top heavy structure, but one that would be workable.



This structure was also presented to officers of the Department of Family and Community Services who did not see it as top heavy.

The timing of the transfer

There was concern at the original date proposed for the transfer of service which was 1 January 2001. The new proposed date is 1 July 2001. This change in date addresses this concern.

TRANSFER OPTIONS

There is general support for the nominated services to transfer out of the City into the community based sector. However, there is support for the Aged and Disability Services to transfer to a newly created organisation but a desire for consideration to be given to the transfer of the Family Day Care Scheme to an existing childcare organisation. Consequently, a number of options exist:

OPTION	ADVANTAGES	DISADVANTAGES
Option 1 involves the transfer of the Aged and Disability Services to the newly created organisation on 1 July 2001. The second part of the option involves keeping the Family Day Care Scheme within the City at this time.	The Aged and Disability Services are sufficiently well funded to be able to stand alone in the new organisation and to allow for staff to receive the salary and conditions currently available under the City's Umbrella Enterprise Bargaining Agreement. The advantage of this option is that the Aged and Disability Services would be established in the community.	The disadvantage of this option is that the Family Day Care Scheme would remain with the City at this time creating uncertainty for staff, carers and families. In addition, achievement of the new direction for Community Services would be impeded.
Option 2 involves the transfer of the Aged and Disability Services to the newly created organisation on 1 July 2001. The second part of the option involves the Commonwealth, in conjunction with the City, calling for expressions of interest from existing childcare agencies for the Family Day Care Scheme with a view to transferring the Scheme as of 1 July 2001.	As already indicated, the Aged and Disability Services are sufficiently well funded to be able to stand alone in the new organisation. The advantage of this option is also that the Aged and Disability Services would be established in the community. In addition, Family Day Care would be transferred to an alternative existing provider and the City would have some input into the selection of the childcare provider.	The disadvantages of this option are that the five staff from the Family Day Care Scheme would be made redundant and a transmission of business may occur resulting in the existing childcare agency having to adopt the City's Umbrella Enterprise Bargaining Agreement. In addition, the City would have no input into service delivery issues or priorities of the successful bidder.
Option 3 involves the transfer of the Aged and Disability Services to the newly created organisation on 1 July 2001 and the City relinquishing funding for the Family Day Care Scheme at a date to be decided by the Commonwealth. The Commonwealth would then have to go through a process to select an existing childcare provider for the Family Day Care Scheme without any involvement by the City. Careful planning would be needed to ensure that no gap in service occurred.	The advantages of this option are the same as those listed in Option 2 with the additional advantage of transmission of business to the existing childcare provider being avoided.	The disadvantages relate to the need to make five staff redundant, the City having no role in the selection of the existing childcare agency and the City having no input into service delivery issues or priorities of the successful bidder.

<p>Option 4 involves the transfer of both the Aged and Disability Services and the Family Day Care Scheme to the newly created organisation with effect from 1 July 2001.</p>	<p>The advantages of this option are that:</p> <ul style="list-style-type: none"> • no staff would be made redundant and the expressed wish of a number of family day carers/parents to be able to relate to the same staff would consequently be met; • even though a transmission of business may occur, the new organisation could accommodate the current salaries and conditions of the City's Umbrella Enterprise Bargaining Agreement; • the City would have input into the development of the constitution and would thus be able to ensure that the Board has appropriate membership and representation; • the City would be able to ensure continuity of service and quality for service users; and • the City would have input into service issues and priorities of the new organisation during the establishment phase over a six month period. 	
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

IMPLEMENTATION PLAN OF ACTION

The detailed implementation plan of action, which forms Attachment 2 to this report, endeavours to address all of the disadvantages and concerns raised by stakeholders during the consultation process. It provides a guide to the process of transfer but will need to be adapted along the way to take account of the suggestions and directions of the interim Board of management.

COMMENT/FUNDING

Given the advantages and disadvantages of the four options, Option 4, that is, transferring the Aged and Disability Services together with the Family Day Care Scheme to the new organisation, is considered to offer all stakeholders the best option. Accordingly, and in conjunction with Resource Management, budgets for the new organisation have been prepared and include the following services:

- Joondalup Client Support Services;
- Joondalup Day Centre;
- Joondalup Food Services;
- Joondalup Home Support Services;
- Joondalup Podiatry Service;
- Community Aged Care Packages;
- Child Respite; and
- Family Day Care.

The budgets exclude Financial Counselling and Occasional Care.

These budgets have been compared with the services' current operating budgets within the City. Full details of the financial modelling for the new organisation and comparisons with existing expenditure for the services appears in Attachment 4. The following table summarises the financial position:

	Existing Consolidated City Family Day Care and Aged and Disability Budgets 2000/2001	Proposed Consolidated New Organisation Family Day Care and Aged and Disability Budgets
REVENUE		
Total Government Grants	2,045,330	2,045,330
Total Contributions	15,000	3,000
Total Service Fees and Charges	125,885	134,185
Total Revenue	2,189,515	2,182,515
EXPENDITURE		
Total Employee related Expenses (for ease of comparison – the Business Unit Management and Admin salary charge has been included here but the contracts for home care have not)	895,534	867,212
Total Materials and Contracts	1,283,549	1,293,994
Total Utilities	8,818	10,000
Depreciation	1,896	0
Share of Business Unit's Management and Admin Operating	76,762	0
Administration Charge – Directorate and Corporate	273,186	0
Total Expenditure	2,539,745	2,171,406
SURPLUS/(DEFICIT)	(350,230)	11,109

OFFICER'S RECOMMENDATION: That Council:

- 1 APPROVES a future direction for the City's Community Services of establishing a new community based service delivery organisation and the transfer of the following services, currently provided by the City, to the new organisation:
 - Joondalup Client Support Services;
 - Joondalup Day Centre;
 - Joondalup Food Services;
 - Joondalup Home Support Services;
 - Joondalup Podiatry Service;
 - Community Aged Care Packages;
 - Child Respite; and
 - Family Day Care

- 2 APPROVES work proceeding in line with the implementation action plan contained in Attachment 2 of Report CJ368-12/00 towards the transfer of the services with the effective date of transfer being 1 July 2001. (This recommendation acknowledges the need for marginal change to the implementation plan as implementation progresses);

- 3 NOTES that, nearing the completion of that work, a further report would be submitted to Council to seek approval for matters such as:

- the transfer of staff provisions and assets to the new organisation;
- the relinquishment of State and Commonwealth Government grants so that they can be transferred to the new organisation;
- a leasing arrangement; and
- a one off grant for equipment if required.

MOVED Cr Magyar, SECONDED Cr Carlos that Council DOES NOT APPROVE the future directions of the City’s community services by establishing a new community based service delivery organisation and continues the current practice of supporting various social services.

Discussion ensued. Cr Carlos gave an overview of the functions of Joondalup Lotteries House.

Cr Hollywood queried should the organisation experience financial difficulties, would assistance be given by the City of Joondalup. Director, Community Development stated this was not usual practice. Should the community based organisation get into financial difficulties, this would be monitored by the respective Commonwealth and State funding authorities. The constitution governing the management and administration of the incorporated body would be required to deal with the matter in accordance with the Association and Incorporations Act and the constitution.

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, Ewen-Chappell and Carlos

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

MOVED Cr Patterson, SECONDED Cr Wight that Council:

1 APPROVES a future direction for the City’s Community Services of establishing a new community based service delivery organisation and the transfer of the following services, currently provided by the City, to the new organisation:

- **Joondalup Client Support Services;**
- **Joondalup Day Centre;**
- **Joondalup Food Services;**
- **Joondalup Home Support Services;**
- **Joondalup Podiatry Service;**
- **Community Aged Care Packages;**
- **Child Respite; and**
- **Family Day Care**

- 2 APPROVES work proceeding in line with the implementation action plan contained in Attachment 2 of Report CJ368-12/00 towards the transfer of the services with the effective date of transfer being 1 July 2001. (This recommendation acknowledges the need for marginal change to the implementation plan as implementation progresses);**
- 3 NOTES that, nearing the completion of that work, a further report would be submitted to Council to seek approval for matters such as:**
- the transfer of staff provisions and assets to the new organisation;**
 - the relinquishment of State and Commonwealth Government grants so that they can be transferred to the new organisation;**
 - a leasing arrangement; and**
 - a one off grant for equipment if required.**

The Motion was Put and

CARRIED

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

In favour of the Motion: Mayor Bombak, Crs Mackintosh, Hurst, Kenworthy, Patterson, Wight, Barnett, Rowlands and Kadak

Against the Motion: Crs Ewen-Chappell, Carlos, Magyar, Nixon, Hollywood and Walker.

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12ag191200.pdf](#)

Cr Walker left the Chamber, the time being 2310 hrs.

Cr Hollywood declared a non-financial interest in Item CJ372-12/00 – Re-furbishment of the Joondalup Administration Centre – “Fitout” Contract: Tender 030-00/01 as the contractor undertaking the refurbishment of the administration building is personally known to him.

CJ372-12/00 RE-FURBISHMENT OF THE JOONDALUP ADMINISTRATION CENTRE – “FITOUT” CONTRACT: TENDER 030-00/01 - [51143] [04150]

WARD - Central

CJ001212_BRF.DOC: ITEM 19

SUMMARY

This report examines the tender submissions and evaluation method for the lump sum contract for the fitout of the Joondalup Administration Centre (030-00/01), examines the project finance and recommends acceptance of the tender from Project Office Partitioning for \$123,400.00.

BACKGROUND

Following the split of the former City of Wanneroo and the removal of the new City of Wanneroo staff from the Joondalup Administration Centre, plans were put in place to refurbish the Joondalup Administration Centre to suit the City of Joondalup's new corporate structure. In consultation senior staff, the design developed by the consultant (Ivan Machin Design) has brought together spare space in the building into two areas, one each on the ground and second floors, that gives the City some flexibility for future lease or organisational expansion requirements.

The refurbishment works consists of a number of individual work packages being managed by project management consultants, Time Projects. Quotations for all work packages are obtained in accordance with Council's purchasing policies.

The value of all work packages other than the "Fitout" package (the subject of this report) and "Workstations" package falls below the \$50,000 public tender threshold. "Workstations" are covered by a schedule of rates extending into 2001 from the original Joondalup Administration Centre Refurbishment contract (contract no: 137-98/99).

The Consultant advises that the Administration Building fire detection system is outdated and parts can no longer be obtained. This is a serious safety issue.

DETAILS

The "Fitout" contract includes new partitions, internal glazing, doors, joinery, window treatments and alterations to floor coverings to all floors of the Administration Building.

A public invitation to tender was issued on Saturday 12 November 2000. Tenders closed on Tuesday 28 November.

Three complying tenders were received:

Project Office Partitioning	\$123,400.00
Shannon Industries	\$133,915.00
Topline Partitions and Interiors	\$125,554.00

All prices are inclusive of GST.

One non-complying tender was received from Stott and McCarthy Building Pty Ltd. This firm failed to attend the mandatory pre-tender site inspection.

The Consultants engaged to design and mechanical services installations for the refurbishment advised the fire detection system is now outdated and that parts can no longer be sourced. The cost of replacement is estimated at \$60,000-\$80,000. The works would involve replacement of detectors in the ceiling system and the enunciator panel on the ground floor. The replacement should proceed with the refurbishment works.

The detection system is essential to personal and property safety. It is possible to install the system separate from the refurbishment program however this would incur a cost penalty and is not recommended.

COMMENT/FUNDING

Under the City's Contract Management Framework, tenders were assessed by an evaluation committee using a weighted multi-criterion assessment system. The committee included the project management consultant who will be both managing and superintending the contract. The criteria provided in the Tender Information Document were:

- Lump Sum Price and price breakup.
- Tenderer's resources – such as special skills, equipment, sub-contractors, ability to undertake the Works within a short time.
- Demonstrated financial capacity to manage the contract and to finish the Works under the contract within the time allocated.
- Tenderers experience undertaking similar works.
- Safety records and OH&S management policy.

By applying the multi-criterion analysis, it was determined that the best value for the City of Joondalup can be achieved by accepting the tender Project Office Partitioning for contract 030-00/01 Fitout of Joondalup Administration Centre for the lump sum price of \$123,400.00 inclusive of GST.

Sufficient funds have been allocated within the budget for this contract to proceed, as set out below.

Funding for this project provides many things besides the re-furbishment of the Joondalup Administration Centre, in particular certain improvements in the Joondalup Chambers (Chambers Reception Desk and improved security measures). Further allowance must be made for funding additional items as they arise.

Re-furbishment work on the Joondalup Administration Centre is in two stages, with Stage 1 (Third Floor "Workstations," "Staff Re-locations" and "Electrical re-configuration") already completed. The new partitions and any carpet adjustments to the Third Floor are part of this contract. The First Floor is programmed for early January and the Second Floor is programmed for January/February 2001.

It should be noted that the proposed works would leave the future lease spaces unchanged. That is existing offices will remain. Furniture will be removed. It is likely that a tenant will want changes. The cost of such changes would need to be considered as part of the any lease proposal. The refurbishment costs will address minor air-conditioning duct and control changes. The mechanical works will not address any major air-conditioning plant issues. These issues will be subject to future maintenance and capital programs.

Total anticipated expenditure based on work package quotes for the project is:

<u>Completed Works</u>	<u>Value</u>
Chambers Reception Desk and Security	\$ 11,569.17
<u>JAC Stage 1 (3rd Floor)</u>	<u>\$ 22,451.40</u>
Completed Works Sub-total	\$ 34,020.57
<u>Work Packages</u>	
Fees	\$ 49,105.00
Mechanical Services modifications	\$ 14,850.00
Staff Relocations	\$ 13,464.00
Compactus	\$ 4,785.00
Electrical, security, 'phone and data modifications	\$ 34,484.00
Plumbing	\$ 1,880.00
Workstations	\$ 56,180.00
Furniture (allowance)	\$ 15,000.00
Signage (allowance)	\$ 5,000.00
<u>Fitout Contract Tender 030-00/01</u>	<u>\$123,400.00</u>
Works Total	\$318,148.00
<u>Project Contingency</u>	<u>\$ 42,000.00</u>
<u>Anticipated Project Expenditure (Stage 2) Sub-total</u>	<u>\$360,148.00</u>
Total Anticipated Expenditure	\$394,168.57
Total Available Funds	<u>\$400,100.00</u>

Additional Works – Fire Detection System

The recent advice from the Consultant is that the estimated cost of replacement is \$60,000-\$80,000. These works would need to be tendered as it exceeds the \$50,000 limit. No budget funds have been allowed for this work. Approval is requested for overexpenditure. This will allow the tenders to be obtained and the works to proceed with the refurbishment.

MOVED Cr Wight, SECONDED Cr Rowlands that Council:

- ACCEPTS the tender from Project Office Partitioning for contract number 030-00/01 Fitout of the Joondalup Administration Centre for the lump sum price of \$123,400.00 inclusive of GST;**
- AUTHORISES the execution of contract documents;**
- AUTHORISES in accordance with Section 6.8(1) of the Local Government Act, the addition of \$80,000 for installation of the fire detection system in the Joondalup Administration Centre.**

The Motion was Put and**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr Ewen-Chappell declared a financial interest in Item CJ375-12/00 – Shenton Avenue and Pontiac Way, Joondalup Feasibility of Roundabout Installation as she owns a business in the Joondalup Business Park.

Cr Ewen-Chappell left the Chamber, the time being 2311 hrs.

