



City of Joondalup

MINUTES OF COUNCIL MEETING HELD ON 14 MARCH 2000

INDEX

No:	Item	Page
	ATTENDANCES	1
C7-03/00	APOLOGIES AND LEAVE OF ABSENCE	2
	LEAVE OF ABSENCE – CR P ROWLANDS	
	PUBLIC QUESTION TIME	2
	DECLARATIONS OF FINANCIAL INTEREST	10
C08-03/00	CONFIRMATION OF MINUTES	
	MINUTES OF COUNCIL MEETING HELD ON 22 FEBRUARY 2000	10
	ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION	10
	MITCHELL FREEWAY PROJECT – EDDYSTONE AVENUE BRIDGE	10
	JOONDALUP FESTIVAL 2000	10
	EXTREME EXPO	11
	OLYMPIC TORCH RELAY	11
	EDUCATION 2000	11
C09-03/00	PETITIONS	12
	PETITION OBJECTING TO THE PROPOSED CLOSURE OF PEDESTRIAN ACCESSWAY CONNECTING SANDSNAIL PLACE AND WENTLETRAP WAY, MULLALOO – [37411]	12
	PETITION OPPOSING THE USE OF PERFORMING ANIMALS IN CIRCUSES – [08909]	12
	REPORT NO:	
	FINANCE AND COMMUNITY DEVELOPMENT	
CJ033-03/00	SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [15876].....	13
CJ034-03/00	STATUTORY COMPLIANCE RETURN - 1 JULY 1999 TO 31 DECEMBER 1999 – [09492]	15
CJ035-03/00	ENVIRO 2000 CONFERENCE, 9 -13 APRIL 2000, SYDNEY - [90557]	17

CJ036-03/00	APPOINTMENT OF REPRESENTATIVE - NORTH METRO EMPLOYMENT AND TRAINING ASSOCIATION - [45661]	18
CJ037-03/00	APPOINTMENT OF REPRESENTATIVE - JOONDALUP LOTTERIES HOUSE (INC) - [29094]	19
CJ038-03/00	MINUTES JOONDALUP EISTEDDFOD WORKING PARTY - [37228]	20
CJ039-03/00	MINUTES OF JOONDALUP YOUTH ADVISORY COUNCIL MEETINGS – JANUARY, 2000 – [38245]	22
CJ040-03/00	SAFER WA JOONDALUP DISTRICT & LOCAL COMMITTEES - [41157]	22
CJ041-03/00	REVIEW OF THE LOCAL GOVERNMENT AUDITING SYSTEM - [01139]	26
CJ042-03/00	ESTABLISHMENT OF AUDIT COMMITTEE - [00139]	35
CJ043-03/00	HALF YEAR BUDGET REVIEW - 31 DECEMBER 1999 - [36287]	37
CJ044-03/00	CHARGES FOR ORAL HISTORY WORKSHOP – [20086]	39

INFRASTRUCTURE MANAGEMENT

CJ045-03/00	SERVICE LEVEL AGREEMENT BETWEEN CITY OF JOONDALUP AND CITY OF WANNEROO FOR PROVISION OF CONSTRUCTION WORKS - [48118]	40
CJ046-03/00	MAIN ROADS WA - SPEED LIMIT REVIEW - [05094]	44
CJ047-03/00	TRAFFIC MANAGEMENT STRATEGY – 10 METRE WIDE LOCAL ROADS (BRIDGEWATER DRIVE, KALLAROO) - [09174J]	47
CJ048-03/00	PROPOSED TOILET CHANGEROOMS - LOT 7 (125) OCEANSIDE PROMENADE, MULLALOO - [01153J] [36362J, 37362J]	51

PLANNING AND DEVELOPMENT

CJ049-03/00	PRECINCT PLANNING - [46597]	55
CJ050-03/00	AUTHORISATION OF PLANNING OFFICERS, SENIOR PLANNING OFFICER AND COORDINATOR PLANNING APPROVALS TO ENTER BUILDINGS OR LAND – [43647]	61
CJ051-03/00	PROPOSED UPGRADE AND EXPANSION OF EXISTING GREENWOOD SHOPPING CENTRE - CALECSTASIA STREET, GREENWOOD - [14949]	63
CJ052-03/00	APPLICATION FOR THE CANCELLATION OF A PORTION OF RESERVE 37188, QUARRY PARK, EDGEWATER - [37544J]	71
CJ053-03/00	APPLICATION FOR THE CANCELLATION OF A PORTION OF HAWICK PARK ON RESERVE 35519 (2) HAWKER AVENUE, WARWICK - [44237J]	73
CJ054-03/00	SUBDIVISION OF LOC 13065, 76, 76L, 78L WALTER PADBURY BOULEVARD, HEPBURN HEIGHTS [41630J]	75

REPORT OF THE CHIEF EXECUTIVE OFFICER

C10-03/00	SPECIAL COUNCIL MEETING TO BE HELD MONDAY, 20 MARCH 2000	81
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DATE OF NEXT MEETING 82

CLOSURE 82

CITY OF JOONDALUP

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY, 14 MARCH 2000

ATTENDANCES

Mayor:

J BOMBAK, JP

Elected Members:

Cr P KADAK	Lakeside Ward	<i>Absent 1944 hrs to 1948 hrs</i>
Cr L A EWEN-CHAPPELL	Lakeside Ward	
Cr D S CARLOS	Marina Ward	
Cr S P MAGYAR	Marina Ward	
Cr A T NIXON	North Coastal Ward	
Cr J F HOLLYWOOD, JP	North Coastal Ward	
Cr A A WALKER	Pinnaroo Ward	<i>from 1901 hrs</i>
Cr P ROWLANDS	Pinnaroo Ward	
Cr T BARNETT	South Ward	
Cr A W WIGHT, JP	South Ward	<i>Absent 1935 hrs to 1936 hrs</i>
Cr A L PATTERSON	South Coastal Ward	
Cr G KENWORTHY	South Coastal Ward	<i>from 1901 hrs</i>
Cr J HURST	Whitfords Ward	
Cr C MACKINTOSH	Whitfords Ward	

Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Resource Management:	J B TURKINGTON
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
Manager, Urban Design & Policy Services:	D BUTCHER
Manager, Approval Services:	C TERELINCK
Marketing Manager:	J LAWTON
Committee Clerk:	J AUSTIN
Minute Clerk:	L TAYLOR

In Attendance

Hon K Travers, MLC

Member for North Metro Region

There were 17 members of the Public and 1 member of the Press in attendance.

The Mayor declared the meeting open at 1900 hrs.

The Mayor welcomed Mr Ken Travers, MLC as this evening's invited guest and invited him to say a few words.

Mr Travers offered his congratulations to Mayor, Deputy Mayor and elected members following the recent elections.

He advised he was one of seven members for the North Metropolitan Region, which is the Upper House area covering the City of Joondalup. This region covered a large area from the Swan River in the south at north Fremantle, across to Maylands and out to the City of Wanneroo boundaries which encompasses the area of Two Rocks.

Mr Travers pointed out his office was located in Joondalup and as such had taken a particular interest in the outer areas of the North Metro Region, especially the areas covered by the Cities of Joondalup and Wanneroo.

He stated he was elected to office in 1996, taking up his position in 1997. Prior to being elected, Mr Travers advised he had worked for a number of Federal and State Members' of Parliament.

Mr Travers wished to maintain a co-operative working relationship with local authorities. He advised he was available to assist in whatever way he could and was more than happy to work with members of the electorate to improve the economic, social and ecologically sustainable well being of the people of the City of Joondalup.

APOLOGIES AND LEAVE OF ABSENCE

C7-03/00 LEAVE OF ABSENCE – CR P ROWLANDS

Cr Rowlands has requested Leave of Absence from Council duties for the period 26 March 2000 to 8 April 2000 inclusive.

MOVED Cr Walker, SECONDED Cr Kenworthy that Council APPROVES the Leave of Absence requested by Cr P Rowlands for the period 26 March 2000 to 8 April 2000 inclusive.

The Motion was Put and

CARRIED

PUBLIC QUESTION TIME

The following question, submitted by Mr Mitch Sideris, Mullaloo, was taken on notice at the Council meeting held on 22 February 2000:

Q1 On 6 January this year, I handed a memo to the Council regarding the incorrectly calculated overdue rate notice and sought to have my rate records corrected. Can you advise when I might expect a response and confirmation that this has occurred?

A1 A response to Mr Sideris' letter was forwarded to him on 9 March 2000.

The rates were not incorrectly calculated as stated. The Joint Commissioners resolved, when adopting the 1999/00 Budget that to gain the discount all rate arrears, the current rates and all charges (refuse, security and swimming pools) had to be paid in full prior to the due date of 15 October 1999. This was clearly enunciated on the rate notice. The City's payment heirachy is structured to accommodate this across all properties within the City.

Questions from Mr Bruce Sutherland of Burns Beach:

Q1 *I have heard that the Burns Beach Property Trust believe that they have paid extra Council rates on that part of Lot 2 west of Marmion Avenue; could you please advise if this is correct?*

A1 No, this is not correct. Part Lot 2 Burns Beach Road west of Marmion Avenue is zoned rural and has always been rated on an unimproved valuation basis.

Q2 *If this is so, how has this situation occurred and how much in extra rates have they paid?*

A2 Answered in 1.

Q3 *The EPA will very shortly release a Bulletin relating to environmental issues raised in the Clarkson-Butler Metropolitan Region Scheme. There is a strict two week period in which appeals regarding the findings of this Bulletin can be lodged with the responsible Minister. Noting the position that this Council took on Lot 2 at the Special Meeting of Council held on 25 January 2000, if the EPA comes down with adverse findings, will this Council ensure that you use the two weeks available to lodge an appeal consistent with your 25 January position?*

Q4 *If not, why not?*

A3&4 The Council would be incorrect to make any comment on any matters which may deal with a release by the EPA on the Clarkson-Butler MRS Amendment until received and given due consideration.

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

Q1 *For a full term of four years, a Mayor would receive \$48,000 plus a supplementary allowance of \$240,000. If a Mayor wishes to have robes, why could not they be bought from either of these amounts and thus be retained by the Mayor, as a souvenir, at the end of his/her term of office?*

A1 The Mayor would receive such payments over a four year term. However, these funds are not for such a purpose. The purchase of Mayoral robes is a decision made by the Council and the robes will become the property of the City. It is felt that with City of Joondalup being a new City, the purchase of robes at this point in time would establish some historical protocols for the City. The robes would be used for ceremonial and civic functions, similar to other Cities in Western Australia.

Q2(a) In what way does Safer WA differ from Neighbourhood Watch in respect of its consultative process with the Police Force?

A2(a) SAFER WA, formerly known as Community Policing, is an organisation that was formed by the WA Police several years ago and is based on partnership at community and State levels to effectively co-ordinate crime prevention initiatives at the community level.

Neighbourhood Watch comprises of members of the community working together to keep their local street or area safe and secure and to keep a watch on the activities and movements of people in and around their neighbourhood.

Neighbourhood Watch reports to its local SAFER WA Committee and in the case of Joondalup it reports to the SAFER WA Joondalup Committee.

Q2(b) Would Council be prepared to support an initiative to have Safer WA abolished and the finances used to provide the police with more personnel and resources?

A2(b) Council would not support the abolition of SAFER WA. Its role in grant distribution, crime prevention program initiatives and co-ordination is becoming more important as Local Government is increasingly involved in Safer Community programs.

The Council does not believe more Police personnel and resources is the only answer to crime and safety issues.

Q3 Council funds many events for the entertainment of the public and hosts other occasions. Can an assurance be given that Council will show a community feeling when they discuss the provision of continued funding for the Granny Spiers program?

A3 The City has provided, and will continue to provide, a range of supports to Granny Spiers Community House. However, the City is not in a position to recurrently fund the service. The funding of the crèche is a Commonwealth and State Government responsibility, not a local government one. The City has been urging Granny Spiers to look to alternative sources of funding for almost 18 months now and is also continuing to work towards a solution to the funding issue. The Mayor has met with local Federal and State members of parliament and Granny Spiers Management to discuss funding for the crèche and as a result Mr Chris Baker MLA has arranged for a delegation to be made to the State Minister for Family and Children's Services. As can be seen, Council is not only showing a community feeling in its dealings with Granny Spiers but is leading the way in finding a solution to their dilemma.

Question submitted by Mr Bruce Sutherland, Burns Beach:

Following on from the questions submitted by Mr Sutherland and shown on Page (i) & (ii) of the agenda, Mr Sutherland has resubmitted Question 3 to reflect the passage of time:

Q3 The EPA has just released a Bulletin relating to the environmental issues raised in the Clarkson-Butler Metropolitan Region Scheme. There is a strict two week period in which appeals regarding the findings of this Bulletin can be lodged with the responsible Minister, this appeal period closes on Friday 24 March. Noting the position that this Council took on Lot 2 at the Special Meeting of Council held on 25 January 2000, if the EPA comes down with adverse findings, will this Council ensure

that you use the two weeks available to lodge an appeal consistent with your 25 January position?

- A3 The Council is not in a position to accurately answer this question until the EPA Bulletin has been given due consideration based on the facts presented.

Mr A Bryant, Craigie:

- Q1 *Regarding Tamala Park and the issue of recycling, I have been informed by a reliable source that recycled articles from the collection by the City Council are dumped in a landfill hole. Such articles are not used for recycling. Would you please confirm or otherwise as to this point?*

- A1 *Response by Director, Infrastructure Management:* The City is conducting a recycling trial which has a 240 litre split bin, as well as a bag system. Added to this, there is a recycling facility at Tamala Park where the public can take such items as furniture which is on sold. I am not aware of any direct disposal of recycling material at Tamala Park.

- Q2 *Would Director, Infrastructure Management make further inquiries to ascertain whether the information I have been given is correct?*

- A2 *Response by Mayor Bombak:* This will be investigated.

- Q3 *Re 139 Craigie Drive: I refer to questions taken on notice at the Council meeting held 8 February 2000:*

- (a) *Verge reticulation was removed on 7 January 2000, with the promise that it would be reinstated. As of this evening, it has not been reinstated and the lawn has died. When can the owner expect the replacement of the reticulation and in view of the fact that the lawn has died, will Council also replace the lawn?*

- A3(a) *Response by Director, Infrastructure Management:* I will investigate this matter. Certainly if there is any lawn that has been damaged, this will be reinstated by Council.

- (b) *When will the 54 paving bricks be returned to the owner as referred to in Question 2 at Council meeting held on 22 February 2000?*

- A3(b) *Response by Director Infrastructure Management:* I will have this matter followed up further. It is my understanding that the matter had been resolved.

Mr R De Gruchy, Sorrento:

- Q1 *I asked a question at the Council meeting held on 22 February 2000 in relation to reductions in Gross Rental Values (GRVs) of quite significant proportions in areas of the City of Joondalup. At that time I was told that the matter would be clarified, but to date I have received no response. My question was:*

“Could you please advise of any households that have experienced large reductions in GRVs in excess of 25%. I am referring to a comparison between the years 1998/99 and 1999/2000. I would appreciate any information, including the addresses of the properties, if any, that are involved and the old and the new GRVs.”

- A1 *Response by Director Resource Management:* The information requested is currently being ascertained and will be sent to Mr De Gruchy as soon as possible.

Mr D Paternoster, Heathridge:

- Q1 *It has come to my attention via Main Roads that there may be concerns in relation to safety issues after the construction of the Eddystone bridge. Does Council have any concerns in regard to safety following the completion of the bridge? I believe the concerns from Main Roads related to Eddystone Primary School.*

- A1 *Response by Director Infrastructure Management:* With the construction of the bridge and the connection of Eddystone Avenue, Council is aware that properties directly front on to the section of road which goes from Ocean Reef Road to the western abutment of the bridge. Some widening works and associated traffic treatments will need to be taken into account when the bridge is constructed.

- Q2 *Will the City of Joondalup and representatives of Joondalup support any campaign by the residents of Heathridge and the ratepayers of Joondalup to get the Eddystone Avenue bridge built as soon as possible in view of the fact that there is funding available?*

- A2 *Response by Director Infrastructure Management:* Council is aware there is surplus funding available remaining from the freeway extension project through to Hodges Drive. A submission was made last week by Council to the State Government and the Federal Minister that those surplus funds be redirected towards the construction of the Eddystone bridge.

- Q3 *I have been given to understand that the funds may be allocated elsewhere. Can you guarantee that the City of Joondalup will pressure Main Roads to have the surplus funding used towards the construction of the bridge and not put towards other works currently under consideration?*

- A3 *Response by Mayor Bombak:* I have a statement to make during “Announcements by the Mayor” which will answer your question.

Mr M Sideris, Mullaloo:

- Q1 *When was the Budget deemed to have been brought down and what defines the date of adoption?*

- A1 *Response by Director Resource Management:* The 1999/2000 Budget was adopted on 7 September 1999.

Q2 *What are the characteristics that define that date?*

A2 *Response by Director Resource Management:* The Budget was adopted by the Joint Commissioners at that point in time. The Budget was brought down to enable the striking of the rates, and for rates notices to be issued.

Q3 *Is there a specific motion that is passed at Council that says the Budget is herein adopted?*

A3 *Response by Director Resource Management:* There are many resolutions which adopt the Budget. There is the Budget itself of the revenues and expenditures, as well as the striking of the rates (commercial, industrial, residential) etc.

Q4 *Is the date flexible?*

A4 *Response by Director Resource Management:* No, the date is the date Council adopts the Budget and as mentioned earlier, was 7 September 1999.

Q5 *If I were to look in the Minutes, would I see a motion that says that?*

A5 *Response by Director Resource Management:* Yes you will.

Q6 *With respect to the crime audit, would you advise me where this is to date and what progress has been made. When might I receive a copy as I have requested previously and been given permission to have provided?*

A6 *Response by Executive Manager, Strategic Planning:* The crime audit will be reported to the next meeting of Council to be held on 28 March 2000, in which approval will be sought to release the report for comment from various stakeholders.

Q7 *During a deputation session, it was stated by the Chief Executive Officer that the Minister for Local Government had undertaken an investigation into the initiatives and had obtained a legal opinion on those initiatives. I asked the question at the last Council meeting and I am asking when may I receive a copy of that information?*

A7 *Response by Chief Executive Officer:* The answer previously given was that Council received a legal opinion relating to the term 'levy'. I believe I explained that Council policy is that a copy of the legal opinion is not made available, but a summary of the opinion would be provided. The City is awaiting a response from the Department of Local Government regarding the range of initiatives covered by the security charge. My understanding is that Director Resource Management has been in contact with the Department of Local Government, and once the response is received, it will be made available to you.

Q8 *I note with interest the response given by Chief Executive Officer in relation to the “newness” of the legislation for regulation 54 (d) – Property Surveillance and Security. This is with respect to a response received at the Council meeting held on 22 February 2000 and the need for legal opinion to clarify. Is it normal practice or good business practice to implement a range of initiatives prior to seeking advice into its legality under law?*

A8 *Response by Chief Executive Officer:* Like any law, until proven otherwise, it is subject to interpretation. Council sought the advice of the City’s solicitors to ensure that Council was within the guidelines under those regulations and has been assured likewise. The Department, being new legislation, is keen to have a copy of our legislation to have on its files in order that advice may be given to other Councils in the same situation. I believe the Department is undertaking guidelines to give to other local governments in the future.

