



MINUTES OF COUNCIL MEETING
HELD ON 24 JULY 2001

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CITY OF JOONDALUP

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY, 24 JULY 2001

OPEN AND WELCOME

The Mayor declared the meeting open at 1900 hrs.

ATTENDANCES

Mayor

J BOMBAK, JP

Elected Members:

Cr P KADAK	Lakeside Ward	<i>Absent from 2130 hrs to 2133 hrs</i>
Cr P KIMBER	Lakeside Ward	<i>Absent from 2055 hrs to 2057 hrs</i>
Cr D S CARLOS	Marina Ward	<i>Absent from 2128 hrs to 2131 hrs</i>
Cr C BAKER	Marina Ward	<i>Absent from 2056 hrs to 2057 hrs; and from 2130 hrs to 2133 hrs</i>
Cr A NIXON	North Coastal Ward	<i>Absent from 2017 hrs to 2020 hrs</i>
Cr J F HOLLYWOOD, JP	North Coastal Ward	<i>Absent from 2054 hrs to 2055 hrs</i>
Cr A WALKER	Pinnaroo Ward	
Cr M O'BRIEN, JP	South Ward	
Cr A L PATTERSON	South Coastal Ward	<i>to 2130 hrs. Absent from 2035 hrs to 2038 hrs</i>
Cr G KENWORTHY	South Coastal Ward	<i>Absent from 1914 hrs to 1917 hrs; 1954 hrs to 1955 hrs and from 2040 hrs to 2043 hrs</i>
Cr J HURST	Whitfords Ward	
Cr C MACKINTOSH	Whitfords Ward	<i>Absent from 2021 hrs to 2023 hrs and from 2054 hrs to 2055 hrs</i>

Officers:

Chief Executive Officer:	L O DELAHAUNTY	<i>to 2137 hrs</i>
Director, Resource Management:	J TURKINGTON	<i>to 2137 hrs</i>
Director, Planning & Development:	C HIGHAM	<i>to 2137 hrs</i>
Director, Infrastructure Management:	D DJULBIC	<i>to 2137 hrs</i>
Director, Community Development:	C HALL	<i>to 2137 hrs; Absent from 2050 hrs to 2053 hrs</i>
Executive Manager, Strategic Planning:	R FISCHER	<i>to 2137 hrs</i>
Manager, Executive Services:	K ROBINSON	
Manager, Council Support Services:	M SMITH	<i>to 2137 hrs</i>
Manager, Human Resources:	M LOADER	
Publicity Officer:	L BRENNAN	<i>to 2137 hrs</i>
Committee Clerk:	J AUSTIN	<i>to 2137 hrs</i>
Minute Clerk:	L TAYLOR	<i>to 2137 hrs</i>

In Attendance

Mr Warren Reynolds – Recruiters Australia

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

C66-07/01 REPORT OF THE CHIEF EXECUTIVE OFFICER

MOVED Cr Walker, SECONDED Cr Kadak that the Late Item No 1 in relation to Recruitment of New Chief Executive Officer to be considered under the Report of the Chief Executive Officer be heard as the last item of business at the conclusion of this evening's meeting.

The Motion was Put and

CARRIED

APOLOGIES AND LEAVE OF ABSENCE

Apology: Cr Rowlands

Leave of Absence previously approved:

Cr T Barnett: 23 – 25 July 2001

C67-07/01 LEAVE OF ABSENCE – CR M O'BRIEN

Cr O'Brien has requested Leave of Absence from Council duties for the period 27 July 2001 to 7 August 2001 inclusive.

MOVED Cr Baker, SECONDED Cr Hurst that Council APPROVES the Leave of Absence requested by Cr M O'Brien for the period 27 July 2001 to 7 August 2001 inclusive.

The Motion was Put and

CARRIED

C68-07/01 LEAVE OF ABSENCE – CR J HURST

Cr Hurst has requested Leave of Absence from Council duties for the period 5 September 2001 to 18 September 2001 inclusive.

MOVED Cr Kimber, SECONDED Cr Kenworthy that Council APPROVES the Leave of Absence requested by Cr J Hurst for the period 5 September 2001 to 18 September 2001 inclusive.

The Motion was Put and

CARRIED

C69-07/01 LEAVE OF ABSENCE – CR C BAKER

Cr Baker has requested Leave of Absence from Council duties for the period 20 September 2001 to 27 September 2001 inclusive.

MOVED Cr O'Brien, SECONDED Cr Kenworthy that Council APPROVES the Leave of Absence requested by Cr C Baker for the period 20 September 2001 to 27 September 2001 inclusive.

The Motion was Put and

CARRIED

C70-07/01 LEAVE OF ABSENCE – CR C MACKINTOSH

Cr Mackintosh has requested Leave of Absence from Council duties for the period 28 August 2001 to 31 August 2001 inclusive.

MOVED Cr O'Brien, SECONDED Cr Walker that Council APPROVES the Leave of Absence requested by Cr C Mackintosh for the period 28 August 2001 to 31 August 2001 inclusive.

The Motion was Put and

CARRIED

PUBLIC QUESTION TIME

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

For the financial year 2000-01, Can Council advise:

Q1 The number of contracts for the provision of goods or services that were in operation as a result of the City calling tenders.

A1 54 public tenders were called and 51 awarded for the supply of goods and services.

Q2 Details of the company or persons engaged.

A2 Details of the Company or persons engaged and other contract details are a matter of public record and are available from the minutes on the Council web site. Alternatively, the details can be viewed in the tender register during business hours.

Q3 Details of the goods and services covered by those contracts.

A3 Answer given in 2 above.

Q4 Details as to when the contracts were let (year and month).

A4 Answer given in 2 above.

Q5 The duration for those contracts.

A5 Answer given in 2 above.

- Q6 The number of contracts that were extended as part of the original contract.*
- A6 21 contracts from previous financial years were extended following Council's resolution, due to provisions being made for such extensions in the original contracts.
- Q7 The duration of the extension.*
- A7 The standard duration of extensions are for a 12 month period.
- Q8 The total value of expenditure for the fiscal year in question.*
- A8 The answer to this question will take considerable research, estimated to take 3-5 days. Accordingly, the question is taken on notice.

The following questions were submitted by Mr K Pearce, Secretary of the Joondalup Community Coast Care Forum:

The Joondalup Community Coast Care Forum would like the following questions answered at the Council meeting of July 24th in relation to the recommendation of the Urban Animal Management Committee to allow an exemption to a Mr Plummer so that he can take his dog into the dog restricted area of the foreshore at Mullaloo Beach.

- Q1 If the reasons for banning dogs from foreshore areas are valid how does the City justify this exemption?*
- A1 The Urban Animal Management Committee took the view that the person concerned already collects rubbish on a regular basis from Tom Simpson Park when out walking with his dog. The Committee considers that it is worthwhile to support this activity on a 6 month trial basis as it considers that it has a direct benefit to the broader community by encouraging a resident to continue making a worthwhile contribution to his community. If Council accepts the Committee's recommendation, Mr Plummer would be restricted to the dog-prohibited foreshore area of Tom Simpson Park.
- Q2 Why does Mr Plummer need a dog before he can pick up rubbish and how many other people who claim to pick up rubbish or make some other equally ridiculous claim will be granted an exemption?*
- A2 Mr Plummer regularly walks with his dog to exercise the dog and for his own health. When Mr Plummer sees rubbish that has been left strewn by others he collects it and disposes of it properly. Any further requests of this nature would be assessed on an individual basis by the Committee.
- Q3 If the answer is none on what basis is Mr Plummer singled out for this favourable treatment?*
- A3 Refer to previous answers.
- Q4 How is Mr Plummer able to control his dog while collecting and carrying rubbish?*

- A4 The Urban Animal Management Committee has made a number of recommendations to Council regarding Mr Plummer's control of his dog during the trial period.
- Q5 *Who will be responsible should Mr Plummer's dog be involved in an incident such as an attack on a child?*
- A5 Mr Plummer would be responsible for the actions of his dog.

Mr V Harman, Ocean Reef:

- Q1 *Item CJ234-07/01 – Appointment of Committee Members for Ocean Reef Development Committee. Will the minutes of this committee be available on future Council agendas as is normal practice with any committee meeting?*
- A1 Normal practice with all committees and working groups is that minutes are reported through Council. Whilst Council has not made a decision regarding this committee, no reason is seen why these minutes would not be reported to Council, particularly where there may be a need for decisions to be made, as the committee does not have any delegated authority.

Ms M McDonald, Mullaloo:

- Q1 *CJ240-07/01 – Urban Animal Management Committee: The document lists a number of cautions and infringements that took place before and during the trial period. No detail is provided as to how long a period the infringements were collected over.*
- A1 It is believed that the period of infringements is a comparison of the three months immediately preceding the trial to the three months in which the trial took place, however further clarification will be provided on this matter.
- Q2 *Did the Committee consider why the original local law existed before it chose to recommend that the dual use path be used for dogs in the future? If they did, could ratepayers know why that by-law was in existence?*
- A2 No response is able to be given as this question is directed to the Committee.
- Q3 *The Committee is also looking at setting aside a special beach area for small dogs. Is there some problem for dogs using the existing dog area, as there seems no reason why small dogs cannot use the same area as large dogs?*
- A3 There have been problems with small dogs mixing with large dogs and therefore it is proposed to look at a separate area for small dogs.
- Q4 *What is so special about Mr Plummer that the Committee recommends that he be given a benefit not available to other ratepayers. If I were to collect rubbish at Mullaloo, would I be able to do this in the nude?*

- A4 It is believed that the response provided to earlier questions from Mr K Pearce reflects the views of the committee.

Ms Robyn McElroy, Greenwood, Coordinator of the Friends of Warwick Senior High School Bushland:

Q1 On behalf of all the Friends' groups who are trying to look after our very few rapidly degrading bushland areas, I would like to know when the City of Joondalup will have a team of qualified bush regenerators to assist us in looking after these conservation areas.

A1 Council has allocated funds for the forthcoming year in relation to management of natural areas, on the basis that officers will work with the Conservation Committee in trialling management of various natural areas. The sentiments expressed this evening will be passed on.

Q2 Why isn't the City of Joondalup planting local to the area, native plants suitable to the climate and wildlife on the median strips?

A2 On many medians natural species are planted, and in recent times there may have been exotic species planted. It is really a case of 'mix and match'.

Ms A Malorgio, representing 3 Beam Road, Ocean Reef:

Q1 CJ250-07/01: We are aware that Council has included retrospective planning approval via the Town Planning Act in the District Planning Scheme No 2, but as the Building Act does not allow retrospective approval of a building licence, how does the Council deal with this?

A1 This is an application for Town Planning approval, not for a building licence.

Q2 If there is no policy dealing with satellite dishes, where is it written you cannot locate one in the front yard?

A2 There is no policy and there is no restriction on where a satellite dish could be located. However, the Scheme does set down the sorts of issues that Council needs to refer to when determining any planning application and it is suggested that a satellite dish located in a front yard may not meet some of the requirements of the Scheme.

Cr Kenworthy left the Chamber at 1914 hrs.

Q3 On what basis did the Planning Department decide that the satellite dish at No 17 Cockpit Way did not affect the amenity of the neighbours at 3 Beam Road, as they were the ones who initiated, via concerns, the need for a planning approval that was then passed by Delegated Authority, compared to this application being considered by the full Council meeting?

A3 The satellite dish at 17 Cockpit Way was determined under the Planning Scheme and the test of amenity, and issues raised by neighbours were taken into account. It is believed that the application and the proposal met those requirements.

Q4 Why did the Planning Department alter an original plan by liquid papering out the original dimensions and substituting the new ones without altering the figure? If something is drawn to scale and represents 1.8m how can the same diagram then represent a new item of 2.5m?

A4 The elevation shown is simply diagrammatic and for illustration purposes, for the information of the Council.

Q5 Can Council assure us that in future all variations or amendments made to an original plans be marked in red or some other distinguishing mark and that they be signed and dated by the person altering the plan?

A5 This question was taken on notice.

Cr Kenworthy entered the Chamber, the time being 1917 hrs.

Mr Hamilton, Greenwood:

Q1 In relation to two pine trees on the median strip, Cr O'Brien has tried to assist in brokering a compromise which has fallen through. What can be done about this issue?

A1 It is unsure what stage this issue has reached. If both parties are not happy with the situation, a report can be presented to Council for a decision.

Q2 This issue has been going for a year, and people have been there twice to remove the tree and I do not understand Council can make a decision and then reverse it. The trees are dangerous – they are 50ft high and 5m from my house. I have spoken to Crs O'Brien and Barnett and previously to Cr Wight, who all agreed it was absurd, but no action is being taken.

A2 Your comments will be taken on board.

Mr T O'Gorman, Joondalup:

Q1 On behalf of Mr and Mrs Letizia, 3 Beam Road, regarding the approval granted under Delegated Authority for 15 Cockpit Way and the fact that the local Ward Councillors were not aware that the approval was going through to Delegated Authority. There is now another application for approval for a satellite dish at 17 Cockpit Way and I ask would it not be appropriate to revoke the original authority at No 15 and bring it to Council?

A1 In relation to the Delegated Authority process, information on that particular application for 17 Cockpit Way was provided to elected members via the 'Desk of the CEO' publication. This publication is provided to elected members weekly, and lists all Delegated Authority items, to enable Councillors to take note of items of concern, and to contact officers prior to the following Thursday on any issues which need to be raised. When that particular item went to Delegated Authority, the Mayor and the Director Planning and Development decided, because of the objection received, to email both Ward Councillors to invite them to comment on the proposal and held the matter over for a further week. Having received no comment by the following week, the application was approved.

In terms of any revocation, discussion has been held with the City's solicitors and, in confirmation of advice provided before, there is no revocation for planning decisions. It is different to the sort of decisions that Council might make under, for example, the Local Government Act, which is an administrative power. The solicitor referred to the planning decisions made as being quasi-judicial powers and once a decision is made, it is made once it is acted upon.

Q2 I have been asked to reiterate the question asked earlier in the meeting, in regard to the retrospective planning approval. The answer was not sufficient to explain what is meant.

A2 This question was taken on notice.

Mr Keith Pearce, Secretary of the Joondalup Community Coast Care Forum:

Q1 CJ240-07/01 Urban Animal Management Committee: Who answered the questions submitted by me earlier?

A1 The questions were answered by the Administration, on the understanding of the Committee's deliberations on the matters.

Q2 The response to my Question 5, in relation to who will be responsible for Mr Plummer's dog; I think you should reconsider the answer provided to me and obtain legal advice on the grounds that it may well be that the City is responsible as it granted the exemption. Persons using a dog restricted area would be entitled to believe that no dogs would be there. How are Rangers going to police other people that may go onto the restricted area with their dogs? Does the Council really believe it would not be setting a precedent that would not be used by other people to push the boundaries of regulations?

A2 These comments are noted.

Mr Ralph Henderson, Padbury, representing Friends of Hepburn Heights and Pinnaroo Bushland:

Q1 In relation to the Proposed Land Exchange, Hepburn Avenue, Padbury: Is the City aware that Hepburn Heights is over-endowed with community facilities which residents have vigorously opposed? The residents of the area are opposed to community facilities of any sort increasing noise and traffic and which are not compatible with residential accommodation.

A1 Those sites at the back end of Hepburn Heights, whilst they are community sites they are for use by particular groups. The site now under consideration is a community purpose site which is set aside by the Council at subdivision stage for a whole range of community purposes that the Council might provide or be involved in.

Mrs M Zakrevsky, Mullaloo:

Q1 In relation to Minutes of the Environmental Advisory Committee meeting of 21 June 2001: On 7 May 2001 the Environmental Advisory Committee was established, with a quorum of 6 members. I am concerned that the meeting held on 21 June 2001 failed to reach a quorum. Could the terms of reference of the Committee be amended to allow the committee to operate?

A1 These comments are noted.

Mr S Magyar, Heathridge:

Q1 When was the additional information supplied to elected members, regarding the proposed land exchange at Hepburn Heights?

A1 Friday last, 20 July 2001.

Q2 Is Council aware that if FESA wants to develop its current site, it may be forced to go through a full EPA assessment?

A2 Yes, Council would be aware of this.

Q3 Does the current Strategic Plan still refer to guiding principles, effective two way communication with the community and community participation in Council planning and decision making?

A3 Yes.

Q4 Does this Council still work under the Standing Orders Local Law 1997?

A4 Yes.

Q5 Does Clause 2.4 of the Standing Orders deals with public participation and a second public question time?

A5 This matter has been raised in the past and legal advice has been received from two solicitors. Clause 3.2 allows for changes to be made to the order of business and this clause over rules Clause 2.4.

Q6 Under Clause 3.2, is there one or two periods of public question time listed?

A6 There are two listed. However, it is an option and the current governing order of business of Council only allows for one period of public question time.

Mr M Sideris, Mullaloo:

Mr Sideris sought confirmation of answers provided to earlier questions.

Q1 In relation to a previous question on the 8.8% increase for Chubb Security, the answer gave details of the additional cost being administration, staffing etc. Can you give me a breakdown for each portion of that answer?

A1 This question was taken on notice.

Q2 *In relation to the Warrant of Payments: Corporate Card expenditure – Mayor Bombak - for Trigg Island Café luncheon. What was this luncheon for?*

A2 That was a staff lunch.

MOVED Cr Kimber, SECONDED Cr Mackintosh that public question time be CLOSED at this point.

The Motion was Put and

CARRIED

DECLARATIONS OF FINANCIAL/NON FINANCIAL INTEREST

Cr Mackintosh declared a non-financial interest in Item CJ248-07/01 - Proposed Amendment No 9 to District Planning Scheme No 2 - Lot 55 (11) Henderson Drive ,Kallaroo – North Shore Country Club - as she has an association with the North Shore Country Club.

Cr Hollywood declared a non-financial interest in Item CJ248-07/01 - Proposed Amendment No 9 to District Planning Scheme No 2 - Lot 55 (11) Henderson Drive,Kallaroo – North Shore Country Club as he has an association with the North Shore Country Club.

Cr Kimber declared a non-financial interest in Item CJ249-07/01 - Proposed Land Exchange - Location 11898 (273) Hepburn Avenue, Padbury (Reserve 43210 - Fire Station Site) and Location 12223, (12) Blackwattle Parade, Padbury (Reserve 43717 - Community Purpose Site) - as he is employed by Fire and Emergency Services Authority (FESA).

CONFIRMATION OF MINUTES

C71-07/01 MINUTES OF COUNCIL MEETING – 10 JULY 2001

MOVED Cr Baker, SECONDED Cr Mackintosh that the Minutes of the Council Meeting held on 10 July 2001, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

JOONDALUP BUSINESS ASSOCIATION

To foster our close relationship, the City is hosting a working dinner with the Joondalup Business Association.

Its purpose is to discuss support of small business and sustainability in the region.

A meeting and dinner will be held on Wednesday, 1 August 2001 at the Civic Chambers.

COMMUNITY SERVICE AWARDS

The City's "Hype Project", hailed as a success in curbing anti-social behaviour at Hillarys Marina has been nominated for the Community Service Industry Awards 2001.

The project has been short-listed for the prestigious awards to be selected in November 2001.

STATE HOMELESSNESS TASKFORCE

The City's Director of Community Development, Chris Hall, has been appointed to the Government's State Homelessness Taskforce.

The taskforce will develop a State strategy for the whole of Government and community to prevent homelessness and support those who are homeless.

The taskforce is required to report to the Cabinet Standing Committee on Social Policy by January 2002.

COMMUNITY SPORTING AND RECREATION FACILITIES GRANTS

The latest round of Community Sporting and Recreation Facility Funding Grants have been advertised in the West Australian.

Copies of the application forms are available from the Manager, Leisure and Ranger Services for groups wishing to apply for a grant.

Applications will close in September 2001 and applicants will be advised in November 2001.

Queries about applications should be made with the City's Manager of Leisure and Ranger Services, Mr Mark Stanton.

PETITIONS

Nil

C72-07/01 REQUEST FOR SECOND PUBLIC QUESTION TIME

MOVED Cr Hollywood, SECONDED Cr O'Brien that, in accordance with Clause 3.2 of the City's Standing Orders Local Law, a second public question time be permitted at the conclusion of the meeting.

Discussion ensued.

The Motion was Put and

CARRIED

POLICY**CJ230 - 07/01 REVIEW OF PLANNING AND DEVELOPMENT SERVICES POLICIES AND DELEGATION OF AUTHORITY - [13399] [26176]****WARD - All**

CJ010717_BRF.DOC:ITEM 1

SUMMARY

The policies and delegations structure currently in place had their origins in the previous Town Planning Scheme (TPS1), but had evolved over time to reflect Council's planning objectives.

The delegation structure formed part of a corporate review undertaken in February 2001, and at that time Council resolved to receive a further report on the impact of District Planning Scheme No.2 (DPS2) on relevant policies and the delegation structure.

The City is currently reviewing the existing Planning and Development Services policies. The policy review is proposed to be undertaken in two stages. The first stage of the review will rescind those policies that are deemed no longer necessary and address the minor changes required to two policies mainly making one consistent with DPS2 and minor additional detail to the other. The second stage will address individual policies that require a number of changes (Attachment 1).

It is recommended (in accordance with DPS2) to rescind policies dealing with Consulting Rooms, Local Stores and Wanneroo Road (shown at attachments 2 to 4). It is also proposed to amend the Child Care Centres, Advertising of Development Proposals and Pedestrian Access Ways policies (Attachments 5 to 7) and to advertise those for 21 days in accordance with the Scheme.

The delegation of authority structure is proposed to be enhanced to reflect procedures for consultation with elected members, whilst maintaining the objective of providing for decision making within reasonable timeframes, to meet customer service demands.

BACKGROUND**Policy Manual**

The City of Joondalup at a special meeting of Council held on 1 July 1998 adopted the Former City of Wanneroo's policy manual.

An extensive review was undertaken of the City's policy manual, which found that, generally:

- a number of the policies were in fact corporate procedures;
- there were some statutory policies missing; and
- some of the policy statements were inconsistent with the Local Government Act 1995.

Following this extensive review, the Joint Commissioners adopted an extensively revised Policy Manual at its meeting held on 22 June 1999.

At the 13 February 2001 meeting, Council resolved (CJ001-02/01):

1 *AMENDS the following policies as detailed in Attachment 1 to Report CJ001-02/01:*

Policy 2.1.1 Employment

Policy 2.1.2 Equal Employment Opportunity

Policy 2.2.2 Elected Members Training

Policy 2.2.3 Travel/Accommodation – Elected Members and Staff

Policy 2.2.7 Acknowledgment of Service – Elected Members

Policy 2.2.8 Legal Representation for Present and Former Elected Members and Staff of the City

Policy 2.2.9 Elected Members' Advertising

Policy 2.2.10 Elected Members

Policy 2.2.11 Coat of Arms (Council Crest) and Corporate Logo

Policy 2.2.12 Reimbursement of Expenses

Policy 2.4.1 Accounting Policy

Policy 2.4.5 Budget Timetable

Policy 2.5.4 Official Vehicles – Use of

Policy 3.1.3 Alfresco Dining (Planning) – Joondalup Centre

Policy 3.1.8 Advertising of Planning Proposals

Policy 5.4.1 Tennis Court Lighting Standards

2 *NOTES that it has reviewed the delegations made in accordance with the Local Government Act 1995;*

3 *SEEKS a further report on the impact of District Planning Scheme No 2 on relevant policies and delegations of the Council.*

The City is currently undertaking a review of the existing Planning and Development Services policies. The report is in relation to this as well as the Council resolution of February 2001.

Delegation of Authority

Corporate delegation of authority is reviewed annually (in accordance with the Local Govt Act).

Town Planning Scheme No 1 (TPS1 - now rescinded) and DPS 2 reflect that requirement by requiring that Town Planning delegations be reviewed either annually, or if granted for more than 12 months, then in accordance with the stipulated time period.

The current Delegated Authority structure is established in accordance with Council's resolution CJ296-09/99 (shown on Attachment 8 to this report). The structure formed part of the corporate review undertaken in February 2001.

The delegation of planning powers is a principle used in all but the smallest local authorities. The structure varies depending upon level of demand, corporate resourcing levels, political factors, and reliance on representative policies and planning controls. For large local authorities, delegated authority facilitates greater economies in assessment processes, in regard to time taken for issuing decisions and the timeframe associated with agenda settlement and presentation.

DETAILS

Policy Review

It is proposed to rescind the following three policies:

- 3.1.2 - Consulting Rooms;
- 3.1.4 - Local Stores; and
- 3.1.10 - Wanneroo Road,



for which justification has been provided in the comment section.

It is also proposed to make minor amendments to the child care centre policy and advertising of development proposals to make it consistent with DPS2 and to add minor detail to the pedestrian accessways policy.

The Planning and Development Services Policies are created under Part 8 of DPS2. There is no specific requirement to review policies, however, there are provisions in relation to rescinding policies, and procedures for making and amending policies.

Delegation Structure

The current delegation structure resolution (Attachment 8) is best illustrated by use of the following chart. The chart formed a part of the delegation of authority report presented in September 1999, and remains relevant.