CJ375-12/00 SHENTON AVENUE AND PONTIAC WAY, JOONDALUP – FEASIBILITY OF ROUNDABOUT INSTALLATION - [07056] [03762]

WARD - Lakeside

CJ001212_BRF.DOC: ITEM 22

SUMMARY

A multi signature petition has been received from the Joondalup Services Trades Area requesting the construction of a roundabout at the intersection of Shenton Avenue and Pontiac Way to allow safe four way access into and out of the Business Services and Trade Area.

A traffic assessment of the installation of this treatment indicates that there are benefits in the short to medium term and it is therefore proposed that a roundabout be constructed at this intersection as part of the Shenton Avenue dualling works programmed over the next two financial years.

BACKGROUND

A petition has been received requesting the construction of a roundabout at the Shenton Avenue and Pontiac Way, Joondalup junction in order to improve access in and out of the Joondalup Services Trades Area.

The Joondalup Service Trades Area is bounded by Mitchell Freeway, Hodges Drive, Joondalup Drive and Shenton Avenue. Initially, access to the Service Trades Area was only available via Joondalup Drive. However, additional restricted “left in-left out” access was permitted in 1997 via Buick Way to Hodges Drive and via Pontiac Way to Shenton Avenue. The restricted access to Pontiac Way was based on future access arrangements proposed for the Joondalup Arena. The feasibility of a roundabout at Pontiac Way and Shenton Avenue has been previously raised as part of the access considerations to the Service Trade Area. (Item TS143-05/97 refers)

The Joondalup Arena and Lake Joondalup Baptist College are located in the north west corner of the Joondalup Drive-Shenton Avenue intersection with access from Joondalup Drive via Kennedy Drive. With the continuing expansion of the Arena and the Baptist College, it is proposed to provide in the future a new access road, Road A, from Shenton Avenue opposite Pontiac Way. A locality plan is shown on Attachment 1.

Shenton Avenue is one of only five major access roads leading into Joondalup City Centre. With an anticipated 40,000 vehicles per weekday on Shenton Avenue west of Pontiac Way in 2021, it will be the third most heavily trafficked section of road within Joondalup City Centre.

The planning of the Joondalup City Centre road network was carried out so as to maximise the traffic capacity of the major access roads, including Shenton Avenue. The result of this planning was that no full median access was planned in Shenton Avenue between Joondalup Drive and Mitchell Freeway, in order to prevent the need for traffic signals in the future.

DETAILS

The existing Shenton Avenue – Pontiac Way junction allows only left turn movements in and out of Pontiac Way. It is located approximately 250 metres west of Joondalup Drive and 300 metres from the future east “on ramp” of the Mitchell Freeway.

Traffic surveys carried out by Traffic Consultants show that many additional traffic movements also occur at the Shenton Avenue – Pontiac Way junction, since parents dropping children off to Lake Joondalup Baptist College (and picking children up) use both the northern and southern verges of Shenton Avenue as a parking area.

As part of the Lake Joondalup Baptist College expansion, a connection is planned from Shenton Avenue.

Channelisation Layout

The current plan is to maintain access to and from Pontiac Way for left turn movements only, while access to Road A is planned for left turn movements in and out as well as right turn movements out into Shenton Avenue west. These movements are shown on Attachment 2.

A detailed traffic intersection analysis undertaken by Traffic Consultants shows that this currently planned intersection layout will operate at Level of Service C during the 2006 morning and evening peak hours, if Mitchell Freeway still terminates at Hodges Drive. A Level of Service C indicates satisfactory operating conditions with average delays.

If the Mitchell Freeway has been extended to Shenton Avenue by 2006/07 then the left turn out of Pontiac Way will fall to Level of Service D during the evening peak hour, indicating poor but manageable operating conditions.

In the long term the left turn out of Pontiac Way and the right turn out of Road A will both fall to an unacceptable Level of Service F, indicating extreme congestion with excessive delays, even if Road A only provides access to Lake Joondalup Baptist College.

The traffic study report notes that traffic wishing to turn left out of Pontiac Way will find alternative routes. However, due to the potential for severe right angle crashes, the right turn out of Road A will have to be banned.

Roundabout Treatment

The construction of Road A together with all movement access to Pontiac Way would require the installation of a roundabout. The installation of the roundabout is dependent on extension of the Shenton Avenue Rail Bridge.

As Shenton Avenue is proposed to be widened to a four lane divided road, a dual lane roundabout is required.

The traffic analysis shows that the Shenton Avenue – Pontiac Way – Road A dual lane roundabout will operate at acceptable Levels of Service B and C during the 2006 morning and evening peak hours, with Mitchell Freeway terminating either at Hodges Drive or at Shenton Avenue.

However, by 2021 the dual lane roundabout will fall to an unacceptable Level of Service F during both morning and evening peak hours, even if Road A only provides access to Lake Joondalup Baptist College

An option would be to remove the dual lane roundabout in the long term and install traffic signals at the Shenton Avenue – Pontiac Way, Road A intersection

However, Main Roads Western Australia officers have advised that traffic signals at Shenton Avenue – Pontiac Way will not be approved due to the negative impact they would have on the efficiency of the adjacent signals at Joondalup Drive and the future Mitchell Freeway ramps.

Therefore, modification to the roundabout or alternative channelisation restricting access may be an option.

It is to be noted that since Pontiac Way is a public road it would be difficult to ban movements after it has been operating for a period of time. Access to Road A can be controlled by the City through development approvals and therefore is more flexible.

The estimated cost for a dual lane roundabout at the intersection of Shenton Avenue – Pontiac Way and Joondalup Baptist College – Arena Access is \$200,000. The dual lane roundabout concept layout is shown on Attachment 3.

COMMENT/FUNDING

The traffic study shows that the installation of a roundabout at the Pontiac Way and Shenton Avenue would be beneficial in the short to medium term.

The construction of a roundabout will provide full access to the Business Park and improve access to the Joondalup Baptist College and Arena.

The long term planning (2021) will require Shenton Avenue to be six lanes between the Freeway and Joondalup Drive. At this stage modifications will be required to the roundabout. The original plans for Arena Joondalup envisaged peak traffic volumes to be accommodated for a typical Saturday afternoon. It has been suggested by the Western Australian Sports Centre Trust that these peak volumes will not be as significant due to changed planning use of facilities and restricted car parking. Also a current strategy is to provide an alternative access through a connection from the Arena to Moore Drive. These changes and revised pattern use of facilities suggest that on occasions where significant large numbers of people are expected, alternative traffic management measures including road closures and special event policing may be appropriate strategies.

Whilst the long term implications of a roundabout at this junction are appreciated, the revised usage patterns of the Arena and likely alternative access to Moore Drive will result in distribution of traffic flows.

On this basis, as a roundabout at the Pontiac Way and Shenton Avenue junction has operational benefits in the short to medium term, its construction can be supported. However, in view of the programmed dualling of Shenton Avenue over the next two years and the need for the Rail Bridge to be extended, it is considered that the roundabout construction should be incorporated (as a dual lane treatment) within this program.

The estimated cost of the roundabout of \$200,000 can be funded from the total Shenton Avenue dual carriageway works.

MOVED Cr Kadak, SECONDED Cr Wight that Council APPROVES the construction of a dual lane roundabout at the Shenton Avenue and Pontiac Way junction as part of the Shenton Avenue dual carriageway program.

The Motion was Put and

CARRIED

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16brf121200.pdf](#)

Cr Ewen-Chappell entered the Chamber, the time being 2312 hrs.

CJ385-12/00 MULLALOO FORESHORE CONCEPT PLAN (PRECINCT PLANNING) - [48840] [46597]

WARD - Whitfords

CJ001212_BRF.DOC: ITEM 32

SUMMARY

The City of Joondalup has commenced a Precinct Planning programme focused on developing agreed community “visions” for precincts within the City. The “visions” will be developed through and supported by a draft “Precinct Plan” for each area. These Precinct Plans will provide a guide to the future of the area and while developed through a process of consultation and consensus, will be non-binding, that is they will be flexible enough to allow for adaptation to new challenges and opportunities.

The beachfront areas of Mullaloo and Sorrento were chosen as pilot projects for this process as both provide a somewhat under-utilised recreational opportunity for people from across the City. Consultants have been appointed for both areas and focus groups have been formed and consulted in the development of a draft “vision” and draft Precinct Plan. The consultants used a design review process (ie. using draft designs to focus the group’s discussion and aid communication) over several months, to develop the draft Precinct Plans. This report focuses on the Mullaloo Precinct Planning exercise.

The Mullaloo Vision and Plan proposes a continuation of the role of the area as a quiet family-focused beachfront, enlivened by a wider range of uses, and supported by improved parking and access. The focus of expenditure will be on enhancing facilities for users and restoring the coastal dune system. The draft Precinct Plan was costed to provide an indication of possible expenditure, and it was estimated that the works would cost \$1,565,000. While the public works investment opportunities were investigated little light has been brought to

bare on opportunities for private investment in the areas. Many ideas were raised during the process but the focus group either rejected these ideas or felt they were beyond its mandate.

This report seeks Council support to advertise the outcomes of Stage One in accordance with an advertising program. This will require advertising of the outcomes to seek a response on the proposal from the broader Community. Along with the concept plan put forward by the consultant after consultation with the focus group the key elements of the vision will be explained through display panels dealing with safety, traffic calming and parking, vitality, enhanced access and land conservation. To ensure the community is presented with a chance to comment on broader issues than the enhancement of public areas, a plan annotating private investment opportunities will be presented along with possible benefits to the community.

History

Mullaloo is one of the older suburbs on the City's coast. It is, nevertheless, similar to many other suburbs in the area in that it has been designed as a low density, detached dwelling, suburban area with few commercial uses other than retail shopping.

The coastal strip, which is both highly accessible to residents of the City and visible to passers-by, has helped define the image of the suburb. The Beach, the Surf Club and Tom Simpson Park have formed a focus for youth and family activities compatible with the residential area around it.

While the last ten years have marked a revival in boardwalk culture up and down the coast, a lack of pedestrian planning and limited diversity of retail and catering facilities has seen the Mullaloo coastal area remain largely unchanged in nature. As the population of the City increases and lifestyle areas like Hillarys Boat Harbour reach capacity, increasing pressure is being placed on the precinct to address its role as a district facility.

There are a range of private and government landowners in the area as well as a range of interest groups, and it is through the precinct planning process that these stakeholders are being engaged in developing an integrated Vision for the area.

BACKGROUND

Program Endorsement

On 14 March 2000, Council resolved to initiate "Precinct Planning" (Item CJ049-03/00) as a means of developing plans for the future of local centres and the suburbs around them, based on regional issues and local community objectives. Council endorsed the process of Urban Design Study as a means of involving the community not only in identifying the Vision but in the development of the Precinct Plans.

Pilot Projects

Tom Simpson Park, Mullaloo and the Plaza Shopping Area, Sorrento were chosen as pilot projects, and Council endorsed the appointment of consultants to work with focus groups to develop Concept Plans for these areas.

Adopted Process

The public consultation programme adopted for the pilot precincts is a six step process. The early steps involved the creation of a local focus group whose role was to inform the Consultants of local needs, create a “Vision” through identification of Key Objectives and to help with brain storm ideas for the area that would be presented in a Draft Concept Plan.

The Mullaloo project has now reached the end of this initial process and is at a stage where a Draft Concept Plan is ready for public advertising. This advertising is intended to provide an opportunity for private land owners, investors and the broader community to raise issues in reaction to ideas the focus group and consultants have generated

DETAILS

Extent of Project Area

The extent of the study area was determined on the basis of the maximum practical distance a pedestrian is likely to walk to a major focal point. A major focal point is considered to be a town, railway station or major facility. In this case, it was considered that the beach node created by Mullaloo beach, Tom Simpson Park, the Surf Club and the Tavern would act as a major facility and attract pedestrians from as far away as 800m.

Statistically a distance of 400m (or approximately 5 minutes) is the distance pedestrians will commonly walk to a centre such as a local store or park. Beyond this distance, people will generally drive unless the destination is the major journey for the day (a visit to a shopping area, a walk to the train station, or a trip to a major facility) in which case they may walk up to 800m.

Car owners will be influenced by the availability of parking and the quality of streetscape in deciding whether they walk or drive. For youth, aged and others not able to access centres by car (equalling about 50%) and who are too far from a centre to walk, cycling or public transport may be an option. Invariably, these people are dependent on friends and relatives to provide a taxi service and are otherwise isolated from the business and life of the local centre

While the physical study area extended approximately 800m out around Tom Simpson Park, issues affecting the area were also considered at a district and regional scale.

Appointment of Consultants

Nine consultancy firms were invited to provide quotes for the City to consider. The successful consultants, Woods Bagot, were chosen on the basis of skill and experience in public consultation and urban design as well as being seen to provide a value for money service.

Focus Group

The focus group was deliberately set up to avoid it becoming a committee of special interest group representatives. Therefore, a wide cross-section of people were invited onto the Focus Group by the Ward Councillors in consultation with City officers. It was hoped these people would bring with them a deep knowledge of the area and a balanced perspective on local issues.

The focus group included local residential and non-residential property owners, as well as representatives of different age groups and users of the local facilities. The Ward Councillors were active participants in the focus group meetings.

Focus Group Members

Councillor Judi Hurst	Whitfords Ward
Councillor Carol Mackintosh	Whitfords Ward
Miss Philippa Brown	Youth Representative
Mrs Ann Willis	Local Resident
Mr Walter Widdeson	Local Resident
Mrs Marilyn Zakrevsky	Local Resident
Ms Marie MacDonald	Local Resident
Mr Kevin Larkin	Mullaloo Surf Life Saving Club
Mr Bruce Arnold (Architect and Representative for new owner)	Representative for Mullaloo Tavern

Scope of Analysis

The analysis took into consideration a wide range of physical issues affecting the area's character and sense of place. It also looked at issues affecting vehicle and pedestrian access as well as the level of comfort and interest offered to users of the area. The analysis revealed both constraints and opportunities for the area.

Issues Considered in the Analysis

- The location and role of the region, outlining relationship to region and other centres;
- Population and other statistical data from census;
- Analysis of land use, looking at facilities and their use;
- Built Form, looking at the density and form of development and its age;
- Landform and Environment, looking at ecological issues and the effect of landform on views etc;
- Traffic and access including parking, traffic counts and speeds, public transport and the pedestrian environment;
- Urban Structure (the site analysis reviewed the character of the area using established urban design criteria known to correspond to the way people perceive an area);
- Landscape – the different types of park area and habitat and their character and interest;
- Public facilities – what there is to attract and support users, and the condition of these facilities;
- Visual analysis provided an overall summary of the views and vistas in the area.

At the Focus Group workshops, members were asked to present and elaborate on the local “community needs” as they had come to understand them through their observations and discussions.

Setting and Reviewing Objectives

To guide the consultants in the development of an integrated concept, the Focus Group was asked to identify key objectives for the area. These objectives, based on the values of the group and hopefully representative of the community, formed a Vision of the role of this area.

The key elements of the Vision are summarised below:

- Park Use Enhance day and night use, interest and safety for adults and youth.
- The Beach Enhance the level of access, cleanliness and amenity and retain the family focus.
- Activities Enhance the attraction of the area as a comfortable place to “sit and watch the world go by” allowing for a range of activities.
- Traffic Improve safety and access for all users including those arriving by public transport and the disabled.
- Parking Ensure parking is integrated to have minimal impact on the parkland landscape.
- Landscape Upgrade the parks and streetscapes, and protect the dune system.