Q10 *With respect, this does not answer the question. Is it normal practice or good business practice to implement a range of initiatives prior to seeking legal advice as to the legality under law?*

A10 *Response by Chief Executive Officer:* Yes.

Q11 *Please advise how many security patrols were in action on Saturday, 11 March 2000?*

A11 *Response by Mayor Bombak:* This question will be taken on notice.

Q12 *Does the patrol precinct include the Wanneroo Showgrounds?*

A12 *Response by Director Community Development:* The Wanneroo Showgrounds is within the City of Wanneroo boundaries, not within the City of Joondalup.

Q13 *I note with interest the response given to the user pay principle and its applicability to the security levy. Please advise how this was determined, or arrived at in respect to the response given at the Council meeting held on 22 February 2000?*

A13 *Response by Mayor Bombak:* This question will be taken on notice.

Q14 *With regard to the legal opinion received in relation to the term “levy”, can you kindly provide copies of the correspondence to the City’s solicitors?*

A14 *Response by Chief Executive Officer:* Correspondence between the City and its solicitors is not necessarily made available. I understood Mr Sideris had agreed that Cr Magyar would check the file on his behalf, which included the legal opinion.

Cr Wight left the Chamber at this point, the time being 1935 hrs

Bethany (surname not provided), Ocean Reef:

On Friday, 10 March 2000 near the corner of Hodges Drive and Constellation Drive, Ocean Reef a Norfolk Island pine was bulldozed to the ground. I would estimate the tree was approximately 10 metres tall and a metre in circumference. The person in charge told me the reason for the tree being bulldozed was because its roots were lifting the concrete path which was nearby. On approaching the City of Joondalup, its Officers had no knowledge of the tree

being bulldozed. I was advised by the Chairman of the Ocean Reef Residents Association that residents had not been consulted or informed regarding the Council's decision to bulldoze the tree. In this regard:

Q1 Does the City of Joondalup have a policy aimed at preserving large trees in this locality. In this case, a tree originally planted and maintained by this local government. If a policy does exist, how is this policy implemented in this case?

Cr Wight entered the Chamber at this point, the time being 1936 hrs.

Q2 With regard to the beauty and practical benefits such as shade which the bulldozed tree provided to the residents of Ocean Reef, does the City of Joondalup intend to replace the bulldozed tree with another similar advanced tree?

A1&2 Response by Director Infrastructure Management: These questions will be taken on notice. I am not aware of a tree being bulldozed at that location.

Mrs M Zakrevsky, Mullaloo:

*Q1 Re: CJ014-02/00 – 22 February 2000: Order of Council Business:
How can Councillors bring up questions on behalf of ratepayers in view of the decision of CJ014-02/00 relating to Questions Without due Notice and Questions With due Notice?*

A1 Response by Chief Executive Officer: The Standing Orders Mrs Zakrevsky has read are a draft and will be discussed by elected members at the next briefing session, including the Order of Business. Most Councils that are reviewing their Standing Orders, and encouraged by documentation that has come from the Department of Local Government, are leaving out unnecessary items which may be dealt with in other forums. Briefing sessions conducted by Council are conducted in an informal manner and allow any elected member to raise an item they may wish to list either informally on the notice paper, or alternatively raised formally at the Council meeting itself. Also, elected members have been provided with laptop computers and have direct E-Mail facilities with Council 24 hours a day, seven days a week. Complaints, items or queries are received on a regular basis, and are dealt with instantaneously in most cases, which is far different to what has been able to be done in years gone by.

Mr Rodney Hatch:

Q1 Re removal of mature age trees from public property within the City of Joondalup, is it a policy of the City to automatically cut down/bulldoze mature age trees when these become a threat to structures such as footpaths?

Q2 *If this is the case, I have noticed there are many trees being planted which are reaching mature age and which will reach sizes of between 10-30 metres in height which have been planted within close proximity to footpaths and private property boundaries. Has there been any thought given to possible problems that these trees may cause in the future?*

A1&2 *Response by Director Infrastructure Management:* No, it is not automatic policy to remove trees if they are a threat to infrastructure.

Cr Kadak left the Chamber at this point, the time being 1944 hrs.

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

C8-03/00 MINUTES OF COUNCIL MEETING – 22 FEBRUARY 2000

MOVED Cr Barnett, SECONDED Cr Hurst that the Minutes of the Council Meeting held on 22 February 2000, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

MITCHELL FREEWAY PROJECT – EDDYSTONE AVENUE BRIDGE

It has been brought to Council's notice that there are savings following the recent freeway extension to Hodges Drive.

Therefore, we will push the City's previous request that the State Minister for Transport direct these federal funds towards the construction of the Eddystone Avenue bridge.

The bridge over the freeway would provide the most direct link between Joondalup City Centre and the suburbs of Heathridge, Beldon, Craigie, Mullaloo and Kallaroo.

I have also sought the Federal Minister's support through our local Federal member, Dr Mal Washer.

Cr Kadak entered the Chamber at this point, the time being 1948 hrs.

JOONDALUP FESTIVAL 2000

Preparations for the Festival on 25 and 26 March 2000 are on in earnest.

Programs have been sent out to all households in the region and radio and television advertising has commenced.

There will also be promotional inserts in the West Australian and Wanneroo Times community newspaper next week.

Highlights of the Festival will be the street parade on Saturday evening and fireworks on Sunday evening.

I am pleased to announce the host for the event will be Channel 10's Christina Morrissey.

Last year, the Festival attracted 53,000 people. It is hoped attendance figures will reach 80,000 this year.

EXTREME EXPO

The City's Extreme Expo for young people at Craigie Leisure Centre on 5 March 2000 was a great success.

More than 6000 young people and their families attended the event and participated in the free challenging activities on offer. These included skate and BMX events and performances by live bands.

OLYMPIC TORCH RELAY

The City of Joondalup will host a leg of the Olympic Torch Relay on Friday, 7 July 2000 and Saturday, 8 July 2000.

As part of the celebration, AMP will present a community cauldron to the City of Joondalup at a function to be held in the Civic Centre on 20 March 2000.

The 65 kg cauldron will be on display in the Joondalup Library until the Olympic Torch Relay celebration on 7 July 2000.

EDUCATION 2000

School children in the City of Joondalup can now become junior Rangers, or adopt a section of coastline to look after.

The opportunities are part of the City of Joondalup's "Education 2000" initiative – a first for local government in Western Australia.

The program was launched by Education Minister, Colin Barnett at Edgewater Primary School.

The Minister advised he was most impressed with the comprehensive program to teach students about local government and community issues.

The City is moving into the classroom to help tackle issues like graffiti, smoking and anti-social behaviour.

Some of the activities and projects like the junior Ranger program and adopt a coastline are the first of their kind for local government and are part of the City's Community Connections Program.

Congratulations to staff involved in initiating this worthwhile program.

PETITIONS

C9-03/00 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 14 MARCH 2000

1 PETITION OBJECTING TO THE PROPOSED CLOSURE OF PEDESTRIAN ACCESSWAY CONNECTING SANDSNAIL PLACE AND WENTLETRAP WAY, MULLALOO – [37411]

A 24-signature petition has been received from Mullaloo residents objecting to the proposed closure of the pedestrian accessway connecting Sandsnail Place and Wentletrap Way, Mullaloo.

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

2 PETITION OPPOSING THE USE OF PERFORMING ANIMALS IN CIRCUSES – [08909]

A 218-signature petition has been received opposing the use of performing animals in circuses because:

- the natural instincts of circus animals are frustrated when they are forced to spend their lives in cages or chains;
- the constant transporting of the animals is a cause of distress;
- most of the animals involved are required to complete physical programs which are quite unnatural for them.

The petition will be referred to Community & Development for action.

MOVED Cr Carlos, SECONDED Cr Hollywood that the petitions:

- 1 objecting to the proposed closure of the pedestrian accessway connecting Sandsnail Place and Wentletrap Way, Mullaloo;**
- 2 opposing the use of performing animals in circuses;**

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

The Motion was Put and

CARRIED

FINANCE AND COMMUNITY DEVELOPMENT**CJ033-03/00 SCHEDULE OF DOCUMENTS EXECUTED BY
MEANS OF AFFIXING THE COMMON SEAL -
[15876]****WARD - All****SUMMARY**

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 7.1.2000 to 14.2.2000:

Document: Grant
 Parties: City of Joondalup and Department of Family and Community Services
 Description: Special Needs Subsidy Grant
 Date: 7.1.2000

Document: Copyright Agreement
 Parties: City of Joondalup and Paul Joyce
 Description: Local Studies – Oral History
 Date: 24.1.2000

Document: Copyright Agreement
 Parties: City of Joondalup and John Hurney
 Description: Local Studies – Oral History
 Date: 24.1.2000

Document: Grant of Easement
 Parties: City of Joondalup and Perpetual Trustees Pty Ltd
 Description: Lot 900 Beach Road, Warwick
 Date: 24.1.2000

Document: Lease
 Parties: City of Joondalup and Vodafone
 Description: Corporate Restructure
 Date: 28.1.2000

Document: Deed
 Parties: City of Joondalup, C G Clarke and J D Seman
 Description: Lot 810 Gairloch Place, Joondalup
 Date: 28.1.2000

Document:	Contract
Parties:	City of Joondalup and Densford P/L
Description:	Traffic Management Project at West Greenwood
Date:	28.1.2000
Document:	Withdrawal of Caveat
Parties:	City of Joondalup, Butte Holdings P/L and Rockingham P/L
Description:	Lot 709 Wanneroo Road, Kingsley
Date:	28.1.2000
Document:	Withdrawal of Caveat
Parties:	City of Joondalup and Brintwood P/L
Description:	Lots 6 + 6 (179-187) Wanneroo Road, Kingsley
Date:	28.1.2000
Document:	Application Letter
Parties:	City of Joondalup and Commonwealth Bank
Description:	Offer of Overdraft Accommodation and Set Off Arrangements – Account Nos 616610132129, 61661013217 and 616610132145
Date:	2.2.2000
Document:	Deed of Lease of Additional Area and Variation of Lease
Parties:	City of Joondalup, Fawn Holdings P/L and P A H Hickson and K A Hickson
Description:	Joondalup Function Centre
Date:	2.2.2000
Document:	Grant of Easement
Parties:	City of Joondalup, V J Bloor, J G Donovan and B J Hill
Description:	Pt of Lot 15, Robertson Court, Kingsley
Date:	14.2.2000

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

The Motion was Put and

CARRIED

**CJ034-03/00 STATUTORY COMPLIANCE RETURN - 1 JULY 1999
TO 31 DECEMBER 1999 – [09492]**

WARD – All

The Joint Certification by the Mayor and the Chief Executive Officer was read aloud at the meeting of the Council

“We, John Bombak being the Mayor and Lindsay Owen Delahaunty being the appointed Chief Executive Officer of the City of Joondalup hereby certify that:

The information contained in Parts A and B of this Return is true and correct to the best of our knowledge.

The Return was included in the agenda papers and considered by the Council at the Ordinary Meeting of the Council held on 14 March 2000.

The contents of this Certification was read out aloud to the meeting.

The particulars of any matters of concern relating to the Return were recorded in the Minutes of the meeting.

The Appendix attached to this Return is a true and correct copy of the relevant section(s) of those minutes.

Subject to the matters of concern raised and recorded, the Council adopted the Compliance Return as the official Return of the Council for the period 1 July 1999 to 31 December 1999.”

SUMMARY

The City has completed the Department of Local Government’s voluntary statutory compliance return for the period 1 July 1999 January to 31 December 1999. A return has already been completed for the period 1 January 1999 to 30 June 1999, to coincide with the Governor’s Order

BACKGROUND

Some years ago, the Local Government Department introduced a voluntary statutory compliance assessment as a result of its concerns at the level of non-compliance within the industry. The former City of Wanneroo was part of the program since its inception and it is considered appropriate that the City of Joondalup continue this practice.

DETAIL

The former City of Wanneroo was divided by Governor's Order on 1 July 1998. Clause 10 of the order detailed that the City of Joondalup was to perform the executive functions for the Shire of Wanneroo until 30 June 1999, or until otherwise directed.

At the special meeting of the Joint Commissioners for the Shire of Wanneroo held on 20 April 1999 it was resolved that pursuant to Clause 10(1) of the Joondalup and Wanneroo Order 1998, that the Shire of Wanneroo give notice to the City of Joondalup that the Shire of Wanneroo will assume responsibility for the performance of all functions associated with the Wanneroo Town Centre Redevelopment Project, described in the relevant Business Plan adopted by the Joint Commissioners on 20 April 1999.

As a result of this clause and upon advice from the Department of Local Government, one return was completed on behalf of the two new local governments for the period 1 January to 30 June 1999. The City of Joondalup and the City of Wanneroo are individually responsible for completing a Statutory Compliance return for the period 1 July to 31 December 1999.

The Local Government (Audit) Regulations have recently been amended that as from January 2000, there will be a legal requirement to annually complete a Statutory Compliance Return.

COMMENT/FUNDING

Explanatory notes have been attached to the return to qualify answers which are unclear or indicate non-compliance.

The completed form reveals a high level of compliance with a relatively minor number of issues that did not comply and need to be addressed.

Following the adoption of the Statutory Compliance Return, the Mayor and the Chief Executive Officer will jointly certify it.

MOVED Cr Hurst, SECONDED Cr Rowlands that Council:

- 1 NOTES the completed Local Government Statutory Compliance Return for the period 1 July 1999 to 31 December 1999 and appended notes attached to Report CJ034-03/00;**
- 2 AGREES to the completed return being forwarded to the Executive Director of the Department of Local Government.**

Cr Magyar referred to Item 10 of the Instructions Sheet at the rear of the Return and reiterated his question from the briefing session for the need to complete two returns. He queried whether an official reply had been received from the Department of Local Government.

Manager, Council Support Services advised contact had been made with the Department last week as requested by Cr Magyar and a note in this regard had been included in the Desk of the CEO publication distributed to elected members on Friday 10 March 2000 clarifying the information given to Cr Magyar verbally at the briefing session held on 7 March 2000.

The Motion was Put and

CARRIED

Appendix 1 refers, Click here: [Attach1140300mins.pdf](#)

**CJ035-03/00 ENVIRO 2000 CONFERENCE, 9 -13 APRIL 2000,
SYDNEY - [90557]**

WARD - All

SUMMARY

The purpose of this report is to recommend Council attendance at the ENVIRO 2000 Conference incorporating the Fifth National Conference on Waste Management to be held in Sydney between 9 to 13 April 2000.

BACKGROUND

Enviro 2000 is the first integrated environmental management conference incorporating four environmental conferences in one and is an ideal opportunity to increase knowledge and awareness of world and national trends.

DETAILS

The theme of the conference is 'Towards Sustainability'. The four disciplines will cover waste and environmental management issues facing elected members and professional officers operating in their local communities.

Speakers will include a number of world leaders in waste and environmental management.

There is also an opportunity to participate in technical visits to Newcastle's Summer Hill Waste Management Facility, the Bedminster Secondary Waste Treatment Facility and the Waste to Energy Plant at Wollongong.

ATTENDANCE

Mayor John Bombak and Cr John Hollywood are representatives on the Mindarie Regional Council (MRC). The MRC has resolved to send a delegation including the Mayor. In view of the significant progress made with waste treatment and waste management generally over the past few years, and Cr Hollywood's significant role in future decisions, it is recommended Council should send him. It is also recommended that the Coordinator, Waste Management and Environmental Services attend because of the high relevance of the subject matters and the relationship to current and future issues that are currently before Council. Also, the Coordinator is a member of the Secondary Waste Treatment Committee for the Mindarie Regional Council, which is currently assessing and facilitating an approach to introducing a

secondary waste treatment process for the MRC. It is considered most beneficial for him to visit the plant to gain first hand knowledge of its operation.

COMMENT/FUNDING

	Elected Member	CWM&ES
Account No:	11 05 05 052 3521 0001	11 60 62 651 3302 0001
Budget Item:	Conferences	Conferences
Budget Amount:		\$ 2000
Actual Costs:		
Accommodation	\$1128	\$1128
Air Fares	\$1940	\$1940
Registration and technical tour	<u>\$1094</u>	<u>\$1094</u>
TOTAL	\$4,162	\$4,162

Sufficient funds exist within the Infrastructure Management Services budget.

MOVED Cr Rowlands, SECONDED Cr Magyar that Council AUTHORISES the attendance of Councillor John Hollywood and the Coordinator Waste Management and Environmental Services Mr P Hoar, at the ENVIRO 2000 Conference to be held in Sydney from 9 to 13 April 2000, at an estimated cost of \$8,324, such funds being allocated from Account Nos 11 05 05 052 3521 and 11 60 62 651 3302 0001.

The Motion was Put and

CARRIED

CJ036-03/00 APPOINTMENT OF REPRESENTATIVE - NORTH METRO EMPLOYMENT AND TRAINING ASSOCIATION - [45661]

WARD - All

SUMMARY

A request has been received from the Department of Training and Employment for an elected member representative to be appointed to the North Metro Employment and Training Association. It is recommended that an elected member be nominated to this Association.

DETAILS

A request has been received from the Department of Training and Employment for an elected member representative to be appointed to the North Metro Employment and Training Association.

The function of the North Metro Employment and Training Association is to:

- provide links between operational organisations, Government and other major players who operate on a regional level;
- increase training, employment and economic development opportunities;
- provide a strong voice in the region for the region;
- share intelligence group knowledge and expertise;
- stimulate growth in resource allocation to the region;
- act as a vehicle to deliver services to the region and when appropriate work towards achieving outcomes in a collective, coordinated manner;
- consider whether Incorporation is appropriate.

The Association advises that the City's Regional Economic Development Officer has in the past attended meetings and provided valuable input, however the Association is now keen to also have elected member representation.

The Association meets every six weeks, with the venue varying between the Cities of Joondalup, Stirling and Wanneroo. The next meeting is scheduled for 1.00 pm on Thursday 6 April 2000.

MOVED Cr Hollywood, SECONDED Cr Mackintosh that Council NOMINATES Cr J Hurst as representative and Cr D Carlos as Deputy to the North Metro Employment and Training Association.

The Motion was Put and

CARRIED

**CJ037-03/00 APPOINTMENT OF REPRESENTATIVE -
JOONDALUP LOTTERIES HOUSE (INC) - [29094]**

WARD - All

SUMMARY

At the Special Meeting of Council held on 14 December 1999, Council nominated representatives to the Joondalup Lotteries House Inc.

Due to the inability of Cr Rowlands to attend meetings, it is recommended that Council nominates a replacement representative to this external committee.

BACKGROUND

At the Special Meeting of Council held on 14 December 1999, Council nominated the following representatives to the Joondalup Lotteries House Inc:

Cr D Carlos - delegate
Cr P Rowlands - deputy
Director Community Development or nominee

DETAILS

The Joondalup Lotteries House, which is located next to the Council Administration Centre, was a joint project between the Lotteries Commission and the Council and was officially opened on 5 May 1999. Lotteries House aims to provide secure, affordable accommodation for community organisations in the northern suburbs involved in supporting and/or delivering non-profit human services. The building is managed by an incorporated body (The Joondalup Lotteries House Inc) and the management group comprises seven tenant representatives, two community members and two Local Government representatives from the City of Joondalup. Current tenants in the building are:

- Citizens' Advice Bureau
- Women's Healthworks
- Wanneroo Accommodation and Support Services
- Australian/Asian Association
- Australian Red Cross Shop
- Australian/Jordanian Friendship Association
- Dad Cap
- Centrecare
- Joondalup Parent Support Group
- Northside Housing Association
- Relationships Australia
- Workpower

COMMENT

Meetings of Joondalup Lotteries House (Inc) are conducted on the 2nd Thursday of the month during working hours. Due to work commitments, Cr Rowlands has advised he is unable to attend meetings. To assist with meeting attendances, it is recommended that Council nominates two replacement representatives to this external committee.

