



**MINUTES OF COUNCIL MEETING
HELD ON 28 AUGUST 2001**

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CITY OF JOONDALUP

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

OPEN AND WELCOME

The Mayor declared the meeting open at 1900 hrs.

ATTENDANCES

Mayor

J BOMBAK, JP

Elected Members:

| | | |
|----------------------|--------------------|--|
| Cr P KIMBER | Lakeside Ward | |
| Cr D S CARLOS | Marina Ward | |
| Cr C BAKER | Marina Ward | |
| Cr A NIXON | North Coastal Ward | <i>Absent from 1940 hrs to 1944 hrs</i> |
| Cr J F HOLLYWOOD, JP | North Coastal Ward | |
| Cr P ROWLANDS | Pinnaroo Ward | <i>from 1904 hrs; Absent from 2005 to 2006 hrs</i> |
| Cr T BARNETT | South Ward | |
| Cr A L PATTERSON | South Coastal Ward | <i>Absent from 2001 hrs to 2003 hrs</i> |
| Cr G KENWORTHY | South Coastal Ward | |
| Cr J HURST | Whitfords Ward | |

Officers:

| | | |
|--|----------------|--------------------|
| Chief Executive Officer: | L O DELAHAUNTY | <i>to 2006 hrs</i> |
| Director, Resource Management: | J TURKINGTON | <i>to 2006 hrs</i> |
| Director, Planning & Development: | C HIGHAM | <i>to 2006 hrs</i> |
| Director, Infrastructure Management: | D DJULBIC | <i>to 2006 hrs</i> |
| Director, Community Development: | C HALL | <i>to 2006 hrs</i> |
| Executive Manager, Strategic Planning: | R FISCHER | <i>to 2006 hrs</i> |
| Manager, Executive Services: | K ROBINSON | |
| Manager, Council Support Services: | M SMITH | <i>to 2006 hrs</i> |
| Manager, Human Resources: | M LOADER | |
| Publicity Officer: | L BRENNAN | <i>to 2006 hrs</i> |
| Committee Clerk: | J AUSTIN | <i>to 2006 hrs</i> |
| Minute Clerk: | L TAYLOR | <i>to 2006 hrs</i> |

In Attendance

Mr Warren Reynolds – Recruiters Australia *from 1935 hrs*

There were 6 members of the Public and 1 member of the Press in attendance.

C81-08/01 **CHANGE TO ORDER OF BUSINESS - REPORT OF THE CHIEF EXECUTIVE OFFICER**

MOVED Cr Baker, SECONDED Cr Hurst that in accordance with Clause 3.2 – Order of Business of the City’s Standing Orders Local Law the late Item 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 prior to the conclusion of this evening’s meeting.

The Motion was Put and

CARRIED

APOLOGIES AND LEAVE OF ABSENCE

Leave of absence previously approved:

Cr C Mackintosh - 28 to 31 August 2001

Apologies - Crs Kadak and O’Brien

C82-08/01 **LEAVE OF ABSENCE – CR C MACKINTOSH AND CR A WALKER**

Cr Mackintosh has requested Leave of Absence from Council duties for the period 22 to 25 August 2001.

Cr Walker has requested Leave of Absence from Council duties for the period 26 to 29 August 2001

Cr Rowlands entered the Chamber, the time being 1904 hrs.

MOVED Cr Hollywood, SECONDED Cr Baker that Council APPROVES the following requests for Leave of Absence:

- **Cr C Mackintosh for the period 22 to 25 August 2001 inclusive**
- **Cr A Walker for the period 26 to 29 August inclusive.**

The Motion was Put and

CARRIED

PUBLIC QUESTION TIME

The following questions, submitted by Ms A Malorgio, Ocean Reef were taken on notice at the meeting of Council held on 14 August 2001:

Q1 Is the Council aware of the Australian Standard AS 2772 that applies to satellite dishes and do the satellite dishes that have been proposed and approved retrospectively comply with these standards?

A1 AS 2772 refers to emission standards for telecommunication facilities. The domestic satellite dishes, such as those recently dealt with by the Council, are 'receive-only' dishes which do not emit radiation. AS 2772 would not, therefore apply to these dishes.

Q2 Has a radiation hazard report ever been undertaken on any of these dishes?

A2 Based on the advice given in answer to question 1, radiation hazard reports for domestic satellite dishes are not applicable.

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

Q1 Further to the questions asked at the Council meeting of August 14th regarding the 8.8% increase granted to Chubb Security seeking the specifics of the breakdown can you advise what clause or section of written law, regulation or other legislative process allows the denial of access to the information.

A1 The City used the exemption under the Freedom of Information Act Clause 4 – Commercial or Business Information and Clause 8 – Confidential Communications, as guiding principles to deny access to the detailed information provided by Chubb Security.

Q2 How does this advice relate to the exceptions as defined in the Freedom of Information Act, in particular clauses 4 and 8 which deal with commercial and in confidence?

A2 The detailed information was withheld because it would reveal business, professional, commercial or financial matters relating to Chubb Protection Services, which is in line with the exceptions of Clauses 4 and 8 of the Freedom of Information Act.

Mr A Bryant, Craigie:

- *Mr Bryant expressed appreciation for the courtesies extended to him by the Director Planning and Development and Council Support staff.*
- *Mr Bryant referred to the fact that the City of Joondalup advertises in the Joondalup Community Newspaper and raised concern that since 19 July 2001, this newspaper is not delivered to over 200 houses within Craigie.*

Q1 Warrant of Payments: Cheque 32255, dated 18 July 2001, for an amount of \$409.90 to Macbeth Genealogical Services Pty Ltd: Whose family tree is being researched?

A1 This question will be taken on notice.

Mr M Sideris, Mullaloo:

Q1 Why cannot the tender document for Provision of Security Services be downloaded from the City's web page?

A1 This matter will be investigated.

Q2 Can this be amended to be downloaded?

A2 Yes.

Mr S Magyar, Heathridge:

Q1 Why is it recommend for the review of Standing Orders Local Law to be advertised in accordance with Section 3.12 of the Local Government Act 1995, as Section 3.16 deals with a review of local laws?

A1 Section 3.16 refers to the periodic review required every eight years. Section 3.12 requires the process for making a new local law, and what is proposed is a new law to replace the existing Standing Orders.

Q2 Section 3.16 does not only require a review every eight years. There is already an existing Standing Orders Local Laws and the report refers to reviewing that local law.

A2 The existing Standing Orders still has the City of Wanneroo as its name. The special provisions of the division of the former City of Wanneroo allowed both new Councils to use the Standing Orders and it was requested that both Councils adopt their own Standing Orders Local Law as soon as possible. This will be the first Standing Orders adopted by the City of Joondalup.

Q3 When the former City of Wanneroo was divided, the legal entity that was created to continue business was the City of Joondalup. The City of Wanneroo assets were split and all laws and agreements of the former City of Wanneroo continued under the name of the City of Joondalup.

A3 This opinion is noted.

DECLARATIONS OF FINANCIAL/NON FINANCIAL INTEREST

Cr Rowlands declared a non-financial interest in Item CJ293-08/01 – Supply and Delivery of Meals Service Contract No 051-99/00 – Assignment to Community Vision Inc as he serves on the Board of Community Vision.

C83-08/01 **QUESTIONS WITHOUT DUE NOTICE**

Cr Hollywood requested that in accordance with Standing Orders Local Law, Clause 3.2 – Order of Business time be permitted for questions without due notice from elected members.

Mayor Bombak advised this issue was not a matter listed in the agenda for this evening's meeting.

Chief Executive Officer advised that Clause 3.2 of Standing Orders allows Council from time to time to vary the Order of Business in relation to the topics listed.

MOVED Cr Hollywood, SECONDED Cr Nixon that, in accordance with Clause 3.2 of the City's Standing Orders Local Law, a period of time be allowed in order that questions without due notice may be received from elected members.

Questions Without Due Notice – Cr J Hollywood:

Cr Hollywood referred to an email he had received from the Joondalup City Coastcare Forum which read as follows:

“The Joondalup City Coastcare Forum is concerned that the Mayor told the gathering of volunteers that the dual use path has been completed. We are worried that the Mayor and possibly the Councillors may have been misled on this issue.

The section across the Mullaloo Surf Club carpark and adjacent Tom Simpson Park have not been done. This unfinished section effectively reduces the usefulness of the park we had agreed an alignment for this section. However, this was not complete.

We understand that the funds set aside for this section have been transferred to an unrelated pathway, not a cycleway; near a park in Hillarys. We had understood that this money was grant money from Bikewest, State Government, and if so, what is the legality of using the money granted for the dual use path for an unrelated purpose?”

Discussion ensued. Chief Executive Officer referred to Clause 3.2 – Order of Business as listed in the City's Standing Orders Local Law and advised allowing Questions Without due Notice was in fact amending the Order of Business and was a decision for the Council.

The Motion was Put and**CARRIED**

- Q1 Were the Mayor and Director, Infrastructure Management aware that the dual-use footpath has not been completed?*
- Q2 Were you also aware that the funds for that dual footpath may have been misappropriated without intention to some other footpath instead of to the dual-use footpath?*

Cr Baker raised a Point of Order and expressed concern in relation to the use of the term “misappropriation”.

A1-2 Director, Infrastructure Management advised he understood the section of footpath referred to was from Ocean Reef Boat Harbour through to Shenton Avenue. This section has been completed with the recent laying of asphalt.

In relation to the Whitfords Avenue footpath, this was swapped with the Mullaloo link. This was a Council decision as part of the budget workshop process and would be minuted accordingly. It was also a Council decision to bring forward the dual-use path project along Whitfords Avenue between Angove Drive and the Boat Harbour and to defer the Mullaloo link for the coastal dual-use path for one year.

Q3 *Was the funding from the Bikewest grant?*

A3 Director, Infrastructure Management advised to the best of his knowledge the funding is provided from municipal funds, but this would require confirmation. This information would be contained in budget documentation, as well as the Capital Works Five Year forecast which has been out to the public for some time.

CONFIRMATION OF MINUTES

C84-08/01 **MINUTES OF COUNCIL MEETING - 14 AUGUST 2001**

MOVED Cr Baker, SECONDED Cr Rowlands that the Minutes of the Council Meeting held on 14 August 2001 be confirmed as a true and correct record, subject to the following correction:

Page 25: The recording of the votes in relation to Item CJ256-08/01 to be amended as follows:

“Against the Motion: Crs Hurst, Kenworthy, Patterson, O’Brien, Rowlands, Walker, Hollywood, Nixon, Carlos, Baker and Kadak”

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

NATIONAL AWARD FOR JOONDALUP

The City of Joondalup’s “Community Connections” program has won a national award for innovation in local government.