Creation of this Vision was the core role of the local focus group, and once this was formed, the group was then asked to act as an adviser to the consultant, assisting Woods Bagot, through their local knowledge, to understand the complexities of the area and possible impacts of proposed design solutions.

Development of Draft Concept Plans

The Consultant prepared three scenarios, representing different ideas and designs for the area. The focus group assessed how well these scenarios addressed the Vision, selecting preferred elements from each scenario. As a result of this, Scenario 4 was formed which incorporated, as much as possible, the best of each of the other three scenarios.

Status of the Stage One Concept Plan (Scenario 4)

Scenario #4 was put forward by Woods Bagot as the final Stage One Concept Plan.

Members of the broader community have already expressed a desire that the Plan be released for comment. While some Focus Group members would like to further refine the Plan, delay in releasing it may be perceived by the broader community as confirmation that the Focus Group is being given ownership of the process. In addition the “Precinct Development Opportunities” plan needs to be presented to indicate that a strong relationship exists between public and private investment in the area. These need to be integrated to realise the enhancement of the area.

Major Elements Contained in the Stage One Concept Plan (Not in order of Priority).

- 1 *Tom Simpson Park Enhancement;*
- 2 *Dune Rehabilitation and Access Control;*
- 3 *Car Park Reconfiguration;*
- 4 *Oceanside Promenade Streetscape Enhancement;*
- 5 *Southern Area Upgrade;*
- 6 *Park Access Improvements;*
- 7 *Built Form Redevelopment.*

Costs The Stage One Concept Plan is estimated to cost \$1,565,000

Note: This excludes private funding and sponsorship funding which would be needed for the Tavern and Surf Club respectively for them to more fully integrate with the area and also excludes funding for peripheral works such as parks on Merrifield and North Shore Drives.

Management of Community Expectation during Advertising

Releasing the Stage One Concept Plan (Scenario 4) for public comment is likely to raise expectation among some sectors of the community that Council intends to implement the Concept more or less as it is. It is important that the consultation process makes it clear that the project is largely dependent on community support and that timing will be dependent on the City's budget process and the extent to which the community is prepared to work with private investors to facilitate enhancements in the area.

The community's response to the Vision, Concept Precinct Plan, level of spending, extent of intervention and final form of the area will determine the future of the project. However, many challenges facing the area will result in changes regardless of whether the community and Council have a stated vision for the area. This is an opportunity to develop a clear and integrated statement of intent for the area. For it to be of use to decision makers it needs to guide future changes not try to prevent them.

The approval of State Agencies who own or manage the coastal reserves and other infrastructure is necessary before any major works are done in the area. Visible public support will be important to these Agencies before they will contemplate agreeing to any proposal proceeding.

Stage Two – Advertising, Consultation and Implementation Process:

State and Local Newspaper advertisements will inform people of the project and clearly indicate the advertising period and locations of displays, together with the date of an Open Day where the community can meet both the Consultants and City officers for one on one discussion. Presentation will be in the form of displays at local Shopping Centres and Whitford City Shopping Centre; in addition, there will be a permanent display at the Surf Club and in the reception of the City's offices.

It is envisaged that the consultation period will run for at least 8 weeks, but an extension may be granted if it is evident the community requires additional time to provide responses. During the consultation process State Agencies and other institutional stakeholders will be asked to provide comments on the proposed Concept for the area.

The information obtained through this process will be used to determine the level of support and preferred approach to the project, and the recommendations will be reported to Council to determine whether to progress or not. Should Council endorse the outcomes, detailed designs will be developed integrating the range of responses received, which will be used to guide the revitalisation of the area. These detailed design plans, along with the costing and staging of the project, will be referred to Council for endorsement prior to implementation.

COMMENT

A copy of the Stage One Precinct Plan is attached (Attachment 1). The numbers refer to elements of the design which are explained in the accompanying text.

The table below also provides an extensive list of the various components of the Plan along with approximate costs and an evaluation of the proposal. The consultant report will be made available for public viewing once public advertising is endorsed.

Evaluation of Various Components of the Proposal:

1 Tom Simpson Park Enhancement

<p><i>Relocate & Upgrade facilities with consistent character and vandal-resistant design.</i></p> <p><i>Map Ref - 1</i></p>	<p><i>Desirable, as creates a sense of place and interest, enhancing the reserve as a regional asset.</i></p> <p><i>(Part of Tom Simpson Park Upgrade Allocation - estimated at \$200,000)</i></p>
<p><i>Additional planting and management plan</i></p> <p><i>Map Ref - 1</i></p>	<p><i>Desirable, as improves appearance and comfort and enables users to experience the coast without excessive exposure to UV rays.</i></p> <p><i>(Part of Park/ Street Tree Parking Allocation – estimated at \$60,000)</i></p>
<p><i>Northern toilet block – upgrade services.</i></p> <p><i>Map Ref - 2</i></p>	<p><i>Need to evaluate in line with any agreed City-wide levels of service.</i></p> <p><i>(Public Toilet Upgrade Allocation – estimated at \$30,000)</i></p>
<p><i>View deck on toilet block</i></p> <p><i>Map Ref - 2</i></p>	<p><i>Desirable, as should encourage better use, increasing surveillance of facility and enhancing safety in the dune area.</i></p> <p><i>(Part of Timber Boardwalk Access Allocation - estimated at \$70,000)</i></p>

2 **Dune Rehabilitation and Access Control**

<p><i>Dune rehabilitation, fencing and other measures</i></p>	<p><i>Further advice should be taken on the potential for natural regrowth of dune areas once walkways are installed. Funds might be more usefully applied to the establishment of community initiatives up and down the coast to deal with dune conservation.</i></p>
<p><i>Map Ref – 3</i></p>	<p><i>(Dune Rehabilitation Allocation – estimated at \$150,000)</i></p>
<p><i>Elevated Walkways</i></p>	<p><i>Desirable, as provides an experience and creates the opportunity for dune restoration</i></p>
<p><i>Map Ref – 4 & 18</i></p>	<p><i>(Timber Boardwalk Access Allocation - estimated at \$70,000)</i></p>

3 **Car Park Reconfiguration**

<p><i>Reunification of Tom Simpson Park and relocation of parking areas for improved access; better buffer to road and better surveillance of park.</i></p>	<p><i>Highly desirable as this increases the flexibility of park use and enhances the safety for families with young children. It would also help reduce the apparent domination of the park by car access and parking areas.</i></p>
<p><i>Map Ref - 5</i></p>	<p><i>(Part of New / Upgrade Car Parking Allocation – estimated at \$550,000)</i></p>
<p><i>Reconfiguration of northern car park, new trees and reduced area without loss of parking. Single access off new roundabout (calming and reducing through traffic).</i></p>	<p><i>Many City of Joondalup car parks could be reconfigured to be slightly more efficient. The City needs to evaluate the cost benefit of reconfiguring this car park.</i></p>
<p><i>Map Ref - 6</i></p>	<p><i>Single point of access is less desirable than the current design and creates the need for another roundabout within this short stretch of road</i></p>
<p><i>Better signage and increased number of trees for shade.</i></p>	<p><i>Highly beneficial but trees and signage possible in existing car park layout.</i></p>
<p><i>Map Ref - 1</i></p>	<p><i>(Part of Tom Simpson Park Upgrade Allocation - estimated at \$200,000)</i></p>

4 Oceanside Promenade Streetscape Enhancement

<p><i>New roundabout at Marjorie Street</i></p> <p><i>Map Ref - 8</i></p>	<p><i>Very minor traffic volumes entering at this point and U-turns can be made at Warren Way within 300m of the centre. Non local traffic is essential to the vitality of the location and should not be discouraged.</i></p> <p><i>(Part of Oceanside Promenade Streetscape Allocation – estimated at \$200,000)</i></p>
<p><i>Modification of Marjorie Street to 'Out Only' with verges widened as pocket park.</i></p> <p><i>Map Ref - 9</i></p>	<p><i>Could make access to residential area difficult for visitors and residents.</i></p> <p><i>(Part of Oceanside Promenade Streetscape Allocation – estimated at \$200,000)</i></p>
<p><i>New Central Median in Oceanside Promenade</i></p> <p><i>Map Ref - 10</i></p>	<p><i>Highly desirable to assist pedestrians in crossing the street, and promoting traffic calming.</i></p> <p><i>(Part of Oceanside Promenade Streetscape estimated at \$200,000)</i></p>

4 Oceanside Promenade Streetscape Enhancement (Continued)

<p><i>New pedestrian crossing points highlighted by bollards and surface changes</i></p> <p><i>Map Ref - 11</i></p>	<p><i>Highly desirable to assist pedestrians in crossing the street, and promoting traffic calming.</i></p> <p><i>(Part of Oceanside Promenade Streetscape Allocation – estimated at \$200,000)</i></p>
<p><i>Wider footpaths, new paving, new street trees and new pedestrian facilities</i></p> <p><i>Map Ref - 5</i></p>	<p><i>Highly desirable in creating a pedestrian promenade and enhancing street life and other cultural activities. Improved character should change driver behaviour – reduced traffic speeds.</i></p> <p><i>(Part of New / Upgrade Car Parking Allocation - estimated at \$200,000)</i></p>
<p><i>Provision of parallel parking along Oceanside Promenade</i></p> <p><i>Map Ref - 12</i></p>	<p><i>Highly desirable as short stay parking and short stay loading is essential in supporting the establishment of any local retail facilities (Deli/Newsagents) and enables pick up and drop off of children without congesting car parks. On-street parking also acts as a traffic-calming device.</i></p> <p><i>(Part of New / Upgrade Car Parking Allocation – estimated at \$200,000)</i></p>

<p><i>Gateway treatments comprising landscape elements and signage at the commencement of the street-works.</i></p> <p><i>Map Ref - 13</i></p>	<p><i>Desirable in creating a sense of entry and in defining the pedestrian promenade. Needs to be done in such a way as not to become dated and run down (use of trees and other low maintenance high durability elements).</i></p> <p><i>(Ocean Side Promenade Gateways Allocation – estimated at \$50,000)</i></p>
<p><i>Improved public transport facilities.</i></p> <p><i>Map Ref - 5</i></p>	<p><i>Highly desirable in providing comfortable waiting areas and a higher profile to public transport. Also doubles as a shelter and landmark for pick up and drop off and as a meeting place.</i></p> <p><i>(Part of New / Upgrade Car Parking Allocation – estimated at \$200,000)</i></p>

5 Southern Area Upgrade

<p><i>New car parking area to the west on Northshore Drive.</i></p> <p><i>Map Ref – 14</i></p>	<p><i>This car park would be remote from the centre and not in a position suitable for users of the park who may be encumbered with picnic gear or restricted mobility. It could be designed to allow on-grass-verge parking on peak summer weekends at significantly less cost.</i></p> <p><i>(Funds not identified as part of this project.)</i></p>
------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

5 Southern Area Upgrade (continued)

<p><i>Landscaping and platforms at the start of Merrifield Place to deter non-residential traffic from entering.</i></p> <p><i>Map Ref – Not Identified</i></p>	<p><i>The coastal reserve has been visually isolated from public use by this subdivision and access should not be further limited by excessive road restrictions which may imply private ownership. Road lengths are short, and speeding should not be a problem. Landscaping should be inviting</i></p> <p><i>(Funds not identified as part of this project)</i></p>
<p><i>Pocket park on Northshore Drive.</i></p> <p><i>Map Ref - 15</i></p>	<p><i>Unlikely to attract user-ship given the proximity of Tom Simpson Park on the coast. Funds could be directed at reintroducing the self-sustaining coastal flora.</i></p> <p><i>(Funds not identified as part of this project)</i></p>
<p><i>Grassland park along Merrifield Place</i></p> <p><i>Map Ref - 16</i></p>	<p><i>Use of park may be limited given access and parking on Merrifield Place has not been enhanced. Need for shade not addressed.</i></p> <p><i>(Funds not identified as part of this project)</i></p>
<p><i>Provision of basic facilities to park area on Merrifield Place (seating and litter bins).</i></p> <p><i>Map Ref - 16</i></p>	<p><i>Required to support intended use.</i></p> <p><i>(Funds not identified as part of this project)</i></p>

6 Park Access Improvements - Improvement of pedestrian and bicycle access:

<p><i>Construction of a Pedestrian-Only boulevard along the western edge of Tom Simpson Park incorporating lighting and casual seating from Surf Club to northern car-park.</i></p> <p><i>Map Ref - 17</i></p>	<p><i>A wide footpath would allow for use by junior cyclists and rollerbladers to recreate in comparative safety while adults picnic. Careful design would allow these uses to be compatible with pedestrian use maximising the benefits of constructing this path.</i></p> <p><i>(Pedestrian and Cycle Pathways Allocation – estimated at \$60,000)</i></p>
<p><i>The construction of a Cycle-Only path in the dune depression under the elevated pedestrian footpath connected into the regional cycle network.</i></p> <p><i>Map Ref - 18</i></p>	<p><i>May not provide an ideal location for the regional cycle connection. Would need to be explored further with stakeholders during advertising period.</i></p> <p><i>(Pedestrian and Cycle Pathways Allocation – estimated at \$60,000)</i></p>

Built Form Redevelopment

<p><i>Redevelopment of Surf club frontage onto Tom Simpson Park to enhance appearance.</i></p> <p><i>Map Ref - 19</i></p>	<p><i>Desirable, as provides opportunities to open the building up to the parks and should be pursued.</i></p> <p><i>(Part of Mullaloo Surf-Club upgrade Allocation – estimated at \$50,000)</i></p>
<p><i>Provision of a decked area to beach side of Surf Club to accommodate a café</i></p> <p><i>Map Ref - 19</i></p>	<p><i>Highly desirable in providing access to the coast to a broader range of users over a longer duration of the day and seasons, and in increasing vitality of the area and public access to this Civic Building. Also provides local jobs and interest.</i></p> <p><i>(Part of Mullaloo Surf-Club upgrade Allocation – estimated at \$50,000)</i></p>
<p><i>Incorporate a public kiosk within the café for casual opportunities for food and drink.</i></p> <p><i>Map Ref - 19</i></p>	<p><i>Highly desirable as provides the opportunity to all to purchase and enjoy food at the beachfront.</i></p> <p><i>(Part of Mullaloo Surf-Club upgrade Allocation – estimated at \$50,000)</i></p>
<p><i>Inclusion of a non-licensed leisure and recreation centre.</i></p> <p><i>Map Ref - 19</i></p>	<p><i>Desirable, providing a balance is achieved between the expectations of different Surf Club and beach users.</i></p> <p><i>(Part of Mullaloo Surf-Club upgrade Allocation – estimated at \$50,000)</i></p>

<p><i>Creation of amphitheatre wings, sun terraces on either side of the Surf Club within the setback from the dune system.</i></p> <p><i>Map Ref - 20</i></p>	<p><i>Highly desirable as current access is un-welcoming and torturous.</i></p> <p><i>The amphitheatre on the north side would be small, restricted by Surf Club access and would compromise the Surf Club parking and turning area. A deck terrace would probably be more effective, providing direct access to the proposed Surf Café and an area for dinners being served by the proposed kiosk. Alternative vehicle access may be required.</i></p> <p><i>(Part of Mullaloo Surf-Club upgrade Allocation – estimated at \$50,000)</i></p>
<p>NOTE</p>	<p><i>(Funding for the refit of the Surf Club and surrounds will need to be found from other sources. \$50,000 included will only cover basic works).</i></p>
<p><i>Development of a shared pedestrian and vehicle access pedestrian walkway from the Surf-Club to Oceanside Promenade.</i></p> <p><i>Map Ref - 21</i></p>	<p><i>Highly desirable, but as a piazza wide enough to incorporate the avenue of trees under which seating, mini markets and street performers might be accommodated on a durable surface. Potential complications in terms of vehicle access.</i></p> <p><i>(Pedestrian Spine Linking Surf Club with Oceanside Promenade Allocation - estimated at \$65,000).</i></p>
<p><i>Upgrade of Mullaloo Tavern with inclusion of a maximum of three street level retail/alfresco dining facilities.</i></p> <p><i>Map Ref - 20</i></p>	<p><i>Desirable in creating vitality, surveillance and serving park and coast users as well as the local community. Location has good exposure and will be supported by a good supply of parking. This development and adjacent sites need careful consideration in terms of parking and urban design but several have the ability to be intensively developed without affecting views from neighbouring elevated properties.</i></p> <p><i>(Private Funding)</i></p>

Stage One Precinct Plan (Scenario 4) Estimated Costs in total not including private funding

\$1,565,000 (approx 1.5 million)

COMMENTS

The projects for the Mullaloo and Sorrento area were undertaken as Precinct Planning pilot projects. As well as being aimed at realising a concept plan for these areas the pilot projects were intended to test the consultation and concept plan development process.

