



MINUTES OF COUNCIL MEETING
HELD ON 9 OCTOBER 2001

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CITY OF JOONDALUP

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

OPEN AND WELCOME

The Mayor declared the meeting open at 1900 hrs.

ATTENDANCES

Mayor

J BOMBAK, JP

Elected Members:

Cr P KADAK	Lakeside Ward	<i>Absent from 1944 hrs to 1946 hrs</i>
Cr D CARLOS	Marina Ward	
Cr C BAKER	Marina Ward	<i>Absent from 2005 hrs to 2007 hrs</i>
Cr A NIXON	North Coastal Ward	<i>Absent from 2049 hrs to 2051 hrs</i>
Cr J F HOLLYWOOD, JP	North Coastal Ward	
Cr A WALKER	Pinnaroo Ward	
Cr P ROWLANDS	Pinnaroo Ward	<i>Absent from 1938 hrs to 1941 hrs</i>
Cr T BARNETT	South Ward	
Cr M O'BRIEN	South Ward	
Cr A L PATTERSON	South Coastal Ward	
Cr G KENWORTHY	South Coastal Ward	<i>Absent from 1942 hrs to 1945 hrs</i>
Cr J HURST	Whitfords Ward	
Cr C MACKINTOSH	Whitfords Ward	

Officers:

Acting Chief Executive Officer:	J TURKINGTON
Director, Planning & Development:	C HIGHAM
Director, Community Development:	C HALL
Executive Manager, Strategic Planning:	R FISCHER
Manager, Council Support Services:	M SMITH
Manager, Operations Services:	D CLUNING
Publicity Officer:	L BRENNAN
Committee Clerk:	J AUSTIN
Minute Clerk:	L TAYLOR

There were 33 members of the Public and 1 member of the Press in attendance.

APOLOGIES AND LEAVE OF ABSENCE**C101-10/01 LEAVE OF ABSENCE – CR P KIMBER AND CR A WALKER**

Cr Kimber has requested Leave of Absence from Council duties for the period 8 - 12 October 2001 inclusive.

Cr Walker has requested Leave of Absence from Council duties for the period 10 – 31 October 2001 inclusive

MOVED Cr Rowlands, SECONDED Cr Walker that Council APPROVES the following requests for Leave of Absence:

- **Cr Kimber for the period 8 – 12 October 2001 inclusive**
- **Cr Walker for the period 10 – 31 October 2001 inclusive**

The Motion was Put and

CARRIED

C102-10/01 SUSPENSION OF STANDING ORDERS

MOVED Cr Baker, SECONDED Cr Walker that Clause 3.2 – Order of Business of the City’s Standing Orders Local Law be amended to allow Mayor Bombak to make an announcement in relation to the new Chief Executive Officer at this point.

The Motion was Put and

CARRIED

ANNOUNCEMENT BY MAYOR BOMBAK

Mayor Bombak made reference to articles appearing in the Press in relation to the appointment of Chief Executive Officer Elect, Mr Denis Smith.

The Mayor tabled the following letter addressed to himself from Warringah Council dated 9 October 2001 which was received by facsimile:

“Dear Mr Bombak

In my capacity as Public Officer of the Council, I advise that I have no outstanding matters to investigate and have not received any correspondence from the Department of Local Government relating to any current investigation of Mr Denis Smith personally, by the Department of Local Government.

Yours faithfully

Ross Symons

Director Public Office of Warringah Council”

The Mayor also made reference to a letter from Warringah Council addressed to Mr Denis Smith dated 5 October 2001.

The Mayor tabled the following letter addressed to himself from Gordon Robilliard Plowman Merton, Solicitors and Attorneys dated 5 October 2001 received by facsimile:

“Dear Sir

re: Denis Ian Smith

We act for Mr Smith who has instructed us to write to you following certain allegations being made against him in the WA press.

The writer has acted for Mr Smith since about 1983, when he was appointed Chief Town Planner at Baulkham Hills Shire Council. He had previously been the Chief Town Planner at Campbelltown City Council. It is worth noting that when he was the Chief Town Planner at Campbelltown City Council, one Michael Knight, later a Minister in the NSW Labor Government was a junior social worker.

Whilst we have not had the opportunity of retrieving our old files relating to the matter, the writer recalls that in about 1986 or 1987 certain allegations were made in the NSW Parliament by Mr Michael Knight under parliamentary privilege. The allegations were broad and far ranging. The NSW Department of Local Government investigated those allegations and was unable to substantiate any of them. They were not assisted by Mr Knight who refused to give any assistance or indeed say anything to them other than what is on the parliamentary record.

Subsequent to the allegations being investigated by the Department of Local Government they were also investigated by the NSW Fraud Squad who took no action in relation to any matters raised by Mr Knight. Indeed, Mr Knight has been particularly careful over the years not to comment about our client otherwise than with the benefit of parliamentary privilege.

The article referred to us also states that our client resigned abruptly from his post at Warringah Council. The fact is he resigned following his appointment as General Manager at Joondalup. Our client did not resign from Warringah before he was appointed, nor did he resign as a result of any adverse inquiry or complaint about him at Warringah. The Public Officer of Warringah Council has advised us in writing that he has no matters to investigate as a result of any correspondence or directive from the Department of Local Government. In any case, such investigations would usually be related to pecuniary interest matters and our client does not own any real estate within the Warringah local government area nor has any interest in any business within the Warringah local government area.

The article goes on to state that our client left Coffs Harbour City Council after a dispute with the Council’s General Manager. We are instructed to advise that that is not the case. Our client left to take up the position of Director of Services – Planning and Environment at Warringah Shire Council, not as a result of any dispute. The writer recalls that Mr Knight, the then General Manager of Coffs Harbour City Council, left that Council shortly after our client had been appointed to Warringah Council.

The allegations in relation to the misuse of a Council credit card have been found to be baseless. We have viewed the documents and confirmed that there was no misproper use of the credit card.

The writer has acted for Mr Smith in relation to all of the matters where adverse allegations have been made against him. In no case have any of these allegations ever been substantiated and in each case our client has been exonerated. The most recent re-ventilation of the appalling allegations made by Knight in 1987 raise no new issues which have all been appropriate addressed and disposed of many years ago. We have advised our client to obtain advice in relation to defamation action in Western Australia against the newspaper.

I trust this letter assists in resolving the concern which these allegations have again given rise to.

*Yours faithfully
Gordon Robilliard Plowman Merton”*

The Mayor advised he had spoken personally to both Mr Ross Symons, Director of Public Office, Warringah Council and Mr Howard Robilliard who speak highly of Mr Denis Smith.

Mr Smith has purchased a property in Joondalup City North and this demonstrates the commitment the new Chief Executive Officer will give to his role at the City of Joondalup.

PUBLIC QUESTION TIME

The following questions, submitted by Mr N Gannon, Sorrento were taken on notice at the Council Meeting held on 25 September 2001:

Re: Appointment of new Chief Executive Officer:

Q1 Was the vacant position advertised in The Western Australian? If yes, please advise publications used.

A1 No

Q2 How many applicants for the position were from WA?

A2 There were 15 candidates from Western Australia

Q3 How many WA applicants made it through to the final round?

A3 None

Q4 Were any applicants employees of the City of Joondalup?

A4 No

Q5 Did any City of Joondalup applicants reach the final round?

A5 No

Q6 Who were the members of the selection committee?

A6 The Council appointed a Committee to select a new Chief Executive Officer comprising the following members and deputies: -

Member	Deputy
Mayor J Bombak	
Cr P Kadak	Cr P Kimber
Cr D Carlos	Cr C Baker
Cr A Nixon	Cr J Hollywood
Cr G Kenworthy	Cr A Patterson
Cr A Walker	Cr P Rowlands
Cr M O'Brien	Cr T Barnett
Cr J Hurst	Cr C Mackintosh

Q7 Was the decision of the selection committee unanimous?

A7 The decision to appoint Mr Smith was a decision made by the full Council. The selection committee merely made a recommendation to the Council. The Council decision of 28 August 2001 to appoint Mr Smith was not unanimous.

Q8 If not, please provide a numerical breakdown of the votes.

A8 The Mayor, Cr Hurst, Kenworthy, Patterson, Rowlands, Hollywood, Baker and Kimber voted in favour of the appointment of Mr Smith.

Cr Barnett, Cr Carlos and Nixon voted against the motion.

Q9 What was the total cost of consultants employed in this exercise?

A9 The recruitment consultants were paid \$22,000 GST included.

Q10 What is the complete salary package of the new CEO starting from base salary plus other inducements?

A10 **Remuneration**

The remuneration package:

- (1) is inclusive of all allowances, leave loading, overtime and other benefits which may be payable under the Award.
- (2) takes into account the requirement to attend Council meetings, or work in excess of the standard number of ordinary hours each week.

Breakdown of Remuneration

(a) The remuneration package shall be provided to the CEO as follows:

- | | |
|-----------------------------|---------------------|
| (1) Salary (cash component) | \$193,518 per annum |
| (2) the Motor Vehicle | \$16,000 per annum |

(3) Employer Superannuation contribution	\$15,482 per annum
Total	\$225,000 per annum

Telephone/Computer Equipment

The City shall provide, install, operate and maintain at the City's expense:

- (a) a telephone/answering/fax machine, (or equipment providing the equivalent facilities) at the CEO's private residence for the business and private use of the CEO;
- (b) computer equipment necessary to enable the CEO to work at home, including equipment enabling the CEO to access the City's computer network; and
- (c) a mobile phone for the business and private use

Superannuation Contributions

- (a) In the event that the amount required to be contributed by the City under the Superannuation Guarantee legislation increases above the level presently required to be contributed by the City, the total remuneration package shall increase by the amount of that increase.
- (b) At the request of the CEO, the City shall vary the amount of the CEO's contributions towards superannuation by way of salary sacrifice. Any variation may result in a lower cash component being paid.
- (c) The CEO shall be permitted to have superannuation contributions paid by the City into a superannuation fund of the CEO's choice if permitted under the Act.

Additional Benefits

- (a) The City shall meet the CEO's reasonable expenses necessary to maintain his professional qualifications, such as membership of professional bodies.
- (b) It is acknowledged that, from time to time, it may be necessary for the CEO to undertake study tours for the purpose of performing his obligations under his Agreement.

Fringe Benefit Tax

The City must pay any liability with respect to fringe benefits tax incurred as a result of the benefits provided in this Agreement, or the ordinary carrying out of City business by way of functions or travelling. In the case of a motor vehicle, fringe benefits tax has been taken into account in calculating the value of the motor vehicle.

Q11 Are relocation expenses from Sydney to Perth reimbursed? If so, to what limit.

- A11 Yes. An amount of up to \$20,000 subject to 100% being repaid if Mr Smith does not complete 12 months of service or 50% being repaid if Mr Smith does not complete 24 months service.

Q12 Please provide a factual comparison between the package offered to the new CEO and that of the previous CEO, broken down as per question 10 above.

A12 Remuneration

The remuneration package:

- (1) is inclusive of all allowances, leave loading, overtime and other benefits which may be payable under the Award.
- (2) takes into account the requirement to attend Council meetings, or work in excess of the standard number of ordinary hours each week.

Breakdown of Remuneration

The remuneration package provided to the previous CEO was as follows:

(1) Salary (cash component)	\$163,976 per annum
(2) Motor Vehicle	\$11,500 per annum
(3) Employer Superannuation contribution	\$24,596 per annum
(4) FBT	\$7,450 per annum
Total	\$207,522 per annum

Telephone/Computer Equipment

Similar provisions.

Additional Benefits

Annual bonus of \$5000 subject to performance.

The following questions, submitted by Mr D Davies, Connolly were taken on notice at the Council Meeting held on 25 September 2001:

Q1 Regarding the newspaper report on the new CEO: Of the 13 complaints against Warringah City Council currently being examined as reported in The West Australian of 22 September 2001, some of which could result in a formal investigation according to the newspaper, does this Council know if Mr Smith is implicated or likely to be implicated in any of these complaints?

A1 No

Q2 As reported in the newspaper, Mayor Bombak is quoted as saying he was aware of the allegations regarding Mr Smith. Were the Councillors also aware?

A2 The Administration is unable to confirm whether or not elected members were aware of the allegations prior to the article in The West Australian newspaper.

Q3 Recruiters Australia were paid \$22,000. Did they inform the City of Joondalup regarding accusations made against Mr Denis Smith which I am sure under duty of disclosure they should have?

A3 No

Q4 Will the City of Joondalup consider deferring Mr Smith's appointment until such time that all accusations are withdrawn or Mr Smith is exonerated?

A4 No

The following questions, submitted by Mr V Cusack, Kingsley were taken on notice at the Council Meeting held on 25 September 2001:

Q1 It was reported in The West Australian on Saturday 22 September that the City of Joondalup paid Recruiters Australia \$22,000 to find Mr Smith. Can Council confirm if this figure is correct?

A1 Yes.

Q2 Could Council provide a full breakdown of the costs and charges associated with this \$22,000?

A2 \$20,000 fees and a further \$2,000 GST which the City can recoup as an Input Tax Credit.

Q3 Could Council provide a complete breakdown of all recruiting costs to employ a new CEO for the City of Joondalup?

A3	Recruiters Australia	\$22,000.00	(Professional Fees GST included)
	Recruiters Australia	\$13,472.31	(Expenses including airfares and accommodation Recruiters Australia, COJ Manager Human Resources and Applicants GST included)
	Freehills	\$18,943.73	(Legal Fees – GST included)
	Total	\$54,416.04	(GST included)

Q4 The West Australian on Saturday 22 September reported Mayor Bombak as saying that he believed that the allegations were unfounded and that Mr Smith was the victim of a politically based campaign. Could Council reply to this statement as I believe the concerns raised in the New South Wales Parliament came from four different political persuasions, being One Nation, the Greens, ALP and independent members.

A4 The Administration is not in a position to comment on the above statement.

Q5 The West Australian also stated there had been 117 complaints about the affairs of Warringah Council last financial year. Would Council know, or can it find out, how many of these complaints related to Mr Smith?

A5 No. Council does not know how many of these complaints relate to Mr Smith. Contact was made with the Department of Local Government in NSW and that the Department considers the information to be confidential and will not release it.

The following questions were submitted by Mr S Magyar, Heathridge:

Q1 Regarding CJ340-10/01 – Elected Members expenses, on page 5, it states that on 22 May 2001 Council resolved that:

“8 consideration of the Mayor repaying to the City of Joondalup within 30 days the following amounts which were paid by the Council during the 2000/01 financial year:

<i>\$262.00</i>	<i>Ferrari Suit Hire</i>
<i>\$869.16</i>	<i>Membership Qantas Club – two years</i>
<i>\$137.50</i>	<i>Membership 250 Club”</i>

What is the current status of this resolution? Does the Mayor have to pay back the items listed above?

A1 The Council at the 22 May 2001 meeting resolved to defer the matter of repayment by the Mayor for the nominated items. Following the deferral, an interim report was presented to the Audit Committee relating to reimbursement of expenses by elected members. Following consideration of the interim report, the Audit Committee requested a further report recommending an appropriate policy to further clarify the matter of reimbursement of expenses. That request by the Audit Committee resulted in the report that is presented to tonight’s meeting. Once the matter relating to the development of a policy has been resolved, then the issue relating to those amounts requested of the Mayor be to repaid will be further considered.

Q2 CJ354-10/01 – City Centre Public Parking, recommendation 7 is to advertise the overall approach. For how long will this document be advertised? Will the documents be available on the Council’s website?

A2 It is anticipated that the City Centre Public Parking Strategy will be advertised for a 30 day period, unless there is a specific request for a longer public consultation period.

The intention is that the Parking Strategy document will be placed on the City’s website. It is also being investigated whether the plans produced from the results of the parking design review can also be placed on the website.

The following questions were submitted by Mr Des Matthews, Director of Wanneroo Basketball Association

Re: Wanneroo Basketball Stadium - Lease.

Q1 What firm financial commitment will the City of Joondalup undertake to provide to the Wanneroo Basketball Association in relation to the construction of a new basketball facility within the City of Joondalup?

Q2 To what extent does the City of Joondalup propose to compensate the Wanneroo Basketball Association for not exercising the second five-year lease option?

Q3 How can the City of Joondalup specifically assist the Wanneroo Basketball Association between now and any proposed relocation to new premises? For example, will the City of Joondalup meet the cost of and provide the resources for accessing advice, developing business plans, developing sketch plans and arranging for finance?

Q4 Will the City of Joondalup agree to the formation of a working committee?"

A1-4 These questions were taken on notice.

Mrs M MacDonald, Mullaloo:

Q1 Re: Mullaloo Precinct Plan. On 26 June 2001, I asked a question about the unresolved issues with respect to the vacant residential blocks owned by the Council at Merrifield Place, Mullaloo.

Given the fact that land at Merrifield Place, Mullaloo was included in the Precinct Plan as a park and withdrawn because of unresolved issues, and that many residents are concerned about this land, will the Council state that are its plans with respect to the land and when does it intend to make its decision?

A1 This question will be taken on notice.

Mr R Phillips, Currambine:

Q1 Is the Mayor aware that at last week's City of Stirling Annual General Meeting of Electors, Stirling ratepayers passed a motion of 'no confidence' against the Stirling Council and its Mayor?

A1 Only what I have read in the newspaper.

Q2 I refer to the City of Joondalup's former CEO, Mr Lindsay Delahaunty and to the 'no confidence' motion against him passed at last year's City of Joondalup Annual Meeting of Electors. Can the Mayor confirm speculation that the recently discredited City of Stirling is about to appoint Mr Delahaunty as its new CEO?

A2 I am not aware of any decision relating to the appointment of the CEO at the City of Stirling.

Q3 Given the Joondalup Council's decision not to extend Mr Delahaunty's contract, the previous vote of no confidence against him and last week's vote of no confidence by ratepayers against the Stirling Council, what can the Mayor do to help the administration at the City of Stirling?

A3 This question will be taken on notice.

Mr V Cusack, Kingsley:

Q1 Regarding the response given to my earlier question, can Council provide an itemised breakdown of the fees, charges and service provided by Freehills for the total cost of \$18,943?

- Q2 Regarding the reports in the Wanneroo Community Newspaper dated 9 October and particularly the full media statement as reportedly released by the City. Was that media statement released on behalf of the City or was it a personal statement by Mayor Bombak?*
- Q3 If it was made by Mayor Bombak, can the City of Joondalup make a statement to the newspaper clearly stating that those comments were a personal statement by the Mayor and in no way reflect the views of the City of Joondalup?*
- Q4 What guidelines are currently in place to ensure that the City's views and interests are properly represented by all media releases?*

A1-4 These questions will be taken on notice.

Mr S Magyar, Heathridge:

- Q1 How many times has the Audit Committee met since the formation of the City of Joondalup and how many times have all the resolutions of the Audit Committee been sent to Council for the resolution of Council?*

A1 This question will be taken on notice.

Mr M Sideris, Mullaloo:

- Q1 Regarding my earlier questions which were taken on notice, why in the previous CEO's salary package was there an FBT allowance of \$7,450 pa, yet in the new CEO's salary package FBT is not mentioned?*

A1 The FBT allowance is in the motor vehicle figure of \$16,000 as stated on page 3 of the agenda.

- Q2 What is the FBT breakdown on that particular item?*

A2 This question will be taken on notice.

- Q3 Is there any additional FBT included in the salary package? If it is not included, is an estimate available to provide a true value of the new CEO's total salary package?*

A3 The contract requires the City to pay FBT if incurred. There is no figure put on the FBT incurred because this will not be known until the actual costs are claimed. The overall salary package of Mr Smith includes matters which could if claimed incur FBT.

- Q4 Will this information be provided within the annual report?*

A4 It is not customary to put such information in an Annual Report but this could be reported to Council if so determined.

Q5 *How are ratepayers to know what is the total salary package of the new CEO?*

A5 The FBT applicable to Mr Delahaunty was calculated based on the actual incurred in the last year. Undoubtedly when it is known what costs are incurred by the new CEO, that will be part of the total package.

C103-10/01 SUSPENSION OF STANDING ORDERS

Cr Baker requested that the City's Standing Orders Local Law be suspended to allow a debate on the following motion and that given time constraints this evening that each elected member be at liberty to speak for up to five (5) minutes, with the Mover of the motion having the right of reply.

MOVED Cr Baker, SECONDED Cr Kenworthy that Standing Orders be SUSPENDED.

The Motion was Put and

CARRIED

MOVED Cr Baker, SECONDED Cr Kenworthy that the elected members of the City of Joondalup reaffirm their decision to appoint Mr Denis Smith as the new Chief Executive Officer of the City of Joondalup.

Discussion ensued. It was requested that Cr O'Brien be commended for his detailed research into this matter and information obtained from Hansard in NSW. It was further requested this information be provided to ratepayers upon request.

During discussion, the following movements occurred:

Cr Rowlands left the Chamber at 1938 hrs and returned at 1941 hrs.

Cr Kenworthy left the Chamber at 1942 hrs and returned at 1945 hrs.

Cr Kadak left the Chamber at 1944 hrs and returned at 1946 hrs.

MOVED Cr Hurst, SECONDED Cr Kadak that the Motion BE NOW PUT.

