



**MINUTES OF COUNCIL MEETING
HELD ON 27 NOVEMBER 2001**

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APOLOGIES AND LEAVE OF ABSENCE

Apologies: Mayor Bombak and Cr Rowlands

Leave of absence previously approved:

Cr P Kimber 17 – 29 November 2001

PUBLIC QUESTION TIME

The following question, submitted by Ms J Matthews, Padbury was taken on notice at the Council Meeting held on 13 November 2001:

Q1 As a ratepayer, I would ask where the \$700,000 is coming from to enable the Security and Patrols Service to be in house, when that money could be spent on other facilities?

A1 The \$700,000 is the difference between the NGS Guards & Patrols bid and the in-house tender bid. Council has awarded the contract to NGS Guards & Patrols so additional funds do not need to be found.

The following questions, submitted by Mrs M MacDonald, Mullaloo were taken on notice at the Council Meeting held on 13 November 2001:

Q1 I refer to my many questions regarding the Council's intentions with respect to the 10 vacant lots at Merrifield Place owned by the Council and to the responses given.

I am well aware that the Council has not made a decision on the future of the land but, given the recommended response to Cr Baker's motion at the Annual General meeting, it would appear that selling the land is an option being considered.

Has there been discussion behind closed doors about the possibility of selling the land?

A1 While there may have been some discussion at the time the Commissioners were reviewing the assets of the City, the City is not aware of any serious discussion or consideration of selling these lots. Whether or not that is, or should be, an option would depend on having answers to the points listed in answer to previous questions related to this matter.

Q2 Will Council add to the list of matters which must be considered before action is taken, "the moral position in relation to the status of the land"?

A2 If the question of "moral position" is one of examining the intent (both implied and stated) of the Council of the day when purchasing the land, and the obligations of this Council, then it is agreed that such a matter should be part of the consideration.

- Q3 Given that the purchase price of the blocks was on average \$12,000 per block and the Council values its assets at cost in its accounts, what relevance does the Commissioners' determination on the valuation placed on the blocks have?*
- A3 When the Joint Commissioners were determining the split of the former City of Wanneroo's assets the 10 Merrifield Place lots, which the former City held in freehold title, were conservatively valued at \$300,000 per lot. The valuations placed on these lots were acknowledged when the Commissioners made the decision regarding the distribution of the assets between the two Cities.
- Q4 If Mr Higham's Department was unaware of the history of the blocks when it included them in Mullaloo Precinct Plan, it would appear that the Commissioners were also without background knowledge of the blocks. Is this the case?*
- A4 The broad history of these lots has always been known, both to the Planning & Development directorate and to the Commissioners at the time. It is the detail that needs additional investigation and consideration, prior to making further decision on this land.

The following question, submitted by Mr Alan Hogarth, 39 Thornhill Way, Greenwood, (Chairperson synthetic Greens Sub-committee of the Warwick Bowling Club (Inc) was taken on notice at the Council Meeting held on 13 November 2001:

- Q1 Our intention in submitting Motion No.1 at the Annual General Meeting of Electors held on 15 October 2001 as defined within Item No.1 of tonight's proceedings, was to get some guidance on how bowling clubs and the City of Joondalup could work together to establish synthetic bowling greens as an investment into community facilities.*

We have noted that you have broadened this issue to include synthetic surfaces in general, e.g. by including hockey and tennis. However, such a policy is likely to take some time to develop and so in the meantime we would like a specific response to the original motion.

The reason we ask for this policy is to enable the Warwick Bowling Club to convert two existing grass greens to synthetic surfaces which will provide substantial benefit to the club and the broader community as shown in detail in our applications to the City of Joondalup and the Ministry of Sport and Recreation (CSRFF).

The Warwick Bowling Club is not asking for financial contributions from other sporting bodies (tennis, softball and baseball) within the Warwick Recreation Association, therefore the only stakeholders in this case who need to be contacted are the lawn bowling clubs of Beaumaris, Sorrento and Warwick together with the City of Joondalup.

We ask that the motion be dealt with expediently. We ask that you nominate your representatives of the City to be involved in the consultation meetings that we will facilitate, so that a policy may be produced for your consideration.

A1 The City intends to expediently address the Warwick Bowling Club's request to replace its existing natural grass greens with synthetic turf greens. In order to achieve this, the City needs to review its existing policy in relation to the provision of bowling greens for bowling clubs and consider a policy in relation to the provision of artificial turf greens. It also needs to consider any policy change in the broader context of its implications for the City in respect of other sports such as hockey and tennis which may also seek synthetic grass as a preferred playing surface.

At its meeting of 13 November 2001, Council agreed to undertake a consultation process regarding synthetic grass playing surfaces that is to be finalised and reported to Council as part of the 2002/03 budget preparation process. Council also agreed that the consultation process should include an elected member from each Ward where there is a bowling green located. Elected members from the respective Wards may also be available to be involved in the consultation meetings organised by the Warwick Bowling Club.