Application Type	Officer/Level of Delegation				
	SPO	CP	MAP	DPD	Council
Complying applications					
Non-complying applications ➤ Discretion required ➤ Advertising not required					

Non-complying application ➤ Discretion required ➤ Advertising conducted – no objections					
Validity ➤ Relevance of objections					
Non-complying application ➤ discretion required ➤ advertising required – objections received					
Non-complying application ➤ exceeds limits of officer discretion					
Applications recommended for refusal					
Advisory comments to other agencies ➤ positive comments					
Advisory comments to other agencies ➤ negative comments					
SPO Senior Planning Officer	MAP Manager Approval Services				
CP Coordinator Planning Approvals	DPD Director Planning & Development (under Delegated Authority) in consultation with the Mayor/or his nominee				

indicates level of delegation

The Delegated Authority procedures have been enhanced (beyond the content of the delegated authority resolution) to provide effective communication with elected members, by the following practices;

- publishing weekly advice of forthcoming applications on the Desk of the CEO newsletter, with six days notice for Councillors to call in proposals, or raise specific enquiries with officers;
- contentious applications are often deferred to provide additional opportunity for one to one consultation with ward members prior to decision being taken;
- individual reports with summary descriptions are provided on the Desk of the CEO on applications of interest, inviting comment prior to delegated authority determination, or comment on the desired level of determination; and

- use of the delegated authority forum to determine applications of interest, even though some of those proposals could be approved at officer level.

COMMENT

Policies Proposed to be Rescinded

3.1.2 – Consulting Rooms (Attachment 2)

The reason for formulating this policy was that a number of development applications were being received for consulting rooms, and the policy provides for guidelines in respect to dealing with such applications. The primary objective of the policy is to protect the amenity of residential neighbourhoods.

The definition for consulting rooms in DPS2 is different to that in TPS1 in that the definition now refers to a building used by no more than one health consultant as opposed to the definition in TPS1 that did not specify numbers. Also DPS2 includes a definition for medical centre which relates to premises accommodating two or more consulting rooms. Further the land use is a “D” use in the Residential and Special Residential zones which means that the use is not permitted, however, Council may exercise its discretion and an advertising process may be considered. The preferred location is in the Mixed Use, Business or Commercial zones, in or adjacent to centres. A medical centre however is not permitted in the Residential or Special Residential zone, but is permitted in the Mixed Use, Business and Commercial zones. Accordingly the policy is not considered necessary

3.1.4 – Local Stores (Attachment 3)

The subject policy was formulated at a time when the City was trying to promote the provision of ‘corner stores’ in structure plans and the early provision of service. The use was not specifically listed in TPS1, however, the use of shop was included. The policy provides for matters to be regarded in the assessment of applications for approval of local stores.

DPS2 includes definitions for “corner store” and “shop” and allocates the level of permissibility in Table 1 – The Zoning Table. Also the City’s Draft Centres Policy includes detail relating to corner/local stores/shops. It is proposed to insert a new definition in DPS2 for local shops to not exceed 200m² nett lettable area with an aggregate of not more than 1000m² and for local shops be permitted in the Business and Mixed Use zones.

3.1.10 - Wanneroo Road (Attachment 4)

This policy essentially concentrates on the following:

- recognising and preserving the value of higher speed travel on this road by restricting commercial type development, and by retaining the existing rural lot sizes, thereby limiting the number of access and egress conflict points;
- where land has been committed to non rural development, development approval being restricted to uses which are low traffic generators;
- rural character of the roadside landscape being preserved;
- use of service roads and turning setbacks at driveways being encouraged.

Since the time of formulation of the policy the nature of Wanneroo Road has changed, given the increase of residential as well as commercial development. Further, since the split of the City of Wanneroo, Wanneroo Road is not within the municipal boundaries of the City. Further, there is only the stretch of land on the western side of Wanneroo Road between Whitfords Avenue and Beach Road that fronts the road. Given this, it is considered that the statements in the policy are no longer relevant.

Policies Proposed to be Amended

3.1.1 – Child Care Centres (Attachment 5)

The amendments aim to make this policy consistent with DPS2, therefore they are minor in nature.

3.1.8 - Advertising of Development Proposals (Attachment 6)

This policy was formulated as TPS1 did not require mandatory advertising of development proposals. The policy provides for the Chief Executive Officer to determine when a development proposal should be advertised. DPS2 contains the provisions to determine in which cases advertising is required but still allows discretion for the advertising of 'D' uses. The policy has been amended to make it consistent with DPS2.

3.2.7 – Pedestrian Accessways (Attachment 7 – Extract Only)

It is proposed to amend the policy by way of adding minor detail to 1(g) (section relating to lighting) to make reference to the Australian standards.

Delegation of Authority

The underlying principles of Delegated Authority are:

1. Business efficiency

There are many delegated decisions made by officers, where the issue is one of compliance or otherwise. In those cases, it would not be effective business practice to force applications to Council for consideration.

2. Service provision over reasonable time periods.

The removal of delegated authority would require that more applications enter the Council meeting cycle. The City offers a high frequency service, by convening two regular monthly meetings, however, this would delay the average application by an additional two to three weeks, where a decision is sought. Statistically, the Planning & Development directorate serves the most customers of any at the City of Joondalup, and the time taken to issue approvals is a key concern for the customer.

3. Resourcing

The Approval Services business unit is resourced leanly, relative to the volume of work undertaken. By reducing the level of delegated authority, less resources would be available in the areas of value adding to non-fee paying services, and this would adversely impact on customer service.

4. Maximising Opportunities for Elected Member Participation

The commitment to notification of applications to be dealt with under Delegated Authority provides an opportunity for involvement (by elected members) at will, whilst recognising the high volume of applications processed by the City.

The interest shown by elected members has provided a catalyst for enhancing involvement in the delegated authority structure. The procedural enhancements made in recent times reflect the need to cater for that involvement, while maintaining the underlying principles.

Occasional concerns over delegated authority invariably stem from individual disputes between neighbours. This scenario would apply, regardless if the matter at hand were presented to the Council.

The delegated authority process helps to overcome biases and pressures that are imposed on elected members with the potential end product of driving inconsistent decision making. It also provides for two way feedback (with elected members) within reasonable timeframes, prior to decisions being taken.

There is also the question of volume of applications. Without the current level of delegation in place, the Councillors would have received, for example, 152 reports over the past three months, seeking determination (equivalent to 25 reports from Approvals per Council agenda).

It is estimated that the impact on timing of decisions would be that an “average” application could have a delay of at least three weeks, in addition to processing time at officer level. At present, 50% of (planning) applications are approved within 14 days of lodgement.

It is suggested that delegated authority be enhanced by including the procedures (for liaison with elected members) described above. The procedures maintain and/or promote effective working relationships where Councillors can be involved in decisions that are geared towards timely assessment processes, and relevant planning policy and controls.

Suggested alterations to the adopted Delegated Authority structure are;

1. To maintain procedures of:
 - a) advising of developments which are likely to be of interest in the Desk of the CEO, to supplement the list of items to be presented in the following week (Thursday) for consideration under delegated authority.
 - b) requesting that Councillors use the Desk of the CEO as a resource to track delegated authority matters;
 - c) maintaining an open approach to facilitating regular dialogue with ward members and councillors on contentious matters.
2. Clarify the role of the Manager Approval Services to sign off approvals where advertising has occurred, where the extent of discretion is reasonable, and no valid planning objection has been received against the proposal.

3. Consolidate the existing manual to incorporate Planning Delegation statements into one statement of delegation for planning matters. (Since June 1999, there have been 2 statements of delegation, dealing with development control and subdivision assessment matters. At Council's 14 September 1999 meeting, it was resolved to

"...Revoke subsections 1 and 4 of the Town Planning Delegations", pages 136 –138 of the Delegated Authority manual as adopted at the Council meeting held on 22 June 1999."

The impact of that resolution was to modify the town planning delegations structure to the form presented in the current register at page 137 and 138. The resolution adopted in September 1999 revoked Parts 1 and 4 of the delegation notice shown at page 139 of the Manual. Part 2 of that notice refers to extractive industries and as such is considered no longer relevant. It also refers to delegated authority to deal with matters which have been superseded by current local laws and policy. Part 3 of the notice covers the delegation to the Director Planning and Development, in consultation with the Mayor to determine the City's position with respect to the mediation process in an appeal, and it is recommended that this be retained and incorporated in the new delegation notice. The existing subdivision delegation notice is also proposed to be retained.

MOVED Cr Kimber, SECONDED Cr Mackintosh that Council:

- 1 in accordance with Clause 8.11.4 of the City of Joondalup District Planning Scheme No 2 REVOKES the following policies:**
 - (a) 3.1.2 - Consulting Rooms;**
 - (b) 3.1.4 - Local Stores;**
 - (c) 3.1.10 - Wanneroo Road**
- 2 in accordance with Clause 8.11.3 of the City of Joondalup District Planning Scheme No 2 AMENDS the following policies and advertises the policies for a period of 21 days:**
 - (a) 3.1.1 – Child Care Centres;**
 - (b) 3.1.8 - Advertising of Development Proposals; and**
 - (c) 3.2.7 – Pedestrian Accessways**
- 3 NOTES that a number of policies are still under review and will be reported to Council as reviews are completed;**
- 4 REVOKES the "Delegation of Development Control Powers" notice, contained in the Delegated Authority Manual;**
- 5 RETAINS parts 2 and 3 of the current "Town Planning Delegations" notice;**
- 6 REVOKES part 1 of the current Town Planning Delegation Notice, and REPLACES it with the following statement;**

Council delegates authority to deal with applications for development approval, (including applications for approval of a home occupation, a use, applications for approval to commence development, composite applications and exercise of discretion under the Town Planning Scheme and the Residential Planning Codes in accordance with Clause 8.6 of the City of Joondalup District Planning Scheme No.2 and the powers contained in the Western Australian Planning Commission instrument of delegation under the State Planning Commission Act 1985, published in the Government Gazette of 28 November 1997 as amended) to:

- (a) the Director Planning and Development (or Manager Approval Services) of the City of Joondalup, following consultation with the Mayor and/or his/her nominee where the application has been advertised for comment and relevant planning objection (in the opinion of the Director Planning & Development or the Manager Approval Services) has been received, except where one or more Elected Members has first advised the Manager, Approval Services of the City of Joondalup in writing in each case that the application should be referred to the Elected Members/Mayor for determination;**
- (b) the Manager Approval Services, where a development application has been advertised and no valid planning objections have been received;**
- (c) each of the planners who is a member of the Approval Services Business Unit of the City of Joondalup (being the officers appointed to supervise the development control functions of the Council) for the following applications, except where one or more Elected Member has first advised the Manager, Approval Services of the City of Joondalup in writing in each case that the application should be referred to the Elected Members/Mayor for determination;**
 - (i) an approval in accordance with Council Policy and/or DPS2 requirements, except in the case where that application has been advertised;**
 - (ii) the exercising of discretion permitted under the Residential Planning Codes for setbacks by up to 10% where it is considered that the reduced setback will not detrimentally affect the development, adjoining properties or the streetscape;**
 - (iii) the exercising of discretion under the provisions of DPS 2 to reduce building setbacks, carparking and/or landscaping by up to 10% where it is considered the reduced standard will not detrimentally affect the development, adjoining properties or the streetscape; and**
 - (iv) the exercising of discretion to determine whether or not advertising/neighbour consultation is required.**
- (d) the Director of Planning and Development (or the Manager of Approval Services in his absence) for the provision of advice to external agencies regarding the determination of applications;**

- 7 AUTHORISES the Director Planning and Development, following consultation with the Mayor or his nominee, to determine the City’s position with respect to any mediation process resulting from an appeal to the Town Planning Appeal Tribunal or the Minister for Planning;**
- 8 NOTES that the following procedures will be used to maintain effective dialogue with elected members:**
- (a) publishing weekly advice of forthcoming applications to elected members;**
 - (b) deferring contentious applications to provide additional opportunity for one to one consultation with ward members prior to decision being taken;**
 - (c) communicating individual applications of interest (with summary descriptions) to elected members, inviting comment on the desired level of determination or queries as to the nature of the proposal prior to delegated authority determination;**
 - (d) using the delegated authority forum to determine applications of interest, even though some of those proposals could be approved at officer level.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf170701.pdf](#)

FINANCE AND COMMUNITY DEVELOPMENT
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**CJ231 - 07/01 SCHEDULE OF DOCUMENTS EXECUTED BY
MEANS OF AFFIXING THE COMMON SEAL -
[15876]**

WARD - All

CJ010717_BRF.DOC:ITEM 2

SUMMARY

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 11.06.01 to 05.07.01:

Document:	Copyright
Parties:	City of Joondalup and City of Wanneroo
Description:	Historical Importance Recording – D Gibbs
Date:	11.06.01

- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Historical Importance Recording – K Mann
Date: 14.06.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Historical Importance Recording – A Reyner
Date: 14.06.01
- Document: Agreement
Parties: City of Joondalup and Commonwealth Department of Family and Community Services
Description: Extra Funding for Integrated School Holiday Program and Young Womens' Program
Date: 18.06.01
- Document: Agreement
Parties: City of Joondalup
Description: District Planning Scheme No 2 – Amendment 7
Date: 19.06.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Historical Importance Recording – T Asbridge
Date: 20.06.01
- Document: Agreement
Parties: City of Joondalup
Description: Notification 70A – Deikara Pty Ltd – Lot 19 on Plan 22644
Date: 20.06.01
- Document: Agreement
Parties: City of Joondalup and Lake Joondalup Baptist College
Description: Withdrawal of Caveat – Lot (18) Kennedy Drive, Joondalup
Date: 21.06.01
- Document: Agreement
Parties: City of Joondalup, Warwick Recreation Association and WA Planning Commission
Description: Sublease – Warwick Recreation Association
Date: 21.06.01
- Document: Agreement
Parties: City of Joondalup
Description: District Planning Scheme No 2 – Amendment 8
Date: 22.06.01

- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Historical Importance Recording – J Goodsell
Date: 29.06.01
- Document: Restrictive Covenant
Parties: City of Joondalup and Joondel Developments
Description: Preservation of vegetation at various lots, 901/903-910/912/913
Woodlea Crescent, Joondalup
Date: 02.07.01
- Document: Contract
Parties: City of Joondalup, Proclaim Software and Technology One
Description: Execution of Deed from Proclaim Software to Technology One
Date: 02.07.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Historical Importance Recording – B Kerr
Date: 04.07.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Historical Importance Recording – H Hall
Date: 04.07.01
- Document: Contract
Parties: City of Joondalup, Veterans Affairs and Community Vision
Description: Deed of Novation – Funds from Veterans Home Care to be paid to
Community Vision
Date: 05.07.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Historical Importance Recording – Y Coutts
Date: 05.07.01
- Document: Agreement
Parties: City of Joondalup
Description: District Planning Scheme No 2 – Amendment 6
Date: 05.07.01
- Document: Agreement
Parties: City of Joondalup
Description: District Planning Scheme No 2 – Amendment 5
Date: 05.07.01

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

The Motion was Put and

CARRIED

**CJ232 - 07/01 WESTERN AUSTRALIAN ELECTORAL
COMMISSIONER'S REPORT FOR THE MAY 2001
CITY OF JOONDALUP ELECTION - [58061] [59219]
[59219] [29068]**

WARD - All

CJ010717_BRF.DOC:ITEM 3

SUMMARY

The Council at its meeting held on 10 October 2000 agreed to conduct its May 2001 election as a 'postal election' and appointed the Western Australian Electoral Commission (WAEC) responsible for the election along with a referendum for the City's security service.

There were seven wards contested by twenty candidates across the City. A total of 29,727 election packages were returned of a possible 100,111 at a participation rate of 29.69%.

The election process was relatively free of concerns with the exception of some operational issues. It is therefore recommended that the report as provided by the WAEC be received.

BACKGROUND

The Council at its meeting held on 10 October 2000 resolved: -

That Council:

- 1. AGREES to hold the elections for the City of Joondalup on Saturday, 5 May 2001;***
- 2. BY A SPECIAL MAJORITY REQUESTS the Western Australian Electoral Commission to conduct the May 2001 elections and referendum on behalf of the City of Joondalup as a postal election;***

The Western Australian Electoral Commission (WAEC) appointed Mr Brian Moore as the Returning Officer. The elections were conducted by the WAEC as a 'postal election' on Saturday 5 May 2001. There were seven ward vacancies contested by 20 candidates. As part of the 2001 postal election, the WAEC also conducted a referendum on the City's security service.

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

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

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

DETAILS

Forty-seven (47) local governments across Western Australia requested the WAEC to conduct their ordinary elections by post in May 2001. This compares with thirty-four (34) in 1999 and eight (8) local governments in 1997. Postal voting is becoming a more accepted method of voting within local government elections.

The City conducted its 1999 inaugural elections via postal voting with 98,451 electors receiving a electoral package and the participation rate was 28.21%. For the May 2001 election, 100,111 electors received a package for the election and the referendum with a participation rate of 29.69%. It is expected that the WAEC will advise the City of the final costs for the elections by the end of July 2001.

The WAEC has prepared a report relating to the 2001 election process, which is an attachment to this report.

COMMENT/FUNDING

The May 2001 postal elections were overall conducted with minimum concerns with the participation rate increasing slightly from the 1999 results. There were some operational issues that will need to be further discussed with the WAEC, in particularly the degree of administrative involvement by the City's staff during the election.

The WAEC has invited feedback via an evaluation form, these issues will be communicated through that form. The election process has also highlighted some concerns with regards to the legislative requirements, which will also be raised for further discussion.

MOVED Cr Hurst, SECONDED Cr O'Brien that the information pertaining to the May 2001 City of Joondalup postal election provided by the Western Australian Electoral Commission forming Attachment 1 to Report CJ232-07/01, be RECEIVED.

The Motion was Put and

CARRIED

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf170701.pdf](#)

CJ233 - 07/01 PROPOSED MOTIONS - 2001 AGM OF THE LOCAL GOVERNMENT ASSOCIATION - [18879]

WARD - All

CJ010717_BRF.DOC:ITEM 4

SUMMARY

The Local Government Week 2001 Convention will be held at the Burswood Convention Centre from 5 to 7 August 2001. The Annual General Meeting of the Local Government Association (LGA) is to be held on Sunday 5 August 2001.

The Council resolved at its meeting held on 10 July 2001 to appoint His Worship the Mayor and Crs Kadak, Carlos and Kenworthy as its voting delegates for the AGM of the LGA. WAMA has circulated the agenda papers for the AGM, this report is to provide a position for those delegates regarding the proposed motions at that AGM.

BACKGROUND

The Local Government Week 2001 Convention, incorporating the Annual General Meeting of the Country Urban Councils Association (CUCA), the Local Government Association (LGA) and the Country Shire Councils' Association (CSCA), and the Local Government Week Conference will be held at the Burswood Convention Centre from 5 to 7 August 2001.

The conference schedule is as follows:

Sunday 5 August

CUCA Annual General Meeting:	1.30 pm – 5.00 pm – Kestrel Room
LGA Annual General Meeting:	1.30 pm – 5.00 pm – Ballroom East
Local Government Week Conference (Day 1):	5.30 pm – 7.30 pm – Showroom
Cocktail Reception:	7.30 pm – 8.30 pm – Ballroom Foyers

Monday 6 August

Local Government Week Conference (Day 2):	9.00 am – 5.00 pm – Showroom
Local Government Week Gala Dinner:	7.00 pm – 11.00 pm – Showroom

Tuesday 7 August

CSCA Annual General Meeting:	9.00 am – 12.30 pm – Showroom
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Member Councils of the LGA were invited to nominate their voting representatives to ensure accuracy. Each member local government of the LGA is entitled to be represented at the AGM on the same basis as exists in respect of the LGA Zones. The Council at its meeting held on 10 July 2001 resolved:

“That Council NOMINATES the following members as its voting delegates to attend the Annual General Meeting of the Local Government Association to be held on 5 August 2001 at the Burswood Convention Centre:

Member

Mayor Bombak

Cr P Kadak

Cr D Carlos

Cr G Kenworthy”

The information provided by the member local governments will be applied to determine the entitlement of delegates to participate in business sessions during the Annual General Meeting. This information will also form the basis of the production of rolls which are to be used during the course of any electoral processes conducted during the Annual General Meeting.

WAMA have advised that the LGA constitution states that the speaker to a motion must be a nominated voting delegate.

WAMA have forwarded the agenda to the respective member local governments. The following is the list of motions to be considered at the AGM of the LGA. This report is to establish how the City’s nominated representatives at the AGM of the LGA should vote on the proposed motions.

PROPOSED MOTIONS

Item of Business 1.1 - Proposal for amalgamation of CSCA, CUCA, LGA and WAMA to form a single association of local government

Motion 1

- 1 That the LGA advise the Western Australian Municipal Association (WAMA), in writing, that it supports:**
 - (i) Change of the WAMA’s name to Western Australian Local Government Association; and**
 - (ii) Amendments to WAMA’s Constitution in accordance with the new Constitution proposed for WALGA;**
- 2 That LGA continue to function, for a period of up to 2 years after the formation of WALGA, in accordance with its Constitution, but that its activities be minimised in recognition and support of WALGA, as the peak Local Government Association in Western Australia;**

- 3 That within 2 years after the formation of WALGA, a motion to dissolve LGA be put to Members at an Annual Conference or Special Conference, in accordance with the Constitution, and the *Associations Incorporation Act 1987*.

Item of Business 1.2 - Proposal for the North Zone to be provided with three delegates on the proposed State Council of a Single Association

Motion 2

City of Joondalup Delegate to move:

That the Local Government Association SUPPORTS the request from the North Zone that it be provided three (3) delegates on the proposed State Council.

MEMBER SERVICES

Item of Business 2.1 - Local Government Councillor Liability

Motion 3

City of Nedlands Delegate to move:

That the Association pursue through all appropriate channels the matter of Councillor insurance, particularly in the face of allegations of “bad faith” decisions.

INTERGOVERNMENTAL RELATIONS

Item of Business 3.1 - Oaths and Affirmations for Elected Members

Motion 4

City of Joondalup Delegate to move:

That resulting from the recent publicity the Town of Cottesloe received regarding Local Government Act 1995, Local Government (Constitution) Regulations 1998, Regulation 13 (1) (a), the LGA support the City of Joondalup determination that the following shall be the format for its Oaths (Form 5) and/or Affirmations (Form 6) pursuant to the above regulations:

Form 5.

I,.....
 Of.....
 Sincerely promise and swear that I will be faithful and bear true allegiance
 to Elizabeth II, Queen of Australia, her heirs and successors according
 To law.

So help me God.

Sworn at Joondalup on.....

By.....

Before me.....

Form 6.

I,.....
 of.....
 solemnly and sincerely affirm that I will be faithful and bear true allegiance
 to Elizabeth II, Queen of Australia, her heirs and successors according to
 law.

So help me God.

Affirmed at Joondalup on.....

By.....

Before me.....

ENVIRONMENT

Item of Business 8.1 - Partnership with State Government – Ecologically Sustainable Development

Motion 5

City of Nedlands Delegate to move:

That WAMA requests that the State Government resources the development of a partnership between State Government and Local Government to further the principles of ecologically sustainable development at a local level.

COMMENT/FUNDING

Motion 1

Item of Business 1.1 - Proposal for amalgamation of CSCA, CUCA, LGA and WAMA to form a single association of local government

Part 1 of Motion

At the special conferences held in April 2001, the CUCA and the LGA agreed that WAMA be renamed to 'Local Government Western Australia'. Delegates at the special conference of the LGA narrowly selected this name over the alternative of 'Western Australian Local Government Association (WALGA)'. The CSCA at its special conference selected WALGA as its preferred name.

After considering the outcomes of the special conferences in relation to this, the Single Association Taskforce has recommended that the name of the Association be changed to 'Western Australian Local Government Association (WALGA)'. The basis for the decision was that a majority of member local governments were in support.

It is therefore recommended that the Council supports the motion.

Part 2 of Motion

Both the LGA and CUCA special conferences resolved that the Ordinary Member Associations be retained as entities for a twelve month period following the implementation of the single association. The CSCA resolved that the Association not be wound up during the transition to the single association, but be retained as an entity for two years.

The Single Association Taskforce at its meeting held on 15 June 2001 proposed a compromise position of allowing Ordinary Member Associations the flexibility to be retained as entities for up to two years. Those associations that want to wind up after 12 months will be able to do so, while those who want to be retained as an entity for two years will still be able to do so.

It is therefore recommended to support the motion.

Part 3 of Motion

Consistent with the previous motion, this motion seeks the support to put a motion to dissolve the LGA within two years of the formation of WALGA at an Annual or Special Conference.

It is recommended that the motion be agreed to.

Motion 2

Item of Business 1.2 - Proposal for the North Zone to be provided with three delegates on the proposed State Council of a Single Association

This motion has been presented by the City of Joondalup. The proposal is to support that the North Zone of the LGA be provided with three representatives on the proposed State Council.

The rationale for the membership on the State Council should be population based. Using this criteria, the current North Zone should be entitled to three representatives.

It is recommended that the motion be supported.

Motion 3

Item of Business 2.1 - Local Government Councillor Liability

Insurance policies currently available to provide protection for Councils and their members are Professional Indemnity, and Councillors and Officers policies.