The Procedural Motion Was Put and

CARRIED

The Motion as Moved by Cr Baker, Seconded by Cr Kenworthy was Put and CARRIED

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

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

Against the Motion: Crs Barnett, Nixon and Carlos

C104-10/01 RESUMPTION OF STANDING ORDERS

MOVED Cr Patterson, SECONDED Cr Mackintosh that Standing Orders be RESUMED, with the Mayor reverting back to the normal order of the agenda at this point.

The Motion was Put and

CARRIED

DECLARATIONS OF FINANCIAL/NON FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES**C105-10/01 MINUTES OF COUNCIL MEETING – 25 SEPTEMBER 2001**

MOVED Cr Hurst, SECONDED Cr Baker that the Minutes of the Council Meeting held on 25 September 2001, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION**JINAN MAYORAL VISIT**

I returned from my official visit to China 10 days ago.

The visit was in support of Edith Cowan University and to explore opportunities for the City of Joondalup to foster with Jinan.

It was an exceptionally fruitful trip and I believe a formal partnership with Jinan can provide huge benefits to the City.

I will be presenting a report to Council that will outline the economic benefits of such a relationship.

I will also report back fully to residents through features in the local newspaper and our own Council News.

VISIT BY HON SHEILA McHALE, MLA

On Wednesday, 10 October 2001, the City will host the Minister for the Arts, the Honourable Sheila McHale, MLA.

The Minister's visit is to determine the suitability of Joondalup as a possible location for a new regional Performing Arts Complex.

Joining us for the presentations and lunch will be key members of our business, arts and local communities.

The visit will conclude with a tour of Joondalup City.

2001 ANNUAL GENERAL MEETING

The 2001 Annual General Meeting will be held at 7.00 pm in the Council Chamber on Monday, 15 October 2001.

The Annual Report and full financial statements are now available to the public.

I would encourage residents to attend, to look back on what has been a very successful year for the City.

MR ALLYN BRYANT

Congratulations to regular Council attender, Allyn Bryant.

You may have seen in this week's Wanneroo Times Community that Mr Bryant is a founding member and former President of the Activ Foundation, now celebrating 50 years service to children and adults with intellectual disability.

Well done, Allyn and all those who serve with you.

YOUTH DECLARATION

Finally, it gives me great pleasure to welcome members of Youth Advisory Council here this evening.

Earlier I was privileged to present badges to the new Youth Advisory Council members.

These Youth Councillors make a vital contribution, and ensure that we are made aware of issues facing the youth, and the future, of our community.

I will now hand over to Councillor Paul Kadak to tell you some important work that has been undertaken in this area.

C106-10/01 ANNOUNCEMENT BY CR P KADAK

Cr Kadak advised he had recently attended the National Conference for Young People at the Sheraton, Perth along with 4 members of the City's two Youth Advisory Councils, Viet Nguyen, Suzanne Akila, Kate Maasen and Ryan Kukura.

The conference brought together 250 young people from across the nation in the only Centenary of Federation event created by young people for young people.

The recommendations arising from the conference will be reviewed by the City's Youth Advisory Councils and the Strategic Advisory Committee – Youth Affairs to see what role the City of Joondalup should play in their actioning.

The Youth Declaration was presented to Governor General, Peter Hollingworth and Premier, Geoff Gallop on the occasion of the conference and this evening is presented to its first local government, the City of Joondalup.

Viet Nguyen and Ryan Kukura presented the Declaration to Cr Kadak.

MOVED Cr Kadak, SECONDED Cr Baker that Council:

- 1 officially RECEIVES the Declaration from the Young People of Australia on the Centenary of Federation and congratulates those who participated in the National Conference for Young People;**
- 2 REQUESTS a report from the Joondalup North and South Youth Advisory Councils and the Strategic Advisory Committee – Youth Affairs on the conference and its recommendations.**

Mayor Bombak commended the Youth Advisory Councils on taking up this initiative.

The Motion was Put and

CARRIED

C107-10/01 TABLING OF CORRESPONDENCE IN RELATION TO APPOINTMENT OF NEW CHIEF EXECUTIVE OFFICER - [20006]

Cr O'Brien requested that correspondence referred to earlier in the meeting by Mayor Bombak be appended to the minutes. This included the following email sent to Peta Rasdien, Journalist, The West Australian newspaper – Appendices 14(a) and 14(b) refer.

MOVED Cr O'Brien, SECONDED Cr Kenworthy that the correspondence from Warringah Council and Gordon Robilliard Plowman Merton referred to earlier in the meeting by Mayor Bombak be appended in the minutes, including the email sent on Sunday 7 October 2001 (5.03 pm) to Peta Rasdien, Journalist, The West Australian newspaper.

The Motion was Put and

CARRIED

Appendices 14(a) and 14(b) refer

*To access this attachment on electronic document, click here: [Attach14amin091001.pdf](#)
[Attach14bmin091001.pdf](#)*

PETITIONS**C108-10/01 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 9 OCTOBER 2001****1 PETITION STRONGLY OPPOSING CONSTRUCTION OF A MOBILE TELEPHONE COMMUNICATIONS TOWER, BELDON SHOPPING CENTRE SITE – [08550]**

A 911-signature petition has been received on behalf of the Beldon School Council from members and family members of the Beldon School community strongly opposing construction of a mobile telephone communications tower, Beldon Shopping Centre site; opposite the Beldon Primary School.

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

2 PETITION OPPOSING PROPOSED EXTENSIONS TO CARINE GLADES TAVERN – [05518]

A 67-signature petition has been received from Duncraig residents living in the vicinity of the Carine Glades Tavern expressing strong objection to the proposal to include external licensed areas in proposed extensions for the tavern.

The petitioners feel the proposal has the potential for disturbing the privacy, peace and quiet of the neighbourhood.

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

3 PETITION OPPOSING THE CHANGE OF PURPOSE OF 12 BLACKWATTLE PARADE, PADBURY (12223 RES 43717) FROM COMMUNITY PURPOSE TO FIRE STATION – [55022] [57264]

A 249-signature petition has been received from residents of Hepburn Heights, Padbury and Duncraig immediately south of 12 Blackwattle Parade opposing the 'change of purpose' of 12 Blackwattle Parade, Padbury from 'community purpose' to 'fire station'.

The petitioners consider it is inappropriate and unacceptable to the community to have a fire station constructed in a residential area on a site opposite homes and close to an "over 55" accommodation complex.

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

MOVED Cr Baker, SECONDED Cr Walker that the petitions:

- 1 strongly opposing construction of a mobile telephone communications tower, Beldon Shopping Centre site; opposite the Beldon Primary School;**
- 2 expressing strong objection to the proposal to include external licensed areas in proposed extensions for the tavern;**

- 3 opposing the 'change of purpose' of 12 Blackwattle Parade, Padbury from 'community purpose' to 'fire station';**

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

The Motion was Put and

CARRIED

POLICY

CJ339 - 10/01 REVIEW OF POLICY 3.1.11 – HOME BUSINESS - [03170]

WARD - All

CJ011002_BRF.DOC:ITEM 1

SUMMARY

The City's Home Business Policy was adopted by Council on 14 September 1999 and is due for a review.

The current policy has been successful from the point of view of providing guidance where:

- (i) disputes arise; and
- (ii) potential applicants approach the City for advice.

The Policy operates in recognition of the need to accommodate the growing trend towards working at home, whilst recognising that people still regard residential areas as primarily a place to live, not to work. It operates together with District Planning Scheme No.2 (DPS2) and the 'Local Planning Strategy to Regulate Working from Home' to provide a collective strategy and a set of principles that can be applied when home occupation applications are considered.

To improve the performance of the policy it is proposed to include the provision of an additional assessment criteria that will guide the location and operating times of home businesses, and the introduction of a yearly review and renewal of Category 2 and 3 home businesses (Attachment 1).

It is recommended that the amendment to the policy as per attachment 1 be adopted and consent to advertise be granted.

BACKGROUND

A Home Business workshop involving businesses, the community and government representatives was carried out during October 1997 to examine the importance of home business in generating employment and achieving employment self sufficiency goals for the corridor.

Following the workshop an independent consultant was contracted to prepare a discussion paper and Local Planning Strategy relating to people working from home. Both documents were prepared together with an amendment to Town Planning Scheme No.1, which provided a definition for three categories of Home Businesses and introduced provisions controlling home business activities.

The Home Business Policy was prepared to support standards under DPS2. Council adopted the Home Business Policy on 14 September 1999.

DETAIL

The provisions in DPS2 and the Home Business Policy are the tools used to assess home business applications. Part 4.4 of DPS2 provides general requirements for the three Home Business categories and outlines Council's ability to review home business applications from time to time. Table 2 (Interpretation) provides a detailed definition of each Home Business category, complete with a list of conditions of operation as they relate to each category. Each of the home business categories are listed as separate use classes in Table One (Zoning table) and the level of permissibility set against the various zones.

The Home Business Policy supplements the scheme by providing relevant details pertaining to each category. This includes:

- Number of customer visits;
- Vehicle traffic (customer and commercial);
- Floor space;
- Equipment usage;
- Protection of amenity;
- Management Plans (Category 3 only); and

Includes provisions relating to community consultation in instances where a home business proposal is seeking variations to the standards provided in the policy.

Proposal

It is considered that overall the policy is performing satisfactorily and that no complaints have been received since the current policy was adopted, however, some changes are required. Accordingly, the amendments propose to guide the location of home business proposals in residential areas and to introduce additional standards that limit the days and operating hours of home businesses.

Another standard has been introduced that invokes a review of Category 2 and 3 home business proposals through the mandatory renewal of applications every 12 months, although it should be noted that currently approvals are granted for an initial period of 12 months.

Relevant Legislation

Clause 8.11 of DPS2 outlines the provisions with respect to the preparation of planning policies and amendments or additions to policies.

COMMENT

Both the Home Business Policy and DPS2 appear to be functioning satisfactorily in terms of accommodating home business activity and employment, whilst ensuring that the amenity of residential areas are maintained.

The review of the Home Business Policy however has brought to the attention that some improvement is needed to help guide decision-making in instances where Council discretion is required for the approval of home business proposals.

The amendments to include a new standard to guide the location of home business proposals in residential areas and the introduction of additional standards that limit the days and operating hours of home businesses will assist decision making and improve the protection of amenity of residential areas.

The inclusion of a mandatory review of Category 2 and 3 home business proposals on a 12-month basis will improve the monitoring of home business proposals and compliance with DPS2 and the home Business Policy standards. Approvals will continue to be issued for a 12 month period initially or a longer period where it is considered appropriate.

In view of the above it is recommended that the amendments to the policy be adopted and consent to advertise be granted.

MOVED Cr Rowlands, SECONDED Cr Baker that Council in accordance with clause 8.11 of the City of Joondalup's District Planning Scheme No 2 ADOPTS the amended policy 'Home Business' as per Attachment 1 to Report CJ339-10/01 as a draft policy for advertising for a period of 28 days for public comment.

The Motion was Put and

CARRIED

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf091001.pdf](#)

FINANCE AND COMMUNITY DEVELOPMENT
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CJ340 – 10/01 ELECTED MEMBER ALLOWANCES, FEES AND REIMBURSEMENT OF EXPENSES - [27122]

WARD - All

CJ011002_BRF.DOC:ITEM 2

SUMMARY

The report in relation to elected member allowances, fees and reimbursement of expenses was considered by the Audit Committee at its meeting held on 17 September 2001.

The purpose of this report is to help clarify what expenses are reimbursed to local government elected members and the relationship between allowances, fees and expenses. The report provides comparative details of the type and level of allowances and fees paid and expenses reimbursed to elected members by other Western Australian local governments, comparable in size to the City of Joondalup.

The report also details the basic principles/reasons for payment of allowances and fees, and reimbursement of expenses to elected members and outlines some different methods used in managing the process.

The report recommends a broadening of the type of expenses that can be reimbursed on the proviso of a specified allocation to each member.

The supporting Elected Member Allowance and Reimbursement of Expense Schedules presented to the Audit Committee have been amended to include conferences for Councillors Kadak and Walker. They have also been amended to reflect that Cr Kimber will no longer attend the Canberra course.

BACKGROUND

In keeping with Local Government legislation, elected members have been paid various allowances and fees and reimbursed expenses incurred in performing their roles and the responsibilities of the office they hold. The type and value of allowances, fees and expense claims permitted under the governing legislation has changed to keep pace with use of new and different technology such as laptop computers, internet access and mobile telephones. The Local Government Act 1995 introduced specific allowances for Mayors and Presidents of local governments and their deputies, as well as providing fees for members attending Council meetings. Both the fees and allowances are in addition to the long-standing reimbursement of costs incurred in performing the duties of elected members, including travelling, telephone and facsimile expenses.

The review of elected member allowances and reimbursement of expenses was initiated by the Audit Committee and supported by Council to clarify some expense claims under consideration. One of the difficulties that Council faces in considering such expense claims and allowances, is that the allowances paid to the Mayor and Deputy Mayor are not specified to meet any particular expense. A minimum local government allowance of \$500 is payable to the Mayor with a maximum of \$60,000 permitted without the need to substantiate how this is expensed. While there are varying opinions and expectations on what the maximum allowance paid should be, it is more a matter of considering what limitations are applied as industry standards.

In considering the issue of allowances the Council at its meeting held on 22 May 2001 also resolved to defer:

“7 consideration of all other expenses incurred by all elected members not covered above or in accordance with the Local Government Act 1995 .” and

“8 consideration of the Mayor repaying to the City of Joondalup within 30 days the following amounts which were paid by the Council during the 2000/01 financial year:

\$262.00	Ferrari Suit Hire
\$869.16	Membership Qantas Club – two years
\$137.50	Membership 250 Club”

Audit Committee

A draft interim report was considered by the Audit committee at its meeting held on 12 July, 2001, when it resolved that:

“1 **the draft interim report relating to elected member allowances and reimbursement of expenses be NOTED;**

2 **a further report be submitted to the next Audit Committee recommending an appropriate policy to cover these items, including the following:**

**entertainment expenses
 gifts and donations
 travel - interstate
 - intrastate
 - Perth Metro
 membership of incorporated associations
 clothing/uniforms/drycleaning
 sundries
 equipment”**

Why provide Allowances and Reimburse Expenses?

To better understand the basis for providing allowances and expense reimbursements to elected members, it is appropriate to review the underlying principle that applies. That is, to enable any eligible member of the community to be elected and carry out the duties and responsibilities of their elected office, without being financially disadvantaged for doing so.

The major factor in this matter is that it is necessary for any expenses claimed, to directly relate to the performance of the elected member’s duties.

The Audit Committee met on 17 September 2001, where it was recommended that:

“1 **Council ENDORSES the principle of broadening the type of expenses that can be reimbursed to elected members on the basis of setting an expense reimbursement limit of \$7,530 for each member, as outlined at Option 1 in the report;**

2 **all claims by elected members above the specified expense limit, be submitted to Council for determination;**

- 3 the Council REQUESTS the Acting Chief Executive Officer to review Policy Numbers:**
- 2.2.1 - Issue and Return of Council Related Equipment to Elected Members**
 - 2.2.2 - Elected Member Training**
 - 2.2.3 - Travel/Accommodation – Elected Members and Staff**
 - 2.2.10 - Elected Members Attendance Fees**
 - 2.2.12 - Members of Council – Reimbursement of Expenses**
- to reflect the decision in (1) above;**
- 4 in the interests of transparency and accountability, the values and breakup of each members expense reimbursement, be reported to Council at the first ordinary meeting after conclusion of each quarter of the financial year.”**

It is therefore recommended that the Council endorses the recommendation from the Audit Committee.

DETAILS

The majority of allowances, fees and reimbursements that can be paid to elected members under the Local Government Act, Regulations and the City’s current policy relate to specific matters such as meeting fees or communication allowances, and travelling or child minding expenses.

Allowance or Expense Reimbursement

The Local Government Allowance for the Mayor and Deputy Mayor and Meeting Fees paid to elected members are for specific purposes to compensate for either their time or expense necessarily incurred to perform the duties and responsibilities of elected members.

An Expense Reimbursement is basically a refund of an expense incurred and already paid for by an elected member. Such expenses must be necessarily incurred in performance of the duties and responsibilities of elected members. Some expense categories are specified by legislation (Local Government Act or Regulations) such as travelling and childcare shall be reimbursed by the local government, for elected members attendance at Council and Council committee meetings. Other categories of expense may be reimbursed to elected members within limits set by Council Policy.

The fundamental differences between a local government allowance or fee and an expense reimbursement, is that an expense must have already been paid for by the elected member before it can be reimbursed. A local government allowance and meeting fee does not have to be substantiated.

For many expense reimbursements, a base limit is applied. Any claim for reimbursement above the base limit invariably requires substantiation of expenditure to the base limit before consideration is given to exceed it.

Where no limit has been set for reimbursement of expenses, Council Policy invariably requires that the expense be incurred and paid by the elected member and original receipts be provided and retained to support the reimbursement. Council Policy is also used to detail what type of expenses that can be claimed and in many instances the applicable value and frequency. Council Policy can not place a ceiling on the amount that can be paid to elected members for travelling and childcare, but can apply reimbursement conditions such as full substantiation.

Industry Standards

In an attempt to further clarify what industry standards are applied at the larger local governments that are comparable with the City, details have been obtained on the level of allowances, fees and expense reimbursements paid. Some considerable difficulty exists even in making comparisons, as for the most part information is outlined in a series of policies and documents each unique in their application to the particular local government. Allowance and reimbursement of expenses information is provided for comparison with Joondalup on the following Councils:

City of Perth,	City of Stirling,	City of Wanneroo,
City of Melville,	City of Swan.	

Comparative details have been provided for positions of Mayor, Deputy Mayor and Councillor. In the majority of instances the main difference between the Deputy Mayor and Councillor entitlements is the allowance paid to the Deputy Mayor. These are detailed in Appendix 1.

Office and I T Equipment

Each of the cities compared provides elected members with a variety of office and IT equipment following the elections. While some limits in value can apply, generally what is provided by all is comparable and reasonable to enable elected members to perform their duties and meet their responsibilities. There is little point in including this additional detail. It was also considered that a similar approach should be taken to stationery and consumable items provided to elected members, as these are comparable in all instances and generally no more than is necessary to perform elected members duties and meet responsibilities.

It is considered that the Council's existing policy should be retained.

Dining

The City of Perth provides its elected members with a dining allowance of \$11,000 p.a. that can be expensed in the City's in house dining room. Use of the City's dining facilities is limited to elected members and their guests for the benefit of the City and is to be in keeping with Council Policy.

The City of Stirling provides its elected members with the use of high quality in house dining facilities. Councillors are allocated 8 dinners and 4 lunches per annum for ten people spread over available dates on specified days. Use of the City's dining facilities is limited to elected members and their guests in keeping with Council Policy.

A provision of \$52,000 has been made in the City's current budget for catering expenses in keeping with the Councils intended expansion of activity in this area. The actual costs for the previous financial year was \$7,359. The current budget provision represents an increase of approximately 706% on last years actuals. It is understood that this matter will be subject of a separate report to Council.

COMPARISON ASSESSMENT

The comparison information is detailed in Appendix 1

City of Perth

In reviewing the comparative information provided, it is clear that the City of Perth permits the highest levels of allowances and expense reimbursements. In addition to the local government allowances for Mayor and Deputy Mayor, an all inclusive amount of \$13,000 (includes all conference and telecommunications expenses) is provided for each elected member. All expenses incurred in keeping with the over riding policy, must be acquitted with copies of original supporting documentation supplied before reimbursement is made.

Whilst the Lord Mayor has a corporate credit card it is restricted in its use for Capital City Committee of Lord Mayors and Sister City matters which are of a minor expenditure. Most costs are met prior to attending committee meetings or travelling overseas.

City of Wanneroo

Both the Cities of Joondalup and Wanneroo appear very close in the policies and amounts set for allowances and reimbursement of expenses. This is not surprising given that both cities would have based their policies on those inherited from the former City of Wanneroo. In reviewing the comparative information it is clear that they are the next highest in the allowances and expense reimbursements they permit. Like most other cities in the comparison, limits for specific expenses are either set or the actual amount substantiated can be claimed. Any additional claim above a set limit requires the total up to the limit to be substantiated before consideration is given by Council to go above the limit. This approach is consistently applied where local governments are prepared to meet costs above the limit set.

City of Stirling

The City of Stirling is considered to be the next highest of the local governments reviewed but generally is more restrictive on the total amount that can be reimbursed. Whilst the Mayor is entitled to claim the Mayoral Allowance, meeting fees and communications allowances, plus reimbursement of other designated expenses, the current Mayor only claims the local government Mayoral Allowance up to \$54,000 leaving \$6,000 available for other local government expense items that can be determined by the Mayor or Deputy Mayor. The Deputy Mayor receives a \$6,000 local government allowance in addition to the meeting fee. All Councillors receive the \$6,000 meeting fee. Reimbursement of expenses is generally to set limits or in keeping with legislation. Where a Councillor wants to claim above the set limit he/she may choose to take a reduced meeting allowance and off set that against the expense reimbursement.

City of Melville

The City of Melville provides the maximum meeting fees as do all other local governments used in this comparison. Allowances are also available for the Mayor, Deputy Mayor and Councillors on a full substantiation basis with the exception of the minimum allowance of \$500 for the Mayor. A separate allowance of \$3,120 per annum is available for conferences. Conference expenses are subject to other conditions and may be accrued for two years to accommodate attendance at an international conference.