The City has representation on the North Metropolitan Regional Recreation Advisory Committee. At its meeting on 15 November 2001, members of the Committee agreed that a meeting be arranged with representatives from Bowls WA, the sports governing body for bowls, to determine what is the body's strategic direction for synthetic bowling greens. The committee considered, that given the high number of applications which have been received by member local governments from bowls clubs in the north metropolitan region, the development of a strategic approach was an appropriate platform from which member local authorities could base future funding decisions.

The following question, submitted by Ms Sandra Blanchard, Heathridge was taken on notice at the Council Meeting held on 13 November 2001:

Q1 Is the City of Joondalup prepared to acknowledge that the amount of 8.95% stated in a letter to me as the fourth payment option is actually incorrect? Because on the back of the instalment notice it states that the administrative charge of \$5.00 for each of these instalments 2,3 and 4, that is \$15.00 and loss of potential interest charge at a rate of 5.5%.

A1 No

The provisions of Section 6.51 of The Local Government Act 1995 permits local governments to charge interest on the rate or service charge (or any instalment) that remains unpaid after it is due & payable. The maximum rate permitted is 11%.

At the Annual Budget Meeting, when striking the rates/charges each year, the City determines whether interest will apply. This year the City chose to impose interest at a rate of 8.95% pa on all current & arrears of general rates (including special area rates), current & arrears of domestic refuse charges, current & arrears of private swimming pool inspection fees (including GST) & arrears of security charges. This percentage amount is the bank overdraft rate charged to the City by its bank.

On the arrangement letter dated 16/10/2001, issued to you by the City for payment of rates & charges, the interest figure quoted was 8.95% This is the late payment penalty interest appropriate for this payment method.

Pursuant to the provisions of Section 6.45 of the Local Government Act 1995 the City also resolved to impose a lost potential interest charge at a rate of 5.5% to those ratepayers who have elected to pay their rates and charges by instalments. This interest is charged to compensate the City for the investment income lost as a result of the rates being paid by instalments. The maximum permitted is 5.5%pa

The following questions, submitted by Mr S Magyar, Heathridge were taken on notice at the Council Meeting which resumed on 13 November 2001:

Q1 Was Cr Baker's motion C113-10/01 Vote Of Support – Cr Paul Kimber, done in accordance with Local Government Administration Regulation 7, sub-clause 2, which states:

“The time allocated to the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.”

A1 No.

Q2 I refer to CJ358–10/01 Urban Animal Management Committee's recommendations and the subsequent resolutions of Council. The recommendations regarding control of cats has been referred back to the committee. Can an explanation be given as to why a plan that has no financial cost to council, involves public education and consultation was referred back to the committee as there appears to be no mention in the minutes of the meeting of the 23rd of the reasons why the recommendation was referred back?

Does Council's decision and the process of that decision comply with the Local Government (Administration) Regulation 11(d) in relation to the process used for returning the Urban Animal Management Committee recommendations back to the Committee?

A2 The Plan was referred back to the Urban Animal Management Committee for further review as the view was expressed that the Plan needed to be more positive. Elected Members who are not on the Urban Animal Management Committee sought further time to consider the Plan.

Regulation 11(d) of the Local Government (Administration) Regulations 1994 states that minutes of a Council are to contain details of the decisions made at the meeting. It is believed that the decision was correctly recorded in the minutes that related to Item CJ358-10/01 and complied with the legislative process.

Q3 I refer to CJ378 – 10/01 Minutes of the Tender Evaluation Panel – Provision of Security and Patrols Services. In the time between the briefing session of 16th October and the Council Meeting of 23rd October, have there been any reports prepared either by Council or outside agencies, such as the Department of Local Government, dealing with security services which could provide further information to assist Council to make a well informed decision?

A3 The Department of Local Government has released a draft Community Security Evaluation Project final report dated 21 August 2001. The City received the report on 16 October 2001 and has yet to respond to the draft.

The following question, submitted by Mr S Magyar, Heathridge was taken on notice at the Council Meeting held on 13 November 2001:

Q1 Section 5.33 subsection 2 says that the reasons why Council makes a decision in response to the ratepayers resolutions has to be recorded but the recommendation from the officers to the Councillors do not state reasons to be recorded as the official decision of Council.

Are the responses by Council to the Ratepayers' Meeting being made strictly according to the Local Government Act 1995?

A1 Section 5.33(2) of the Local Government Act 1995 states:

“If at a meeting of the Council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the Council meeting.”

A report was presented to the Council providing details relating to the decisions made at the Annual General Meeting of Electors. This report provides adequate reasons relating to the decision of the Council. The report, along with the resolutions carried will form part of the minutes for that Council meeting and is in accordance with the Local Government Act 1995.

The following question, submitted by Mr M Sideris, Mullaloo was taken on notice at the Council Meeting held on 13 November 2001:

Q1 Can Council make available to the public a copy of the tender document since Council has now deliberated and made a decision?

A1 An electronic copy of the tender document can be made available upon request. A copy will be provided to Mr M Sideris.