“Community Connections” – visiting schools and community groups is now a finalist for one of the major national awards.

The City has been invited to make a presentation on its entry to the national judging panel on 10 and 11 September 2001 in Canberra. Winners will be announced in November 2001.

Congratulations to all involved.

RANGERS HELP OTHERS

Ranger Services has been asked by the Shire of Esperance about the City's Junior Ranger Program.

Esperance is experiencing an increase in graffiti and anti-social behaviour and officers were informed of the successful initiatives of the City of Joondalup in reducing graffiti through community education and school contacts.

FORESHORE AND 4-WHEEL DRIVES

Ranger patrols will be stepped up soon following Councillor complaints about four-wheel drive vehicles on our beaches.

There will be 16 hours of foreshore patrols per weekend for 26 weeks, phased in from September 2001.

In addition, there will be 4 hours of off-road vehicle patrols per weekend for 26 weeks, starting in October 2001.

LIFELINE SLEEPOUT

As Mayor, I will be "sleeping out" at Arena Joondalup on 7 September 2001 in the inaugural "Lifeline North Metro Community Leaders' Sleepout".

I am asking residents to support the event by sponsoring me or another Councillor.

Proceeds will go to help Lifeline WA deliver services to over 40,000 families and individuals experiencing distress, all year round.

CHIEF EXECUTIVE OFFICER – MR L DELAHAUNTY

After more than five years at the helm of the former City of Wanneroo and then the City of Joondalup, this evening is the last Council meeting for Lindsay Delahaunty as Chief Executive Officer.

Mr Delahaunty was recruited 5 ½ years ago to replace Town Clerk, Mr Ron Coffey.

Mr Delahaunty took office amid the uproar of the Wanneroo Inc Royal Commission and the Panel of Inquiry, which ultimately saw the Council dissolved.

Under the five Commissioners appointed by the State Government, Mr Delahaunty presided over a period in which order was restored and the administration transformed into a modern, customer focused organisation; and for one Councillor who was back there in 1997, rest assured once I returned in 1999, there could not be a truer word said that this organisation was transformed into a modern, customer focused organisation.

Lindsay was also largely responsible for the orderly division of the former City of Wanneroo into the new Shire of Wanneroo and then the City of Joondalup, where he served as inaugural Chief Executive Officer for the City of Joondalup and Acting Chief Executive Officer for the Shire of Wanneroo.

It is acknowledged that Mr Delahaunty ran a very tight ship and has helped lay the foundations for a new era at the City of Joondalup with an elected Council.

On behalf of elected members Lindsay, I thank you for your contribution and wish you well for your best in the future.

PERSONAL STATEMENT – CR A NIXON

Cr Nixon sought leave to make the following personal statement:

“I feel compelled to endorse your eloquent testimony to Mr Delahaunty. I have been greatly impressed with the professional way in which he has dealt with the difficulties he has obviously experienced with this process over the last months.

Mr Delahaunty has been extremely professional and I believe he has been an example to us all.

I trust the new Chief Executive Officer, whoever it may be will live up to the high standards that Mr Delahaunty has set and will also live up to the salary he is obviously going to be paid.”

PETITIONS

C85-08/01 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 28 AUGUST 2001

PETITION SUPPORTING SKATE/BMX PARK – CURRAMBINE – [08096]

A 38-signature petition has been received from young residents of the City of Joondalup in support of a skate/ BMX park in Currambine.

This petition will be referred to Community Development – Leisure and Ranger Services for action.

MOVED Cr Hollywood, SECONDED Cr Hurst that the petition in support of a skate/BMX park in Currambine be received and referred to the appropriate Business Unit for action.

The Motion was Put and

CARRIED

C86-08/01 REQUEST FOR SECOND PUBLIC QUESTION TIME

MOVED Cr Hollywood, SECONDED Cr Carlos that, in accordance with Clause 3.2 of the City’s Standing Orders Local Law, a second public question time be permitted.

The Motion was Put and

CARRIED

C87-08/01 MOTIONS TO BE VOTED UPON BY EN BLOC METHOD

MOVED Cr Rowlands that Items CJ285-08/01 to CJ297-08/01 inclusive be voted upon using the en bloc method of voting.

There being NO SECONDER, the Motion

LAPSED

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| POLICY |
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**CJ280 - 08/01 REVIEW OF STANDING ORDERS LOCAL LAW -
[01369, 05885]**

WARD - All

CJ010821_BRF.DOC:ITEM 1

Summary of Purpose and Effect (was read aloud at the Council Meeting)

The first action in the process of adopting a local law requires a summary of the purpose and effect to be read aloud by the Mayor. The summary is as follows:

“The purpose of this local law is to:

- **provide a set of enforceable procedures to assist in the good conduct of Council, committee and electors meetings.**

The intent of this local law is to:

- **result in better decision making by Council, the orderly and efficient conduct of meetings dealing with Council business and greater community understanding of the business of the Council by providing open and accountable local government.”**

SUMMARY

The Council has been for some time reviewing its Standing Orders Local Law with a committee being established in March 2000 to assist it in the process. The committee met recently on Monday 13 August 2001 to further consider the draft set of Standing Orders. The committee agreed to recommend to the Council that the draft local law (with some minor amendments) be advertised for public comment in accordance with the Local Government Act, 1995. These minor amendments have been made to the local law.

It is therefore recommended that the draft Standing Orders Local Law 2001 be advertised inviting public comment.

BACKGROUND

The Council has been for some time reviewing the former City of Wanneroo's bylaws to ensure the City of Joondalup has a complete and undated set of enforceable local laws. The review of the Standing Orders Local Law is the last to be reviewed.

A report was presented to the Council at its meeting held on 28 March 2000 where it was recommended to advertise the draft set of Standing Orders for public comment. The decision of the Council at that meeting was:

- 1 *DEFERS further consideration of the proposed local law "City of Joondalup Standing Orders Local Law 2000" until such time as a Councillors' Standing Orders Review Committee presents Council with its report on the proposed local law;*
- 2 *FORMS a Standing Orders Review Committee;*
- 3 *ENDORSES the formation of the Standing Orders Review Committee consisting of:*

Mayor
Deputy Mayor
Cr. S Magyar
2 Councillors
Chief Executive Officer

This committee met on a number of occasions following that decision. Following the May 2001 election, the committee was reconstituted with the membership being:

- Mayor
- Cr. A Patterson
- Cr. C Baker
- Cr. M O'Brien

DETAILS

This committee met on Monday 13 August 2001 to consider the draft set of standing orders. At that meeting it was recommended:

"That Council, in accordance with Section 3.12 of the Local Government Act 1995, APPROVES the advertising of the proposed Local Law, "City of Joondalup Standing Orders Local Law 2001", in order to seek public comment, subject to:

- **the inclusion of the penalty provisions as detailed in this report;**
- **the amendment to Clause 48(3) – Preservation of order – members of the public;**
- **the amendment to Clause 82(1) – Confidentiality."**

The requested amendments by the committee have been made to the local law and are attached, along with the minutes of the committee meeting.

Section 3.12 of the Local Government Act 1995, details the procedure that a local government must follow when making a local law. The details relating to the first stage of making a local law are:

- “ **3.12** (1) In making a local law a local government is to follow the procedure described in this section, in the sequence it is described.
- (2) At a Council meeting the person presiding is to read aloud, or cause to be read aloud, a summary of the purpose and effect of the proposed local law.
- (3) The local government is to -
- (a) give statewide and local public notice stating that -
 - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice;
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day not less than 6 weeks after the notice is first given.
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the proposed local law is proposed to be made, to that other Minister, and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law * that is not significantly different from what was proposed.

**Special Majority Required ”*

COMMENT/FUNDING

The proposed local law includes the repeal of the current Standing Orders Local Law carried over from the former City of Wanneroo, being:

City of Wanneroo Standing Orders Local Law 1997, as published in the Government Gazette - 30 October 1997.

The repeal of the current local law coincides with the coming into operation of the proposed local law.

The City's solicitor has reviewed the proposed local law to ensure that the content is within the bounds of operation of the Local Government Act 1995.

It is recommended that the proposed local law be advertised in accordance with section 3.12 of the Local Government Act 1995, in order to seek public comment. The revised set of Standing Orders will result in better decision making by Council, the orderly and efficient conduct of meetings dealing with Council business and greater community understanding of the business of the Council by providing open and accountable local government.

MOVED Cr Patterson, SECONDED Cr Rowlands that Council:

- 1 NOTES the Minutes of the Standing Orders Review Committee Meeting held on Monday 13 August 2001, forming Attachment 1 to Report CJ280-08/01;**
- 2 in accordance with section 3.12 of the Local Government Act 1995, APPROVES the advertising of the proposed local law, "City of Joondalup Standing Orders Local Law 2001", forming Attachment 2 to Report CJ280-08/01, in order to seek public comment.**

Cr Carlos foreshadowed the following motion should the Motion under consideration not succeed.

"that the matter pertaining to the City of Joondalup Standing Orders Local Law 2001 be DEFERRED and referred to the Standing Orders Review Committee to further consider the amendments forwarded by Cr Carlos."

Discussion ensued. Cr Baker sought clarification in relation to thorough public consultation being undertaken.

The Motion was Put and

CARRIED

Appendices 1 and 2 refer

*To access these attachments on electronic document, click here: [Attach1brf210801.pdf](#)
[Attach2agn280801.pdf](#)*

CJ281 - 08/01 DELEGATED AUTHORITY - CONSENT TO ALTER COUNCIL LEASED PREMISES - [06995]

WARD - All

CJ010821_BRF.DOC:ITEM 2

SUMMARY

The City's standard lease for buildings and land requires that the lessee obtain the written consent of the City prior to erecting or altering any Council building or structure. Currently, such consent has to be provided by the Council, even though the request may be minor in nature, and this has often meant unnecessary delays in providing a simple approval to a lessee. This report recommends that the Council delegates authority to the Chief Executive Officer to approve of such alterations and additions as requested by the lessee.

BACKGROUND

The City has a standard lease, which is executed with all lessees of Council buildings and land. This lease requires that where the lessee proposes an alteration or new building, that the prior written approval of the Council is obtained. Most leases have a clause such as the one below:

“not without the prior written consent of the Lessor to erect or suffer to be erected any building or structure to the demised premises or any part thereof or to make or suffer to be made any alteration in or to any building or structure erected thereon or cut, maim or injure or suffer to be cut, maimed or injured any of the walls or timbers thereof.”