MOVED Cr Rowlands, SECONDED Cr Carlos that Council NOMINATES Cr A Walker and Cr A Nixon as deputy representatives to the Joondalup Lotteries House (Inc) in place of Cr Peter Rowlands.

The Motion was Put and

CARRIED

CJ038-03/00 MINUTES JOONDALUP EISTEDDFOD WORKING PARTY - [37228]

WARD – All

SUMMARY

A meeting of the Joondalup Eisteddfod Working Party was held on 9 February 2000 and the unconfirmed minutes are submitted for noting by Council. The Working Party has also recommended amendments to the Terms of Reference of the Working Party.

BACKGROUND

The Joondalup Eisteddfod, formerly the Wanneroo Eisteddfod was first conducted in 1988. The Eisteddfod has developed over the years into one of the largest events of its kind in the Perth Metropolitan area. Each year over 800 entries involving over 2,000 participants take part in the Eisteddfod programme. The objectives of the Eisteddfod and the Joondalup Eisteddfod Working Party are as follows:

- To encourage and assist development of the Eisteddfod.
- To facilitate the day to day operations of the Eisteddfod
- To assist the Co-ordinator in the organisation, set up and operation of the Eisteddfod
- To promote artistic excellence.
- To improve the performance skills of participants.
- To provide opportunities for public performances.

Members of the working party generally have specialised knowledge in one or more of the following areas: the operation of Eisteddfods, Performing Arts and Music.

DETAILS

The minutes of the Joondalup Eisteddfod Working Party meeting held on 9 February 2000 are included as Attachment 1.

The recommended amendments to the Terms of Reference (Attachment 2 refers) include a change in the Membership which now includes two Councillors in place of a Commissioner and appointments to the Working Party needing to be approved by Council rather than the Joint Commissioners. These changes follow Council's decision at its December 1999 meeting to appoint Councillors to the Working Party (Item JSC 36-12/99 refers). These changes are highlighted in italics in Attachment 2.

MOVED Cr Rowlands, SECONDED Cr Wight that Council:

- 1 NOTES the minutes of the Joondalup Eisteddfod Working Party held on 9 February 2000 forming Attachment 1 to Report CJ038-03/00;**
- 2 ENDORSES the amended Terms of Reference for the Joondalup Festival Committee forming Attachment 2 to Report CJ038-03/00.**

The Motion was Put and

CARRIED

Appendix 2 refers – Click here: [Attach2140300mins.pdf](#)

CJ039-03/00 MINUTES OF JOONDALUP YOUTH ADVISORY COUNCIL MEETINGS – JANUARY, 2000 – [38245]

WARD - All

SUMMARY

Meetings of the Joondalup North and South Youth Advisory Councils were held on 17 and 19 January, 2000 and the minutes of both meetings are submitted for noting by Council.

DETAILS

The minutes of the Joondalup North Youth Advisory Council held on 17 January, 2000 at Anchors Youth Centre are included as Attachment 1.

The minutes of the Joondalup South Youth Advisory Council held at Joondalup Library on 19 January, 2000 are included as Attachment 2.

No action is required from these minutes.

MOVED Cr Kadak, SECONDED Cr Carlos that Council NOTES the Minutes of:

- 1 the Joondalup North Youth Advisory Council meeting held on 17 January, 2000 forming Attachment 1 to Report CJ039-03/00;**
- 2 the Joondalup South Youth Advisory Council meeting held on 19 January, 2000 forming Attachment 2 to Report CJ039-03/00.**

The Motion was Put and

CARRIED

Appendix 3 refers – Click here: [Attach3140300mins.pdf](#)

CJ040-03/00 SAFER WA JOONDALUP DISTRICT & LOCAL COMMITTEES - [41157]

WARD - All

SUMMARY

The SAFER WA Joondalup Committee and the Joondalup Police District Office have advised that a new structure of committee membership has been put in place with the introduction of several new SAFER WA Local Committees.

Both organisations have requested for Council participation and representation on each of these committees. This report outlines their requests, the SAFER WA structure and the involvement of the City of Joondalup with recommendations on how the Council can participate in these committees.

BACKGROUND

In November 1998 the State Government re-launched the Community Policing Crime Prevention Council with its SAFER WA program. This initiative provided for each Police District in WA to establish a district SAFER WA Committee. These Committees were also formerly known as Community Policing Crime Prevention Committees.

SAFER WA Joondalup Committee is one of 22 District Committees throughout Western Australia that are at the front line of co-ordinating activities for community response relating to crime prevention. Specifically, the Committees provide a forum and structure as a working partnership between State and Local Government agencies and members of the community to identify and address local law and order problems.

These Committees report to the SAFER WA Executive Committee. The City of Joondalup is a member of the SAFER WA Joondalup District Committee.

DETAILS

At the Special Council meeting on 14 December 1999 the Council resolved to nominate Councillors Allison Walker and Lorraine Ewen-Chappell and the City's Strategic Co-ordinator, Community Security & Safety as representatives to the SAFER WA Joondalup Committee. A letter was sent to the SAFER WA Joondalup Committee advising of the Council resolution.

The Chairman of the SAFER WA Joondalup Committee has since responded and has advised that the Committee resolved to adopt a new Structure of Committee of which a new policy provides for only two members from each of the local authorities, being the Cities of Joondalup and Wanneroo, comprising of a staff member and an Elected Member. The SAFER WA Joondalup Committee has now requested the City of Joondalup to nominate those representatives again in line with the new committee policy and further advised that new SAFER WA Local Committees will soon be established at each local Police station.

With regard to the City's Elected Member nomination from the Special Meeting of Council held on 14 December 1999 discussions have taken place with both Councillors Ewen-Chappell and Walker and it has been agreed that Councillor Ewen-Chappell will be the Elected Member from Council of the SAFER WA Joondalup Committee with Councillor Walker as deputy.

In relation to SAFER WA Local Committees, a letter has been received from Superintendent Daryl Lockhart of the Joondalup District Police advising that with the on-going development of the SAFER WA Program it has now been decreed that all Police stations within each Police district in Western Australia, shall now establish their own respective SAFER WA Local Committees with a reporting and accountability role to the District Committee.

In his letter to the Council Superintendent Lockhart has advised:-

“As a result of this proposal it is clear that present district committee structures and future strategic direction will require some review and restructure to best meet the new model.

In accordance with this proposal it is suggested that to establish a consistent approach and balanced structure to the future operations of the SAFER WA program that the following support be provided from your Council:

- 1. Council provide a senior administrative representative and one Councillor to take positions of the SAFER WA Joondalup District Committee; and*
- 2. Council provide a minimum of two Councillors from appropriate wards to take positions on Local SAFER WA Committees.”*

The membership of SAFER WA District Committees are made up of State and Local Government and community representatives and it should be noted that State Government organisations in the region, other than the local Police from each station, are not required nor being requested to have representatives on these Local Committees other than the regional district committee.

With the establishment of these Local Committees by the Police attached to the Warwick, Hillarys and Joondalup Police Stations, there have been no Terms of Reference, Guidelines or any other information provided to the Council which sets out the role and functions of these committees. It is therefore unclear why the representatives should be Councillors. However, Councillors could be members of Local Committees in their own right.

COMMENT/FUNDING

In relation to the structure of SAFER WA, the SAFER WA Council heads up the whole of government program which comprises of 13 members from a number of government areas. The members include the Premier and Deputy Premier, the Commissioner of Police and the Chief Executive Officers of several key Government departments such as Homeswest and the Ministry for Justice.

SAFER WA Committees' Executive is a community incorporated body which is made up of senior Police and the Chairpersons or delegates of each of the SAFER WA District Committees. Attached to these committees, such as the SAFER WA Joondalup District Committee, are new SAFER WA Local Committees currently being formed by the Police from each Police station in the district.

Funding for SAFER WA is made up from four different areas:

1. Community Policing Fund;
2. State Crime Prevention Strategy Fund;
3. SAFER WA Fund;
4. SAFER WA Community Security Program.

Discussions with the Executive Officer of SAFER WA have revealed that the SAFER WA Council receives some \$305,000 per annum of which \$250,000 is allocated to the SAFER WA Council for their meetings and operational expenses and \$55,000 is proportioned to the SAFER WA District Committees for their operational meeting expenses.

In relation to SAFER WA, local authorities generally provide assistance to the district committees by means of providing meeting facilities, consumables such as stationery, use of office equipment and other forms of support such as the recent decision by Council to host a two-day seminar for the SAFER WA Committees' Executive.

The question of Local Government involvement in such matters and more importantly the extent to which local authorities extend their support is an issue that requires priority attention and resolution. The City of Joondalup continues to be active in seeking WAMA involvement in representing its members appropriately in this matter.

The role that the City of Joondalup has with both the Police and SAFER WA is significant and considered advantageous to both parties in terms of participating in crime prevention initiatives and in the best interest of the community. However, too much involvement, such as further Council representation on SAFER WA Local Committees as well as the SAFER WA Joondalup District Committee, may be considered as being excessive in view of that no other government agency has been requested to become members of these local committees. None-the-less, Councillors could become members of local committees in their own right if invited to join the local committee.

Council should also keep in mind that the Joondalup Neighbourhood Watch, which reports to the SAFER WA Joondalup Committee, is also represented by the Strategic Co-ordinator Community Security & Safety and through Council financial assistance to cover operational expenses. Therefore, it is clear that the City of Joondalup plays an active role both in resources and funding in many of these crime prevention programs through the City's "Partnership" component of the City of Joondalup Safer Community Program.

As this extension of committee structure of SAFER WA is an initiative of the WA Police Service any support or assistance that is required to successfully meet their objectives and outcomes should be directly provided by the Police service itself and should operate at arms length from the Council.

MOVED Cr Rowlands, SECONDED Cr Barnett that Council:

- 1 CONTINUES to participate on the SAFER WA Joondalup Committee with representation of the Strategic Co-ordinator Community Security & Safety and Councillor Ewen-Chappell with Councillor Walker as deputy;**
- 2 DECLINES the request from the Joondalup District Police Office for Councillor participation on the SAFER WA Local Committees;**
- 3 NOTES that any Councillors who may become members of SAFER WA Local Committees may do so but will be recognised as individual private community members only.**

The Motion was Put and

CARRIED

CJ041-03/00 REVIEW OF THE LOCAL GOVERNMENT AUDITING SYSTEM - [01139]

WARD - All

SUMMARY

The Local Government Financial Management Advisory Committee has conducted a review of the system relating to the financial audit of local governments in Western Australia. It has made a series of recommendations in relation to auditing in local governments.

Prior to consideration of the implementation of the report the Department of Local Government has sought comment from local governments.

This report provides:-

- the Advisory Committee's findings
- comments from the City's officers

It recommends that the comments from the City be forwarded to the Local Government Department.

BACKGROUND

Following the release of the *Report of the Royal Commission into the City of Wanneroo*, the Department of Local Government established a working party to consider possible policy and legislative responses to the Report and its recommendations. One of the issues raised by the Royal Commission related to the adequacy of the local government audit system. The working party responded to this issue by requesting that the Local Government Financial Management Advisory Committee (LGFMAC) assess the issue. Specifically, it requested that LGFMAC:

.... be asked to assess the Wanneroo Report to determine whether the problems identified at Wanneroo require a review of the role of the auditor. The Committee will also be asked to review the scope of the audit process with a view to producing a model audit contract as a minimum standard that could be applied generally to local governments. Consideration should be given to include in such a model contract, a sample check on the council's statutory compliance return.

In February 1998, members of LGFMAC, under its role of monitoring the effectiveness of the local government auditing process, resolved to conduct a review of the system relating to the financial audit of local governments in Western Australia.

Membership of the LGFMAC is as follows:-

NAMES	ORGANISATION REPRESENTED
Stephen Cole (Chair) Director Local Government Operations	Department of Local Government
John Gilfellon Manager Monitoring and Investigations	Department of Local Government
Neil Woods Manager Information and Statistics Policy and Programs	Department of Local Government
Graeme Mackenzie Chief Executive Officer Town of Bassendean	Metropolitan Councils Institute of Municipal Management
Michael Kent Manager Accounting Services City of South Perth	Metropolitan Councils Institute of Municipal Management
Eddie Piper Manager Corporate Services City of Kalgoorlie Boulder	Country Councils Institute of Municipal Management
Keith White Director Finance and Administration Shire of Busselton	Country Councils Institute of Municipal Management
Tony Bevan Partner, Haines Norton Chartered Accountants	Professional Accounting Association ASCPA/CA
David Buttfild Deputy President Shire of Serpentine/Jarrahdale	Metropolitan Councils WAMA
Ian Mickel Shire President Shire of Esperance	Country Councils WAMA

As an integral part of the review process the LGFMAC commissioned financial management consultants Grant Thornton to conduct a review of the local government auditing system under the following terms of reference:-

1. Determine the strengths and weaknesses of the current financial audit of local governments.
2. In conjunction with LGFMAC, recommend the processes to overcome the weaknesses and reinforce the strengths of the current financial audits of local government.

The consultants made a number of general findings in relation to the review. They were:-

1. Local government in Western Australia is in a somewhat unique position where the external audit function is neither under the control of the Minister for Local Government nor the Office of the Auditor General. The Office of the Auditor General identified the issue of perceived public accountability where an Auditor is appointed by a local government and reports directly to that local government.

2. There is a need to establish a set of standards, reporting requirements and monitoring outcomes for audits across all local governments. This should include a standard audit contract and audit plan.
3. There needs to be a better understanding by both administration and elected members of the role and function of an external audit.
4. There needs to be a process developed that enables the Minister for Local Government to satisfy him or herself that local government audits are meeting prescribed professional standards.
5. Local governments need to develop effective internal audit functions that address issues relating to compliance with council policies and the Local Government Act, and matters relating to efficiency and accountability.
6. There is a role for Audit Committees in local government.
7. Local governments need to consider other matters relating to the efficiency and effectiveness of their organization including the Statutory Compliance Returns (a check on compliance with the Act) and the development of performance indicators that measure the efficiency and effectiveness of their organization.

In addition to their general findings the consultants made a series of recommendations relating to aspects of the terms of reference. They were:-

1. Appointment of Auditors
It is proposed that the present system whereby local authorities appoint and fix the fee of the Auditor be retained.
2. Audit Performance
It is proposed that the members of local government, both elected members and executives, be made more aware of the objectives and statutory requirements of the external audit function through seminars and training sessions.
3. Scope of Statutory External Audit
It is important that procedures are instituted so the Department of Local Government is able to give assurance to the Minister that the audit function in local government is being conducted to prescribed professional standards.
4. Standard Audit Contract
It is proposed that the Department of Local Government prepares a standard audit contract for the provision of audit services and all local authorities be encouraged to use this standard contract. (Refer Appendix 1 of Attachment A).
5. Peer Review
It is proposed that the Department of Local Government arrange for a regular peer review by a specialist, appointed either by the joint accounting bodies or the Office of the Auditor General in Western Australia, of the audit work papers of Auditors of local authorities to obtain assurance that the audits are being done to prescribed professional standards.

6. Internal Audit

It is proposed that all Councils shall develop an effective internal audit function.

The department of Local Government be given the authority to grant exemption for Councils in remote areas.

7. Audit Committees

It is proposed that all Councils form an Audit Committee with a majority of the members of the Committee being elected members of Council. The department of Local Government be given the authority to grant exemption for Councils in remote areas.

8. Local Government Statutory Compliance Return

It is proposed that it be left to the discretion of each local authority whether they require their Local Government Statutory Compliance Return to be completed or verified by their Auditor.

9. Performance Indicators

It is proposed that in the pursuit of best practice within local government that local authorities be encouraged to develop relevant performance and management indicators.

The Local Government Financial Management Advisory Committee has now completed its review of the system relating to the financial audit of local governments in Western Australia and its report has been submitted to the Department of Local Government.

A copy of the report is appended as **Attachment A**.

Prior to considering implementation of the report the Department of Local Government is keen to obtain views of local governments on the matters raised. Following receipt of comments from local governments the Department will consider any amendments which be required to Part 7 of the Local Government Act 1995 and associated regulations.

The List of Recommendations are as follows:-

Recommendation 1

Local Governments continue to appoint their Auditor provided recommendations 2-8 are adopted to strengthen the system.

Recommendation 2

Minimum specifications for a local government audit contract be included in the Local Government Audit Regulations (1996).

Recommendation 3

Councils be required to have Audit Committees. Specific issues associated with Audit Committees that are to be addressed are:-

Membership

Audit Committees comprise only elected members and the CEO of the local government or his/her nominee. The elected members are to comprise a majority of the Committee.

Role and Responsibilities of the Audit Committee

- The process of selecting the Auditor;
- Recommending to Council on the Auditor;
- Managing the audit process;
- Monitoring administration's actions on, and responses to, any significant matters raised by the Auditor;
- Submitting an Annual Report on the audit function to the Council and the Department of Local Government; and
- Consideration of the completed Statutory Compliance Return and monitoring administration's corrective action on matters of non-compliance.

Recommendation 4

Local governments be encouraged to appoint Audit Committees as soon as possible on a voluntary basis.

Recommendation 5

A series of training workshops be conducted around the State with content designed to assist the Audit Committees to define their role and responsibilities. It may be necessary to run a further series immediately after promulgation of the amending legislation that sets mandatory Audit Committees.

Recommendation 6

In addition to the report on the accounts and the annual financial report required by section 7.9 of the Local Government Act 1995, the Auditors of each local government be required to submit a further report on any issues which have been identified in their processes as needing to be addressed. The second report, terms the "*Management Report*" is to be submitted to the CEO of the respective local government. The CEO must be obliged to advise the Audit Committee on the action he has taken with regard to the *Management Report*. The Audit Committee must advise the Council regarding its level of satisfaction with the CEO's response to the *Management Report*. The Council is to inform the public at the annual electors meeting of the content of the Management Report and Council's actions with regards to the issues raised.

Recommendation 7

The Department of Local Government makes resources available to the LGFMAC to allow the Committee to assess ways of introducing an internal audit capacity for all local governments. This should include:

- a) **establishing guidelines for Audit Committees on how and where to establish internal controls;**
- b) **developing a model contract for internal auditing; and**
- c) **examining models for delivering internal audit functions including internal auditing, contracting the Auditor General to provide internal audit advice to Councils and partnerships between small and larger local governments to ensure effective internal audit procedures.**

Recommendation 8

An additional peer review process for Auditors operating in the local government section should not be established.

Recommendation 9

The local government audit system be further examined in late 2002 to assess whether the improvements implemented as a result of this review have led to an effective audit process in which all relevant parties can have complete confidence.