The lower levels of the inclusive allowances and the requirement that all claims must be substantiated, make the process at Melville highly visible and accountable. Of the Councils compared, the City of Melville is considered to apply the most accountable and transparent process of dealing with elected member's allowances and expense reimbursements.

City of Swan

The City of Swan generally applies exactly what may be provided to its elected members in keeping with the limits that are set under the Local Government Act 1995 and relevant Regulations.

Eastern States Councils

It was suggested that the comparison also include the City of Ipswich, Queensland and the City of Casey, Victoria, being two councils of similar size to Joondalup. Information obtained from both Ipswich and Casey highlight the significant differences in local government legislation and mode of operation between the states. While the allowance and expenses information is included in the attached Appendix 2, it is considered to be of little relevance or value for comparative purposes in the current exercise.

COMMENT/FUNDING

Budget Matters

The City's 2001/02 Budget was developed on the instruction from Council that there was to be minimal to no rate increase. This instruction has been met. The value of the allowances and fees paid to elected members is currently at the maximum permissible by legislation. The value of expense reimbursements that may be claimed by elected members increased in the City's 2001/02 Budget by 42% on the previous years actuals. In view of the above it was considered that the approach to payment of elected members allowances and reimbursement of expenses, that would be most favoured by Council, would be to remain within current budget parameters. The options put forward for consideration in this report, have been prepared on this basis.

Elected Members – Allowances

Provision has been made in the City's 2001/02 Budget for payment of allowances and fees to elected members, to the maximum permitted under the Local Government Act 1995. Council resolutions have set the amount and when allowances will be paid. Details of the budgeted allowances and fees are:

Local Government Allowance - Mayor and Deputy Mayor	\$ 75,000
Meeting Attendance Fees	\$ 96,000
Communications	\$ 30,000
Total	<u>\$ 201,000</u>

The above funds are paid to elected members as follows:

	Mayor \$	Deputy Mayor \$	Councillors \$	Totals \$
Office Allowances	60,000	15,000		75,000
Meeting Fee	12,000	6,000	6,000	96,000
Communication Allowance	2,000	2,000	2,000	30,000
Totals	<u>\$ 74,000</u>	<u>\$ 23,000</u>	<u>\$ 8,000*</u>	<u>\$ 201,000</u>

*Councillors, excluding the Deputy Mayor = 13 x \$8,000 = \$104,000

The above allowances are paid monthly in arrears and there is currently no requirement for members to substantiate how these are expensed. The allowances are not taxed at source and there is no tax reporting requirements.

Elected Members – Reimbursement of Expenses

Provision has been made in the City's 2001/02 Budget for reimbursement of expenses incurred by elected members in performance of their local government duties. Budget details for these expenses as permitted under the Local Government Act 1995 and in keeping with Council resolutions are:

Account Purpose	Budget 00/01 \$	Actual 00/01 \$	Budget 01/02 \$	Est. Sept. 01 \$
Conference Expenses	35,000	32,702	50,000	25,621
Training	15,000	7,871	40,000	14,976
Travel	23,000	24,838	23,000	5,948
Childcare	-	-	-	1,619
Totals	<u>\$ 73,000</u>	<u>65,411</u>	<u>113,000</u>	<u>48,164</u>

In view of the budget result for the full 2000/01 financial year, it was reasonable to expect that the significantly increased budget (42% on actual) for the 2001/02 financial year would adequately meet costs. However, at the current rate expenses are being incurred and claimed,

this is not likely to be the case. With only two months of the financial year completed, expenses incurred or committed equate to five months budget provision. At this rate it can be expected there will be a considerable over budget expense. A complete breakdown of all fees, allowances and expenses paid, claimed and committed as at 12 September 2001 are outlined in Appendix 3 and 4.

It is considered that the existing policies relating to all expense reimbursement matters for elected members need to be reviewed by Council, with some guidance provided and clear expectation outlined in those policies to ensure sufficient funds are included in the budget and the budget in this area is properly managed. Those policies are attached in Appendix numbers 5 to 9.

Expense Claims - July 2001 to September 2001

An indication of expenses claimed and paid to elected members has been extracted from actuals for the current portion of the Financial Year. Reimbursement of expenses range from a high of \$11,410 (including committed expenditure) to nil. It should be noted that claims can be as high as \$1,700 a month but will vary according to activities that individual Councillors are involved in for the claim period. The above figures exclude the fees and allowance amounts paid to elected members.

Inclusive Reimbursement Limit

Some of the larger local governments in the State have adopted an all inclusive approach where a maximum amount is set on reimbursements paid. This alternative approach is worthy of consideration and could be of benefit to both elected members and the administration, provided an appropriate policy that supports ease of administration, accountability and transparency can be applied. Where an inclusive expense reimbursement limit applies it is suggested that this amount be indexed to annual CPI increases.

The following are potential options that could be applied to an all inclusive approach.

OPTION NUMBER 1

- Retain existing Allowances and Fees for Mayor and Deputy Mayor;
- Retain existing Fees for other Councillors;
- Retain existing Telecommunications Allowance up to the prescribed \$2,000 maximum limit for all elected members;
- Introduce a new all inclusive reimbursement limit of \$7,530* each for all elected members to cover all other expenses including: travel, childcare, all conference expenses, individual training, clothing, dry cleaning and all other expenses necessarily incurred in meeting the duties and responsibilities of each members elected office.

All expenses to the limit of \$7,530 are to be fully substantiated with original receipts being supplied and retained for audit purposes. Any request for reimbursement of expenses above the approved limit must be considered and approved by Council.

*The proposed reimbursement limit of \$7,530 is arrived at by dividing the total expense budget of \$113,000 by 15 being the total number of elected members.

Option 1 would result in elected members receiving or being eligible for:

Mayor – Allowances \$74,000 + \$7,530 for expenses plus unrestricted use of Council vehicle.

Deputy Mayor – Allowances \$23,000 + \$7,530 for expenses.

Councillors – Allowances \$8,000 + \$7,530 for expenses.

OPTION NUMBER 2

- Retain existing Allowances and Fees for Mayor with all expenses to be met from the total of those allowances and fees paid to the Mayor. The Mayor would be entitled to claim for private vehicle mileage and child care. As the Mayor is provided with a fully maintained Council vehicle with unrestricted use and has no young children, it is likely these costs would be minimal;
- Retain existing Allowances and Fees for the Deputy Mayor;
- Retain existing Telecommunications Allowance up to the prescribed \$2,000 maximum limit for all elected members;
- Introduce a new all inclusive reimbursement limit of \$8,070* each for the Deputy Mayor and all other Councillors to cover all other expenses including: travel, childcare, all conference expenses, individual training, clothing, dry cleaning and all other expenses necessarily incurred in meeting the duties and responsibilities as a Councillor of the City.

All expenses to the Councillors' limit of \$8,070 are to be fully substantiated with original receipts being supplied and retained for audit purposes. Any request for reimbursement of expenses above the approved limit must be considered and approved by Council.

*The proposed reimbursement limit of \$8,070 is arrived at by dividing the total expense budget of \$113,000 by 14 being the number of Councillors, including the Deputy Mayor.

Option 2 would result in elected members receiving or being eligible for:

Mayor – Allowances \$74,000 plus unrestricted use of council vehicle, and eligible to claim for private vehicle mileage and childcare.

Deputy Mayor – Allowances \$23,000 + \$8,070 for expenses.

Councillors – Allowances \$8,000 + \$8,070 for expenses.

OPTION NUMBER 3

- Retain existing Allowances and Fees for Mayor with all expenses to be met from the total of those allowances and fees paid to the Mayor. The mayor would be entitled to claim for private vehicle mileage and childcare. As the Mayor is provided with a fully maintained Council vehicle with unrestricted use and has no young children, it is likely these costs would be minimal;
- Retain existing Allowances and Fees for the Deputy Mayor with all expenses, excluding travelling reimbursement and child care, to be met from the total allowances and fees paid to the Deputy Mayor;
- Retain existing Telecommunications Allowance up to the prescribed \$2,000 maximum limit for all elected members;
- Introduce a new all inclusive reimbursement limit of \$8,565*¹ each for all Councillors, excluding the Deputy Mayor, to cover all other expenses including: travel, childcare, all conference expenses, individual training, clothing, dry cleaning and all other expenses necessarily incurred in meeting the duties and responsibilities as a Councillor of the City.
- Provide a travelling and childcare reimbursement limit for the Deputy Mayor of \$1,645*²;

All expenses to the Councillors limit of \$8,565 and the Deputy Mayor's limit of \$1,645 are to be fully substantiated with original receipts being supplied and retained for audit purposes. Any request for reimbursement of expenses above the approved limit must be considered and approved by Council.

*² The proposed reimbursement limit of \$1,645 for travelling and childcare for the Deputy Mayor is arrived at by dividing the total traveling and childcare expense budget of \$23,000 by 14 being the number of Councillors including the Deputy Mayor.

*¹ The proposed reimbursement limit of \$8,565 is arrived at by dividing the balance of the travel and childcare expense budget (\$23,000 - \$1,645 = \$21,355) and conference (\$50,000) and training (\$40,000) budgets totalling \$111,355 by 13 being the number of Councillors excluding the Deputy Mayor.

Option 3 would result in elected members receiving or being eligible for:

Mayor – Allowances \$74,000 plus unrestricted use of council vehicle.

Deputy Mayor – Allowances \$23,000 + \$1,645 for travel and childcare expenses other than travel associated with conferences.

Councillors – Allowances \$8,000 + \$8,565 for expenses.

Use of Corporate Credit Cards

The Mayor is issued with a corporate credit card with a credit limit of \$3,000. Expenses incurred on the credit card are currently met from various accounts within the Governance Elected Members budget.

It should be noted that the use of corporate credit cards must be strictly in keeping with approved guidelines and for authorised expenditure.

An opportunity that could be applied to payment of the Mayoral allowance, is to link it to a corporate credit card with an overall limit of \$60,000. As the Mayoral Allowance is not limited or substantiated for its use, this approach would enable the Mayor to be provided with credit facilities that can be paid by the City. The other alternative is to not issue the Mayor with a corporate credit card.

Conference and Training Expenses

Elected Members regardless of their position are currently entitled to access the City's Elected Member Conference and Training Budgets for expenses incurred in these areas. There is no limit placed on the number of conferences or amount of training or monetary values on either of these areas.

Whilst there is a policy in place indicating preferred training that elected members are encouraged to attend, there is no process currently in place that ensures elected members receive the training most suited to their needs and benefit from training that has been provided.

A more structured approach to elected member training could be of greater benefit to the individual member, Council and the community.

Travelling and Child Minding Expenses

Each elected member is entitled to claim for mileage to and from Council and Council committee meetings and child minding whilst attending those meetings, plus other travel expenses and child minding incurred in the performance of their duties as elected members according to policy. There is currently no limit placed on the amounts that may be claimed for these expenses, but all expenses must be detailed on the appropriate claim form.

It may be necessary to clarify the intent of this expense area particularly in relation to child minding, unless Council is to support an unlimited amount for this expense.

Media and Public Interest

Invariably there is considerable media and public interest shown in elected members allowances and expense reimbursement whether these be at the Federal, State or local government level. It is therefore important that the process applied to reimbursement is transparent and subject to reasonable checks and balances that will positively withstand any scrutiny.

Accountability

Information relating to all allowances and reimbursement of expenses is available to the community under the provisions of the Freedom of Information Act.

The most effective process that can be put in place that supports the principles of transparency, responsibility and accountability, involves a full substantiation of all expenses, with original documentation including receipts to support reimbursement being provided and retained attached to the payment voucher.

Information to be Reviewed

As part of the proposed new approach to expense reimbursement and in the interests of transparency and accountability, the values of each members expense reimbursement could be submitted to Council at the first ordinary meeting after conclusion of each quarter commencing 30 September 2001.

OFFICER'S RECOMMENDATION: That it be recommended that:

- 1 Council **ENDORSES** the principle of broadening the type of expenses that can be reimbursed to elected members on the basis of setting a specified expense limit to each member, within the current budget allocation;
- 2 all claims by elected members above the specified expense limit, be submitted to Council for determination;
- 3 the Council **REQUESTS** the Acting Chief Executive Officer to review Policy Numbers:
 - 2.2.1 - Issue and Return of Council Related Equipment to Elected Members
 - 2.2.2 - Elected Member Training

- 2.2.3 - Travel/Accommodation – Elected Members and Staff
- 2.2.10 - Elected Members Attendance Fees
- 2.2.12 - Members of Council – Reimbursement of Expenses

to reflect the decision in (1) above;

- 4 in the interests of transparency and accountability, the values and breakup of each members expense reimbursement, be reported to Council at the first ordinary meeting after conclusion of each quarter of the financial year.

DISCUSSION NOTES FROM AUDIT COMMITTEE

In discussion on various matters relating to elected members expense reimbursement, the following points were made and additional information requested:

A report on hospitality issues be prepared and submitted to the Audit Committee, after the House Committee has considered matters associated with dining/entertainment and catering.

It was requested that expenses relating to child care and travelling be reported on separately in the elected member expense schedules, instead of being combined under travel expenses as at present. Child care and travel claims are made on the same form with details of dates and amounts recorded. Future schedules will show these costs separately.

Cr Baker advised he had concerns regarding the allocation of sponsorship funds to sporting and community groups and felt granting of such funds should be decided by elected members.

A report on donations to and sponsorship of sporting clubs, individual sports people and community groups, including the process of allocating such funds was requested for consideration at a future meeting of the Audit Committee.

The committee was advised that \$16,000 was provided in the current budget for donations to community and sporting groups. The amount of such donations and sponsorship paid in the financial year 2000/01 was requested. An undertaking was given to provide that information.

The committee was advised that GST was excluded from reimbursement expenses and it was necessary for elected members to provide receipts so that the City could claim the GST component.

OFFICER'S RECOMMENDATION: That:

- 1 Council ENDORSES the principle of broadening the type of expenses that can be reimbursed to elected members on the basis of setting an expense reimbursement limit of \$7,530 for each member, as outlined at Option 1 in Report CJ340-10/01;
- 2 all claims by elected members in excess of the specified expense limit, be submitted to Council for determination;
- 3 the Council REQUESTS the Acting Chief Executive Officer to review Policy Numbers:

- 2.2.1 - Issue and Return of Council Related Equipment to Elected Members
- 2.2.2 - Elected Member Training
- 2.2.3 - Travel/Accommodation – Elected Members and Staff
- 2.2.10 - Elected Members Attendance Fees
- 2.2.12 - Members of Council – Reimbursement of Expenses

to reflect the decision in (1) above;

- 4 in the interests of transparency and accountability, the values and breakup of each member's expense reimbursement, be reported to Council at the first ordinary meeting following the conclusion of each quarter of the financial year.

MOVED Cr Patterson, SECONDED Cr Baker that the matter pertaining to Elected Member allowances, fees and reimbursement of expenses be REFERRED to the Audit Committee for further consideration and review of the relevant policies.

The Motion was Put and

CARRIED

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf091001.pdf](#)

CJ341 – 10/01 EDGEWATER QUARRY DEVELOPMENT - [37544]

WARD - Lakeside

CJ011002_BRF.DOC:ITEM 3

SUMMARY

The Edgewater Quarry, originally a limestone quarry has been used for minor activities since the 1970s. There have been a number of proposals for more intensive development and use. In 1996, a survey of Edgewater residents revealed that the most favoured use was for passive recreation amenities. In March 2001, Council considered a plan for the development of skate facilities in the City. The plan included a proposal for skate park facilities in the Edgewater Quarry.

It is appropriate that Council prepares a concept plan incorporating the skate facilities and seeks comment from the Edgewater community, prior to adopting the concept plan for the Edgewater Quarry. To this end it is proposed that Council establishes a Committee to consider and develop the concept plan for public advertising.

BACKGROUND

At the Elected Members Briefing meeting on 17 July 2001, a report was requested on the development of Edgewater Quarry.

The quarry is located in the suburb of Edgewater and extends east from Joondalup Drive to Regatta Drive adjacent to Treetop Avenue (see Attachment A).

The site comprises three reserves:

- Pt Res 37188 Loc 12681, 170 Joondalup Drive, Edgewater
- Pt Res 37188 Loc 12682, 170 Joondalup Drive, Edgewater
- Res 37210 Loc 10188, 160 Joondalup Drive, Edgewater
- Pt Res 37229 Loc 10194, 38 Regatta Drive, Edgewater
- Pt Res 37229 Loc 12257, 38 Regatta Drive, Edgewater

and collectively is known as Quarry Park.

A major part of the site was mined for limestone prior to the 1970's. Since that time it has been partially filled.

Over the years, a number of uses have been proposed including:

- Amphitheatre;
- Arboretum;
- Mountain Bike Track;
- Rugby league sporting complex;
- Botanical golf;
- Golf driving range;
- Quasi botanical garden – walk trails, miniature railway, water gardens.

The area is used for minor passive recreational activity and temporary works.

There are no firm development plans for Quarry Park.

DETAILS

Description of Land

The land comprises of three reserves:

Number	Area (Hectares)	Management Order	Purpose
Pt Res 37188 Loc 12681	9.7022	City of Joondalup	Recreation Crown Estate
Pt Res 37188 Loc 12682	0.0662	City of Joondalup	Recreation Crown Estate
Res 37210 Loc 10188	2.4384	City of Joondalup	Public Recreation (20A)
Pt Res 37229 Loc 10194	2.8409	City of Joondalup	Public Recreation (20A)
Pt Res 37229 Loc 12257	0.0707	City of Joondalup	Public Recreation (20A)
Total	15.1184		

Adjacent to the reserves is Lot 998, owned by the City for Civic purposes. (See Attachment A.)

The location and visibility of the site abutting Joondalup Drive increases its importance, being located on one of the major entry roads into the City.

The quarry and associated cliffs present interesting topography and indicate some of the early history of the area where limestone was extracted for a variety of purposes.

Along the top of the cliffs are narrow strips of land up to 30 metres wide abutting residential development to the north. The site abuts Regatta Drive to the east, and to the south the Civic site and Reserves Pt 37188 & 37210 referred to earlier.

History of Proposed Uses

The site has been used for a number of activities and there have been a number of proposals including:

1978 - Arboretum;

1986 - Amphitheatre;

1986 - Theatre. The site was used for the presentation of the play “Limestone Connection”.

1988 - Proposed site for rugby Sporting Complex.

Other proposals have included Botanic Golf, Golf Driving Range and a Quasi Botanic Garden.

Development of the site at present is limited to:

- Partial filling of the quarry to reduce the cliff hazards;
- Installation of bore, originally for Freeway works, and will be used for Eddystone Bridge works.
- Fencing at the top of cliffs for safety reasons.

Development Opportunities

The configuration of the site lends itself to both passive and minor active uses. These could include:

Passive	Active
<ul style="list-style-type: none"> • Walking. • Picnics. • Lookouts. 	<ul style="list-style-type: none"> • Mountain bike tracks – utilising the rugged topography of the site. • Skateboard track. • BMX tracks.

Issues to address, should the site be developed, include:

- Access, pedestrian and vehicular;
- Car parking;
- Toilet facilities – connection to sewer;

- Crime prevention design matters – the lack of visual observation may be a problem;
- Community consultation – the proposed uses and proximity to residential development needs to be considered – views on the proposal need to be sought.

Survey of Residents

In 1995, Council resolved that a survey of Edgewater residents be undertaken prior to the development of a concept plan for the Edgewater Quarry (Item CS170-09/95 refers). In April 1996, it was reported that 48% of residents wanted either native gardens or passive parklands. The Council resolved to prepare a concept plan for a botanical garden (Item CS51-04/96 refers). A search of the records suggests that no plan was prepared.

Discussion on Skate Park Proposal

Council, at its meeting 13 March 2001, considered a plan for the development of skate facilities in the City (Item CJ061-03/01 refers). The plan included a proposal to develop part of the Edgewater Quarry. This proposal considered the development of a skate park that initially would meet the needs of local young people. The report also noted that Edgewater Quarry had the potential to be developed as a regional skate facility.

This would involve the development of more challenging equipment suitable to meet the needs of more advanced skaters.

Edgewater Quarry was considered to be a suitable site for a regional facility because there was a reasonable buffer between the proposed skatepark and nearby residents which would minimise any problems in relation to noise and spill from lighting at night. It is also close to the Edgewater Railway Station that would facilitate transport for young people to access the site.

Edgewater Quarry also has the potential to include other recreational pursuits such as mountain bike riding and BMX riding. Together, the site could provide a significant "extreme" sport opportunity for young people.

Concept Design

A preliminary concept plan has been prepared for Quarry Park, see Attachment B. This plan could be used for community consultation.

The concept plan incorporates a grassed picnic area, Skate Park, Junior and Advanced BMX tracks and associated playground, car park and toilet facilities.

The natural bush zones to the north and south incorporate a mountain bike track, walk tails with lookouts at advantage points along with the implementation of re-vegetation and maintenance programs.

The transition area will be extensively planted with native trees creating a buffer between passive natural bush areas and active recreation.

Community Studies

Planning for the Community Needs Study is well advanced with Phase 1, the Community Audit, almost completed. The Community Needs study, which is part of the Precinct Planning project that is underway, will look at the broad social and recreation needs of the City. It is likely that the previous work regarding the demand for skate facilities will be incorporated into the study and findings.