Currently, all WA Councils have Professional Indemnity cover as part of membership of the Municipal Liability Self-Insurance Scheme. This covers the Council (as a body corporate) against claims for breach of professional duty arising out of any negligent act, error or omission alleged to have been committed in carrying out an activity in the conduct of the Council's business.

Councillors and Officers Indemnity policies are currently placed with insurance underwriters by over 95% of WA Councils. These policies provide elected members and staff of the Council with protection for the performance of duties for the Local Government, and are important for insuring against elected members undertaking their tasks and role in a lawful manner being subject to the jeopardy of personal exposure to financial loss.

With any such insurance facilities, the cover provided is confined to the scope of a policy wording, which typically provides indemnity in cases of negligent actions taken in good faith. However, no insurance policy from any underwriter will extend to accepting claims where a trial results in a finding that bad faith, fraud, malicious intent or other such deliberate action applies. This can create tension between a Council and the Scheme or an underwriter during a period of uncertainty from when a potential "bad faith" claim emerges and an ultimate determination is made. In effect, Councillors can be rendered "guilty until proven innocent" in law and in terms of policy coverage, and so it would be in the interests of all elected members to investigate mechanisms which could appropriately protect the rights of all parties.

It is recommended that this motion not be supported.

Motion 4

Item of Business 3.1 - Oaths and Affirmations for Elected Members

This motion was presented by the City of Joondalup. Advice from the Protocol Office of the Governor of WA, the correct title as given by the Palace is:

"Elizabeth II by the Grace of God, Queen of Australia and her other realms and territories, head of the Commonwealth".

It is recommended that the motion be supported.

Motion 5**Item of Business 8.1 - Partnership with State Government – Ecologically Sustainable Development**

The development of a partnership between State and Local Government for Ecologically Sustainable Development (ESD) has been an issue for Local Government for some time now.

Negotiations with the previous State Government did not progress due to budgetary constraints of the department of Environmental protection.

However, with the new Government's commitment to the principles of ESD and its commitment to setting up an ESD Unit within the Ministry for Premier and Cabinet, there would appear to be a real opportunity to develop a genuine partnership between the two spheres of government.

To this end, a letter was sent to the Minister for the Environment from the WAMA President, on 22 May 2001. This letter included the following request:

The WA Municipal Association would like to renew discussions regarding the development of a partnership between Local Government and the State Government for Ecologically Sustainable Development in Western Australia. We would welcome the opportunity to discuss with you the structure of this proposed partnership, including consideration of employment of a dedicated Project Officer for Local Government and ESD, to be based within the ESD Unit of Ministry for Premier and Cabinet.

MOVED Cr Kadak, SECONDED Cr Carlos that Council:

- 1 SUPPORTS the change of the Western Australian Municipal Association's (WAMA) name to Western Australian Local Government Association (WALGA);**
- 2 SUPPORTS amendments to WAMA's Constitution in accordance with the new Constitution proposed for WALGA;**
- 3 SUPPORTS the continuation of the Local Government Association for a period of up to two (2) years after the formation of the WALGA in accordance with its Constitution, but that its activities be minimised in recognition and support of the WALGA as the peak local government association in Western Australia;**
- 4 SUPPORTS that within two (2) years after the formation of WALGA, a motion to dissolve the LGA be put to members at an Annual or Special Conference in accordance with the Constitution and the Associations Incorporation Act 1987;**
- 5 SUPPORTS the request from the current North Zone of the LGA that it be provided three (3) delegates on the proposed State Council;**

- 6 DOES NOT SUPPORT the Association pursuing through all appropriate channels the matter of Councillor insurance, particularly in the face of allegations of ‘bad faith’ decisions;**
- 7 SUPPORTS the proposed changes to Forms 5 and 6 of the Local Government (Constitution) Regulations 1998 to include reference to the reigning sovereign as Queen of Australia;**
- 8 SUPPORTS that WAMA requests that the State Government resources and development of a partnership between State Government and Local Government to further the principles of ecologically sustainable development at a local level.**

The Motion was Put and

CARRIED

CJ234 - 07/01 APPOINTMENT OF COMMITTEE MEMBERS – OCEAN REEF DEVELOPMENT COMMITTEE - [04171]

WARD – All

CJ010717_BRF.DOC:ITEM 5

SUMMARY

Following the establishment of the Ocean Reef Development Committee at the Council meeting held on 10 July 2001, it is necessary to appoint members to that Committee.

BACKGROUND

At its meeting held on 10 July 2001, Council resolved to:

- 1 ESTABLISH an Ocean Reef Development Committee for the purpose of examining developing options, preparing proposals and making recommendations concerning the development of the project;**
- 2 NOMINATE the Mayor, Marina Ward elected members and one elected member from each of the remaining Wards, with the co-ward elected member from each remaining Ward as deputy and AUTHORISE the Chief Executive Officer to nominate appropriate Council officers to the Committee.**

DETAILS

Following the establishment of the Ocean Reef Development Committee, it is necessary to appoint members to that Committee.

MOVED Cr O'Brien, SECONDED Cr Walker that Council:**1 APPOINTS the following members to the Ocean Reef Development Committee:**

<u>Ward</u>	<u>Delegate</u>	<u>Deputy</u>
Marina	Mayor J Bombak	-
Marina	Cr C Baker	-
Lakeside	Cr D Carlos	-
North Coastal	Cr P Kimber	Cr P Kadak
Pinnaroo	Cr J Hollywood	Cr A Nixon
South	Cr A Walker	Cr P Rowlands
South Coastal	Cr M O'Brien	Cr T Barnett
Whitfords	Cr G Kenworthy	Cr A Patterson
	Cr C Mackintosh	Cr J Hurst

2 SETS the quorum for the Ocean Reef Development Committee at 6 members.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CJ235 - 07/01 SPECIAL MEETING OF ELECTORS HELD ON 11
JULY 2001 - [05378, 42148, 06041, 02134, 05810, 75029]**

WARD – South

SUMMARY

A Special Meeting of Electors was held on Wednesday 11 July 2001, in accordance with Section 5.28(1)(b) of the Local Government Act 1995, to discuss the road closure of Badrick Street, Warwick.

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

No motion was raised at Special Meeting of Electors and the Minutes of the meeting are submitted for noting.

BACKGROUND

A petition signed by 121 residents of the City of Joondalup (of which 101 persons were electors) was presented to Council at its meeting held on 12 June 2001 requesting that “a Special Electors Meeting be held in Dorchester Hall in Warwick at 7 pm on a weeknight evening convenient to His Worship the Mayor to consider the following Motions:

- (a) That this Meeting of Electors calls upon the City of Joondalup to abandon the permanent closure of Badrick Street, Warwick and any roundabout proposal for the intersection of Barnsbury Road and Dorchester Avenue, and take immediate steps to initiate positive action for the installation of traffic lights at the intersection of Beach Road, Belvedere Road and Badrick Street, in order to lower Beach road traffic speeds and safely allow Warwick electors ingress and egress into Badrick Street via Beach Road;
- (b) Being aware, that the northern boundary line of the City of Stirling and the southern boundary line of the City of Joondalup is demarked at the Southern Property Lines of the lots located on the northern side of Beach Road, this meeting condemns the Commissioners appointed by the previous State Government for spending our ratepayer money and proceeding with a closure of a Warwick Street, namely Badrick Street, thereby causing major inconvenience to Warwick electors in an attempt to solve a perceived problem, that lies wholly within the municipal boundary of the City of Stirling.
- (c) Any other Business in Order brought forward by the electors present at the Electors meeting.”

Notice of Motion – Cr M O’Brien

At the Council meeting held on 12 June 2001 Cr O’Brien submitted a Notice of Motion regarding a Moratorium on the Closure of Badrick Street and Beach Road, Warwick: Treatment of Intersection of Barnsbury Road and Dorchester Avenue, Warwick. This Notice of Motion was deferred pending the outcome of the request for a Special Electors Meeting.

Petition to Council

At the Council meeting held on 26 June 2001, a 36-signature petition was presented from Warwick residents opposing the abandonment of the permanent closure of Badrick Street, Warwick.

DETAILS

A Special Meeting of Electors was held on Wednesday 11 July 2001, in accordance with Section 5.28(1)(b) of the Local Government Act 1995.

There were 62 members of the public in attendance (53 persons signed the attendance record).

Following a presentation by the City’s officers, a period of question and comment time was held. No motion was moved by the meeting.

COMMENT

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

Whilst no motion was moved at the Special Meeting of Electors, electors present believed that Dorchester Avenue, between Dugdale Avenue and Beach Road was an extremely dangerous road and sought a commitment that actions will be taken in this regard.

It is proposed that a report be submitted to Council during the August 2001 round of meetings addressing the matters raised at the Special Meeting of Electors, the deferred Notice of Motion and taking into consideration all submissions received.

MOVED Cr Kadak, SECONDED Cr O'Brien that Council NOTES the Minutes of the Special Meeting of Electors held on Wednesday 11 July 2001, forming Attachment 1 to Report CJ235-07/01 in relation to Badrick Street Road Closure.

The Motion was Put and

CARRIED

Appendix 19 refers

To access this attachment on electronic document, click here: [Attach19ag240701.pdf](#)
[Attach19aag240701.pdf](#)

**CJ236 - 07/01 MINUTES OF HOUSE COMMITTEE MEETING - 27
JUNE 2001 - [28456] [59064]**

WARD - All

CJ010717_BRF.DOC:ITEM 6

SUMMARY

A meeting of the House Committee was held on 27 June 2001 and the unconfirmed minutes are submitted for noting by Council and endorsement of the recommendations contained therein.

BACKGROUND

The unconfirmed minutes of the House Committee meeting held on 27 June 2001 are included as Attachment 1.

At the meeting the following matters were discussed:

- Council lounge alterations
- Charity Ball
- Dress Standards for Staff
- Councillors' Monthly Dinners/Lunches

MOVED Cr Walker, SECONDED Cr Kenworthy that:

- 1 the unconfirmed minutes of the House Committee meeting held on 27 June 2001, forming Attachment 1 to Report CJ236-07/01 be NOTED;**
- 2 a report be prepared assessing the Occupational Health and Safety aspects of the current layout of the lounge in the Civic Chamber;**
- 3 Council NOT enforce the wearing of the corporate uniform;**
- 4 Council AGREES to the holding of monthly appreciation functions for the next six (6) months in the Council Lounge/Dining area, with the first function being with the Joondalup Business Association.**

The Motion was Put and**CARRIED***Appendix2 refers**To access this attachment on electronic document, click here: [Attach2brf170701.pdf](#)***CJ237 - 07/01 MINUTES OF THE ENVIRONMENTAL ADVISORY COMMITTEE MEETING – 21 JUNE 2001 - [00906]****WARD - All**

CJ010717_BRF.DOC:ITEM 7

SUMMARY

An informal meeting of the Environmental Advisory Committee was held on 21 June 2001. The minutes of the informal meeting are submitted for noting by Council.

BACKGROUND

The Environmental Advisory Committee meeting held on 21 June 2001 did not achieve a quorum. An informal meeting followed.

The Committee discussed items including;

- A discussion by Mr Peter Hoar, Co-ordinator Water Management & Environmental Services on the Waste Management Strategy.
- A report on the attendance by Committee member Mr Wake at the Shire of Mundaring Environmental Advisory Committee seminar.
- Tamala Park site visit.
- WA Energy Efficiency Awards 2001.

DETAILS

The minutes of the informal meeting of the Environmental Advisory Committee held on 21 June 2001 have been included as Attachment A.

Given that the meeting was an informal meeting, there were no recommendations to Council made by the Environmental Advisory Committee.

MOVED Cr Hollywood, SECONDED Cr Nixon that Council NOTES the unconfirmed minutes of the informal meeting of the Environmental Advisory Committee meeting held on 21 June 2001 forming Attachment 1 to Report CJ237-07/01.

The Motion was Put and

CARRIED

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf170701.pdf](#)

CJ238 - 07/01 MINUTES OF JOONDALUP YOUTH ADVISORY COUNCIL MEETINGS – JUNE 2001 - [45637]

WARD - All

CJ010717_BRF.DOC:ITEM 8

SUMMARY

Meetings of the Joondalup North and South Youth Advisory Councils were held on 18 and 20 June 2001. The unconfirmed minutes of these meetings are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the meeting of the Joondalup North Youth Advisory Council held on 18 June 2001 in Conference Room 2 are included as Attachment 1.

The unconfirmed minutes of the meeting of the Joondalup South Youth Advisory Council held on 20 June 2001 in Conference Room1 are included as Attachment 2.

No action is required from these minutes.

MOVED Cr Kadak, SECONDED Cr Baker that Council NOTES the unconfirmed minutes of the:

1 Joondalup North Youth Advisory Council meeting held on 18 June 2001 forming Attachment 1 to Report CJ238-07/01;

2 Joondalup South Youth Advisory Council meeting held on 20 June 2001 forming Attachment 2 to Report CJ238-07/01.

The Motion was Put and

CARRIED

Appendices 4(a) and 4(b) refer

*To access this attachment on electronic document, click here: [Attach4abrf170701.pdf](#)
[Attach4bbrf170701.pdf](#)*

CJ239 - 07/01 MINUTES JOONDALUP FESTIVAL AND SUMMER EVENTS COMMITTEE - [50027]

WARD - All

CJ010717_BRF.DOC:ITEM 9

SUMMARY

A meeting of the Joondalup Festival and Summer Events Committee was held on 4 July 2001 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the Joondalup Festival and Summer Events Committee meeting held on 4 July 2001 are included as Attachment 1.

MOVED Cr Kadak, SECONDED Cr Kimber that Council:

- 1 NOTES the unconfirmed minutes of the Joondalup Festival and Summer Events Committee meeting held on 4 July 2001 forming Attachment 1 to Report CJ239-07/01;**
- 2 SUPPLIES free candles and candleholders, displaying the City of Joondalup logo, to all community carol concerts held within the City in 2001.**

Discussion ensued, with Cr Hollywood querying the cost of supplying candles and candleholders.

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

“with the cost of the supply of candles not to exceed the contribution by the City of Joondalup to the cost of Carols by Candlelight in 2000.”

Discussion ensued.

The Amendment was Put and

CARRIED

The Original Motion, as amended, BEING:**That Council:**

- 1 **NOTES the unconfirmed minutes of the Joondalup Festival and Summer Events Committee meeting held on 4 July 2001 forming Attachment 1 to Report CJ239-07/01;**
- 2 **SUPPLIES free candles and candleholders, displaying the City of Joondalup logo, to all community carol concerts held within the City in 2001, with the cost of the supply of candles not to exceed the contribution by the City of Joondalup to the cost of Carols by Candlelight in 2000.**

Was Put and**CARRIED***Appendix 5 refers**To access this attachment on electronic document, click here: [Attach5brf170701.pdf](#)***CJ240 - 07/01 URBAN ANIMAL MANAGEMENT COMMITTEE - [50027]****WARD - All**

CJ010717_BRF.DOC:ITEM 10

SUMMARY

A meeting of the Urban Animal Management Committee was held on 25 June 2001 and the unconfirmed minutes are submitted for noting by Council.

The Committee has recommended to Council the following:

- 1 Approval on a trial basis for Mr Plummer to access the dog restricted area at Tom Simpson Park with his dog to collect rubbish for disposal;
- 2 Permanent opening of the foreshore dual use path to dogs on a lead;
- 3 The Horse exercise area, Hillarys animal exercise, area remain open but be reduced in size from 500 metres to 200 metres;
- 4 The Dog adventure playground at Granadilla park to not proceed; and
- 5 Extension of the term of the Committee to 2 May 2003.

BACKGROUND

At its meeting of Council held 19 December 2000, it was resolved to endorse the Urban Animal Action Plan. The Action Plan included community consultation on the trial opening of the foreshore dual use path to dogs on a lead, the proposed closing of the horse exercise area, Hillarys Animal Exercise Area, and the proposed development of a Dog Adventure Playground at Granadilla Park, Duncraig.

DETAILS

At the meeting of the Urban Animal Management Committee on 25 June 2001, the Committee resolved to recommend to Council the following:

- 1 To authorise Mr Plummer to take his dog onto the dog prohibited foreshore area of the City at Tom Simpson Park, Mullaloo while he collects rubbish solely for disposal on a trial basis subject to adherence to a number of guidelines;
- 2 To endorse the permanent opening of the foreshore dual use path through the reserves at Hillarys and Iluka/Burns Beach for use by dog owners to exercise their dog(s) on a lead by amending the City's Animal Local Law;
- 3 To reduce the horse exercise area at the Hillarys Animal Exercise area from 500m in length to 200m in length and extends the current dog exercise area from 500m to 700m;
- 4 To not proceed with the implementation of an adventure playground for dogs at Granadilla Park, Duncraig; and
- 5 To extend the term of the Urban Animal Management Committee until 2 May 2003.

Committee Term Extension

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

Access To Dog Restricted Areas On Foreshore Reserve To Collect Rubbish

The City received a request from a resident who regularly walks along the foreshore with his dog and frequently picks up rubbish. The resident, Mr Plummer is seeking permission from Council to be able to take his dog with him onto the dog prohibited area to pick up rubbish. Mr Plummer generally takes his dog with him when walking and is keen to collect rubbish to keep the foreshore clean but is currently unable to take his dog with him.

The Committee recognised the potential for an undesirable precedent to be set but wished to encourage residents such as Mr Plummer who pick up rubbish left behind by other persons. The Committee considered that permission should be granted on a trial basis to Mr Plummer to collect rubbish for disposal from the dog restricted area at Tom Simpson Park subject to the following guidelines:

- Permission to access the dog restricted areas of the foreshore at Tom Simpson Park is for a six month trial period solely for the purpose of collecting rubbish for disposal. The Committee will assess the outcome of the trial at the end of the period;
- That the time his dog is permitted to be in the dog restricted area is limited to times of the day when the area is not well used by the public as follows:
 - Summer, before 9.00am; and
 - Winter, before 10.00am and after 4.00pm.

- The dog must be on a lead at all times in the dog restricted area;
- One dog only will be permitted to enter the dog restricted area;
- Issue of appropriate identification and authorisation by the City which must be worn at all times when the dog is in a dog restricted area; and
- Access to environmentally sensitive areas of the foreshore or the beach, including the sand dunes, is not permitted.

Dog trial Foreshore Dual Use Path

The opening of the dual use path along the foreshore was done on a trial basis and involved community consultation and further evaluated as follows:

- Number of service requests for Rangers to attend to a dog matter on the foreshore dual use path
- Number of cautions and infringements issues in comparison to before the trial
- Estimate of number of dogs being walked along the path in comparison to before the trial
- Estimate of number of people without dogs walking along the path in comparison to before the trial
- Extent of dog excrement along the dual use path in comparison to before the trial
- Feedback from Rangers and other Council Officers who are working along the dual use path.
- Responses and comments in the Local Community Newspapers-Community Opinion

Community Consultation

There were 214 responses received in total, 213 from residents of the City and one from a person resident elsewhere regarding the trial opening of the foreshore dual use path. 174 persons were in favour of the path being opened and 40 were opposed. In summary, 81% of responses were in favour of continuing the use of the dual use path through the two reserves at Iluka/Burns Beach and at Hillarys.

There were 22 comments included in the responses for the continuation of the use of the Coastal Dual Use Path. The main comment (13 in total) was highlighting the danger of cyclists on the paths. Suggestions ranged from speed limits, education campaigns and time sharing the paths for different uses.

There were 12 comments against the continuation of the use of the Coastal Dual Use Path. The main comments were in relation to concerns regarding dog faeces and dogs being off a lead and not being controlled by their owners.

A breakdown of the number of submissions per suburb showed that 49% of the submissions originated from Hillarys, Kallaroo, Mullaloo and Ocean Reef. These are all coastal suburbs with easy access to the foreshore dual use path.

Other Evaluation Criteria

- *Number of service requests for Rangers to attend to a dog matter on the foreshore dual use path*

Before the Trial

23

(4 pathway, 19 various beaches)

During the trial

13

(5 pathway, 8 various beaches)

- *Number of cautions and infringements issued in comparison to before the trial*

<u>Before the Trial</u>	<u>During the trial (no infringements)</u>
17 written cautions	30 written cautions
6 infringements	27 verbal cautions

- *Estimate of number of dogs being walked along the path in comparison to before the trial.*
Feedback from Rangers indicates that the number of people with dogs using the pathway has increased significantly.
- *Estimate of number of people without dogs walking along the path in comparison to before the trial.*

Feedback from Rangers indicates that there does not seem to be a great change in the numbers of walkers without dogs using the pathways.

- *Extent of dog excrement along the dual use path in comparison to before the trial.*

Feedback from Rangers and other Council staff indicates that there has not been an increase in dog excrement along the pathway. The area at Iluka/Burns Beach has been well used by dog owners and there has been very little excrement on the path or in the reserve. There has been no change along the pathway at the Animal Beach (not the reserve at Hillarys) in regards to dog excrement. This has been, and continues to be, a poorly treated area by dog owners.

There has been a number of reports alleging a significant increase in dog faeces along the path. These reports were all investigated and were unable to be substantiated.

- *Feedback from Rangers and other Council Officers who are working along the dual use path.*

In general, dog owners have been acting responsibly in using the coastal dual use path. There is concern however at the dog beach from the dog excrement and areas of coastal road reserve where some dog owners are releasing their dogs to exercise in the bushland.

- *Responses and comments in the Local Community Newspapers-Community Opinion*

12 Comments supporting the trial
1 Comment opposing the trial

Horse Exercise Area, Hillarys Animal Exercise Area

There were 609 responses to this matter including 3 petitions with a total of 318 signatures. Not all respondents addressed all the issues raised in relation to the Animal Beach, consequently the total responses for each issue discussed varies. The location of where the people who signed the petitions lived was also not disclosed. There were 431 people wanting the horse exercise area kept open and 55 persons who wanted it closed. City of Joondalup residents made 182 submissions and 108 submissions were received from people resident outside the City. There were also 114 persons who wanted to extend the dog exercise area and 9 who opposed any extension.

In summary, 89% of responses indicated that they did not want the closure of the horse beach to occur. 22% of these responses were from non-residents of the City. The major arguments for keeping the horse beach open included the following:

- There are only two beaches in the metropolitan area open for horse use, with Hillarys the only beach north of the river. It was considered that the City has a responsibility to the wider community from outside the area as many of these people make use of the City's facilities;
- The beach helps horse owners to exercise horses through swimming, treat injuries and dehydration, cool horses in hot weather and provide a change of environment;
- Dog owners have a wide range of options for exercising their pets while horse owners do not; and
- Horse owners using the beach support local businesses and provide an attraction to the animal beach.

In regard to extending the dog beach, 93% of the submissions were in favour of its extension. However 52% of people indicated that they did not want the horse beach closed to facilitate the extension or did not comment on the proposed closure of the horse beach.

There were 6 responses received in relation to a request for information on specific use of the horse beach. These responses are detailed below:

- 1 3 to 4 times a week;
- 2 Twice every day, finishing about noon;
- 3 Tues/Thursday 6.30-7.45am and weekends 6.30-9.30am;
- 4 (Winter up to 9.30-10.30am);
- 5 Weekends and After Work;
- 6 Two to three times a week (Thurs, Sat, Sun) 6.30-8.30am; and
- 7 Members of WA Standard Bred Breeders Association use 7 days a week.

Dog Adventure Playground, Granadilla Park

There were 220 responses to the proposed Adventure Playground for dogs at Granadilla Park. Of these 219 were from residents of the City. In summary, 54% of respondents supported the concept of the adventure playground for dogs. Of those who supported the Adventure Playground, 17 responses were received by Duncraig residents and 101 from people resident elsewhere.

Of those persons who opposed the adventure playground, 88 were responses received from Duncraig residents and 14 from people resident elsewhere. 84% of Duncraig residents who responded opposed the development of an Adventure Playground for Dogs, especially at the proposed location of Granadilla Park

Most of the comments received opposing the development of the adventure playground involved the location of Granadilla Park, Duncraig. The suitability of the park was questioned with many statements describing the park as being a well used family and children's area. Some respondents questioned the need for an adventure playground to be located in Duncraig when there was a similar type of facility located in Carine Open Space, which is the adjacent suburb in the City of Stirling.

Concerns were also raised regarding the safety of children with the potential influx of dogs and vehicle traffic. A number of respondents indicated that there are already ongoing problems with dogs, and their owners that were currently using the park. The flat area in the park identified as the potential site of the adventure playground was highlighted as an area used by families and children for recreational activities.

Some respondents also considered that there were better uses of the available funds such as upgrading facilities for children and youth in the area.

Respondents also identified a number of alternative locations for the proposed Adventure Playground. Suggestions included a more central or northern location while other submissions stated specific areas as follows:

- Carine Open Space (City of Stirling)
- Percy Doyle (Prohibited Area for Dogs under the Local Laws)
- Hillarys Dog Beach
- McDonald Park, Hillarys
- Park in Currabine boarded by Christchurch Tce and Broadmoor Garden

COMMENT/FUNDING

The community consultation processes for these issues involved the following actions:

- a one page advert in the Community Newspaper conducted from the 15 February 2001 to 15 March;
- Letters to Hillarys residents adjacent to Pinnaroo Point;
- Letters to horse owners within the City of Joondalup, horse groups and association throughout Western Australia; and
- Letters to Duncraig residents surrounding Granadilla Park.