Mr M Pratt, Hillarys, President of the Association of Independent Retirees, Perth Northern Suburbs Branch:

Q1 CJ407-11/01: Did any Council officer approach the Office of Seniors' Interests to see whether it could supply names and addresses of those seniors who registered with the Council so that they could receive the benefits of the extension to the rate rebate scheme which became effective for self funded retirees on 1 July 2001?

A1 Rates Officers did contact the Office of Seniors' Interests in relation to many matters, but it is unsure whether this particular question was addressed.

Q2 *It is our understanding that the Office of Seniors' Interests does not hold the particular data we are requesting. In light of that, would the officer who drafted Recommendation 1 reconsider that particular recommendation?*

A2 This will be a decision for the Council tonight.

Q3 *Is it possible, bearing in mind that we all understand and appreciate concerns about privacy, for the Association to provide unaddressed stamped envelopes, complete with inserts, to which the Council could affix name and address labels and mail out, at an appropriate cost to my Association?*

A3 The Council can consider this tonight.

Mr M Sideris, Mullaloo:

Q1 *With regard to the provision of Security and Patrol Service by NGR, can you advise if the provision of this service attracts GST. If so, by how much?*

A1 Yes, it would attract GST, which is claimed back from the Australian Taxation Office as an input tax credit.

Q2 *Could you provide me with a fully costed GST amount?*

Q3 *Can you provide me with a complete breakdown of the total cost of the services (anticipated, estimated or otherwise) including administration costs or otherwise?*

A2-3 These questions will be taken on notice.

Mr R Phillips, on behalf of Fire and Emergency Services:

Q1 *CJ419-11/01: Why was this item not included in the draft agenda papers for the Briefing Session held on 20 November 2001, but is before Council to be determined tonight?*

A1 It came to Briefing Session as a 'green' information paper and it was decided it should be presented to Council.

Q2 *It has taken five months to provide tonight's recommendation of two notes and what is little more than a referral to another State Government agency. Why during that time has not one City of Joondalup Councillor formally approached FESA to discuss this item?*

A2 This question will be taken on notice.

Mr S Magyar, Heathridge:

Q1 In relation to the Hepburn Heights land exchange. Page 67 of the agenda, under “Advertising and Summary”, how can the same comments be made regarding “traffic” and “incompatible land use” within the issues raised by both the supporters and objectors? This report must be faulty to some degree and can I be assured that a correction is made?

A1 There is no fault with the report. The reference to traffic is made because the supporters, whilst they were expressing support for the fire station on that site, it was qualified support in many instances and in a number of those instances the issue of traffic in Hepburn Heights was raised. The reference to land use again is qualified support. Many of the supporters said they preferred not to have the fire station built on the bush land site, and so from that point of view they are raising issues with regard to the use of the community purpose site, and one issue was the incompatibility of some of the land uses.

Q2 Are there any local government regulations regarding the availability of any information or documents made available to Councillors for any meetings? If so, how does it affect the issue of a ‘green’ paper?

A2 This question will be taken on notice.

Mr R Eves:

Q1 Regarding the development of Lot 302 Currambine Boulevard, Currambine for a three storey, 20 unit high density development. Have the Ward Councillors been made aware of this application and is it intended to be approved under delegated authority?

Q2 How is the land zoned and under what density is it allowed?

A1-2 These questions will be taken on notice.

Mr M Sideris, Mullaloo:

Q1 Regarding the various press statements on the proceedings against the City of Wanneroo in the recovery of the Mayoral chain, who and when was authority given to initiate legal proceedings?

A1 There has been extensive correspondence between the two Councils for some time. There was discussion held with the Mayor, who authorised that a letter be issued to the Mayor of Wanneroo indicating that a prescribed period of time would be set to enable the matter to be resolved or there would be possible legal proceedings.

Q2 So the Mayor has initiated legal proceedings?

A2 No-one has said that the Mayor has initiated legal proceedings. The Mayor authorised that a letter be forwarded to the appropriate officer, being the Acting CEO of Wanneroo Council, requesting that the Mayoral chain be returned to this Council in accordance with the previous directions given by the Joint Commissioners.

Mrs A Stein, Padbury:

Q1 A petition is to be presented tonight regarding access/service roads for Gibson Avenue. Is Council aware that we have been campaigning for four years for a service road to be put into Gibson Avenue?

A1 It is understood that a proposal was before Council some time ago looking at a service road system. In recent time there has been no consideration given by Council in relation to the budget process for provision of such system.

Q2 What is the reason for the Council not supporting this?

A2 This question will be taken on notice.

Mr Ray Touss:

Q1 CJ419-11/01. In regards to the last sentence on page 69, is it not correct that Western Power is in fact uncommitted as to whether development will proceed?

A1 The position of Western Power is not known. This comment says that the EPA report did not address the fact that the site exists.

Q2 Page 71, Recommendation 3. Is the public assured that following the approach by Council to the Department of Planning and Infrastructure, that it will return a public discussion through a meeting such as this?

A2 It is not the responsibility of the Council officers to give answers on behalf of a Government department. The matter could be put before the Department but would be at its discretion.