When a request for an alteration or new building is received from a lessee, a report is currently prepared for the Council's consideration. Quite often, the proposed alteration or new building is very minor in nature, and in such cases it would be more efficient for the Chief Executive Officer to approve of these requests without the need for a separate report and consideration by the Council for approval.

Such instances have included requests by community groups for the erection of new sheds for storage. A recent example is the request from the Whitfords Volunteer Sea Rescue Group for the construction of a garage at Ocean Reef (*refer CJ214-08/00*) where the Council approved the application subject to various conditions.

DETAIL

Delegating authority to the Chief Executive Officer to approve such minor requests would significantly improve the current administrative process and reduce the time required to process such requests, therefore enhancing customer service to our lessees. Removing the need for the Council to deal with minor requests would also allow the Council to concentrate on issues of more significance such as strategic and policy matters.

It is recommended that where the request to make an alteration or addition is less than \$50,000 in market value, the Council gives the Chief Executive Officer delegated authority to approve of such requests. All approvals given by the Chief Executive Officer under delegated authority would be recorded in the Delegated Authority Register and reported to the Council as currently occurs with other such delegations. Requests with a market value of greater than \$50,000 will still require to be presented to the Council for consideration.

OFFICER'S RECOMMENDATION: That Council:

- 1 BY AN ABSOLUTE MAJORITY, DELEGATES AUTHORITY to the Chief Executive Officer to approve of alterations and additions to Council premises by the lessee, where the market value is less than \$50,000;
- 2 ADOPTS the Policy 'Consent to Alter Council Leased Premises' forming Attachment 1 to Report CJ281-08/01.

MOVED Cr Kimber, SECONDED Cr Baker that Council:

- 1 DELEGATES AUTHORITY to the Chief Executive Officer to approve of alterations and additions to Council premises by the lessee, where the market value is less than \$20,000 and provided that the Council and the particular ward Councillors are notified of the request prior to the approval;
- 2 ADOPTS the Policy 'Consent to Alter Council Leased Premises' forming Attachment 1 to Report CJ281-08/01 with the following amendments:
 - (a) the amount of \$50,000 be reduced to \$20,000;
 - (b) the Council and the particular ward Councillors are to be notified of the detail of all requests prior to approval being granted by the Chief Executive Officer.

Cr Kimber spoke to the Motion.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf210801.pdf](#)

Mr Warren Reynolds, Recruiters Australia entered the Chamber, the time being 1935 hrs.

CJ282 - 08/01 DELEGATION OF AUTHORITY - HEALTH ACT AND CARAVAN AND CAMPING GROUNDS ACT - [24041]

WARD - All

CJ010821_BRF.DOC:ITEM 3

SUMMARY

The City of Joondalup Register of Delegation of Authority includes the delegations made to officers pursuant to the Health Act 1911 and the Caravan Parks and Camping Grounds Act 1995 to exercise and discharge certain powers or functions on behalf of the local government.

This report seeks Council approval to update the delegations and to amend the wording used to remove the need to seek Council approval every time there is a change in staff or regulations affected by these delegations.

BACKGROUND

The Joint Commissions at their meeting on 22 June 1999 (report CJ230-06/99 refers) updated the City's delegations relating to:

1. Environmental Health Officers appointed to administer provisions of certain regulations made pursuant to the Health Act 1911; and
2. Council officers appointed as "authorised persons" under the Caravan Parks and Camping Grounds Act 1995.

A number of officers with the delegations have since left this local authority and been replaced. In addition, the list of regulations made pursuant to the Health Act has had a number of changes.

DETAILS

Health Act delegations

Section 26 of the Health Act 1911 provides for the Local Government to appoint and authorise any person to be its deputy to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government sees fit.

Under this provision, the City, through Council resolutions, delegates authority to Environmental Health Officers to administer the provisions of the Health Act regulations on its behalf. The wording of the delegations, as reflected in the City's Register of Delegation of Authority lists by name both the Environmental Health Officers and the various regulations.

In view of this, to keep the delegations current, it would be necessary to report to Council for approval to amend the delegation register every time there is a change in Environmental Health Officers or if regulations are revoked or new regulations proclaimed.

This would not be required if the delegation made reference to persons in the position of an Environmental Health Officer rather than referring to each delegated person by name, and referred to regulations made pursuant to the Health Act instead of listing the individual regulations.

Caravan Parks and Camping Grounds Act 1995 delegations

Section 17 of the Caravan Parks and Camping Grounds Act 1995 provides for a local government to appoint such persons to be “authorised persons” as it considers necessary to administer the provisions of that act.

Under this provision, the City, through Council resolutions, had appointed all Environmental Health Officers and the Principal Building Surveyor as “authorised persons”. The wording of the delegations, as reflected in the City’s Register of Delegation of Authority lists the officers by name.

In view of this, to keep the delegations current, it would be necessary to report to Council for approval to amend the delegation register every time there is a change in Environmental Health Officers or Principle Building Surveyor.

This would not be required if the delegation made reference to persons in the position of an Environmental Health Officer, and the Principal Building Surveyor or person acting in that position, rather than referring to each delegated person by name.

COMMENT

The reference to Officers by position instead of by name has been used for various other delegations by the City. This is considered more practical and efficient in ensuring that delegations are always kept up to date.

Call for Support of one-third of members of the Council

The Local Government Act 1995, under regulations prescribed to deal with Section 5.25 (e), lays down the following procedure for dealing with revoking or changing decisions made at Council or Committee meetings:

If a decision has been made at a Council meeting, then any motion to revoke or change the decision must be supported by at least one-third of the number of officers (whether vacant or not) of members of the Council.

If supported by one-third of the members, then any decision to revoke a resolution of the Council if required to be passed by an Absolute Majority.

Prior to giving consideration to the following recommendation, elected members are required to give the **support of one-third of their members**, and such support is to be recorded in the minutes of this meeting.

Call for Support of one-third of members of the Council

The Mayor called for support from one-third of the members of Council. Support for this Item was given by Crs Kimber, Baker, Hurst, Patterson and Barnett.

MOVED Cr Patterson, SECONDED Cr Kimber that Council:

- 1 RESCINDS all delegations previously granted to Environmental Health Officers under the provisions of section 26 of the Health Act 1911;**
- 2 RESCINDS all delegations previously granted to officers to be “authorised persons” under Section 17 of the Caravan Parks and Camping Grounds Act 1995;**
- 3 AUTHORISES under section 26 of the Health Act 1911, those Environmental Health Officers duly approved by the Executive Director, Public Health and who are members of the Health Services or the Approval Services Business Units of the City of Joondalup to administer the provisions of the Health Act 1911 and regulations made there under (except the signing of notices and prosecutions);**
- 4 APPOINTS under Section 17 of the Caravan Parks and Camping Grounds Act 1995, the Principal Building Surveyor or person acting in that position, and Environmental Health Officers who are members of the Health Services or the Approval Services Business Units of the City of Joondalup as "authorised persons" for the purpose of this Act.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

| |
|--|
| FINANCE AND COMMUNITY DEVELOPMENT |
|--|

**CJ283 - 08/01 SCHEDULE OF DOCUMENTS EXECUTED BY
MEANS OF AFFIXING THE COMMON SEAL -
[15876]**

WARD - All

CJ010821_BRF.DOC:ITEM 4

SUMMARY

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 16.07.01 to 10.08.01:

- Document: Agreement
Parties: City of Joondalup
Description: District Planning Scheme No 2 – Amendment 2
Date: 16.07.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Recording of Historical Importance – L Charlesworth
Date: 17.07.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Recording of Historical Importance – E Russell
Date: 17.07.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Recording of Historical Importance – G Hamilton
Date: 17.07.01
- Document: Agreement
Parties: City of Joondalup
Description: Family and Children’s Services preferred service provide application for new financial year for City’s Financial Counselling Service
Date: 23.07.01
- Document: Agreement
Parties: City of Joondalup and Commonwealth Department of Family and Community Services
Description: Funding Agreement – Youth Activities Services and Youth Activities Service Family Liaison Worker Program
Date: 31.07.01
- Document: Agreement
Parties: City of Joondalup, Silkchime Pty Ltd and Water Corporation
Description: Easement – Protect Water Corporation pipeline – Lot 944 (83) and Lot 965 (95) Ellersdale Avenue, Warwick
Date: 03.08.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Recording of Historical Importance – J Goodsell
Date: 08.08.01
- Document: Copyright
Parties: City of Joondalup and City of Wanneroo
Description: Recording of Historical Importance – M Hamilton
Date: 10.08.01

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

The Motion was Put and

CARRIED

**CJ284 - 08/01 VACANCIES - WESTERN AUSTRALIAN
MUNICIPAL ASSOCIATION - VARIOUS
COMMITTEES - [02011]**

WARD - All

CJ010821_BRF.DOC:ITEM 5

SUMMARY

The Western Australian Municipal Association (WAMA) has invited member Councils to submit nominations to various committees.

Nominations are invited from elected member and officer representatives with experience, knowledge and an interest in the relevant issues.

Nominations for all vacancies close on Friday 14 September 2001 at 4.00 pm.

DETAILS

The Western Australian Municipal Association has invited member Councils to submit nominations to the following committees:

- Coastal Zone Council
- Housing Advisory Committee
- State Emergency Service Consultative Committee
- Swan Catchment Council
- Urban Development Advisory Committee
- WA Planning Committee
- WA Planning Commission Statutory Planning Committee
- WA Planning Commission Transport Committee

Nominations are invited from elected member and officer representatives with experience, knowledge and an interest in the relevant issues.

Nominations for all vacancies close on Friday 14 September 2001 at 4.00 pm.

Appointments are conditional on the understanding that nominees and delegates will resign when their entitlement terminates – that is, they are no longer elected members or serving officers of Local Government. This ensures that the WAMA representative is always active in Local Government as an elected member or serving officer.

Details of these vacancies can also be found at the Interaction section of the WAMA website at: <http://www.wama.wa.gov.au/interaction/index.html>.

DETAILS

1 COASTAL ZONE COUNCIL – WAMA Metropolitan Member and Deputy Member, WAMA Non-Metropolitan Member and Deputy Member

Nominations are invited from an elected member or serving officer experienced in or with a knowledge/interest of coastal zone management activities in Western Australia.

The Committee will:

- Provide advice to Government, through the Western Australian Planning Commission to the Minister for Planning, to co-ordinate planning of the States coastal zone management activities.
- Assist in the development and review of Government policies and priorities for coast zone management.
- Promote standards and guidelines for coastal zone management.
- Monitor the implementation of the State's current coastal zone management programs.
- Assist with the co-ordination of annual agency budget submissions for coastal zone management.
- Oversee the collation, prioritisation and disbursement of a coastal improvements grants program, as well as funds for coastal zone research.
- Provide a mechanism to ensure effective disbursement of Commonwealth Government coastal management funds according to priorities established by the Coastal Zone Council.
- Act as the focal point for liaison with the Commonwealth Government on Coastal Management issues.
- Promote community involvement, information exchange and education on coastal zone management issues and;
- Act as a focal point for Government agencies, local government and community groups regarding coastal management issues.