Up until the early 1980's the local government auditing function was undertaken by auditors from the Audit Section of the Local Government Department. In early 1981 the State Auditor General assumed responsibility for local government audits. This was changed in 1983 to open up the external audit function to the private sector on a fixed term contract basis. Tenders were called for this service.

At that time the former City of Wanneroo appointed Mr John Kollosche from Arthur Andersen, Chartered Accountants, as its external auditor. Due to various unresolved issues with the Local Government Department Audit System Mr Kollosche relinquished his appointment. Following this Mr Tom Lang from the Chartered Accountants, Deloitte Haskins & Sells (now Deloitte Touche Tohmatsu), was appointed as auditor. Mr Lang and his successor, Mr Graham McHarrie, have been successful in retaining the audit of the former City and now the Cities of Joondalup and Wanneroo. The current term of the appointment of Mr McHarrie expires on 30 June 2000. The term of the appointment of the auditor has since 1985 been for 3 years albeit that the legislation permits the appointment up to 5 years.

DETAILS/COMMENT

While in broad general terms the current system of external auditing of local governments in Western Australia functions satisfactorily, there has over more recent times seen an overall need for a more detailed assessment of systems, procedures, business processes and a focus on business risk management which has seen the appointment of internal auditors within the larger local governments. The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 indeed requires the CEO to review business systems once in every 4 years. This review is undertaken independently of the officers responsible for the various functions.

Following a recommendation from the Inquiry Panel into the City of Wanneroo in 1997 the Joint Commissioners formed an Audit Committee comprising the Chairman, Deputy Chairman and the Chief Executive Officer. The role of the Audit Committee was to monitor the external audit, review the management report and implement an internal audit quarterly reporting system on such areas as risk management, compliance auditing and performance management.

This committee met on an as required basis with minutes distributed to all Commissioners. It is proposed that a similar committee be put in place consisting of the Mayor, Deputy Mayor and CEO.

While the appointment of internal auditors is not mandatory it is considered good business practice. The City of Joondalup has for the last couple of years, had an internal audit function operating through Chartered Accountants, Pricewaterhouse Coopers. This 2 year contract expires at the end of the calendar year. These auditors report through to the Audit Committee.

The following comments are made in relation to the findings of the LGFMAC.

The overall general thrust and recommendations of the LGFMAC are supported.

Recommendation 1

Local Governments continue to appoint their Auditor provided recommendations 2-8 are adopted to strengthen the system.

City's Response

Supported

Recommendation 2

Minimum specifications for a local government audit contract be included in the Local Government Audit Regulations (1996).

City's Response

Supported. However, the proposed list on minimum standard audit (as indicated in LGFMAC Attachment 1) should be regarded as a guideline only the auditor should exercise professional judgement to ensure that the critical audit areas are reflected in an appropriate Audit Plan.

A local government may wish to exceed the minimum standard in which case this extended scope would be in the Audit Plan.

Recommendation 3

Councils be required to have Audit Committees. Specific issues associated with Audit Committees that are to be addressed are:-

Membership

Audit Committees comprise only elected members and the CEO of the local government or his/her nominee. The elected members are to comprise a majority of the Committee.

Role and Responsibilities of the Audit Committee

- The process of selecting the Auditor;**
- Recommending to Council on the Auditor;**
- Managing the audit process;**
- Monitoring administration's actions on, and responses to, any significant matters raised by the Auditor;**

- Submitting an Annual Report on the audit function to the Council and the Department of Local Government; and
- Consideration of the completed Statutory Compliance Return and monitoring administration's corrective action on matters of non-compliance.

City's Response

The City has **established** an Audit Committee which comprises the Mayor, Deputy Mayor and Chief Executive Officer. It is serviced by the Manager Executive Services.

A separate report recommending the establishment of an Audit Committee comprising the Mayor, Deputy Mayor, Chief Executive Officer and to be serviced by the Manager, Executive Services is included on the agenda for this meeting.

The Local Government (Financial Management) Regulations 1996 require the CEO to be responsible for the efficient and effective operations of Council and review systems and business processes once in every 4 year period.

The City is of the strong view that the Audit Committee's role is also to be responsible for:-

- Risk Management
- Performance Reporting
- Compliance Reporting

Recommendation 4

Local governments be encouraged to appoint Audit Committees as soon as possible on a voluntary basis.

City's Response

The City concurs with this recommendation.

Recommendation 5

A series of training workshops be conducted around the State with content designed to assist the Audit Committees to define their role and responsibilities. It may be necessary to run a further series immediately after promulgation of the amending legislation that sets mandatory Audit Committees.

City's Response

The City concurs with this recommendation that the Audit Committee receives training in the role of the auditor and the responsibilities associated with an Audit Committee. It is suggested that such training be an integral module of the Councillor Training Programme.

Recommendation 6

In addition to the report on the accounts and the annual financial report required by section 7.9 of the Local Government Act 1995, the Auditors of each local government be required to submit a further report on any issues which have been identified in their processes as needing to be addressed. The second report, terms the "Management Report" is to be submitted to the CEO of the respective local government. The CEO must be obliged to advise the Audit Committee on the action he has taken with regard to the Management Report. The Audit Committee must advise the Council

regarding its level of satisfaction with the CEO's response to the Management Report. The Council is to inform the public at the annual electors meeting of the content of the Management Report and Council's actions with regards to the issues raised.

City's Response

The City concurs with this recommendation however, the suggestion that the Annual Meeting of Electors be informed of the contents of the Management Report is not supported. The annual meeting of electors is not the appropriate forum for dealing with recommendations to management. It is suggested that the Auditor be entitled to attend the Annual General Meeting of Electors and if appropriate entitled to address the meeting..

Recommendation 7

The Department of Local Government makes resources available to the LGFMAC to allow the Committee to assess ways of introducing an internal audit capacity for all local governments. This should include:

- a) establishing guidelines for Audit Committees on how and where to establish internal controls;**
- b) developing a model contract for internal auditing; and**
- c) examining models for delivering internal audit functions including internal auditing, contracting the Auditor General to provide internal audit advice to Councils and partnerships between small and larger local governments to ensure effective internal audit procedures.**

City's Response

The City concurs with this recommendation. There is an important role for internal audit in Local Government. The distinction between the scope of a financial audit and the scope of internal audit needs to be clearly understood. Compliance, Risk Management and Performance Reporting should be dealt with at this internal audit level.

Recommendation 8

An additional peer review process for Auditors operating in the local government section should not be established.

City's Response

The City concurs with this recommendation.

Recommendation 9

The local government audit system be further examined in late 2002 to assess whether the improvements implemented as a result of this review have led to an effective audit process in which all relevant parties can have complete confidence.

City's Response

The City concurs with this recommendation.

MOVED Cr Rowlands, SECONDED Cr Carlos that Council ADVISES the Local Government Department of its comments in relation to the Review of the Local Government Auditing System as outlined in Report CJ041-03/00.

The Motion was Put and

CARRIED

**CJ042-03/00 ESTABLISHMENT OF AUDIT COMMITTEE -
[00139]**

WARD - All

SUMMARY

During the restructuring of the former City of Wanneroo, the Commission established a Audit and Risk Committee comprising of the Chairman and Deputy Chairman together with the Chief Executive Officer to oversee the Audit and Risk Management functions of the City. This report recommends that the City of Joondalup establishes a similar Audit Committee.

BACKGROUND

The Royal Commission into the former City of Wanneroo identified the adequacy of the local government audit system as an issue. Partly in response to the matters raised in the Royal Commission the Joint Commission established a Risk Committee comprising of the Chairman and Deputy Chairman together with the Chief Executive Officer to oversee the Audit and Risk Management functions of the City.

To assist the Audit and Risk Committee tenders were called for suitably qualified consultants to undertake an internal audit consultancy. Following evaluation of tenders Price Waterhouse Coopers were appointed for a two year term expiring in December 2000. The Internal Auditors brief focuses on :-

- (1) Statutory Compliance Audits
- (2) Development of a Corporate Compliance Calendar
- (3) Risk exposure identification
- (4) Value for money Audits

Price Waterhouse Coopers has undertaken a risk assessment workshop with the Executive. The workshop identified risks faced by the City and required mitigation strategies to be developed. A further workshop is currently being arranged to reassess the City's risks and mitigation plans.

A corporate compliance calendar has also been developed that sets out the City's statutory obligations under all relevant legislation. This document is used as a tool to ensure that the City complies with the various reporting deadlines under relevant legislation. The calendar complements the quarterly reviews undertaken by Officers in order to complete the Department of Local Governments Voluntary Statutory Compliance report.

Management Information reports are also being developed that provide an overview of the key performance indicators for the City. Quarterly reports will be submitted to the Audit Committee for consideration.

The Internal Audit consultancy complements the work undertaken by Deloitte in their role as external auditors.

DETAILS

In more recent times the Department of Local Government have advocated the establishment of Audit Committees particularly in relation to the external Audit functions. A separate report relating to a review of the audit system by the Local Government Financial Management Advisory Committee which has been released by the Department for Local Government for comment is included as a separate item on this agenda.

It is considered however that the model previously adopted by the Commission incorporating both external and internal audit as well as risk management is preferable to a Committee established essentially to monitor the external audit.

OFFICER'S RECOMMENDATION: That Council:

- 1 ESTABLISHES BY AN ABSOLUTE MAJORITY an Audit Committee with the role of overseeing the internal and external Audit and Risk Management and Compliance functions of the City;
- 2 APPOINTS the Mayor and Deputy Mayor together with the Chief Executive Officer as members of the Audit Committee;
- 3 SETS the quorum for the Audit Committee at two members.

MOVED Cr Magyar, SECONDED Cr Patterson that Council:

- 1 ESTABLISHES an Audit Committee with the role of overseeing the internal and external Audit and Risk Management and Compliance functions of the City;
- 2 APPOINTS the following as members of the Audit Committee;

Mayor
Deputy Mayor
Cr S Magyar
Cr G Kenworthy
Chief Executive Officer

3 SETS the quorum for the Audit Committee at three members.

Discussion ensued.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 4 refers - Click here: [Attach4140300mins.pdf](#)

CJ043-03/00 HALF YEAR BUDGET REVIEW - 31 DECEMBER 1999 - [36287]

WARD - All

SUMMARY

This Report covers the Half-Year Budget Review exercise undertaken by the City of Joondalup on the 31 December 1999 financial statements.

The review has been undertaken by Officers of the City, and has encompassed an analysis and projection of performance on the areas of:

- Operating Activities
- Strategic Initiatives
- Capital Works
- Vehicle and Plant Replacement

Officers have identified a number of New Funding Requests encompassing

- Council Resolutions
- Council Requests
- Items from the 2000/2001 Works programme

These have been put forward as proposals to utilise surplus funds in 1999/2000 arising from the review of budgets.

A Councillors' workshop was held on Tuesday, 29 February 2000, to discuss the Budget Structure, the Management Reporting Process and to outline the process and results of the Half-Year Budget Review.

At that session, budget savings of \$920.6k were identified against proposals for New Funding Requests to the value of \$919.9k.

Two adjustments to these figures have subsequently been identified:

- Savings in Operating Activities have reduced by \$9k as the final grant received from Lotteries Commission for Woodvale Community Care Centre will be \$151k against an estimate of \$160k (refer Half Year Budget Review Report, page 4, column 1, paragraph 6).
- The New Funding Initiative for Anchors Youth Services Wheelchair Access has been corrected from \$12.0k to \$1.2k (refer Half Year Budget Review Report, page 24, table 2).

The net effect of these changes are as follows:

	Figures from Workshop \$k	Revised Figures \$k	Movement \$k
Operating Activities	314.6	305.9	(9.0)
Strategic Initiatives	118.7	118.7	
Capital Works	399.0	399.0	
Vehicle & Plant Replacement	88.6	88.6	
Savings Identified	\$ 920.6	911.6	(9.0)
New Funding Requests	\$ 919.9	909.1	10.8
Net Savings	\$ 0.7	2.5	1.8

Full details of the Half Yearly Budget Review, the savings anticipated and the new funding proposals are contained in Attachment A to this report.

ADDITIONAL INFORMATION

There was an error in the distributed yellow appendices (Appendix 5 refers) to this report.

The attached sheet (Appendix 7) is to replace the sheets for the Youth Services – Anchors Youth Service in Report CJ043-03/00.

The replacement of this sheet does not affect any of the figures in the report.

MOVED Cr Wight, SECONDED Cr Barnett that Council, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 AMENDS the 1999/00 Budget to effect the funding of new initiatives and projects as detailed in Attachment A of Report CJ043-03/00.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendices 5 and 7 refer – Click here: [Attach5140300mins.pdf](#) [Attach7140300mins.pdf](#)

CJ044-03/00 CHARGES FOR ORAL HISTORY WORKSHOP – [20086]

WARD - All

SUMMARY

The Local Studies Section of the Joondalup Centre Library conducts an annual Oral History Workshop for the purpose of training volunteer interviewers for the Oral History Programme. This workshop is conducted free of charge to participants, as the goal is to encourage community participation in the project. Approximately eighteen months ago, the Battye Library decided to discontinue the provision of training in oral history skills. This has presented the opportunity to extend Council's courses to include paid attendees. It is proposed to continue to run the workshops for voluntary workers at no charge, but to impose a fee to others outside Council's Oral History Programme who wish to take advantage of the professional training.

BACKGROUND

The Battye Library has for many years been at the forefront of training for Oral History interviewing. However in a report recently released the Library advised the decision to cease this aspect of its operations. The Library ceased providing training courses in oral history interviewing some eighteen months ago and has no plans to hold further courses on the basis that the Library does not consider itself to be a teaching centre. This creates a training opportunity for Council's Oral History Programme.

Council's Oral History Programme commenced in 1993 with the aims of proactively generating recorded historical information as a valuable resource for researchers now and in the future as well as heightening the public's awareness of the region's heritage. Most importantly, this was to be a high level community participation programme. Volunteers from the community, under the guidance of a part-time Oral History Officer, conduct the interviews. To ensure volunteer interviewers have appropriate skills, Council provides an annual one day training programme. To date, this has been very successful, resulting in 265 completed interviews which relate the story of the region. This resource is valuable as the majority of the interviewee's information would not have otherwise been recorded in print format. The programme is an ongoing one and new volunteers are constantly recruited.

DETAILS

In previous years, the annual Oral History Workshop conducted by the Joondalup Centre Library has attracted interest from external organisations or municipalities. With the withdrawal of the Battye Library from Oral History training, a market has been created which the library is in a position to enter. It is proposed to advertise the workshop for this year further than the City of Joondalup/City of Wanneroo region in order to attract more participants who will not be directly involved in Council's Oral History Project. It is proposed to charge these participants a fee for participation in the training.

Through the workshop registration process, two categories of attendees will be identified:

- i) people registering as voluntary members of Council's Oral History Programme. Attendance will be free;
- ii) people requiring training but with no ongoing commitment to Council's Oral History Programme. Attendance will be charged.

It is proposed the fee for financial Oral History Course attendees will be initially set at \$35, which represents a cost recovery arrangement for City based on current estimates of number of participants and demand. The Oral History Association of Western Australia charges \$50 for Members and \$60 for non Members for one day workshops. The Association's workshops contain content which is more in-depth than that which is provided by the City. The workshops also have fewer participants and are designed to cater for more personalised training. In this context, it is not considered that the City would be entering into direct competition with the Oral History Association of Western Australia.

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

- 1 AUTHORISES, pursuant to the provisions of Section 6.19 of the Local Government Act 1995, the following additional charge:**

\$35 Oral History Course registration fee – non library registrations

- 2 ADVERTISES the proposed new charge in accordance with Section 6.19 of the Local Government Act 1995;**
- 3 INTRODUCES the schedule of charges for Oral History Course registration fee effective 1 April 2000.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

INFRASTRUCTURE MANAGEMENT

**CJ045-03/00 SERVICE LEVEL AGREEMENT BETWEEN CITY OF
JOONDALUP AND CITY OF WANNEROO FOR
PROVISION OF CONSTRUCTION WORKS - [48118]**

WARD – All

SUMMARY

As a result of the establishment of two new local authorities on 1 July 1998, an independent review was undertaken for use as a guide in determining the most appropriate service delivery method for the provision of major operational services.

Various services including provision of construction works were reviewed and it was concluded that it would be appropriate for the City of Wanneroo to continue to provide these particular services to the City of Joondalup due to economies of scale, geographical considerations, future growth needs, and to allow for the retention of the current administration efficiencies.

The contract for the Provision of Construction Works has a period of two years and commits the City of Joondalup to provide \$1.5M in value of Capital Construction projects in the form of roadworks for each year of contract period.

Council's obligation to City of Wanneroo for 2000/2001 budgeting period is again \$1.5M, which will be the final obligation in relation to this particular contract.

The purpose of this report is to seek Council's endorsement for proposed capital works projects to the value of \$1.5M in keeping with the Service Level Agreement arrangements.

BACKGROUND

As part of the split process, the former City of Wanneroo undertook a review of service delivery options with the assistance of independent consultants.

The main thrust of the study was to recommend service delivery options that resulted in:

- Retaining genuine economies of scale
- No local government to profit or suffer loss from the venture
- Service provision to be efficient and competitive
- Provide a seamless transition in service provision during the split process

The study also took into consideration:

- Geographical considerations
- Retention of administration efficiencies where practical
- Future service needs associated with growth demands

It is also important to recognise that as part of the split process, the Governor's Order required that all employees shall maintain their conditions of employment for a two year period from 1 July 1998 to 1 July 2000 with no forced redundancies during this period.

DETAILS

This report particularly deals with the Construction of Engineering Capital Works service level agreement, which has a contract period of two years commencing from 1 July 1999. The contract commits the City of Joondalup to provide \$1.5M in value of Capital Construction projects for each year of the term of the agreement.

This particular agreement puts in place arrangements whereby the preparation of the final year of the contract (year two) timetable is undertaken no later than the end of April 2000.

The City of Joondalup (the Principal) shall prepare and submit to the City of Wanneroo (the Contractor) a Project Budget for 2000/2001 (Year 2) which shall:

- (a) Provide a description of each proposed Project for Year 2
- (b) Include indicative plans; and
- (c) Provide an indicative lump sum price and costings for each of the Projects

The Principal shall ensure that the Projects included in the Project Budget for Year 2 are of sufficient number or magnitude so that the total of the indicative lump sum prices of those Projects is not less than \$1,500,000.

A copy of the agreement can be made available to Councillors upon request.

COMMENT/FUNDING

A preliminary review of the proposed projects for 2000/2001 fails to identify any significant projects that will accommodate this commitment.

These projects have been designed and are programmed to be contracted out during April/May/June and will over-run into the 2000/2001 financial year.