Mr Nick Devine, Director of Operations, Fire and Emergency Services:

Q1 CJ419-11/01: Are you aware that the suburbs of Sorrento, Hillarys, Kallaroo and the majority of Mullaloo fall outside of the seven minute standard of fire cover response time?

A1 This question will be taken on notice.

Mr R Henderson, Padbury:

Q1 CJ419-11/01: The report on the submissions did not include some important points, one being that it appears that it was not brought out that there is no proposed or desired alternative use for the community purpose site coming from the objectors to the use of it as a fire station. Is Council aware that that is the case?

A1 This question will be taken on notice. At the deputation heard earlier this evening, some objectors suggested an aged facility.

Q2 The only proposal is the use of this community purpose site for aged residents. Is Council proposing that is a suitable purpose for a community purpose site?

A2 Council is not proposing any particular community use for the site. The issue is whether a community purpose site should be given over to some other use. There are many sites throughout the City which are earmarked for community purposes and which are vacant. It is a matter of investigating the community and seeing what sort of uses these sites could be put to.

Cr J Hollywood:

Q1 In relation to Question 1 from Ms J Matthews, as shown on Page iii of the agenda. I believe the figure of \$700,000 given in the answer is incorrect.

A1 This information has been provided by the staff and there has been no indication that the figure is incorrect. If Cr Hollywood can provide information to the contrary, the matter will be re-examined.

Cr Baker, on behalf of a resident of Ocean Reef:

Q1 Regarding the article “State Government Axes Funds for Graffiti Blitz” which appeared on Page 32 of The West Australian on Friday 23 November 2001, is the CEO aware of the article and what is the cost to our Council and ratepayers of the State Government’s decision to axe graffiti funds?

A1 The details of the particular article are not known. Some information has been forwarded to Council regarding grants pertaining to the graffiti programme. Investigation will be undertaken with the article and the Government Departments and elected members will be provided advice on the matter.

DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

Cr O’Brien declared an interest that may affect his impartiality in the item relating to Petition No 1 – supporting removal of verge tree, 39 Aberdare Way, Warwick as the tree is located within close proximity to his residence.

Cr O’Brien declared a financial interest (in writing) in Item CJ404-11/01 – Warrant of Payments for the period ending 31 October 2001 regarding cheque numbers 35310 and 35319 payable to Chubb Security who have taken over an FAI Extra Watch security at his residence.

Cr Carlos declared an interest (in writing) that may affect his impartiality in Item CJ407-11/01 – Request to Supply Seniors Details to the Self Funded Retirees Association (Inc) as he is a self-funded retiree and a member of this non-profit association.

Cr Patterson declared a financial interest (in writing) in Item CJ411-11/01 – Community Funding Program 2001-2002 Grants Allocations – First Funding Round, as his employer has submitted an application for funding.

CONFIRMATION OF MINUTES**C127-11/01 MINUTES OF COUNCIL MEETING – 23 OCTOBER 2001**

MOVED Cr Patterson, SECONDED Cr Baker that the Minutes of the Council Meeting held on 23 October 2001, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

C128-11/01 MINUTES OF COUNCIL MEETING – 13 NOVEMBER 2001

MOVED Cr O'Brien, SECONDED Cr Hollywood that the Minutes of the Council Meeting held on 13 November 2001, be confirmed as a true and correct record, subject to the following amendment:

Correction

Page 26 – Point 2 (a) of Item CJ379-11/01 be amended in both places where it appears as follows:

“2 (a) NOTES Motion 1 of the Annual General Meeting of Electors and AGREES to the consultation process undertaken regarding synthetic grass playing surfaces be finalised and reported to Council as part of the 2002/2003 Budget preparation process;

That in regard to the bowling greens, Council NOMINATES a Councillor from each Ward where there is a bowling green to attend the proposed consultation to occur between those bowling clubs and be finalised and reported to Council as part of the 2002/2003 Budget preparation process.”

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE DEPUTY MAYOR WITHOUT DISCUSSION**2001 EXTREME YOUTH FESTIVAL**

A record crowd of about 10,000 young people packed the City's 2001 Extreme Youth Festival at the weekend.

Organisers said thousands more came along for part of the action-packed Sunday at Lakeside Shopping City.

The day was fun-filled and full of action for young people, including bands and activities galore.

The Extreme Festival celebrates youth culture in a positive, drug and alcohol-free environment – and was a great success.

Congratulations to Youth and Leisure staff Belinda Trowbridge, Jeremy Manning and Craig Johnson for an outstanding event.

Also, congratulations to the City's young people who have demonstrated to the community that young people can enjoy themselves in such a positive way.

NATIONAL AWARD

The City's "Community Connections" program has received a national award.

On behalf of the City, the Mayor and Community Education Co-ordinator, Kim Low are in Canberra to receive the award in the category for Organisational Best Practice.

"Community Connections" was also nominated for the top Local Government Innovation Award in Australia.