Much of the City of Joondalup was developed in an era where residential developments and other uses were considered to be incompatible. While there are areas of retail amongst these residential suburbs they are stand-alone centres. Some are barely surviving and few have been the seed for growth in local employment and sense of community. Precinct Planning is

intended to address the future of these areas, given the realisation that the areas are increasingly facing challenges they were not designed to meet (high crime rates, expensive fuel prices, changing family structure, dual working parents and new economy changes in employment and service industries).

The Mullaloo Precinct Planning exercise has barely considered the study area beyond the foreshore in terms of streetscape let alone the future form and use. Similar locations up and down the coast and around the river-front have thriving neighbourhood centres with Cafes, Newsagents, Delicatessens, Bar/ Bistros mix in with attractive New Urban housing. These provide an attraction to local users and visitors year round and earn the local community the right to ask for, higher than usual, investment in streetscapes and parklands.

The topology in the Mullaloo Precinct allows for a range of uses to be developed in the vicinity of the Tavern with little or no impact on neighbours ocean views. Rezoning could allow for this and urban design guidelines could help ensure that the form of development works with and enhances the value of the area. The Concept plan does not present this option, though the consultant's state in their report that they see this as an opportunity for the area.

In addition to concern over issues that were not considered in the Concept Plan there are concerns over proposals that were included but may have a poor cost benefit ratio. Reconfiguring the northern car-park, at considerable cost, merely to ensure that the area of Tom Simpson Park that will be paved to form the Community Beachside Square is replaced appears to be one of these. It disregards the fact that the Beachside Square is proposed with the intention of improving the use of the park through the creation of a comfortable and durable gathering area. In addition the proposal to make a park-land out of the dunes on the west-side of Merrifield Place, could be seen as highly contentious. The suggestion has been made that these lots could be sold to generate funds for enhancement of the area. These lots were purchased off private owners, over a number of years, by order of Council. The intention was to prevent building on the lots and secure the protection of the area as part of the dune system (Council Minutes 26 July 1972). Subsequently they were included in the Foreshore Management Plan for dune conservation. Access to this area is already constrained and parking is limited making the creation of a park in this area hard to justify even without these constraints. Given the history of these lots and their condition there is limited potential for the area other than retention for dune conservation.

While the process has not been ideal in terms of providing Landowners, Council and the Community with a guide to the future of the area, the process has produced a reasonable outline of the desired role of the foreshore. Recognition that the foreshore can improve the amenity for all residents of the City of Joondalup and that the current traffic and parking problems need addressing, has resulted in a strong plan for this segment of the precinct. It is not a short-term plan and there are elements of the plan which may present technical and statutory problems.

The estimated cost of the Mullaloo project makes it relatively unique. This level of investment would not be possible across the City other than through a process of gradual improvements undertaken within the City's maintenance and replacement budgets. This facility is a Community asset and could enhance peoples' image of the entire City. On the other hand it is experiencing regional demands borne at rate-payers expense. The reserve is not owned by the City but it is vested in its care. The City may well, therefore, look to find funding sources such as commercial ventures to help subsidise these costs. There may also be calls from the broader community to consider other locations for some of the major new developments or questioning the level of benefit they would actually provide in relation to the

cost. There may be suggestions as to how to achieve similar outcomes as less cost either here or elsewhere. A response on these issues as much as the Draft Concept Plan itself should be put to the community for comment.

It is possible that many issues and or questions could be raised during consultation. These may lead to significant changes to the proposal. Therefore, it may be necessary to provide a further opportunity for the community to respond to alternative options.

OFFICER'S RECOMMENDATION: That Council:

- 1 NOTES the Draft Concept and the proposed public consultation program;
- 2 THANKS the focus group members for their valuable input.

MOVED Cr Magyar, SECONDED Cr Carlos that prior to the release to the general public of the Mullaloo Foreshore Management Plan a special meeting be held with the Coastcare Forum and the Mullaloo Residents Association to obtain their views on the plan itself.

Cr Magyar raised his concerns in relation to how members were chosen to participate in the Focus Group. He was of the belief representative from both the Coastcare Forum and the Mullaloo Progress Association should have been included.

Cr Mackintosh outlined the representation on the Focus Group.

The Motion was Put and

LOST

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

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

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

MOVED Cr Hurst, SECONDED Cr Mackintosh that Council:

- 1 NOTES the Draft Concept and the proposed public consultation program;
- 2 THANKS the focus group members for their valuable input.

The Motion was Put

CARRIED

Appendix 25 refers

To access this attachment on electronic document, click here: [Attach25brf121200.pdf](#)

The Mayor reverted back to the normal order of the agenda at this point.

**CJ389-12/00 REQUEST FOR CLOSURE AND SUBSEQUENT
PURCHASE OF PORTION OF TRAILWOOD DRIVE,
WOODVALE - [18715] [09618]****WARD - Lakeside**

CJ001212_BRF.DOC: ITEM 36

SUMMARY

The owners of Lot 605 (105) Trailwood Drive, Woodvale have written to the City requesting the closure and subsequent purchase of approximately 167m² of Trailwood Drive, Woodvale that abuts their property (See Attachment 1). They wish to acquire the land to create extra space in the garden area for their children to play in.

This road reserve is surplus to requirements as a road, but the area forms part of a continuous vegetation buffer through the western edge of Woodvale. The subject road reserve contains trees and grass and at the time of the site inspection provided an attractive buffer to the Mitchell Freeway reserve. (See Attachment 2).

Council authorised the advertising of the proposal to ascertain if there were any significant community concerns regarding this proposal and during the advertising period, one objection was received. The land is excess to requirement for road purposes and is therefore recommended for closure.

BACKGROUND

At its meeting of 12 September 2000, (Item CJ245-09/00 refers) in relation to this application was submitted to Council. Council's resolution was to "*authorise the public advertising of the application to close approximately 167m² of Trailed Drive, that abuts Lot 605 (105) Trailwood Drive Woodvale.*"

DETAILS

Comments received from the service authorities indicate there is not any service plant that will be affected by closure of this portion of road. The WAPC advised that the land forms part of undeveloped road reserve, and subject to the service authorities not raising any objection, the WAPC did not object to the proposal.

During the public advertising of this application, the City received one objection from a local resident and a submission from the applicants in further support of their request.

To summarise the points in the objecting submission:

- Council should retain as many of the open space areas as possible, as they add to the beautification of an area;
- the land is of more value to the community than to one person needing a larger backyard;
- it adds to the aesthetic appeal of Woodvale;
- it is used for people walking their dogs;

- the owners have over 900m² which is already a large lot; and
- when the applicant's children have grown and a large backyard is no longer required, will the land be used for building extensions or subdivision?

The applicant's submission advised:

- they would not wish to buy the land if it had public utility and in the four years they have lived next door to the subject land, they have rarely seen it used;
- they regularly clean rubbish from the land and the only dog walking they have seen is along the footpath adjacent to the subject land;
- they acknowledge that they have a large backyard, but state they have four children under the age of nine and are a long way from parks or reserves where their children can play in safety;
- if the proposal is supported, they propose to plant a range of creeper vegetation along the fence to reduce the visual impact of an expanse of fibro fencing;
- the area is dark and heavily vegetated and conceals an access to the Mitchell Freeway reserve that is used as a bolthole for anti-social elements.

A further site inspection revealed some rubbish and a small amount of graffiti on the applicants' fence. The access to the Mitchell Freeway reserve that the applicants refer to in their submission, is where some of the mesh wire fence has been broken down in the corner where the fence adjoins Lot 605. The mesh wire fence that is damaged could be repaired but, as it is a relatively low fence, it would not necessarily prevent people accessing the Mitchell Freeway reserve.

The provisions of Section 58 of the Land Administration Act 1997, state that a local government may request the Minister for Lands to close a road, provided the proposal has been advertised for a period of not less than 35 days. The proposal must also be referred to the Western Australian Planning Commission (WAPC) for its comments and the service authorities to ascertain if any service plant would be affected by the proposed closure.

COMMENT

As can be seen from Attachment (2), the area is quite attractive as it is grassed, contains a number of trees, and it is part of a vegetation buffer to the Mitchell Freeway reserve. However, it is redundant road reserve as opposed to land provided by developers for public open space during the subdivision of the area.

The public advertising of this proposal took place for a thirty-five day period and though the City received a few telephone calls regarding the application, only one objecting submission was received. The portion of land is excess to road requirements and does not present any problems with disposal. Therefore, it is recommended that Council supports this application.

OFFICER'S RECOMMENDATION: That Council **SUPPORTS** the closure and subsequent purchase of approximately 167m² of Trailwood Drive, Woodvale that abuts Lot 605 (105) Trailwood Drive, Woodvale and authorises a request to be made to the Department of Land Administration to commence formal closure actions.

MOVED Cr Kadak, SECONDED Cr Carlos that the matter pertaining to the closure and subsequent purchase of portion of Trailwood Drive, Woodvale be DEFERRED to the next ordinary Meeting of the Council to be held on 13 February 2001 pending further consideration by elected members, in particular the recently submitted petition.

The Motion was Put and

CARRIED

Appendices 29 (a) and 29 (b) refer

To access this attachment on electronic document, click here: [Attach29abrf121200.pdf](#)
[Attach29brf121200.pdf](#)

Cr Kenworthy left the Chamber, the time being 2328 hrs.

CJ390-12/00 TOWN PLANNING (LOCAL GOVERNMENT PLANNING FEES) REGULATIONS 2000 - [42657]

WARD - All

CJ001212_BRF.DOC: ITEM 37

SUMMARY

The Town Planning (Local Government Planning Fees) Regulations 2000 are proposed to be gazetted on 19 December 2000. The Regulations will provide a regulatory framework for local government fees and charges for planning services and include details of the fees able to be levied. The City is required to adopt the new planning fees in accordance with the system to be introduced by the Regulations on or before 19 December 2000.

While there will be some variation from the existing fee structure the most significant change will be for Scheme Amendments and Structure Plans where estimated costs are required in each case.

A new scale of fees in accordance with the Regulations is recommended.

BACKGROUND

In 1998, the Western Australian Planning Commission released Planning Bulletin 27 Local Government Fees and Charges for Planning Services. The Bulletin sought comment on a proposed uniform system of fees and charges for local government planning services to be introduced as Regulations under planning legislation. The proposed system was developed by the Western Australian Municipal Association (WAMA) and the Ministry for Planning (MFP).

Forty two submissions were received on Planning Bulletin 27. As a result of matters raised in submissions, and a separate joint submission from industry groups, a Planning Fees Working Group (comprising representatives from MFP, WAMA and industry groups) was established to review the submissions. The Working Group made a number of revisions to the recommended system.

The revised system of fees and charges was presented to the Minister in 1999 for endorsement and authorisation of instructions to Parliamentary Counsel to prepare the Regulations.

DETAILS

Fee Regulations

The Town Planning (Local Government Planning Fees) Regulations 2000 are proposed to be gazetted on 19 December 2000. The Regulations will provide a regulatory framework for local government fees and charges for planning services and include details of the fees able to be levied. The regulations set out items for which fees can be charged and a fee structure for each of these items. The Regulations require Local Authorities to adopt a complying scale of fees by 19 December 2000.

Fee Principles

The Working Group established a set of guiding principles for the system of fees. These can be summarised as:

- Fee to be related to the extent and quality of the service.
- Clear and simple to administer.
- Fees for Development Applications be related to average costs for ease of administration.
- Fees should represent equity between user and provider.
- Fees do not include Council governance costs.
- Only a maximum fee is set.
- Provision for higher fees where justified.

Services Covered

The Regulations provide for fees for:

- Development Applications.
- Subdivision clearances
- Town planning scheme amendments.
- Structure plans
- Home occupations
- Change of use
- Zoning certificates
- Property settlement questionnaires
- Written planning advice.

Development application fees are arrived at by a sliding scale related to the estimated cost of development, Subdivision Clearance fees by a two tier amount per lot created. Scheme amendments and Structure Plans require cost estimates to be provided in each instance and the other services have flat rates. The cost estimates for amendments and structure plans are required to be calculated using a series of set hourly rates for different officers ranging from \$60/hr for Directors to \$20/hr for Administrative Officers.

Goods and Services Tax

It has been determined that a Goods and Services Tax (GST) will not apply to fees for development applications, subdivision clearances, home occupations, change of use, and issue of zoning certificates as they are application and certificate type fees that are compulsory in nature. A GST will apply to fees for property settlement questionnaires, written planning advice, scheme amendments and structure plans, as these are in the nature of a service.

Legislation

The Regulations are being made under proposed S.33B of the Town Planning and Development Act 1928 which is to be introduced by the Planning Legislation Amendment Act 1999. The Act cannot be proclaimed until the Regulations are finalised. It is proposed to proclaim the Amendment Act on Tuesday 19 December 2000. The Regulations will be gazetted on the same day.

Existing Fees

The City adopted a schedule of fees as part of the budget in August 2000. Details of the current and proposed fees are contained in Attachment 1.

COMMENT

The City is required to ensure that any fees for planning services in effect after 19 December 2000 are in accordance with the Regulations. With regard to fees for Development applications, the variations are considered minor. The subdivision clearance fees are substantially lower for larger subdivisions and the fees for Scheme Amendments and Structure Plans will generally be higher but will have to be based on a detailed estimate in each instance.

Overall it is not considered that the impact on Council's budget in future years will be significant. Council has no option for a fee structure for planning services other than in accordance with the Regulations; the only option available is to select fees at or below the maximum specified. It is recommended that Council set its fees for planning services at the maximum permitted under the Regulations.

MOVED Cr Magyar, SECONDED Cr Patterson that Council:

- 1** pursuant to Section 33B of the Town Planning and Development Act (1928) and the Town Planning (Local Government Planning Fees) Regulations 2000, **ADOPTS** the new schedule of fees as set out in Attachment 1 to Report CJ390-12/00, effective 19 December 2000;
- 2** **NOTIFIES** customers of the changed fee structures.

The Motion was Put and

CARRIED

Appendix 30 refers

To access this attachment on electronic document, click here: [Attach30ag191200.pdf](#)

Mayor Bombak declared a financial interest in Item CJ391-/12/00 – Alterations and Additions including new rides, water playground and amusement facilities – The Great Escape, Hillarys Boat Harbour as his daughter is employed on a part-time basis at Portofinos Restaurant.

Mayor Bombak left the Chamber, the time being 2329 hrs

Cr Carlos assumed the Chair.