As this work is intended to be outsourced in any event, it is proposed for Councils consideration that the nominated projects be carried over and utilised as the 2000/2001 service level agreement projects for the City of Wanneroo. The nominated projects are listed below:

		Project Value	Programme
Project 1	Whitfords Avenue/Northshore Drive Construction of a roundabout. Design works complete. This project has black spot funding of \$130,000. (Refer Attachment 1)	\$220,000	Jul 00 to Dec 00
Project 2	Hepburn Avenue/West Coast Drive/Whitfords Avenue Dual roundabout construction including the single lane boulevarding of West Coast Drive, and dualling of Whitfords Avenue, north of the roundabout through to Northside Drive (Refer Attachment 2)	\$750,000	Jul 00 to Sep 00
Project 3	Allenswood Road Greenwood Two single lane roundabouts at Blackall Drive and Leschenaultia Street with \$75,000 of Black spot funding for one roundabout. (Refer Attachments 3 and 4)	\$292,500	Oct 00 to Dec 00
Project 4	Coastal Dual Use Path This project involves the extension of the coastal DUP Path from Key West car park through to the Ocean Reef Marina (Refer Attachment 5)	\$240,000	Sep 00 to Dec 00
	TOTAL	\$1,502,500	

The above project types are all in accordance with the Service Level Agreement guidelines, as the works involve major construction works. Conceptual plans for the various projects are depicted at Attachments 1 to 5.

It is essential that Project 2 is completed prior to October 2000 due to the impact on the Hillary's Boat Harbour, and compliance with the Black Spot funding timing constraints associated with Projects 1 & 3 requires that these works are completed within this calendar year.

The proposal will not impact on City of Joondalup's workforce, as this work would be required to be outsourced.

The City of Wanneroo has agreed to the proposal and it is considered that these arrangements will prove beneficial to City of Joondalup by meeting its service agreement obligations without the need to commit to major capital projects, thereby resulting in the City of Joondalup having more flexibility in delivering its 2000/2001 budget.

MOVED Cr Rowlands, SECONDED Cr Carlos that Council:

- 1 AGREES to the following projects, project budgets and timeframes to form part of the Year 2 (2000/2001) service level agreement arrangements as listed below:**

		Project Value	Programme
Project 1	Whitfords Avenue/Northshore Drive Construction of a roundabout	\$220,000	Jul 00 to Dec 00
Project 2	Hepburn Avenue/West Coast Drive/Whitfords Avenue Dual roundabout construction including the single lane boulevarding of West Coast Drive, and dualling of Whitfords Avenue, north of the roundabout through to Northside Drive	\$750,000	Jul 00 to Sep 00
Project 3	Allenswood Road Greenwood Two single lane roundabouts at Blackall Drive and Leschenaultia Street with \$75,000 black spot funding for one roundabout	\$292,500	Oct 00 to Dec 00
Project 4	Coastal Dual Use Path This project involves the extension of the coastal DUP Path from Key West car park through to the Ocean Reef Marina	\$240,000	Sep 00 to Dec 00
	TOTAL	\$1,502,500	

- 2 **CARRIES FORWARD the necessary funds to enable the works to proceed as detailed in point 1 above;**
- 3 **ENDORSES the Director Infrastructure Management (Principal's Representative) to formalise the arrangements in accordance with the terms and conditions of the agreement relating to the Provision of Construction Works.**

The Motion was Put and

CARRIED

**CJ046-03/00 MAIN ROADS WA - SPEED LIMIT REVIEW -
[05094]**

WARD - All

SUMMARY

Main Roads WA has sought the City's comments in relation to proposed speed zone changes on arterial roads within the municipality. The proposed changes take into account the need for consistent speed zones on all arterial roads throughout the municipality. The proposed speed zones are presented for consideration.

BACKGROUND

Main Roads WA recently completed a speed limit review on Hepburn Avenue, Whitfords Avenue, Northshore Drive, Joondalup Drive, Ocean Reef Road and Wanneroo Road.

The proposed changes are part of Main Roads WA on going review of speed limits in the metropolitan area. The aim of the review is to make speed limits on roads of similar geometry and road function the same consistent speed limit. This approach to speed zoning allows motorists to identify certain speed limits according to the road environment and minimises the confusion that some motorists may have had with a variety of speed limit changes over relatively short lengths of road.

Two examples of the changes already in place are Wanneroo Road north of Carramar Road and Hodges Drive, where one consistent speed limit is now in place.

DETAILS

A brief description of the proposed speed zones are given below with the existing and proposed speed limits shown pictorially on Attachments 1 and 2 to this report.

Whitfords Avenue – reduce from 80km/h to 70km/h from Northside Drive to Belrose Entrance and Trappers Drive to Wanneroo Road. The proposed change will make Whitfords Avenue 70km/h for the entire length. Main roads propose to review the speed limit on Whitfords Avenue between Hepburn Avenue and Marmion Avenue after roadworks are completed on this section. It is likely that a 60km/h speed limit will be supported, which would be consistent with other coastal roads.

Northshore Drive – reduce from 80km/h to 70km/h from Whitfords Avenue to Northshore Avenue. It is also likely this may be reviewed to 60km/h if appropriate changes are made to the road environment in the future.

Ocean Reef Road - reduce from 80km/h to 70km/h from Marmion Avenue to Mitchell Freeway and Mitchell Freeway to Trappers Drive. This is consistent with the recently changed limit on Hodges Drive and the western section of Ocean Reef Road. The section east of Trappers Drive will, due to limited access, remain at 80km/h.

Joondalup Drive - reduce from 80km/h to 70km/h from Wedgewood Drive to Edith Cowan University entrance. This section is the only portion of Joondalup Drive that is not currently zoned at 70km/h. Therefore the change will make the speed limit on Joondalup Drive between the City Centre and Ocean Reef Road consistent and in keeping with the adjacent commercial development.

Wanneroo Road - reduce from 80km/h to 70km/h from Kingsway Drive to San Rosa Road. This change is proposed due to the development adjacent to Wanneroo Road and includes the section between Whitfords Avenue and Ocean Reef Road to ensure a consistent speed zone.

Main Roads WA intend to implement the proposed changes in two stages. The first stage being Wanneroo Road, Joondalup Drive and Ocean Reef Road. The second stage will include Whitfords Avenue and Northshore Drive.

Advanced warning signs will be erected to indicate the change in speed zone for a period of six weeks to advise motorists of the change. In addition, information regarding the changes will be advertised in local newspapers and the West Australian shortly before implementation.

Main Roads WA intend to implement the changes in late March 2000.

COMMENT/FUNDING

It is commonly accepted by traffic engineers that a speed limit should appear to be reasonable to drivers. Consequently, the 85th percentile speed of traffic (*the speed at or below which 85% of vehicles travel*) is often used as a guide when selecting an appropriate speed zone.

However, for this process to result in **safe** travelling speeds it must be assumed that drivers are capable of making a realistic assessment of the risk of crash involvement and drive accordingly. In reality, the average driver cannot be expected to have a realistic understanding of how the risk of involvement in a casualty crash varies according to the speed at which they choose to travel. This is particularly so on urban arterial roads such as Wanneroo Road, Joondalup Drive, Ocean Reef Road, Whitfords Avenue and Northshore Drive.

To highlight the relationship between increased speed and casualty crashes the following statistics are presented for consideration.

In 1998, the estimated total cost of crashes in the metropolitan area alone to the Western Australian Community was 775.4 million dollars. In total 66,569 persons were involved in road crashes of which 223 were tragically killed. Speed was recorded as a factor in 32.3% of all fatalities in Western Australia during 1998.

Statistics presented recently at the 1999 Insurance Commission of WA Conference on Road Safety *“Green Light for the Future”* show that risk of crash involvement in a casualty crash, expressed as a risk relative to that of an experienced driver traveling at 60km/h, doubles for the first increase of 5km/h and continues to increase exponentially with each 5km/h increase in speed thereafter.

In this instance the relative risk of a crash at the existing 80km/h speed limit is 19 times greater than if the proposed 70km/h speed zones were in place. Expressed in terms of crashes, studies show that a uniform 10km/h reduction in traveling speed of a vehicle may reduce the possibility of a crash occurring by 42%. The total reduction in casualty crashes would be considerably greater than 42%.

A number of factors contribute to the exponential increase in the risk of involvement in a casualty crash with increasing speed. These include the increase distanced traveled during the recognition and reaction time of the driver, increased braking (stopping) distance, increased impact speed and resultant crash energy. For instance stopping sight distance at 80km/h is 95m as opposed to 70m at 70km/h (AustRoads 1988).

All these factors equate increased speed to a greater risk of first having a crash and secondly greatly increase the chances of injury or death. The increased risk associated with higher vehicle speeds of death or injury for vulnerable road users such as pedestrians or cyclists is even greater.

While the focus has more recently been on reducing the Local Area Built up area (BUA) speed limit to 50 km/h, statistics show that 87.3% of road casualty crashes occurred on main arterial roads compared with 14.2% on local streets.

These findings emphasis the much greater need to control traveling speeds on arterial and main roads rather than local streets.

Inconsistent speed zoning has been highlighted as a concern to local road users for some time. However, while some motorists believe higher speeds zones are more appropriate on some arterial roads, statistics show that even an increase speed by 10km/h can greatly increase the frequency and severity of road crashes.

While the need to have uniform speed limits consistent with the road environment on arterial roads is important, the need to ensure these roads operate at a safe speed for all roads users is even greater.

In view of this, as the proposed speed zones are consistent and more in keeping with the road environment, Main Roads WA proposed speed zone changes on Wanneroo Road, Joondalup Drive, Ocean Reef Road, Whitfords Avenue and Northshore Drive are supported.

In the meantime, the issue of 50km/h speed limits on local roads is currently being investigated in association with another matter and will be presented in a separate report to Council in due course.

OFFICER'S RECOMMENDATION: That Council:

- 1 CONCURS with Main Roads WA proposed speed zone changes on Whitfords Avenue, Northshore Drive, Ocean Reef Road, Joondalup Drive and Wanneroo Road;
- 2 ADVISES Main Roads WA accordingly.

MOVED Cr Carlos, SECONDED Cr Rowlands that consideration of Main Roads WA – Speed Limit Review be DEFERRED to the next Council meeting scheduled to be held on 28 March 2000 pending further consideration by elected members.

Cr Carlos gave an overview of speed limits in the northern suburbs over the last five years and advised he had conducted a survey of 200 residents. He did not believe he had received all of the replies to this survey and sought to defer this item until such time as these had been received.

The Motion was Put and

CARRIED

**CJ047-03/00 TRAFFIC MANAGEMENT STRATEGY – 10 METRE
WIDE LOCAL ROADS (BRIDGEWATER DRIVE,
KALLAROO) - [09174J]**

WARD - Whitfords

SUMMARY

A 143-signature petition has been received from Rob Johnson MLA, Member for Hillarys, on behalf of Kallaroo residents requesting a change to speed limitations and or the installation of traffic treatments in an effort to stop excessive speed on Bridgewater Drive, Kallaroo.

In the context of the overall traffic management strategy for ten metre wide local roads, the petitioners' concerns have been investigated and the following presented for consideration.

BACKGROUND

In November 1999, a 143-signature petition was received from Rob Johnson MLA, Member for Hillarys, on behalf of Kallaroo residents requesting a change to speed limitations and or the installation of traffic treatments in an effort to stop excessive speed on Bridgewater Drive, Kallaroo. The petitioners request that urgent action be taken to stop the excessive speed of vehicles (irresponsible motorists) on Bridgewater Drive. Of the 143 petitioners, 50 reside on Bridgewater Drive.

Concern over vehicle speed, particularly adjacent to the Springfield Primary School, has been raised in the past. To address this, the City in conjunction with the School Road Safety Committee, developed a traffic management scheme for the section of Bridgewater Drive directly adjacent to the school.

Essentially, the scheme is designed to supplement the existing 40km/h school zone by encouraging lower vehicles speeds, regulating parent parking and providing a safe crossing point for school children. Implementation of the scheme, as shown on Attachment 1, is tentatively programmed to commence in February/March 2000.

In the meantime, a brief history in relation to traffic management of local roads is as follows.

Generally, traffic treatments are successful in modifying driver behaviour (reducing vehicle speed) in a majority of motorists. That is, they can successfully reduce the 85th percentile speed of vehicles by up to 40 km/h depending on the type of device. However, they are ineffective in modifying driver behaviour in motorists who drive with little or no regard for their legal or social responsibilities. These motorists invariably see traffic treatments as a challenge and in some instances, traffic treatments can exacerbate problems associated with antisocial behaviour such as *excessive* speed.

At the time of construction, many 10 metre roads were an acceptable width for local roads of this type. Unfortunately, wider carriageway widths are now recognised as a contributing factor to higher overall vehicle speed.

In the past, traffic treatment strategies on 10 metre wide roads featured the installation of roundabouts at intersections or mid block slow points in conjunction with a painted central median to control speed. This strategy has been relatively successful with many roads being treated in this manner over the past 10 years.

More recently however, the effectiveness of this strategy to reduce overall vehicle speeds has been questioned, as mid block vehicle speeds have remained higher in some instances. The requirement for localised widening of the existing carriageway to accommodate this type of treatment has also generated some concern by residents directly affected by these treatments. Emergency Services and bus service operators have also expressed concerns in relation to the use of some high deflection devices on local roads.

A limiting factor for the use of this treatment had also been cost. Typically, the cost of an overall treatment is approximately \$60-70,000 per roundabout plus the cost of raised islands and painted median and has meant that treatments have been restricted to a limited number of roads per year.

In view of this, an alternative traffic management strategy for 10 metre wide roads has been developed.

The new strategy for 10 metre wide carriageway roads throughout the municipality features a flush red asphalt central median with intermittent landscaping. Raised traffic islands are provided at junctions to regulate vehicle-turning movements and at high pedestrian crossing points to improve safety at these locations. The intermediate landscaping allows existing residential access to be maintained while creating a boulevard effect and improving the visual amenity for a given length of road.

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

A typical cost for this type of treatment is between \$100 to \$120 per metre depending on the requirement for reticulation. This means that the overall cost to treat a road such as Bridgewater Drive would be approximately \$210,000. This is significantly less than previous strategies incorporating roundabouts and provides a significantly better benefit cost ratio for overall traffic treatment on roads of this type.

The use of coloured asphalt and central median landscaping has been developed and implemented as an accepted traffic treatment option in some Local Government areas including City of Stirling.

The recent installation of this type of treatment on Blackall Drive, Greenwood has been accepted well by the local community.

In recent discussions regarding treatment of similar roads within the municipality, this type of strategy has received the support of the Police Service as an effective speed controlling traffic treatment.

DETAILS

Bridgewater Drive is a 10 metre wide circulating local road in Kallaroo. Its function is to collect traffic and distribute it to higher-class perimeter roads such as Marmion Avenue and Dampier Avenue.

A survey of traffic flow on Bridgewater Drive indicates a range of traffic volume is between 1200 to 2000 vehicles per day. This volume of traffic is well within the limit that could be expected on a road of this type. However, the recorded 85th percentile speed of vehicles (the speed at or below which 85 percent of vehicles travel) on this road (excluding the 40km/h school zone) is between 55 and 74 km/h during peak flow periods.

As previously stated, at the time of construction, the alignment of the road was acceptable for a road of this type. Unfortunately, wider carriageway widths are now recognised as a contributing factor to higher overall vehicle speed. Existing overall recorded vehicle speeds on Bridgewater Drive support this.

If adopted, the proposed traffic management strategy for Bridgewater Drive could be expected to achieve a reduction in overall vehicle speeds by around 10-15km/h in keeping with advice from the Police Service. This would result in the desired outcome of achieving recorded speeds at or below the current built up area (60km/h) limit.

COMMENT/FUNDING

While adoption of a traffic management strategy for Bridgewater Drive featuring a flush red asphalt central median with intermittent landscaping is supported, this does not rule out future consideration of roundabouts at suitable locations, as the value of these as traffic control devices remains unchanged.

Roundabouts are ideally suited to intersections with equal traffic flows on each leg and are generally utilised to enhance the safety considerations associated with turning traffic. The severity of crashes at intersections can also be reduced by the correct use of roundabouts. The advantage of implementing the currently supported strategy is that the option of providing additional treatments such as roundabouts at suitable locations in the future, still remains.

While the treatment of this road will address the petitioners concerns by modifying driver behaviour in a majority of motorists, it is important to note that traffic treatments are ineffective in preventing incidences of *excessive* speed caused by motorists who drive with little regard for their legal or social responsibilities. Clearly prevention and apprehension of these type of motorists remains the responsibility of the Police Service.

Notwithstanding this, it is accepted that the responsibility to provide and maintain a safe and functional local road network for the majority of law abiding road users rests with Local Government. On this basis the adoption of the existing traffic management strategy as previously outlined is recommended.

This strategy is also consistent with the treatment currently programmed for Bridgewater Drive adjacent to Springfield Primary School.

If adopted, priority for treatment of Bridgewater Drive in comparison with other roads throughout the municipality will be determined. Officers are currently prioritising all 10m wide roads for traffic treatment as part of the 2000/01 budget deliberations.

In accordance with the City's Strategic objectives, it is intended that all 10m wide roads (untreated and treated) throughout the municipality be considered and submitted for funding consideration as part of this process.

On this basis, the inclusion of traffic treatments on Bridgewater Drive for funding consideration on a priority basis as part of the 2000/2001 budget deliberations is recommended.

The local area or built up area speed limit for all roads is currently set at 60km/h. Discussion as to the appropriateness of this speed for local roads has been ongoing since its adoption following the conversion from miles per hour in the late 1960's.

More recently, adoption of a 50km/h general urban speed limit has received wide support. However its introduction is dependent on a decision at a State Government level. In the meantime, the use of precinct based, 50km/h limits have been facilitated by the introduction of the national Roads Rules.

However, it is unlikely that, given the existing criteria, that a lower speed limit would be supported by Main Roads WA on a road of this type without the necessary traffic treatments (to achieve an 85th percentile speed of 50km/h) being in place. A more detailed report on the introduction of 50km/h speed limits on local roads will be presented to Council for consideration in due course.

MOVED Cr Rowlands, SECONDED Cr Barnett that Council:

- 1 LISTS traffic treatment of Bridgewater Drive, Kallaroo for funding consideration on a priority basis, as part of the 2000/2001 budget deliberations;**
- 2 ADVISES the petitioners and residents of Bridgewater Drive accordingly.**

The Motion was Put and**CARRIED**

**CJ048-03/00 PROPOSED TOILET CHANGEROOMS - LOT 7 (125)
OCEANSIDE PROMENADE, MULLALOO - [01153J]
[36362J, 37362J]**

WARD - Whitfords

SUMMARY

Report CJ106-04/99 examined the construction of beachside public toilets at two car-parks on Oceanside Promenade, Mullaloo in line with the Foreshore Management Plan. This report further examines the siting and design options, and recommends the placement of pre-fabricated automated self-cleaning toilets at the northern carpark but deferring the southern carpark option until an appraisal of the new automated toilets can be conducted.

BACKGROUND

At their meeting of 13 April 1999, the Joint Commissioners of the City of Joondalup considered a report on the siting, design and public opposition to the placement of beachside public toilets at the carparks on Oceanside Promenade opposite West View Boulevard and between Key West Drive and West View Boulevard, Mullaloo (CJ106-04/99 refers). The Joint Commissioners resolved to:

- 1 “APPROVE the location of the proposed toilet/changeroom at the West View Boulevard and Key West Drive carparks, Mullaloo;” and
- 2 “subject to advice from the Crime Operation Unit of the WA Police Service on the design of the facilities to reduce anti-social behaviour, AUTHORISE the preparation of tender documents and calling of tenders for the works.”