However, the current proposal for a skate park is a departure from the Council resolution in 1996 and the community views at that time. Accordingly, any proposal that departs from this should go back to the community for further consideration and input.

It would be appropriate for Council to consider the concept plan prior to advertising for public comment. To this end it is suggested that a Council committee consider the concept plan, and public consultation details.

The purpose of the Quarry Park Development Committee would be to:

“consider the existing concept plan and make recommendations to Council for its development with a view to public consultation”.

Membership of the committee would include the Lakeside Ward Councillors, and at least one other Councillor (perhaps a representative from the Skatepark Committee) is necessary to meet the requirements for Committees. Staff nominated by the Chief Executive Officer will provide support to the committee. Draft terms of reference are at Attachment C.

Timetable

The following timetable outline is suggested:

• Advertise the concept plan for public comment.	Late 2001.
• Council consideration – Quarry Park, Edgewater.	Early 2002.
• Budget consideration. The project could be programmed over a number of years.	2002/03 onward.

COMMENT/FUNDING

The development of Quarry Park in Edgewater is a long-term project, requiring consideration of community and recreation needs. The results of the advertising may have impacts for the findings of the Community Needs Study and Precinct Planning if the community reject the proposal or conversely, if the community support the proposal, will add confidence to the planning. The establishment of a committee is to review the concept plan and make recommendations for community consultation.

No funds for this project are indicated in the 5-Year Capital Works programme.

OFFICER'S RECOMMENDATION: That Council:

- ESTABLISHES, BY AN ABSOLUTE MAJORITY, a Quarry Park Development Committee for the purpose of developing options for Quarry Park, Edgewater, with a view to public consultation;**

- 2 APPOINTS the Lakeside Ward Councillors and one other Councillor to the committee detailed in 1 above.

MOVED Cr Kadak, SECONDED Cr Walker that Council:

- 1 ESTABLISHES a Quarry Park Development Committee for the purpose of developing options for Quarry Park, Edgewater, with a view to public consultation;
- 2 APPOINTS the Lakeside Ward Councillors and three other Councillors to the committee detailed in 1 above as follows:

Cr P Kadak
Cr P Kimber
Cr J Hollywood
Cr M O'Brien
Cr C Mackintosh

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf091001.pdf](#)

CJ342 – 10/01 ACQUISITION OF CITY DEPOT SITE - [07092]

WARD - All

CJ011002_BRF.DOC:ITEM 4

SUMMARY

The City has recently been in the process of endeavouring to acquire approximately 4 hectares of land to accommodate its depot site. At the 17 July 2001 Briefing Session, the Council requested that the City pursue options for the purchasing of land freehold, in preference to leasing a portion of Water Corporation's Beenyup site.

This report recommends that the Council agrees 'in principle' to the City purchasing or leasing an appropriate site for the depot.

This contract for sale entered into by, or on behalf of the City, would be conditional upon the Council complying with the requirements of section 3.59 of the Local Government Act 1995, and the Council resolving by an Absolute Majority to proceed with the contract.

A confidential memorandum has been circulated to elected members under separate cover on 28 September 2001 detailing the current status with the Beenyup site, and the option of purchasing land freehold in identified areas. This memorandum is to remain confidential to protect the City's interest in the future should it enter into negotiations with a vendor/s for the purchase of land.

MOVED Cr Rowlands, SECONDED Cr Nixon that Council:

- 1 AGREES 'IN PRINCIPLE' to the City acquiring, either freehold or leasehold land, for the purpose of a depot site;**
- 2 NOTES that any proposed Contract of Sale will be conditional upon the Council complying with the requirements of Section 3.59 of the Local Government Act 1995, and resolving By An Absolute Majority to proceed with the contract.**

The Motion was Put and

CARRIED

CJ343 – 10/01 SKATE PARK COMMITTEE MINUTES - [08096]

WARD - All

CJ011002_BRF.DOC:ITEM 5

SUMMARY

A meeting of the Skatepark Committee was held on 25 September 2001 and the unconfirmed minutes are submitted for noting by Council. (Attachment one refers)

The Committee has recommended to Council the following:

- 1 that it proceeds with the development of a concrete skatepark at MacNaughton Park, Kinross;
- 2 that it enters into a joint venture with the City of Stirling for the development of a skate park at Carine Open Space; and
- 3 that it amends the terms of reference of the Skatepark Committee to include consideration of issues relating to the development of BMX Tracks in the City. (Attachment two refers)

BACKGROUND

Council at its meeting held 13 March 2001 (Item CJ061-03/01 refers) resolved to:

- 1 endorse the development of skateparks at MacNaughton Park, Kinross and Kanangra Park, Greenwood in the 2000/2001 financial year subject to a local community consultation process being conducted at each site prior to development;*
- 2 remove both Geneff Park, Sorrento and Percy Doyle Reserve, Duncraig from the five year skate facility development timetable;*

- 3 list for consideration in the five year works plan the balance of the proposed sites as detailed in this Report subject to a local community consultation process to be conducted at each proposed site in the twelve months prior to proposed development.*

DETAILS

The Skate Park Committee has engaged in an extensive public consultation process since March 2001 in Kinross, Greenwood and Ocean Reef with the following outcomes.

Kinross

There is majority support for the development of a skate park at MacNaughton Park, Kinross. Subsequently, design work has commenced for the development of a skate park with the participation of young people. In further consultation with the young people, their preference was strongly for a concrete skate facility rather than a semi mobile facility.

The Skate Park Committee is now recommending to Council that the development of a skatepark facility at MacNaughton Park, Kinross should proceed at an estimated cost of \$90,000 for a concrete skatepark plus ancillary services such as lighting and water fountain. The ongoing operating costs are estimated to be \$350. Funds are listed for this purpose in the maintenance programme for the Building five year capital works programme

Greenwood

While there was interest in the development of a skate park in Greenwood, there was no public support for it to be developed at Kanangra Park, Greenwood. The Skate Park Committee then consulted with the community regarding development of a skate facility at Penistone Park, Greenwood. Again, there was no public support for the proposal.

Carine Open Space

Due to the opposition to the development of skateparks in Greenwood, other options have been explored. Discussions with the City of Stirling revealed that it was planning the development of a small skate facility at Carine Open Space, which runs along Beach Road, and is the southern boundary of the City of Joondalup.

Negotiations have been conducted with the City of Stirling and it is proposed that the City enter into a partnership with the City of Stirling to develop a skate facility at Carine Open Space. The community surrounding Carine Open Space has indicated its support for the development of a skate facility and the Committee considered that young people from the City of Joondalup would benefit at least as much as those from Stirling due to its location immediately adjacent to the southern suburbs of the City. It was also considered that both Councils and their residents would benefit from the development of a facility that would cost each local authority less than what it would cost if the City built its own facility.

It is proposed that each local government would work in partnership and contribute up to \$75,000 on a 50/50 basis for the capital costs and that future maintenance costs, promotion, signage, etc, estimated at \$200 for the City of Joondalup and would also be shared on a 50/50 basis. This would also entail representatives from the City participating in the tender process conducted by the City of Stirling for the appointment of contractors to construct the Skate Park.

COMMENT/FUNDING

There are funds of \$230,000 listed under Project BCW045 in the 2001/02 Building Capital Works Programme. Should the full amounts be expended on development of skate facilities at MacNaughton Park, Kinross and at Carine Open Space the cost will be \$165,000 leaving a balance of \$65,000.

The report to Council at its meeting on 13 March 2001 regarding the development of skate facilities recommended that the City should develop semi mobile skate facilities rather than permanent skate facilities. The Skate Park Committee has now recommended that the Skate Park proposed for development at MacNaughton Park, Kinross be constructed from concrete.

The Skate Park Committee has noted that its reasons for choosing concrete construction were that it believed concrete skate facilities to be more successful and popular with participants and that it provided for greater design flexibility.

At the meeting of Council held 11 September 2001, a motion by Cr O'Brien was considered in relation to a regional skate facility as follows.

That Council:

- 1 resulting from discussions held at a meeting convened by Margaret Quirk MLA recently at Parliament House and attended by Councillors from Stirling, Wanneroo and Joondalup to explore the possibility of the provision of a Substantial Regional Skate Board Facility (possibly at the Southern end of Liddell Reserve) to cater for youth from the three Municipalities, SUPPORTS IN PRINCIPLE such a "joint venture" and seeks a joint Municipality's deputation to the Hon Alan Carpenter MLA Minister for Sport and Recreation with a view to seeking State Government assistance for such a facility;
- 2 SEEKS support and involvement from the City of Wanneroo and the City of Stirling in such a possible joint venture and deputation.

This motion was lost.

While this motion is similar in some respects to the proposal to enter into a joint venture arrangement with the City of Stirling, it does not require a rescission, as the motion was lost. Council did not make any decision at that meeting that in any way affects the current proposal with the City of Stirling.

Under the Local Government Act 1995 Council is able on its own authorisation to expend funds on property that it does not own or is outside of the local government area.

MOVED Cr Rowlands, SECONDED Cr Mackintosh that Council:

- 1** **PROCEEDS** with the development of a concrete skatepark at MacNaughton Park, Kinross at an estimated cost of \$90,000;
- 2** **ENTERS** into a joint venture with the City of Stirling for the development of a skate park at Carine Open Space contributing up to \$75,000 towards the construction costs on the basis of a 50/50 share of capital and future operational and maintenance cost estimated at \$200;
- 3** **AMENDS** the Terms of Reference of the Skatepark Committee to include consideration of issues relating to the development of BMX tracks in the City.

During discussion Cr Baker left the Chamber at 2005 hrs and returned at 2007 hrs.

AMENDMENT MOVED Cr Patterson, SECONDED Cr Hollywood that Point 2 of the recommendation be amended to read:

- 2** **ENTERS** into a joint venture with the City of Stirling for the development of a skate park at Carine Open Space contributing up to \$75,000 towards the construction costs on the basis of a 50/50 share of capital and future operational and maintenance cost estimated at \$200, based on a public consultation period facilitated by the City of Joondalup being carried out with the residents of Duncraig and surrounding suburbs; including a public meeting to be held at the Davallia Primary school;

The Amendment was Put and

CARRIED

SECOND AMENDMENT MOVED Cr Hollywood, SECONDED Cr Mackintosh that an additional Point 3 be added as follows:

- “3** **That Council REQUESTS** the City of Stirling to be part of a committee consisting of two elected members from the City of Joondalup to oversee the construction and design of the skatepark at Carine Open Space.”

The Second Amendment was Put and

CARRIED

The Original Motion, as amended, BEING:

That Council:

- 1** **PROCEEDS** with the development of a concrete skatepark at MacNaughton Park, Kinross at an estimated cost of \$90,000;
- 2** **ENTERS** into a joint venture with the City of Stirling for the development of a skate park at Carine Open Space contributing up to \$75,000 towards the construction costs on the basis of a 50/50 share of capital and future operational and maintenance cost estimated at \$200, based on a public consultation period facilitated by the City of Joondalup being carried out with the residents of Duncraig and surrounding suburbs; including a public meeting to be held at the Davallia Primary school;

- 3 REQUESTS the City of Stirling to be part of a committee consisting of two elected members from the City of Joondalup to oversee the construction and design of the skatepark at Carine Open Space;**
- 4 AMENDS the Terms of Reference of the Skatepark Committee to include consideration of issues relating to the development of BMX tracks in the City.**

was Put and

CARRIED

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4abrf091001.pdf](#)
[Attach4bbrf091001.pdf](#)

**CJ344 – 10/01 ALIA PUBLIC LIBRARIES CONFERENCE
MELBOURNE 12 - 16 NOVEMBER 2001 - [00427]
[91015]**

WARD - All

CJ011002_BRF.DOC:ITEM 6

SUMMARY

The fifth Biennial Australian Library and Information Association (ALIA) Public Libraries Section National Conference is to be held at the Melbourne Exhibition and Convention Centre from 12 to 16 November 2001. This year, the Conference theme is Endless Possibilities.

It is recommended that the Manager Library and Information Services attend the conference.

DETAILS

The fifth Biennial Australian Library and Information Association (ALIA) Public Libraries Section National Conference is to be held at the Melbourne Convention and Exhibition Centre from 12 to 16 November 2001.

The programme (Attachment 1 refers) promises some challenging sessions covering a range of practical issues including changing resource formats, marketing (including online), demonstrating the impact of public libraries, human resources, local studies, and the potential for library and community partnerships. All of these areas are currently considered important issues for the City of Joondalup Library and Information Service.

The City provides one of the largest and most heavily used public library systems in Western Australia. The Joondalup Centre Regional Library is unique in size and facilities in this State.

The national conference provides not only the opportunity to listen to challenging papers but to also make valuable contacts with eastern state counterparts and discuss innovative practices occurring elsewhere in Australia. The public libraries conferences of the past have provided a great deal of practical and applicable information.

COMMENT/FUNDING

It is proposed that the Manager Library and Information Services attend the ALIA Public Libraries Section National Conference. This will be the first conference outside Western Australia attended by the Manager in over 6 years.

Estimated costs for the Manager Library Services to attend would be \$2,971, as follows:

Cost Items	Manager Library and Information Services
Registration Fees	\$900
Airfare	(Economy) \$1,059
Accommodation (4 nights @ \$163 per night)	\$652
Incidentals (4 days @ \$90 per day)	\$360
Total	\$2,971

Funding is available under Budget Item "Library Services – Conference Expenses".

Funding for the Conference is available as follows:

Account No:	11.80.95.951.3302.0001
Budget Item	Conferences
Budget Amount	\$4,480
Estimated cost	\$2,971

MOVED Cr Rowlands, SECONDED Cr Hurst that Council:

1 AUTHORISES:

- (a) the attendance of the Manager Library and Information Services at the fifth Biennial Australian Library and Information Association (ALIA) Public Libraries Section National Conference to be held at the Melbourne Exhibition and Convention Centre from 12 to 16 November 2001;
- (b) the estimated expenditure of \$2,971 to be charged to 11.80.95.951.3302.0001 – Conference Expenses;

2 REQUESTS an information report on the outcomes of the Biennial Australian Library and Information Association (ALIA) Public Libraries Section National Conference.

The Motion was Put and

CARRIED

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf091001.pdf](#)

CJ345 – 10/01 STRATEGIC ADVISORY COMMITTEE - SENIORS INTERESTS - [55511]

WARD - All

CJ011002_BRF.DOC:ITEM 8

SUMMARY

At the meeting of Council held on 25 September 2001, it was resolved to defer further consideration of the Seniors Master Plan - Leisure and Social Activity Needs and to refer it to an advisory committee to be established by Council that would provide further advice to Council on the proposed Plan.

This report recommends that Council establishes a Strategic Advisory Committee – Seniors Interests, the composition and terms of reference of which would allow consideration of the Plan, plus other issues of importance to seniors who reside within the City.

BACKGROUND

At the meeting of Council held 25 September 2001, it was resolved to defer further consideration of the Seniors Master Plan - Leisure and Social Activity Needs and refer it to an advisory committee to be established by Council that would provide further advice to Council on the proposed Plan.

It is considered that Council would benefit from receiving advice on a wider range of issues impacting on seniors who reside within the City, such as the shortage of accommodation for frail aged people in not for profit nursing homes and hostels.

The City is also facing an increasing numbers of seniors as a result of the overall ageing of the general population.

Against this background, this report recommends that Council establish a Strategic Advisory Committee – Seniors Interests, the composition and terms of reference of which would allow consideration of the Seniors Master Plan plus other issues of importance to seniors who reside within the City.

The Committee structure, composition and terms of reference are based on those recently approved by Council for the establishment of the Strategic Advisory Committee – Youth Affairs.

DETAILS

It is proposed that the Strategic Advisory Committee - Seniors Interests comprise of the following:

- Two Elected Members;
- One representative from the Department for Community Development/Office of Seniors Interests;
- One representative from Community Vision Inc;
- Two representatives from commercial or not for profit organisations that provide services to seniors in the City;
- Two members of the community who do not represent any particular group or organisation but whom have an interest in Seniors issues;
- Manager Community and Health Services; and
- Manager Leisure and Ranger Services.

It is considered important that this committee focus on a range of strategic issues that impact on seniors across the community. Accordingly, representation on this committee should be from organisations that work with the broad seniors' community rather than representatives from specific seniors groups operating within the City.

It is also considered that the positions on the committee which are to be filled by persons other than Elected Members and staff be advertised.

COMMENT/FUNDING

There is currently no formal mechanism in place for Council to receive advice to ensure that the concerns of seniors are adequately represented in the City's planning processes and the strategic directions being developed for older people across the City. The following figure provides a diagrammatic representation of workflows to Council via the Strategic Advisory Committee – Seniors Interests.



It is envisaged that the Manger Community Services and Health and the Manager Leisure and Ranger Services, together with other relevant staff, would provide a resourcing role to the Strategic Advisory Committee - Seniors Interests. Consequently, no additional financial resources will be required. It is suggested that the Terms of Reference, membership and operation of the Strategic Advisory Committee - Seniors Interests be reviewed after a period of twelve months to determine the Committee's effectiveness.

OFFICER'S RECOMMENDATION: That Council:

- 1 ESTABLISHES, BY AN ABSOLUTE MAJORITY, a Strategic Advisory Committee – Seniors Interests comprising:
 - Two Elected Members;
 - One representative from the Department for Community Development/Office of Seniors Interests;
 - One representative from Community Vision Inc;
 - Two representatives from commercial or not for profit organisations that provide services to seniors in the City;
 - Two members of the community who do not represent any particular group or organisation but whom have an interest in Seniors issues;
 - Manager Community and Health Services; and
 - Manager Leisure and Ranger Services.
- 2 ADVERTISES for expressions of interest from members of the general community and relevant commercial or not for profit organisations to fill the respective community and service provider positions on the Committee;
- 3 NOTES the draft Terms of Reference for the Strategic Advisory Committee – Seniors Interests forming Attachment 1 to Report CJ345-10/01;
- 4 NOTES that the Terms of Reference, membership and operation of the Strategic Advisory Committee – Seniors Interests will be reviewed after a period of twelve months to determine the Committee's effectiveness.

MOVED Cr Kadak, SECONDED Cr Rowlands that Council:

- 1 ESTABLISHES a Strategic Advisory Committee – Seniors Interests comprising:
 - Cr A Walker
 - Cr D Carlos
 - Cr M O'Brien
 - One representative from the Department for Community Development/Office of Seniors Interests;
 - One representative from Community Vision Inc;
 - Two representatives from commercial or not for profit organisations that provide services to seniors in the City;

- Two members of the community who do not represent any particular group or organisation but whom have an interest in Seniors issues;
- Manager Community and Health Services; and
- Manager Leisure and Ranger Services.

- 2 **ADVERTISES** for expressions of interest from members of the general community and relevant commercial or not for profit organisations to fill the respective community and service provider positions on the Committee;
- 3 **NOTES** the draft Terms of Reference for the Strategic Advisory Committee – Seniors Interests forming Attachment 1 to Report CJ345-10/01;
- 4 **NOTES** that the Terms of Reference, membership and operation of the Strategic Advisory Committee – Seniors Interests will be reviewed after a period of twelve months to determine the Committee’s effectiveness.

Cr Patterson expressed an interest in this Committee and queried due to the nature of his employment the appropriateness of his attending meetings in an observer capacity.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6agn091001.pdf](#)

INFRASTRUCTURE MANAGEMENT

**CJ346 – 10/01 RE-ESTABLISHMENT OF COUNCIL COMMITTEE -
CONSERVATION ADVISORY COMMITTEE -
[12168]**

WARD - All

SUMMARY

The Conservation Advisory Committee requested that the committee be re-established as a Committee of Council reporting directly to Council.

The Committee’s request is supported by the Environmental and Sustainability Advisory Committee.

DETAILS

Council, at its meeting dated 22 August 2000, received the Minutes of Conservation Advisory Committee meeting held 20 July 2000. This Report recommended that the Conservation Advisory Committee be restructured to become a sub-committee of the Environmental Advisory Committee.

This restructuring occurred and operated successfully until May 2001 and the reappointment of Councillors, following the Local Government elections. There was a significant time lapse between the appointment of a Chairperson to the Environmental Advisory Committee and therefore creation of the Conservation sub-committee.

At its meeting held on 13 September 2001, the Conservation Advisory Committee passed the following Motion recommending that the Conservation Advisory Committee be re-established as a Committee of Council with the following representatives and Terms of Reference.

That the Conservation Advisory Committee recommends to Council:

- In accordance with section 5.8 of the Local Government Act 1995, Council re-establishes the Conservation Advisory Committee and that it reports directly to Council.
- Appointing the following persons to the Committee:

Cr John Hollywood
 Cr Andrew Nixon
 D Cluning, Manager Operations Services
 K Armstrong, Conservation Officer

<u>Group</u>	<u>Member</u>	<u>Deputy</u>	<u>2nd Deputy</u>
Friends of Korella Park	M Zakrevsky	K McKenzie	W Woods
Friends of Hepburn Heights	R Henderson	T Morald	
Friends of Yellagonga	D Hancock	H Jacob	J Treloar
Friends of Warwick Bushland	J Brundrett	K Clarke	TBA
Friends of Warwick High			
School Bushland	R McElroy	TBA	TBA
Friends of Craigie Bushland	J Woods	C Woods	TBA

Community Representative with specialised environmental knowledge
 - D Pike, M Norman and S Magyar

- Set the Terms of Reference for the Committee as:

To liaise with community groups and the general public to promote the importance of conservation and rehabilitation of bushland and the natural environment.