The term will commence on appointment for a period of two years, to 30 June 2003. Meetings are held bi-monthly at WA Planning Commission, Albert Facey House, 469 Wellington Street, Perth for a duration of two hours. Day and time of meetings to be advised.

There is a meeting fee payable of \$3,500 per annum.

The Committee will comprise the following representatives:

- | | |
|---|---|
| ▪ WAPC Community Representative | ▪ Local Govt. (Metro) Representative |
| ▪ Fisheries Department WA | ▪ Department of Resources Development |
| ▪ Local Government (Country) Representative | ▪ Community Representative |
| ▪ Department of Environmental Protection Representative | ▪ Department of Conservation & Land Management Representative |
| ▪ Waters and Rivers Commission | ▪ Department of Transport |
| ▪ Deputy for Country Representative | |

2 HOUSING ADVISORY COMMITTEE - WAMA Member

Nominations are invited from an elected member or serving officer experienced in or with a knowledge/interest in housing matters.

The Committee will:

- Advise the Minister for Housing and Managing Director, Ministry of Housing on State Government housing policy and other related matters.
- Participate in the development of Ministry of Housing policy and program initiatives.
- Advise on or recommend research and the development of new policies and guidelines in areas of perceived need.
- Assist in identifying housing needs in the community.

The term will commence on appointment for a period of two years. Meetings are held bi-monthly for a duration of two hours. Location, day/time of meetings to be advised.

Sitting fees paid to organisations which are not currently funded to attend HAC Meetings.

The Committee will comprise of representatives from:

- | | |
|---|--|
| ▪ Chairperson appointed by the Minister for Housing | ▪ WA Coalition of Social Service |
| ▪ Minister for Regional Development | ▪ Shelter WA |
| ▪ Aboriginal Community | ▪ Tenants Advice Service |
| ▪ Community Housing Coalition of WA | ▪ Housing Industry Association |
| ▪ Western Australian Municipal Association | ▪ Real Estate Institute of WA |
| ▪ Master Builders Association | ▪ Urban Development Institute of Australia |
| ▪ WAHURI | ▪ Ministry for Planning |
| ▪ Commonwealth Dept of Family & Community Services | ▪ Ministry of Housing |

3 STATE EMERGENCY SERVICE CONSULTATIVE COMMITTEE – WAMA Member

Nominations are invited from an elected member or serving officer experienced in or with a knowledge/interest in emergency matters.

The Committee will:

- Advise the Minister on all aspects of Policy in relation to emergency services.
- Develop plans for and providing advice on the management and use of emergency services.
- Undertaken co-ordinate, manage and provide practical and financial assistance to activities and projects relating to emergency services.

The term will commence on appointment for a period of two years. Meetings are held three times a year for a duration of 5-6 hours. Location, day/time to be advised.

There is no meeting fee.

The Committee will comprise the following representatives:

- Chairman
- Executive Director
- Western Australian Municipal Association
- Various Elected Volunteer Representatives

4 SWAN CATCHMENT COUNCIL – WAMA Member

Nominations are invited from an elected member or serving officer experienced in or with a knowledge/interest in natural resource management in the Swan region. Experience in the area of environment and horticulture is especially important for this position.

The Council will:

- Raise community awareness and involvement in Swan Integrated Catchment Management.
- Bring together State and Local Government agencies and key community groups.
- Raise and pursue priority issues to be addressed by the ICM process on behalf of peak community groups.
- Ensure support of all Swan ICM activities.
- Take issues of regional importance to the Swan-Avon ICM.
- Pursue the integration of catchment management objectives into political agendas and into operational plans of Government at State and Local level.

The term will commence on appointment for a period of two years. Meetings are held monthly at Swan Catchment Centre, 108 Adelaide Terrace, East Perth for a duration of 3 hours. Day/time to be advised.

Meeting fee to be advised.

The Committee will comprise the following representatives:

- | | |
|---|--|
| ▪ WA Municipal Association | ▪ Swan River Trust |
| ▪ Swan representatives from the Swan-Avon ICM Co-ordinating Group | ▪ Department of Conservation & Land Management |
| ▪ Sub-Catchment ICM Groups | ▪ Agriculture WA |
| ▪ Water and Rivers Commission | ▪ Ministry of Planning |
| ▪ Peak community environmental groups | ▪ Department of Environmental Protection |

5 URBAN DEVELOPMENT ADVISORY COMMITTEE – WAMA Member and WAMA Deputy Member

Nominations are invited from an elected member or serving officer experienced in or with a knowledge/interest in the Water Corporations activities in this regard.

The Committee, as a Committee of the Water Corporations Board of Management will:

- Provide advice on improving processes associated with the Water Corporation's involvement in the land development activity.
- Provide advice on performance indicators the Corporation should adopt, and how the development industry could be better served by the Corporation.
- Provide representative input to reviews of policies, processes, standards, practices and Corporation performance, particularly as these impact on Statewide land development activities undertaken and/or administered by private and public entities.

The term will commence on appointment for a period of two years. Meetings are held for a duration of 1-2 hours. All other meeting details to be advised.

There is no meeting fee.

The Committee will comprise the following representatives:

- | | |
|--|--|
| ▪ Urban Development Institute of Australia | ▪ Department of Commerce and Trade |
| ▪ Association of Consulting Engineers, Australia | ▪ Western Australian Municipal Association |
| ▪ Consulting Surveyors Western Australia (Inc) | ▪ Civil Contractors Federation |
| ▪ Master Builders Association | ▪ LandCorp |
| ▪ Housing Industry Association | ▪ Water Corporation, Chairman |
| ▪ Water Corporation, Chairman | |

6 WA PLANNING COMMISSION – WAMA Metropolitan Member and Deputy Member, WAMA Non-Metropolitan Member and Deputy Member (Panel of 4 Names for each Position)

Nominations are invited from elected members with significant knowledge and/or experience in town and statutory planning matters.

The Commission will:

- Provide advice to the Minister on Town Planning Schemes and amendments throughout the State.
- Prepare Town Planning Schemes for areas of State or regional significance outside the Metropolitan region.
- Co-ordinate the provision of infrastructure for land development and the planning of transport.
- Undertake all things that are necessary to perform its functions [Section 18(2) of the W A Planning Commission Act 1985].

The term will commence on appointment for a period of two years. Meetings are held monthly on the fourth Tuesday of each month at Ministry for Planning, Albert Facey House, 469 Wellington Street, Perth. The commencement time for meetings is 2.30 pm for a duration of three hours.

There is a meeting fee of \$6,800 per annum payable. Deputy Members receive \$131 (full day)/\$86 (half day) when attending meetings on behalf of Member.

The Committee will comprise the following representatives:

- Chairman of WAPC
- Lord Mayor, City of Perth
- CEO, Ministry for Planning
- CEO, Department of Environmental Protection
- Local Government Representatives
- Water and Rivers Commission
- Commissioner of Main Roads
- A/Director General Dept of Transport
- Director Regional Policy Unit, Premier and Cabinet
- Community Representatives

7 WA PLANNING COMMISSION STATUTORY PLANNING COMMITTEE – WAMA Member (Panel of 4 Names)

Nominations are invited from elected members with significant knowledge and/or experience in town and statutory planning matters.

Terms of Reference

In accordance with town planning legislation, to deal with statutory planning matters such as subdivision of land, strata titles, Local Government town planning schemes etc.

The term will commence on appointment for a period of two years. Meetings are held weekly at Ministry for Planning, Albert Facey House, 469 Wellington Street, Perth for a duration of 1-2 hours. Details in relation to day/time and meeting fees to be advised.

The Committee will comprise the following representatives>

- CEO, Ministry for Planning
- Chairman of WA Planning Commission
- Local Government Representatives
- Director, Regional Policy Unit, Premier and Cabinet
- Community Representative

8 WA PLANNING COMMISSION TRANSPORT COMMITTEE – WAMA Member (Panel of 4 Names)

Nominations are invited from elected members with significant knowledge and/or experience in town planning and transport matters.

Terms of Reference

In accordance with town planning legislation, to advise on transport and infrastructure policy and legislation.

The term will commence on appointment for a period of two years. Meetings are held bi-monthly at Ministry for Planning, Albert Facey House, 469 Wellington Street, Perth for a duration of 1-2 hours. Details in relation to day/time and meeting fees to be advised.

The Committee will comprise the following representatives:

- Chief Executive Officer, Ministry for Planning
- Chairman of WA Planning Commission
- Director-General of Transport
- Commissioner for Main Roads
- Director, Regional Policy Unit, Premier and Cabinet
- Local Government Representative
- Commissioner for Railways

Cr Patterson nominated Cr Kenworthy for consideration of appointment to the Coastal Zone Council.

Cr Kimber sought clarification in relation to the State Emergency Service Consultative Committee and any financial interest he may have due to his work commitments.

Chief Executive Officer did not believe Cr Kimber would have a vested or financial interest and advised expertise from particular persons was needed.

Cr Hurst nominated Cr Kimber for consideration of appointment to the State Emergency Service Consultative Committee.

MOVED Cr Patterson, SECONDED Cr Hurst that Council NOMINATES the following elected members for consideration of appointment:

Cr G Kenworthy - Coastal Zone Council
Cr P Kimber - State Emergency Service Consultative Committee

The Motion was Put and

CARRIED

Cr Nixon left the Chamber, the time being 1940 hrs.

CJ285 - 08/01 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – 25-28 NOVEMBER 2001 - [07122]

WARD - All

CJ010821_BRF.DOC:ITEM 6

SUMMARY

The Australian Local Government Association General Assembly is being held in Canberra between 25-28 November 2001. It is recommended that the Mayor together with the Chief Executive Officer or his nominee attend the National Assembly.

DETAILS

The Australian Local Government Association General Assembly is being held in Canberra between 25-28 November 2001. The theme of the conference is “Community Renewal – Citizens in Action”. Speakers from various sectors will discuss topics such as leadership and empowerment.

Forums will also be held on the following issues:

- ◆ Productive Diversity
- ◆ New Urbanism
- ◆ Disaster Risk Management
- ◆ e-Government
- ◆ Transportation & Asset Management

COMMENT/FUNDING

The estimated cost of attending the National Assembly is \$3,410 per delegate as follows: -

| | |
|------------------|--------|
| Airfare | \$1400 |
| Registration | \$675 |
| Accommodation | \$940 |
| Travel Allowance | \$450 |
| | \$3465 |

Funding has been allocated in the 2001/02 budget for the Mayor and the Chief Executive Officer to attend the National Assembly.