The official closing date for the consultations was 22 March 2001. This was extended to 29 March 2001 due to the interest generated in these matters and the number of associations requiring further time to meet and submit their replies, in particular for the review of the animal exercise area at Pinnaroo Point and other submissions received after the closing date.

The community consultation indicates the following:

- The foreshore dual use path should be opened permanently to dogs on leads;
- The Horse Exercise Area should remain a designated area for horses; and
- An Adventure Playground for dogs should not be constructed at Granadilla Park, Duncraig, but that there should be a facility developed somewhere in the City.

Coastal Dual Use Path

The pathways through these reserves have been well used by dog owners acting responsibly. There has been concern expressed regarding the area at Hillarys Animal exercise area and some of the road reserves along the coast. There has been continuing problems at the animal exercise area (before and during the trial) with dog faeces on the pathway and used dog faeces bags being thrown into the surrounding reserve bushland. In some of the road reserve bushland, dog owners have been allowing their pets to exercise freely through these areas, causing environmental damage.

If the foreshore dual use path through the reserves is opened on a permanent basis, then the City will need to regularly reinforce that dogs must be kept on a lead at all times and not allowed off the pathway, as well as dog owners cleaning up after their dog(s). This may be achieved through extra signage, additional Ranger patrols and continued education regarding responsible dog ownership.

There is an additional cost with the supply and servicing of extra dog bags "pooch pouches" and bins along the foreshore dual use path. This is estimated to be approximately \$2,460 per year (\$205 per month) for the additional bags, bins and servicing. Funds for this purpose have been included in the draft 2001/02 budget.

If the foreshore dual use path remains open along its full length then, this will require amending the City's Animal Local Law to change the prohibited Dog Exercise areas. This process is the same for amending a local law as for making a new local law. That process is outlined in Section 3(12) of the Local Government Act 1995. The time frame for amending the Animals Local Law would take at least three months.

Animal Beach at Pinnaroo Point, Hillarys

A large number of submissions indicated that they would like the dog exercise area at the beach to be extended but over half of these responses did not want the horse area closed to make room. A number of comments requested an extension to the south or an additional dog beach in another area.

It is considered that, based on the information received, the horse exercise area should remain open and that the dog exercise area should be extended. Feedback from horse owners suggests the primary reason to visit the beach is to exercise the horses in the water. The animal exercise area at Hillarys is 1km in length, and is divided equally between horses and dogs. It is therefore proposed that the horse exercise area is reduced to 200m and extend the dog beach by 200m. This will allow a 100m buffer between horses and dogs.

It is proposed that, in conjunction with the coastal foreshore study currently being developed, the potential for an area along the beach to be designated for small dogs only be examined. In conjunction with this, Ranger Services will evaluate an appropriate definition of a small dog.

Adventure Playground for Dogs at Granadilla Park, Duncraig

It is considered that while residents near Granadilla Park do not support the development of an Adventure Playground at the park there is support from the broader community for the development of a facility in the City. It is proposed that the City should not proceed with the development of an Adventure Playground for dogs at Granadilla Park and continues to investigate alternative suitable locations.

OFFICER'S RECOMMENDATION: That Council:

- 1 **NOTES** the unconfirmed minutes of the Urban Animal Management Committee held 30 June 2001 forming Attachment 1 to Report CJ240-07/01;

- 2 AUTHORISES Mr Plummer to take his dog onto the dog prohibited foreshore area of the City at Tom Simpson Park, Mullaloo while he collects rubbish on a trial basis subject to the following guidelines:
- (a) permission to access the dog restricted areas of the foreshore at Tom Simpson Park is for a six month trial period solely for the purpose of collecting rubbish for disposal. The Committee will assess the outcome of the trial at the end of the period;
 - (b) that the time his dog is permitted to be in the dog restricted area is limited to times of the day when the area is not well used by the public as follows:
 - (i) Summer, before 9.00am
 - (ii) Winter, before 10.00am and after 4.00pm
 - (c) the dog must be on a lead at all times in the dog restricted area;
 - (d) one dog only will be permitted to enter the dog restricted area;
 - (e) issue of appropriate identification and authorisation by the City which must be worn at all times when the dog is in a dog restricted area;
 - (f) access to environmentally sensitive areas of the foreshore or the beach, including the sand dunes, is not permitted;
- 3 NOTES that a further report will be submitted on completion of the trial;
- 4 ENDORSES the permanent opening of the foreshore dual use path through the reserves at Hillarys and Iluka/Burns Beach for use by dog owners to exercise their dog(s) on a lead and REDUCES the horse exercise area at the Hillarys Animal Exercise area from 500m in length to 200m in length and extends the current dog exercise area from 500m to 700m subject to a further report to Council detailing the proposed amendment to the City's Animal Local Law;
- 5 NOTES that while the local law is being amended, the current status quo, where dogs on leads are permitted on all sections of the foreshore dual use path will continue;
- 6 NOTES that, in conjunction with the coastal foreshore study currently being developed the potential for an area along the beach to be designated for small dogs only will be examined and that an appropriate definition of a small dog to use such an area is developed;
- 7 DOES NOT proceed with the implementation of an adventure playground for dogs at Granadilla Park, Duncraig;
- 8 NOTES that further investigations of a suitable site to develop an Adventure Playground for dogs will continue;

- 9 BY AN ABSOLUTE MAJORITY EXTENDS the term of the Urban Animal Management Committee until 2 May 2003 and retains the current membership.

MOVED Cr Mackintosh, SECONDED Cr Hollywood that Council:

- 1 **NOTES** the unconfirmed minutes of the Urban Animal Management Committee held 30 June 2001 forming Attachment 1 to Report CJ240-07/01;
- 2 **AUTHORISES** Mr Plummer to take his dog onto the dog prohibited foreshore area of the City at Tom Simpson Park, Mullaloo while he collects rubbish on a trial basis subject to the following guidelines:
- (a) permission to access the dog restricted areas of the foreshore at Tom Simpson Park is for a six month trial period solely for the purpose of collecting rubbish for disposal. The Committee will assess the outcome of the trial at the end of the period;
 - (b) that the time his dog is permitted to be in the dog restricted area is limited to times of the day when the area is not well used by the public as follows:
 - (i) Summer, before 9.00am
 - (ii) Winter, before 10.00am and after 4.00pm
 - (c) the dog must be on a lead at all times in the dog restricted area;
 - (d) one dog only will be permitted to enter the dog restricted area;
 - (e) issue of appropriate identification and authorisation by the City which must be worn at all times when the dog is in a dog restricted area;
 - (f) access to environmentally sensitive areas of the foreshore or the beach, including the sand dunes, is not permitted;
- 3 **NOTES** that a further report will be submitted on completion of the trial;
- 4 **ENDORSES** the permanent opening of the foreshore dual use path through the reserves at Hillarys and Iluka/Burns Beach for use by dog owners to exercise their dog(s) on a lead and **REDUCES** the horse exercise area at the Hillarys Animal Exercise area from 500m in length to 200m in length and extends the current dog exercise area from 500m to 700m subject to a further report to Council detailing the proposed amendment to the City's Animal Local Law;
- 5 **NOTES** that while the local law is being amended, the current status quo, where dogs on leads are permitted on all sections of the foreshore dual use path will continue;
- 6 **NOTES** that, in conjunction with the coastal foreshore study currently being developed the potential for an area along the beach to be designated for small dogs only will be examined and that an appropriate definition of a small dog to use such an area is developed;

- 7 **DOES NOT** proceed with the implementation of an adventure playground for dogs at Granadilla Park, Duncraig;
- 8 **NOTES** that further investigations of a suitable site to develop an Adventure Playground for dogs will continue;
- 9 **EXTENDS** the term of the Urban Animal Management Committee until 2 May 2003 and retains the current membership;
- 10 **as a matter of Interim Policy, and until such time as a decision is made on the outcome of the six (6) months trial period, the City NOT ENFORCE** the provisions of the City of Joondalup Animal Local Law 1999 relating to Mr Plummer taking his dog onto the prohibited foreshore area of the City at Tom Simpson Park, Mullaloo.

Discussion ensued.

During discussion, Cr Kenworthy left the Chamber at 1954 hrs and returned at 1955 hrs.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf170701.pdf](#)

CJ241 - 07/01 REWARD AND RECOGNITION - FRAMEWORK -- [19983]

WARD - All

CJ010717_GRN.DOC:ITEM 5

SUMMARY

This report provides the outcome of preliminary work conducted for the development of a Rewards and Recognition Scheme for the staff of the City. The proposed framework offers a new approach to remuneration designed to:

- enhance accountability for performance,
- enhance motivation of staff to increase focus on results, and
- to encourage valuable staff to remain with the City of Joondalup, and thereby reduce the high staff turnover levels currently experienced.

The framework proposed offers an alternative approach to annual remuneration increases. It also provides staff with the opportunity of conducting business in a more productive and efficient manner.

The Enterprise Agreement ceased on the 19 May 2001 and it is timely to introduce a new way of rewarding staff. This proposal highlights the need to reward staff for higher than expected levels of performance and to maintain industrial harmony.

The Reward and Recognition scheme is just one element of the total range of salary and conditions the City remits to staff. In terms of other comparable Councils the City of Joondalup is competitive with these Councils and sits in mid-range. To maintain the City's competitiveness and retain valued staff members this Reward and Recognition scheme is a positive and innovative way of providing increases to staff for their outcomes and should ultimately contribute to organisation-wide cost savings over time.

BACKGROUND

A Steering Group was established in February 2001 to formulate the principles and overview the design process for the proposed Rewards and Recognition Scheme. The Steering Group participated in a Framing Workshop with the Directors and Business Unit Managers to agree a direction and the following statement of opportunity was agreed:

To design and implement a rewards and recognition scheme, which motivates staff to achieve high levels of performance, and provides a platform to set the scene for the City to become the "employer of choice".

Based on a report developed by RCS Performance Consulting (specialists in Performance Management and remuneration systems) and discussions with the Steering Group and management teams, an initial framework was developed. The rationale for the system was based on the following arguments:

1. The City is currently experiencing approximately 15% staff turnover per year with anticipated recruitment costs of \$196,000 per year. A system is required which can help retain valuable staff;
2. Current approaches to salary increases offer percentage pay increases for all staff with no expectations of enhanced employee performance;
3. The current system does not enable management to recognise excellence in contributions made by individuals or teams to the City;
4. The incremental system offers no opportunities for reward for individuals at the ceiling of a particular pay band;

The Steering Group identified the following potential benefits from the system:

- **Greater alignment** of employees with the City's Strategic Plan, Mission and objectives
- **Retention and attraction** of suitably qualified, committed and productive employees

- ❑ **Motivation** and enhanced job satisfaction
- ❑ **Enhanced commitment** to delivering high levels of customer service, innovation and quality work
- ❑ **Greater accountability** (ownership) for actions and results delivered
- ❑ **Reduction in risk of industrial dispute** in respect of growing employee expectations of rewards for increased quality of work
- ❑ **Potential to develop the capabilities** of City employees and enrich their work life and abilities to contribute to the City
- ❑ **Anticipated long-term cost improvements** in terms of retention and recruitment of employees

The Human Resource Services Unit researched alternatives open to the City in respect of remuneration policy. Some of WA Local Governments' current reward schemes were examined. These included the Melville, Cambridge, Cockburn and Nedlands models. The Unit was able to draw from its experience and develop this model which is being proposed.

In terms of innovative remuneration policies for the City three options were considered:

- a. Maintain the Status Quo
- b. Base salary increase on a range of market indices, or
- c. Develop a rewards and recognition system.

The relative merits of each approach are discussed briefly below.

Option 1 - Maintain the Status Quo (Continue EBA as in previous years)		Option 2 –Remuneration increases on the basis of Market Indices		Option 3 - Rewards and recognition (as proposed)	
For	Against	For	Against	For	Against
<ul style="list-style-type: none"> ❑ Minimal disruption to City's management systems ❑ Decisions making limited to actual percentages to be awarded year on year. 	<ul style="list-style-type: none"> ❑ No improvement required of employees in serviced delivery or other areas of performance. ❑ No opportunity to reward and recognise contributions of individuals and teams. 	<ul style="list-style-type: none"> ❑ Minimal disruption to City's management systems ❑ Decisions making limited to actual percentages to be awarded year on year. ❑ City can refer decisions to external expertise 	<ul style="list-style-type: none"> ❑ Sets precedent for market based salary increases - may be risky for City ❑ No improvement required of employees in service delivery or other areas of performance. ❑ No opportunity to reward and recognise contributions of individuals and teams. 	<ul style="list-style-type: none"> ❑ Focuses employees on improving performance of services and individual contributions ❑ Increases employee accountability ❑ Increases motivation ❑ Enhances transparency of City performance (improved governance) ❑ Contributes to enhanced focus on cost reduction ❑ Relatively easy to set up in first instance 	<ul style="list-style-type: none"> ❑ Requires resources in terms of management time ❑ Requires good systems for data capture and management

Market rates for Pay Increases

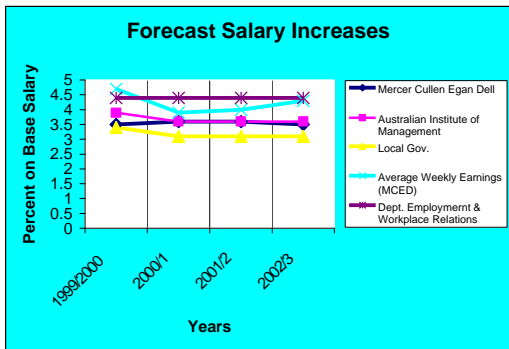
To market test salary increases, initial research compared four indices of pay increase forecasts:

- Mercer Cullen Egan and Dell - Public sector forecasts;
- Mercer Cullen Egan and Dell - Average weekly wage forecasts;
- Australian Institute of Management - Local government forecasts;
- Department of Employment and workplace relations forecasts;

While this proposal discusses various options in how to achieve an increase it does not indicate the preferred model to determine the actual increase in salary. It is reasonable to determine a reward and recognition scheme based on market trends. This is one of the parameters that needs to be negotiated with the staff. One of the other alternatives is tying the increases to the consumer price index (CPI). However, the CPI does not keep up with changes in the market place, loses competitive ground, and in particular it does not reflect the movements in individual market areas. Examples include the fluctuation in the IT and Planning Sectors

To provide the Council with relevant information and possible outcomes the market trends and forecasts are illustrated overleaf.

DETAILS



If the City were to adopt this approach the average market trend would translate into an increase of 3.8% for the 2001/2002 period. The example in this paper illustrates what the Council would be liable for with a 3% salary increase for staff covered under the umbrella agreement.

The current approach to remuneration increases is primarily based on negotiations conducted in the Enterprise Agreement process through which increases are agreed between employee representatives and the City. Additionally, employees receive increments until a ceiling is reached. Although a performance development review is required to qualify for the increment now the process still has no link between actual performance and the increment.

The City has a number of performance indicators, which are reported on regularly. These performance indicators cover a range of areas of City Performance and are linked to the strategic management framework within the City. The City does not have an effective rewards and recognition system for the management of Business Unit, Team or individual employee performance, and does not make any links between excellence in performance and financial and other rewards.

AGREEMENT

On balance and keeping in mind that the issue of rewards and recognition is a new concept that will take some time to be fully operational and working, it is suggested that an agreement be negotiated with the staff to reflect this concept.

The proposed scheme would comprise two linked components phased in over a two-year period.

These include:

1. A **City Rewards and Recognition scheme** based on development of City Performance indicators, aligned business unit indicators, and linked rewards for achievement of performance goals and targets (for example customer service-“mystery shops”, financial management, response to correspondence);
2. A **Merit-based Individual Rewards scheme** would replace the existing incremental system and would provide for reward and recognition for individual contribution to the City’s goals and performance targets (agreed indicators to be set).

The framework under proposal provides for a two-year sequenced introduction of systems for both incentives and management of performance. This "phased" approach will enable the City to develop awareness and commitment to the rewards and recognition system, while placing demands on administrative systems in the first year of deployment. A "phased" approach allows time to acquire the skills, knowledge and experience necessary to successfully roll out a more comprehensive performance system in the second year of implementation. Additionally, by sequencing the implementation of the system over a two-year period, the City can modify, evaluate, re-define and adapt the system as circumstances require.

COMMENT

Rewards and Recognition Scheme Overview

Framework Outlined

It is proposed that there will be three categories of Performance Measurement to give a collective score to the individual employee as a percentage reward of market movement in that category. The indicators are subject to development and negotiation.

1.	Corporate Indicators There may be 3 indicators such as:	%
	<ul style="list-style-type: none"> • Customer Service • Financial Management • Etc. 	
2.	Business Unit Indicators	%
	<ul style="list-style-type: none"> • Indicators established that relate to the Business Unit's function 	
3.	Individual Indicators	%
	<ul style="list-style-type: none"> • Indicators will be developed relating to the individual's responsibility and function 	
	Total	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> %

This framework and system requires the structuring of an agreement with the City to support delivery on City Performance targets. Key features of the system include:

- Identified and agreed performance indicators for the City;
- Identified and agreed performance indicators for each team;
- Agreed performance targets for each of the performance measures, reports of achievement of which are reviewed and reported to the workforce quarterly;
- A quarterly review process with formal reports of team performance provided for all employees;
- Scaled performance incentives based on achievement of the performance targets set for each measure;
- Weighting of measures to reflect the relative importance of each to the City;
- Scaling of rewards based on probability of achievement;
- Variable team-based rewards across the organisation;
- Each employee will receive a combination of corporate level and team level rewards based on performance achieved in each;
- Capping of potential rewards based on budget allocation.

Budget Determination and Allocation

It is proposed that Budget allocation for the phase of the program (year 2001/2) should reflect market and cost of living indices and be limited to the percentage increases in remuneration proposed in the 2001/2 budget statements. The apportioning of the percentage amounts to rewards and recognition remuneration would be determined through negotiations. It is anticipated that in the first year of operation the system would not allocate a significant component of the overall allocated budget to differential rewards for teams and employees, and would offer a gradual approach over time to differential rewards.

In subsequent years of deployment, the scheme will provide greater potential for differentiated rewards based on performance. When fully deployed, employees will have the potential to earn an increase of between (proposed) 1.5% and 7.5% of their base salary in a given year.

The actual figures will be negotiated with key stakeholders during the process of negotiations and with the Executive Management team.

Remuneration Policy

The form of reward proposed is based on a percentage of base pay and would not include overtime payment. Performance-linked rewards would be awarded at year-end following compilation and review of performance results. (i.e. first quarter 2002)

Assessing Performance

Performance would be assessed using quantitative measures of performance, and moderated by a team comprising management and employee representatives. Where appropriate, external-benchmarking services will be used for referencing results.

Recording Performance

Performance will be recorded monthly and quarterly, and will be reported to all staff of the organisation on a quarterly basis. Performance will be recorded by each Business Unit as appropriate, and centrally maintained by the Human Resources Unit who will also be jointly responsible for the administration and moderation of the system. Council will receive regular reports on the progress.

Training and Development Requirements

Training and Development required to administer this system is limited to the development of the City's Indicators, the Business Unit and other team indicators, and training of those involved in recording and assessing performance in management of the system. Briefing sessions will need to be conducted with all staff in the organisation.

Information and Administration Requirements

Information requirements for this system will require development or purchase of the database (Excel or Access-based or proprietary) for recording of indicator data. The database would be used to generate reports and provide communication to all employees and concerned stakeholders on the levels of performance of their team and that of the City.

The database would be updated monthly and quarterly and would be aligned to support benchmarking initiatives currently being undertaken. Data integrity and security of information management would be assured by a procedural document and recording protocols. Communication of performance results would be made to all employees on a quarterly basis.

The system would be administered from within the Human Resources Unit, with performance reports being developed within each team and business unit. The estimated total man-hours required for administration of the extended system from within Human Resources would amount to approximately 0.5% of an FTE. Funds will need to be allocated to provide this resource

Individual Merit-based Performance Incentive Scheme System Overview

The merit-based system provides for individual rewards and recognition for contribution to team and City performance targets. It is proposed that this scheme would replace the existing incremental progression system.

This system will be incorporated into the Annual Performance and Development Review process for each individual employee. However, the review cycle for all employees will no longer be based on anniversary of employment dates; rather the review cycle will be aligned with the business planning and Goalsharing performance review cycles.

Key features of the proposed system include:

- Identified and agreed future annual measurable performance indicators for each employee based on Business Unit objectives which are aligned to the overall achievement of the City of Joondalup's Strategic Plan; (this could be limited to three in the first instance).
- The measurable performance indicators set for the forthcoming year are incorporated in the employee's Annual Performance and Development Review. These performance indicators will be assessed throughout the year and evaluated at the employee's next Annual Performance and Development Review date;
- The current Annual Performance and Development Review form will be redesigned to ensure it acts as an accurate measurement tool for Management, to determine if the employee is entitled to an individual reward, which is based on the employee's work standards and results measured against their set performance indicators;
- Subjectivity is reduced as a result of this system, as strict guidelines are developed within the Annual Performance and Development Review process to ensure Management carry out a fair and equitable review for employees. An appeal mechanism will be set up with an independent chairman to oversee any disputes that may arise as a result of the PDR process.

Budget Determination and Allocation

The budget allocation would be established using the existing incremental budget, although additional funding may be allocated as considered necessary. Employees will receive differentiated rewards on the basis of individual contribution and achievement of results. This reward would not be payable until the end of the year 2002/3. The actual range of rewards will be determined as a result of the negotiations with staff and relevant unions following the approval by Council.

Remuneration Policy

The form of reward proposed is based on a percentage-based reward scale.

FUNDING

The costs associated with the scheme depend on the amount of increase the Council is prepared to remunerate over the period of the agreement. If we were to assume a 3% increase then the following implications would be realistic.

Cost Item	2001/2	2002/3	2003/4
Prior Commitment	1% - \$157,980		
Goalsharing Reward Budget (payroll percent)	\$315,960 (2%)	Ⓢ\$488,158 (3%)	\$ 507,683
Individual Rewards Budget (Payroll percent)		Ⓢ\$ 162,719 (1% payroll)	\$169,227
Increment Costs	\$177,516		
Training Costs	\$ 15,000	\$15,000	
Development Costs	\$ 30,000	\$20,000	
System Management Costs	\$ 50,000	\$50,000	\$50,000
Info. Systems costs	\$ 30,000		
Total	\$ 776,456	\$735,877	\$ 726,910

Ⓢ In Year 2, the payout for the City would be set at 3% Ⓢ The individual reward system replaces the increment system (costing approx. \$150,000 p.a.).

You will note that the incremental increase components are phased out in the second year. That change will need to be the subject of discussions with the relevant union and rewards available to staff in its place.

Training costs in the first year will be kept to a minimum with development costs being used to roll out the system to all staff.

The systems management costs have been identified to engage the assistance of another staff person to assist in the project. The amount of resources that is being suggested for the implementation have been kept as low as possible. The Information system is the application necessary to maintain and gather data to provide reports and information to the Council and the Executive Management.

Performance Scale and associated percentage pay increases.

Performance Rating				
Outstanding	Commendable	Acceptable	Improvement Required	Unsatisfactory
2.0%	1.5%	1.0%	0.75%	0%

The distribution of rewards would be analysed to ensure an appropriate and fair distribution (as per a normal distribution curve across the whole organisation). Where negative skews are found in specific teams or business units, results would be analysed and moderated to ensure accurate reflection of performance is achieved and recorded equitably across all business units.

Assessing Performance

Individual Performance will be assessed on an annual basis, through the Annual Performance and Development Review process. This process will comprise a number of meetings between staff members and their managers or supervisors. The focus of the initial planning meetings is to:

- Set objectives and individual performance targets
- Locate potential sources of data
- Set development plans (based on competency assessments), and
- Agree review responsibilities and schedules

Assessment of performance would be conducted through a process of meetings between staff and managers/supervisors with both parties being responsible for compilation and interpretation of performance results. Informal performance reviews will be held on a half yearly basis, with a formal Annual Performance review held for each employee towards the end of the financial year/planning cycle. Conducting six monthly reviews will allow for any performance issues to be discussed between the Business Unit Manager/supervisor and the individual employee and will provide the employee with the opportunity to take appropriate action to improve their performance in the relevant areas.

In order for the system to be successful, organisation wide standards/criteria will be set which clearly define what employees need to do to achieve certain ratings. It is proposed that three indicators are agreed to in the first year and negotiated thereafter on an annual basis. This would minimise subjectivity thereby alleviating bias and creating a fair and equitable system for the City of Joondalup and its employees.

Recording Performance

Annual Performance Reviews will be recorded by each business unit as appropriate, and centrally maintained by the Human Resources Unit. Any rewards, which are to be paid to individuals, will be processed through Payroll Services on authorisation from Human Resources.

Training and Development Requirements

Training and Development required to administer this system includes substantial training for Management in the following:

- How to set measurable objectives for their employees.
- How to determine appropriate measures.
- How to competently complete the Annual Performance and Development Review
- Understand the performance management process.

A consultant would be engaged to assist in the training and development with Management.