To provide technical and practical advice on Management Plans and implementation of conservation strategies within the City of Joondalup.

To promote the importance of conservation, biodiversity and the rehabilitation of bushland and the natural environment.

- That the:

The Yellagonga Catchment Group
Joondalup Community Coast Care Forum
Yellagonga Regional Park Community Advisory Committee

report to the Conservation Advisory Group.

This recommendation has the support of the Environmental and Sustainability Advisory Committee following discussion at its meeting held 20 September 2001.

COMMENT

The establishment of the Conservation Advisory Committee will provide an adequate forum to liaise with community groups and the general public to promote the importance of conservation and rehabilitation of bushland and the natural environment. It will also assist in providing technical and practical advice on management plans and conservation strategies within the City.

MOVED Cr Kadak, SECONDED Cr Hurst that Council:

- 1 **RE-ESTABLISHES the Conservation Advisory Committee in accordance with Section 5.8 of the Local Government Act 1995 to:**

- *liaise with community groups and the general public to promote the importance of conservation and rehabilitation of bushland and the natural environment;*
- *provide technical and practical advice on Management Plans and implementation of conservation strategies within the City of Joondalup;*
- *promote the importance of conservation, biodiversity and the rehabilitation of bushland and the natural environment.*

- 2 **APPOINTS the following persons as members of the Conservation Advisory Committee:**

Cr John Hollywood
Cr Andrew Nixon
Mr D Cluning, Manager Operations Services
Mr K Armstong, Conservation Officer

<u>Member</u>	<u>Deputy</u>	<u>2nd Deputy</u>
Mrs M Zakrevsky	Mr K McKenzie	Mr W Woods
Mr R Henderson	Mr T Morald	
Mr D Hancock	Mr H Jacob	Mr J Treloar
Mr J Brundrett	Mrs K Clarke	
Ms R McElroy		
Mr J Woods	Mrs C Woods	
Mr D Pike		
Mr M Norman		
Mr S Magyar		

3 SETS the quorum for the Conservation Advisory Committee at 7 members.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CJ347 – 10/01 2002/03 STATE BLACKSPOT PROGRAM
SUBMISSIONS - [09480] [08151]**

WARD - All

CJ011002_BRF.DOC:ITEM 11

SUMMARY

Main Roads WA advises that submissions for the 2002/03 State Blackspot Program close on Monday 15 October 2001. The following report details the submission process, proposals and possible funding implications for the City.

BACKGROUND

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

The State Blackspot Program is aimed at further improving road safety across Western Australia thereby reducing the significant trauma and suffering by crash victims, family and friends.

The program targets those road locations where crashes are occurring and aims to fund cost effective, safety orientated projects by focusing on locations where the highest safety benefits and crash reductions can be achieved.

All submissions are considered on their merits and are evaluated against the criteria set by the State Blackspot Program Development and Management Draft Guidelines.

The minimum eligibility crash criterion for intersections is an average of 1 crash per year over 5 years. The crash period is 5 years from 1996 to 2000.

The State Black Spot Program will allocate 2/3rd funding towards the cost of successful projects. The criteria states that the remaining 1/3rd project cost is to be met by Council.

In February 2001, the City was successful in obtaining \$620,000 in funding for seven sites that have subsequently been listed as part of the City's 2001/02 Capital Works Program. A minimum Benefit Cost Ratio (BCR) of 2.1 was required to attract funding.

Main Roads WA has advised that in order to comply with deadlines for the 2002/03 State Budget, submissions for the 2002/03 State Blackspot Program must reach Main Roads WA no later than Monday, 15 October 2001.

In accordance with the previous year, it is envisaged that the Minister for Transport will announce the approved projects early in 2002.

DETAILS

In 2000, 177 sites were evaluated, with projects that had an estimated Benefit Cost Ratio (BCR) value of 1 or greater, considered appropriate for detailed assessment. Subsequently, 11 projects were submitted.

This year, approximately 151 eligible sites on (26) State and (125) local roads (based on crash data provided by Main Roads WA) were evaluated on a preliminary basis. Following on from this, 34 sites were subject to a more detailed assessment to determine the most effective treatment.

Essentially, an effective treatment is one which best addresses a particular crash type. An economic evaluation is then used to determine a BCR. The calculation is based on the cost of a treatment or in some instances, a combination of treatments, compared with the estimated cost saving achieved through a reduction of crashes or crash types.

It should be noted that a significant increase in the cost of certain crash types increased BCR values for a number of projects that had previously much lower BCR values. Similarly some intersections have experienced a reduction in overall crashes and therefore no longer score well when assessed.

The assessment process also highlighted a number of crashes at the following traffic signals sites that may be addressed by modification to the existing signal setup.

Ocean Reef Road	Joondalup Drive
Whitfords Avenue	Dampier Avenue
Whitfords Avenue	Trappers Drive

These sites have been referred to Main Roads WA for assessment, approval and funding. These projects are included for information only but also to highlight that impact of traffic signals is limited as they do not necessarily prevent or reduce certain crash types.

In addition, sites that have recently undergone significant traffic flow changes have also been omitted at this stage.

For example, notable changes to traffic flow conditions have occurred at the intersection of Warwick Road & Davallia Road, due to the opening of the Reid Highway. Given these changes, it would be more appropriate to monitor this site for a further twelve months, rather than treating a problem that may no longer exist.

Notwithstanding the above, on the basis of the detailed assessment, fifteen (15) sites are recommended for submission under the crash criteria as part of the 2002/2003 State Blackspot Program.

A comprehensive list of the proposed projects including total project costs, possible State Blackspot Program funding and the mandatory Council contributions should funding be approved are shown on Attachment 1.

COMMENT/FUNDING

In order to meet the mandatory funding criteria, successfully approved projects will require a minimum 1/3rd funding contribution from Council. Accordingly, subject to final approval of the State Blackspot Program, a contribution for each successful project will need to be listed for funding consideration as part of the City's 2002/03 budget deliberations.

In the meantime, the projects shown listed on Attachment 1 are recommended for submission to the 2002/03 State Black Spot Program for funding consideration.

MOVED Cr Rowlands, SECONDED Cr Mackintosh that Council ENDORSES the submission of projects shown on Attachment 1 to Report CJ347-10/01 for consideration as part of the 2002/03 State Blackspot Program on the basis that the State Government will contribute 2/3rd and Council 1/3rd to the total project costs.

The Motion was Put and

CARRIED

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf091001.pdf](#)

**CJ348 – 10/01 SPEED LIMIT REVIEW - WHITFORDS AVENUE -
[05161] [05078] [47675]**

WARD - Whitfords

CJ011002_BRF.DOC:ITEM 12

SUMMARY

Main Roads WA has sought the City's comments in relation to the proposed speed limit change on Whitfords Avenue between Northside Drive and Hepburn Avenue, Hillarys. It is

recommended that the change is supported on the basis that it is consistent with the changed road environment.

BACKGROUND

Main Roads WA advises that a review of the existing speed zone on Whitfords Avenue between Northside Drive and Hepburn Avenue has been completed. Due to the recently completed roundabout at Northside Drive and Whitfords Avenue and the anticipated increase of residential development adjacent, Main Roads WA has advised that a lowering of the existing 70km/h speed limit is recommended.

Main Roads WA is seeking the City's comments on the proposal prior to its implementation.

DETAILS

Main Roads WA proposes to lower the existing 70km/h speed limit to 60km/h. The lower limit is considered suitable for the new road environment and is consistent with the speed limit along West Coast Drive south of Hepburn Avenue.

A plan showing the existing speed limits and the proposed limit is shown on Attachment 1.

COMMENT/FUNDING

As the proposed speed limit is consistent with the road environment, it is considered appropriate to support the proposal.

MOVED Cr Hurst, SECONDED Cr Mackintosh that Council:

- 1 CONCURS with Main Roads WA proposed speed zone change from 70km/h to 60km/h on Whitfords Avenue between Northside Drive and Hepburn Avenue as shown on Attachment 1 to Report CJ348-10/01;**
- 2 ADVISES Main Roads WA accordingly.**

To a query raised by Cr Patterson, Manager Operations Services advised statistical information was provided by Main Roads WA.

The Motion was Put and

CARRIED

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf091001.pdf](#)

CJ349 – 10/01 CONTRACT EXTENSIONS 106A-99/00 AND 106B-99/00 SUPPLY AND DELIVERY OF STORMWATER DRAINAGE PIPES, FITTINGS AND ANCILLARY PRODUCTS - [47847]

WARD - All

CJ011002_BRF.DOC:ITEM 13

SUMMARY

Contract numbers 106A-99/00 and 106B-99/00 for the Supply and Delivery of Stormwater Drainage Pipes, Fittings and Ancillary products were approved at the Council meeting held on 8 August 2000, for the period from 1 September 2000 to 31 August 2001. The contract conditions allow for an optional two, 12 month extension periods, subject to satisfactory performance.

These Contracts form part of the City of Joondalup contracts and in accordance with the Council's Conditions of Contract Clause 24 Contract Period, the City has negotiated appropriate extensions with each of the current contractors.

DETAILS

The supply and delivery of stormwater drainage pipes, fittings and ancillary products was split between two suppliers due to the variety of the products listed within the Schedule of Prices contained in the tender, no company was able to supply all items.

Funds have been allocated on a project basis as required. A major portion of these works is carried out in the Capital Works Program.

Contract 106A-99/00

Contractor Rocla Pipelines of Kewdale, has indicated it has no objections to extending the contract and there would not be any change in the current contract prices and conditions.

Rocla Pipelines provided a satisfactory service and it is therefore recommended to extend the contract for 12 months from 1 October 2001 to 30 September 2002.

Contract 106B-99/00

Contractor Icon Industries of Maddington, has indicated it has no objections to extending the contract and there would not be any change in the current contract prices and conditions.

Icon Industries provided a satisfactory service and it is therefore recommended to extend the contract for 12 months from 1 October 2001 to 30 September 2002.

MOVED Cr Patterson, SECONDED Cr Walker that Council:

- 1 AUTHORISES the extension of Contract 106A-99/00 for the Supply and Delivery of Stormwater Drainage Pipes, Fittings and Ancillary Products with Rocla Pipelines, for a period of 12 months from 1 October 2001 to 1 September 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST;**
- 2 AUTHORISES the extension of Contract 106B-99/00 Supply and Delivery of Stormwater Drainage Pipes, Fittings and Ancillary Products with Icon Industries, for a period of 12 months from 1 October 2001 to 1 September 2002, in accordance with the price schedule accepted by Council for 2000/2001 and the application of 10% GST;**
- 3 AUTHORISES the signing of the Contract Extension documents.**

The Motion was Put and

CARRIED

CJ350 – 10/01 TENDER NO 008-01/02 HIRE OF PLANT AND TRUCKS - [16242]

WARD - All

CJ011002_BRF.DOC:ITEM 14

SUMMARY

Tenders were advertised statewide for the Hire of Plant and Trucks in accordance with the Conditions Of Tendering supplied. Tenders closed on 26 September 2001. 17 tenders were received as follows:-

Name	Location
Stampalia Contractors	Wanneroo
Cockburn Wreckair Hire	Belmont
Coates Hire	Belmont
Dalco Earthmoving	Osborne Park
Environmental Land Clearing Services	Balga
Executive Plant Hire	Osborne Park
Wanneroo Loader Hire	Wanneroo
The Cat Rental Store (Westrac)	Wangara
J A Arrigo Cartage Contractors	Tuart Hill
Kwik Crane Hire	Malaga
Mayday Earthmoving	Osborne Park
Mini Excavators Pty Ltd	Bassendean
Plant Hire Specialists	Welshpool
Kingsway Sands	Malaga
Quickaway Excavations	Connolly
West Coast Mini Excavator Hire	Joondalup
Neening Park Contractors	Heathridge

An extract from the Schedule of Prices is detailed on Attachment 1 and it is recommended to approve various tenderers according to plant hire requirements.

DETAILS

The Scope of Works under this contract is to supply various plant items and trucks at various sites within the City of Joondalup, as and when required.

The City undertakes various projects, which involve the usage of various types of plant and trucks. Based on the City's current resources and commitments, all plant and trucks have been tendered, therefore the supply has to be with an operator. The City's responsibility includes limited supervision, defining the scope of the special work activity and dictating the required production rates.

This contract has previously been split between various suppliers and due to the variety of hired plant items and no single source supplier that can provide the best value for money, this process should continue. The option for a 12 month extension was rejected by one of the current companies, therefore the contract was advertised.

Out of the 17 tenders received, The Cat Rental Store (Westrac) submitted an alternate tender based on supply without operator. The tender prices from Coates Hire and Cockburn Wreckair Hire are also without an operator. The tenders submitted by all others have satisfactory skills, resources and experience to perform a similar job.

Contract Period

Subject to Clause 29 (Termination), this contract will commence on 1 October 2001 and will remain in place for a period of 12 months, to 30 September 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 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.

Sub-contracting is involved in some of the tenders submitted, mainly for supply of different plant items.

COMMENT

The contract for Hire of Plant and Trucks is a Schedule of Rates contract and funds are allocated on a project basis, as required, or as maintenance funds listed in the annual maintenance budget for a specific location.

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 attend to problems 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.

Individual assessment of each plant item was required with the specific consideration given to availability, location and the Schedule of Rates. Due to the various categories requested within the Schedule of Rates eg. hourly rates, minimum charge, daily and weekly rates, stand-down charges, minimum notice required, the evaluation process adopted a practical approach based on the plant type and frequency of use. For instance, for the supply of all types of rollers the evaluation was based only on the daily hire rate as its frequency of occurrence is most common in most of the projects.

Each plant type was evaluated separately to ensure that value and availability were maximised and as a result, multiple tenderers have been recommended as follows:-

1. BACKHOE (All types)
Awarded to: Dalco Earthmoving
2. LOADERS (Bucket size 1.5-2m³)
Awarded to: Stampalia Contractors
3. LOADERS (Bucket size 3-3.5m³)
Awarded to: Dalco Earthmoving
4. LOADER WITH CLEARING RAKE
Awarded to: Environmental Land Clearing Services
5. CRANES
Awarded to: Kwik Crane Hire

6. **ROLLERS (All types)**
Awarded to: Dalco Earthmoving
7. **MINI EXCAVATOR (All types)**
Awarded to: Mini Excavators Pty Ltd
8. **TIP TRUCKS (All types)**
Awarded to: Stampalia Contractors

MOVED Cr Rowlands, SECONDED Cr Mackintosh that Council:

- 1 **ACCEPTS** the tender submitted by Dalco Earthmoving for supply of all types of backhoes, as per the Schedule of Rates, shown as Attachment 1 to Report CJ350-10/01 for Tender No 008-01/02 Hire of Plant and Trucks, in accordance with the Conditions of Tender for 12 months from 1 October 2001 to 30 September 2002, with an optional two x 12 month extension periods;
- 2 **ACCEPTS** the tender submitted by Stampalia Contractors for supply of loaders with bucket size 1.5-2m³, as per the Schedule of Rates, shown as Attachment 1 to Report CJ350-10/01 for Tender No 008-01/02 Hire of Plant and Trucks, in accordance with the Conditions of Tender for 12 months from 1 October 2001 to 30 September 2002, with an optional two x 12 month extension periods;
- 3 **ACCEPTS** the tender submitted by Dalco Earthmoving for supply of loaders with bucket size 3-3.5m³, as per the Schedule of Rates, shown as Attachment 1 to Report CJ350-10/01 for Tender No 008-01/02 Hire of Plant and Trucks, in accordance with the Conditions of Tender for 12 months from 1 October 2001 to 30 September 2002, with an optional two x 12 month extension periods;
- 4 **ACCEPTS** the tender submitted by Environmental Land Clearing Services for supply of Loaders with clearing rake, as per the Schedule of Rates, shown as Attachment 1 to Report CJ350-10/01 for Tender No 008-01/02 Hire of Plant and Trucks, in accordance with the Conditions of Tender for 12 months from 1 October 2001 to 30 September 2002, with an optional two x 12 month extension periods;
- 5 **ACCEPTS** the tender submitted by Kwik Crane Hire for supply of cranes, as per the Schedule of Rates, shown as Attachment 1 to Report CJ350-10/01 for Tender No 008-01/02 Hire of Plant and Trucks, in accordance with the Conditions of Tender for 12 months from 1 October 2001 to 30 September 2002, with an optional two x 12 month extension periods;
- 6 **ACCEPTS** the tender submitted by Dalco Earthmoving for supply of all types of Rollers as per the Schedule of Rates, shown as Attachment 1 to Report CJ350-10/01 for Tender No 008-01/02 Hire of Plant and Trucks, in accordance with the Conditions of Tender for 12 months from 1 October 2001 to 30 September 2002, with an optional two x 12 month extension periods;

- 7 **ACCEPTS** the tender submitted by Mini Excavators Pty Ltd for supply of all types of Mini Excavators as per the Schedule of Rates, shown as Attachment 1 to Report CJ350-10/01 for Tender No 008-01/02 Hire of Plant and Trucks, in accordance with the Conditions of Tender for 12 months from 1 October 2001 to 30 September 2002, with an optional two x 12 month extension periods;
- 8 **ACCEPTS** the tender submitted by Stampalia Contractors for the supply of all types of Tip Trucks as per the Schedule of Rates, shown as Attachment 1 to Report CJ350-10/01 for Tender No 008-01/02 Hire of Plant and Trucks, in accordance with the Conditions of Tender for 12 months from 1 October 2001 to 30 September 2002, with an optional two x 12 month extension periods;
- 9 **AUTHORISES** signing of the contract documents.

The Motion was Put and

CARRIED

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf091001.pdf](#)

PLANNING AND DEVELOPMENT

**CJ351 – 10/01 PRECINCT ACTION PLANNING - CONCEPT
PLANNING PHASE OUTLINE - [46594]**

WARD - All

CJ011002_BRF.DOC:ITEM 15

SUMMARY

The Precinct Action Planning process was endorsed by Council in February (CJ021-02/01 refers) and funds were committed to the program in the 2001/2002 budget year. Precinct Action Planning is a corporate project that encompasses cross organisational skills and activity such as social, environmental, economic and infrastructure planning and other corporate projects such as the Community Needs Study.

Precinct Action Planning is entering the Concept Planning Phase (Attachment 1 refers). This phase converts the background research and community consultation undertaken into plans and programmes for the future of each neighbourhood. Concept planning is the development and documentation, in words and images, of an 'in principle' agreement about the future of a neighbourhood and its Centre. This forms the foundation for further detailed design and the development of initiatives for securing the agreed outcomes.

The process is aimed at providing the principles in the form of a non-binding plan for the future that reflects support from the public and private sector, residents and community groups (stakeholders). The programme and implementations strategies and outcomes will provide Council with a basis to provide skills and resources, and the processes to facilitate the delivery of its Precinct Plan.

Elected Members have a critical role to play in the project. Leadership and public backing will be instrumental in the development of the vision for each precinct and to gain the support and confidence amongst the stakeholders. At a District level (see District Maps – Attachment 2) Elected Members will take on the key role of team leaders, and ensure the integrity of the process. Elected Members' commitment to seeing that stakeholders, including the City, respond to the outcomes will be vital in ensuring community support and participation.

Part of this role will include acting as arbitrators between the many players that will be involved in the process. Ultimately Elected Members are the decision makers and have the responsibility to turn the vision into reality through support for initiatives and actions that will deliver appropriate responses to the community's needs.

BACKGROUND

This report outlines the ongoing programme to be undertaken and recommends the level of elected member involvement in that programme.

Council endorsed the Precinct Action Planning process in February (CJ021-02/01), and funds were committed to the program for the 2001/2002 budget year. Precinct Action Planning will provide a framework for the Council to plan and deliver services on the basis of local needs and issues.

Precinct Planning is part of the City of Joondalup's approach to delivering its Vision as outlined in the Strategic Plan. Planning has been focused on precincts as they enable place-based integration of outcomes and are meaningful to the local communities that reside within them.

Following on from the trial studies carried out at a neighbourhood level (**Sorrento** and **Mullaloo**), and response to the local Concept Plans, a review of the process and objectives was undertaken resulting in the development of a City-wide approach for the planning of precincts.

Council has approved the process and budget for Precinct Action Planning. The program is aimed at ensuring extensive involvement of the community in planning the future of the City on a precinct by precinct basis in association with other corporate projects namely the Community Needs Analysis. Fundamental to the process is community agreement on the objectives of the program and principles for future planning.

In April and May 2001 Council sponsored the Community Visioning Project where the community was invited to work together with Council and other agencies to agree on objectives and create a set of principles for the future of their area. Council endorsed the outcomes, expressed through "Vision Statements", as a guide to decision-making on a district by district basis. The "Vision Statements", along with local information will help shape Concept Plans focused on local needs and aspirations.