The "Community Connections" project includes Junior Rangers. The Mayor and Ranger, Peter Ross have attended Davallia, Mullaloo Beach, Mullaloo Heights, Joondalup, Eddystone, Marmion, Poynter, South Padbury, Duncraig and Glengarry Primary Schools during Semester Four to present plaques and medallions.

There are currently 30 schools, with approximately 500 students submitting more than 1500 reports on graffiti, vandalism and damage in the City's suburbs.

MIDGE TREATMENT

As part of the campaign against midge, the Cities of Joondalup and Wanneroo in collaboration with Conservation and Land Management (CALM) have again treated Lake Joondalup to eradicate midge.

Monitoring by the City's Environmental Health officers revealed a significant increase in midge larval numbers and spraying was necessary to reduce the possibility of another midge plague around Lake Joondalup.

Registered members of the community who are chemically sensitive were personally informed before the spraying.

CHRISTMAS APPEAL

The City of Joondalup is joining in the spirit of giving this Christmas, helping the Salvation Army, Heathridge make this Christmas special for families in need in our community.

In past years staff and Councillors of the City of Joondalup have generously supported this appeal by donating non-perishable food, toys or money to assist needy families in the local area.

Local businesses such as Sugar and Spice Patisserie, Woolworths and Bankwest branches at Joondalup and Woodvale have previously assisted this appeal and once again we are encouraging their support.

C129-11/01 VOTE OF THANKS – DIRECTOR, COMMUNITY DEVELOPMENT

MOVED Cr Hurst, SECONDED Cr Patterson that a vote of thanks is extended to Mr Chris Hall, Director, Community Development, for all the work and effort he has put in at the City of Joondalup over the last four years.

This will be Mr Hall's last Council meeting.

The Motion was Put and

CARRIED

PETITIONS**C130-11/01 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 27 NOVEMBER 2001**

1 PETITION SUPPORTING REMOVAL OF VERGE TREE, 39 ABERDARE WAY, WARWICK – [74506]

Cr O'Brien declared an interest that may affect his impartiality in this Item as the tree is located within close proximity to his residence.

An 8-signature petition has been received from Warwick residents requesting the removal of a verge tree situated at 39 Aberdare Way, Warwick.

The petitioners advise the tree has grown to a height in excess of Western Power overhead power lines, sheds sharp needle like spurred nuts, with the sap from the tree causing damage to vehicles parking nearby.

This petition will be referred to Infrastructure Management for action.

2 PETITION OPPOSING FOOTPATH CONSTRUCTION – OLDHAM STREET, HILLARYS – [72492]

A 7-signature petition has been received from residents of Oldham Street, Hillarys opposing the construction of a footpath in Oldham Street.

The petitioners feel the footpath will detract from the overall look and character of the street and believe the area is adequately served by the existing footpath in Lymburner Drive.

This petition will be referred to Infrastructure Management for action.

3 PETITION REQUESTING MODIFICATIONS TO ROAD DESIGN, GIBSON AVENUE, PADBURY – [07082]

A 179-signature petition has been received from residents of the City of Joondalup requesting the City include in its 2001/02 budget the cost of modifying the road design of Gibson Avenue to facilitate easier and safer driveway exiting for residents.

The petitioners state due to the high volume of traffic that uses Gibson Avenue, it is very difficult and hazardous for certain residents exiting from their driveways.

This petition will be referred to Infrastructure Management for action.

MOVED Cr Hurst, SECONDED Cr Patterson that the petitions:

- 1 requesting the removal of a verge tree situated at 39 Aberdare Way, Warwick;**
- 2 opposing the construction of a footpath in Oldham Street, Hillarys;**
- 3 requesting the City include in its 2001/02 budget the cost of modifying the road design of Gibson Avenue, Padbury to facilitate easier and safer driveway exiting for residents.**

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

The Motion was Put and

CARRIED

POLICY

CJ400 - 11/01 PROPOSED POLICY – PRESERVATION OF PUBLIC RESERVES – [89391]

WARD – All

CJ011120_BRF.DOC:ITEM 1

SUMMARY

A draft policy entitled ‘Preservation of Public Reserves’ (Attachment 1 refers) has been prepared for Council’s consideration.

The policy is proposed to ensure that public reserves are protected and maintained to a standard that makes them safe, and practical for community use, whilst recognising that in some circumstances there are good arguments to consider alternative proposals for public reserves that may provide a benefit to the community. The policy is to apply to all public reserves in the City except road reserves and pedestrian accessways.

The proposed policy provides for an assessment of the benefits derived from the reserve compared to any benefits to be derived from an alternative proposal. It also provides for public consultation and referral to the Department of Planning and Infrastructure and the Department of Land Administration.

It is recommended that Council adopts the attached draft policy entitled, ‘Preservation of Public Reserves’, and makes it available for public comment.

BACKGROUND

The City receives numerous requests to change the use of or dispose of reserves. There is generally a disposition to refuse such requests based on the recognition of the original intention of creating the reserve. Despite this it is recognised that in some instances alternative proposals for public reserves could provide a benefit to the community.