Education forums would be implemented to all employees to provide them with a sound understanding of how the system operates.

Information and Administration Requirements

As the Human Resource Services Unit is maintaining the performance review system, a fully trained member of the unit will be responsible for monitoring all reviews. This staff member will ensure that the Business Unit has accurately conducted the review and the outcomes have been correctly measured. On completion of the thorough check by Human Resource Services, Payroll Services will be notified and the reward will be awarded to the employee.

It is anticipated that the current Human Resources Management system will require upgrading to accommodate detailed records of employee performance. In the first instance, it will be possible to utilise a manual system of recording of performance achievements.

INTEGRATION INTO AN AGREEMENT

The objects of negotiation are to put in place a framework to provide both the City and the staff an opportunity for salary increases commensurate with their performance.

The current enterprise agreement had a nominal expiry date of 19th May 2001. In view of this date and growing expectation of the staff it is suggested that negotiations including the consultation of the rewards and recognition scheme be initiated immediately. It is reasonable to expect that the conclusion of these negotiations will be finalised some time in August and commence the new rewards package as soon as possible.

The principle components for negotiation

The principle components of the negotiations would be (1) the proposed framework for performance based remuneration, and (2) the replacing of the incremental system.

Principles of negotiation

It is proposed an approach to negotiations which will provide an outcome that delivers to employees the potential for significantly increased individual pay increases. This proposed framework would be at no additional cost to the City and the community that historically experienced in annual pay rises.

SUMMARY

On balance the rewards and recognition scheme is an innovative way of maintaining a customer-service and efficiency oriented staff. It will reward staff who perform above expectation and provide opportunities for staff to gain greater job satisfaction.

The system under development in this framework represents a significant development in people management in the City. It offers the City management (and Council) an opportunity to build a link between City goals and execution of strategy and offers employees the opportunity to be rewarded as individuals and as teams for their contributions and their achievements.

MOVED Cr Kimber, SECONDED Cr Nixon that Council:

- 1 AGREES IN PRINCIPLE to the establishment of a Rewards and Recognition scheme as described in this report;**
- 2 NOTES that a further report will be presented to Council following negotiations with staff and representative bodies.**

Discussion ensued with a number of questions being asked of Manager, Human Resources regarding implementation of this Scheme.

Cr O'Brien queried the incorporation of CPI components within the proposed Scheme.

Cr Patterson foreshadowed the following Motion, should the Motion under consideration not succeed, being:

"That the matter pertaining to the implementation of a Rewards and Recognition Scheme be referred to the Audit Committee for consideration with a further recommendation being submitted to Council in due course."

The Motion was Put and

CARRIED

**CJ242 - 07/01 TENDER EVALUATION PROCESS - PROVISION OF
COMMUNITY SECURITY PATROL SERVICES -
[39870]**

WARD - All

CJ010717_BRF.DOC:ITEM 11

SUMMARY

Council at the meeting of 12 June 2001 considered a report on the City Watch Service continuation options (Report CJ174-06/01 refers), and authorised that tenders be called for the provision of Security Patrol Services for the City of Joondalup and that the "in-house" team be invited to apply. The tender will be a performance based contract for the provision of the service.

This report outlines the proposed arrangements relating to managing the tender process and the composition and role of the Tender Evaluation Panel. The report also details the commitment required of the Tender Evaluation Panel.

The City will follow its well-established framework and procedures for the calling and evaluation of tenders for the provision of Community Security Patrol Services. As the "in-house" team will be a prospective tenderer clear demarcations and probity are proposed for the process.

This report recommends that Council notes the Tender evaluation process and timetable; and nominates two (2) Councillors to the Tender Evaluation Panel.

BACKGROUND

In December 2000, Tender 018/00-01 (Provision of Security Patrol Services) was awarded to Chubb Protective Services for an initial period up to 30 June 2001. Discussions were held with Chubb Protective Services in regard to a possible extension of the contract. Variations requested by Chubb were considered to be major variations of the tender price, and therefore the calling for fresh tenders for the provision of Security Patrol Services was recommended. Council further agreed to the extension of the Chubb contract on a month by month basis pending the outcome of the tender process.

Council at the meeting of 12 June 2001 considered a report on the City Watch Service continuation options (Report CJ174-06/01 refers), and authorised the calling of tenders for the provision of Security Patrol Services for the City of Joondalup and that the “in-house” team be invited to apply.

The City has a well-established framework and supporting procedures for the calling and evaluation of tenders.

There is no variation to this process in relation to the provision of security and patrols services (City Watch) tender apart from the need to provide a mechanism to ensure probity and separation of functions during the “in-house” tender submission preparation. A clear demarcation and confidentiality must exist between the Strategic Planning Unit preparing the tender, and the “in-house” City Watch team during the tender process.

DETAILS

The City’s Contract Management framework and associated procedure for calling of public tenders and the subsequent tender evaluation process will be followed for this tender process. As part of this process the City follows the Code of Tendering AS 4120.

Under the City’s Contract Management framework the Tender Evaluation Panel considers the scope of the service provision, determines and agrees on the selection criteria and appropriate weightings to be used to assess the tenders.

The Manager Contract Management is responsible for:

- Preparing the tender documents;
- calling and registration of tenders;
- distribution of tender documents to the Tender Evaluation Panel;
- facilitating and monitoring the tender evaluation process and contract negotiation; and
- statutory compliance.

Tender Evaluation Panel

There are a number of options available to the City to appoint a tender evaluation panel including:

1. Appoint an independent consultants to conduct the tender evaluation and preparation of a report to Council;
2. Appoint City officers and an independent consultant. The Panel to include Executive Manager Strategic Planning, Manager Organisation and Strategic Development, Director Resource Management, and Manager Contract Management and an independent consultant. The independent consultant would provide expert advise for consideration by the Panel; or,
3. Appoint City Officers, two Councillors and an independent consultant. The City membership and independent consultant to be the same as Option 2.

It is considered inappropriate for the Director of Community Development to be part of the evaluation panel, as this position would be submitting the “in-house” tender on behalf of the City Watch team.

The appointment of an independent panel or firm is not favoured. Although it would provide the probity required there would be inherent difficulties whereby the panel or firm in selecting the tenderer would have no responsibility in ensuring the provision of service would be achieved. Even if the panel or firm was thoroughly briefed they may not fully understand and appreciate the type of service required by Council. In addition, the cost of such a panel or firm may require a tender itself which would delay the process.

Options 2 or 3 are considered the most suitable in respect that they both provide a degree of independent advice and knowledge to the process and also that the panel would be thoroughly familiar with the requirements of the provision of service being sought by the tender. The inclusion of Councillors on the panel is considered appropriate to represent the community's views and expectations throughout the evaluation and selection process. A request recently received from Councillor P Kimber asked for a minimum of two elected members to be included in the tender evaluation panel.

The issue of deputies being nominated for the Councillor members was raised at the Council briefing session on 17 July 2001. To ensure the effectiveness of the tender evaluation process continuity of members is vital during the deliberations of the panel's assessment process. Continuity is also an important factor from a probity viewpoint, and time and commitment is a requirement of the evaluation process. It is recommended that two Councillors be nominated as full participants of the panel for the evaluation process rather than have Councillors and deputies nominated. In this way each member is included in the deliberations of the panel.

It is therefore recommended that Option 3 be adopted as the composition for the Tender Evaluation Panel.

Role of the Tender Evaluation Panel

The role of the Panel is to consider the scope of the service required by the tender and to determine the selection criteria and weighting to be used to assess the tenders. The tender will be developed for a performance-based contract for the provision of the service. The Panel is then charged with the responsibility of assessing each tender against the selection criteria and to make a recommendation to Council.

It is suggested that at its first meeting the Panel considers the scope of the tender developed, and develops the selection criteria and appropriate weightings to be used to assess the tenders. This aspect is required to be finalised prior to public advertising.

The Panel may wish to consider the following typical draft selection criteria as part of the assessment system:

1. Tenderer's resources to service the contract.
2. Tenderer's relevant experience.
3. Proposed innovative solutions and customer services.
4. Financial and Risk Management.
5. Cost to the Council.

Time Commitment of the Tender Evaluation Panel

It is envisaged that the first meeting of the Panel would take a minimum 4 hours to determine and agree the assessment criteria for the tender process. This meeting should be held during business hours. The other Panel meetings will be held during office hours, from 3.00 pm–5.00 pm on one to two nominated days per week during the evaluation period. The panel members must make themselves available for every meeting. Significant time must also be invested by the appointed members in addition to the meeting times to ensure that tender documents are thoroughly read, understood and evaluated against the selection criteria.

TENDER PROCESS TIMETABLE

Task	Date
Council – appoint members to evaluation committee	24 July 2001
First Meeting of Tender Evaluation Panel	ASAP after 24 July 2001
Public advertising of tender	31 July 2001
Compulsory tender briefing	8 August 2001
Close of tender period	22 August 2001
Tender evaluation period	7 September 2001
Report to Council on recommended tenderer	25 September 2001
Award of tender	26 September 2001
Contract execution	3 October 2001
Contract commencement	1 November 2001

TENDER EVALUATION PROCESS

During the tender advertising period there will be a compulsory briefing session for all perspective tenderers. The Strategic Planning Unit contact person for the tender will address any clarification or enquiry pertaining to the tender and associated documentation.

At the close of the tender, the Panel must initially assess each tender independently and then collectively against the selection criteria that has been provided in the advertised tender. As part of the evaluation process the Panel may undertake on site inspection of various tenderers to assess the tenderers' capability to provide the service required by the City.

It is proposed that the top listed tenderers provide a presentation to the panel on how they propose to provide the service.

During the tender evaluation and assessment stage of the process there will be a high level of confidentiality maintained associated with any presentations, deliberation, and assessment documentation.

With the "in-house" tender bid there must be, and seen to be, a clear mechanism to ensure probity and separation of functions during the preparation of the "in-house" tender submission. As part of the tender process the "in-house" team will need to be provided with training and support for the preparation of their tender bid. Arrangements are in place for this to occur.

The tender evaluation process must be completed within the allocated time line to allow for the current "in-house" team to be advised of the status of their position in a timely manner.

The "in-house" City Watch staff were employed on a short term basis from 4 December 2000, and the staffing issue must be dealt with before 4 December 2001 to ensure that in the case of the service being provided externally, the current internal officers are advised of the status of their position prior to their one year anniversary date.

It is proposed to engage a probity auditor to ensure the correct procedures were followed throughout the tender process. This is also important so as to be able to rebut any criticism of the process, particularly in relation to the "in-house" team's participation.

COMMENT/FUNDING

The City will follow its well-established policies and procedures for the calling and evaluation of tenders for the provision of Community Security Patrol Services.

As the "in-house" team will be a prospective tenderer clear demarcations and probity are proposed for the process. In addition the "in-house" team will need to demonstrate competitive neutrality by specifying all related and cascaded costs as part of the tender process.

The following information is relevant to this process:

- Tender evaluation process: The complete process is expected to enable the commencement of the successful tenderer by 1 November 2001.
- Tender evaluation panel: Of the options presented, it is recommended that a panel be appointed consisting of City officers (Strategic Planning, Resource Management, Contract Management), two Councillors (to be nominated by Council), and one independent consultant.
- The purpose of the panel is to determine and agree on the selection criteria, assess each tenderer against the selection criteria and make a recommendation to Council on the preferred service provider.

Crs Hollywood, Baker, Kenworthy, O'Brien have expressed an interest in being nominated for this Panel.

OFFICER'S RECOMMENDATION: That Council:

- 1 ESTABLISHES BY AN ABSOLUTE MAJORITY a Tender Evaluation Panel for the purpose of determining and agreeing on the selection criteria, assessment of each tenderer against the selection criteria and making a recommendation to Council on the preferred service provider for the provision of Community Security Patrol Services;
- 2 NOMINATES two elected members and APPOINTS the Executive Manager Strategic Planning, Manager Organisation and Strategic Development, Director Resource Management, and Manager Contract Management to the Panel.

MOVED Cr O'Brien, SECONDED Cr Patterson that Council:

- 1 ESTABLISHES a Tender Evaluation Panel for the purpose of determining and agreeing on the selection criteria, assessment of each tenderer against the selection criteria and making a recommendation to Council on the preferred service provider for the provision of Community Security Patrol Services;
- 2 NOMINATES Crs Baker, Kimber and Kenworthy and APPOINTS the Executive Manager Strategic Planning, Manager Organisation and Strategic Development, Director Resource Management, and Manager Contract Management to the Panel.

Cr Hollywood expressed an interest in attending meetings as an observer.

Cr O'Brien as the Mover of the Motion, agreed to Cr Baker's request to appoint three elected members.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr Nixon left the Chamber, the time being 2017 hrs.

CJ243 - 07/01 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30 JUNE 2001 - [09882]

WARD - All

CJ010717_BRF.DOC:ITEM 12

SUMMARY

This report details the cheques drawn on the funds during the month of June 2001. It seeks Council's approval for the payment of the June 2001 accounts.

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	032203-039236	6,107,415.22
Municipal	000260b-000270	6,115,734.42
	TOTAL	\$ 12,223,149.64

The difference in total between the two funds is attributable to the direct debits by the Commonwealth Bank for bank charges, credit card charges and dishonoured cheques being processed through the Municipal Fund.

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of June 2001, the amount was \$2,453,994.45

The cheque register is appended as Attachment A.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$12,223,149.64 which is to be submitted to each Councillor on 24 July 2001 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

RHONDA HARDY
Manager Accounting Services

J B TURKINGTON
Director Resource Management

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$12,223,149.64 submitted to Council on 24 July 2001 is recommended for payment.

.....
Mayor John Bombak

MOVED Cr Patterson, SECONDED Cr Hurst that Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 30 June 2001, certified by the Mayor and Director of Resource Management and totalling \$12,223,149.64.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	032203-039236	6,107,415.22
Municipal	000260b-000270	6,115,734.42
	TOTAL \$	12,223,149.64

The Motion was Put and

CARRIED

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7abrf170701.pdf](#)
[Attach7brf170701.pdf](#)

Cr Nixon entered the Chamber, the time being 2020 hrs.

**CJ244 - 07/01 WARRANT OF PAYMENTS - BUSINESS
INFORMATION - [37863]**

WARD - All

CJ010717_BRF.DOC:ITEM 13

SUMMARY

At its June 2001 meeting the City resolved that a report be provided detailing monthly expenditure categorised by location of the supplier.

This report provides an analysis of all payments made by the City during the month of June 2001. For ease of understanding, these payments are dissected by specific categories. This report will be provided to Council on a monthly basis.

BACKGROUND

At its meeting on 12 June 2001 Council resolved that the Administration provide a monthly report showing payments made within the City of Joondalup or the City of Wanneroo:-

“That the monthly report to Council concerning Warrant of Payments for the relevant month include:

- 1 a summary of the total payments to businesses for goods and services purchased by the City of Joondalup;*
- 2 a summary of the said total payments to businesses located in the City of Joondalup;*
- 3 a summary of the said total payments to businesses located in the City of Wanneroo.”*

DETAILS

All payments made by the City during June 2001 are shown on Attachment 1. This report balances with the June 2001 Warrant of Payments other than for three cancelled cheques relating to prior months' transactions. These amounted to \$178.50.

The payments have been dissected into the following categories:

- **Joondalup** - Supplier payments made to businesses located within the City of Joondalup.
- **Wanneroo** - Supplier payments made to businesses located within the City of Wanneroo.
- **Other** - Supplier payments made to businesses located outside the Cities of Joondalup and Wanneroo.
- **Contracts** - Payments made to suppliers where Council has a contractual obligation through the tendering process.
- **Mandatory** – Payments made to providers where the City has no discretion on supplier, ie Western Power.
- **Non-Supplier** – All payments other than supplier payments (ie Payroll, Councillor payments etc).

COMMENT/FUNDING

The attached analysis of '**discretionary**' payments indicates the following:-

Joondalup	12.3%
Wanneroo	43.1%
Other	44.6%

The summary indicates that 55.4% of the City's 'discretionary' purchasing for the month of June 2001 occurred within Joondalup / Wanneroo region.

It is recognised that Council does have contractual obligations emanating from tendering for goods and services. Payments for the month of June 2001 for these were \$919,007. Further payments for June were made to 'mandatory' organisations, ie Western Power, Alinta Gas etc. Further payments totalling \$2,728,122 were made for 'non supplier' organisations, ie payroll. In this category there are minor payments to Real Estate Agents and property owners for rate refunds, albeit that they reside within the City.

It should be noted that the City is currently reviewing its Regional Purchasing Policy in conjunction with the Joondalup Business Association (Inc). Outcomes of that review are due by the end of August 2001.

MOVED Cr Baker, SECONDED Cr Kenworthy that Council NOTES the Warrant of Payments – Business Information report for the month of June 2001.

Cr Baker spoke to the Motion.

The Motion was Put and

CARRIED

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf170701.pdf](#)

Cr Mackintosh left the Chamber, the time being 2021 hrs.

CJ245 - 07/01 YOUTH SERVICES INITIATIVES - [07116]

WARD - All

CJ010717_BRF.DOC:ITEM 14

SUMMARY

This report:

- Provides a progress report on the Youth Action Plan;
- Outlines the results of recent research undertaken in the youth area;
- Proposes future directions for youth services, including a proposal to establish a new Council Committee, the Strategic Advisory Committee – Youth Affairs; and
- Presents information on a report on young people and public space.

This report recommends that Council notes the achievements under the Youth Action Plan, adopts the proposed future directions for youth services, establishes a Strategic Advisory Committee – Youth Affairs and notes that the Strategic Advisory Committee – Youth Affairs will be reviewed after a period of twelve months. It also recommends that Council notes the findings of the report into young people and public space, refers the future directions and the youth and public space documents to the Youth Advisory Councils for comment and notes that a further report will be submitted to Council presenting the Youth Advisory Councils' feedback on these documents.

BACKGROUND

In February 1998 a report *City of Wanneroo – Young People and the Future* was presented to Council following research undertaken by Nick Francis and Associates. This report recommended that the City adopt a role consistent with a community development model. This would ensure the most effective and widespread provision of appropriate services to young people and facilitate the development of new and existing services through planning processes. The report also recommended that local community development plans be developed. In order to achieve this approach, the employment of four community development officers, who would be co-located with the City's recreation officers, was recommended but never implemented.

The principles outlined in the Francis Report recommended that the future role of the City in the area of Youth:

- be consistent with the developmental approach of the City's mission;
- be a proactive approach to the provision of coordinated services to young people;
- promote effective use of resources from all sources;
- harness the current competitive nature of service provision; and
- facilitate the involvement of young people in the planning of services.

Based on these principles, a Stage 1 and Stage 2 Youth Action Plan was developed. The Action Plan was written around the key Strategic Directions of:

- Coordination and Development;
- Youth in Government;
- Youth Activities Program; and
- Community Education and Information.

Reports on the progress of the strategies outlined in the Youth Action Plan have been provided to Council on three occasions (Reports CJ299-12/98, CJ369-10/99 and CJ235-09/00 refer). Attachment 1 to this report provides a final progress report which covers the period June 2000 to June 2001.

Summary of Recent Research

A range of research has been undertaken by the City over the past two years which has included recommendations to address the needs of, and concerns relating to, young people.

Crime and Community Safety Study for the City of Joondalup

This study noted that in the Joondalup Police District (which includes the Cities of Joondalup and Wanneroo), 68% of offenders charged in the year March 1997 to February 1998 were under 19 years of age. This highlights the importance of targeting those young people who are currently offending or at risk of offending.

The study suggests a range of priorities for action and proposed strategies. These consist of:

1. Ensuring safer public places for the whole community.
2. Targeting resources at the most common offences, trouble spots, those persons most likely to offend and those most at risk to extract maximum value from available resources and existing approaches.
3. Reducing the fear of crime.
4. Tackling the causes of crime and community safety problems by developing preventative strategies to address key causal risk factors.
5. Managing, coordinating and achieving partnerships within and outside Council to ensure all stakeholders are working together to achieve common goals.

Each of these priorities for action includes strategies to address issues for young people. In the Future Directions section of this report, each of these priority areas is addressed.

Research Solutions

This research noted, as part of its 'Customer Satisfaction Monitor 2000', that crime related issues (crime 17.7%, security 15.7%, graffiti 6.3% and vandalism 5.1%) were the most frequently mentioned issues of importance facing Council. In all, a third (33.5%) of respondents mentioned at least one of these issues as being of importance. Other issues mentioned, which may have an influence on crime within the City, included kids with nothing to do (8.3%) and limited facilities for young people (8.3%).

Joondalup Community Legal Centre Needs Analysis

This research identifies the north metropolitan area as having a higher proportion of persons in the vulnerable age groups of 15-19 years and 20-24 years than both the state of Western Australia and Australia as a whole. It identifies youth as one of the two major target groups for a Community Legal Centre in Joondalup.

Currabine Community Consultation

This research was designed to focus on the most appropriate uses for the proposed Currabine Community Centre. The research again identified young people as being within the primary target group for the Centre. It recommended the provision of 'youth space' within the facility – to be shared with others – as well as a half basketball court, skate area and bike racks.

Woodvale Community Consultation Needs Analysis

This report was designed to focus on the most appropriate uses of the Woodvale Community Centre. In addition to fulfilling this brief, the report also identifies the need to develop appropriate activities and programs for young people in Woodvale as a high priority. Given the design and style of the Woodvale Community Centre, the report noted the limits to the type of programs and activities that could take place in the Centre. In view of the high need for facilities and activities for young people, a more versatile facility is required.

Community Inventory

As part of the 2000/2001 budget, a project was approved to undertake a community needs analysis. This project has now been incorporated into the Precinct Action Planning Project and is adding a social and service dimension to that project. The Community Needs Analysis outcomes will provide valuable and essential information to feed into various stages of the Precinct Action Planning Project, particularly Stage 4, Concept Planning and Stage 5, Master Planning. It is anticipated that this information will confirm the need for the youth services suggested in the Future Directions section of this report.

Jumping at Shadows – Young People and Public Space

Worth mentioning in greater detail is the research that relates to young people and public space. In line with the Francis Report, this research highlights the need to coordinate responses and work at the local level. It suggests that the City is the only body that can objectively and impartially undertake this role. The clearest finding in terms of strategic approaches from this study is that strategies need to be localised, “what works in Kinross won’t work in Woodvale”. The report also highlights the need for young people to be senior partners in the development and implementation of any strategies.

This report suggests the following mission statement for addressing the issue of young people and interactions with other community members in public spaces:

The City of Joondalup will coordinate and facilitate local efforts in the development, implementation and evaluation of services and facilities which engage, assist and support young people within their communities.

Attachment 2 to this report provides details of the findings of the “Jumping at Shadows” report and outlines its subsequent implementation.

DETAILS

Future Directions

The existing research points to a number of clear future directions for youth services. Attachment 3 to this report outlines the current services and supports available to young people in the City as provided by the Youth Services sub unit of the Community and Health Services Business Unit and identifies short, medium and long term approaches to address identified youth needs. It also outlines the need for a Strategic Advisory Committee – Youth Affairs. This committee would provide the mechanism for overseeing:

- the strategic coordination all youth issues across Council;
- the implementation of the Future Directions for Youth Services Action Plan; and
- the regular review and update of the Future Directions Action Plan.

COMMENT/FUNDING

The operational budget for Youth Services includes sufficient resources to achieve many of the strategies outlined in the Future Directions Action Plan. Additional funds have been sought as part of the 2001/2002 budget process. It is envisaged that the Coordinator Community Services would provide a resourcing role to the Strategic Advisory Committee - Youth Affairs. Consequently, no additional financial resources will be required. It is

suggested that the Terms of Reference, membership and operation of the Strategic Advisory Committee - Youth Affairs be reviewed after a period of twelve months to determine the Committee's effectiveness.

Crs Kadak and Hollywood have expressed an interest in being nominated to the Strategic Advisory Committee – Youth Affairs.

Cr Mackintosh entered the Chamber, the time being 2023 hrs.

OFFICER'S RECOMMENDATION: That Council:

- 1 NOTES the progress made in achieving the Youth Action Plan strategies for the period July 2000 to June 2001 as outlined in Attachment 1 to Report CJ245-07/01;
- 2 ADOPTS the future directions for Youth Services outlined in Attachment 3 to Report CJ245-07/01;
- 3 ESTABLISHES, BY AN ABSOLUTE MAJORITY, a Strategic Advisory Committee – Youth Affairs comprising:
 - Two Elected Members
 - Two members of the Joondalup North Youth Advisory Council
 - Two members of the Joondalup South Youth Advisory Council
 - Manager Community and Health Services
 - Coordinator Community Services
- 4 NOTES the draft Terms of Reference for the Strategic Advisory Committee – Youth Affairs forming Attachment 4 to Report CJ245-07/01;
- 5 NOTES that the Terms of Reference, membership and operation of the Strategic Advisory Committee – Youth Affairs will be reviewed after a period of twelve months to determine the Committee's effectiveness;
- 6 NOTES the findings of the report “Jumping at Shadows” and its subsequent implementation as outlined in Attachment 2 to Report CJ245-07/01;
- 7 REFERS Attachments 2 and 3 to Report CJ245-07/01 to the Youth Advisory Councils for consideration and comment;
- 8 NOTES that a further report will be submitted to Council outlining the Youth Advisory Councils' views on the Future Directions and Jumping at Shadows documents.