At its meeting on 12 June 2001, Council resolved that it:

- 1 **THANKS** and congratulates those who participated in Community Visioning and reinforce its commitment to working with the Community in planning and shaping the future of the City;
- 2 **SUPPORTS** the publication and promotion of the Community Visioning outcomes, as outlined in Attachment 2 to Report CJ179-06/01, as a **VISION STATEMENT** for the future of each District to review during further stages;
- 3 **SUPPORTS** the use of the **VISION STATEMENTS** as an essential part of assessing the City's works and other programs undertaken under the **STRATEGIC PLAN** to refine them to the needs and values of each District and gives appropriate consideration in the 2001/ 2002 budget;
- 4 **ENDORSES** its support for the next stage of **PRECINCT ACTION PLANNING** which will work with the community to map local issues and neighbourhoods and develop **Concept Plans** to guide the evolution of these areas, with the community and in response to the communities expectations;

Further research and public participation work has been undertaken to provide extensive background information for the Concept Planning stage. The Department of Transport has participated and assisted in funding many aspects of the project under the "Integrated Transport Planning – Partnership Agreement". It has offered significant assistance in this next phase. State Government Agencies are increasing the level of assistance they are providing to the project. The Department of Planning and Infrastructure (Formerly Ministry for Planning and the Department of Transport) will be sending a survey to every household regarding transport and access issues. Their web site will have information on the project linked to the Precinct Action Planning page on the City's site.

Alliances are also being formed with other agencies such as the Health Department, Education Department, Police and other agencies to assist in Concept Planning. Budgeting, timeframes and detailed development of the Concept Planning phase has been undertaken to optimise, as far as possible, the use of resources, integration of other City projects such as the Community Needs Analysis and opportunities for community involvement.

DETAIL

Preliminary Concept Plan

In line with the recommendation contained within Council Report (CJ051 – 02/01), preliminary Concept Plans have been developed for the centres of **Heathridge (Caridean Street)** and **Kingsley Boulevard (Moolanda Boulevard)**. During the Concept Planning Phase, the Enquiry by Design approach was the process used in the development of the Concept Plans. As the study was exploratory only, community participation was limited to owners and operators from the local centres and local Ward Councillors. Several State agencies were invited to observe the process and join the multi-disciplinary concept planning team. The work was focused on examining the processes and initiatives needed to deliver the Community's Vision in a way that was appropriate to each place. The trial Concept Planning outcomes included initiatives and programs focused on:

- *Safety by design;*
- *Enhancements to existing Centre layout;*
- *Local traffic management;*
- *Development models;*
- *Public domain enhancements;*
- *New access connections;*
- *Zoning changes;*
- *Land rationalisation;*
- *Community Development Program framework; and*
- *Economic Development Program framework.*

Elected Members

The support of Elected Members is now needed for the approach being proposed for City-wide Concept Planning, not only in terms of endorsement of the process, but also in terms of leadership and promotion.

Following the release of a brochure to every household, Concept Planning will be promoted in the press with a possible launch event. From the outset, Ward Councillors will be central to the success of the project supporting Concept Planning in the districts that fall within their jurisdiction. All Elected Members will be invited to participate in all of the District Workshops. Local Ward Councillors will have a special role to play in ensuring the process is fair and that the communities' views are heard. They will take on the role of process monitor. The community participants will be invited to talk to the Councillor if they feel the process is being unfairly weighted towards any one issue. Councillors will have a major role to play in steering the sessions ensuring that each issue is heard and included for consideration, thus providing leadership.

The key roles of the Elected Members are identified in Attachment 3.

Corporate Projects

As part of the Precinct Action Planning Process there is a need for a Community Needs Analysis to assess, analyse and identify community needs for programs, services as well as facilities over the next 5, 10 and 15 years. One of the outcomes of the Community Needs Analysis will be the development of the framework and principles that can be used by Council for future planning and development of programs and services. These principles and other outcomes from the Community Needs Analysis will be used to provide input into the Precinct Concept Planning Phase.

The Community Inventory Study will provide a social and service dimension to the planning process. This research focuses on the strengths and resources currently in the community to build capacity, the integration of a community that enhances well being, a sense of place and identity. Combined, these help to create safe, resilient and diverse neighbourhoods bringing people together and helping them to communicate with each other in a way that can facilitate community interaction and work towards identified goals. This study will feed into the Community Needs Analysis study.

The Community Needs Analysis study is one of a number of corporate projects that are an integral part of the Precinct Action Planning process, including the Housing Strategy, the Centres Strategy and items included in the City's five year Capital Works programme.

Concept Planning Team

The Concept Planning team is a technical-based group and will be made up of City staff, agency staff and specialist consultants. In addition to community participation, the team will consult with experts in local issues and integrate the findings and recommendations of other reports and strategies.

Heavy reliance will be placed on internal staff and the resources and assistance of other agencies for the Program's success. These inputs, along with the adopted budget, allows for a team covering a range of expertise. These include urban design, transport planning, landscape architecture, retail planning, local economic development, town planning, recreational planning, community planning, environmental management, youth planning, civil engineering, public asset management and safe city design. The Department of Transport will sponsor traffic studies and provide mapping and traffic analysis. The Health Department and other agencies have offered assistance and are being brought into the program wherever possible.

Timeframe

It is proposed that concept planning will be undertaken at a rate of one district per month. This highlights the need to see the outcomes as non-binding proposals, and that not every detail will be agreed to by all but to see the plans as concepts to work towards.

As January and December are peak holiday months, districts cannot be examined in this period. In addition, June needs to be avoided due to end of financial year commitments. This leaves November, February, March, April and May available for district workshops.

The order of Concept Planning will follow the order in which Community Visioning was undertaken, commencing with the oldest established areas and finishing with the newest. It is anticipated that the first workshop will be held in late October, and that the outline of outcomes for the Warwick district will be available by December.

Attachment 4 provides an outline of the Concept Planning program for 2001-2002.

COMMENT/FUNDING

Precinct Action Planning (Concept Planning phase) is a corporate-wide project, which encompasses other corporate projects such as the Community Needs Analysis. Together these projects have implications on the organisation, the community and other stakeholders. The outcomes will take many years to implement as the community has asked for an approach that manages change over time in preference to fast track redevelopment. Elected Members leadership and community support will be vital in the delivery of the outcomes.

IMPLEMENTATION STAKEHOLDERS)	RESPONSIBILITIES (TO BE AGREED WITH
Elected Members	<ul style="list-style-type: none"> • Promotion of the Project within the community • Communication of Community priorities for inclusion in the implementation programs • Leadership through promotion of outcomes and expressions of commitment • Presentations at public forums and development of private sector support. • Decision making as a Council
Investors/Developers	<ul style="list-style-type: none"> • Site enhancement and redevelopment • Residential conversions • New businesses
Community	<ul style="list-style-type: none"> • Assist in supporting and finding funds for community events • Participation in community art projects • Promotion of area • Reinforcing importance of objectives • Commenting on development proposals • Workshop key implementation issues • Identifying new opportunities.
City of Joondalup	<ul style="list-style-type: none"> • Liaison with investors • Modification where possible to existing works programs • Design development and costing for budget of new works and programs • Statutory implications.
Agencies	<ul style="list-style-type: none"> • Agency Infrastructure Works Programming • Agency services and programs planning and delivery • Promotion programs (Travelsmart etc) • Land rationalisation

MOVED Cr Baker, SECONDED Cr Mackintosh that Council:

- 1 NOTES the proposed Precinct Action Planning program, as outlined in Report CJ351-10/01;**
- 2 ENDORSES the involvement of elected members as noted in Report CJ351-10/01 and attachments.**

The Motion was Put and

CARRIED

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach1 Iagn091001.pdf](#)

CJ352 – 10/01 PROPOSED AMENDMENT NO. 11 TO DISTRICT PLANNING SCHEME NO 2 - PORTION OF LOT 9000 - CORNER OF SELKIRK AND CONNOLLY DRIVES, KINROSS (KINROSS NEIGHBOURHOOD CENTRE) - [58472]

WARD - North Coastal

CJ011002_BRF.DOC:ITEM 16

SUMMARY

An application has been submitted to amend District Planning Scheme No. 2 (DPS 2) to rezone a portion of Lot 9000, on the corner of Selkirk Drive and Connolly Drive, Kinross (Kinross Neighbourhood Centre), from the 'Residential', 'Business', 'Commercial' and 'Civic and Cultural' zones to the 'Centre' zone, and to uncode the land, currently coded 'R20' and 'R40'. (**Attachments 1 & 2**).

The rezoning is being sought to facilitate the relocation and redesign of the Kinross Neighbourhood Centre as the existing zoning and coding of the site restricts this. The applicant advises that the Centre needs to be relocated and redesigned in order to increase the Centre's exposure and to reflect current urban design principles ('mainstreet' principles).

Under the Centre Zone, no subdivision and development is permitted, unless a Structure Plan is prepared and adopted in accordance with Part 9 of the Scheme, and the proposed subdivision and development is in accordance with that Structure Plan.

The applicant is currently preparing a Structure Plan for the site for the City's consideration. In the meantime, however, the applicant has submitted the attached concept plan in support of the proposed rezoning (**Attachment 3**). This concept plan is intended to form the basis of the Structure Plan and will be formally assessed as part of the structure planning process.

It is recommended that Council amends DPS2 for the purpose of rezoning a portion of Lot 9000, on the corner of Selkirk Drive and Connolly Drive, Kinross (Kinross Neighbourhood Centre), from the 'Residential', 'Business', 'Commercial' and 'Civic and Cultural' zones to the 'Centre' zone, and uncoding the land, currently coded 'R20' and 'R40'.

BACKGROUND

Lot No	Lot 9000
Street Address	30 Dorian Loop, Kinross
Land Owner	Burns Beach Management Pty Ltd
MRS Zoning	Urban
DPS Zoning	Residential, Business, Commercial, Civic and Cultural
DPS Coding	R20 & R40
Land Use	Undeveloped
Lot Area	Area Subject to Rezoning ~ 2.49 hectares

The Kinross Neighbourhood Centre is bound by Connolly Drive and Residential (R20) land to the west, public open space to the north, MacNaughton Crescent and Residential (R20) land to the east, and Selkirk Drive and Residential (R25 & R40) land to the south. (**Attachments 1 & 2**)

Site History

The existing zoning of the site under the City's DPS2 was derived from a concept plan for the Neighbourhood Centre, which was prepared by Hames Sharley in 1993, and a subdivision plan, which was conditionally approved by the WAPC on 30 June 1994 (**Attachments 4 & 5**). Neither of these plans have been implemented.

DETAILS

Proposal

The application proposes to rezone a portion of Lot 9000, on the corner of Selkirk Drive and Connolly Drive, Kinross (Kinross Neighbourhood Centre), from the 'Residential', 'Business', 'Commercial' and 'Civic and Cultural' zones to the 'Centre' zone, and to uncode the same land currently coded 'R20' and 'R40'.

The applicant advises that the previously endorsed concept plan (**Attachment 4**) no longer reflects current urban design principles ('mainstreet' principles), and places the Neighbourhood Centre in a location with poor exposure to the 'movement economy' (i.e. traffic along Connolly Drive). The applicant advises that there is a need for the Centre to be relocated and redesigned in order to improve its viability, and that this, in turn, will better guarantee an acceptable level of shopping service for the community.

The basis of the previous plan was to create a focal point for the community by providing a town square and by linking the commercial component and community site with the adjoining public open space.

The applicant advises, however, that the existing zoning and coding of the site restricts the relocation and redesign of the Centre. It is therefore proposed to rezone the site to the 'Centre' zone under the City's DPS2, and to relocate and redesign the Centre through a Structure Plan. The applicant advises that the structure plan process is the best mechanism for this, as it avoids the need for further rezoning, should the design need to be modified in future.

The applicant is currently preparing a Structure Plan for the site for the City's consideration. In the meantime however the applicant has submitted the attached concept plan in support of the proposed rezoning (**Attachment 3**). This concept plan is intended to form the basis for the Structure Plan and will be formally assessed as part of the structure planning process. The Structure Plan will provide for the relocation and reconfiguration of the community purpose sites proposed for this centre.

The Centre Zone

The Centre Zone is intended to accommodate existing and proposed business centres varying in size from small neighbourhood centres to large multi-purpose regional centres and provides for the co-ordinated planning and development of these centres where the Council considers that an Agreed Structure Plan is necessary.

Objectives of the Centre Zone include: to encourage development within centres to create an attractive urban environment; and, to provide the opportunity for the co-ordinated and comprehensive planning and development of centres through an Agreed Structure Plan process.

Under the Centre Zone, no subdivision and development is permitted, unless a Structure Plan is prepared and adopted in accordance with Part 9 of the Scheme, and the proposed subdivision and development is in accordance with that Structure Plan.

The maximum retail net lettable area for the Centres is to be included in Schedule 3 of DPS2. Schedule 3 of DPS2 restricts the retail net lettable area of the subject Centre to 3000m² retail net lettable area. This is proposed to be modified however as part of Amendment No 10 to the City's DPS2 to, 'below 4500m²*, with the following notation, "*generally Village Centres over 3000m² or expansion to over this figure will not be supported unless it can be shown there is a need and that the proposed expansion will be based on 'mainstreet' shopping principles.*"

Relevant Legislation

The Town Planning Regulations 1967 set out the procedure for amendments to local government's Town Planning Schemes. The procedure is summarised at **Attachment 6** and the current stage of the amendment has been highlighted.

Relevant Policies

City of Joondalup's Centres Strategy (adopted as Council Policy)

The City's Centres Strategy sets out the City's desired approach to the distribution, size and nature of Centres within the City of Joondalup.

The City's Centres Strategy identifies the subject Centre as a Village Centre. With respect to Village Centres, the Centres Strategy recommends that:

- The Council progressively include Village Centres and peripheral areas, about 100 metres wide, in a 'Centre' zone in the Town Planning Scheme as structure plans are approved.
- The Council consider any proposals for expansion of a Centre or the establishment of mixed business in peripheral areas in the context of an approved structure plan based on 'main street' principles.

WAPC's Statement of Planning Policy No 9 – Metropolitan Centres Policy Statement for the Perth Metropolitan Region

The principal purpose of the policy is to provide a broad regional planning framework to co-ordinate the location and development of retail and commercial activities in the metropolitan region. It is mainly concerned with the location, distribution and broad design criteria for the development of commercial activities at the regional and district level. Local Planning Strategies prepared by local governments will provide more detailed guidance for planning and development control at the local level.

COMMENT

The proposed relocation and redesign of the Kinross Neighbourhood Centre is considered beneficial in that it provides opportunities for the Centre to increase its exposure and to reflect current urban design principles ('mainstreet' principles).

As the existing zoning and coding of the site restricts the relocation and redesign of the Centre, it is recommended that the site be rezoned and uncoded, as proposed. It is also recommended that the relocation and redesign of the Centre be addressed through a Structure Plan, as proposed. This will ensure that the development is properly co-ordinated across the site and that the development reflects current urban design principles ('mainstreet principles'). The design is also able to be more easily modified, if necessary, through the structure planning process, than through the rezoning process.

The applicant is currently preparing a Structure Plan for the site for the City's consideration. It is envisaged that the Structure Plan will be finalised prior to the subject amendment being finalised. In any case, no subdivision and development is able to be permitted in the Centre Zone unless a Structure Plan has been adopted.

As outlined above, the City's Centres Strategy recommends that Council includes Village Centres and peripheral areas, of about 100 metres, into the 'Centre' zone as structure plans are approved. In this case some additional area has been included, this is designated as residential in Attachment 3.

The attached concept plan (**Attachment 3**) provides for a better design outcome in line with current urban design principles ('mainstreet' principles) (**Attachment 4**). The concept plan provides for active street-land use interfaces, with building frontages to streets, which not only adds interest to the streetscape, but also improves personal safety through increased surveillance and activity. The concept plan also provides for an adequate vehicular movement system to be maintained across the site, particularly along the public open space boundary, in order to provide passive surveillance. It should be noted that the concept plan has merely been provided to demonstrate what is proposed in terms of the Structure Plan. The concept plan will be formally assessed as part of the structure planning process.

MOVED Cr Hollywood, SECONDED Cr Walker that Council in pursuance of Section 7 of the Town Planning and Development Act 1928, AMENDS the City of Joondalup District Planning Scheme No 2 for the purpose of:

- 1 rezoning the portion of Lot 9000, corner of Selkirk Drive and Connolly Drive, Kinross, from ‘Residential’, ‘Business’, ‘Commercial’ and ‘Civic and Cultural’ to ‘Centre’;**
- 2 uncoding the portion of Lot 9000, corner of Selkirk Drive and Connolly Drive, Kinross, currently coded ‘R20’ and ‘R40’.**

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf091001.pdf](#)

**CJ353 – 10/01 BREACH OF DISTRICT PLANNING SCHEME NO 2 -
STORAGE OF MORE THAN ONE COMMERCIAL
VEHICLE IN A RESIDENTIAL ZONE: LOT 89 (19)
BULLARA ROAD, CRAIGIE - [11429]**

WARD - Pinnaroo

CJ011002_BRF.DOC:ITEM 17

SUMMARY

The City has received a complaint in relation to the storage of scrap metal and commercial vehicles at Lot 89 (19) Bullara Road, Craigie.

The matter has been investigated, and it has been found that the occupier appears not to be operating a business from home, but that the condition of the property, and the parking of the commercial vehicles represent a concern.

Written and verbal requests to the owner to comply with the Scheme have failed to resolve the situation in relation to the storage of commercial vehicles.

It is recommended that Council forwards a final Notice to the owner ordering compliance with the City’s Planning Scheme. It is further recommended that should the owner not comply within 28 days, legal action be initiated.

BACKGROUND

Lot	89
Street Address	19 Bullara Road, Craigie
DPS Zoning	Residential
Lot Area	679m ²

DETAILSSite History

Lot 89 (19) Bullara Road, Craigie was the subject of complaints in relation to open storage and dismantling of materials as well as commercial vehicle parking in 1998.

Letters were forwarded to the owner on 23 June 1998 and 13 July 1998 requesting that the open storage of materials and storage of two commercial vehicles at the site cease. At this time the two commercial vehicles were a truck and a forklift. The provisions of the City's then Town Planning Scheme No 1 were also outlined in the correspondence to the property owner at that time.

There is nothing further on the property file to indicate that the subject property came under notice again until recently.

Two complaints from nearby residents were received in March 2001 in relation to a possible scrap metal business operating from the subject site and a truck and forklift stored on the property.

DETAILS

An inspection of the subject site on 3 March 2001 revealed a tray truck parked on the driveway. The truck was loaded with machinery and the owner's name and telephone number was painted on the door of the truck.

On 9 March 2001 a letter was forwarded to the owner of the subject site requesting that the scrap metal be removed from the site within twenty-eight (28) days. The owner was also requested to park the commercial vehicle in accordance with the City's District Planning Scheme No 2. A copy of the Commercial Vehicle parking fact sheet was forwarded with the letter.

A summary of events is outlined below

- | | |
|-------------|--|
| 7 May 2001 | A site inspection was carried out. The truck was parked behind the front of the house and there was a forklift parked behind the truck. The owner was in attendance and loading some scrap metal onto the truck. In a conversation with the owner, the Scheme provisions in relation to commercial vehicle parking in residential areas were explained to him. |
| 14 May 2001 | A further inspection of the site was carried out. The side gates of the property were closed and no vehicles were sighted. |

- 1 June 2001 An inspection of the site was carried out. A truck containing a load of scrap metal was parked in the driveway and a forklift was visible in the rear yard.
- 7 June 2001 A further letter was forwarded to the owner requesting that scrap metal be removed from the site within fourteen (14) days and that one commercial vehicle be parked in accordance with the provisions of the Scheme.
- 6 July 2001 A telephone message was left for the owner to contact the City.
- 9 July 2001 The property owner contacted the City by telephone. He stated that all the materials stored on the property belonged to him and that he was not operating a business from the site. He further stated that he stored a forklift and a truck on the site as he had nowhere else to keep them. The provisions of the Planning Scheme in relation to commercial vehicle parking in residential zones were again explained to the property owner.
- 31 July 2001 A site inspection through an open side gate revealed that there was a minimal amount of scrap metal stored on the site. A truck was parked in the driveway and a forklift parked in the rear yard.
- 10 September 2001 An inspection of the site revealed two trucks parked in the driveway of the property. Both vehicles had owner's name on them. In a conversation with the owner he admitted that he parked the two trucks and the forklift at the property. He further stated that he had to park the vehicles on site as he had nowhere else to park them. The provisions of the Planning Scheme were again explained to the owner. It was further explained that due to his lack of cooperation in relation to the commercial vehicles, the City had no option but to take the matter further.

District Planning Scheme No 2.

Clause 4.15 Commercial Vehicle Parking states in part as follows:

- (a) a person shall not park, or permit to be parked, more than one commercial vehicle on any lot in the zones referred to in this clause:*

Clause 4.15 also outlines the size of vehicles permitted, where the vehicles can be parked, what times the vehicles can be manoeuvred on site and a number of other conditions relating to the parking of a commercial vehicle in the zones referred to in the clause.

COMMENT

The provisions in relation to the parking of commercial vehicles in a residential area were first brought to the subject property owner's attention two years ago. Over recent months, regardless of two written and three verbal requests, the property owner has failed to comply with the City's District Planning Scheme requirements in relation to the parking of commercial vehicles in a residential area.

There are currently three commercial vehicles parked at the subject site.

It is apparent that the owner is not prepared to comply with the City's requests to park only one commercial vehicle at the site in accordance with the Scheme. It should be noted that the owner is able to comply with the Scheme provisions and park one commercial vehicle should he so desire.