An application for cancellation of a portion of Hawick Park on Reserve 35519 (2) Hawker Avenue, Warwick (CJ053-03/00 refers) was deferred in March 2000, awaiting the finalisation of a reserves policy.

Due to the important function(s) of public reserves and that in some cases the community may be better served when alternative uses for a reserve are proposed, a policy is required to enable requests for modification to reserves to be properly evaluated.

DETAILS

The draft policy (Attachment 1 refers) entitled 'Preservation of Public Reserves', aims to ensure that all public reserves (with the exception of pedestrian access ways) are maintained for their intended use. It also provides for the examination of alternative proposals that may be of benefit to the community. The policy achieves this objective by providing an assessment criteria for applications proposing a change of use or other modification to a public reserve, examining in particular the types of proposals considered suitable for public reserves. The assessment will also involve an examination of community interests in the public reserve and whether or not an alternative proposal would be preferred.

The introduction of guidelines for new proposals outlines clearly the City's commitment to the protection of public reserves and will ensure that only proposals that are justified in supporting the interests of the community will be considered for assessment.

The draft policy has purposely been developed to include detailed assessment criteria identified as 'assessment strategy' in the policy. This encompasses assessment and advertising which aims to consider both the benefits and disadvantages to the community that may result from the proposal. Without a policy there are no specific guidelines to conduct an assessment to changes proposed to public reserves, so decision making is more difficult.

To determine the community's views on proposals the policy includes the following advertising features:

- sign erected on the site for a minimum period of 30 days;
- publication of a notice in a local newspaper; and
- correspondence outlining the details of the proposal forwarded to surrounding landowners within 200 metre radius of the reserve.

The policy also provides, prior to the assessment being undertaken, for advice to be sought from the Department of Land Administration, Department of Planning and Infrastructure and other servicing authorities.

Relevant Legislation

Clause 8.11 of the City of Joondalup's District Planning Scheme No.2 allows Council to prepare planning policies relating to planning or development within the Scheme Area. Under the City's Town Planning Scheme a policy shall only become operative after the following steps have been taken:

- Draft policy to be prepared and adopted by Council.
- Draft Policy to be advertised for public comment for at least 21 days.
- Council to review draft policy in light of any submissions made and then resolve to either finally adopt the draft policy with or without modifications; or not proceed with draft policy.
- Notice of final adoption of policy to be published in a newspaper circulating in area.

COMMENT

Public reserves provide an important base for a community's infrastructure through the provision of community services and public open spaces. Generally, the tendency has been to refuse applications proposing a change of use to a public reserve. In some instances alternative proposals may provide a benefit to the community.

The policy proposes that proposals will only be considered where they provide a benefit to the community and/or enhance the amenity of the area.

The draft policy has been circulated within the organisation for comment and it is recommended that it be made available for public comment.

MOVED Cr Nixon, SECONDED Cr Patterson that Council, in accordance with Clause 8.11 of the City of Joondalup's District Planning Scheme No 2, ADOPTS the draft policy entitled, 'Preservation of Public Reserves' forming Attachment 1 to Report CJ400-11/01, and makes it available for public comment.

The Motion was Put and

CARRIED

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf201101.pdf](#)

CJ401 - 11/01 AMENDMENT LOCAL LAW 2001 – [05885 00432]**WARD - All**

CJ011120_BRF.DOC:ITEM 2

SUMMARY

This report provides details of the progress reached in the review of the proposed “City of Joondalup Amendment Local Law 2001” and the actions necessary in the second stage to finalise the adoption of the local law.

The proposed City of Joondalup Amendment Local Law 2001 was made to overcome difficulties identified in the application of various local laws. Amendments were also required due to changes in prevailing legislation such as the new Road Traffic Code 2000. The Road Traffic Code 2000 was developed in an attempt to apply a nationally consistent approach to road rules throughout Australia states and territories. The provisions of the Road Traffic Code 2000 have necessitated significant changes to the City’s Parking Local Law.

Local Law Adoption

The first stage of adopting the proposed Amendment Local Law 2001 was reached at the ordinary Council meeting on 25 September 2001, when the following summary was read aloud:

“The purpose of this local law is to amend various clauses in the Parking, Private Property, Animals, Local Government and Public Property, Health and Bushfire Prevention and Control Local Laws to ensure information is current with prevailing legislation and better clarify the requirements of the local laws.

The effect of the Amendment Local Law 2001 is to provide local laws that are clear in their intent, support other legislation and meet the needs of the community and Council.”

Advertising and Comment Received

In keeping with the requirements of Section 3.12 of the Local Government Act 1995, the proposal to adopt the Amendment Local Law 2001 was advertised for a six-week comment period, which closed on Monday, 12 November 2001. No comment had been received from the public up to the end of the comment period.