MOVED Cr Kadak, SECONDED Cr Kimber that Council:

- 1 NOTES the progress made in achieving the Youth Action Plan strategies for the period July 2000 to June 2001 as outlined in Attachment 1 to Report CJ245-07/01;

- 2 **ADOPTS the future directions for Youth Services outlined in Attachment 3 to Report CJ245-07/01;**
- 3 **ESTABLISHES a Strategic Advisory Committee – Youth Affairs comprising:**
- Cr P Kadak**
Cr A Walker
Cr J Hollywood
Two members of the Joondalup North Youth Advisory Council
Two members of the Joondalup South Youth Advisory Council
Manager Community and Health Services
Coordinator Community Services
- 4 **NOTES the draft Terms of Reference for the Strategic Advisory Committee – Youth Affairs forming Attachment 4 to Report CJ245-07/01;**
- 5 **NOTES that the Terms of Reference, membership and operation of the Strategic Advisory Committee – Youth Affairs will be reviewed after a period of twelve months to determine the Committee’s effectiveness;**
- 6 **NOTES the findings of the report “Jumping at Shadows” and its subsequent implementation as outlined in Attachment 2 to Report CJ245-07/01;**
- 7 **REFERS Attachments 2 and 3 to Report CJ245-07/01 to the Youth Advisory Councils for consideration and comment;**
- 8 **NOTES that a further report will be submitted to Council outlining the Youth Advisory Councils’ views on the Future Directions and Jumping at Shadows documents.**

To a query raised by Mayor Bombak, Cr Kadak as the Mover of the Motion, advised he was in agreement with three elected members being appointed to the Committee.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9abrf170701.pdf](#)

[Attach9brf170701.pdf](#) [Attach9cbrf170701.pdf](#) [Attach9dbrf170701.pdf](#)

INFRASTRUCTURE MANAGEMENT**CJ246 - 07/01 STATE UNDERGROUND POWER PROGRAMME -
DUNCRAIG SURVEY RESULTS - [040396]****WARD - South Coastal**

CJ010717_BRF.DOC:ITEM 15

SUMMARY

The State Government has a long term goal of having underground power distribution to half of Perth's houses by 2010. Except for transmission lines, this will place the power and lighting distribution and connection network underground saving costs in maintenance and storm damage across the metropolitan area as well as renewing ageing infrastructure.

There are significant areas of the City that require underground power and for the City to participate in the programme, financial criteria and community support has to be established.

As an initial potential project, a survey was undertaken of those areas in Duncraig with overhead power to determine community support for this project on a user pays principle.

The results of the survey shows that there is not strong support from the residents to pay for the installation of underground power. It is considered that the City can review making future applications to the State Underground Power Programme following completion of the sewer infill along the coastal areas.

BACKGROUND

The State Government has a strong commitment to and a long term goal of having underground power distribution to half of Perth's households by 2010. The programme is expected to produce savings on maintenance and storm damage, replace the ageing infrastructure and improve civic and aesthetic facilities for the City's ratepayers.

A presentation was received by Council at its Briefing Session dated 20 February 2001 from Mr John Lack, Manager Underground Power Programme for Western Power at which he gave an overview of the State's Underground Power Programme.

DETAILS

The State Government including Western Power will contribute half of the funding for the programme with the Local Government to arrange the remaining 50%. Currently the State Government has total funding programmes of \$50 million available every two years. This results in around 10 projects of \$5 million funded with local authorities required to arrange a contribution of \$2.5 million for each project. Generally the preference is for projects to be of discrete areas of approximately \$5 million being around 1,200 properties.

Based on an average budget cost of \$4,000 per lot to upgrade approximately 19,000 properties, the total cost to underground power in the City is \$76 million. With the State Government current commitment to contribute 50% of the costs, the City's contribution is \$38 million on present values.

The two main options are for the City to fund the cost of the underground works or adopt a user pay principle.

It is estimated that 35,000 existing dwellings (65% of the City) currently has underground power with developers of new subdivisions required to install this facility, although residents pay for the underground power as part of the purchase price of the land.

A user pay principle for the remaining 19,000 properties appears consistent with the likely direct benefits provided to the affected residents and this funding principle being adopted by other Councils.

From the selection criteria, the major factor to progress the underground power programme application is the support and acceptance from the general and affected community and ratepayers to establish the funding arrangements.

The next round of the underground power applications is programmed for August 2001 with notification of successful projects prior to January 2002. These projects would commence in March 2002 and therefore any funding allocations would need to be part of the 2001/2002 annual budget.

Generally the areas closest to the coast are considered the highest priority. It is desirable that works programs are co-ordinated with other infrastructure such as Water Corporation's infill sewerage program, which will affect Sorrento, Marmion, Mullaloo and part of Duncraig. The current program for this infill sewer indicates that these works will occur over 2001-2005. For these areas, the conversion of underground power can be programmed following the sewer infill.

On this basis, suggested suburbs for the initial application for underground power were Hillarys (1468 lots) Kallaroo (1010 lots) or part of Duncraig (2659 lots). The suburb of Duncraig being one of the more established areas with ageing infrastructure, was considered as a priority for the initial underground power programme.

At Council's meeting held on 13 March 2001, it was resolved in part that Council "surveys the ratepayers of Duncraig with residences to be connected to the underground power on the willingness to participate in and contribute to a user pays principle to the costs of these works".

A survey questionnaire, an accompanying mayoral letter and information brochure was distributed to owners of properties in Duncraig. Copies of these documents are shown on Attachment 1.

The survey documents were individually mailed to each property owner during the week commencing 7 May 2001 with the closing date being Tuesday, 29 May 2001.

The City appointed JMG Marketing to undertake a survey of the residents in the suburbs of Duncraig to measure their level of acceptance of the installation and financial contribution to underground power in their suburb.

Survey Results

The survey of Duncraig was categorised in 2 areas with “North West” being Area 1 and “South East” Area 2.

Responses

	Area 1	Area 2	Total
	No.	No.	No.
Total Mailing	1,722	925	2,647
Returned Mail	24	8	32
Available Respondees	1,698	917	2,615
Responses	915	485	1,400
% Response	53.9	52.9	53.5

Question 1

“In Principle do you favour the installation of underground power in your area?”

Response	Area 1		Area 2		Total	
Yes	750	82.0%	428	88.2%	1,178	84.1%
No	159	17.4%	57	11.8%	216	15.5%
Blank	6	0.6%	-	-	6	0.4%

Question 2

“Are you prepared to pay an average up front cost of \$2,100 to install underground power to your residential property?”

Response	Area 1		Area 2		Total	
Yes	431	47.1%	287	59.2%	718	51.4%
No	472	51.6%	190	39.2%	662	47.3%
Blank	12	1.3%	8	1.6%	20	1.3%

From the results obtained although 84% of the respondents (1400) were in favour of underground power, 47.3% were not prepared to contribute towards the funding. Whilst it is difficult to predict the likely attitude of those residents who did not respond, of the total suburb of Duncraig of 2647 being surveyed - the 718 in favour only represents 27%.

Noting that the willingness to pay is only 51.4%, the results of underground power surveys carried out by other Local Authorities included a higher willingness to pay (63 – 79%). It is noted that the results obtained for Duncraig are similar to that for West Hamersley in the City of Stirling. The City of Stirling did not proceed with a proposal for West Hamersley due to the absence of support from a clear majority of ratepayers.

COMMENT/FUNDING

The State Underground Power Programme addresses the retrospective installation of underground power distribution to replace overhead systems. The City has a significant area and associated cost to underground power. The City is required to contribute 50% of the costs with the funding arrangement to be resolved between the Council and ratepayers.

It has been generally accepted throughout the metropolitan area that the Council contribution is on a user pays principle

The results of the survey from Duncraig at this stage do not show strong support for installation of underground power. On this basis, it is proposed that the City does not submit an application to the next round of the programme. It is considered that the City can review making future applications to this programme following the completion of the sewer infill programme in Marmion, Sorrento and Mullaloo.

OFFICER'S RECOMMENDATION: That Council:

- 1 DOES NOT make an application in the 2001/02 round of the State Underground Power Programme for implementation of Underground Power throughout the City;
- 2 UNDERTAKES a survey in the future, of ratepayers of Duncraig and the coastal suburbs from Marmion to Mullaloo, of residences to be connected to underground power on the willingness to participate and contribute to these works on a user pay principle prior to the 2003/04 round of the State Underground Power Programme;
- 3 ADVISES the residents of Duncraig accordingly.

MOVED Cr O'Brien, SECONDED Cr Kenworthy that Council:

- 1 DOES NOT make an application in the 2001/02 round of the State Underground Power Programme for implementation of Underground Power throughout the City;
- 2 UNDERTAKES a survey in the future, of ratepayers of Duncraig and the coastal suburbs from Marmion to Mullaloo, of residences to be connected to underground power on the willingness to participate and contribute to these works on a user pay principle prior to the 2003/04 round of the State Underground Power Programme;
- 3 ADVISES the residents of Duncraig accordingly;
- 4 MAKES an appropriate deputation to the State Government to encourage Western Power to undertake underground power as part of its operations rather than placing the burden on the ratepayer as ratepayer contributions.

Discussion ensued.

Cr Mackintosh requested that Points 1 – 4 be voted on separately. Cr O'Brien as the Mover of the Motion advised that he had moved the four points of the Motion as one.

The Motion was Put and

LOST

MOVED Cr Hurst, SECONDED Cr Mackintosh that Council:

- 1 DOES NOT make an application in the 2001/02 round of the State Underground Power Programme for implementation of Underground Power throughout the City;**
- 2 UNDERTAKES a survey in the future, of ratepayers of Duncraig and the coastal suburbs from Marmion to Mullaloo, of residences to be connected to underground power on the willingness to participate and contribute to these works on a user pay principle prior to the 2003/04 round of the State Underground Power Programme;**
- 3 ADVISES the residents of Duncraig accordingly.**

Discussion ensued.

To a query raised by Cr Kimber, Director Infrastructure Management advised participation in the scheme was based on submitting an application to Western Power, with this opportunity occurring every two years.

The Motion was Put and

CARRIED

CJ247 - 07/01 CONTRACT EXTENSIONS - 104A-99/00 – HIRE OF PLANT AND EQUIPMENT, 016-99/00 – PROVISION OF MATERIAL TESTING SERVICES AND 108-99/00 – SWEEPING OF PAVEMENTS, CAR PARKS AND PATHWAYS IN JOONDALUP CITY CENTRE - [45847] [34615] [46910]

WARD - All

CJ010717_BRF.DOC:ITEM 16

SUMMARY

Contracts numbered 104A, 104B, 104C, 104D and 104E-99/00, Hire of Plant and Equipment were approved at the Council Meeting held on 8 August 2000, for the period 1 September 2000 to 31 August 2001.

Contract number 016-99/00, Provision of Material Testing Services was approved at the Council Meeting held on 13 June 2000 for the period 1 September 2000 to 31 August 2001.

Contract number 108-99/00, Sweeping of Pavements, Car Parks and Pathways in the Joondalup City Centre was approved at the Council Meeting on 22 August 2000 for the period 1 September 2000 to 31 August 2001.

These contracts form part of the City of Joondalup contracts and, in accordance with the General Conditions of Contract Clause 24 Contract Period, the City has negotiated an appropriate extension with each of the current contractors. With the exception of Contract 104E-99/00, this contract has been terminated by the contractor.

DETAILS

Contract 104A-99/00, Hire of Plant and Equipment

Contractor, Mini Excavators of Bassendean, has indicated it has no objection to extending the contract and, in view of the satisfactory performance experienced from it, the recommendation is to extend Contract Number 104A-99/00 Hire of Plant and Equipment for 12 months, from 1 September 2001 until 31 August 2002.

Mini Excavators advised that rates would remain the same as per the current Schedule of Rates.

Mini Excavators hire is predominately related to inground irrigation excavation and the work is essentially seasonal. The supply of skid steer loader is based only with an operator and Council's requirements have been for dry hire, ie. machine only. Skid Steer loader hire has therefore been progressed via a quote system, with the agreement of Mini Excavators. Additional plant hire is minimal and has involved rollers, concrete saw and pneumatic drill.

Funds are allocated on a project basis, as required, or as a maintenance fund listed in the annual maintenance budget for a specific location.

Contract 104B-99/00, Hire of Plant and Equipment

Contractor, Environmental Land Clearing Services of Balga, has indicated it has no objection to extending the contract and, in view of the satisfactory performance experienced from it, the recommendation is to extend Contract Number 104B-99/00 Hire of Plant and Equipment for 12 months, from 1 September 2001 until 31 August 2002.

This contractor is predominately related to removal of vegetation for firebreaks, and bulk cartage and application of mulch.

Funds are allocated on a project basis, as required, or as a maintenance fund listed in the annual maintenance budget for a specific location.

Environmental Land Clearing Services advised that rates would remain the same as per the current Schedule of Rates .

Contract 104C-99/00, Hire of Plant and Equipment

Contractor, Kwik Crane Hire of Malaga, has indicated it has no objection to extending the contract and, in view of the satisfactory performance experienced from it, the recommendation is to extend Contract Number 104C-99/00 Hire of Plant and Equipment for 12 months, from 1 September 2001 until 31 August 2002.

This contact is predominately for bore and pump maintenance works. The company is based in Malaga and they have always been available upon request.

Funds are allocated on a project basis, as required, or as a maintenance fund listed in the annual maintenance budget for a specific location.

Kwik Crane Hire advised that rates would remain the same as per the current Schedule of Rates

Contract 104D-99/00, Hire of Plant and Equipment

Contractor, Dalco Earthmoving of Osborne Park, has indicated it has no objection to extending the contract and, in view of the satisfactory performance experienced from it, the recommendation is to extend Contract Number 104D-99/00 Hire of Plant and Equipment for 12 months, from 1 September 2001 until 31 August 2002.

Dalco Earthmoving are contracted for the supply of Backhoes (all types). Operations Services require these plant items predominately for drainage projects associated with road works.

Funds are allocated on a project basis, as required, or as a maintenance fund listed in the annual maintenance budget for a specific location.

Dalco Earthmoving advised that rates would remain the same as per the current Schedule of Rates.

Contract 104E-99/00, Hire of Plant and Equipment

Contractor, Stampalia Contractors of Wanneroo, has advised that they are unable to extend the contract, and have submitted the following information:

“We are preparing tenders for other government departments, we have decided that we will make our prices uniform throughout and that no Council will be given preference above others”.

“Also, as a result of the increase in running costs, we can no longer effectively hold our prices”.

This segment of the Plant Hire Contract will be administered via quotations as required as the overall contract terminates in June 2002.

Contract 016-99/00 Provision of Material Testing Services

Contractor, Qualcon Laboratories of Malaga, has indicated that it has no objection to extending the contract and there would not be any change in current contract prices and conditions.

This contract provides for the material testing services to ensure that construction works are undertaken to specified standards.

Qualcon Laboratories has been Council's contractor for the last four years and has provided service to a satisfactory standard. It is therefore recommended to extend Contract Number 016-99/00, Provision of Material Testing Services for 12 months from 1 September 2001 to 31 August 2002.

Contract 108-99/00 Sweeping of Pavements, Pathways, Car Parks in Joondalup City Centre

Contractor, Coastal Sweeping Services of Two Rocks, has indicated it has no objection to extending the contract, providing the City of Joondalup will consider renegotiating the contract prices. They are finding their costs associated with materials (ie. brushes, fuel, GST) to do this work have increased dramatically and initially they overlooked the cost of replacement brushes in their tender.

Coastal Sweeping Services requested a 6% increase for all items on the price schedule (refer Attachment 1 - Schedule of Rates).

The scope of works for the current contract includes sweeping of all roads and access lanes within the Joondalup City Centre, with a specified time program, for example:-

Grand Boulevard	5.30am – 8.30am, Monday
Commercial Area Pavement	5.30am – 7.30am, every fortnight
Footpath/Pathways	two monthly cycle
Car Parks	two monthly cycle

Coastal Sweeping Services' price was well below the prices of its competitors on the original tender submission and even with a 6% increase this year, the price will still be below its competitors. Considering a CPI index of 5.9%, for the current year, the price increase of 6% is even, in line with adjusting prices only by the CPI index.

Coastal Sweeping Services provided a satisfactory service and there is no recorded incidence of failure by the contractor. It is therefore recommended to extend their contract for 12 months, from 1 September 2001 to 31 August 2002.

OFFICER'S RECOMMENDATION: That Council:

- 1 AUTHORISES the extension of Contract 104A-99/00 Hire of Plant and Equipment with Mini Excavators, for a period of 12 months from 1 September 2001 to 31 August 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST;
 - (a) AUTHORISES the extension of Contract 104B-99/00 Hire of Plant and Equipment with Environmental Land Clearing Services, for a period of 12 months from 1 September 2001 to 31 August 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST;

- (b) **AUTHORISES** the extension of Contract 104C-99/00 Hire of Plant and Equipment with Kwik Crane Hire, for a period of 12 months from 1 September 2001 to 31 August 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST;
- (c) **AUTHORISES** the extension of Contract 104D-99/00 Hire of Plant and Equipment with Dalco Earthmoving, for a period of 12 months from 1 September 2001 to 31 August 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST;

- 2 **NOTES** the withdrawal of Stampalia Contractors from the contract;
- 3 **AUTHORISES** the extension of Contract 016-99/00 Provision of Material Testing Services with Qualcon Laboratories, for a period of 12 months from 1 September 2001 to 31 August 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST;
- 4 **AUTHORISES** the extension of Contract 108-99/00 Sweeping of Pavements, Car Parks and Pathways within the City of Joondalup with Coastal Sweeping Services, for a period of 12 months from 1 September 2001 to 31 August 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST;
- 5 **APPROVES** the Contract Schedule of Rates variation of 6% submitted by Coastal Sweeping Services;
- 6 **AUTHORISES** the signing of the contract extension documents.

MOVED Cr Baker, SECONDED Cr Kimber that Council:

- 1 **DOES NOT AUTHORISE** the extension of the following contracts:

Contract 104A-99/00	Hire of Plant and Equipment with Mini Excavators
Contract 104B-99/00	Hire of Plant and Equipment with Environmental Land Clearing Services
Contract 104C-99/00	Hire of Plant and Equipment with Kwik Crane Hire
Contract 104D-99/00	Hire of Plant and Equipment with Dalco Earthmoving
Contract 016-99/00	Provision of Material Testing Services with Qualcon Laboratories

- 2 **INVITES** tenders for the following:

Hire of Plant and Equipment
Provision of Material Testing Services

- 3 NOTES the withdrawal of Stampalia Contractors from the contract;**
- 4 AUTHORISES the extension of Contract 108-99/00 Sweeping of Pavements, Car Parks and Pathways within the City of Joondalup with Coastal Sweeping Services, for a period of 12 months from 1 September 2001 to 31 August 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST, together with the signing of the contract extension document;**
- 5 APPROVES the Contract Schedule of Rates variation of 6% submitted by Coastal Sweeping Services.**

Discussion ensued with Cr Baker querying the total cost of these extensions to the City in dollar terms. Director, Infrastructure Management advised he would take this question on notice.

Cr Baker requested a progress report be submitted in relation to the drafting of a new “Buy Local” policy and suggested that those contracts where an extension was sought that were located outside the City of Joondalup/City of Wanneroo region, not be renewed and fresh tenders be invited.

To a query raised by Cr Carlos, Director Resource Management gave an explanation in relation to CPI movements.

Chief Executive Officer referred to the Trade Practices Act and the implications of the Act in relation to the issue of calling of tenders.

During discussion the following movements occurred:

Cr Patterson left the Chamber at 2035 hrs and returned at 2038 hrs.

Cr Kenworthy left the Chamber at 2040 hrs and returned at 2043 hrs.

Director, Community Development left the Chamber at 2050 hrs and returned at 2053 hrs.

AMENDMENT MOVED Cr Carlos, SECONDED Cr Hollywood that the Contract Schedule of Rates variation referred to in Point 5 be amended to read 5.3%.

The Amendment was Put and

CARRIED

The Original Motion, as amended, BEING:

That Council:

- 1 DOES NOT AUTHORISE the extension of the following contracts:**

Contract 104A-99/00	Hire of Plant and Equipment with Mini Excavators
Contract 104B-99/00	Hire of Plant and Equipment with Environmental Land Clearing Services
Contract 104C-99/00	Hire of Plant and Equipment with Kwik Crane Hire
Contract 104D-99/00	Hire of Plant and Equipment with Dalco Earthmoving
Contract 016-99/00	Provision of Material Testing Services with Qualcon Laboratories

2 INVITES tenders for the following:

**Hire of Plant and Equipment
Provision of Material Testing Services**

3 NOTES the withdrawal of Stampalia Contractors from the contract;

4 AUTHORISES the extension of Contract 108-99/00 Sweeping of Pavements, Car Parks and Pathways within the City of Joondalup with Coastal Sweeping Services, for a period of 12 months from 1 September 2001 to 31 August 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST, together with the signing of the contract extension document;

5 APPROVES the Contract Schedule of Rates variation of 5.3% for Coastal Sweeping Services.

Was Put and

CARRIED

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf170701.pdf](#)

PLANNING AND DEVELOPMENT

Cr Mackintosh declared a non-financial interest in Item CJ248-07/01 as she has an association with the North Shore Country Club.

Cr Hollywood declared a non-financial interest in Item CJ248-07/01 as he has an association with the North Shore Country Club.

Crs Mackintosh and Hollywood left the Chamber, the time being 2054 hrs.

**CJ248 - 07/01 PROPOSED AMENDMENT NO 9 TO DISTRICT
PLANNING SCHEME NO 2 - LOT 55 (11)
HENDERSON DRIVE, KALLAROO – NORTH SHORE
COUNTRY CLUB - [62007]**

WARD - Whitford

CJ010717_BRF.DOC:ITEM 17

SUMMARY

Amendment No 9 to the City's District Planning Scheme No 2 (DPS 2) proposes to rezone Lot 55 (11) Henderson Drive, Kallaroo (Northshore Country Club), from 'Local Reserve – Parks and Recreation' to 'Private Clubs/Recreation' (**Attachment 1**).

Under the City's previous Town Planning Scheme (Town Planning Scheme No 1 (TPS 1)), Lot 55 (11) Henderson Drive, Kallaroo, was zoned 'Private Recreation/Clubs'. At some stage however, the TPS 1 map was changed to show the property as a Local Reserve for 'Parks and Recreation'. As a result, when DPS2 was gazetted, the property was reserved for the purpose of 'Parks and Recreation'.

The reservation of the property for 'Parks and Recreation' is considered inappropriate due to the property's private ownership, and the limited range of permissible land uses under the 'Parks and Recreation' reservation.

The 'Private Clubs/Recreation' zone is considered a more appropriate zone for the property.

The Northshore Country Club and Residents Association Inc. has approached the City with respect to leasing the first storey of the club building as an 'Office', however, such a use is not appropriate under the property's existing reservation and is not permitted under the property's proposed 'Private Clubs/Recreation' zoning. The City has explored ways which would enable it to approve an 'Office' on the property under the 'Private Clubs/Recreation' zone, however, considers an 'Office' to be an inappropriate use for the property and for other properties within the 'Private Clubs/Recreation' zone because commercial activity should be located within planned commercial centres and/or areas.

It is recommended that Council amends DPS 2 for the purpose of rezoning Lot 55 (11) Henderson Drive, Kallaroo, to 'Private Clubs/Recreation', and advises the Northshore Country Club and Residents Association Inc. that an 'Office' is considered to be an inappropriate use for the property.

BACKGROUND

Lot No	55
Street Address	11 Henderson Drive, Kallaroo
Land Owner	Northshore Country Club & Residents Association Inc
MRS Zoning	Urban
DPS Zoning	Local Reserve – Parks & Recreation
Land Use	Country Club (Club Building, Tennis Courts, Bowling Green, & Park land)
Lot Area	2078m ²

History

Lot 55 (11) Henderson Drive, Kallaroo, was originally zoned ‘Private Recreation/Clubs’ under the City’s previous TPS 1. At some stage the TPS 1 map was changed to show the property as a Local Reserve for ‘Parks and Recreation’. This change was not the result of an amendment to the Scheme and the City’s records do not provide any explanation for it.

The City’s DPS 2 was gazetted on 28 November 2000 and reserved Lot 55 (11) Henderson Road, Kallaroo, for the purpose of ‘Parks and Recreation’.

DETAILS

Context

Lot 55 (11) Henderson Drive, Kallaroo, is bound by Residential (R20) zoned land to the north, east and south, and Northshore Drive to the west. The land west of Northshore Drive is reserved under the Metropolitan Region Scheme for ‘Parks and Recreation’. The property directly abuts a Water Corporation site and two residential lots. **Refer to Attachment 1.**

Current Proposal or Issue

As a result of the Northshore Country Club and Residents Association Inc approaching the City with respect to leasing the first storey of the club building, the City became aware of the inappropriate reservation of the property for ‘Parks and Recreation.’