Consultation with Inspector Geoff Maloney, Assistant District Officer of the Joondalup Police District took full account of the public safety concerns raised by the public and reported in CJ106-04/99. In brief, these concerns centered on the probable attraction of anti-social, behaviour to the vicinity of the toilet blocks. Other objections related to the toilets being visible from houses on Oceanside Promenade, interrupting otherwise pristine views. One objection to the siting of the West View Boulevard car park toilet raised the issue that it would not be visible and would therefore invite trouble, and another suggested self-cleaning facilities similar to those used in inner-Sydney parks

Inspector Maloney advised that visibility is a primary concern in public safety, and suggested that the toilets be located as close to Oceanside Promenade as possible, preferably right on the street. He further advised that it is important that people attempting to use the toilets for sexual misbehaviour should be visible having to leave their cars and walk a significant distance in full view, not being able to duck in from an adjacent car parking bay. On the design, he recommended that the space inside the toilets should be small enough to make dual occupancy impossible. This included the removal of shower and changing facilities, opting instead for external showers and no changing facilities. He further noted that if possible, the disabled toilet should be done away with as the space must of necessity be large enough for multiple occupancy.

DETAILS

While Inspector Maloney's comments were being considered and some re-design work was being undertaken, a Victorian firm, WC Convenience Management Pty Ltd, contacted the City to view their product, the *EXELoo*TM automated public toilet at the Public Works Expo held in August 1999. At the time of writing report CJ106-04/99, the only automated self-cleaning public toilets available in Australia were of European manufacture, were very expensive and had inordinate lead times. The *EXELoo* range of products are assembled in Victoria under licence from the New Zealand manufacturer, being suitably priced and containing many features to discourage anti-social behaviour.

Of major importance is *EXELoo*'s compliance with AS1428.1 *Design for access and mobility: General requirements for access – Buildings*, being the statutory access requirements for public buildings. It should be noted, however, that the City of Joondalup's requirements generally are to AS1428.2 *Design for access and mobility: Enhanced and additional requirements – Buildings and facilities*. AS1428.1 caters to the 80th percentile of people with disabilities, while AS1428.2 extends to the 90th percentile. In relation to these toilets, this compliance with the lesser standard's only impact would be a slightly smaller compartment. Refer to Attachment 1 for a plan of the *EXELoo* toilet. Until such time as board walks are provided to the water's edge for wheelchair access to the sea, the smaller compartment is unlikely to cause any difficulty for beach users.

As noted above, the provision of large spaces is seen as an invitation to anti-social behaviour. To counter this, *EXELoo* has an automatic door activated by push button. It times how long people occupy the cubicle. After a pre-set time, a recorded message advises the occupant that their time has expired and asks them to leave. If they don't, after a further period the message is repeated. After a third period the door opens automatically and a very loud alarm sounds to draw attention to the facility. Experience in the Eastern States has shown that anti-social behaviour is reduced.

EXELoo is equipped and programmed to wash itself down three times a day and dry itself before it is re-opened to the public. Units can also be fitted with baby change tables and/or sharps disposal units as optional extras. WC Convenience Management Pty Ltd through its WA agent offers a maintenance contract on the installations. There are over 300 *EXELoo* installations in Australia, some being in the City of Stirling.

Revised siting proposals are shown on Attachment 2. The location of the northern Key West toilet shown on Attachment 2 page 1 has not changed. While there is a temptation to site the toilet near the Oceanside Promenade boundary, probable resident's objections and likely interference with the limestone pinnacles in the area combine with the visibility of the site from Oceanside Promenade houses to recommend no change.

The West View Boulevard toilet, however, was proposed at the bottom of a bank making it almost invisible from the road. It is therefore proposed to fill an area adjacent to the shoulder of the car park access road, and locate the toilet directly opposite the entrance of the car park. This would then satisfy all concerns over anti-social behaviour. The additional fill would be in an area already considerably disturbed and would therefore be acceptable under environmental planning guidelines.

As the proposal is to replace three pans (two female and one male) and one urinal with *EXELoo* toilets, it is necessary to provide at least two unisex pans. To maintain compliance with AS1428.1, this means two complete toilet installations per site, rather than one single compliant toilet and one double pan toilet. This latter configuration does not comply with AS1428.1 for either wheelchair or ambulatory disabled, and the code requires that a second pan in any installation be suitable for ambulatory disabled with the third pan being non-compliant.

As this installation will be the first automated self-cleaning toilet in the City of Joondalup, and because the northern end of Mullaloo Beach is without toilet facilities, it is suggested that only the installation at the northern Key West Drive carpark (the cheaper of the two options, see below) be constructed at this time, but that pending a favorable review of the toilets' operation, the West View Boulevard carpark site be developed. The *EXELoo* toilets can count the number of people using the toilet. This tool will provide valuable information on usage for planning future requirements.

COMMENT/FUNDING

It is proposed to tender a contract for the supply and placement on site of the complete toilets at the same time as tendering a "head" contract for the total project, and to novate the supply contract as a nominated sub-contract to the head contract after acceptance of the two contracts by Council. Tender documents will be structured accordingly to allow for the novation.

Funding and anticipated expenditure for the two projects is as follows:

Project 4001 Key West Mullaloo toilets;

Budget		\$119,520.00
Supply of 2 <i>EXELoo</i> toilets	\$107,600.00	
2no sharps disposal units @ \$350 ea.	\$ 700.00	
Earthworks	\$ 1,000.00	
Paving	\$ 2,500.00	
Electrical connection	\$ 3,500.00	
External showers and sewer connection	<u>\$ 10,000.00</u>	
Construction sub-total carried forward		\$125,300.00
Consultant's Fees	\$ 3,000.00	
Advertising <i>etc.</i>	\$ 720.00	
Building Licence <i>etc.</i>	<u>\$ 500.00</u>	
Administration sub-total		<u>\$ 4,220.00</u>
Anticipated Total Project Expenditure		<u>\$129,520.00</u>
Position against budget		<u>(\$ 10,000.00)</u>

An additional \$10,000 has been requested for re-allocation from the budget control account in the Half Year Budget Review to cover the shortfall.

Project 4002 West View Mullaloo toilets;

Budget		\$119,520.00
Supply of 2 <i>EXELoo</i> toilets	\$107,600.00	
2no sharps disposal units @ \$350 ea.	\$ 700.00	
Earthworks	\$ 2,000.00	
Paving	\$ 2,500.00	
Electrical connection	\$ 3,500.00	
External showers and sewer connection	\$ 28,620.00	
Construction sub-total		\$144,920.00
Consultant's Fees	\$ 3,280.00	
Advertising <i>etc.</i>	\$ 720.00	
Building Licence <i>etc.</i>	\$ 600.00	
Administration sub-total		\$ 4,600.00
Anticipated Total Project Expenditure		\$149,520.00
Position against budget		(\$ 30,000.00)

An additional \$30,000 has been requested for re-allocation from the budget control account in the Half Year Budget Review to cover the shortfall.

OFFICER'S RECOMMENDATION: That Council:

- 1 APPROVES the revised siting of the proposed toilets at the West View Boulevard car park;
- 2 AUTHORISES the preparation of tender documents and the calling of tenders for the supply self-cleaning automated toilets at the Key West Drive carpark, Mullaloo;
- 3 REQUESTS that a report on the operation of the automated self-cleaning toilets is submitted for consideration after the toilets have been operational for 12 months, the report containing an assessment of the need for a further toilet installation at the West View Boulevard carpark.

MOVED Cr Hollywood, **SECONDED** Cr Rowlands that consideration of proposed toilet changerooms Lot 7 (125) Oceanside Promenade, Mullaloo be **DEFERRED** to the next Council meeting scheduled to be held on 28 March 2000 pending review of the costs associated with this proposal and to allow elected members the opportunity of a site visit to an existing facility.

Discussion ensued.

The Motion was Put and

CARRIED

PLANNING AND DEVELOPMENT

CJ049-03/00 PRECINCT PLANNING - [46597]**WARD - All**

SUMMARY

The report is prepared for Council's consideration of the initiation of an Urban Design Study and a design process to look at the development of two precinct areas.

The report is a response to the Strategic Plan and in particular its stated desire to create sustainable communities and the opportunity for the community to participate in Council's planning and decision making process.

The report highlights the importance of a positive character to the success of a modern city, and the means by which Council through the management of the public domain can influence a city's character. The design study will provide background information about the character and form of the City and will look closely at the role of precincts and their significance to local communities. The approach will allow a consistent and coordinated approach to precinct planning.

The report outlines a community design process for the development of two precincts – Mullaloo Beach and The Parade, Sorrento. The design process is intended to be community driven; to ensure the final designs are in tune with the requirements of the community. Focus groups comprising of members of the community will be formed for both areas to help in the development of concept designs for both areas.

BACKGROUND

The report is a response to the Strategic Plan. In its vision statements the Plan talks about creating a sustainable community with local neighbourhood precincts which have their own distinctive character identity and community spirit and easy access to high quality local services. It talks about creating effective two-way communication with the community with opportunities for the community to participate in Council's planning and decision making. And it talks about development in harmony with the environment.

Strategy 2.1 of the City of Joondalup Strategic Plan is to develop and implement community plans through:

- the identification of precincts of common interest or focus;
- the involvement of each community in developing Precinct Action Plans;
- the enhancement of standards of infrastructure to meet changing community needs and expectations.

Societies are becoming progressively more affluent and mobile, with people being able to choose where they live. The future competitiveness of cities will ultimately be dependent on their ability to attract and retain residents, businesses and tourists alike. Positive character and lifestyle opportunities provided by a city are therefore becoming more important attributes to the success of a city. The City of Joondalup, like any city, is constantly changing. It is desirable for these changes to be guided by recognition of the existing character. This is more likely to occur when there is a clear vision and good understanding of what elements contribute most to its character.

The City of Joondalup is comprised of numerous community centres. Ranging in size from the Strategic Regional Centre of Joondalup City, to Regional Centres at Whitfords and Warwick, District Centres, Neighbourhood Centres and Local Centres. The centres not only vary in size, but also have different functions and serve different roles. They are therefore an ideal focus for closer examination as they impact on a number of areas of interest. From a people perspective, centres are a source for local goods and both private and public services. This is particularly important for anyone with limited access to transport. If centres are safe, comfortable and attractive they serve as a meeting place and provide the opportunity for local residents to combine leisure with shopping. They can also cater for the cultural and spiritual needs. From a business perspective, centres provide employment and investment and opportunities for small business startups. From an environmental point of view successful local centres provide an option for individuals to reduce dependence on car travel, to make shorter trips, or to change travel mode to walking or cycling for many trips.

Centres function better in some locations than in others. The particular types of roads and street patterns or proximity to a water body can be important factors in the success of a centre. Past practice has not resulted in the ideal location of all centres and it could be argued that poor location is contributing to some extent in the under performance of some centres in the City. While location of existing centres cannot realistically be changed it can be taken into account in determining priorities and recommended options relating to particular centres.

DETAILS

It is proposed to carry out two distinct projects. Firstly the Urban Design Study which is an overview of the City to determine direction and priorities. The second is the Precinct Design Project which aims to develop concept plans through community participation to refine the design and development process for the improvement of precincts.

Urban Design Study

A character or image can not be invented for an existing city. It is important to build on the strengths of a city. It could be argued as a new city Joondalup's character is not well formed. As in all cities Joondalup's character comes mainly from its public domain. As the managers of the public domain Council has the opportunity to impact positively on it. The public domain is the streets, parks, gardens, coastline, public buildings and shopping centres. It also includes those parts of the private domain that define the edges of important public spaces. The public domain provides the setting for most human exchanges, whether they are social, business or recreational, and the setting for houses, and commercial buildings. It is proposed to analyse the strengths and weaknesses of the City's public domain to highlight the main issues and to identify the broader implications that city form and character have on the economic and social aspects of the City. This process will help to identify opportunities which Council can use to create recognisable differences between centres and therefore between precincts.

The Study, and ultimately the individual precinct plans, will need to recognise the changing demographics of locations, and therefore the needs of the community. The identification of community and cultural facilities, services and demands within the locality, is an integral part of the planning process.

The study is proposed to be reasonably brief and will give long term focus to the City's development. It will allow a consistent and coordinated approach to the development of a quality public environment. Such coordination will provide for a comprehensive approach towards design projects and for priorities to be setout in the Principal Activity Plan and project costs to be included in the Annual Budget.

The study aims to provide the first step in articulating a vision for the City by:

- Recognising what makes up the City's character.
- Identify the strengths and weaknesses of the City
- Identifying ways to maintain and enhance its stated character.
- Recognising strengths and weaknesses of local precincts
- Providing information about the City so informed decisions can be made in the planning and development of the public domain.

The study will be done from an urban design perspective using accepted urban design qualities:

Identity – an expression of the individuality of a city. Most strongly expressed through its landform and built form.

Legibility – how easily people get around a city. Mainly determined by a city's street layout pattern and landmarks.

Variety – cities should offer diversity of activities, with a mixed-use nature, and a rich and varied character.

Accessibility – good accessibility to activities, resources, information and places

Good Quality Public Spaces & Meaningful Streets – good quality public space should cater for the social, recreational and spiritual needs of the community. Streets are the most heavily used public space, and therefore have a strong influence on a person's perception of a city.

Robustness – making spaces, buildings and infrastructures durable and flexible in their use able to accommodate change.

Balance between Public & Private Domain – a city is mainly experienced through its public domain, which is normally defined by private buildings. The façade presented to major public spaces should be carefully considered as to its impact on a person's perception of the city.

Viable City Centre – a viable city centre provides good access, variety of activities, a safe and vital environment, memorable building and an active night life.

The study is not designed to be an exhaustive look at the City but an initiating report aimed at identifying the major elements. The study will be designed to be flexible; to change as the City changes, and to be added to as required. It will be used as the basis to help to identify and implement capital works projects, maintenance works and services provided by Council.

Council will be project managers for the study with consultants employed to carry out and produce the study. The consultants will be charged with preparing a document, which gives a clear overall vision of how to maintain and strengthen the character of the City. It will identify the precincts and their focal points. Established where Council's resources can best be spent, and highlight the positive effects this will have on the physical and cultural aspect of the City.

Precinct Design Projects

As part of the process to strengthen the character of the City it is proposed to run two design projects looking at improving two precinct areas. Two coastal precinct areas have been selected because the coastline is arguably Joondalup's major asset and is frequently referred to in the current Strategic Plan. Yet access to it, and activities on it, are primarily, limited to small pockets along the coast based around Hillary's Boat Harbour, Ocean Reef Marina, Burns Beach, Mullaloo and various parking areas. The design projects will look at improving access to, and activities on the coast. Community participation in the design process will be all-important to ensure community aspirations are met. It is envisaged the process will provide the blue print for future design projects where the community has input very early on in the decision making process.

It is proposed to carry out design projects at Mullaloo Beach and The Parade Shopping Area in Sorrento, see Attachment 1 & 2. These two areas are put forward for development because both are on the coast, and are the focus for their local community, while also being popular recreation spots for the wider community. They have existing non-residential uses a good road network, community facilities and open space. The aim of the design process will be to further improve the recreational and social opportunities of the areas by building on their current popularity and infrastructure.

To ensure the final designs are in tune with the requirements of the community the design process will be community driven with Focus Groups set up for both projects. The Groups will be active for the length of the design process. Their role is to provide ideas and local knowledge to assist in the preparation of a concept design for each area. Council will manage the Groups and prepare the concept designs. The Groups will consist of not more than ten people and include local councilors, council officers, local retailers and prominent local residents. This type of design process generally ensures the final design is realistic and likely to meet the aspirations of the community.

An outline of the proposed programme is shown below.

Step1 – Initial Meeting

- Meeting with Focus Group
- Background data and mapping
- Introduction to scope of project
- Responsibilities of various members of the Group
- Identification of constraints and opportunities

Step 2 – Generate Ideas

- Meeting with Focus Group
- Concept plans, based on constraints and opportunities previously identified, presented to the Group
- Ideas refined

Step3 – Preliminary Concept Plan

- Revised concept plan presented
- Any amendments made

Step 4 – Public Consultation

- Final concept plan presented to the wider community for comment
- What is liked and disliked, missing, wanted.
- Displays in local areas to allow direct comments to be made.

Step 5 – Final Concept

- Public comments reviewed by the Group
- Plans amended if required in light of public comment.

Step6 – Council Approval

- Final concept plan presented to Council seeking approval and funding to appoint consultants to carry out detailed design work and implementation.

It is envisaged the final concept design will concentrate on improving the amenity of the two areas, by building on the existing infrastructure. For example this could include such things as boardwalks and viewing platforms, alfresco dining outside existing and perhaps new cafes, playgrounds, basket ball courts, petanque courts and improving the general atmosphere by planting, shade trees, paving, seating, shade areas, park lighting, traffic calming, improved parking, art works and so on.

COMMENT

Urban Design Study

Appropriately experienced and skilled consultancy firms will be invited to submit fee proposals to undertake the work. The study is proposed to be completed by 30 April 2000 and is estimated to cost in the vicinity of \$20 - 25,000. Funding is already allocated in the 1999-2000 Annual Budget to carry out the work.

Precinct Designs Projects

The concept design process including public consultation is to be conducted inhouse and is expected to take about twelve weeks. It is not envisaged that any extra resources will be required for this part of the process. Consultants are to be employed following adoption of final concept plans to prepare detail designs and documentation work for tender documents. The following timetable has been prepared for the two precinct designs and implementation.

Task	Time
Concept Design and Consultation Phase	
Focus Group Design Process	28 March – 30 May 2000
Public Consultation	1 June – 20 June 2000
Plans Presented to Council	Mid July 2000
Detailed Design & Documentation Phase	
Work tendered to Consultants	August 2000
Detail Design	September – November 2000
Work Tendered	December 2000
Implementation Phase	
Stage 1 Works begin on Site	January 2001

An application for funds needs to be made to the 2000-2001 Annual Budget for consultancy fees and implementation of the designs.

Currently capital and maintenance works are taking place in the two project areas. A dual use path is being looked at for Mullaloo and road resurfacing is taking place on the West Coast Highway at Sorrento. Any design work will coordinate with on-going or proposed works that are being carried out by Council. Opportunities to improve the character and form of the City through the City's day-to-day management will be looked at.

Account No: 11.40.43.433.4201
 Budget Item: D844 Urban Design Consultants – Identify Centres
 D853 Urban Design Consultants – Precinct Plans
 Budget Amount: \$33,200
 Actual Cost: \$

OFFICER'S RECOMMENDATION: That Council:

- 1 PROCEEDS with the overall Urban Design Study and the pilot precinct projects at Mullaloo Beach and The Parade shopping area, Sorrento, as detailed in Report CJ049-03/00;
- 2 AUTHORISES expenditure from budget items D844 (Urban Design Consultants – Identify Centres) and D853 (Urban Design Consultants – Precinct Plans) to undertake the studies referred to in (1) above.