BACKGROUND

This matter was considered at the ordinary meeting of Council held on 25 September 2001 (Item CJ319-09/01 refers). The report submitted to that meeting outlined the process to be followed by local governments in accordance with the Local Government Act 1995, for creating and reviewing local laws. At that meeting, it was subsequently resolved:

“That Council, in accordance with Section 3.12 of the Local Government Act 1995, APPROVES the advertising of the proposed Local Law, “City of Joondalup Amendment Local Law 2001”, in order to seek public comment.”

DETAILS

Advertising

In accordance with Section 3.12 (3) and (3a) of the Local Government Act 1995, state-wide and local public notice was given of the proposed adoption of the City of Joondalup Amendment Local Law 2001, in The West Australian newspaper on 29 September 2001 and in the Wanneroo Community News on 2 October 2001. The advertisements invited public comment from the community and provided the opportunity to be informed and obtain a copy of the proposed local law. Copies of the notice were also displayed on the public notice boards at the Administration Centre, the City’s libraries, the Whitford Customer Service Centre and on the City’s Internet site. Copies of the local law were also made available for the public, from these locations.

Public Comment and Additional Amendments

At the close of the six-week public comment period, no comment had been received from the public. It is therefore not proposed to make any amendment to the document that was approved by Council for public comment.

Health Local Law

The section of the proposed Amendment Local Law 2001 relating to Health, requires the express approval of the Executive Director of Public Health. Without this endorsement of consent on the local law document, it will not be published in the Government Gazette and therefore would not become local law. The proposed amendments to the City’s Health Local Law have been discussed with the appropriate Health Department representative to ensure there are no objections. Copies of the Amendment Local Law 2001 will be sent to the Executive Director Public Health for his endorsement upon approval by Council.

Action to Progress Local Law

The following actions are required to progress the proposed Amendment Local Law 2001 to local law stage in accordance with Sections 3.12 and 3.15 of the Local Government Act 1995.

The relevant sections are:

- “3.12 (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* *Special majority required.*

- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give statewide public notice -
 - (a) stating the title of the local law;
 - (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

Local laws to be publicised

3.15 A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.”

Other Considerations

In progressing the proposed local law to the final stages, consideration must be given to Section 3.13 of the Local Government Act 1995 which states:

“Procedure where significant change in proposal

3.13 *If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.”*

As it is not proposed to amend the document that was approved and advertised for public comment, this section is not relevant on this occasion.

Action By Others

The following actions will be taken to complete the review and adoption process of the local law:

- the local law will be tabled in parliament by Parliamentary Council;
- review of the local law by the Joint Standing Committee On Delegated Legislation. The review of all delegated legislation by this committee is in accordance with section 42 of the Interpretation Act 1984.

It has become standard practice that ten copies of the local law together with an Explanatory Memorandum and details of any submissions be forwarded to the Joint Standing Committee on Delegated Legislation, to assist in their review of the local laws.

COMMENT/FUNDING

No alteration or amendment has been made to the proposed Amendment Local Law 2001 document that was approved by Council for public comment at the ordinary meeting of Council on the 25 September 2001. It is therefore recommended that the Amendment Local Law 2001, be adopted.

OFFICER'S RECOMMENDATION: That Council:

- 1 BY A SPECIAL MAJORITY, in accordance with Section 3.12 of the Local Government Act 1995, ADOPTS the proposed local law as per Attachment 1 to Report CJ401-11/01, as the "City of Joondalup Amendment Local Law 2001";
- 2 APPROVES progression of the remaining actions to finalise the local law in accordance with Sections 3.12 and 3.15 of the Local Government Act 1995.

MOVED Cr Barnett, SECONDED Cr Nixon that the matter pertaining to adoption of the proposed City of Joondalup Amendment Local Law 2001 be DEFERRED pending further evaluation of a submission.

Cr Barnett advised that there had been one submission received which needed to be considered.

The Motion was Put and

CARRIED

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf201101.pdf](#)

FINANCE AND COMMUNITY DEVELOPMENT

CJ402 - 11/01 MINUTES OF HOUSE COMMITTEE MEETING – 24 OCTOBER 2001 - [59064]

WARD - All

CJ011120_BRF.DOC:ITEM 3

SUMMARY

A meeting of the House Committee was held on 24 October 2001 and the unconfirmed minutes are submitted for noting by Council and endorsement of the recommendations contained therein.

BACKGROUND

The unconfirmed minutes of the House Committee meeting held on 24 October 2001 are included as Attachment 1.