MOVED Cr Walker, SECONDED Cr Hollywood that Council:

- 1 REQUIRES the owner of Lot 89 (19) Bullara Road, Craigie to ensure that a maximum of one commercial vehicle is stored at the site in accordance with the provisions of the City of Joondalup District Planning Scheme No 2, within twenty-eight (28) days;**
- 2 ADVISES the owner that failure to comply with this final Notice will result in Council initiating legal action pursuant to the provisions of District Planning Scheme No 2;**
- 3 INITIATES legal action against the owner where Item 1 above has not been satisfied within the 28 day period.**

Discussion ensued. Director, Planning and Development gave an explanation of the definition in relation to a commercial vehicle.

The Motion was Put and

CARRIED

MOVED Cr O'Brien, SECONDED Cr Rowlands that a review be conducted in conjunction with the executive of the Joondalup Business Association of the definition for commercial vehicles in relation to the City of Joondalup District Planning Scheme No 2 with a further report being submitted to a future Council meeting.

The Motion was Put and

CARRIED

CJ354 – 10/01 JOONDALUP CITY CENTRE PUBLIC PARKING STRATEGY - [07190]

WARD - Lakeside

CJ011002_BRF.DOC:ITEM 18

SUMMARY

This report describes a strategy to provide for the long term parking needs of the Joondalup City Centre Central Business District (CBD) (Attachment 1). The strategy began with the Joondalup Development Corporation (now LandCorp) was then progressed jointly by LandCorp and the City then finally by the City. The Strategy identifies land for the development of parking stations to accommodate the parking requirements of the CBD and a method of funding related to the rate of development. The report also addresses the management of the existing public parking and an approach to phasing parking development to suit CBD activity.

In the short term, the Parking Strategy provides for maximisation of at grade on street parking with application of suitable time limits and appropriate level of enforcement to achieve maximum efficiency. Construction of at grade, off street parking stations will apply in the medium term, followed by construction of multi decked parking stations in the longer term.

It is recommended that the Parking Strategy and the proposals for changes to on street parking be made available for comment, and that the City's Parking Scheme be amended. It is also recommended that the major City Centre stakeholders be invited to join with the City in a review of the vision for the development of the City Centre.

BACKGROUND

LandCorp Responsibility

Under its legislation, the Joondalup Development Corporation (JDC now LandCorp) was responsible for the planning and development of the Joondalup Regional Centre. This has involved the planning and subdivision and provision of some infrastructure. Part of this responsibility is provision for parking and JDC and later LandCorp has commissioned reports on this matter, has negotiated and worked with the City to find a method to make a suitable provision for parking. As LandCorp completes its withdrawal from responsibility for planning and development of the City Centre, the City will be solely responsible for parking.

Various Reports

JDC commissioned a Joondalup City Centre Transport Strategy in 1990. That report established certain principles such as the ultimate limitations on the road capacity for vehicles to enter the City centre during peak periods. This limit is the basis for the proposals to encourage higher than normal usage of public transport through the limitation of office parking and planned congestion of the road network.

JDC also commissioned a Draft Parking Strategy in 1991 which recommended parking standards, identified a number of possible parking station sites, and recommended that 50 percent of the parking be provided privately by developers, and that the remaining 50 percent be provided jointly by JDC and the City. The City did not agree with this proposal.

LandCorp commissioned a report in 1992 to look at the options for parking responsibility and conduct a financial analysis of the parking operations. This report found that the parking operations could be self funding but did not address the issue of capital funding. LandCorp commissioned a supplementary report in 1992 to investigate whether the capital costs of the parking strategy could be funded from parking operations. The report found conclusively that parking operations could not service the loans necessary to purchase parking station sites and construct multi-level facilities.

Negotiations With Landcorp

After careful consideration of the various reports LandCorp and the City agreed that a strategy was required that would address:

- The parking standards
- The estimated parking demand

- The private /public parking supply split
- The location of public parking
- The funding of public parking
- The responsibility for public parking

A number of these issues were agreed and subsequently incorporated as principles in the Draft Strategy. Principal among these is the acceptance that the City should be responsible for the provision and management of public parking in the City Centre. Also of major importance was the recognition that public parking would provide significantly more benefit to the City Centre than private parking both in terms of efficiency and the built form. Following from this was agreement that the long term goal would be for a 50/50 public private parking mix.

At that stage the City was strongly of the opinion that debt funding was not viable and that funding from general rates was not appropriate. It was agreed that the appropriate method of funding would be the use of voluntary cash payments in lieu of the provision of private parking.

Draft Strategy

Discussions and negotiations continued resulting in a Draft Strategy in 1995. The basis of the Strategy is the vision of the Joondalup City Centre as the second most important office employment area in the Metropolitan Region after the Perth Central Business District. This vision involves providing employment for approximately 34,000 people. Western Australian Planning Commission employment surveys in 1990, 1993 and 1997 have indicated total employment for the Joondalup City Centre of 1397, 2190 and 2624 respectively. From that assumption regarding ultimate employment, it was possible to calculate the floor space requirements of the City Centre and the ultimate car parking requirement for the CBD at approximately 14,000 bays.

The Draft Strategy involved a model of development based on LandCorp's subdivision program, estimates of development forms, and the redevelopment of the core CBD to accommodate the estimated employment. The Strategy identified land that could be developed to accommodate the estimated parking, estimated the order of cost involved and contained conclusions about cash in lieu to enable the strategy to be viable.

Development in the Joondalup City Centre CBD has been approved incorporating parking and or voluntary cash in lieu on the basis of this Draft Strategy. There were, however, a number of elements that could not be agreed with LandCorp at that time. These included the magnitude of LandCorp's responsibility for 50 percent of the parking associated with the first stage of the CBD subdivision, and the method of satisfying that responsibility.

The Draft Strategy was made available for officer comment by both the City and LandCorp. It has since been refined and adjusted in response to development in the City Centre but has not been finalised because of a number of matters requiring resolution between LandCorp and the City.

LandCorp Normalisation

The City and LandCorp have been engaged in normalisation negotiations since 1996 and two elements of these negotiations have been the identification of land for public parking in the CBD and LandCorp's responsibility for parking from the first subdivision stage. The normalisation negotiations have progressed sufficiently to resolve these two issues to the extent that LandCorp has agreed to provide land and construct parking bays representing 50 percent of the parking requirement for development on the lots included in the first stage of CBD subdivision.

Council Resolution – Collier Pass

Council at its meeting held on 10 July 2001, adopted the following resolutions concerning provision of on street parking in Collier Pass.

That:

- 1 the City of Joondalup fully examine the merits of PROVIDING parking bays on the southern verge of Collier Pass, Joondalup, as well as other CBD sites, to enhance CBD parking with financial assistance from the Department of Transport of Western Australia via Westrail, LandCorp and other relevant parties;*
- 2 a report on the merits of providing parking bays on the southern verge of Collier Pass, Joondalup, as well as other CBS sites be submitted to the Council meeting scheduled to be held on 25 September 2001.*

DETAILS

Public Parking Strategy

The 1995 Draft Strategy has been revised to accommodate changes in CBD development, the resolution of the LandCorp issues, and changes to the City's position regarding funding. The area between Grand Boulevard and the rail line south of Collier Pass comprises a significant proportion of the CBD. This land had previously been owned by LandCorp and was proposed to be subdivided and developed in the same manner as previous CBD areas. This land is now owned by Edith Cowan University and current intention seems to be to treat the area as university campus. This change has ramifications in that there will be no public parking stations in the area which otherwise could have provided early at grade parking. It also has ramifications for the ultimate amount and form of development in the City Centre CBD but these matters do not relate directly to parking and are not addressed in this report.

LandCorp has agreed to provide land and construct at grade parking to the City in a number of already constructed and agreed locations as part of the normalisation agreement.

The City had previously had a very strong position that parking development and operations would be entirely self funding from cash in lieu and net operating revenue. It is now the position that partial funding from special rates or other source may be suitable at some stage of the City Centre development. It is also recognised that it should be possible to use debt funding where such a course is supported by a strong business case.

ASSUMPTIONS AND PRINCIPLES

It is still implicit in this Draft Strategy that the Joondalup City Centre will develop as a major regional employment centre with 17,000 employees in the CBD requiring the parking accommodation for 14,000 vehicles. No assumption is made regarding the timing of this development and it is recognised that phasing of the Strategy will be critical.

It is assumed that as CBD development becomes more intense, redevelopment will be facilitated by developers choosing to pay cash in lieu of providing parking on site and that this will result in the availability of substantial funds at the later stages of the CBD development. Until these funds are available it will be very difficult for the City to provide any multi level public parking but it is recognised that demand for additional public parking will be minimal until a significant amount of development has taken place without providing private parking.

It is also assumed that when development of the City Centre is at its mature stages, there will be significant traffic and parking congestion and a high proportion of trips will be by public transport and on foot.

The principles of this Strategy are similar to the 1995 Strategy in that it commits the City to provide and manage public parking in the Joondalup City Centre CBD in accordance with the following:

- *provide up to fifty percent (50%) of parking in the Joondalup CBD strategy area in the long term as public parking under the control of the City of Joondalup;*
- *ensure that the provision of public parking is efficient and cost effective to the City.*
- *minimise financial risk to the City arising from the provision and management of parking in the Joondalup CBD.*
- *minimise the use of debt for financing the provision of public parking facilities and always subject the use of debt financing to rigorous cost benefit analysis. To apply cost benefit analysis on all proposals involving the use of debt (Loans) for financing the provision of parking facilities, to ensure debt servicing can be effectively met as an operational expense.*
- *use monies received from cash in lieu of providing parking in the CBD only for the purchase of land for or the development of parking facilities for the Joondalup CBD.*
- *fund the operational expenditure for provision of the parking service from general rate revenues and excess recurrent revenues over expenditures from the management and operation of parking activities.*
- *account for full costs of parking operations, including depreciation.*
- *using a mixture of time restrictions, pricing and parking supply to influence demand, recognising the need to encourage commercial and business activity in the CBD to ensure a suitable supply of parking.*

ON STREET PARKING

The strategy provides for the development of public off street parking for the mature development of the Joondalup City Centre. It does not address existing or proposed on street parking but the importance of this parking to the overall functioning of the City Centre particularly in the early stages was recognised in the parking workshop reported below.

PARKING STATIONS

The Strategy identifies and describes 14 parking stations. Twelve of these are described as permanent and two as temporary. Five stations have been developed with at grade parking bays. Attachment 2 is a summary of the parking stations

Five of the identified permanent stations are owned by LandCorp and are to be transferred to the City as part of the normalisation process. LandCorp also owns one identified temporary station (Lawley Court). The City already owns one permanent and one temporary station. Two identified stations (P12 & 13) are located in reserves that will be under the City's control. The remaining four stations identified (P6, 7, 10, 11) are located within air rights over the rail line. (See Attachment 3)

OFF STREET PARKING – AT GRADE

It is important to realise that the strategy is only addressing public parking. A large proportion of the parking in the City Centre is in fact private parking and outside of the City's control.

Parking Stations P2, P3 and P4 are existing mid-block stations in the CBD containing a total of 363 bays. These stations are proposed for ultimate redeveloped to multi-level stations. Station P1 is developed with 77 bays and cannot be redeveloped for multi-level because of a sewer easement. Station T1 is developed with 116 bays but will ultimately be redeveloped as part of the Civic Precinct.

The Strategy proposes further off street at grade parking at Station P9 (Collier Pass), Station P12 (Central Park East), Station T3 (Lawley Court), and Station P13 (Elcar Park). Stations P9 and T3 would be redeveloped but Stations 12 and 13 are proposed as peripheral (free long term) at grade parking.

OFF STREET PARKING – MULTI LEVEL

In addressing the question of multi-level parking stations it has been assumed that four levels of parking would be compatible with the projected development of the CBD. This is to avoid parking stations dominating development as could occur if higher structures were proposed. The fundamental principle involved with respect to this aspect of the strategy is that the development of multi-level stations should be delayed as long as possible. All opportunities for at grade development should be explored and that parking be used with maximum efficiency before any multi-level stations are developed. Because timing is considered to be related to development it is not possible to include a proposed timetable with an acceptable degree of confidence in the strategy.

Three existing stations are identified for redevelopment to multi-level to provide a total of 1168 bays. Two further stations (P5 and P9) are identified providing a further 680 bays.

The bulk of the multi-level bays are proposed to be accommodated in stations to be located in air space (air-rights) above the sunken rail line in the City Centre. This is indicatively referred to as Stations P6, P7, P10 and P11. The precise location and design of these stations is not essential until much closer to the time when they will actually be required. It is more expensive to develop over the rail line than on a normal site. It is assumed however, that by the time these stations are required the land prices in the City Centre and any alternative locations will have increased to the extent that it equates to the cost of constructing a tunnel over the rail line. In this way it is considered economically possible to take advantage of these very attractive locations in the City Centre and significantly improve permeability at the same time.

Management of Public Parking

The Parking Service provided by the City at this critical time of the City's development, requires the close co-ordination of different disciplines including urban design, development approvals, traffic engineering, construction and maintenance of infrastructure and enforcement of parking prohibitions and restrictions.

The coordination and management of parking activities in the City has recently been overseen by the "Joondalup City Centre Parking Management Team" consisting of officers with relevant expertise in the areas as indicated above. As the name of the officer group suggests, the Joondalup City Centre Parking Management Team has concentrated on progression of parking matters mainly relating to the Central Business District. Such matters have included the "Joondalup CBD Parking Study" and the development of the "Joondalup City Centre Public Parking Strategy".

The Joondalup City Centre Parking Management Team as a technical working group and consists of the following officers:

Manager Urban Design and Policy Services
Manager Operations Services
Manager Approval Services
Manager Infrastructure Management
Traffic Project Engineer
Senior Ranger
Senior Project Officer

PARKING SCHEME AMENDMENTS

Local Government Parking Schemes are a record of the local government resolutions to impose or alter parking restrictions and prohibitions within the street system and in its parking stations. The written record is generally supported by a series of street and parking station maps detailing the location and type of parking restriction or prohibition that applies.

Under Clauses 18 and 33 of the City's Parking Local Law, the Council by resolution, can designate parking facilities and impose or alter time restrictions and prohibitions within the street system and its parking stations. All parking prohibitions and restrictions imposed by the Council must be indicated by signs so that users can easily determine what conditions apply.

PARKING SUPPLY

The Joondalup City Centre has, over the years, continued to develop with much of the infrastructure put in place and initially coordinated by LandCorp, as the main developer of the land. In the early stages of development, the parking demand was mainly met from ground level car parks for public use and private parking areas at the rear of developments.

As development in the City Centre has continued to evolve, so has the supply of parking. The City Centre development has been supported by the rail service with the Joondalup Station and the Mitchell Freeway extension to Hodges Drive. More recently, particular areas in the City Centre have been under pressure as parking demand has exceeded supply.

It should be noted that it was never intended that parking supply would keep pace with demand in all areas, but that the available parking supply would be better managed to encourage particular uses such as, short term shopper parking, long term commuter and employee parking being provided in different areas. The pressures now being experienced on parking indicate that the City Centre has reached the stage where parking needs to progress with a more managed approach.

The development of the Joondalup City Centre Public Parking Strategy and the Joondalup CBD Parking Study have laid the foundations for the new approach.

CONSULTANT'S STUDY

Following an evaluation of tenders, the City appointed Uloth and Associates, Consultants in Traffic Engineering and Transport Planning, to undertake the Joondalup CBD Parking Study. The study involved a detailed assessment of the major aspects of parking in the Joondalup CBD and included a comprehensive occupancy survey of all parking bays, both public and private.

The specified scope of works is as follows:

- Identify and record any discrepancies in parking restrictions and prohibitions between the current plans provided and that actually on-street.
- Carry out a comprehensive parking occupancy survey of all existing car parking facilities within the Study Area, including City controlled off-street public car parks and on-street parking bays, as well as privately owned car parks.
- Identify and outline, on a separate plan, opportunities to maximise at-grade and on-street parking to meet the short to medium term requirements in the CBD.
- Assess the requirements for different user groups, as listed below, and indicate if they are being adequately catered for under the current system:
 - People with disabilities
 - Service vehicles
 - Commuters
 - Shoppers
 - Business Proprietors/Employees
 - Taxis
 - Motorcycles

- Liaise with Stakeholders, Owners and Tenants to obtain, discuss, consider and analyse their comments/submissions in determining the best management practices, processes, methods and systems for the City to control and manage public vehicle parking in the City Centre.
- Assess different parking management strategies, procedures and systems to determine those that are considered best for management of public car parks and on-street parking bays in the CBD Study Area, while encouraging a viable retail and commercial environment and providing an efficient parking management and control service.
- Make recommendations regarding the suggested time for introducing fee paid parking in the study area.

While all the information produced by the study is valuable, the detail of the occupancy survey has provided an excellent insight into the way the existing parking facilities were used at the time of the survey. This information gives an accurate data base from which to evaluate and compare future usage. It also identifies areas of the parking system that are under pressure and in need of fine tuning through application of time restrictions to achieve the best outcome for parking facility users, the business community and City.

Several copies of the consultant's report, the Joondalup CBD Parking Study dated June 2001 have been placed in the Councillor's Reading Room for information.

STUDY CONCLUSIONS

The Joondalup CBD Parking Study arrived at a number of conclusions and these are detailed at Part 8 and 9 of the consultant's Report. Those conclusions relating to matters that need attention in the more immediate term are summarised as follows:

- *Time restrictions be implemented in McLarty Avenue No 2 Car Park with a graduated time system of 1 hour, 2hour and 4 hour spaces.*

This approach would achieve a higher utilisation of available parking spaces in this highly sought after parking location. This car park currently has an inefficient usage with 77 per cent of all parking spaces occupied by 26 percent of all vehicles using the car park.

- Business owners and tenants be encouraged to minimise the number of reserved parking spaces for their own use within private car parks and maximise the number of parking spaces for customer/visitor parking.

This approach would provide a large number of parking spaces for customers and visitors by freeing up many of the parking spaces that are currently used by owners and employees for all day parking.

It is proposed to assist the owners of private car parks to have those parking spaces set aside and used for their own and customer use, by providing an enforcement service under the existing Private Property Parking Enforcement Agreement.

- On street parking spaces be graduated over time with the more central, parking spaces having short time limits in the central most sought after parking, graduating out to longer or no time limits. This can be 30 minutes, 1hour, 2 hour and 4 hour and then no restrictions where parking spaces are in less demand.

This approach is utilised in most CBD retail/commercial areas where parking is sought after. The strategy is to attract and encourage customers with easy parking. Businesses will then be successful and will employ more people. Those people requiring long term, all day or commuter parking, should be prepared to walk a greater distance or pay less fees for parking that is not as convenient or highly sought after.

It is proposed to introduce 15 minute parking adjacent banks in Boas Avenue and Reid Promenade to facilitate automatic teller machine use and change some 1 hour parking to 30 minute parking where a higher vehicle turnover is required in Boas Avenue and McLarty Avenue.

Fee Paid Parking

Other matters included in the conclusions that will require attention in the longer term are Fee Paid Parking and Funding of Parking Facilities. It was concluded that the introduction of fee paid parking is approximately four years away, but was subject to certain developments and a higher demand for parking. This is expected to be a very sensitive issue. The need to introduce parking fees may be delayed through application of time restrictions and maximisation of parking bays on street. This can be done by applying angle parking bays where sufficient space within the road reserve and safety permit.

Maximisation Of On Street Parking

As one of its tasks under the Joondalup CBD Parking Study, the consultant was to identify opportunities within the study area, of maximising at grade on street parking through use of angle parking rather than the predominantly parallel parking bays currently provided. The consultant had identified several locations in keeping with the study requirement. However, it was considered a further review of all streets in the city centre, including traffic movement aspects, should be examined. This has been done in a work shop forum referred to later in this report.

Study Recommendations

The Study Report details a series of recommendations under Part 10. These are summarised as:

All parking facilities in the Joondalup Study Area, private as well as public, on street and off street, be treated as one. Any proposed parking restrictions be assessed on the potential impact these may have on public and private parking and benefits for the whole CBD.

Fee paid parking when it occurs be restricted to particular sections of the City, and at times certain development has occurred.

A high level of parking enforcement apply in the Joondalup CBD to achieve a high level of compliance to maximise the efficiency of the Parking Scheme.

The various opportunities to maximise at grade on street parking be pursued.

A survey be undertaken to identify the need for commuter parking before providing additional commuter parking.

Time restrictions be introduced at Parking Station P2 and discussions with business owners and tenants be held to explain and gain their support for such restrictions.

While other recommendations were made, it is considered they relate more to future work and further fine tuning of the Parking Scheme as the need is identified. It is proposed that those other matters included in recommendations be subject of further investigation and report as the information becomes available.

Design Workshop

TRAFFIC AND PARKING PHILOSOPHY

The vision for the development of the City Centre has contained the concept of controlled congestion of traffic and parking as a means to discourage the use of private vehicles and encourage a higher than normal use of public transport. Although the issue could be argued it may be acceptable as a long term objective. As a short term objective, however, it is clearly not consistent with the development of a vital and viable City Centre.