MOVED Cr Magyar, SECONDED Cr Hurst that an additional Point 3 be added to the Officer's recommendation:

- 3 INVITES all interested groups to participate in a study or such meetings which may take place.**

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Hurst that Council:

- 1 PROCEEDS with the overall Urban Design Study and the pilot precinct projects at Mullaloo Beach and The Parade shopping area, Sorrento, as detailed in Report CJ049-03/00;**
- 2 AUTHORISES expenditure from budget items D844 (Urban Design Consultants – Identify Centres) and D853 (Urban Design Consultants – Precinct Plans) to undertake the studies referred to in (1) above;**
- 3 INVITES all interested groups to participate in a study or such meetings which may take place.**

The Motion was Put and

CARRIED

Appendix 6 refers – Click here: [Attach6140300mins.pdf](#)

**CJ050-03/00 AUTHORISATION OF PLANNING OFFICERS,
SENIOR PLANNING OFFICER AND COORDINATOR
PLANNING APPROVALS TO ENTER BUILDINGS
OR LAND – [43647]**

WARD - All

SUMMARY

The City of Joondalup Planning Officers, Senior Planning Officer and Coordinator Planning Approvals have not been specifically authorised to enter land or buildings for inspection purposes pursuant to clause 8.7 of the City of Joondalup Town Planning Scheme No 1 and the Local Government Act 1995 (Miscellaneous Provisions). Authorisation is required to enable these Council Officers to carry out their duties for the City.

This report recommends that authorisation be granted to facilitate legal access for site inspections as part of development assessment and including enforcement where necessary.

BACKGROUND

Authorisation to enter property is contained in the Local Government Act and the Town Planning Scheme (TPS1) Section 9.10 of the Local Government Act 1995 (Miscellaneous Provisions) state:

“Appointment of Authorised Persons

- 9.10 (1) *The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.*
- (2) *The local government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.*

Clause 8.7 of Town Planning Scheme No 1 states:

“8.7 Entry to Premises

The Council, by an authorised officer, may enter at all reasonable times any building or land within the Scheme area for the purpose of ascertaining whether the provisions of the Scheme are being observed.”

SUMMARY

The Local Government Act provision is general in application, allowing officers to enter premises and land for the purposes of inspections, etc, whereas TPS1 relates to compliance inspection following the development or use of land.

It is recommended that the officers be endorsed under both statutes to facilitate inspection duties.

(It should also be noted that other officers of the Approval Services Business Unit are already authorised in the same manner).

MOVED Cr Rowlands, SECONDED Cr Walker that Council APPOINTS the Approval Services Planning Officers, Senior Planning Officer and Coordinator Planning Approvals, as Authorised Officers to enter at all reasonable times any building or land within the Scheme Area for the purposes of assessing applications for approval to commence development and ascertaining whether the provisions of the Scheme are being observed pursuant to the provisions of Section 9.10 of the Local Government Act (Miscellaneous Provisions) 1995 and Clause 8.7 of Town Planning Scheme No 1.

The Motion was Put and

CARRIED

CJ051-03/00 PROPOSED UPGRADE AND EXPANSION OF EXISTING GREENWOOD SHOPPING CENTRE - CALECSTASIA STREET, GREENWOOD - [14949]

WARD - South Ward

SUMMARY

An application has been received from Bollig Design Group on behalf of the owners, Greenwood Village Pty Ltd seeking approval to upgrade and expand the existing Greenwood Shopping Centre. The proposal involves:

- demolition of a portion of the development (1033m²) to allow for reconfiguration of the centre and cosmetic changes to the malls;
- expansion of the existing supermarket (an addition of 927m²); and
- construction of an additional block of tenancy comprising of 6 new tenancies (1650m²).

The proposal was advertised by means of letters to property owners of residential lots directly abutting the shopping centre. The only properties affected in this instance are located along the eastern property boundary of the centre. Ten submissions and a petition with 21 signatories were received. The objections are in regard to:

- proposed access way and opening onto Leschenaultia Street, and associated parking;
- proposed uses of block of 6 new tenancies.

It is recommended that this proposal be approved subject to conditions which are aimed to address the concerns of the adjoining residential property owners and various detailed technical issues.

BACKGROUND

Application No:	DA 99/0579
Applicant:	Bollig Design Group
Owner:	Greenwood Village (Pty) Ltd
Date Received:	3 May 1999
Zoning:	TPS 1: Commercial MRS : Urban
Lot Area:	3.3472 ha
Existing GLA of Shopping Centre:	6257m ²
Proposed GLA:	7801m ²

Site History

- | | |
|-------------|---|
| 1974 | Construction of the original centre. |
| 1975 – 1994 | A total of 8 building licences for various alterations and extensions to the centre were granted. During this time various agreements were put in place pertaining to reciprocal parking with the adjoining tavern. |

- Late 1980's The access point from the shopping centre onto Leschenaultia Street was closed by the shopping centre management at the request of adjoining property owners.
- 7 April 1997 Approval was granted for a development proposal which was very similar in concept to the proposal currently under consideration increasing the size of the shopping centre to 9072m² of Gross Leasable Area (GLA) (Refer Attachment 2).

DETAILS

Location

The Greenwood Village complex is defined by Warwick Road, Coolibah Drive, Calectasia Street and Leschenaultia Street. The complex comprises of four lots and includes a shopping centre, tavern, service station and an office complex. The Greenwood Shopping Centre is located on Lot 2 and is the subject of this application.

The shopping centre adjoins Calectasia Street and Leschenaultia Street. With the exception of its eastern and northern property boundary, the shopping centre faces onto or adjoins mainly non-residential uses. The eastern boundary of the shopping centre lot adjoins directly onto residential properties, while it faces onto residential properties along the northern portion of Calectasia Street and Leschenaultia Street.

Development Proposal

The proposed improvements consist of:

- Demolition of retail tenancy space largely in the South and West part of the existing centre.
- Construction of six new tenancies in close proximity of the eastern property boundary in the existing carpark between the shopping centre and the tavern site.
- Proposed expansion of the existing supermarket, general upgrading of the exterior of the shopping centre with new verandahs and entry statements and the upgrading of existing shopping malls including the provision of a Galleria Style skylight.
- Alternations to the carpark including opening the access point onto Leschenaultia Street and reinstating a one-way out access way with provision for parking along the eastern property boundary.

Size

There are different ways to measure the size of a shopping centre. Town Planning Scheme 1 applies the term Gross Leasable Area (GLA) while the draft District Planning Scheme No. 2 (DPS 2) uses Retail Net Leasable Area (NLA).

The existing shopping centre currently has a GLA of 6257m².

Approximately 90% of the GLA of the shopping centre is used by retail tenancies. The amount Retail NLA of the existing shopping centre therefore is approximately 5630 m².

As a result of the development proposal, 1033 m² of GLA will be demolished, while an additional 2577 m² of GLA will be constructed. The additional leasable area is made up of 927 m² for an extension of the supermarket and 1650 m² for the six (6) new tenancies. The total GLA of the shopping centre will therefore increase by 1544m² from 5257m² to 7801m².

The 927m² earmarked for the extension of the supermarket would be deemed to be Retail NLA, and while the proposed use of the remaining 1650m² of new tenancies has not been stipulated, it is likely that they will also be used for retail purposes. The approximate total Retail NLA on completion of this proposal would therefore be 7175 m².

Parking

The City of Joondalup Town Planning Scheme No 1 requires car parking for shops at a rate of 1 bay per 10m² of gross floor area (GFA) up to 1000m² plus 1 bay per 7.5m² of GFA over 1000m² (other parking ratios apply to non-retail uses). The Scheme was adopted in 1972 and Council has had concerns about the application of this standard.

In 1998 Council recognised the deficiencies in applying parking standards from TPS1. Council decided to amend TPS1 and adopt a new parking policy based upon Draft District Planning Scheme No 2. Although the amendment was not finalised, the policy was not revoked and continues to apply.

The Council has discretion available under TPS1 to vary parking standards. The adopted policy formed a significant component of guiding the exercise of discretion under TPS1. The proposal was therefore assessed for its conformity with the parking standards of Draft District Planning Scheme No 2.

The City of Joondalup Draft District Planning Scheme 2 requires parking to be provided at a rate of 7 bays per 100m². A total of 546 car bays are therefore required on site.

The shopping centre currently has 637 car bays on Lot 2. As a result of the 6 new tenancies, 56 bays are lost, while a total of 41 additional bays are provided. The total number of bays available on site ultimately therefore will be 622, which is well in excess of the amount required.

In addition to the available on-site bays, there are also a number of legal agreements between the shopping centre and the tavern providing for reciprocal parking. The tavern site currently provides an additional 135 bays. A total of 757 bays are available for the shopping centre.

Relevant Legislation

Under Town Planning Scheme No 1 (TPS 1) the property is zoned “Commercial”, with shops being Permitted (“P”) uses.

No restrictions are placed on the permissible floor area for the centre.

Relevant Policies

Due to its advance status the requirements of the draft District Planning Scheme No 2 must be taken into account.

In terms of Schedule 3 of the Draft DPS 2, the retail net lettable area for the site is restricted to 5000m².

The term “net lettable area” is defined in the draft DPS 2, although there is no definition for “retail” or “retail net lettable area”.

Advertising and Summary

The proposal was advertised by means of letters to adjoining property owners. Ten (10) letters of objections were received and a petition with 21 signatories. Eleven (11) of the petition signatories had duplicated their objection as they had already written letters of objection.

All the submissions refer to the proposed link onto Leschenaultia Street and the associated access road and parking along the eastern property boundary. The property owners are concerned that the opening of an accessway in this location will escalate some of the problems currently being experienced and will reintroduce the problems that were experienced prior to the access road having been closed. These problems are anti-social behaviour associated with car burnouts, skateboarders and pub patrons, noise pollution from delivery vehicles and ease of access for burglars. Residents also considered the intersection onto Leschenaultia Street to be a traffic hazard, stating that it was previously the cause of many collisions.

The objectors have requested that the link onto Leschenaultia Street be omitted. If the access however has to be provided it has been requested that conditions be imposed to:

- Provide a security card/boomgate operated barrier at Leschenaultia Street;
- Include speedhumps in the accessway;
- Restrict it to staff parking only;
- Prohibit delivery vehicles from using the access way; and
- Provide security lighting.

A number of submissions also referred to the proposed new six (6) tenancies, questioning the need for additional tenancies when existing tenancies within the centre are vacant. It has also been requested that:

- A restriction be placed on the approval that these tenancies shall not be used as food outlets, the reason being the continual smell of cooking, long trading hours and type and quantity of waste being generated by facilities of such a nature; and
- The toilets and bin area being relocated so as not to be visible from the adjoining residences.

Vehicular Traffic

The proposed access arrangements have been assessed with regard to safety and ease of movement. Adequate sight lines of the proposed crossover from the shopping centre site onto Leschenaultia Street are available from both ends of Leschenaultia Street and as such the proposed intersection is not considered to be a traffic hazard.

COMMENT

The relevant issues for consideration are set out below

1. Previous Approval

In April 1997 the City granted an approval permitting an extension of the shopping centre to a total area of 9072m². The current proposal is very similar in concept to the previous proposal only at a reduced scale. The current proposal seeks approval for an extension of the shopping centre by 7801m², which is 1271m² less than was previously approved. Essentially, therefore, this proposal could be construed as being an extension of a previous approval. The current parking standard of 7 bays/100m² NLA requires less parking bays than was previously applicable, with a total of 546 bays being required. 622 bays will be provided on completion of this proposal. Unlike the previous approval, this proposal does not rely on reciprocal parking with the tavern

2. Retail Floorspace

The City of Joondalup Town Planning Scheme No 1 does not impose any restriction on the size of the Greenwood Shopping Centre.

The draft DPS 2 limits the centre to 5000m² of retail NLA. The shopping centre currently already has approximately 5631m² of retail NLA, which already is 631m² more than envisaged. It is understood that the figure included in the DPS 2 was based on outdated data and it has been recognised that there would be a need to amend the DPS 2 in this regard.

Due regard of the requirements of the draft DPS 2 must be given which in this instance reveals inconsistencies with the existing situation. However the TPS No 1 is the legally enforceable document and therefore applies.

3. Concern from Neighbours

Access Way along Eastern Boundary and Link onto Leschenaultia Street

In the past access from the carpark to Leschenaultia Street was available. This was closed by the management of the centre in recognition of concerns raised by the residents.

To minimise the impact of the access way and parking areas adjacent to the eastern property boundary on adjoining residents

- the amount of through traffic into the area must be minimised and
- the widest possible vegetation buffer must be provided between the parking bays and the property boundary.

The accessway onto Leschenaultia Street does not aid the traffic circulation on site, or provide access to service areas or convenient parking areas. The applicant has indicated that it would be acceptable to the developer if the access point onto Leschenaultia Street is omitted. The plans indicate that parking in this area is earmarked for staff.

The setback between the supermarket and the eastern property boundary is 14.5 metres. 11.5 metres in width provided 1 line of parking and 2 way access, leaving 3 metres to provide for buffer landscaping and a pedestrian path.

It is therefore recommended that the design of the access way and parking area along the eastern property boundary be amended such that:

- the access way becomes a dead end;
- the bitumised area be relocated as close possible to the supermarket wall in order to provide a landscape strip with a minimum width of 2.5 metres; and. A leeway of approximately 500 mm is provided should it not be possible to located the bitumised surface directly adjacent to the supermarket wall.
- the landscape strip along the eastern property boundary to include a pedestrian pathway to the satisfaction of the City.

Proposed New Tenancies

Proposed Use

As the property is zoned “Commercial”, a shop is a “P” use under TPS 1. A food tenancy is included within the TPS 1 definition of a shop and cannot be prohibited.

It is, however, possible to impose a conditions on the use of the tenancies whereby the City must be furnished with a management plan that identifies possible nuisance elements associated with a particular use. Attenuating measures and commitments can also be made to negate the impact of these elements on the surrounding residential area.

Location of Toilets and Bins

There is adequate space on the site to accommodate the toilet and bin storage facilities for the new tenancies out of sight of the adjoining residential areas without having a significant impact on design.

It is therefore proposed that the relocation of these facilities to the satisfaction of the City be a condition of the approval.

SUMMARY

The current proposal complies with the requirements of the TPS 1.

A previous proposal of a larger scale was approved by the City on 7 April 1997. This approval was valid for 2 years and has now expired.

The maximum floor area allocated under DPS 2 is less than is already existing on site. An amendment to DPS 2 is required to remedy the inconsistency in floor area.

The issues raised by the neighbours can be addressed by means of minor design amendments and control mechanisms imposed as conditions to the development approval.

As such it is recommended that the proposal be approved subject to conditions.

MOVED Cr Barnett, SECONDED Cr Wight that Council APPROVES the Development Application submitted by Bollig Design Group (dated 3 May 1999) and associated plans (3 May 1999 and site plan dated 13 January 2000) subject to the following conditions:

- 1 the proposed link onto Leschenaultia Street being deleted and the accessway along the eastern property boundary of the shopping centre site being amended accordingly. The existing crossover being removed and landscaping being installed in the location where the access was proposed;**
- 2 the proposed bitumen area of the accessway and the associated parking along the eastern property boundary adjacent to the rear wall of the supermarket be relocated to be a maximum of 500mm from the rear wall of the supermarket, so that a landscape strip with a minimum width of 2.5m along the eastern property boundary is available;**
- 3 the parking along the eastern property boundary to be marked and used for staff parking only;**
- 4 security lighting being provided in the staff parking area. All lighting to be contained on site and no lighting overspill being permitted onto adjoining residential lots;**
- 5 the parking bays and driveways to be designed in accordance with the Australian Standards for offstreet carparking (AS2890). Such area are to be constructed, drained and marked and thereafter maintained to the satisfaction of the City prior to the development first being occupied;**
- 6 all stormwater to be collected on site and disposed of in a manner acceptable to the City;**
- 7 the bin storage area and the toilets for the proposed six (6) new tenancies to be re-located to be out of sight of the residential area to the east of it. The new bin storage area shall have a minimum internal width of 6 metres;**
- 8 a minimum of 7 disabled parking bays being provided in accessible locations to the main entrances and constructed and marked in accordance with the specifications approved by the City;**

- 9 detailed landscape plans showing new landscaping and upgrading of existing landscaping shall be lodged for approval with the building licence application for the development site to the satisfaction of the City. The landscaping along the eastern property boundary to be such that it provides a visual screen between the residential lots and the shopping centre and presents no security risks to adjoining residential lots. A pedestrian pathway to be included in this landscape strip;
- 10 all landscaping to be integrated with the existing landscaping on site and all landscaping and reticulation within the development site shall be established in accordance with the approved plan and thereafter maintained to the satisfaction of the City;
- 11 should the proposed six tenancies between the shopping centre and the tavern be used as food premises, the design of the fitout shall be such that any potentially adverse impact associated with the proposed use, such as noise, odours etc, on the amenity of the adjoining residential properties be minimized.

FOOTNOTES:

- (a) With reference to condition 9:
- Retain existing healthy trees wherever possible;
 - Grass or mulch existing verges to be grassed or mulched;
 - Replant or pave existing bare garden beds;
 - Plant new trees empty wells;
 - Replace existing deformed/dead trees;
 - Repair/upgrade existing reticulation to accommodate existing garden beds, tree wells and all new plantings;
 - Provide one shade tree per four car bays; and
 - Mulch all planting beds.
- (b) A demolition licence is required with respect to all structures intended to be demolished as part of this building program;
- (c) Fitout plans and specification are required on a Form 2 building licence application for each tenancy. Please provide hydraulic plans with this application;
- (d) All food tenancies must be provided with grease arrestors in external locations;
- (e) With reference to condition (6) the stormwater disposal design must meet the criteria of a 100 year storm of a 24 hour duration. Details and calculations are to be included with the Building Licence application. Please note that no additional stormwater can be directed towards the existing sump located in the car park.

**CJ052-03/00 APPLICATION FOR THE CANCELLATION OF A
PORTION OF RESERVE 37188, QUARRY PARK,
EDGEWATER - [37544J]**

WARD - Lakeside

SUMMARY

Lot 521 (39) Regatta Drive, Edgewater operates as a child care centre and the owners of the centre have requested the cancellation and subsequent purchase of approximately 200m² of Reserve 37188 that adjoins their property (see Attachment 1). The applicants have stated that the 200m² is required by the child care centre to create an additional play area, as regulations coming into force necessitate them to provide almost three times the previously regulated space for school aged children. They further state that the subject land is an eyesore and does not have any recreational value. This is the child care operators' second application for the purchase of a portion of Quarry Park; Council supported the first application in September 1994. A portion of approximately 586m² of Reserve 37188 was cancelled and subsequently amalgamated into Lot 521.

Reserve 37188 was created under the Land Act as opposed to the standard manner of being ceded by the developer when the land was subdivided and set aside under Section 20A of the Town Planning and Development Act. The Department of Land Administration's (DOLA) Guidelines for the Administration of Section 20A Public Recreation Reserves state that Reserves created under the Land Act are given a far greater degree of flexibility with respect to their use and disposal than those created under Section 20A of the Town Planning and Development Act.

The portion of Reserve 37188 adjoining Lot 521 (38) Regatta Drive, Edgewater appears to be of little value as a Recreation Reserve. However, the principle remains that to approve the cancellation and purchase of any land in the City of Joondalup that is set aside for the purposes of recreation, without a comprehensive Public Open Space (POS) Strategy would not be in the best interests of orderly and proper planning and would set an undesirable precedent. To further reduce this area of Quarry Park by approximately 200m² to enable the adjoining landowner development options is not a significant enough reason to support this request for excision.

BACKGROUND

The owners of the child care centre located at Lot 521 (38) Regatta Drive, Edgewater applied in January 1994 to lease a portion of Quarry Reserve that adjoins their child care centre for use as a playground. The City does not have power to lease this Reserve and the applicant amended his request to seek the cancellation and subsequent purchase of the subject portion.