Amendment No 9 to the City’s DPS 2 proposes to rezone Lot 55 (11) Henderson Drive, Kallaroo (Northshore Country Club), from ‘Local Reserve – Parks and Recreation’ to ‘Private Clubs/Recreation’.

The reservation of the property for ‘Parks and Recreation’ is considered inappropriate due to the property’s private ownership and the limited range of permissible land uses under the ‘Parks and Recreation’ reservation. Land reserved for ‘Parks and Recreation’ is generally publicly owned and is restricted in use to ‘Parks and Recreation’ purposes. DPS 2 states with respect to the use of Local Reserves:

“Any Local Reserve not owned by or vested in the Council may be used:

- a) for the purpose for which the land is reserved under the Scheme;*
- b) where such land is vested in a public authority, for any purpose for which such land may be lawfully used by that authority;*
- c) for the purpose for which it was used at the Gazettal Date unless the land in the meantime has become vested in a public authority, or unless such use has been changed with the approval of the Council; or*
- d) for any purpose approved by the Council but in accordance with any conditions imposed by the Council;*

but shall not be used otherwise or for any other purpose.”

The Private Clubs/Recreation zone is considered a more appropriate zone for the property. The Private Clubs/Recreation zone is intended to accommodate uses such as private golf clubs, private educational, institutional and recreational activities. A wider variety of uses are, or may, at the discretion of Council, be permitted under the Private Clubs/Recreation zone as outlined in **Attachment 2**.

As outlined above, the Northshore Country Club and Recreation Association Inc has approached the City with respect to leasing the first storey of the club building as an ‘Office’. An ‘Office’ however, is not an appropriate use under the property’s existing reservation and is not permitted under the property’s proposed ‘Private Clubs/Recreation’ zoning. The Association advises that the club building has been previously used as an ‘Office’. The City, however, has no record of a development approval being issued for this use on the property.

Relevant Legislation

The Town Planning Regulations 1967 set out the procedures for amendments to the Town Planning Scheme. The procedure is summarised at **Attachment 3** and the current stage of the amendment has been highlighted.

Relevant Policies

The Western Australian Planning Commission’s Statement of Planning Policy No 9 – Metropolitan Centres Policy Statement for the Perth Metropolitan Region states that retail, office, commercial, entertainment, recreational and community facilities should be located and concentrated in centres throughout the hierarchy.

COMMENT

The current reservation of Lot 55 (11) Henderson Drive, Kallaroo, for ‘Parks and Recreation’ is considered inappropriate due to the property’s private ownership and the limited range of permissible land uses under the ‘Parks and Recreation’ reservation.

The ‘Private Clubs/Recreation’ zone is considered an appropriate zone for the property.

The City has explored ways which would enable it to approve an ‘Office’ on the property under the proposed ‘Private Clubs/Recreation’ zone, however, considers an ‘Office’ to be an inappropriate use for the property and for other properties within the ‘Private Clubs/Recreation’ zone because commercial activity should be located within planned commercial centres. By allowing an Office to operate outside of a planned commercial centre, the City could potentially:

- undermine the established and/or planned hierarchy of centres; and,
- adversely affect the economic viability of existing, approved and planned centres where this could result in a deterioration in the level of service to the local community and/or undermine public investments in infrastructure and services

It is accordingly recommended that Council amends DPS 2 for the purpose of rezoning Lot 55 (11) Henderson Drive, Kallaroo, to ‘Private Clubs/Recreation’ and advises the Northshore Country Club and Residents Association Inc that an ‘Office’ is considered to be an inappropriate use for the property.

MOVED Cr Hurst, SECONDED Cr Walker that Council:

- 1 in pursuance of Section 7 of the Town Planning and Development Act 1928, AMENDS the City of Joondalup District Planning Scheme No 2 for the purpose of rezoning Lot 55 (11) Henderson Drive, Kallaroo, from ‘Local Reserve – Parks and Recreation’ to ‘Private Clubs/Recreation’ and ADOPTS Amendment No 9 accordingly;**
- 2 ADVISES the Northshore Country Club and Residents Association Inc that a separate ‘Office’ use is considered to be an inappropriate use for the property as the City considers that commercial land uses should be located in planned commercial centres and/or areas.**

The Motion was Put and

CARRIED

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf170701.pdf](#)

Crs Mackintosh and Hollywood entered the Chamber, the time being 2055 hrs.

Cr Kimber declared a non-financial interest in Item CJ249-07/01as he is employed by Fire and Emergency Services Authority (FESA).

Cr Kimber left the Chamber, the time being 2055 hrs.

Cr Baker left the Chamber the time being 2056 hrs.

CJ249 - 07/01 PROPOSED LAND EXCHANGE - LOCATION 11898 (273) HEPBURN AVENUE, PADBURY (RESERVE 43210 - FIRE STATION SITE) AND LOCATION 12223, (12) BLACKWATTLE PARADE, PADBURY (RESERVE 43717 - COMMUNITY PURPOSE SITE) - [55022] [57264]

WARD - Pinnaroo

CJ010717_BRF.DOC:ITEM 18

SUMMARY

A report was requested in April 2001 on the possible exchange of the community purpose site on Blackwattle Parade, Padbury for the Fire and Emergency Services Authority (FESA) site on Hepburn Avenue, Padbury.

The FESA site is in the care, control and management of the FESA for the purpose of a Fire Station Site. The site is identified as Local Reserves – Public Use under District Planning Scheme No.2 (DPS2). It is proposed to swap this land with 12 Blackwattle Parade, Padbury (Reserve 43717) which is in the care, control and management of the City of Joondalup for Community Purposes (Attachment 1). This reserve was created as a condition of subdivision under Section 20A of the Town Planning and Development Act. The site is zoned Civic and Cultural under DPS2.

The community purpose site is the only opportunity in the area for the provision of a facility for the delivery of community services. There is no clearly defined need at this stage but it is considered the opportunity should be retained. Accordingly, it is recommended that the FESA be advised that the City does not consider a land swap to be an appropriate use of its community purpose site.

BACKGROUND

A report was requested in April 2001 on the possible exchange of the community purpose site on Blackwattle Parade, Padbury for the Fire and Emergency Services Authority (FESA) site on Hepburn Avenue, Padbury.

FESA Site

Street Address	273 Hepburn Avenue, Padbury
Land Owner	Crown – care control and management of FESA
MRS Zoning	Urban
TPS Zoning	Local Reserves – Public Use
Lot Area	0.3000 ha

Community Purpose Site

Street Address	12 Blackwattle Parade, Padbury
Land Owner	Crown – care control and management of the City
MRS Zoning	Urban
TPS Zoning	Civic and Cultural
Lot Area	0.3332 ha

DETAILS

It has been suggested that the FESA site be swapped with the community purpose site adjoining the Hepburn Heights Shopping Centre (Attachment 1). This has been suggested as the FESA site is included in the Bush Forever Site 303 and the land swap is seen as a mechanism by which to retain the bushland on the site.

The FESA site is a crown reserve that has been set aside for the purpose of a Fire Station Site and is identified accordingly under DPS2 as Local Reserves – Public Use under DPS2. The community purpose site was created as a condition of subdivision under Section 20A of the Town Planning and Development Act. The site is zoned Civic and Cultural under DPS2.

COMMENT

Issues

The issue to be considered at this stage is whether the proposal to swap the FESA site with the community purpose site is appropriate.

Intentions for Community Purpose Site

Community purpose sites are traditionally located in the ‘heart’ of a community, that is within areas of activity, generally being centres (local, town, district). It needs to be noted that the community purpose site is appropriately located between the Hepburn Heights Shopping Centre to the west and Business zoned lot to the east. Its location, being in close proximity to the immediate community is of great benefit. Further given its location there are a greater number of land uses that may benefit from this location, therefore providing land use flexibility. The subject site is also considered to be of value in terms of the precinct planning that is being undertaken by the City.

The full extent of the community needs in the area is unknown at this stage. There is one community facility in the area being Christian church based, however this would not meet the needs of all residences. The loss of the possibility of a community purpose facility could be detrimental given the high ratio of young people residing in the City and the fact that the area may develop a need for a facility in the future.

Community Consideration

Given that there is an existing community it is imperative that a public consultation process form part of any proposed land swap arrangement that involves the community purpose site.

Purpose of Reserves

The purpose of a reserve can be changed under Section 41 of the Land Administration Act 1997 by order of the Minister for Lands and a Council resolution is not necessary; nor is public advertising of the proposal.

To effect a land exchange, the City of Joondalup and FESA would have to be in mutual agreement to proceed and as Reserve 43717 (community purpose site) was created as a condition of subdivision (section 20A reserve) the Western Australian Planning Commission (WAPC) would also have to agree. The City is aware that Reserve 43717 has an easement in favour of the Water Corporation running parallel on its Hepburn Avenue boundary that is approximately five metres wide. Provided that this easement is not built over, it is unlikely that it will be an issue.

If FESA and the WAPC support the proposal the City can request the Minister for Lands to revoke the Management Orders for Reserve 43717 and Reserve 43210 and issue new Management Orders for the appropriate purpose.

Although public advertising is not a condition of a land exchange of this nature, it is recommended that it be carried out prior to any decision to dispose of the site in order to gauge the opinion of the local residents to the proposed use of the community purpose site for a fire station.

FESA Requirements

FESA advise that any alternate sites need to be within 500 metres of the existing reserve with good access to the Mitchell Freeway and Marmion Avenue. FESA have not advised what their preferred location is at this stage. At an on-site meeting with Council officers, FESA officers advised that the community purpose site would be able to accommodate the proposed development.

Development Impacts

Consideration needs to be given to the impact of a fire station on the community and adjoining land uses. The community purpose site is surrounded by residential zoned land, the Hepburn Heights Shopping Centre, offices, medium density development including aged person accommodation. It is not usually a preferred option for a land use such as a fire station to be located in such an urban environment due to the potential disturbance and impact on surrounding land uses.

Access Issues

It should be noted that the community purpose site has a 0.1 meter pedestrian access way (PAW) on its Hepburn Avenue boundary preventing vehicular access to and from Hepburn Avenue. The community purpose site has been designed to have access from the internal road system. There would be concerns with a community purpose site having direct access to Hepburn Avenue. Generally direct vehicular access to higher order roads is prevented, although occasional emergency vehicle access, under the control of signs and warning lights, may be managed. A formal closure procedure will need to be pursued to allow for the likely FESA preferred direct access onto Hepburn Avenue. Allowing for access onto Hepburn Avenue at this location, which is in close proximity to Walter Padbury Boulevard, will require careful consideration of the vehicle crossover siting and need for a median crossover.

Bush Forever

The Environmental Protection Authority (EPA) has advised that the FESA site is part of a consolidated area of regionally significant bushland and unsuitable for development on conservation grounds. The FESA has a right to pursue development of their site for the purpose the reserve has been set aside for.

The EPA assessment of the vegetation on the site determined that any development would result in the removal of regionally significant vegetation in excellent to very good condition and seriously compromise the integrity of the existing conservation reserve by increasing edge to area ratios and by introducing and increasing existing disturbance factors. The EPA assessment is not considered to have adequately addressed the situation as it is based on the assumption that there is an alternative suitable site available. Also it does not acknowledge that there is a Western Power site in the immediate vicinity where a similar situation will result when development is pursued.

Assessment and Reasons for Recommendation

Bush Forever is a policy position of the government to guide future decision-making and to protect and manage Bush Forever sites through implementation mechanisms. The significance of the bushland on the FESA site is acknowledged. However the EPA have a broader issue to consider in regards to this site as there is also a Western Power site adjacent to the FESA site as well as other Water Corporation reserves and special use reserves where similar scenarios may occur.

The proposal of the land swap begs the question of what should a community purpose site be used for. Community purpose sites are given up by developers at the subdivision stage and are set aside for community purposes. Traditionally such sites are developed to accommodate public buildings for the delivery of community services. These public buildings are used for a variety of purposes including child care centres, club meeting rooms, meeting places or even to create external urban environments for the community.

In most cases at the time community purpose sites are created the community itself is not in existence. Therefore these sites usually remain vacant until such time that a specific community need is identified or a community needs survey undertaken to determine the need.

In this case the full extent of the community needs in the area is unknown. There is one community facility in the area being Christian church based, however this would not meet the needs of all. The loss of the possibility of a community purpose site could be detrimental given the fact that the area may develop a need for a facility and the high ratio of young people residing in the City.

It is important for community purpose sites to be allocated on an equitable basis. The construction of a public building that can accommodate a variety of community groups is considered to be an equitable arrangement.

The following points need to be considered in regard to any proposed land swap:

- Community purpose sites are given up free of cost by the subdivider for community purposes, traditionally these have not been used for bushland preservation;
- Applying community purpose sites for preservation purposes will set a precedent;
- There may be a community expectation that a community facility will be provided;
- Community purpose sites should be allocated to satisfy community needs;
- The location of the community purpose site in the Bush Forever site will reduce the development capacity and value of the City's resource;
- The community purpose site is appropriately located between the Hepburn Heights Shopping Centre to the west and Business zoned lot to the east. Its location, being in close proximity to the immediate community is of great benefit. Further given its location there are a number of land uses that may benefit from this location, therefore providing land use flexibility;
- The community purpose site has been designed to have access from an internal road system. It is not considered appropriate for the relocated site to have direct access onto Hepburn Avenue.
- The proposal is not really a land swap as the FESA site is not suitable for community purposes even if it can be developed.

The community purpose site is the only opportunity in the area for the provision of a facility for the delivery of community services. There is no clearly defined need at this stage but it is considered the opportunity should be retained. Accordingly, it is recommended that the FESA be advised that the City does not consider a land swap to be an appropriate use of its community purpose site.

OFFICER'S RECOMMENDATION: That Council:

- 1 NOTES the Report and takes no further action with regard to a possible land exchange involving the community purpose site on Blackwattle Parade, Padbury;
- 2 ADVISES the Fire and Emergency Services Authority (FESA) that the City of Joondalup does not consider an exchange of Reserve 43210 (FESA) for Reserve 43717 (COJ) to be an appropriate use of the community purpose site.

ADDITIONAL INFORMATION

As requested at the briefing session on 17 July 2001, a copy of the memorandum from the Department of Environmental Protection for Loc 11898 (273) Hepburn Avenue has been provided for Elected Members' information – Appendix 20 refers – click here: [Attach20min240701.pdf](#)

MOVED Cr Nixon that Council:

- 1 NOTES the environmental significance of Hepburn Heights Bushland;
- 2 NOTES the social and historical significance of Hepburn Heights Bushland;

- 3 NOTES the lack of proposed uses for the City of Joondalup Community Purpose Site, Reserve 43717;
- 4 ADVERTISES for a period of 28 days the possibility of the land swap of Fire and Emergency Services Authority (FESA) Reserve Loc 11898 and City of Joondalup Community Purpose site, Reserve 43717 for the purpose of consolidating the Hepburn Heights Bushland Conservation Area;
- 5 INFORMS the residents of the Hepburn Heights Estate of the consideration of a possible land swap by means of a letter box distribution of flyers within the Estate;
- 6 COMMUNICATES this decision to:
- (a) Hepburn Heights Residents Association;
 - (b) Fire and Emergency Services Authority of Western Australia;
 - (c) Western Australian Planning Commission;
 - (d) Friends of Hepburn and Pinnaroo Bushland;
 - (e) The Environmental Protection Authority
- 7 LIAISES with the Department of Land Administration regarding the possible revocation of the Management Order on Reserve 43717;
- 8 RECEIVES a report on the outcome of the public consultation process by the end of October 2001.

There being NO SECONDER, the Motion

LAPSED

MOVED Cr O'Brien, SECONDED Cr Kenworthy that the matter pertaining to the Proposed Land Exchange – Location 11898 (273) Hepburn Avenue, Padbury (Reserve 43210 – Fire Station Site) and Location 12223, (12) Blackwattle Parade, Padbury (reserve 43717 – Community Purpose Site) be DEFERRED pending further consideration by elected members.

Discussion ensued. Cr Kadak requested that information be provided to elected members in relation to Lot 10641 situated on the south side of Hepburn Avenue, which is close to the area in question.

The Motion was Put and

CARRIED

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf170701.pdf](#)

Crs Kimber and Baker entered the Chamber, the time being 2057 hrs.

CJ250 - 07/01 RETROSPECTIVE APPROVAL FOR SATELLITE DISH: LOT 1 (15) COCKPIT WAY, OCEAN REEF - [12973]

WARD - Marina

CJ010717_BRF.DOC:ITEM 19

SUMMARY

The City has received an application for retrospective consideration of a satellite dish that is 2.3 metres in diameter. The satellite dish is mounted on a 1.645 metre high pole in the rear garden of the subject site.

A letter objecting to the satellite dish was received from the adjoining owners in the latter part of 2000 which prompted Council to take action in December 2000, resulting in this application which was received in April 2001.

A smaller satellite dish had previously been approved and erected, and was then replaced with the current dish (without further consent). The dish has been the subject of complaint by a nearby landowner, and there have been many meetings and representations to the Council by the aggrieved party.

The item had been scheduled for determination at a delegated authority level but has been “called in” for consideration by all Councillors.

The satellite dish has been appropriately screened and it is considered that the dish has no impact on the adjoining owners. It is recommended that Council exercises discretion under District Planning Scheme No 2 (DPS2) and grants approval for the satellite dish in its current form and location.

BACKGROUND

Lot No	1
Street Address	15 Cockpit Way, Ocean Reef
Applicant	Durugiah Dayanandan Saraswathy Dayanandan
Owner	Durugiah Dayanandan Saraswathy Dayanandan
Zoning MRS	Urban
Lot Area	820m ²
Zoning	Residential
Permissibility	D

History

- 30/04/1999:** Approval was granted for a white satellite dish 1.8 metres in diameter that is fixed to a pole not exceeding 1.3 metres in height.
- 30/10/2000:** Receipt of a letter of objection to the satellite dish from the adjacent property owners. A site inspection revealed that the white satellite dish had been replaced with a larger black dish, in the same location and on the same pole as approved for the white dish.
- 11/12/2001:** The City issued the owner a Notice that the satellite dish was unauthorised, instructing that the dish either be removed or that an application for approval be made.
- 02/04/2001:** Following several discussions with the owner and officers from the City, an Application for Development Approval was received.
- 17/05/2001:** 14 day advertising period to adjoining property owners' commences.
- 11/06/2001:** Discussions with applicant on site.
- 22/06/2001:** Discussions on site between the Mayor, Ward Councillors, Senior Staff Approval Services and the applicant and the owners of No 3 Beam Road.

DETAILS

Proposal & Discretion Sought

The applicant seeks retrospective approval for an existing satellite dish. Council discretion is sought in the following area:

- General discretion under the District Planning Scheme to allow a 'Communications Antenna'

The existing satellite dish is made of black mesh and has a diameter of 2.3 metres. It is positioned in the same location as the dish that was approved in April 1999 on a pole that is 600mm from the eastern property boundary of the subject site, at a height of 1.645m from ground level. It faces northwest and lattice screening has been provided immediately to the north of the dish so that the dish is not visible from Beam Road.

In discussions, the applicant provided the following verbal information in regard to the satellite dish:

- 1 The previous satellite dish needed to be replaced with the larger dish because the satellite service changed from analogue to digital technology.
- 2 The satellite dish applied for is the smallest dish of this range available.
- 3 The satellite is in the sky in a north-westerly direction.
- 4 With the exception of the area in the rear yard where the dish is located, the rear yard is not suitable for locating the dish because the existing house obstructs the signal. An alternative location for reception would be in the front yard.

- 5 The satellite dish remains fixed in one position.
- 6 The adjoining lot is higher by 2.84 metres than the subject site. Two retaining walls of 1.22 metres and 1.62 metres respectively are located along the eastern boundary of the subject site. A fence of 1.5 metres has been placed on top of the higher retaining wall.
- 7 A similar satellite dish was approved under delegated authority on 24 May 2001 at Lot 2 (17) Cockpit Way.

Advertising

The proposal was advertised by means of a letter to six adjoining landowners. The advertising period closed on 31 May 2001. No response was received during the advertising period.

A further letter was received from the owners of 3 Beam Road prior to the advertising period. The objection stated that:

- The dish stands approximately 5 metres high from the natural ground level of the adjoining property to the top of the dish.
- It is in a different location to where the white dish was approved.
- The dish is unsightly.
- It is visible from the balcony, formal dining area and driveway of the house at 3 Beam Road.

The letter also expresses frustration:

- that this satellite dish and another one in the neighbourhood were erected without prior Council approval;
- that both dishes interfere with the outdoor enjoyment of 3 Beam Road;
- that the City has not been able to find a solution to the loss of amenity of 3 Beam Road ;
- that adjoining property owners are permitted to erect unauthorised dishes and obtain retrospective approval without penalty despite the loss of amenity of another property.

Relevant Legislation

Under DPS2 a 'Communications Antenna' is a "D" use. Council has the ability to approve or refuse the application given the merits of the proposal.

The City has not established a policy specifically relating to satellite dishes. Policies of other Councils have been examined in the course of investigating this issue.

Clause 6.12 of DPS2 allows Council to consider retrospective planning approvals for existing structures and land uses.

COMMENT

Visual Amenity Issues

The natural ground level at the base of the pole is 1.62 metres below the natural ground level of 3 Beam Road. This height difference, together with the existing 1.5 metre high fence provides a total height of 3.12 metre. The total height of the satellite dish is 2.795 metres, which is made up of 1.645 metres being the height on the pole and 1.150 metres for the radius of the dish. The satellite dish therefore is 32.5cm below the height of the fence. The dividing fence is 1.5m in height (above a retaining wall).

Much of the dwelling at 3 Beam Road faces west directly onto the fence between 3 Beam Road and the subject site, and over the subject site toward the ocean. The satellite dish is not seen when the vista is enjoyed from the rear yard of 3 Beam Road. The dish is lower than the top of the fence and is not visible when viewed at right angles to the fence.

Until recently the dish was visible when viewed at an angle from the balcony, informal dining and driveway of 3 Beam Road, if the occupants of the adjoining property chose to look into the neighbours yard. With the screening that has been provided, the dish is no longer clearly visible from the above areas.

The issue of whether satellite dishes generally are unsightly is subjective. The important issue is whether the dish may be considered to have an adverse visual impact on an adjoining property. In this instance, the impact of the dish is minimal due to its location relevant to the submitter's property and the screening that has been provided to prevent visibility from Beam Road. It is noted that any additional development (eg. a shed) on the subject site is likely to have some form of visual impact on the adjoining property as this property is at a higher level, with the home orientated towards the rear garden of the subject site. There is also scope on the adjoining property to upgrade the landscaping so as to reduce any visual impact.

Policies of other Councils

Some local authorities have adopted a policy regarding satellite dishes. For comparative purposes the content of the policies are provided below;

In Bayswater, the parameter is to minimise visual impact. Antennas are not allowed in front yard areas, and are restricted by policy to not more than 1.8m in height. There is a limitation of one dish per residential property. There is no policy requirement to advertise proposals for neighbours comment.

In Cockburn, the objective is similar, ie. to minimise visual impact and to locate dishes at ground level or below fences where practicable. In residential areas, dishes can be erected, without obtaining approval, if the dish is 1.8m in diameter, and not more than 2.5m in total height. The policy states that dishes over 3.7m in diameter shall not be permitted.

In Vincent, the policy states that, the objectives are similar to those mentioned above, and adds that the policy recognises that dishes are important and that they will facilitate communication the future. Building mounted dishes should not face the street, and dishes over 1.5m in diameter should be mounted at ground level, with a maximum height of 3m.

Each of the policies includes reference to the amenity considerations that the City of Joondalup takes into account through its District Planning Scheme. Notably, the policies do not require consultation with neighbours (a process which has been undertaken by Council in this instance). The policies are also challengeable on Appeal to a higher level.

On balance, the policies do not reveal new information which varies from that considered by the City in applying evaluation to satellite dish issues, save for the attempted policy prohibition of dishes above a certain height in particular areas (3m and 3.7m are quoted in two of the sampled authorities).

Based on the above, it is recommended that the satellite dish be supported in its current location.

MOVED Cr O'Brien, SECONDED Cr Mackintosh that Council:

1 APPROVES the application dated 2 April 2001 submitted by Durugiah Dayanandan and Saraswathy Dayanandan, for retrospective approval of a satellite dish on Lot 1 (15) Cockpit Way, Ocean Reef.

2 NOTIFIES the submitter of the above determination.

Discussion ensued, with a query being raised regarding the formulation of a policy relating to the installation of satellite dishes.

To a query raised by Cr Baker in relation to the necessity for a Building Licence, Director Planning and Development advised he would seek confirmation on this issue.

The Motion was Put and

CARRIED

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

In favour of the Motion: Mayor Bombak, Crs Mackintosh, Hurst, Kenworthy, O'Brien, Hollywood and Kadak

Against the Motion: Crs Patterson, Walker, Nixon, Baker, Carlos and Kimber

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf170701.pdf](#)

**CJ251 - 07/01 PROPOSED CHANGE OF USE FROM SHOWROOM
TO SHOP (INTERNET CAFÉ): UNIT 2 LOT 703 (7)
WISE STREET, JOONDALUP - [10847]**

WARD - Lakeside

CJ010717_BRF.DOC:ITEM 20

SUMMARY

An application has been received for a change of use of Unit 2 Lot 703 (7) Wise Street, Joondalup from showroom (Comparison Shopping) to Shop (Internet Café).