Funding has been allocated in the following accounts:

| | |
|------------------------|--|
| 11.05.05.052.3512.0001 | Governance – Elected Members – Conferences |
| 11.10.11.111.3302.0001 | CEO Administration – Conferences |

MOVED Cr Kimber, SECONDED Cr Rowlands that Council AUTHORISES the:

1 attendance of the Mayor and the Chief Executive Officer or his nominee at the 2001 Australian Local Government Association National General Assembly in Canberra between 25-28 November 2001;

2 expenditure in (1) above to be charged to the following budget items:

| | |
|-------------------------------|---|
| 11.05.05.052.3512.0001 | Governance – Elected Members – Conferences |
| 11.10.11.111.3302.0001 | CEO Administration - Conferences |

The Motion was Put and

CARRIED

CJ286 - 08/01 JOONDALUP NIGHT MARKETS - [16972]**WARD - Lakeside**

SUMMARY

The City of Joondalup, as part of its strategic vision, is aiming to create and develop a vibrant and economically sustainable City Centre. One of the initiatives implemented to facilitate this was the introduction of the Joondalup Central Business District Night Markets in 1998.

Brian Laurance and Associates' contract for the operation and organisation of the Joondalup Night Markets expires 4 November 2001. The contract provides the option for Brian Laurance and Associates to renew their contract for a further period of three years, however Mr Laurance has subsequently advised the City that he will not exercise this option.

Mr Laurance has provided an operational statement to the City highlighting a steady decrease in the number of stallholders and crowds attending the Joondalup Night Markets. It is believed that the Night Market theme needs to be rebranded and its image refreshed, together with an effective advertising campaign if it is to be financially viable for a private proprietor to assume responsibility for the operation of the Night Markets in 2001.

This report recommends that the City invite tenders for the operation of the Joondalup Night Markets for a period of three years, 2001/02 through to 2003/04.

BACKGROUND

In the early stages of the development of Joondalup, the Central Business District failed to attract people to it as an alternative entertainment district. In an effort to attract people to the Central Business District after work hours, the City and Landcorp devised the concept of the Joondalup Night Markets.

The Night Markets were originally devised to meet the following objectives:

- to increase awareness of the Joondalup Central Business District;
- attract an audience into the Joondalup Central Business District after hours, which would support the existence of businesses in Central Walk and nearby areas;
- assist in the creation of a vital and vibrant City Centre.

The City of Joondalup and Landcorp initially ran a trial of Joondalup Night Markets in early 1998, with the assistance of Brian Laurance and Associates.

Following this initial success, it was decided to tender the operation of the Joondalup Night Markets to a private proprietor. In August 1998, tenders were invited for the operation and organisation of the Joondalup Night Markets for a period of three years.

There were only three tenders received, with the tender subsequently being awarded to Brian Laurance and Associates for the consideration of \$1 per annum. A Management Committee comprising the City, Brian Laurance and the Joondalup Owners and Traders was then established to oversee the Joondalup Night Markets.

DETAILS

Mr Laurance has submitted an Operational Statement for the Joondalup Night Markets for 2000/01. There were 21 Night Markets held weekly from October 27, 2000 through to the Joondalup Festival on March 23, 2001. The number of stallholders ranged from 28 through to 55, with the average being 36. The crowds ranged from 2,500 through to 6,000, with the average being 3,800. In comparison, when Mr Laurance first trialled the Joondalup Night Markets in 1998, the number of stallholders averaged 63, with the crowds averaging 6,800 a night.

The operation of the Joondalup Night Markets has been reviewed and the following issues were considered below:

- Is the continuation of the Joondalup Night Markets in 2001/02 still a feasible and appropriate option, that effectively assists the Joondalup Central Business District in being a vibrant and economically sustainable Centre?
- Should the City of Joondalup assume sole responsibility for the operation and organisation of the Joondalup Night Markets?
- If not, who should be responsible for the operation of the Joondalup Night Markets;
- Should the City of Joondalup consider subsidising the operation of the Joondalup Night Markets, in the way of providing funding (advertising etc.) to a private proprietor;
- Should the number of Joondalup Night Markets be decreased to around eight (two a month) plus the Joondalup Festival Weekend, rather than the current twenty-one (once a week)?
- Should the holding of the Joondalup Night Markets only occur when there is a Summer Festival Event on in the Central Business District?
- Should the Joondalup Night Markets be changed to a Saturday morning, afternoon or evening? Although to change to another time would not really be supporting Central Walk businesses as they are primarily dining establishments, which are open in the evenings.
- What should stallholders have to pay for a stall (currently \$25)?
- Does the City want to attract an alternative type of stallholder, which could potentially increase the number of stallholders and crowds? Currently, stallholders must be predominately art and craft in nature, and this prevents second hand merchandisers having stalls. It may be worth considering a car boot market, which would have a higher demand from both stallholders and crowds.

- Should the City of Joondalup review its provision of facilities such as seating, tables, lighting etc. which would make the Joondalup Night Markets more attractive to families?
- What is the most effective and appropriate way to revamp and revitalise the Joondalup Night Markets, to ensure that it becomes a successful venture?

The Manager Strategic and Organisational Development, Manager Marketing Services, Senior Policy Officer, Marketing Co-ordinator and Cultural Services Co-ordinator have met to discuss the future options in relation to the Night Markets. There was agreement that the Night Markets appeal and success declined noticeably last year and that if the Night Markets are to become successful again, the advertising budget for the Markets should be increased and the Market's theme should be rebranded.

There was consensus on a number of issues, including reducing the number of Markets held during summer.

It was also agreed that a strong Management Committee comprising the Manager Strategic and Organisational Development, Cultural Services Co-ordinator, Manager Marketing Services, Economic Development Officer and Lakeside Ward Councillors would need to be established which would provide strong direction and focus for the Night Markets.

OPTION 1

That the City of Joondalup withdraws support for the continuation of the Joondalup Night Markets.

To withdraw support for the Joondalup Night Markets would be subject to much criticism from the business community as it would not be aligned with the current strategic vision of the City. This option is not supported.

OPTION 2

That the City of Joondalup assumes sole responsibility for the organisation and operation of the Joondalup Night Markets.

To assume responsibility for the Joondalup Night Markets would also require a commitment from the City in relation to providing at minimum a .5 Level 4 FTE resource at an annual cost of approximately \$20,000 a year. An advertising budget of approximately \$9,000 and entertainment budget of \$8,000 per annum would be required to organise advertising, promotion, entertainment, stages/lighting, stallholders, potential sponsorship etc. There is currently no funding provided in the 2001/02 budget for costs associated with the organisation and operation of the Night Markets.

OPTION 3

That the City of Joondalup offer Brian Laurance and Associates the contract for the organisation and operation of the Joondalup Night Markets, with financial assistance to be provided by the City as an incentive.

Mr Laurance has previously stated that the Joondalup Night Markets could be a potential success, if the City were to contribute financial support.

This option is also not supported.

OPTION 4

That the City invite tenders for the operation of the Joondalup Night Markets for a period of three years.

The most feasible option currently available for the City is to test the market place by going to public tender for the organisation of the Night Markets for a period of three years.

In going to tender, the City will need to state in the tender documentation the following requirements of the private proprietor:

- seeking proposals for the organisation and operation of Night and Weekend Markets to be held during the summer period;
- options to be considered to include “Car Boot” markets to be held in the City’s Administration building car park on specified weekends.
- the type and scope of Night and Weekend Markets to be held, such as a mix of commercial and community/charitable stalls;
- the appropriate fee structure for commercial and community/charitable stalls;
- the proposed advertising budget and entertainment for both Markets;
- a strategic vision on how the proprietor best sees the Night and Weekend Markets being a successful venture for Joondalup again, achieving our original objectives.

COMMENT/FUNDING

There is no budget allocation for support of the Joondalup Night Markets.

MOVED Cr Rowlands, SECONDED Cr Baker that Council INVITES tenders for the operation and organisation of the Joondalup Night Markets for a period of three years, 2001/02 through to 2003/04.

Cr Baker referred to the term “the City’s Administration building car park” on Page 24 of the agenda and queried whether this included the car park situated at Joondalup Lotteries House.

Executive Manager, Strategic Planning advised the car park referred to could also be included.

Cr Kimber queried the existence of a Tender document in relation to this issue.

Cr Kimber requested that Ward elected members be given the opportunity to view the tender document used previously.

During discussion Cr Nixon entered the Chamber, the time being 1944 hrs.

AMENDMENT MOVED Cr Kimber; SECONDED Cr Baker that an additional Point 2 be added as follows:

“2 the Ward elected members and other interested elected members be provided with the tender document for review and comment prior to inviting tenders.

The Amendment was Put and

CARRIED

The Original Motion, as amended, BEING:

That:

- 1 Council INVITES tenders for the operation and organisation of the Joondalup Night Markets for a period of three years, 2001/02 through to 2003/04;**
- 2 the Ward elected members and other interested elected members be provided with the tender document for review and comment prior to inviting tenders.**

was Put and

CARRIED

**CJ287 - 08/01 MINUTES OF HOUSE COMMITTEE MEETING - 25
JULY 2001 - [59064]**

WARD - All

CJ010821_BRF.DOC:ITEM 8

SUMMARY

A meeting of the House Committee was held on 25 July 2001 and the unconfirmed minutes are submitted for noting by Council.

BACKGROUND

The unconfirmed minutes of the House Committee meeting held on 25 July 2001 are included as Attachment 1.

At the meeting the following matters were discussed:

Council Lounge Alterations
Corporate gifts
Hospitality functions
Plans for Christmas 2001

MOVED Cr Hurst, SECONDED Cr Barnett that the unconfirmed minutes of the House Committee meeting held on 25 July 2001, forming Attachment 1 to Report CJ287-08/01 be NOTED.

The Motion was Put and

CARRIED

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf210801.pdf](#)

CJ288 - 08/01 URBAN ANIMAL MANAGEMENT COMMITTEE MINUTES – [08096]

WARD - All

CJ010821_BRF.DOC:ITEM 9

SUMMARY

A meeting of the Urban Animal Management Committee was held on 30 July 2001 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the Urban Animal Management Committee meeting held 30 July 2001 are included as Attachment 1.

MOVED Cr Barnett, SECONDED Cr Hurst that Council NOTES the unconfirmed minutes of the Urban Animal Management Committee meeting held on 30 July 2001 forming Attachment 1 to Report CJ288-08/01.