A further complication is that the City Centre is being planned for a development stage that may not be reached for 40 or 50 years but in many instances the infrastructure is being provided to cope with that possible future development stage. At the current development stage of the City Centre the roads generally have a capacity far in excess of the existing traffic so that the traffic behaviour being encouraged is that of the arterial road rather than the vital and viable City Centre.

Therefore we have a street system that will accommodate the demands of a fully developed City Centre in 40 or 50 years time but is doing little to support the businesses in the City Centre at this difficult early stage of development. A workshop was held on 28 June 2001 with City staff and consultants. The purpose of the workshop was to investigate the City Centre street system to identify opportunities to increase the parking supply and to modify the traffic and parking environment to support City Centre businesses while not compromising the City's ability to satisfy the long term objectives at the appropriate time.

EXISTING SITUATION

The City Centre road network has been developed to a high standard with cycle lanes and on street parallel parking. This parking is provided through service roads on both sides of Grand Boulevard and parallel parking embayments on the other roads including Lakeside Drive.

Various options have been investigated to develop more on street parking and to change the current main street through environment to reduce traffic speeds and improve circulation.

OPPORTUNITIES INVESTIGATED

These options for consideration are as follows:

Grand Boulevard (Boas Avenue To Shenton Avenue)

The mid City section of Grand Boulevard north of Boas Avenue to Shenton Avenue has been constructed as a dual carriageway with service roads providing limited frontage parking. The traffic volumes on this section of Grand Boulevard are in the order of 10,000 vpd. These volumes are less than those on the southern section of Grand Boulevard with high turning movements occurring at the Boas Avenue intersection. The function of this mid City section is more of a through road and with its wide road reserve and tends to provide a higher speed environment.

A mid term option is to narrow the dual carriageway to single lanes in each direction through utilising the kerbside traffic lanes as carparking bays. This concept is shown on Attachment 4. Whilst this treatment will traffic calm this section of Grand Boulevard consideration needs to be given to the likely impact on the existing traffic volumes and potential redirection of traffic movements. The southern section of Lakeside Drive to Joondalup Drive is currently planned to be constructed as a single carriageway. This connection will assist in maintaining the traffic circulation of the City centre particularly between Shenton Avenue and Boas Avenue.

City Centre Streets

A practical option to increase parking spaces at the road frontages of the Businesses on the local streets is through the use of angle parking. A cost effective option is to provide 45 degree angle parking through using the existing parallel parking embayment and cycle lane on the roads as shown on Attachment 5. A major concern with angle parking is the need for a clear reversing zone. The use of angle parking on a lower speed environment street such as Reid Promenade between McLarty Avenue and Grand Boulevard is considered feasible with motorists and cyclists sharing the available traffic lanes. This treatment is proposed to be incorporated on the southern side of the street with the parallel parking remaining on the northern pavement.

Median Parking

Where carbays are provided for longer term parking an opportunity exists to utilise right angle parking in the central median. This treatment is considered feasible for the midblock section of Lakeside Drive as shown on Attachment 6. The same approach has also been investigated for Collier Pass in response to the issue of commuter parking related to the transfer station.

COLLIER PASS

The provision of on street parking in Collier Pass supports the short term strategy of maximising on street parking. The preferred design includes a combination of parallel and median parking to provide approximately 126 parking bays that can partly meet the identified commuter and customer parking needs in the area. Finalisation of costing estimates will enable the alternative funding options to be pursued.

RECOMMENDED APPROACH

If these approaches are supported they could be implemented in a number of streets in the CBD as detailed in Attachment 7. Proposals to improve circulation include providing for right turns at the Grand Boulevard/Reid Promenade intersection and the Lakeside Drive/Reid Promenade intersection. The principle involved in this approach is to seek opportunities to maximise on street parking to support business activity in the Centre and defer construction of decked parking to allow greater accumulation of funds for that purpose.

Preliminary investigation of the principles arising from the workshop indicate that on street parking in the CBD can be increased from 543 to 1071 parking bays. It is, however, considered that more detailed investigation may be able to increase this estimate further.

COMMENT

This report draws together work contained in a proposed long term parking supply strategy, the findings of a study examining existing parking usage, and a design workshop that investigated opportunities for improving the location and provision of at grade parking in the CBD.

The Parking Strategy

The long term Joondalup City Centre Public Parking Strategy is important to decision making by both the City and the Development community and it is recommended that it be made available for public inspection and comment prior to adoption. It should be recognised that it is dependent on a number of factors including the type and timing of development in the CBD and the normalisation process with LandCorp.

The accuracy of the vision for the Joondalup City Centre is critical to the success of the Strategy. The vision needs to be revisited from time to time and tested against existing development and reasonable expectations. It is considered important that this be undertaken in the near future and provision is made in the current budget for this to be conducted as part of the Joondalup City Centre Place Management project. It is recommended that the vision for the City Centre be reviewed.

Parking Team

During the preparation of the Strategy the question of the appropriate management structure for the implementation of the Strategy was considered. It was determined that in the longer term a dedicated unit or work team would be required but not until the City begins charging fees for public parking. In the interim it is considered that the present parking team continue treating the implementation and development of the Parking Strategy as a Corporate Project.

It is recommended that a Parking Team be established to implement and develop the Parking Strategy. The membership and responsibility of the team may change from time to time so it is considered appropriate for these matters to be determined by the Executive Management Group.

Cash in Lieu of On Site Parking

During the preparation of the 1995 Draft Strategy a cash in lieu figure of \$8,100.00 per bay was calculated as appropriate to cover the cost of Parking Station sites and the development of at grade and multi-level parking bays. It was recognised that figure would have to be adjusted in line with land values and construction costs, and to move from at grade construction to full multi-level construction in the future. As the strategy now provides for alternative funding sources such as a special area rate, the cash in lieu is no longer such a critical element, particularly when there are question marks over the ultimate amount, composition and form of development in the City Centre.

It is recommended that the value for Cash in Lieu payments for parking in the Joondalup City Centre Central Business District be set at \$8,100 per bay to be reviewed in a detailed report to Council before June 2002.

Amending the Parking Scheme

In keeping with the recommendations of the Joondalup CBD Parking Study, several amendments to the City's Parking Scheme have been developed and discussed with property owners and tenants in the City block of Grand Boulevard, Boas and McLarty Avenues and Reid Promenade. The proposed amendments have the support of the owners and tenants. It is therefore recommended that:

- a) the City of Joondalup Parking Scheme be amended in accordance with clause 18 of the City's Parking Local Law 1998, by the adoption of Schedule 3 Public Parking Stations in the Joondalup City Centre (Attachment 8) and the plan indicating the location of the parking stations (Attachment 3); and
- b) approves the application of a combination of time restrictions of one hour, two hour and four hours in City of Joondalup Parking Station P2 - McLarty Avenue No 2, as indicated in Attachment 9;
- c) the on street parking time restrictions of the City of Joondalup Parking Scheme be amended in accordance with clause 33 of the City's Parking Local Law 1998:

At Boas Avenue between Grand Boulevard and McLarty Avenue

Replace the existing 30 minute time limit with 15 minute time limit;
Replace the existing one hour time limit with 30 minute time limit.

At McLarty Avenue (east side) between Boas Avenue and southern entrance to Parking Station P2 – McLarty Avenue No 2

Replace the existing one hour time limit with 30 minute time limit.

At Reid Promenade (south side) between Grand Boulevard and the northern entrance to Parking Station P2 – McLarty Avenue No 2

Replace the existing 30 minute time limit in the two parking bays closest to Grand Boulevard with 15 minute time limit

These changes are shown in Attachments 9 and 10.

Support For Private Property Parking Owners

With the introduction of time restrictions into Parking Station P2 - McLarty Avenue No 2, there is likely to be a flow of vehicles into the adjacent private property car parks. In discussion with the owners and tenants in the area, they have been encouraged to set aside sections of their car parks for customers and designate the remainder for their own needs. It is proposed to assist the private property car park owners to control parking in their car parks using the City's Private Property Parking Enforcement Agreement.

This Parking Enforcement Agreement is similar to that successfully used in other large metropolitan local governments. The agreement is based on the owners or their nominated agents doing most of the work by identifying any vehicles that are not authorised to park in the designated private property parking bays, then seeking the assistance of City Rangers to issue cautions and or infringements.

It is recommended that Council endorse the use of the City of Joondalup Private Parking Agreement as the appropriate method for co-ordinating the management of public and private parking areas.

Parking and Traffic Workshop

The workshop resulted in a number of options for an overall approach to the provision of parking and traffic circulation in the Joondalup City Centre to support and enhance business activity. It is recommended that these options be endorsed and made available for public inspection and comment. It is also recommended that a further report be provided following public comment recommending priorities and an implementation strategy for traffic and parking modification to the Joondalup City Centre.

Options for developing parking for commuters and customers in the Collier Pass reserve have been investigated and a preferred option recommended. It is recommended that this option should also be made available for inspection and comment with the workshop outputs and the possible funding options be investigated and reported to Council.

OFFICER'S RECOMMENDATION: That Council:

- 1 ADOPTS the Joondalup City Centre Public Parking Strategy dated August 2001 as a draft for public comment;
- 2 INVITES the major stakeholders in the Joondalup City Centre to join with the City in a review of the short and long term vision for the development of the Joondalup City Centre;
- 3 in accordance with Clause 4.11.3 of District Planning Scheme No 2, CALCULATES the cash payment in lieu of the provision of on-site parking, applicable to development in the Joondalup City Centre Central Business District, for the period of 30 June 2002, to be \$8,100 per parking bay;

- 4 AMENDS the City of Joondalup Parking Scheme in accordance with clause 18 of the City's Parking Local Law 1998, by the:
- (a) ADOPTION of Schedule 3 Public Parking Stations in the Joondalup City Centre and the attached plan indicating the location of the parking stations, as indicated in Attachments 8 and 3 to Report CJ354-10/01;
 - (b) APPROVAL and application of a combination of time restrictions of one hour, two hour and four hours being applied in City of Joondalup Parking Station P2 - McLarty Avenue No 2, as indicated in Attachment 9 to Report CJ354-10/01;
- 5 AMENDS the City of Joondalup Parking Scheme On Street Parking Time Restrictions in accordance with clause 33 of the City's Parking Local Law 1998:
- At Boas Avenue between Grand Boulevard and McLarty Avenue
- Replacing the existing 30 minute time limit with 15 minute time limit
Replacing the existing one hour time limit with 30 minute time limit
- At McLarty Avenue (east side) between Boas Avenue and southern entrance to Parking Station P2 – McLarty Avenue No 2
- Replacing the existing one hour time limit with 30 minute time limit
- At Reid Promenade (south side) between Grand Boulevard and the northern entrance to Parking Station P2 – McLarty Avenue No 2
- Replacing the existing 30 minute time limit in the two parking bays closest to Grand Boulevard with 15 minute time limit
- 6 ENDORSES the use of the City of Joondalup Private Parking Agreement as the appropriate method for co-ordinating the management of public and private parking areas;
- 7 ADVERTISES and makes available the details of the overall approach to the provision of parking and traffic circulation in the Joondalup City Centre arising from the workshop aimed at maximising on street parking, for public inspection and comment;
- 8 REQUIRES a further report following public comment recommending priorities and an implementation strategy for traffic and parking modification to the Joondalup City Centre, including funding options for the provision of parking in the Collier Pass road reserve.

MOVED Cr Kadak, SECONDED Cr Mackintosh that Council:

- 1 ADOPTS the Joondalup City Centre Public Parking Strategy dated August 2001 as a draft for public comment for a period of 30 days;
- 2 INVITES the major stakeholders in the Joondalup City Centre to join with the City in a review of the short and long term vision for the development of the Joondalup City Centre;

- 3 in accordance with Clause 4.11.3 of District Planning Scheme No 2, CALCULATES the cash payment in lieu of the provision of on-site parking, applicable to development in the Joondalup City Centre Central Business District, for the period of 30 June 2002, to be \$8,100 per parking bay;
- 4 AMENDS the City of Joondalup Parking Scheme in accordance with clause 18 of the City's Parking Local Law 1998, by the:
- (a) ADOPTION of Schedule 3 Public Parking Stations in the Joondalup City Centre and the attached plan indicating the location of the parking stations, as indicated in Attachments 8 and 3 to Report CJ354-10/01;
 - (b) APPROVAL and application of a combination of time restrictions of one hour, two hour and four hours being applied in City of Joondalup Parking Station P2 - McLarty Avenue No 2, as indicated in Attachment 9 to Report CJ354-10/01;
- 5 AMENDS the City of Joondalup Parking Scheme On Street Parking Time Restrictions in accordance with clause 33 of the City's Parking Local Law 1998:
- At Boas Avenue between Grand Boulevard and McLarty Avenue
 - Replacing the existing 30 minute time limit with 15 minute time limit
 - Replacing the existing one hour time limit with 30 minute time limit
 - At McLarty Avenue (east side) between Boas Avenue and southern entrance to Parking Station P2 – McLarty Avenue No 2
 - Replacing the existing one hour time limit with 30 minute time limit
 - At Reid Promenade (south side) between Grand Boulevard and the northern entrance to Parking Station P2 – McLarty Avenue No 2
 - Replacing the existing 30 minute time limit in the two parking bays closest to Grand Boulevard with 15 minute time limit
- 6 ENDORSES the use of the City of Joondalup Private Parking Agreement as the appropriate method for co-ordinating the management of public and private parking areas;
- 7 ADVERTISES and makes available the details of the overall approach to the provision of parking and traffic circulation in the Joondalup City Centre arising from the workshop aimed at maximising on street parking, for public inspection and comment for a period of 30 days;

- 8 REQUIRES a further report following public comment recommending priorities and an implementation strategy for traffic and parking modification to the Joondalup City Centre, including funding options for the provision of parking in the Collier Pass road reserve.**

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf091001.pdf](#)

CJ355 – 10/01 REFUND OF CASH-IN-LIEU OF PARKING PAYMENT FOR LOT 7 (15) HALLIDAY GROVE, HILLARYS - [72020]

WARD - Whitfords

CJ011002_BRF.DOC:ITEM 19

SUMMARY

The applicants for four grouped dwellings on Lot 7 (15) Halliday Grove, Hillarys have requested a refund of a payment for cash-in-lieu of car parking and Council approval is sought for the refund.

The development was approved in May 2000. After negotiations with Infrastructure Management Services the applicants agreed to pay \$2,640 for cash-in-lieu of four car bays that were to be provided on site.

The proponents paid this amount in February 2001, however, as payment was only required for two car bays, a refund of fifty percent of the cash-in-lieu amount is recommended.

BACKGROUND

The cash-in-lieu of Parking Reserve represents funds received from developers in lieu of providing car parking and will be utilised to fund future car parking requirements. As Council resolved to transfer the payment to Reserve in a previous financial year, Council approval is required for the refund.

DETAILS

Webb and Brown Neaves paid \$2,640.00 on 27 February 2001 for a shortfall of four car bays for an approved development and funds were transferred to reserve in 2000/01. As payment was required for two car bays, the applicants have requested a refund of fifty percent of their payment.

The City's 2001/02 budget did not make provision for the refund of this payment, consequently authorisation is required to be made BY AN ABSOLUTE MAJORITY pursuant to the provisions of Section 6.8(1)(b) of the Local Government Act 1995.

MOVED Cr Rowlands, SECONDED Cr Mackintosh that Council APPROVES in accordance with the provisions of Section 6.8(1)(b) of the Local Government Act 1995 the refund of \$1,320.00 to Webb and Brown Neaves, being a fifty percent refund of a payment for Cash-in-Lieu of car parking for four grouped dwellings on Lot 7 (15) Halliday Grove, Hillarys.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

REPORT OF THE ACTING CHIEF EXECUTIVE OFFICER

Nil

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

C109-10/01 NOTICE OF MOTION NO 1 – CR A PATTERSON – SECTION 8.7 OF TOWN PLANNING SCHEME NO 2

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Andrew Patterson has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 9 October 2001:

“That Council:

REPEALS section 8.7 of the Town Planning Scheme Number 2 in recognition of the fact that Council should not have the power to restrict private property owners in the exercise and enjoyment of their lawful right to partake of any activity on their property that does not physically harm any other ratepayer.”

In support of his Motion, Cr Patterson states:

Council understands that it does have the right to take action against private property owners who do not comply with Council regulations and local laws relating to health and safety issues.

ADDITIONAL INFORMATION

The following comments are made in relation to the Notice of Motion to repeal Section 8.7 of District Planning Scheme No. 2. These comments are made to assist the Council with its deliberations on this matter, and briefly deal with the responsibility of the Council and the current practices carried out by Council officers in relation to the exercising of those responsibilities. This matter has been discussed with the City's legal advisers and the following comments reflect that advice.

RESPONSIBLE AUTHORITY

The Council is the authority responsible for carrying out the provisions and requirements of District Planning Scheme No.2 (DPS2). Section 1.2 of DPS2 states:

"RESPONSIBLE AUTHORITY

The authority responsible for carrying out the Scheme is the Council of the City of Joondalup hereinafter referred to as the "Council" except that where land is shown in the Scheme Map as "Regional Reserve" the responsible authority shall be deemed to be the Western Australian Planning Commission, and the Provisions of the Metropolitan Region Scheme shall apply to such reservations."

and Section 8.7, Entry to Premises, states:

"ENTRY TO PREMISES

Any officer of the Council may enter at all reasonable times any premises within the Scheme Area for the purposes of ascertaining whether the provisions of the Scheme are being complied with, and at the time of entry may do all things reasonably necessary to record evidence of any non-compliance."

While there is no legislative description of the extent of its responsibility, it has been advised that there is an obligation under Common Law for Council to take action to ensure the provisions of the Scheme are observed. While there is no direct WA Case Law on the matter, it is also advised that in at least one instance, an Order Nisi has been granted to proceed with a case to require a local authority to implement Scheme provisions. Clause 8.7 of DPS2 is very similar in effect to the equivalent clause of the Model Scheme Text, which is prepared and adopted by the WA Planning Commission as a guide for matters to be included in all local authority Town Planning Schemes within Western Australia.

It is considered both necessary and reasonable to have the power of entry onto property for the purpose of ascertaining compliance with the Scheme provisions.

COUNCIL PRACTICES

With regard to the use of Clause 8.7, such investigations are generally carried out by the City's Planning Liaison Officer from the Approval Services Business Unit. The officer involved has advised that he has not had to force the issue with powers of entry, as his approach is to interview and assess situations by agreement with the aim of resolution without formal action if at all possible.

When visiting sites, the officer often arrives unannounced. This may be necessary to substantiate complaints. If the occupier is not at home, the officer leaves a calling card and asks the owner to contact him. The officer then makes appointments at mutually convenient times to visit the landowner as necessary. Such inspections are carried out in the most amenable way possible, as quoting powers of entry to landowners would not help to deal with people in a non-adversarial way.

While the actual wording of the Clause may vary from Scheme to Scheme, the existence, and intent, of that Clause would be common to most Town Planning Schemes in local authorities in Western Australia, and thus it is recommended that the section not be repealed.

MOVED Cr Patterson SECONDED Cr Baker that Council REPEALS section 8.7 of the Town Planning Scheme Number 2 in recognition of the fact that Council should not have the power to restrict private property owners in the exercise and enjoyment of their lawful right to partake of any activity on their property that does not physically harm any other ratepayer.

Discussion ensued.

Cr Nixon left the Chamber at 2049 hrs.

AMENDMENT MOVED Cr O'Brien SECONDED Cr Kenworthy that the Motion be amended by deleting the word 'REPEALS' and replacing it with 'REVIEWS'.

Discussion ensued.

The Amendment was Put and

LOST

Cr Nixon entered the Chamber at 2051 hrs.

The Original Motion was Put and

LOST

C110-10/01 **NOTICE OF MOTION NO 2 – CR A PATTERSON – BUSINESS PLAN, REDUCTION OF ADMINISTRATION COSTS**

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Andrew Patterson has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 9 October 2001:

“That Council:

DIRECTS the Chief Executive Officer to prepare a business plan based on the shared services concept with a view to reducing the costs of administration for the City of Joondalup. The objective of this business plan is to outline how costs associated with corporate services such as information technology, finance and human resources can be shared across a number of interested Councils. The advantage of this would be the reduction of costs for these services across a number of municipalities.”

In support of his Motion, Cr Patterson states:

The business plan should be completed within 6 weeks of the date of this resolution. Once the business plan is completed and accepted by Council, the Chief Executive Officer is to enter into negotiations with other Councils to market this concept to them.

MOVED Cr Patterson, SECONDED Cr Rowlands that Council DIRECTS the Chief Executive Officer to prepare a business plan based on the shared services concept with a view to reducing the costs of administration for the City of Joondalup. The objective of this business plan is to outline how costs associated with corporate services such as information technology, finance and human resources can be shared across a number of interested Councils. The advantage of this would be the reduction of costs for these services across a number of municipalities.

Discussion ensued. The Acting Chief Executive Officer advised that it was anticipated that preparation of a business plan would take from three to six months. Cr Patterson advised that this was acceptable.

The Motion was Put and

CARRIED

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 23 OCTOBER 2001** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 2110 hrs; the following elected members being present at that time:

J BOMBAK, JP
P KADAK
D S CARLOS
C BAKER
A NIXON
J F HOLLYWOOD, JP
A A WALKER
P ROWLANDS
T BARNETT
M O'BRIEN
A L PATTERSON
G KENWORTHY
J A HURST
C MACKINTOSH