The application was supported by Council based on the section of Reserve being of little recreational value and to sell it would relieve the City of its maintenance responsibility. The application was also advertised to ensure the public was made aware of the proposal. Thereafter, a portion of approximately 586m² of Reserve 37188 was cancelled, purchased by the applicant and amalgamated into Lot 521.

DETAILS

Reserve 37188 is part of Quarry Reserve and has been created under the Land Act. It has a Management Order on the land in favour of the City without power to lease. It has a total area of 9.7684 ha and is divided by Regatta Drive. A small section of the Reserve lies east of Regatta Drive adjacent to the Little Muppets Child Care Centre. (See Attachment 2).

The applicants have stated that the requested land is needed by the child care centre to create an additional play area as regulations coming into force necessitate the centre to provide almost three times the previously regulated space for school aged children. The applicants further state that the area does not serve any purpose to the community other than being an eyesore between the child care centre and Edgewater Primary School.

Although there are no formal guidelines provided by DOLA in respect of the process for the administration of the disposal of Crown Land Reserves, the proposal was referred to the servicing authorities and the Western Australian Planning Commission (WAPC). Comments received from Alinta Gas, Telstra and Western Power indicated that they do not have any plant within the Reserve and therefore do not object. The Water Corporation objected to the proposal due to having a sewer main within the Reserve that requires protection. The objection will be withdrawn if the applicant agrees to grant an easement in favour of the Water Corporation.

The WAPC has advised that it does not support this proposal and states that closure of a portion of the Reserve would result in an undesirable boundary configuration rendering the Reserve unusable due to the proposed configuration and insufficient size.

COMMENT

DOLA's Guidelines for the Administration of Section 20A Public Recreation Reserves state that Reserves created under the Land Act are given a far greater degree of flexibility with respect to their use and disposal than those created under Section 20A of the Town Planning and Development Act. However, from the point of view of the residents of the City, it is likely that the source is immaterial; the fact remains that Crown Land Reserves are still part of the City's Public Open Space.

To approve the cancellation and purchase of any land in the City of Joondalup that is set aside for the purposes of recreation, without a comprehensive Public Open Space (POS) Strategy would not be in the best interests of orderly and proper planning and would set an undesirable precedent. The POS Strategy would provide an audit of POS within the City and examine supply, demand and function of POS overall. The preparation of such a Strategy is not considered a high priority at the present time.

Council supported the applicant's 1994 application and approximately 586m² has since been cancelled and amalgamated into Lot 521 (38) Regatta Drive, Edgewater. To reduce the eastern side of Quarry Park by 200m² to enable the adjoining landowner further development options is considered an ad hoc approach to the disposal of POS in this area. The further expansion of the child care centre is not a significant enough reason to support another request for excision of 200m² of Reserve 37188.

MOVED Cr Rowlands, SECONDED Cr Magyar that Council DOES NOT SUPPORT the cancellation and subsequent purchase of a portion of Reserve 37188 Quarry Park, Edgewater as the loss of public open space is not considered to be in the interests of orderly and proper planning, and the ad hoc disposal for private development would set an undesirable precedent.

The Motion was Put and

CARRIED

**CJ053-03/00 APPLICATION FOR THE CANCELLATION OF A
PORTION OF HAWICK PARK ON RESERVE 35519
(2) HAWKER AVENUE, WARWICK - [44237J]**

WARD - South Ward

SUMMARY

Reserve 35519 along with Reserve 38113 as shown on Attachment 1, form part of a linear link of public open space (POS) known as Hawick Park. These Reserves are set aside for Public Recreation with a Management Order issued in favour of the City of Joondalup. Hawick Park was created under Section 20A of the Town Planning and Development Act and is subject to stringent guidelines concerning its use and disposal.

A request has been received from the owner of Lot 591 (4) Hawker Avenue, Warwick for the cancellation and subsequent purchase of a portion of Reserve 35519 (2) Hawker Avenue that adjoins his property. This request is based on the applicant wishing to increase the land area of his property in order to give him the potential to develop a grouped dwelling. The portion of land in question would also provide the access required to the proposed new unit site from Springvale Drive, Warwick.

To approve the cancellation and purchase of a section of Hawick Park without a comprehensive Public Open Space Strategy is considered premature, not in the best interests of orderly and proper planning and sets an undesirable precedent. To reduce Hawick Reserve by approximately 54m² to enable the adjoining landowner development options is not a significant enough reason to support this request for excision.

DETAILS

The applicant has asked to purchase a five-metre strip of land on the southern boundary of Reserve 35519, which if amalgamated with his property may give it grouped dwelling potential. The subject portion of land would also be used as the access to the proposed new dwelling from Springvale Drive. The applicant advised the City that he had been in contact with the Water Corporation as he was aware there was a sewer main traversing the Reserve

35519 and he had received advice that providing a building easement is granted, the Water Corporation had no objection. He also contacted Department of Land Administration (DOLA) for its comments.

The application was referred to the service authorities and the Western Australian Planning Commission (WAPC) for comments. Alinta Gas, Telstra and Western Power have no objection to the proposal as they do not have any service plant within this section of the Reserve.

The Water Corporation's comments reiterated the advice given to the applicant above, along with a further condition regarding the location of new boundaries around the existing manhole. This condition would not apply to this proposal as the existing manhole is not in the area requested to be purchased.

The WAPC has advised that it does not support the application, as the purchase of a portion of the Reserve would result in an undesirable boundary configuration.

Hawick Reserve was ceded by the developer when the land was subdivided and set aside under Section 20A of the Town Planning and Development Act as a reserve for public recreation. Under the Guidelines for the Administration of Section 20A Public Recreation Reserves, it is stated that consideration should be given to the fact that the developer would be justified in thinking that such land would be used for its designated purpose. The Guidelines further state that purchasers of subdivided blocks are frequently influenced in their decisions to acquire land and build by the existence of such reserves and have an expectation that these reserves will remain.

As can be seen from Attachment 2, Hawick is grassed and treed. It is not reticulated and its present size is large enough for limited recreational use.

In the event that Council wishes to consider the application further, the proposal to amend the Reserve would need to be extensively advertised by way of on site signs and a notice in the local newspaper. Residents living opposite or adjacent to the Reserve should also be advised in writing of the proposal to enable them to be given the opportunity to comment.

COMMENT

In general, the DOLA Section 20A Guidelines state that a reserve created under Section 20A is required to be retained for its designated purpose. DOLA will consider amending or cancelling and disposing of a reserve when it can be demonstrated that this action will have minimal impact on the vicinity. This is determined by the results of the public advertising period. When the disposal of a reserve is supported, the funds received from the sale of the land must be used to fund the purchase of replacement recreation land or to undertake capital improvements to other recreation reserves in the general locality.

To approve the cancellation and purchase of a portion of Hawick Reserve without a comprehensive Public Open Space Strategy is considered premature and its preparation is not considered a high priority at the present time. Issues that would need to be considered would be whether or not there is an over supply of POS within an area, or which of the Reserves are serving a function and purpose in the community. Approval of this application would also not be in the best interests of orderly and proper planning and would set an undesirable precedent. This request is not supported.

OFFICER'S RECOMMENDATION: That Council DOES NOT SUPPORT the cancellation and subsequent purchase of a section of Hawick Park on Reserve 35519 (2) Hawker Avenue, Warwick as the loss of public open space is not considered to be in the interests of orderly and proper planning, and the ad hoc disposal for private development would set an undesirable precedent.

MOVED Cr Wight, SECONDED Cr Barnett that consideration of application for the cancellation and subsequent purchase of a portion of Hawick Park on Reserve 35519 (2) Hawker Avenue, Warwick be DEFERRED pending the implementation of a policy to deal with issues of this nature.

The Motion was Put and

CARRIED

**CJ054-03/00 SUBDIVISION OF LOC 13065, 76, 76L, 78L WALTER
PADBURY BOULEVARD, HEPBURN HEIGHTS
[41630J]**

WARD - Pinnaroo

SUMMARY

At the meeting of the Joint Commissioners held 14 September 1999 a report was considered in regard to the provision of an access road to the community purpose sites – Hepburn Heights Precinct, Padbury. It was resolved that \$80 000 would be reassigned towards the construction of an access road connecting the community purpose sites with Hepburn Avenue as shown on Plan No 866-01A (Attachment 1).

The estimated cost of the alternative access road is in the order of \$350 000, a large proportion of which is proposed to be funded by LandCorp through subdivision and sale of land immediately north of the Mosque site on Walter Padbury Boulevard (Attachment 1).

A subdivision application was received from the Western Australian Planning Commission (WAPC) on 3 February 1999 (Attachment 2) for the subject land immediately north of the Mosque site on Walter Padbury Boulevard. The plan of subdivision shows the creation of 13 lots ranging in size from 544m² to 800m² served by a 14m road reserve connected to Walter Padbury Boulevard and the creation of a drainage reserve of 856m².

It is recommended that the WAPC be advised that Council supports the application submitted by Chappell and Lambert Planning Consultants on behalf of the Department of Land Administration for the subdivision as depicted on the plan dated 24 January 2000 subject to standard conditions.

BACKGROUND

Loc	Loc 13065, 76, 76L, 78L
Street Address	Walter Padbury Boulevard, Hepburn Heights
Land Owner	Department of Land Administration
MRS Zoning	Urban
TPS Zoning	Residential Development
R Code	R20
Lot Area	Approximately 12080m ²

Previous Council Decisions

At the meeting of the Joint Commissioners held 14 September 1999 a report was considered in regard to the provision of an access road to the community purpose sites – Hepburn Heights Precinct, Padbury. It was resolved that \$80 000 would be reassigned towards the construction of an access road connecting the community purpose sites with Hepburn Avenue as shown on Plan No 866-01A (Attachment 1).

Concern has been expressed by residents of the subdivision known as Hepburn Heights, Padbury, in relation to the traffic impact of the proposed development of the community purpose sites located along Fernwood Square and Chadlington Drive. A proposal to build a service access road at the rear of the community purpose sites to a left in left out access point at Hepburn Avenue has been put forward by Landcorp as a solution to the increasing traffic problem associated with the uses on the sites.

The estimated cost of the alternative access road is in the order of \$350 000, a large proportion of which is proposed to be funded by LandCorp through subdivision and sale of land immediately north of the Mosque site on Walter Padbury Boulevard.

The construction of the alternative road will provide the ability to reduce the amount of traffic utilising Walter Padbury Boulevard, the main cause for concern within the residential community. The original budget allocation of \$80,000 for the connection between Hepburn Avenue and the roundabout at Chadlington Drive and Blackwattle Parade was identified largely to accommodate traffic from the community purpose sites. Supporting the alternative access road, and contributing the \$80,000 to that road, denies the Council any future opportunity to make the connection to Hepburn Avenue at the Chadlington Drive roundabout, however, the alternative access road will, in effect, provide the same result; that being a reduction in the amount of traffic utilising the Walter Padbury Boulevard connection to Hepburn Avenue.

DETAILS

A subdivision application was received from the WAPC on 3 February 1999 (Attachment 2) for the subject land immediately north of the Mosque site on Walter Padbury Boulevard. The plan of subdivision shows the creation of 13 lots ranging in size from 544m² to 800m² served by a 14m road reserve connected to Walter Padbury Boulevard and the creation of a drainage reserve of 856m².

Current Proposal or Issue

The subject land is zoned Urban under the Metropolitan Region Scheme (MRS) and Residential Development under the City of Joondalup Town Planning Scheme No 1 (TPS No1). The land is afforded an R20 code, where the Residential Planning Codes nominate a minimum lot size of 450m² and an average lot size of 500m² for the creation of single residential lots (green titles).

The proposed subdivision is in accordance with TPS No1 and the proposed lot sizes are in accordance with the lot size requirement of the Residential Planning Codes.

The subject land is to the south of a portion of regionally significant bushland recommended for protection in the draft Perth's Bushplan (identified as 303). Perth's Draft Bushplan does identify the subject site as one that contains other native vegetation. A standard condition is proposed to be imposed with respect to the identification and protection of vegetation worthy of retention.

It is the WAPC's normal requirement where practicable for 10 percent of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown under the provisions of Section 20A of the *Town Planning and Development Act, 1928* (as amended) as a Reserve for Recreation. Sections 20C (1) to 20C (7) of the Act contain provisions under which a cash payment can be made by the subdivider in lieu of providing land for open space.

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.

Advertising

Surrounding landowners were notified of the decision to reassign \$80 000 towards the construction of an access road connecting the community purpose sites with Hepburn Avenue. One letter has been received raising the issue of the new access road being directly opposite the landowner's dwelling. The road proposed to service the community purpose site is not to be located in front of the landowner's dwelling. The subdivision plan nominates a road in the vicinity of the landowner's dwelling, however, this is to serve only the proposed residential lots proposed not the community purpose site.

COMMENT

Issues

It should be noted that the proposed subdivision is strictly not in accordance with the plan attached to the report considered by the Joint Commissioners on 14 September 2000 (Attachment 1). However, the proposed subdivision is considered to be a better subdivision layout as it provides road separation between the mosque and the proposed residential lots.

The proposed subdivision is considered to be an extension of the existing residential subdivision, providing good interface with the adjoining lots and adjoining community purpose site. The land is zoned appropriately to accommodate the proposed subdivision, and the internal subdivision road is not connected to the proposed access road that is intended to carry traffic onto Hepburn Avenue.

With respect to the provision of public open space, a cash in lieu payment is considered to be acceptable in this instance given that there are existing public open space areas in the vicinity of the subject land and the 10 percent contribution of land area is too small to be of practical use.

Assessment and Reasons for Recommendation

In light of the land being zoned appropriately, the proposed subdivision being in accordance with the requirements of TPS No1 and a similar proposal having previously been considered by Council the proposed subdivision can be supported.

OFFICER'S RECOMMENDATION: That Council ADVISES the Western Australian Planning Commission that it supports the application submitted by Chappell and Lambert Planning Consultants on behalf of the Department of Land Administration for the subdivision as depicted on the plan dated 24 January 2000 subject to the following conditions and advice note:

- 1 those lots not fronting an existing road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost to the specification and satisfaction of the City of Joondalup. As an alternative, the City is prepared to accept the subdivider paying to the City the cost of such works and giving an assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission;
- 2 street corners within the subdivision being truncated to the standard truncation of 8.5 metres;
- 3 the cul-de-sac head(s) 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 4 metres;
- 7 the area marked 'drainage reserve' on the plan submitted by the applicant being shown on the diagram or plan of survey as such and vested in the Crown under Section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown to the satisfaction of the City of Joondalup;

- 8 such drainage easements as may be required being granted free of cost to 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 easements 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;
- 11 the provision of a 1.2 metre x 1.0 metre bin pad in the road reserve to service the proposed lots at the head of the cul de sac to the specification and satisfaction of the City of Joondalup;
- 12 10% in a position to be agreed between the subdivider and the Local Authority, being shown on the Diagram or Plan of Survey as a "Reserve for Recreation", and vested in the Crown under Section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown;
- 13 lot sizes to conform to the requirements of the R20 code of the Residential Planning Codes;
- 14 the provision of a uniform style of fencing along all lot boundaries adjacent to public open space and drainage sites to the specification and satisfaction of the City of Joondalup;
- 15 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;
- 16 vehicular access being provided to the existing drainage reserve to the specification and satisfaction of the City of Joondalup.

Advice Note

- 1 In respect to Condition 12, the City of Joondalup hereby approves of a cash-in-lieu contribution in accordance with Section 20C of the Town Planning and Development Act 1928.

MOVED Cr Walker, SECONDED Cr Rowlands that an additional Point 17, be added to the Officer's recommendation:

- 17 the subdivision design be altered to a similar fashion to the original proposal or other measures be incorporated to avoid the problems associated with headlight glare arising from the creation of a 'T' intersection directly opposite the front of a residential property and the possibility of traffic from the access road exiting on to Walter Padbury Boulevard.

The Motion was Put and

CARRIED

MOVED Cr Walker, SECONDED Cr Rowlands that Council ADVISES the Western Australian Planning Commission that it supports the application submitted by Chappell and Lambert Planning Consultants on behalf of the Department of Land Administration for the subdivision as depicted on the plan dated 24 January 2000 subject to the following conditions and advice note:

- 1 those lots not fronting an existing road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost to the specification and satisfaction of the City of Joondalup. As an alternative, the City is prepared to accept the subdivider paying to the City the cost of such works and giving an assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission;
- 2 street corners within the subdivision being truncated to the standard truncation of 8.5 metres;
- 3 the cul-de-sac head(s) 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 4 metres;
- 7 the area marked 'drainage reserve' on the plan submitted by the applicant being shown on the diagram or plan of survey as such and vested in the Crown under Section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown to the satisfaction of the City of Joondalup;
- 8 such drainage easements as may be required being granted free of cost to 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 easements 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;
- 11 the provision of a 1.2 metre x 1.0 metre bin pad in the road reserve to service the proposed lots at the head of the cul de sac to the specification and satisfaction of the City of Joondalup;

- 12 10% in a position to be agreed between the subdivider and the Local Authority, being shown on the Diagram or Plan of Survey as a “Reserve for Recreation”, and vested in the Crown under Section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown;
- 13 lot sizes to conform to the requirements of the R20 code of the Residential Planning Codes;
- 14 the provision of a uniform style of fencing along all lot boundaries adjacent to public open space and drainage sites to the specification and satisfaction of the City of Joondalup;
- 15 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;
- 16 vehicular access being provided to the existing drainage reserve to the specification and satisfaction of the City of Joondalup;
- 17 the subdivision design be altered to a similar fashion to the original proposal or other measures be incorporated to avoid the problems associated with headlight glare arising from the creation of a ‘T’ intersection directly opposite the front of a residential property and the possibility of traffic from the access road exiting on to Walter Padbury Boulevard.

Advice Note

- 1 In respect to Condition 12, the City of Joondalup hereby approves of a cash-in-lieu contribution in accordance with Section 20C of the Town Planning and Development Act 1928.

Discussion ensued.

The Motion was Put and

CARRIED

REPORT OF CHIEF EXECUTIVE OFFICER
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C10-03/00 SPECIAL COUNCIL MEETING TO BE HELD MONDAY, 20 MARCH 2000 – [41581]

Chief Executive Officer referred to comments he had made earlier this evening during public question time and drew elected members’ attention to the EPA Bulletin which was advertised in the West Australian on Saturday 11 March 2000 dealing with the MRS Amendment which impacts on Lot 2 Burns Beach.

The report contained 64 pages, which was couriered to the City on Monday 13 March 2000.

Due to its complexity and the need to formulate a detailed report, as well as conduct a briefing session for elected members to ensure they are fully familiar with the contents of the report, it will be necessary to convene a special meeting for this purpose on Monday 20 March 2000, commencing at 7.00 pm.

MOVED Cr Carlos, SECONDED Cr Rowlands that a special meeting of Council be convened on Monday, 20 March 2000 commencing at 7.00 pm to discuss the recently released Environmental Protection Authority Bulletin relating to Metropolitan Region Scheme (Clarkson-Butler) Amendment No 992/33 – Lot 2 Marmion Avenue, Burns Beach.

Discussion ensued.

The Motion was Put and

CARRIED

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 28 MARCH 2000** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 2020 hrs; the following elected members being present at that time:

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