The Motion was Put and

CARRIED

Appendix 5 refer

To access this attachment on electronic document, click here: [Attach5brf210801.pdf](#)

CJ289 - 08/01 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 JULY 2001 – [09882]

WARD – All

CJ010821_BRF.DOC:ITEM 10

SUMMARY

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

BACKGROUND

| FUNDS | VOUCHERS | AMOUNT |
|--|------------------------|----------------------|
| | | \$ c |
| Director Resource Management Advance Account | 032937-033618 | 6,120,052.61 |
| Municipal | 000271-000275A | 6,127,310.85 |
| Trust | 000019-000019 | 122.19 |
| | TOTAL \$ | 12,247,485.65 |

The difference in total between the Municipal and Director of Resource Management Advance Account 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 July 2001, the amount was \$390,527.77.

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 \$12,247,485.65 which is to be submitted to each Councillor on 28 August 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 \$12,247,485.65 submitted to Council on 28 August 2001 is recommended for payment.

.....
Mayor John Bombak

MOVED Cr Rowlands, SECONDED Cr Baker that Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 31 July 2001, certified by the Mayor and Director of Resource Management and totalling \$12,247,485.65.

| FUNDS | VOUCHERS | AMOUNT |
|---|-----------------------|----------------------|
| | | \$ c |
| Director Resource Management Advance Account | 032937-033618 | 6,120,052.61 |
| Municipal Trust | 000271-000275A | 6,127,310.85 |
| | 000019-000019 | 122.19 |
| | TOTAL \$ | 12,247,485.65 |

Cr Baker queried details in relation to the following cheques as appearing on Appendix 6:

| | | | | |
|---------|-----------|---------|----------|----------------------------------|
| Page 10 | Chq 33279 | 18.7.01 | \$857.00 | payable to Seth Holdings Pty Ltd |
| Page 12 | Chq 33125 | 12.7.01 | \$140.00 | payable to Timezone |
| Page 13 | Chq 33563 | 26.7.01 | \$160.00 | payable to Zone 3 Laser Games |

Director, Resource Management advised this information would be provided to Cr Baker on Wednesday, 29 August 2001.

The Motion was Put and

CARRIED

Appendices 6 and 6a refer.

To access these attachments on electronic document, click here: [Attach6brf210801.pdf](#)
[Attach6abrf210801.pdf](#)

CJ290 - 08/01 WARRANT OF PAYMENTS - BUSINESS INFORMATION – JULY 2001 - [37863]

WARD - All

CJ010821_BRF.DOC:ITEM 11

SUMMARY

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

The June report was presented to Council in July 2001. Since that time, the report has been reformatted to ensure that it provides an accurate analysis of payment information. The July report is presented in the revised format, with a summary of the June information.

In the months of June / July 2001, the City has paid over 70% of its 'discretionary' expenditure to businesses located within the Joondalup / Wanneroo region.

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 July 2001 are shown on Attachment 1. This report balances with the July 2001 Warrant of Payments other than one cancelled cheque relating to May. This amounted to \$55.00.

This report has been reformatted since the June report to ensure that it provides an accurate representation of payments to businesses within the Cities of Joondalup and Wanneroo.

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, and are outside the Cities of Joondalup and Wanneroo.
- **Mandatory** – Payments made to providers where the City has no discretion on supplier, ie Western Power.
- **Consulting** – Payments to consultants not within the Cities of Joondalup and Wanneroo.
- **Non-Supplier** – All payments other than supplier payments (ie Payroll, Councillor payments etc).

Expenditures within the 'Joondalup' and 'Wanneroo' categories comprise both contractual and discretionary expenditure. The 'other' category comprises only discretionary expenditure. Suppliers with whom the City has contracts (other than those located within the Cities of Joondalup and Wanneroo) are shown under the 'Contracts' category.

COMMENT/FUNDING

The analysis at Attachment 1 for the month of **July** indicates that 72% of discretionary expenditure was within the Joondalup/Wanneroo Region. 28% was paid to businesses outside the Joondalup/Wanneroo region:-

| | | |
|-----------------------|------------|------------------|
| Joondalup | 12% | \$118,220 |
| Wanneroo | 60% | \$597,386 |
| Regional Total | 72% | \$715,606 |
| Other | 28% | \$278,186 |

A further \$650,998.21 paid in July was made to 'mandatory' or sole supplier organisations, ie Western Power, Alinta Gas etc. Payments totalling \$92,638.38 were made to Consultants. Further payments totalling \$2,136,017.63 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.

In view of the reformatting and review of data it is considered appropriate that the report for the month of **June** be resubmitted in summary form. The details are:-

| | | |
|-----------------------|------------|--------------------|
| Joondalup | 18% | \$248,646 |
| Wanneroo | 61% | \$844,026 |
| Regional Total | 79% | \$1,092,672 |
| Other | 21% | \$287,828 |

Comparing the overall spend in the months, the scenario is:-

| | June 2001 | July 2001 |
|-----------------------|------------------|------------------|
| Joondalup | 18% | 12% |
| Wanneroo | 61% | 60% |
| Regional Total | 79% | 72% |
| Other | 21% | 28% |

MOVED Cr Rowlands, SECONDED Cr Kimber that Council NOTES the Warrant of Payments – Business Information report for the months of June and July 2001 forming Attachment 1 to Report CJ290-08/01.

Cr Baker queried the current status in relation to the drafting of the new “Buy Local Policy”?

Director, Resource Management advised a meeting was scheduled for 30 August 2001 with the Joondalup Business Association after they had cancelled two of the earlier meetings.

The Motion was Put and

CARRIED

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf210801.pdf](#)

CJ291 - 08/01 UNAUDITED FINANCIAL STATEMENT FOR THE YEAR ENDING 30 JUNE 2001 - [07882]

WARD - All

CJ010821_BRF.DOC:ITEM 12

SUMMARY

The unaudited financial report for the year ending 30 June 2001 is appended as Attachment A.

The unaudited June 2001 report shows a variance of **\$6.2m** when compared to the Adopted Budget. This variance can be analyzed as follows:

- The Operating position shows a variance of **\$2.6m** to budget due to a shortfall in revenue of **\$1.0m** and underspending in Employee Costs of **\$0.9m**, Materials & Contracts of **\$3.0m** and Depreciation of **\$0.4m**.
- Abnormal Revenue (Contributions from Developers) was **\$4.5m** against a budget of **\$11.6m**
- Capital Expenditure amounted to **\$7.6m** against a budget of **\$16.2m** due to contributions from developers being **\$7.1m** below budget, purchases of Computer and Communication Equipment not being made, and Plant & Light Fleet not undertaken as a consequence of the change in criteria in the replacement of Light Fleet.
- Capital Works varies to the Adopted Budget by **\$2.1m**. During the year Council received additional unbudgeted grants funds from the Black Spot and Roads to Recovery programmes. At 30 June 2001 capital works of **\$3.2m** were incomplete and were carried forward.

- Council carried forward funding of **\$0.8m** to complete initiatives in progress at 30 June 2001.
- At 30 June 2001, Council carried forward a surplus of **\$3.0m** to cushion the 2001/02 rates.
- Council's financial records will be presented to the auditor for audit.

MOVED Cr Rowlands, SECONDED Cr Barnett that the Unaudited Financial Report for the year ended 30 June 2001 be NOTED.

The Motion was Put and

CARRIED

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf210801.pdf](#)

CJ292 - 08/01 NATIONAL CONFERENCE FOR YOUNG PEOPLE – [45637]

WARD - All

CJ010821_BRF.DOC:ITEM 13

SUMMARY

The National Conference for Young People is being held at the Sheraton Perth Hotel from 21 – 23 September 2001.

The Conference brings together young people, aged 18 to 25 years, from throughout Australia to develop a vision for the future as Australia moves into the third millennium and the second century of Federation. Delegates will be able to take time to consider, from a youth perspective, questions about Australia's history, national values, roles and responsibilities in a local and global context and the future role of government.

The purpose of this report is to seek approval for up to four (4) members of the City's Youth Advisory Councils to attend this Conference and for the City to subsidise the conference expenses incurred for their attendance.

BACKGROUND

The National Conference for Young People is being held at the Sheraton Perth Hotel from 21 – 23 September 2001. A copy of the conference information forms Attachment 1 of this report.

DETAILS

The Conference Program was developed from the results of a national web-based consultation with young people and features keynote speakers including;

- Lieutenant-General Peter Cosgrove AC MC 2001 Australian of the Year
- Ms Sandra Hill Indigenous Artist and Historian
- Professor Geoffrey Blainey AC Chairman National Council and Historian
- Professor Geoffrey Bolton AO Foremost Historian on Federation
- Ms Mia Handshin Youth Representative to UNESCO
- Ms Shelley Gare Freelance Journalist
- Mr Jason Yat-Sen Li International Lawyer/Young Republican
- Governor General of Australia, His Excellency the Right Reverend Doctor Peter Hollingworth AO OBE

These speakers will give direction and stimulus to the conference workshop sessions and assist in developing a *National Youth Declaration* along with strategic recommendations to put this statement into practice in the delegates' local communities.

At the conclusion of the conference, delegates will present the *National Youth Declaration* and their recommendations to His Excellency, the Right Reverend Doctor Peter Hollingworth AC OBE, Governor General of Australia and key representatives from all levels of Government.

It is intended that four (4) delegates from the Youth Advisory Councils attend this conference on behalf of the City. Subsequent to approval by Council, expressions of interest from members will be called at the next meetings of the Youth Advisory Council on 20 and 22 August 2001. Two delegates from each Youth Advisory Council will be peer elected at these meetings.

COMMENT/FUNDING

The cost of registration and other activities for the conference is \$ 220 (GST inclusive) per delegate and funding is available under Budget Item "Youth in Government"- Conference Expenses.

This conference is particularly relevant to members of the Youth Advisory Council who are ideally placed to represent the young people of the City of Joondalup and to enact the outcomes of the program in their local community at the conclusion of the conference. The conference is also considered timely as both Youth Advisory Councils will be undertaking a yearly planning session at this time and the outcomes of the conference should provide valuable input to this process. The four Youth Advisory Council delegates will be required to provide reports to their respective Youth Advisory Councils.

Funding for the conference is available as follows:

| | |
|----------------|------------------------|
| Account No: | 11-80-88-898-3302-A105 |
| Budget Item: | Conference Expenses |
| Budget Amount: | \$ 880 (GST inclusive) |

MOVED Cr Rowlands, SECONDED Cr Kimberthat Council APPROVES:

- 1 the attendance of up to four (4) delegates from the Youth Advisory Councils at the National Conference for Youth to be held at the Sheraton Hotel from 21 –23 September 2001 at a cost of \$ 880;**
- 2 the expenditure at (1) above to be charged to Budget Item No 11-80-88-898-3302-A105 – Youth in Government – Conference Expenses.**

The Motion was Put and**CARRIED**

Appendix 9 refers.