The property is part of the Joondalup City Centre zone and is subject to the Joondalup City Centre Development Plan and Manual (JCCDPM), which allows for a range of land uses within this area.

The lot is located within the Western Business District and is earmarked to be used for “Comparison Shopping”, where the preferred uses include Showrooms.

It is recommended that Council exercises discretion under District Planning Scheme No 2 (DPS2) to vary provisions of the JCCDPM to allow the proposed use to proceed in this instance.

BACKGROUND

Lot No	703
Street Address	7 Wise Street, Joondalup
Land Owner	Mr V and Mrs I Woermann
MRS Zoning	Central City Area
DPS Zoning	Joondalup City Centre
Lot Area	1899m ²
Area of Unit 2	213m ²

On 23 May 2000, Council resolved to modify the Joondalup City Centre Development Plan and Manual to remove restrictions discouraging CBD uses, such as shops, from the Comparison Shopping Area. The Plan and Manual is currently under review and this modification will form part of the review.

DETAILS

The site is located within the Western Business District, bordered by the railway line and Joondalup Drive. Within this district there are three distinct types of land use, being Regional Shopping, Comparison Shopping and Highway/Drive-in. The subject unit/complex is situated within the “Comparison Shopping” area. Comparison shopping is intended to provide for homeware type establishments and was intended to differentiate between those uses and the CBD type uses. The subject unit is situated within an existing complex of four showrooms which were approved on 28 September 1998. In October 2000 Council approved the change of use of Unit 1 of the subject development from a showroom to a service industrial use.

In October 1999 Council approved the change of use of the adjoining Lot 702 (3/1) Wise Street, within an adjoining development from a showroom to an office use. In May 2000 Council approved the change of use within the same development from a Showroom to a Retail Shop.

Development Proposal

The proposal entails a change of approved use to Unit 2 (currently vacant) which has an area of 213m². The Internet Café will comprise a service desk and, initially, 28 computers with potential for up to 60 computers. The applicant is unsure as to whether any food or drinks will be sold from the premises, however, this will have no planning implications and suitable health controls exist to assist if that proposal is included.

Relevant Legislation

The JCCDPM is principally used to guide the future built form of development within the City Centre and was not intended to specifically limit land use. The subject lot comprises an existing development within the comparison shopping area where the preferred uses include Showroom Retail and Residential (Caretaker). The Comparison Shopping area contains substantial commercial buildings.

The Manual also states:

“The retail component of the Western Business District will focus on Comparison Shopping. The intention of this district is not to duplicate the proposed uses of the Central Business District and Business Park, but to sit comfortably between the two.”

The JCCDPM also defines the Central Business District as being an area focused on Grand Boulevard from Shenton Avenue to Joondalup Drive, that will ultimately be a concentrated commercial core with major retail development, cultural facilities and Civic Centre, Central Park and the business faces of TAFE and Edith Cowan University.

COMMENT

Issues

The objective of the JCCDPM is to guide development within a built form framework so as to guide the form of development and therefore the character of the public domain. A number of substantial comparison shopping uses have established in the precinct. The proposed café use is in accordance with Council's previous resolution to broaden the permitted uses in the precinct, and will provide a complementary use to the established comparison shopping stores. It is noted that the carparking requirements of the JCCDPM are standard for all commercial land across the City Centre. No objection is raised to the proposed land use.

The land use restrictions within the Comparison Shopping area are no longer appropriate given that the area has experienced substantial development (ie Harvey Norman, S&L Furniture Store). Future retail activity should be controlled by the limited size of existing tenancies and the existing plot ratio of only 0.5:1, which places a ‘ceiling’ on future expansion of established developments within the Comparison Shopping Area.

The proposed café is considered to be a suitable use for the site, and approval is recommended.

MOVED Cr Kadak, SECONDED Cr Walker that Council:

- 1 EXERCISES DISCRETION for a change of use from Showroom to Retail Shop for Unit 2 Lot 703 (7) Wise Street, Joondalup under clause 4.5.1 of the City of Joondalup District Planning Scheme No 2;**
- 2 APPROVES the change of use from Showroom to Retail Shop for Unit 2 Lot 703 (7) Wise Street, Joondalup subject to the area being limited to 213m².**

Cr Kadak spoke to the Motion.

The Motion was Put and

CARRIED

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf170701.pdf](#)

CJ252 - 07/01 SINGLE HOUSE (DOUBLE STOREY INCLUDING A TOWER EXCEEDING POLICY 3.1.9): LOT 134 (86) WEST COAST DRIVE, (CORNER HIGH STREET) SORRENTO - [74005]

WARD - South Coastal

CJ010717_BRF.DOC:ITEM 21

SUMMARY

The City has received an application from Manor Home Builders Pty Ltd for a double storey single house. The proposed dwelling includes a turret, which is located in the front portion of the house. The turret rises to a total height of 11.2 metres and includes an attic room, with the uppermost level being an attic that is accessible via stairs from the proposed music room.

Council's discretion is sought in this instance as the proposal exceeds the Building Height Envelope.

The proposal was advertised by means of letters to adjoining property owners. Two submissions, one of which is an objection, were received. The main concern raised is that the proposed discretion in regard to the front setback and Building Height Envelope will affect the amenity of adjoining property due to the proposal's bulk and height and particularly due to overshadowing of the front yard.

At the request of one of the Councillors, the application has been "called in" to be determined by the Council.

It is recommended that the proposal be refused due to the extent to which the proposal, and in particular the turret, exceeds the Building Height Envelope.

BACKGROUND

Lot No	134
Street Address	86 West Coast Drive, Sorrento
Applicant	Manor Home Builders
Owner	Remo Formato
Zoning MRS	Urban
Lot Area	840m ²
Zoning	Residential
Permissibility	P

Site History

1958:	Construction of existing dwelling.
1961,1965 & 1989:	Addition of boat shed, garage and patio
14/3/2001:	Application for building licence received.
7/5/2001:	Application for planning approval received.
24/5/2001:	Close of advertising

DETAILS

Council's policy 3.1.9 provides that buildings which potentially exceed the parameters of the height and scale envelope shall be advertised to allow an opportunity for neighbour's comment. The policy also requires that justification should be submitted to support the variation.

Proposal and Discretion Sought

The proposal is for a new, four bedroom dwelling with living areas on the upper level. In order to construct the proposed dwelling, the existing dwelling will require to be demolished. As most of the natural ground level of the lot is below West Coast Drive and High Street, the applicant is proposing to fill the block in order to achieve the levels at the street corner.

A double garage (accessible from High Street) is also proposed. The roof of the double garage is flat so that it can be used as a north-facing sun deck. A balcony that starts at the turret and wraps around the western and northern elevation of the house links up with the sun deck.

The proposed dwelling has been placed as close to West Coast Drive as possible in order to maximise the potential for the future use of the rear garden area.

Applicant Justification

The applicant has provided a case seeking the variation, and this is included as an attachment. A summary follows:

- 1. The proposed house is vastly superior to the existing house and will improve the streetscape. The proposal is therefore not in conflict with Policy objective of: enhancement of the amenity and streetscape character of the surrounding area. .*
- 2. The Policy is a general guide to control building bulk and should allow for variations to the norm.*
- 3. The Policy should not preclude particular housing styles or designs.*
- 4. The intrusions above the height limit are considered minor in nature only as it will be difficult to argue that the turret has the same impact on building bulk as a typical habitable room (ie. a living room, bedroom, etc).*
- 5. The plot ratio of the proposed house is 0.33 and the open space provided is 75% (which is well in excess of the minimum 50% required.)*
- 6. The location of the windows of the proposed house is such that they are not directly opposite windows of the neighbouring house. As such there is no interference with solar gain.*
- 7. The site is narrower (at approximately 15 metres) than a typical lot of this size which makes designing a two storey house more difficult.*
- 8. Site levels vary considerably in this stretch of the coast, which is common for properties in the West Coast Drive/High Street area, and filling is required to provide a reasonable building pad.*
- 9. The FFL of the house does not exceed the FFL of the dwelling on the adjoining lot to the south, and is approximately 0.4 metres lower than the FFL of the opposite property (in High Street).*
- 10. The development is in keeping with the area where numerous houses over recent years have been built which exceed the Policy requirements.*
- 11. The turret is designed not to affect the privacy of adjoining sites and as a special feature of the building.*
- 12. The impact of proposed intrusions are considered to have an insignificant additional negative impact obstructing sea views from adjoining sites.*

Advertising

The proposal was advertised by means of letters to four adjoining landowners, inviting comment. Two submissions, being one non-objection and one objection were received.

Submission Comments and Issues

The submission of non-objection comes from the owner of the lot that is located along High Street and borders on the subject site along its eastern boundary.

The objection states:

- “1. *The building exceeds the maximum height as per Council’s Policy 3.1.9. The impact of the proposal, and specifically the tower, will affect the amenity of my property due to its bulk and height. Undoubtedly, the proposal will severely overshadow my front yard, thus reducing my enjoyment of this area.*
- 2 *As my house is set back further than is now required under R codes I am aware that some of my amenity may be affected by any new houses built on adjoining lots. However, the proposal in question exceeds the standard 6m setback. The reduction in setback to 3m is NOT an automatic approval and Council must still consider the impact that such a setback would have on the streetscape and adjoining landowners. I feel that in this situation a reduced setback, coupled with an over-height building with considerable bulk only detracts from the streetscape and negatively impacts on my residential amenity.*
- 3 *Whilst I have no objection to a two storey building, I do object to the location of the proposed tower. I would prefer it to be moved to the opposite corner of the property facing High Street. This would result in the shadow falling across the subject house rather than onto my outdoor area.*

Relevant Legislation

Under District Planning Scheme No 2 (DPS2), a single house is a permitted (‘P’) use in a ‘Residential’ zone. Therefore, Council cannot refuse the land use, however, can consider amenity and streetscape issues in accordance with DSP2, Policy 3.1.9, and the R-Codes.

The proposal complies with all other requirements except Council’s Height & Scale of Buildings within a Residential Area - Policy 3.1.9.

COMMENT

Building Height Envelope

The proposal effectively comprises two components, namely

- The turret
- The main house, being the remaining portions of the dwelling except the turret.

The proposal exceeds the Building Height Envelope in regard to:

- The height of the main house dwelling, where in main the roof exceeds the 8.5 metre height line by between 400mm at the front and 750mm at the rear of the dwelling and the roof of the turret by 1.0 metre.
- The southern side of the lot, where the proposed turret exceeds the envelope which is on a diagonal at this point by between 4.2 metres and 1.0 metre.

The extent to which the turret exceeds the Building Height Envelope brings the development into conflict with the objective of Policy 3.1.9:

“to enhance the amenity of the streetscape and character of the surrounding area.”

The actual height of the proposal from floor level to the top of the roof is 8.5 metres. However, it exceeds the Building Height Envelope as a result of the proposed finished floor level of the dwelling. This has been based on the natural ground levels on the block near West Coast Drive. As the block is graded down towards the centre of the lot there are some points that are over a metre lower than the levels of the block at West Coast Drive. Since the Building Height Envelope follows the fall of the land, its shape would also reflect a hollow in the centre. With filling a portion of the block to achieve the proposed finished floor level, the proposal exceeds the height of the Building Height Envelope. However, the proposed finished floor level is not considered to be excessive, given that the finished floor level of the adjoining home is 270mm higher. Opportunities exist to bring the proposal within the height restrictions, such as reducing the pitch of the roof. However, the applicant has indicated that this would not be desirable, as it would detract from the design of the dwelling.

The turret itself has an overall height of 11.2 metres and a height of 11.7 metres when measured from the natural ground level of the block. This is in excess of the maximum height restriction of 8.5m. A significant portion of the brickwork of the third level of the turret, as well as the entire roof, exceeds the Building Height Envelope.

Council has exercised discretion in other instances where the extent to which the development exceeds the Building Height Envelope is minor and the development would meet the policy objectives in relation to amenity and streetscape. However the extent to which the turret exceeds the Building Height Envelope is not considered to be minor in this instance (being almost 3metres above the height policy threshold), and is considered to be unnecessary and excessive. As such, the proposal is not considered to be in keeping with other developments in the area and it is suggested that the proposal not be supported. This aspect of the proposal has also been the subject of written objection.

Front Setback

The following comment is in response to the objection raised in regard to the front setback of the proposed development.

Clause 1.5.8 of the Residential Planning Codes provides that:

“the minimum setback from primary street alignment may be reduced by up to 50% provided that the area contained by the boundary and the building projected onto that boundary is not less than would be the case were the setback set out in Table 1 complied with.”

This clause allows for setback averaging.

A further proviso when applying front setback averaging is stipulated under clause 1.5.7(d) in the R-Codes as follows:

“Council may allow a lesser setback, ...in so doing Council shall have regard to existing setbacks from the street alignment in the immediate locality, in the case of setback from, the principal street alignment.”

This City allows for front setback averaging as a matter of standard practice. According to Table 1 of the R-Codes, the minimum setback in this instance is 6 metres, which means that a minimum of 3 metres and an average of 6 metres is required. Although there are still properties in West Coast Drive that have not taken advantage of this provision and have a much greater front setback, including the development immediately adjoining the subject site along its south, that potential is available and can be exercised by landowners when redeveloping.

The setback averaging proposed in this instance complies with the City's standard practice and is therefore acceptable

Overshadowing

The following comment is in response to the objection raised in regard to the potential of the turret to overshadow the front yard of the adjoining property.

Clause 1.7.2 of the Residential Planning Codes provides that:

“No development shall cause more than 50% of an adjoining lot to be in shadow at noon on June 21, save with the approval of the Council.”

As the adjoining property is located south of the application site there is likely to be some overshadowing, particularly from the turret. However the extent of this overshadowing is very limited and does not conflict exceed the amount allowable under the Residential Planning Codes (where the Codes allow up to 50% of an adjoining lot to be shaded, measured at noon on June 21).

As the impact of the potential overshadowing on the adjoining property is minimal and the extent of overshadowing is well within the provisions of the Residential Planning Codes, this matter not considered to be an issue

In summary, the proposed dwelling exceeds Council's Policy in regard to building height and scale, by a substantial amount. It is considered that the proposal does not meet the objectives of the Policy which aims to protect and enhance the amenity and streetscape character of the surrounding area. The proposal is therefore not supported.

OFFICER'S RECOMMENDATION: That Council:

- 1 REFUSES the application submitted by Manor Homes, the applicant, on behalf of the owner on 7 May 2001, Remo Formato, for a single dwelling on Lot 134 (86) West Coast Drive, Sorrento for the following reasons:
 - (a) the proposal substantially exceeds the City's Policy 3.1.9 – Height and Scale of Buildings within a Residential Area, and it is considered that this will have a negative impact on the streetscape and amenity of the surrounding area;
- 2 NOTIFIES the applicant of the above determination.

MOVED Cr Kenworthy, SECONDED Cr O'Brien that Council:

- 1 APPROVES the application submitted by Manor Homes, the applicant, on behalf of the owner on 7 May 2001, Remo Formato, for a single dwelling on Lot 134 (86) West Coast Drive, Sorrento subject to:**
 - (a) the plans being modified to delete the upper level of the Turret (as indicated on the alternative elevation presented to the deputation to Council on 24 July 2001 – Appendix 22 refers)**
- 2 NOTIFIES the application of the above determination.**

Cr Kenworthy gave the following reason for his departure from the Officer's original Recommendation:

"The applicant has submitted an alternative plan which is acceptable in accordance with Council Policy."

Discussion ensued. Director, Planning and Development clarified queries in relation to this modified application exceeding the building envelope.

The Motion was Put and

CARRIED

Appendices 16 and 22 refer

To access this attachment on electronic document, click here: [Attach16brf170701.pdf](#)
[Attach22min240701.pdf](#)

CJ253 - 07/01 DELEGATED AUTHORITY REPORT - [07032]

WARD - All

CJ010717_BRF.DOC:ITEM 22

SUMMARY

This report provides a resumé of the Development Applications processed by Delegated Authority from 1 June 2001 to 30 June 2001.

MOVED Cr Hurst, SECONDED Cr Walker that Council NOTES the determinations made under Delegated Authority in relation to the applications described in Report CJ253-07/01.

The Motion was Put and

CARRIED

Appendix 17 refers

To access this attachment on electronic document, click here: [Attach17brf170701.pdf](#)

**CJ254 - 07/01 SUBDIVISION REFERRALS PROCESSED - 1 – 30
JUNE 2001 - [05961]****WARD - All**

CJ010717_BRF.DOC:ITEM 23

SUMMARY

Overleaf is a schedule of the Subdivision Referrals processed by the Subdivision Control Unit (SCU), from 1 – 30 June 2001. Applications processed via the SCU were dealt with in terms of the delegation of subdivision control powers by the Chief Executive Officer (DP247-10/97 and DP10-01/98).

DETAILS

The total number of subdivisions processed will enable the potential creation of 1 additional residential lot and 4 strata residential lots. The average processing time taken was 14 days.

MOVED Cr Kadak, SECONDED Cr Kimber that Council NOTES the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ254-07/01.

The Motion was Put and**CARRIED***Appendix 18 refers**To access this attachment on electronic document, click here: [Attach18brf170701.pdf](#)**Cr Carlos left the Chamber, the time being 2128 hrs.***MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****MOTION TO LIE ON THE TABLE - NOTICE OF MOTION – CR C BAKER –
[23184, 10860, 07963, 05080, 17849, 41676, 08473, 09088]**

At the Council meeting held on 10 July 2001, the following motion was moved:

MOVED Cr Baker, SECONDED Cr Carlos that the dry tree branches, shrubbery and other vegetation positioned on the northern and southern perimeters of the new pathway connecting Mullaloo Beach North with Ocean Reef Road (adjacent to the intersection of Swanson Way, Ocean Reef) be removed because they constitute a dangerous fire hazard and serve no significant purpose whatsoever.

The following procedural motion was then moved:

MOVED Cr O'Brien, SECONDED Cr Nixon that the Notice of Motion as submitted by Cr C Baker LIE ON THE TABLE.

The Motion was Put and

CARRIED"

Standing Orders Local Law, Clause 5.4 – The Motion Lie on the Table

Clause 5.4 states:

If a motion that the motion lie on the table is carried debate on that motion shall not be resumed until a motion has been passed to take the motion from the table.

On a motion for the laying of the motion on the table being carried, a record shall be taken of all those who have spoken on the motion under debate and they shall not be permitted to speak on any resumption of the debate on that motion, but this does not deprive the mover of the motion of the right of reply. *(Note: The Minutes of the Council meeting held on 10 July 2001 recorded that no member spoke on the Notice of Motion submitted by Cr Baker.)*

Any motion that was subject to a resolution that the motion lie on the table and not dealt with subsequently at the same meeting, shall be included in the agenda for the next ordinary meeting.

A member moving the taking of the motion from the table shall be entitled to speak first upon the resumption of the debate thereon.

Following the above procedural motion, Council resolved to:

- “1 SEEK an independent fire risk assessment from Fire and Emergency Services Authority (FESA) in relation to the nature and extent of works associated with the recent pathway construction in Ocean Reef;***
- 2 RECEIVE a further report outlining the findings of the independent fire risk assessment.”***

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 14 AUGUST 2001** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

SECOND PUBLIC QUESTION TIME**Mrs M McDonald, Mullaloo:**

Q1 In relation to the approval given to Mr Plummer, if there is a contract between Council and Mr Plummer, does Council have insurance to cover the situation?

A1 It cannot be assumed that there is a contract. However, Council has adequate public liability cover.

Crs Kadak, Baker and Patterson left the Chamber at 2130 hrs.

Cr Carlos entered the Chamber, the time being 2131 hrs.

Mr V Harman, Ocean Reef:

Q1 In relation to Page 99, Motion to Lie on the Table. There is reference to the report expected from FESA. Has that report been received?

A1 No, this report is still being compiled.

Q2 At the Joondalup Community Coast Care Forum meeting, a letter was available giving the attitude of FESA to Council's behaviour.

A2 It is understood the letter was a draft response. A formal response has not yet been received from FESA.

Q3 Would you agree that the letter is complimentary of the Council's actions?

A3 Yes, that is correct. At this stage, the letter is unsigned.

Ms A Malorgio, representing 3 Beam Road, Ocean Reef:

Q1 Is the Local Government (Miscellaneous Provisions) Act still in order?

A1 Yes.

Q2 A breach of regulations has occurred. What remedies were taken for non-compliance?

Crs Kadak and Baker entered the Chamber at 2133 hrs.

A2 It is understood that Mr and Mrs Letizia were made aware of the various attempts made at the time to either get the applicant to comply or to make an application to rectify the situation.

Q3 As the dish at No 15 finishes 4.4m from the ground, which is taller than any shed, we consider this constitutes a variation against the amenities of Mr and Mrs Letizia and we ask that Council require the owner to make good the breach. We would like the dish to be lowered as per the original conditions.

A3 This is a separate application and has nothing to do with the previous application.

Q4 Can the dish at No 17 which was approved under Delegated Authority be revisited and/or revoked?

A4 No.

Q5 This is contrary to the District Planning Scheme.

A5 The dish at No 17 has been given planning approval.

Mr K Pearce, Joondalup Community Coast Care Forum:

Q1 In relation to the approval given to Mr Plummer to enable collection of rubbish. What would be the result if Mr Plummer enters the Reserve and does not collect rubbish?

A1 This is a hypothetical question and cannot be answered.

Mr S Magyar, Heathridge:

Q1 The item in relation to Hepburn Heights was deferred this evening. When this matter is brought before Council, will the same report be presented as was provided tonight, or will a report be prepared to address all the issues raised in Cr Nixon's motion.

A1 This will be determined by the Administration.

C73-07/01 MOTION TO GO BEHIND CLOSED DOORS

MOVED Cr Kadak SECONDED Cr Walker that in accordance with Section 5.23(2) of the Local Government Act 1995 the meeting be held BEHIND CLOSED DOORS, to give consideration to Item – Recruitment of New Chief Executive Officer.

The Motion was Put and

CARRIED

It was requested that the tape recording equipment be turned off at this point.

Members of staff (with the exception of Manager Executive Services and Manager, Human Resources), members of the public and press left the Chamber at this point, the time being 2137 hrs.

REPORT OF THE CHIEF EXECUTIVE OFFICER**C74-07/01 RECRUITMENT OF NEW CHIEF EXECUTIVE OFFICER - [20006] [91115] [12879]****WARD - All****SUMMARY**

Meetings of the Chief Executive Officer - Recruitment Committee were held on 11 June and 16 July 2001. The confirmed minutes from the meeting held on 11 June and unconfirmed minutes of the meeting held on 16 July 2001 are submitted for noting by the Council and endorsement of the recommendations contained therein.

BACKGROUND

At its meeting held in May 2001 a Chief Executive Officer Recruitment Committee was established to oversee the recruitment process for a new Chief Executive Officer.

The Committee has met on a number of occasions in order to progress an appointment. A meeting of the Committee was held on 11 June 2001 and a copy of the confirmed minutes from that meeting are included as Attachment 1.

The Committee also met on 16 July 2001. The unconfirmed minutes from that meeting are included as Attachment 2.

DETAILS

A number of items that were considered at the meeting held on 16 July require authorisation by the Council. These matters include: -

- The authorising of the Chief Executive Officer Recruitment Committee to undertake interviews;
- The authorising of the expenditure associated with interstate candidates attending interviews
- Appointment of an acting Chief Executive Officer.

FUNDING

Funding is available under Account Number 11.10.11.111.4201.0001 – CEO Administration – Consultancy to fund the expenditure.

MOVED Cr Carlos, SECONDED Cr Hurst that:

- 1 the Chief Executive Officer Recruitment Committee be AUTHORISED to conduct interviews for the position of Chief Executive Officer;**

- 2 the expenditure associated with interstate candidates attending interviews in Perth be **AUTHORISED**;
- 3 the expenditure in (2) above be charged to Account Number 11.10.11.111.4201.0001 – CEO Administration – Consultancy;
- 4 Mr John Turkington, Director Resource Management be **APPOINTED** Acting Chief Executive Officer from 5 September 2001 until the new Chief Executive Officer commences;
- 5 the confirmed minutes of the Committee to Select a new Chief Executive Officer held on 11 June 2001, be **NOTED**;
- 6 the unconfirmed minutes of the Committee to Select a new Chief Executive Officer held on 16 July 2001, be **NOTED**.

The Motion was Put and

CARRIED

Appendix 21 refers

To access this attachment on electronic document, click here: [Attach21min240701.pdf](#)

MOVED Cr Hurst, **SECONDED** Cr Walker that the meeting be held with the doors open, the time being 2205 hrs.

The Motion was Put and

CARRIED

Members of the public entered the Chamber at this point. In accordance with the City's Standing Orders Local Law, the Manager Executive Services read the above Motion.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 2207 hrs; the following elected members being present at that time:

J BOMBAK, JP
P KADAK
P KIMBER
D S CARLOS
C BAKER
A NIXON
J F HOLLYWOOD, JP
A A WALKER
M O'BRIEN
G KENWORTHY
J A HURST
C MACKINTOSH