CJ391-12/00 ALTERATIONS AND ADDITIONS INCLUDING NEW RIDES, WATER PLAYGROUND AND AMUSEMENT FACILITIES – THE GREAT ESCAPE, HILLARYS BOAT HARBOUR - [32262]

WARD - Whitfords

CJ001212_BRF.DOC: ITEM 38

SUMMARY

Two applications have been submitted by Mr Douglas Campbell for further development within the lease area of The Great Escape within the Hillarys Boat Harbour (HBH). Collectively the two applications include demountable trampolines, demountable electric car track and transportable ticket kiosk booth, entry statement, mezzanine deck areas, sledge ride, demountable bowling alley, interactive water play area, kevlar shade structures and an upgrade to the external fencing on the south-east boundary.

These applications are referred to the Council to form a recommendation to the Western Australian Planning Commission (WAPC) as several local businesses, residents and Ward Councillors have expressed interest in the proposal and its potential impact on the amenity of the area.

The applications are proposed on reserved land under the Metropolitan Region Scheme and therefore the City has no powers of determination on these applications but can make recommendations to the WAPC.

Support for the trampolines or interactive water play area is recommended given that these activities were previously approved by the WAPC in alternative locations. The remaining aspects of the proposal further intensify the land use and could place additional pressure on car parking and access within HBH.

BACKGROUND

Lot No	Pt Res 39197
Street Address	14-22 Southside Drive HILLARYS
Land Owner	Crown – Department of Transport
MRS Zoning	Regional Reservation – Parks and Recreation
P52 Z	Regional Reservation – Parks and Recreation

DPS2 Density Code	N/A
Structure Plan	Hillarys Boat Harbour (Draft)
Use Class	N/A
Permissibility	N/A
Lot Area	No land area details available

Site History

The site has a substantial history of at least 11 applications being determined by the WAPC subject to conditions where imposed. The Great Escape was originally approved as a recreational area where over time additional facilities have been added to maintain public interest and enjoyment.

17 January 1989	19 Hole Golf Course - approved by WAPC (no conditions)
20 November 1992	Waterslides & Water Playground - approved by WAPC (no conditions)
24 November 1993	10 Trampolines & Storage Shed - approved by WAPC (no conditions)
23 August 1994	Waterslide Complex - approved by WAPC. The Department of Transport objected to provision of additional carbays. The WAPC did not impose any conditions as this was a renewal.
3 July 1995	Administration Building & Food Concession - Approved by WAPC
25 August 1997	Additions to Waterslide Complex - Withdrawn and cancelled at applicant's request
20 June 2000	Modifications to Waterslides & Installation of Water Play Area - Deferred by applicant
6 July 2000	Second Storey Additions to Administration Building

The above approvals are important as they were used to assess the suitability of the proposed uses detailed in the later half of this report.

Recently there have been questions raised in relation to what approvals have been issued by the WAPC in view of recent works. These include the completion of the trampoline facility that forms part of the current proposals, yet were previously approved by the WAPC on 24 November 1993. Other minor earthworks appear to have commenced.

Hillarys Boat Harbour Structure Plan (Draft)

The WAPC has prepared a draft Structure Plan for the Hillarys Boat Harbour area. The purpose of the Structure Plan is to provide a guide to the planning and development of the area and to resolve pressure for vehicular access and parking.

The Council considered this plan at its Ordinary Meeting on 26 September 2000 and generally supported the Structure Plan (draft) and implementation strategy. The WAPC is still considering various aspects of the Structure Plan (draft) and has not yet resolved to adopt it as a future land use guide for the area.

Accordingly, the plan does not have any status relative to the recent applications for The Great Escape but the intentions of the Structure Plan (draft) are consistent with the recreational focus of the current proposals. What is clear is that the entertainment/recreational uses proposed are consistent with the Structure Plan (draft) pattern of development envisaged for HBH. The Structure Plan (draft) however, still recognised that further assessment of car parking and access was required, which is a limitation on the plan itself.

DETAILS

Components of the Proposal

The applicant has divided the proposals into two separate applications as follows:

- The first application includes demountable trampolines, demountable electric car track and transportable ticket booth; and
- The second application includes demountable trampolines, demountable electric car track, transportable ticket kiosk, entry statement, mezzanine deck areas, sledge ride, demountable bowling alley, interactive water play area, kevlar shade structures and an upgrade to the external fencing on the south-east boundary.

The first application is intended to operate immediately over the duration of the summer months through to Easter. The second application would then commence to expand the range of recreational facilities with The Great Escape. The applicant has provided the following information in support of the proposal detailed below:

1 Demountable Trampolines

This use includes 10 above ground trampolines. Eleven (11) trampolines were previously approved by the WAPC in the general vicinity but over a larger area along the southern perimeter facing the car park.

2 Ticket Booth

This use has been operating on the site for many years in many forms and locations.

3 Demountable Electric Car Track (Dodgem Cars)

This is a facility for dodgem cars and comprises a floor for up to twelve dodgem cars. This is a very popular amusement attraction and is being introduced to provide a mix of family entertainment. This attraction is to replace the previous bumper boat proposal. The applicant does not envisage any further increase in noise generated from this proposal that would be heard from outside of The Great Escape premises.

4 Sledge Ride

This attraction would replace the original two-lane water boat ride slide previously approved by the WAPC. A maximum of four toboggans in operation at any one time is envisaged. The noise factor is expected by the applicant to be minimal and similar to the existing waterslides.

5 Demountable Bowling Alley

This is a side issue impulse attraction. Initially a two-lane coin-operated unit is to be located adjacent to the miniature golf course. There is a maximum of four players per approximately 16 minutes. Noise would not be a factor of concern.

6 Interactive Water Play

The WAPC in a previous application approved this product. It is now the intention of the applicant to relocate this attraction directly below the waterslide flume sections within the footprint of the structural steel. Indicative capacity is expected to be 60-80 patrons. Due to this product being integrated with the waterslide attraction, the noise faction will be of very little consequence. An indicative capacity of 60 to 80 patrons is anticipated.

7 Mezzanine Deck Area(s)

This includes a mezzanine desk set in a secluded area for group booking reservations.

8 Other Proposals Include: Upgrade External Fence – Southeast Boundary, New Entry Statement and kevlar Shade structures

Future Visitor Patronage

The additional facilities in the above regard are anticipated to increase the number of guests by:

- 25% with the children's interactive water play area;
- 30% with the amusements; and
- an additional increase anticipated with the waterslides.

The applicant contends that by splitting daily operating sessions, guest numbers would be lower than they are currently. With this arrangement, the applicant does not believe there will be any more congestion in the venue or harbour facilities. The applicant acknowledged that patronage levels would increase, visitors would stay for shorter times (4 hours approximately) and therefore more people would buy tickets, but at any point this would not be exceeding usual daily numbers.

It was always the policy of The Great Escape that there be no charge for guests entering the premises, and that only the user pays. It is envisaged that the option to buy session tickets on the waterslides and/or the interactive water play area will remain as will the sale of individual tickets for other attractions. It is intended to sell tickets at point of entry and also to operate a ticketing booth within the southern precinct of the premises as this booth is not only a ticketing booth, but a control centre to operate the golf, trampolines and electric car track, which naturally houses technical equipment.

Hours of Operation

The Great Escape operational hours vary throughout the year. During winter months and colder times of the year The Great Escape is only open on weekends and school holidays and then between the hours of approximately 10.00am to 5.00pm. In September the water slide is opened on a daily basis between 10.00am to approximately 5.00pm; in December the closing time is extended to approximately 6.00pm till April and then reverts back to approximately 5pm until the colder winter months. During the three months from January to March The Great Escape is open on Friday and Saturday nights to 6.00pm.

Noise Control

Management of The Great Escape acknowledge the requirements to control noise emissions and the potential conflict with residential development occurring on the eastern side of West Coast Drive and Whitfords Avenue. The applicant indicated that the development will comply with the Environmental Protection (Noise) Regulations. It is their preference not to have any complex reference to hours of operation due to seasonal changes at the centre.

Submissions Received

Following receipt of these proposals, the City received four (4) submissions from local business proprietors and residents living in the area expressing concern in the following regard.

1. Colliers Jardine – Acting as Property Consultants to the Department of Transport in their administration of the Hillarys Boat Harbour. The submission was in support of the applications submitted by “The Great Escape”. Following is a summary of points associated with the submission;

- This submission is in response to the letter written by the Property Managers for Sorrento Quay Complex, which was considered to undermine the due processes of the Department of Transport in relation to these applications.
- The Department of Transport only supported the applications after it was satisfied that these proposals were in line with the overall strategy for the Harbour and would complement the existing Lessees’ attractions.

2. Sorrento Quay Dive Shop – This submission was a general objection to the over development of the Harbour. In summary, the submission points are;

It specifically mentions “The Great Escape” development as attracting the wrong element to the Marina and resulting in subsequent damage to the surrounding residential area.

3. Estates Development – The submission was on behalf of residents within Seaward Loop which is directly opposite the Harbour. The submission objected to the proposal for the following reasons;

- Noise pollution.
- Potential to attract a clientele of undesirables.
- The location is not appropriate for such a facility.

4. Mcgees National Property Consultants – Acting for Sorrento Quay Proprietary Limited, Strzelecki Holdings Proprietary Limited and Skycorp Investments Proprietary Limited, Joint owners of the Sorrento Quay, submitted an objection against “The Great Escape” proposal. The following is a summary of those grounds of objection, which are relevant to the current applications:

- Additional alfresco areas are being created without regard for the shortage of car parking bays.
- A fun park is being developed without Council consent or input and comments from local residents.
- The Park will be located adjacent to a 350 seat A-la-Carte restaurant and in full view of residential homes.
- A development is being undertaken contrary to the recommendations of a recent Structure Plan proposed for Hillarys.
- A new retail outlet (kiosk and ticket office) is being installed without regard for parking issues and requirements.

Car Parking

The Hillarys Boat Harbour (HBH) has 2059 car bays on-site for shops, restaurants, The Great Escape, Diving Shop, Boat and Underwater World facilities. There are also 286 boat and trailer bays on the northern part of the site. The Department of Transport (DoT) manages the HBH and made provision for leases to these various land users.

It is understood that the DoT has not allocated any parking bays to any of the uses within HBH. With the popularity of HBH as a local and regional recreational area in the north-west corridor, there has been increasing pressure placed on car parking and access. The Minister for Planning recognised these matters in the planning of HBH. The draft Structure Plan for Hillarys Boat Harbour identifies the need for a car parking policy to ensure the appropriate provision for on-site car parking.

Following a recent discussion with representatives of the Ministry for Planning, it is recommended that any additional land uses anywhere within HBH include the provision of additional car parking that will satisfy the parking demand. Alternatively, the provision of additional car parking may not be necessary where the proposal replaces an existing or approved land use. The Great Escape proposals for trampolines for example were previously approved in the same locations as the proposed trampolines and electric car track.

COMMENT

The Great Escape has evolved over several years to include a broad range of recreational pursuits that compliment the HBH as a popular destination for locals and tourists alike. The applicant believes that new attractions are regularly required to maintain the economic viability of The Great Escape and to draw back patrons of the centre on a regular basis. There is an alternative view from some local businesses in HBH that questions the suitability of the various attractions proposed which seemingly do not rely on the same clientele. This could only be a relevant planning consideration, where there is the potential for the uses proposed to adversely affect the amenity of the locality or operational aspects of the HBH relative to car parking and access.

HBH Structure Plan (draft)

The proposals conform to the general aspects of the Structure Plan (draft) for land uses of a recreational nature. It is clear that further assessment is required to identify existing and future carparking and access requirements that support all land uses within HBH. The existing pressure on carparking and access however cannot be ignored and is particularly apparent in summer months where parking demand exceeds supply and ingress and egress is restricted.

Patronage levels

The applicant expects an overall increase in patronage levels. This is proposed to be addressed by splitting the amusement increase into morning and afternoon sessions to spread more patrons to manage peak hours over the day. The diversity of the proposals have increased the complexity of assessing the proposals individually and collectively. This is further complicated by the sale of tickets for impulse amusement facilities and all day passes for other rides like the waterslide. Clearly the aim of management is to provide not just for wholesome family fun but to sell as many tickets as possible to fill the facility. With the current decentralization of ticket sales throughout the park and additional facilities envisaged there is the potential for more patrons to come and go more frequently throughout the hours of operation.

It was concluded that there is no compelling justification that The Great Escape proposals collectively will not increase patronage levels beyond that anticipated during any of the various approvals granted by the WAPC or current operation.

Carparking

The anticipated increase in patronage levels in the order of 30% has the potential to result in further pressure on existing carparking and access within the HBH. The complicated assessment provided by the applicant does not sufficiently demonstrate those maximum patronage levels under existing /approved proposals will not be exceeded.

Noise

The noise anticipated from the facility can be controlled by a condition that requires an acoustic consultant's report for the electric car track and bowling alley. This could include proposed noise attenuation measures where required (ie screen walls).

The following aspects of the proposal could be supported:

- 10 Demountable Trampolines: this activity has been previously approved and it is as side attraction that is unlikely to significantly increase patronage;
- Ticket Booth: subject to the colours design and materials being consistent with those of the existing Harbour;
- Sledge Ride: this use has been previously approved with 2 lanes only instead of 4 proposed and it is recommended that only 2 lanes be approved. It is unlikely to significantly increase patronage;
- Upgrade External Fence – Southeast Boundary is appropriate subject to the colours design and materials being consistent with those of the existing Harbour;
- New Entry Statement: subject to the colours design and materials being consistent with those of the existing Harbour; and
- Kevlar Shade Structures: subject to the colours design and materials being consistent with those of the existing Harbour.

The criteria used to support individual aspects of the combined proposal was generally based on previous historical approvals, but were not for the same part of the site on more than one occasion. This would ensure levels of carparking and access would not increase beyond the levels previously approved.

There is insufficient justification to support the following aspects of the proposals:

- Demountable Electric Car Track (Dodgem Cars): The applicant has been requested to prepare an acoustic report to demonstrate how this attraction could comply with the Environmental Protection (Noise) Regulations as this aspect of the proposal has the potential to generate higher levels of noise. This is only a side attraction similar to the trampolines;
- Mezzanine Deck Area(s): These areas would effectively increase the applicant's lease and enable the development to cater for a greater number of patrons using or just visiting the facility. The applicant has provided no justification and/or explanation of this use. It is recommended that these additions be deleted from the application (if approved by the WAPC) unless the applicant can provide satisfactory details on carparking;
- Demountable Bowling Alley: This is a new facility not previously approved. This facility also has the potential to generate noise. The applicant should address this via suitable noise controls measures;

- **Interactive Water Play Area:** This water play area was previously approved in the same location as the original 11 trampolines and partially within the area now occupied by the new trampolines subject of this application. It is not appropriate to support this facility unless it was to replace the trampolines and dodgem car tracks. It is expected that an additional 60 – 80 patrons would use the pool and separate tickets could be issued just for this facility.

Conclusion

The applicant's proposals for The Great Escape appear substantial in scale and would occupy land under the water slides and above the existing leased area. The shortage of available land is indicative of the further measures proposed to use every area of available land even where this would not otherwise be perhaps desirable but perhaps is dictated by necessity. It is clear that the applicant wants to provide a quality wholesome family fun experience within a pleasant environment and at reasonable price. The separate ticketing and control of amusements and rides provides improved options for patrons to spend on only those aspects of The Great Escape that appeal to them. The applicant has also acknowledged that patronage levels will increase in the order of 30%. With increased patronage there have been doubts placed over the ability of the applicant to adequately demonstrate that with all of the existing and proposed facilities there would not be any further demand on parking beyond current levels.