To access this attachment on electronic document, click here: [Attach9brf210801.pdf](#)

Cr Rowlands declared a non-financial interest in Item CJ293-08/01 – Supply and Delivery of Meals Service Contract No 051-99/00 – Assignment to Community Vision Inc as he serves on the Board of Community Vision.

**CJ293 - 08/01 SUPPLY AND DELIVERY OF MEALS SERVICE
CONTRACT NO 051-99/00 - ASSIGNMENT TO
COMMUNITY VISION INC - [41341]**

WARD - All

CJ010821_BRF.DOC:ITEM 14

SUMMARY

This report seeks Council's approval for the City to assign its rights and duties in full in relation to the contract for Supply and Delivery of the Meals Service Contract (051-99/00) to Community Vision Inc.

BACKGROUND

The City entered into a contract with WestZone Corporation Pty Ltd trading as Home Chef WA for the supply and delivery of up to 33,000 meals to aged people and people with disabilities living in the City of Joondalup following the outcome of public tendering in October 1999. The Meals Service was transferred to Community Vision Inc with effect from 1 July 2001 with 17 months of the contract still to run. The Executive Director of Community Vision has requested that the City exercises its rights under Provision 17 b) of the Contract and assign its rights and duties under the Contract in full to Community Vision Inc.

DETAILS

On 19 December 2000, Council approved the establishment of a new community based service delivery organisation and the transfer of a number of the community services currently provided by the City to that new organisation effective from 1 July 2001 (Report CJ368-12/00 refers). One of those services was the Meals Service. The former City of Wanneroo, and subsequently the City of Joondalup, was involved in the provision of meals to aged people and people with disabilities between 1975 and 30 June 2001. The City's delivered meals service was funded through the Home and Community Care (HACC) Program. The aim of the service was to provide nutritionally balanced and varied meals to aged people and people with disabilities within the City of Joondalup.

With the transfer of the service to Community Vision Inc, the City no longer requires a contract with Home Chef. The Executive Director of Community Vision Inc has requested that the City exercises its rights to assign the contract to Community Vision. The enabling clause is:

17) ASSIGNMENT AND NOVATION

b) Assignment or Novation by Principal

- The Principal if its business operation requires so, has the right to assign or novate his rights and duties in full or part, to another agency or body corporate.

The effect of the proposed assignment is to continue the supply and delivery of meals under the same contractual terms until 30 November 2002 with the option to extend for a further six months.

COMMENT

A Deed of Assignment will be prepared in accordance with the Terms of Contract. Deeds require sealing by each party.

MOVED Cr Rowlands, SECONDED Cr Patterson that Council:

- 1 APPROVES the assignment of the Contract for the Supply and Delivery of Meals Services (No 051-99/00) to Community Vision Incorporated;**
- 2 AUTHORISES the development of a Deed of Assignment;**
- 3 AUTHORISES the execution of the Deed of Assignment under common seal.**

The Motion was Put and

CARRIED

The tender price submitted by local contractor, Stand Out Signs, was high in unit costs compared to its competitors, as indicated in Attachment 1 Schedule of Rates. There are various prices listed within the Schedule of Rates submitted, which appear to be incorrect, for example:-

100mm letters – each – Standout Signs \$13.50 – all others are less than \$2 per letter;
150mm letters – each- Standout Signs \$15.50 – all others are less than \$2 per letter.

These items were identified and if required, the company would have been requested to clarify and confirm the price.

Contract Period:-

Subject to Clause 29 (Termination), this contract will commence on 1 September 2001 and will remain in place for a period of 12 months, to 31 August 2002.

Subject to the satisfactory performance of the contract and under the provision of following sub clause 28.3, *the Principal may consider to extend the contract further for 2 x 12 months or a part thereof.* Such extension of the contract is not an automatic right for the Contractor and shall be in accordance with the same terms and conditions, including Schedule of Rates, or with negotiated price adjustments not exceeding the changes in the CPI, as published by the Australian Bureau of Statistics for the last 12 months, or any lower value as negotiated by the Principal and shall be at the discretion of the Principal.

Subject to Clause 28.2 the Contractor shall notify the Principal in writing at least 90 days prior to the expiry of this contract, expressing its intention to be considered for renewal of the contract.

It appears there is no sub-contracting involved in all five tenders submitted.

COMMENT

Under the City's Contract Management framework, the tenders were assessed by an evaluation committee using a weighted, multi-criterion assessment system. The criteria provided in the Tender Information Document was:-

- Price offered for the services (Schedule of Rates)
- Tenderer's demonstrated ability to rectify a site problem at short notice
- Tenderer's resources (eg specialised equipment, skill inventory and financial capacity)
- Tenderer's previous experience in carrying out similar works
- Safety Management Policy including safety records for the last two years

This criteria effectively falls into two distinct parts, being "price" and "quality". "Quality" includes the ability to provide the required signs/items at short notice.

Weightings for all criteria were agreed prior to the Tender Evaluation Committee meeting. The weightings remained unaltered throughout the evaluation process for each tender, thereby maintaining the integrity of the tender evaluation process.

To enable the comparison of rates, the weighting for the prices offered was distributed among the submitted items depending on their frequency of occurrence and level of importance. The score of each item was then calculated to derive a total score for the contract. The

Comparison of Prices of these items is as follows:-

| TASK | COMPANY | | | | |
|---|------------------|----------------------|----------------------|-------------------------|------------------------|
| | Sunny Sign \$ | De Neefe Signs \$ | Standout Signs \$ | Jason Sign Makers \$ | Road Safety Shop \$ |
| 1m long street name plate (150mm section) | 46.50 | 34.00 | 58.00 | 48.00 | 47.00 |
| Reflective lettering (150mm letters) | .50 | .90 | 13.50 | 1.30 | .59 |
| Regulatory sign | 16.00 | 13.50 | 22.00 | 14.00 | 17.95 |
| Temporary Road work sign | 85.00 | 75.00 | 225.00 | 70.00 | 65.00 |
| Mounting Brackets for timber pole | 2.00 | 3.50 | 8.00 | 3.00 | 6.10 |
| 1m long street name plate for Joondalup City Centre | 58.50 | 57.50 | 144.00 | 65.00 | 50.00 |

De Neefe Signs achieved the highest score during the tender evaluation process, however, the margin calculated to a variation of less than 1% between this company and Road Safety Shop. It is therefore recommended that both companies' prices be accepted in accordance with the Schedule of Rates submitted.

The Comparison of Prices to deliver a 1m large section of street name plate for different streets in Joondalup is as follows:-

| STREET NAME PLATE WITH REFLECTIVE LETTERING | COMPANY | | | | |
|---|-------------------|----------------------|----------------------|-------------------------|------------------------|
| | Sunny Signs \$ | De Neefe Signs \$ | Standout Signs \$ | Jason Sign Makers \$ | Road Safety Shop \$ |
| Boas Avenue | 62.00 | 63.80 | 238.50 | 71.50 | 54.13 |
| Davidson Avenue | 64.00 | 67.40 | 292.50 | 79.30 | 56.49 |
| McLarty Avenue | 63.50 | 66.50 | 279.00 | 78.00 | 55.90 |
| Grand Boulevard | 63.00 | 65.60 | 265.50 | 76.70 | 55.31 |
| Reid Promenade | 62.50 | 64.70 | 252.00 | 75.40 | 54.72 |
| Shenton Avenue | 63.50 | 66.50 | 279.00 | 78.00 | 55.90 |
| Lakeside Drive | 64.00 | 67.40 | 292.50 | 79.30 | 56.49 |
| Mounting Brackets x 7 & Metal Pole | 21.00 | 24.50 | 35.00 | 21.00 | 34.65 |
| ITEM TOTAL | \$463.50 | \$487.40 | \$1,934.00 | \$559.20 | \$423.59 |

Comparison with the 2000/2001 contract rates for equivalent items is as follows:-

| Item | DE NEEFE SIGNS | | ROAD SAFETY SHOP |
|---------------------------|----------------|-----------|------------------|
| | 2000/2001 | 2001/2002 | 2001/2002 |
| 1m long street name plate | \$33.50 | \$34.00 | \$47.00 |
| Reflective lettering | \$ 0.75 | \$ 0.90 | \$.59 |
| Roadworks Sign | \$70.00 | \$75.00 | \$65.00 |
| Mounting Brackets | \$ 2.95 | \$ 3.50 | \$ 6.10 |

The contract for Supply and Delivery of Various Signs is a Schedule of Rates contract and the contract sum is paid from the maintenance accounts for Operations Engineering Section and Capital Works projects as required.

MOVED Cr Rowlands, SECONDED Cr Patterson that Council:

- 1 ACCEPTS the tender submitted by De Neefe Signs, as per the lump sum Price Schedules 1 and 2 and Schedule of Rates, shown as Attachment 1 to Report CJ294-08/01 for Tender No 003-01/02 Supply and Delivery of Various Signs Within the City of Joondalup, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2001 to 31 August 2002, with an optional two 12 month extension periods;**
- 2 ACCEPTS the tender submitted by Road Safety Shop, as per the lump sum Price Schedules 1 and 2 and Schedule of Rates, shown as Attachment 2 to CJ294-08/01 for Tender No 003-01/02 Supply and Delivery of Various Signs Within the City of Joondalup, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2001 to 31 August 2002, with an optional two 12 month extension periods;**
- 3 AUTHORISES execution of the contracts.**

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 10 refers.

To access this attachment on electronic document, click here: [Attach10brf210801.pdf](#)

CJ295 - 08/01 ROAD CLOSURE - DELLA ROAD, WOODVALE - [14156]

WARD - Lakeside

CJ010821_BRF.DOC:ITEM 16

SUMMARY

The existing pavement of Della Road, Woodvale requires reconstruction. Because of the high cost of these works, on-going vandalism, verge rubbish dumping and other anti-social behaviour, it is proposed to close the road reserve and transfer responsibility to the Department of Conservation and Land Management. The land would then be amalgamated into the Yellagonga Regional Park.

BACKGROUND

During an inspection of various roads for the Road Resurfacing Program, it was noticed that Della Road in Woodvale requires reconstruction or a significant patch and overlay treatment for it to be retained as a serviceable road. Della Road road reserve is located in the Yellagonga Regional Park which is now managed by the Department of Conservation and Land Management (CALM). A location plan is shown at Attachment 1.

A preliminary estimate to return the pavement to new condition is around \$70,000. If the road was closed, degazetted or returned to reserve for incorporation into the regional park, the City could save the capital cost of road reconstruction as well as any future ongoing maintenance and resurfacing costs.

CALM has been advised of this proposal and is supportive of it. However, more recently CALM has advised the City of ongoing vandalism to gates and fencing on the boundary of Della Road into the regional park. As well, the City has had to undertake removal of garden and other rubbish from the verges in Della Road.

DETAILS

Della Road was constructed in 1968 to provide access to private property on the west side of the wetlands that extend from Whitfords Avenue to Woodvale Drive as shown on Attachment 1. When the Yellagonga Regional Park was created in the early 1990's most of the private property had been bought back by the Ministry of Planning. The Ministry for Planning now owns all the properties surrounding Della Road.

Della Road is approximately 400 metres long with a 6.3 metre wide stone chip seal surface. The surface and base course are in poor condition requiring reconstruction and sealing. The end of the road stops at the existing gates and needs to be formed into a proper cul de sac head for turning vehicles.

Returning the road reserve to CALM would obviate the need for any of these works other than minor reconstruction at the existing junction. This would involve creating a crossover at the junction and extending it to new gate along the Duffy Terrace fenceline as shown on Attachment 2. The cost of these works is estimated to be \$4000.

COMMENT/FUNDING

The closure of Della Road will require the City to expend approximately \$4000 to modify the entrance and construct a gate and extend boundary fencing. Costs will also be incurred for road closure advertising, survey fees and Department of Land Administration (DOLA) fees, if any. CALM will pay for fencing and pavement removal costs and any other fees inside the new Yellagonga Regional Park boundary. All of these costs are minimal compared to the alternative of reconstructing the road - \$70,000, maintaining verges and fences and policing anti-social driver and other behaviour in a quiet unused road at night.

The \$4000 for entry modifications and administrative fees have not been budgeted for but can be accommodated within Infrastructure Management Directorate's operating budget.

MOVED Cr Kimber, SECONDED Cr Barnett that Council:

- 1 APPROVES the proposed closure of Della Road, Woodvale;**
- 2 LIAISES with the Department of Land Administration for the purpose of closing Della Road and transferring responsibility for the road reserve to the Department of Conservation and Land Management.**

The Motion was Put and

CARRIED

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf210801.pdf](#)

| |
|---------------------------------|
| PLANNING AND DEVELOPMENT |
|---------------------------------|

CJ296 - 08/01 DELEGATED AUTHORITY REPORT

WARD - All

CJ010821_BRF.DOC:ITEM 17

SUMMARY

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

MOVED Cr Rowlands, SECONDED Cr Kimber that Council NOTES the determinations made under Delegated Authority in relation to the applications described in Report CJ296-08/01.

The Motion was Put and

CARRIED

Appendix 12 refers.

To access this attachment on electronic document, click here: [Attach12brf210801.pdf](#)

CJ297 - 08/01 SUBDIVISION REFERRALS PROCESSED 1 – 31 JULY 2001 – [05961]

WARD - All

CJ010821_BRF.DOC:ITEM 18

SUMMARY

Overleaf is a schedule of the Subdivision Referrals processed by the Subdivision Control Unit (SCU), from 1 – 31 July 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 12 commercial lots, 8 mixed use lots, 29 additional residential lots and 3 strata residential lots. The average processing time taken was 37 days.

The proposal for Lot 5 (49) Lakeside Drive, Joondalup (116351) to create 70 residential and 6 mixed use lots was not supported, as the subdivision proposal did not provide a clear road hierarchy and was devoid of a service road to Lakeside Drive, thus potentially creating an undesirable built form.

The proposal for Lot 850 (110) Shenton Avenue, Joondalup (116806) was deferred as the application is premature given that the land requirements of the AIUS site are still to be determined including access arrangements, as well as a traffic study being prepared. A report to Council will be prepared once the issues identified have been further examined.

The proposal for 12 commercial, 8 mixed use and 29 residential lots on Pt Lot 4 - Joondalup City North (116320), complied with the Joondalup City Centre Development Plan and Manual, and accordingly was supported.

MOVED Cr Rowlands, SECONDED Cr Patterson that Council NOTES the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ297-08/01.

The Motion was Put and

CARRIED

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf210801.pdf](#)

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR M O'BRIEN – [51035 12093 05386]

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Mike O'Brien has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 28 August 2001:

“That Council:

- 1 having considered the petition submitted on 14 August 2001 regarding the two over-height conifers located on the verge in Leaside Way, adjacent No 9 Leschenaultia Street, Greenwood, together with the photographic evidence of the failure of a conifer at Lawitta in the Derwent Valley, to resist a storm, concedes to the petitioner's request and orders the two conifers' removal and replacement with two smaller trees, thereby reducing any danger to the residents of No 9 Leschenaultia Street;*
- 2 notifies the owners of No 1 Leaside Way and No 9 Leschenaultia Street of Council's decision.”*

ADDITIONAL INFORMATION

Council officers are currently preparing a report as a result of the petition tabled at Council's meeting held on 14 August 2001 supporting the removal of the two pine trees adjacent to No 9 Leschenaultia Street, Greenwood.

In order that Council can make an informed decision on this item, it is recommended that this matter be held over until the next Council meeting. At that time, Council officers can present a report on the matter to elected members, detailing the concerns from the various parties involved in relation to this matter.

Chief Executive Officer advised where a Notice of Motion has been given and the elected member responsible was not in attendance, they should provide written authorisation to another elected member to move the Motion on their behalf. Should the elected member not be present, the Motion would lapse.

As Cr O'Brien was not present in the Chamber, the Motion

LAPSED

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY 11 SEPTEMBER 2001** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

SECOND PUBLIC QUESTION TIME

Cr Patterson left the Chamber, the time being 2001 hrs.

Mr S Magyar, Heathridge:

Q1 With reference to page 6 of the Minutes of the Standing Orders Review Committee meeting held on 13 August 2001, how much faith can you have in a report which refers to items within the order of business of the standing orders as ‘procedural’ motions?

- This question was ruled out of order by the Mayor.

Q2 Within the financial reports it states there is a shortfall of \$7.1 million from developer contributions. Aren’t developer contributions subject to legal agreements made some years in the past, with contributions made within a specified year, therefore how can developers be allowed not to make contributions?

Cr Patterson entered the Chamber, the time being 2003 hrs.

A2 The contributions from developers in this context is the infrastructure assets that Council receives from developers. It is an estimate at the time of budget and there is a revenue and also an expenditure which gives a nil impact on the operating budget of the City.

Q3 As an example, is this where a developer hands over the management of a park but is not formally signed over to the City?

A3 Yes, it is roads, drains, footpaths and parks, which come to the City through the infrastructure assets given by developers.

Q4 Are there any examples of which developers contribute in a major way to the shortfall of the \$7.1 million of assets which have not been signed over?

A4 There was an estimate of the length of roads that was to be handed over which fell short of the estimate.

Cr Rowlands left the Chamber, the time being 2005 hrs.

C88-08/01 MOTION TO GO BEHIND CLOSED DOORS

MOVED Cr Hurst SECONDED Cr Kimber that in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting be held BEHIND CLOSED DOORS.

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 2006 hrs.

Cr Rowlands entered the Chamber, the time being 2006 hrs.

REPORT OF THE CHIEF EXECUTIVE OFFICER

C89-08/01 APPOINTMENT OF NEW CHIEF EXECUTIVE OFFICER – [20006] [91115] [12879]

WARD - All

SUMMARY

Following an intensive Australia wide recruitment process this report recommends that Candidate A be appointed to the position of Chief Executive Officer for the City of Joondalup on a 5 year performance based contract.

BACKGROUND

At its meeting held on 13 August 2001 it was resolved that the:

- 1 Council AUTHORISES Mr Warren Reynolds to undertake further discussions with Candidates A, B and C in that order of preference (as identified in the confidential report of Mr Reynolds marked Appendix 1) with a view to finalising an appointment to the position of Chief Executive Officer;**
- 2 remuneration package for the position be in the range of \$220,000 to \$230,000.**

Details of Candidate A need to remain confidential until such time as Council has ratified the appointment and Candidate A has formally accepted the position.

DETAILS

Mr Reynolds has undertaken the further negotiations and has recommended that Candidate A be appointed to the position of Chief Executive Officer at the City of Joondalup on a 5 year performance based contract. It is proposed to engage Candidate A on a commencing annual remuneration package of \$225,000.

As Candidate A is currently located in New South Wales it is also suggested that the Council agrees to the following one off contributions:

- 1 the payment of up to \$20,000 towards Candidate A's relocation expenses subject to: -

- (a) 100% of the Council's contribution to be repaid if Candidate A does not complete 12 months of service
 - (b) 50% of the Council's contribution to be repaid if Candidate A does not complete 24 months of service
- 2 provision of a furnished apartment in Joondalup for a period of 8 weeks at the City's expense and a further 8 weeks on the basis of the City contributing 50% and Candidate A 50% of the rental cost.

MOVED Cr Rowlands, SECONDED Cr Kimber that:

- 1 Council APPOINTS Candidate A to the position of Chief Executive Officer of the City of Joondalup on a 5 year performance based contract on a commencing total annual remuneration package of \$225,000;**
- 2 the Mayor, Deputy Mayor and Mr John Turkington, Director Resource Management be authorised to finalise the contract documentation;**
- 3 Council APPROVES the payment of up to \$20,000 towards the cost of relocation expenses subject to a written agreement requiring:**
 - (a) 100% of the Council's contribution to be repaid if Candidate A does not complete 12 months of service;**
 - (b) 50% of the Council's contribution to be repaid if Candidate A does not complete 24 months of service;**
- 4 Council AGREES to provide a furnished apartment in Joondalup for a period of 8 weeks at the City's expense and a further 8 weeks on the basis of the City contributing 50% and Candidate A 50% of the rental costs;**
- 5 the expenditure in items (3) and (4) be charged to Budget Item CEO – Salaries.**

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 Hurst, Kenworthy, Patterson, Rowlands, Hollywood, Baker and Kimber

Against the Motion: Crs Carlos, Nixon and Barnett

MOVED Cr Hurst, SECONDED Cr Kimber that the meeting be held with the doors open, the time being 2023 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 2025 hrs; the following elected members being present at that time:

J BOMBAK, JP
P KIMBER
D S CARLOS
C BAKER
A NIXON
J F HOLLYWOOD, JP
P ROWLANDS
T BARNETT
A L PATTERSON
G KENWORTHY
J A HURST