The key to the consideration of the proposals has been to establish what has been previously approved and to use this a benchmark to assess the suitability of the current proposals that have been duplicated again. It is recommended that the various aspects of the proposal listed above be supported where this is consistent with previous approvals. Other components of the development have not previously been approved and will require further justification in relation to the provision of additional carparking or clear parameters being put in place to limit the hours of these uses so as not to substantially overlap the operating hours of The Great Escape.

Cr Kenworthy entered the Chamber, the time being 2330 hrs.

MOVED Cr Mackintosh, SECONDED Cr Kenworthy that Council:

1 ADVISES the Western Australian Planning Commission of its support of the applications dated 30 October 2000 submitted by Douglas Campbell the lessee of The Great Escape on Pt Res 39197 (14-22) Southside Drive, Hillarys Boat Harbour, Hillarys for:

- (a) demountable trampolines;**
- (b) ticket booth(s);**
- (c) kevlar shade structures;**
- (d) sledge ride (2 only);**
- (e) upgrade to the external fencing on the south-east boundary; and**
- (f) entry statement**

subject to the following conditions:

- (i) the materials, colour and finishes of the proposed additions complementing the existing buildings within The Great Escape.**

- (ii) all stormwater to be collected on-site and disposed of to the specifications of the City of Joondalup;

2 REQUESTS the WAPC to defer consideration of the following components of the applications pending receipt of further substantial justification being provided by the applicant relative to the peak patronage levels anticipated at full development that include the remaining components of the proposal listed as follows:

- (a) demountable electric car track;
- (b) mezzanine deck areas;
- (c) demountable bowling alley;
- (d) interactive water play area;

and further request an acoustic report on (a) and (c) above.

3 REQUESTS the WAPC to undertake further assessments into carparking and access relative to the existing and future patronage levels within HBH envisaged within the Structure Plan (draft) for HBH. This information could then be used to assist in determining future development proposals relative to increased carparking demand.

Footnote

1. A building licence should be obtained from the City of Joondalup before the commencement of works.

Discussion ensued. Questions were raised in relation to work having commenced without the issuing of a Building Licence. Director, Planning and Development advised no work had been undertaken to date that would require the issuing of a Building Licence. Director, Planning and Development gave background information in relation to this issue.

The Motion was Put and

CARRIED

Appendix 31 refers

To access this attachment on electronic document, click here: [Attach31brf121200.pdf](#)

Mayor Bombak entered the Chamber, the time being 2343 hrs and resumed the Chair.

Cr Nixon left the Chamber at 2345 hrs.

REPORT OF THE CHIEF EXECUTIVE OFFICER**C81-12/00 TENDER 020-00/01 - ONE 2WD DUAL CAB UTILITY -
[59062]****WARD** - All**SUMMARY**

The City's 2000/01 budget provided for the purchase of vehicles, as detailed in the Light Vehicle Replacement Programme, the shortfall between the purchase price and trade in of which is to be funded from the Light Vehicle Reserve Account.

The City's 2000/01 budget provided for the purchase of one 2WD Dual Cab utility with the trade of the following vehicle:

- 95483 Mitsubishi Triton Dual Cab (allocated to Operation Services)

This report outlines the submissions received in relation to Tender 020-00/01. It recommends the trade of the vehicle listed above, on the purchase of one 2WD Dual Cab utility from Houghton Motors, at a changeover cost of \$5,598.

Under the provisions of S5.42 of the Local Government Act 1995, the Chief Executive Officer has been delegated authority to accept tenders to a limit of \$100,000. This authority was granted in report P41-06/98. Accordingly, the Chief Executive Officer may accept this tender.

BACKGROUND

Tender number 020-00/01 pertaining to this acquisition was advertised on Wednesday, 11th October 2000 and closed on Thursday 26th October 2000. The vehicle to be traded was presented for inspection on the 19th of October 2000, and was evaluated by all tenderers.

DETAILS

Eleven submissions were received for the supply of one 2WD Dual Cab utility with the trade of Mitsubishi Triton #95483 as per Tender 020-00/01.

The details of all tender submissions are shown on Attachment A.

Suppliers offered five makes of vehicles. A whole of life costing comparing the five makes of vehicles offered indicated that the Ford Courier was the most cost effective vehicle tendered after considering the estimated resale prices at two years of age and estimated fuel consumption at 40,000kms of travel. The whole of life costing evaluation is used to identify the best value vehicle make and the lowest cost changeover is then used to select the supplier.

References used for the comparative data were:

- Glasses Guide – Auto Edge September 2000 – November 2000
- Manufacturers Fuel Consumption Figures

The methodology used in the whole of life comparison has been reviewed by the R.A.C. and confirmed to be sound.

It is recommended that the lowest change over cost tender, as submitted by Houghton Motors be accepted.

COMMENT/FUNDING

Based on the Houghton Motors tender the financial position is:

Plant No	Recommended Changeover	Tender	–	Budget Provision	Budget Savings (Shortfall)
95483	\$5,598			\$5,664	\$66

Accepting the above, the overall 2000/01 budget saving on tender 020-00/01 is \$66.

GST IMPACT

GST can be claimed as a full 100% tax credit on the new supply and 1/11th of the Trade Valuation must be remitted to the Tax Office

	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$19,461	\$21,407.45	YES	\$1,946.45
				Tax Debit
Trade	\$13,864	\$15,250	NO	\$1,386

OFFICER'S RECOMMENDATION

It is therefore recommended that the tender from Houghton Motors for the purchase of one 2WD Dual Cab Utility at a net change over figure (without GST) of \$5,598 after trade in of vehicle #95483 as detailed in tender 020-00/01 be accepted.

DISCUSSION

During discussion at the Audit Committee Meeting held on 12 December 2000 it was considered that the previous decision of the Audit Committee of 12 October 2000 to place a moratorium on the purchase of any new light fleet pending the receipt of the WAMA Review of light fleet should also apply to this tender.

In response, the Administration advised that this particular tender had been called prior to the meeting of 12 October 2000 and it was understood that such tenders for the purchase of light fleet could continue to be progressed. It was further advised that no new tenders for the purchase of light fleet had been called since 12 October 2000.

Discussion ensued following which the Audit Committee agreed that it be recommended to Council that all tenders for the supply of Tender 020-00/01 One 2WD Dual Cab Utility be rejected.

In the interim it was agreed to ascertain the likelihood of any price increase and if the preferred tenderer would be willing to hold its tender firm until such time as a decision on the WAMA Review has been finalised.

ADDITIONAL INFORMATION

Following the Council's briefing session on Tuesday 12 December 2000 staff undertook additional research in relation to the impact of deferring a decision until February 2001 or rejecting these tenders

Impact of Deferring acceptance of Tenders until February 2001

- 1 Anticipated price rises on new vehicles.
Advice from all tenderers indicates that the average price of new vehicles could be expected to increase by up to 5% in the New Year although Houghton Motors cannot supply any price rise confirmation till the end of the month.
The impact on Tender 20-00/01 for the purchase of one 2WD dual cab utility, of a 5% price rise, is \$973.
- 2 Loss on trade values.
Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. Houghton Motors have advised that the trade value of vehicle 95483 will decrease by \$1,137. Most of the tenderers have also responded either to revalue the trade-in vehicle or to reduce the price offered in October.
- 3 The WAMA Fleet Management Project is due to be presented from the consultant to WAMA on 30/01/2001. Time will be required to consider the impact of the recommendations for the City of Joondalup. Consequently, the effect of WAMA recommendations on the City may not be advised to Council until late February 2001.

Impact of Rejecting Tenders

- 1 Anticipated price rises on new vehicles.
Advice from all tenderers indicates that the average price of new vehicles could be expected to increase by up to 5% in the New Year although Houghton Motors cannot supply any price rise confirmation till the end of the month.
The impact on Tender 20-00/01 for the purchase of one 2WD dual cab utility, of a 5% price rise, is \$973.
- 2 Loss on trade values.
Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. Houghton Motors have advised that the trade value of vehicle 95483 will decrease by \$1,137. This value would be further reduced as recalled tenders would not be completed until say March 2001.

- 3 Additional cost of re-tendering all tenders at a latter date.
The total cost of re-advertising Tenders relating to the light vehicles is estimated in aggregate at \$3,000 plus the additional cost of producing the tender documents estimated at a further \$1,000.
- 4 Loss of goodwill and credibility.
All tenderers have spent considerable time in preparing their submissions and valuing the trade vehicles. The rejection of all tenders will cost the City a considerable loss of goodwill and may adversely affect their interest in submitting future tenders.

Comment

Of the two above options:

- Defer a decision until February 2001 pending the WAMA report
- Rejecting the tenders outright

the deferral option would be the more beneficial as in aggregate across tender 020, 021, 022, 023 and 024 the additional estimated cost is \$13,557 compared with the reject option at \$20,229. The General Conditions of Tendering permit the tender to lapse within six months of tender closing (20/04/2001) and notification from the Principal must be sent 45 days before that time (05/03/2001)

However assessing the whole position due to the impending price increases and the devaluation of the trade vehicles the most cost effective decision for the City would be to purchase the vehicle immediately as initially recommended. This eliminates all uncertainty and provides best value for money.

RECOMMENDATION FROM AUDIT COMMITTEE

MOVED Cr Carlos, SECONDED Cr Magyar that Council REJECTS all tenders for the purchase of one 2WD Dual Cab Utility as detailed in Tender 020-00/01.

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 33 refers.

To access this attachment on electronic document, click here: [Attach33min191200.pdf](#)

**C82-12/00 TENDER 021-00/01 - TWO FOUR CYLINDER VANS -
[50063]****WARD - All**

SUMMARY

The City's 2000/01 budget provided for the purchase of vehicles, as detailed in the Light Vehicle Replacement Programme, the shortfall between the purchase price and trade in of which is to be funded from the Light Vehicle Reserve Account.

The City's 2000/01 budget provided for the purchase of two 4-cylinder vans with the trade of the following vehicles:

- 95135 Ford Econovan (allocated to Operation Services)
- 95138 Mitsubishi Express (allocated to Operation Services)

This report outlines the submissions received in relation to Tender 021-00/01. It recommends the trade of the vehicles listed above, on the purchase of two Ford Econovans from Houghton Motors, at a changeover cost of \$10,932.

Under the provisions of S5.42 of the Local Government Act 1995, the Chief Executive Officer has been delegated authority to accept tenders to a limit of \$100,000. This authority was granted in report P41-06/98. Accordingly, the Chief Executive Officer may accept this tender.

BACKGROUND

Tender number 021-00/01 pertaining to this acquisition was advertised on Wednesday, 11th October 2000 and closed on Thursday 26th October 2000. The vehicle to be traded was presented for inspection on the 19th of October 2000, and was evaluated by all tenderers.

DETAILS

Eleven submissions were received for the supply of two 4-cylinder vans with the trade of Ford Econovan #95135 and Mitsubishi Express #95138 as per Tender 021-00/01.

The details of all tender submissions are shown on Attachment A.

Suppliers offered four makes of vehicles. A whole of life costing comparing the five makes of vehicles offered indicated that the Ford Econovan was the most cost effective vehicle tendered after considering the estimated resale prices at two years of age and estimated fuel consumption at 40,000kms of travel. The whole of life costing evaluation is used to identify the best value vehicle make and the lowest cost changeover is then used to select the supplier.

References used for the comparative data were:

- Glasses Guide – Auto Edge September 2000 – November 2000
- Manufacturers Fuel Consumption Figures

The methodology used in the whole of life comparison has been reviewed by the R.A.C. and confirmed to be sound.

It is recommended that the lowest change over cost tender, as submitted by Houghton Motors be accepted.

COMMENT/FUNDING

Based on the Houghton Motors tender the financial position is:

Plant No	Recommended Tender - Changeover	Budget Provision	Budget Savings (Shortfall)
95135	\$5,466	\$10,004	\$4,438
95138	\$5,466	\$9,483	\$4,017
TOTAL	\$10,932	\$19,487	\$8,455

Accepting the above, the overall 2000/01 budget saving on tender 021-00/01 is \$8,455

GST IMPACT

GST can be claimed as a full 100% tax credit on the new supply and 1/11th of the Trade Valuation must be remitted to the Tax Office

	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$33,444.44	\$36,788.90	YES	\$3,344.46
				Tax Debit
Trade	\$22,512.72	\$24,764	NO	\$2,251.28

OFFICER'S RECOMMENDATION

It is therefore recommended that the tender from Houghton Motors for the purchase of two 4 cylinder vans at a net change over figure (without GST) of \$10,931.72 after trade in of vehicles of #95135 & #95138 as detailed in tender 021-00/01 be accepted.

DISCUSSION

During discussion at the Audit Committee Meeting held on 12 December 2000 it was considered that the previous decision of the Audit Committee of 12 October 2000 to place a moratorium on the purchase of any new light fleet pending the receipt of the WAMA Review of light fleet should also apply to this tender.

In response, the Administration advised that this particular tender had been called prior to the meeting of 12 October 2000 and it was understood that such tenders for the purchase of light fleet could continue to be progressed. It was further advised that no new tenders for the purchase of light fleet had been called since 12 October 2000.

Discussion ensued following which the Audit Committee agreed that it be recommended to Council that all tenders for the supply of Tender 021-00/01 two 4 Cylinder Vans be rejected.

In the interim it was agreed to ascertain the likelihood of any price increase and if the preferred tenderer would be willing to hold its tender firm until such time as a decision on the WAMA Review has been finalised.

ADDITIONAL INFORMATION

Following the Council's briefing session on Tuesday 12 December 2000 staff undertook additional research in relation to the impact of deferring a decision until February 2001 or rejecting these tenders

Impact of Deferring acceptance of Tenders until February 2001

- 1 New vehicle cost adjustment
Advice from Houghton Motors indicates that they will hold their prices as tendered until February 2001.
- 2 Loss on trade values.
Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. Houghton Motors have advised that the trade value of vehicles 95138 and 95135 will decrease by \$2,301. Most of the tenderers have also responded either to revalue the trade-in vehicle or to reduce the price offered in October.
- 3 The WAMA Fleet Management Project is due to be presented from the consultant to WAMA on 30/01/2001. Time will be required to consider the impact of the recommendations for the City of Joondalup. Consequently, the effect of WAMA recommendations on the City may not be advised to Council until late February 2001.

Impact of Rejecting Tenders

- 1 New vehicle cost adjustment
Advice from all tenderers indicates that the average price of new vehicles could be expected to increase by up to 5% in the New Year
The impact on Tender 21-00/01 for the purchase of two 4 cylinder vans, of a 5% price rise, is \$1,672.
- 2 Loss on trade values.
Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. Houghton Motors have advised that the trade value of vehicles 95138 and 95135 will decrease by \$2,301. This value would be further reduced as recalled tenders would not be completed until say March 2001.
- 3 Additional cost of re-tendering all tenders at a latter date.
The total cost of re-advertising Tenders relating to the light vehicles is estimated in aggregate at \$3,000 plus the additional cost of producing the tender documents estimated at a further \$1,000.

4 Loss of goodwill and credibility.

All tenderers have spent considerable time in preparing their submissions and valuing the trade vehicles. The rejection of all tenders will cost the City a considerable loss of goodwill and may adversely affect their interest in submitting future tenders.

Comment

Of the two above options:

- Defer a decision until February 2001 pending the WAMA report
- Rejecting the tenders outright

the deferral option would be the more beneficial as in aggregate across tender 020, 021, 022, 023 and 024 the additional estimated cost is \$13,557 compared with the reject option at \$20,229. The General Conditions of Tendering permit the tender to lapse within six months of tender closing (20/04/2001) and notification from the Principal must be sent 45 days before that time (05/03/2001)

However, due to the devaluation of the trade vehicles the most cost effective decision for the City would be to purchase the vehicles immediately as initially recommended. This eliminates all uncertainty and provides best value for money.

RECOMMENDATION FROM AUDIT COMMITTEE

MOVED Cr Carlos, SECONDED Cr Magyar that Council REJECTS all tenders for the purchase of two 4 Cylinder Vans as detailed in Tender 021-00/01.

Discussion ensued

The Motion was Put and

CARRIED

Appendix 34 refers.

To access this attachment on electronic document, click here: [Attach34min191200.pdf](#)

**C83-12/00 TENDER 022-00/01 - ONE FOUR CYLINDER SEDAN
- [51063]**

WARD - All

SUMMARY

The City's 2000/01 budget provided for the purchase of vehicles, as detailed in the Light Vehicle Replacement Programme. The funding for the changeover price is to be sourced from the Light Vehicle Reserve Account.

The City's 2000/01 budget provided for the purchase of one 4-cylinder sedan with the trade of the following vehicle:

- 99119 Hyundai Lantra (allocated to Health Services)

This report outlines the submissions received in relation to Tender 022-00/01. It recommends the trade of Hyundai Lantra #99119 on the purchase of one 4 cylinder Mitsubishi Lancer sedan from Skipper Mitsubishi, at a changeover cost of \$2,707.

Under the provisions of S5.42 of the Local Government Act 1995, the Chief Executive Officer has been delegated authority to accept tenders to a limit of \$100,000. This authority was granted in report P41-06/98. Accordingly, the Chief Executive Officer may accept this tender.

BACKGROUND

Tender number 022-00/01 pertaining to this acquisition was advertised on Wednesday 11th October 2000 and closed on Thursday 26th October 2000. The vehicle to be traded was presented for inspection on the 19th of October 2000, and was evaluated by all tenderers.

DETAILS

Ten submissions were received for the supply of one 4-cylinder sedan with the trade of Hyundai Lantra #99119, as per Tender 022-00/01. Two submissions were received for supply without trade.

The details of all tender submissions are shown on Attachment A.

Suppliers offered seven makes of vehicles. A whole of life costing comparing the vehicles offered was undertaken to compare the whole of life costs. The Mitsubishi Lancer was found to be the most cost effective vehicle tendered after considering the estimated resale values at two years of age and estimated fuel consumption at 40,000kms of travel.

References used for the comparative data were:

- Glasses Guide – Auto Edge September 2000 – November 2000
- Manufacturers Fuel Consumption Figures

The methodology used in the whole of life comparison has been reviewed by the R.A.C. and confirmed to be sound.

It is recommended that the lowest change over cost tender, as submitted by Skipper Mitsubishi be accepted.

COMMENT/FUNDING

Based on the Skipper Mitsubishi tender the financial position is:

Plant No	Recommended Changeover	Tender -	Budget Provision	Budget Savings (Shortfall)
99119	\$2,707		\$4,389	\$1,682

Accepting the above, the overall 2000/01 budget surplus on tender 022-00/01 is \$1,682.

GST IMPACT

GST can be claimed as a full 100% tax credit on the new supply and 1/11th of the Trade Valuation must be remitted to the Tax Office

	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$15,889	\$17,478.05	YES	\$1,589.05
				Tax Debit
Trade	\$13,182	\$14,500	NO	\$1,318

OFFICER'S RECOMMENDATION

It is therefore recommended that the tender from Skipper Mitsubishi for the purchase of one 4 cylinder Mitsubishi Lancer at a net change over figure (without GST) of \$2,707 after trade in of vehicle #99119 as detailed in tender 022-00/01 be accepted.

DISCUSSION

During discussion at the Audit Committee Meeting held on 12 December 2000 it was considered that the previous decision of the Audit Committee of 12 October 2000 to place a moratorium on the purchase of any new light fleet pending the receipt of the WAMA Review of light fleet should also apply to this tender.

In response, the Administration advised that this particular tender had been called prior to the meeting of 12 October 2000 and it was understood that such tenders for the purchase of light fleet could continue to be progressed. It was further advised that no new tenders for the purchase of light fleet had been called since 12 October 2000.

Discussion ensued following which the Audit Committee agreed that it be recommended to Council that all tenders for the supply of Tender 022-00/01 One 4 Cylinder Sedan be rejected.

In the interim it was agreed to ascertain the likelihood of any price increase and if the preferred tenderer would be willing to hold its tender firm until such time as a decision on the WAMA Review has been finalised.

ADDITIONAL INFORMATION

Following the Council's briefing session on Tuesday 12 December 2000 staff undertook additional research in relation to the impact of deferring a decision until February 2001 or rejecting these tenders

Impact of Deferring acceptance of Tenders until February 2001

- 1 Anticipated price rises on new vehicles.
Advice from Skipper Mitsubishi indicates that they will increase their prices from 18/12/2000 by 2.22%-2.57%. A 2.5% increase would increase the new supply by \$408.

- 2 Loss on trade values.
Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. No advice has been received from Skipper Mitsubishi regarding trade revaluation. Most of the tenderers have also responded either to revalue the trade-in vehicle or to reduce the price offered in October.
- 3 The WAMA Fleet Management Project is due to be presented from the consultant to WAMA on 30/01/2001. Time will be required to consider the impact of the recommendations for the City of Joondalup. Consequently, the effect of WAMA recommendations on the City may not be advised to Council until late February 2001.

Impact of Rejecting Tenders

- 1 Anticipated price rises on new vehicles.
Advice from Skipper Mitsubishi indicates that they will increase their prices from 18/12/2000 by 2.22%-2.57%. A 2.5% increase would increase the new supply by \$408.
- 2 Loss on trade values.
Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. No advice has been received from Skipper Mitsubishi regarding trade revaluation. This value would be further reduced as recalled tenders would not be completed until say March 2001.
- 3 Additional cost of re-tendering all tenders at a latter date.
The total cost of re-advertising Tenders relating to the light vehicles is estimated in aggregate at \$3,000 plus the additional cost of producing the tender documents estimated at a further \$1,000.
- 4 Loss of goodwill and credibility.
All tenderers have spent considerable time in preparing their submissions and valuing the trade vehicles. The rejection of all tenders will cost the City a considerable loss of goodwill and may adversely affect their interest in submitting future tenders.

Comment

Of the two above options:

- Defer a decision until February 2001 pending the WAMA report
- Rejecting the tenders outright

the deferral option would be the more beneficial as in aggregate across tender 020, 021, 022, 023 and 024 the additional estimated cost is \$13,557 compared with the reject option at \$20,229. The General Conditions of Tendering permit the tender to lapse within six months of tender closing (20/04/2001) and notification from the Principal must be sent 45 days before that time (05/03/2001)

However, due to the devaluation of the trade vehicles, the most cost effective decision for the City would be to purchase the vehicle immediately as initially recommended. This eliminates all uncertainty and provides best value for money.

RECOMMENDATION FROM AUDIT COMMITTEE

MOVED Cr Carlos, SECONDED Cr Magyar that Council REJECTS all tenders for the purchase of one 4 Cylinder Sedan as detailed in Tender 022-00/01.

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 35 refers.

To access this attachment on electronic document, click here: [Attach35min191200.pdf](#)

**C84-12/00 TENDER 023-00/01 - ONE SIX CYLINDER SEDAN
AND TWO SIX CYLINDER EXECUTIVE SEDANS -
[52063]**

WARD - All

SUMMARY

The City's 2000/01 budget provided for the purchase of vehicles, as detailed in the Light Vehicle Replacement Programme. The funding for the changeover price is to be sourced from the Light Vehicle Reserve Account.

The City's 2000/01 budget provided for the purchase of one 6-cylinder sedan and two 6-cylinder executive sedans with the trade of the following vehicles:

- 99031 Ford Falcon (allocated to Approval Services)
- 99200 Ford Fairmont (allocated to Resource Management)
- 99120 Ford Fairmont (allocated to Community Development)

This report outlines the submissions received in relation to Tender 023-00/01. It recommends:

- The trade of Ford Falcon #99031 on the purchase of one 6-cylinder Ford Falcon sedan from Houghton Motors, at a changeover cost of \$7,951.
- The trade of Ford Fairmonts #99200 & #99120 on the purchase of two 6-cylinder Ford Fairmonts sedans from Midway Ford, at a changeover cost of \$15,058

Under the provisions of S5.42 of the Local Government Act 1995, the Chief Executive Officer has been delegated authority to accept tenders to a limit of \$100,000. This authority was granted in report P41-06/98. Accordingly, the Chief Executive Officer may accept this tender.

BACKGROUND

Tender number 023-00/01 pertaining to this acquisition was advertised on Wednesday 11th October 2000 and closed on Thursday 26th October 2000. The vehicles to be traded was presented for inspection on the 19th of October 2000, and was evaluated by all tenderers.

DETAILS

Nine submissions were received for the supply of one 6-cylinder sedan and two 6-cylinder executive sedans with the trade of Ford Falcon 99031 and Ford Fairmonts #99200 & #99120, as per Tender 023-00/01.

One submission was received for the outright purchase of the trade vehicles.

The details of all tender submissions are shown on Attachment A.

Suppliers offered three makes of vehicles. The Toyota Avalon was evaluated against the tender specifications for the executive sedans and was found to be unsuitable as it has a 3-litre engine, which is below the 3.8 litre minimum as specified in the tender document. It is recommended that the tender submissions for the executive sedans as submitted by Kalamunda Toyota and New Town Toyota be rejected.

A whole of life costing comparing the suitable vehicles offered was undertaken to compare the whole of life costs. The Ford Falcon and the Ford Fairmont were found to be the most cost effective vehicles tendered after considering the estimated resale values at two years of age and estimated fuel consumption at 40,000kms of travel.

The tender submitted for outright purchase only was examined and it was determined that there was no financial advantage for the City to accept this tender.

References used for the comparative data were:

- Glasses Guide – Auto Edge September 2000 – November 2000
- Manufacturers Fuel Consumption Figures

The methodology used in the whole of life comparison has been reviewed by the R.A.C. and confirmed to be sound.

It is recommended that the lowest change over cost tenders, as submitted by Houghton Motors for the 6-cylinder sedan and by Midway Ford for the two executive sedans be accepted.

COMMENT/FUNDING

Based on the Houghton Motors and Midway Ford tenders the financial position is:

Plant No	Recommended Changeover	Tender	–	Budget Provision	Budget Savings (Shortfall)
99200	\$7,529			\$8,781	\$1,252
99120	\$7,529			\$8,781	\$1,252
99031	\$7,951			\$7,264	(\$687)
TOTAL	\$23,009			\$24,826	\$1,817

Accepting the above, the overall 2000/01 budget savings on tender 023-00/01 is \$1,817.

GST IMPACT

GST can not be claimed as a tax credit on the new supply and 1/11th of the Trade Valuation must be remitted to the Tax Office

MIDWAY FORD	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$54,681	\$60,149	NO	NIL
				Tax Debit
Trade	\$45,091	\$49,600	NO	\$4,509

HOUGHTON MOTORS	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$22,724.28	\$24,996.71	NO	NIL
				Tax Debit
Trade	\$17,045.45	\$18,750	NO	\$1,704.55

OFFICER'S RECOMMENDATION

It is therefore recommended that:

- 1 the submissions for the Executive Sedans as submitted by Kalamunda Toyota and New Town Toyota be rejected due to the engine size offered being below required specifications.
- 2 the tender from Houghton Motors for the purchase of one 6 cylinder Ford Falcon at a net change over figure (without GST on the trade) of \$7,951 after trade in of vehicle #99031 as detailed in tender 023-00/01 be accepted.
- 3 the tender from Midway Ford for the purchase of two 6 cylinder Ford Fairmonts at a net change over figure (without GST on the trade) of \$15,058 after trade in of vehicles #99200 & #99120 as detailed in tender 023-00/01 be accepted.

DISCUSSION

During discussion at the Audit Committee Meeting held on 12 December 2000 it was considered that the previous decision of the Audit Committee of 12 October 2000 to place a moratorium on the purchase of any new light fleet pending the receipt of the WAMA Review of light fleet should also apply to this tender.

In response, the Administration advised that this particular tender had been called prior to the meeting of 12 October 2000 and it was understood that such tenders for the purchase of light fleet could continue to be progressed. It was further advised that no new tenders for the purchase of light fleet had been called since 12 October 2000.

Discussion ensued following which the Audit Committee agreed that it be recommended to Council that all tenders for the supply of Tender 023-00/01 one 6 cylinder Sedan and two 6 cylinder Executive Sedans be rejected.

In the interim it was agreed to ascertain the likelihood of any price increase and if the preferred tenderer would be willing to hold their its firm until such time as a decision on the WAMA Review has been finalised.

ADDITIONAL INFORMATION

Following the Council's briefing session on Tuesday 12 December 2000 staff undertook additional research in relation to the impact of deferring a decision until February 2001 or rejecting these tenders

Impact of Deferring acceptance of Tenders until February 2001

- 1 New Vehicle price cost adjustment.
Advice from Houghton Motors indicates that they will hold their prices firm until February 2001. Midway Ford have advised that they cannot confirm pricing for next year at this stage.
Advice from all tenderers indicates that the average price of new vehicles could be expected to increase by up to 5% in the New Year.
The impact on Tender 22-00/01 for the purchase of two Ford Fairmonts from Midway Ford, of a 5% price rise, is \$3,007.
- 2 Loss on trade values.
Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. Houghton Motors have advised that the trade valuation for 99031 would decrease by \$2,045. Midway Ford have been unable to give expected re valuations. Most of the tenderers have also responded either to revalue the trade-in vehicle or to reduce the price offered in October.
- 3 The WAMA Fleet Management Project is due to be presented from the consultant to WAMA on 30/01/2001. Time will be required to consider the impact of the recommendations for the City of Joondalup. Consequently, the effect of WAMA recommendations on the City may not be advised to Council until late February 2001.

Impact of Rejecting Tenders

- 1 New Vehicle price cost adjustment.
Advice from Houghton Motors indicates that they will hold their prices firm until February 2001. Midway Ford have advised that they cannot confirm pricing for next year at this stage.
Advice from all tenderers indicates that the average price of new vehicles could be expected to increase by up to 5% in the New Year.
The impact on Tender 22-00/01 for the purchase of two Ford Fairmonts from Midway Ford, of a 5% price rise, is \$3,007.

2 Loss on trade values.

Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. Houghton Motors have advised that the trade valuation for 99031 would decrease by \$2,045. Midway Ford have been unable to give expected re valuations. This value would be further reduced as recalled tenders would not be completed until say March 2001.

3 Additional cost of re-tendering all tenders at a latter date.

The total cost of re-advertising Tenders relating to the light vehicles is estimated in aggregate at \$3,000 plus the additional cost of producing the tender documents estimated at a further \$1,000.

4 Loss of goodwill and credibility.

All tenderers have spent considerable time in preparing their submissions and valuing the trade vehicles. The rejection of all tenders will cost the City a considerable loss of goodwill and may adversely affect their interest in submitting future tenders.

Comment

Of the two above options:

- Defer a decision until February 2001 pending the WAMA report
- Rejecting the tenders outright

the deferral option would be the more beneficial as in aggregate across tender 020, 021, 022, 023 and 024 the additional estimated cost is \$13,557 compared with the reject option at \$20,229. The General Conditions of Tendering permit the tender to lapse within six months of tender closing (20/04/2001) and notification from the Principal must be sent 45 days before that time (05/03/2001)

However, due to the devaluation of the trade vehicles the most cost effective decision for the City would be to purchase the vehicles immediately as initially recommended. This eliminates all uncertainty and provides best value for money.

RECOMMENDATION FROM AUDIT COMMITTEE

MOVED Cr Carlos, SECONDED Cr Magyar that Council REJECTS all tenders for the purchase of one 6 cylinder Sedan and two 6 cylinder Executive Sedans as detailed in Tender 023-00/01.

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 36 refers.

To access this attachment on electronic document, click here: [Attach36min191200.pdf](#)

**C85-12/00 TENDER 024-00/01 - TWO 6 CYLINDER UTILITIES
- [53063]****WARD - All****SUMMARY**

The City's 2000/01 budget provided for the purchase of vehicles, as detailed in the Light Vehicle Replacement Programme, the shortfall between the purchase price and trade in of which is to be funded from the Light Vehicle Reserve Account.

The City's 2000/01 budget provided for the purchase of two 6 cylinder utilities with the trade of the following vehicles:

- 95763 Falcon Utility (allocated to Operations Services)
- 95772 Falcon Utility (allocated to Infrastructure Management Services)

This report outlines the submissions received in relation to Tender 024-00/01. It recommends the trade of the vehicles listed above, on the purchase of two 6 cylinder utilities from Houghton Motors, at a changeover cost of \$4,554.

Under the provisions of S5.42 of the Local Government Act 1995, the Chief Executive Officer has been delegated authority to accept tenders to a limit of \$100,000. This authority was granted in report P41-06/98. Accordingly, the Chief Executive Officer may accept this tender.

BACKGROUND

Tender number 024-00/01 pertaining to this acquisition was advertised on Wednesday, 11th October 2000 and closed on Thursday 26th October 2000. The vehicles to be traded were presented for inspection on the 19th October 2000, and were evaluated by all tenderers.

DETAILS

Seven submissions were received for the supply of two 6 cylinder utilities with the trade of Ford Utilities #95763 & #95772, as per Tender 024-00/01.

The details of all tender submissions are shown on Attachment A.

Suppliers offered two makes of vehicles. A whole of life costing comparing the two makes of vehicles offered indicated that the Holden Commodore utility has the lowest fuel consumption and the best resale value after two years of age. However, the tendered change over cost submitted by Houghton Motors to supply the Ford Falcon, was substantially below all other tenders due to the high value placed on the trade-in vehicles. The lowest change over cost as offered by Houghton Motors outweighed the advantages of better resale value and the lower fuel consumption of the Holden Commodore. The Ford Falcon is the most cost effective vehicle tendered and is recommended for purchase.

The whole of life costing evaluation is used to identify the best value vehicle make and the lowest cost changeover is then used to select the supplier.

References used for the comparative data were: -

- Glasses Guide – Auto Edge September 2000 – November 2000
- Manufacturers Fuel Consumption Figures

The methodology used in the whole of life comparison has been reviewed by the R.A.C. and confirmed to be sound.

It is recommended that the lowest change over cost tender, as submitted by Houghton Motors be accepted.

COMMENT/FUNDING

Based on the Houghton Motors tender the financial position is:

Plant No	Recommended Changeover	Tender	–	Budget Provision	Budget Savings (Shortfall)
95763	\$2,518			\$5,539	\$3,021
95772	\$2,036			\$5,484	\$3,448
TOTAL	\$4,554			\$11,023	\$6,469

Accepting the above, the overall 2000/01 budget saving on tender 024-00/01 is \$6,469.

GST IMPACT

GST can be claimed as a full 100% tax credit on the new supply and 1/11th of the Trade Valuation must be remitted to the Tax Office

	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$37,345	\$41,079	YES	\$3,734
				Tax Debit
Trade	\$32,791	\$36,070	NO	\$3,279

OFFICER'S RECOMMENDATION

It is therefore recommended that the tender from Houghton Motors for the purchase of two Ford Falcon utilities at a net change over figure (without GST) of \$4,554 after trade in of vehicles #95763 & #95772, as detailed in tender 024-00/01 be accepted.

DISCUSSION

During discussion at the Audit Committee Meeting held on 12 December 2000 it was considered that the previous decision of the Audit Committee of 12 October 2000 to place a moratorium on the purchase of any new light fleet pending the receipt of the WAMA Review of light fleet should also apply to this tender.

In response, the Administration advised that this particular tender had been called prior to the meeting of 12 October 2000 and it was understood that such tenders for the purchase of light fleet could continue to be progressed. It was further advised that no new tenders for the purchase of light fleet had been called since 12 October 2000.

Discussion ensued following which the Audit Committee agreed that it be recommended to Council that all tenders for the supply of Tender 024-00/01 two 6 cylinder Utilities be rejected.

In the interim it was agreed to ascertain the likelihood of any price increase and if the preferred tenderer would be willing to hold its tender firm until such time as a decision on the WAMA Review has been finalised.

ADDITIONAL INFORMATION

Following the Council's briefing session on Tuesday 12 December 2000 staff undertook additional research in relation to the impact of deferring a decision until February 2001 or rejecting these tenders

Impact of Deferring acceptance of Tenders until February 2001

- 1 New Vehicle price cost adjustment.
Advice from Houghton Motors indicates that they expect a price increase next year but are unable to estimate the percentage increase at this stage.
Advice from all tenderers indicates that the average price of new vehicles could be expected to increase by up to 5% in the New Year.
The impact on Tender 24-00/01 for the purchase of two Ford utilities from Houghton Motors, of a 5% price rise, is \$1,867.
- 2 Loss on trade values.
Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. Houghton Motors have advised that the trade valuation for 95763 and 95772 would decrease by \$1,819. Most of the tenderers have also responded either to revalue the trade-in vehicle or to reduce the price offered in October.
- 3 The WAMA Fleet Management Project is due to be presented from the consultant to WAMA on 30/01/2001. Time will be required to consider the impact of the recommendations for the City of Joondalup. Consequently, the effect of WAMA recommendations on the City may not be advised to Council until late February 2001.

Impact of Rejecting Tenders

- 1 New Vehicle price cost adjustment.
Advice from Houghton Motors indicates that they expect a price increase next year but are unable to estimate the percentage increase at this stage.
Advice from all tenderers indicates that the average price of new vehicles could be expected to increase by up to 5% in the New Year.
The impact on Tender 24-00/01 for the purchase of two Ford utilities from Houghton Motors, of a 5% price rise, is \$1,867.

2 Loss on trade values.

Since the closing date of the 26th October for these tenders, the used car market has suffered due to an oversupply of stock. Houghton Motors have advised that the trade valuation for 95763 and 95772 would decrease by \$1,819. This value would be further reduced as recalled tenders would not be completed until say March 2001.

3 Additional cost of re-tendering all tenders at a latter date.

The total cost of re-advertising Tenders relating to the light vehicles is estimated in aggregate at \$3,000 plus the additional cost of producing the tender documents estimated at a further \$1,000.

4 Loss of goodwill and credibility.

All tenderers have spent considerable time in preparing their submissions and valuing the trade vehicles. The rejection of all tenders will cost the City a considerable loss of goodwill and may adversely affect their interest in submitting future tenders.

Comment

Of the two above options:

- Defer a decision until February 2001 pending the WAMA report
- Rejecting the tenders outright

the deferral option would be the more beneficial as in aggregate across tender 020, 021, 022, 023 and 024 the additional estimated cost is \$13,557 compared with the reject option at \$20,229. The General Conditions of Tendering permit the tender to lapse within six months of tender closing (20/04/2001) and notification from the Principal must be sent 45 days before that time (05/03/2001)

However, due to the devaluation of the trade vehicles the most cost effective decision for the City would be to purchase the vehicles immediately as initially recommended. This eliminates all uncertainty and provides best value for money.

RECOMMENDATION FROM AUDIT COMMITTEE

MOVED Cr Carlos, SECONDED Cr Magyar that Council REJECTS all tenders for the purchase of two 6 Cylinder Utilities as detailed in Tender 024-00/01.

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 37 refers.

To access this attachment on electronic document, click here: [Attach37min191200.pdf](#)

Cr Patterson left the Chamber, the time being 2355 hrs.

C86-12/00**MOTION TO GO BEHIND CLOSED DOORS**

MOVED Cr Ewen-Chappell, **SECONDED** Cr Barnett 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 C87-12/00 relating to the annual review and contract extension of the Chief Executive Officer, the time being 2355 hrs.

The Motion was Put and**CARRIED**

The members of the Public and press left the Chamber at this point.

C87-12/00**CHIEF EXECUTIVE OFFICER'S ANNUAL REVIEW AND CONTRACT EXTENSION – [02154] [08122]**

MOVED Cr Carlos, **SECONDED** Cr Wight that Council:

- 1** **NOTES** the requirement for additional time within which to finalise discussions with the Chief Executive Officer concerning the possibility of the City entering into a new contract with the Chief Executive Officer and in particular the need for additional time to obtain further information in relation thereto;
- 2** **AUTHORISES** an extension of the term of the Chief Executive Officer's undated Contract of Employment from 4 July 2001 to 4 September 2001, with the intent that the discussions with the Chief Executive Officer concerning renewal of his contract be finalised by 28 February 2001;
- 3** **NOTES** that the existing terms and conditions of employment will continue to apply during the period from 4 July 2001 until the contract comes to an end on 4 September 2001, provided that there is no further review of the Chief Executive Officer's remuneration as a result of the extension of the contract during the extended period;
- 4** **AUTHORISES** the Council's solicitors to prepare a short written agreement with the Chief Executive Officer on the lines set out above for execution by the parties;
- 5** **REQUESTS** the Minister for Local Government to task the Salaries and Allowances Tribunal to assess remuneration level for the City of Joondalup Chief Executive Officer in accordance with the Minister's letter dated 19 December 2000.

The Motion was Put and**CARRIED**

MOVED Cr Kadak, **SECONDED** Cr Mackintosh that the meeting be held with the doors open, the time being 0034 hrs.

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.

Mayor Bombak acknowledged the attendance this evening of Cr Rudi Steffens, City of Wanneroo.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR ANDREW PATTERSON

In accordance with clause 3.12 of the Standing Orders Local Law, Cr Andrew Patterson has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 19 December 2000;

That:

- 1 Council SUPPORTS an application being made to Western Power for the implementation of the underground power program throughout the City of Joondalup;**
- 2 Council RECEIVES a further report in February 2001 addressing the following issues:**
 - (a) community support for the program;**
 - (b) financial management of the program by the City;**
- 3 the first suburb, or pilot, to be converted to underground power be Duncraig, with a further report being presented to the Council for consideration which details a priority list of suburbs.**

As Cr Patterson was not present in the Chamber, the Motion

LAPSED

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 13 FEBRUARY 2001** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

Cr Hurst left the Chamber, the time being 0037 hrs.

SECOND PUBLIC QUESTION TIME

Mr K Zakrevsky, Mullaloo:

- Q1 Referring to the motion by Cr Patterson which has lapsed, Cr Hollywood was precluded from moving a motion or speaking on the Burns Bushland because his property would benefit in some way. In the motion tonight, and even though it has lapsed, I question the validity of the motion by Cr Andrew Patterson, as he has not declared a vested interest and I am talking a financial interest. He lives in Duncraig and Item 3 says the first suburb or pilot to be converted to underground power would*

be Duncraig with a further report being presented. I am not objecting to anyone moving on the question of suburbs getting underground power but I am taking it on the principal that Cr Hollywood was not allowed to debate or move a motion on that basis.

A1 The motion has not been moved as Cr Patterson has left the Chamber. You may have some strength and validity in your argument. Perhaps the Chief Executive Officer can take that up with Cr Patterson tomorrow and if he deems it fit that he may have, all be it a slight financial interest or an indirect interest, then certainly the Chief Executive Officer will bring it to his attention.

Mr Bryant, Craigie:

Q1 *Regarding floodlighting established in Warrantyte Park Craigie, to assist in sport training. I asked that I be advised of the weekly cost of electricity supplied by the City Council to these high powered luminaires particularly as ratepayers are paying the total cost having cognisance of the fact that they are operative for many hours when there is no one training.*

A1 This question will be taken on notice.

Ms Maree McDonald, Mullaloo:

Q1 *This evening the Council approved the allowing of dogs to use the dual use path from Hillarys to Ocean Reef. Have Council officers considered whether or not the Council's public liability insurance will cover the City when the bylaw forbids dogs on that path. If there were to be an accident during the trial period, would the Council's public liability cover any action brought against them?*

A1 This question will be taken on notice.

Mr Mitch Sideris, Mullaloo:

Q1 *When will the minutes of the Annual General Meeting of Electors be made available?*

A1 Early in the New Year.

Q2 *As a result of Council's concerns on its legal advice received for an item before the Chambers tonight will the Council take on board all the legal advice it may have received from the current Council's solicitors?*

A2 This has been discussed with the Chief Executive Officer earlier today and I was concerned that this Leisure Centre issue had been going on since September last year. When Cr Magyar first raised those two sections at the last Council meeting, I thought it was fit and proper that we should approve that subject to it being a condition that the two parts of the Act be adhered to. It was only through Cr Magyar's insistence that this go in that it was brought to our attention that legal advice seemed to be very deficient. We will be looking at the issue of legal advice as a Council and I view that as something that we should look at very closely.

- *All I was suggesting Mr Mayor is you broaden it further than the item under consideration tonight, and look at other advice received.*

If you are referring to the Security Levy, in speaking to the Minister for Local Government this afternoon they are quite happy with how the City has handled this issue. I invite you to go and meet with the Minister and discuss this with him. The only way a person would win was to mount a legal challenge against the City of Joondalup, thereby setting a precedent should they win. The Minister made a point that should this occur legislation would be introduced to cover this issue.

Mr M O'Brien, Warwick:

Q1 Is the contracted auditing of the municipality put out for Tender?

A1 Yes and there is a three year contract issued to the successful Tenderer.

Q2 When was the last contract?

A2 The contract has run one year; with another two to run.

Q3 Is the City's legal services tendered for?

A3 Yes. The City now has five firms authorised to act on behalf of Council. These are due to expire approximately April 2001. The tender process will commence about January/February next year.

Q4 Who are those five firms?

A4 The five firms are Watts and Woodhouse and Clayton Utz advising the Council on general Local Government issues. Mallesons, Stephen, Jacques for industrial relations and McLeod and Co for town planning. The City has just engaged the services of Minter Ellison recently to undertake its prosecutions and this term will expire in April 2001 also.

Q5 In relation to footpath reserves, various developers in the past have contributed to footpath provision and in some places those footpaths have not been provided. There are a number of streets in Warwick that have no footpath. What is the position in regards to these - are those funds still available?

A5 I am not aware of the situation where developers funds are available for particular paths in Warwick. I would need to investigate that but in situations where there is no path in the street and it is not covered by developers contributions, then that would be covered by our footpath programme subject to certain criteria.

Q6 Most of the development in Warwick was about 28 years ago. Would there still be records of those funds that were contributed by developers there?

I do not believe developers' funds would have been contributed at that time for this purpose.

I can assure you there were developers from 1977 onwards that contributed. Those funds were put into footpath reserve funds.

A6 This question will be taken on notice.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 0050 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
P ROWLANDS
T BARNETT
A W WIGHT, JP
G KENWORTHY
C MACKINTOSH