At the meeting the following matters were discussed:

Corporate gifts
Hospitality functions
Plans for Christmas 2001
Christmas Cards
Terms of Reference

MOVED Cr Walker, SECONDED Cr Kenworthy that:

- 1 the unconfirmed minutes of the House Committee meeting held on 24 October 2001, forming Attachment 1 to Report CJ402-11/01 be NOTED;**
- 2 a further sample of a corporate tie be submitted to the Committee with alterations to the design and fabric;**
- 3 each invited female guest attending the 2001 Christmas dinner will be presented with a gift of chocolates as selected by the Committee valued at \$9.35 (incl. GST);**
- 4 each invited male guest attending the 2001 Christmas dinner will be presented with a gift of 375ml bottle of liqueur valued at approximately \$13 (incl. GST);**
- 5 the guest list for 2001 Christmas dinner is to include stakeholders from the Joondalup region;**
- 6 a second Christmas card be ordered to reflect a Peace theme with the following wording:**

Wishing you a Merry Christmas and a safe and prosperous New Year
- 7 the Terms of Reference of the House Committee be reviewed.**

The Motion was Put and

CARRIED

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf201101.pdf](#)

CJ403 - 11/01 CITY OF JOONDALUP ATTENDANCE AT THE AUSTRALIAN SISTER CITY ASSOCIATION CONFERENCE, 30 SEPTEMBER TO 3 OCTOBER 2001 - [52469]

WARD - All

CJ011120_BRF.DOC:ITEM 4

SUMMARY

Between 30 September and 3 October 2001, representatives from the City of Joondalup (Councillors Hollywood, Kenworthy, Walker and the City's Regional Economic Development Co-ordinator) attended the annual Australian Sister Cities Association (ASCA) conference in Bunbury. This report comprises part of a broader process of understanding the implication of Joondalup affiliating with the City of Jinan in Shandong, China. It also seeks to deal with the more immediate issue of Joondalup responding appropriately to a delegation from Jinan which is expected by the end of 2001 or in early 2002.

The current rounds of visits between Jinan and Joondalup can be seen, from the Chinese perspective, in terms of a 'courtship' between potential partners 'sizing' each other up for their suitability. This report also notes the hierarchical nature of municipal-provincial-national governmental relationships in China, including permission requirements for officials undertaking overseas travel. It is this factor which strongly shapes the eagerness by Jinan officials for the signing of memoranda whenever delegate exchanges take place.

The report notes the appropriateness of Edith Cowan University (ECU) in continuing to assist with the management of these potentially complex cross-cultural processes as the Joondalup-Jinan relationship develops. Moreover, continued ECU participation puts into clear perspective the core outcomes sought, namely the development of Joondalup as a global supplier of education services. Furthermore, a continued partnership between the City and ECU in this project comprises another foundation for the development of Joondalup as a Learning City.

This report concludes with a number of recommendations that canvass possible expansion of sister-city activities being developed within the education-related initiatives being developed under the 'Learning City' concept. It also stresses the need for new proposals being financially self-sustainable. The need for regular reviews of cost-to-benefit on the current Joondalup-Jinan development is also considered, as is the recommendation that no such new relationships be considered until the success or otherwise of the current proposal has been assessed.

Finally, Council is required to consider an amended Memorandum that has been faxed from Jinan for signature by the Mayor as part of the anticipated visit of the Jinan delegation at the end of 2001 or early in 2002.

BACKGROUND

In addition to 18 Sister-State relationships (4 involving Western Australia) and 9 port affiliations (2 involving the Ports of Fremantle and Bunbury) across Australia, there are 439 municipal-level affiliations involving 234 local governments across Australia with 37 countries around the globe (Attachment A). In Western Australia there are currently 34 municipal-level affiliations involving 18 local government authorities with counterparts across 12 countries around the globe (Attachment B). In WA, there is currently one sister-city affiliation (Cockburn and Yueyang in Hunan Province).

Australian Sister City Association

Though numerous affiliations have taken place between various local government authorities and overseas counterparts, ASCA was not formed until 1981. Currently, ASCA has a total membership of 74 full corporate, 22 individual and 3 life members across Australia. There are 35 Australian local government authorities affiliated with sister-cities across the People's Republic of China. In Western Australia, corporate-membership of the ASCA includes the Cities of Belmont, Bunbury, Perth, Rockingham, Fremantle, Geraldton and the Shire of Busselton.

The City of Cockburn has the only WA affiliation with a Chinese City (Yueyang, Hunan Province). It needs to be noted, however, that the State of Western Australia has a sister-state/province relationship with the Province of Zhejiang while the Port of Bunbury also has an affiliation with the Port of Zhapu, also in Zhejiang Province, China.

Conference Program and Delegates Present

The Conference of the Australian Sister City Association (ASCA) took place in Bunbury from Sunday 30 September to Wednesday 3 October 2001. Some 160 delegates attended the conference representing all Australian states and Territories as well as from nations including Japan, China, New Zealand, the United States, and Ghana. Delegates from the City of Joondalup in attendance were Crs Hollywood, Kenworthy and Walker as well as the City's Regional Economic Development Coordinator.

Mr J McGinty MLA, Attorney General; Minister for Justice and Legal Affairs; Electoral Affairs; Peel and the South West opened the Conference. Ms Mary Eisenhower CEO of People to People International, an organisation founded by her grandfather, President Dwight D. Eisenhower, delivered the keynote address to the conference.

DETAIL

There were a number of issues that came to the fore during the conference that are of relevance for the relationship proposed between Joondalup and the People's Municipality of Jinan in China. It also needs to be noted that this report is predicated on the expected visit of a delegation to Joondalup from Jinan before the end of the 2001 or beginning of 2002.

Research and the Right Sister-City Match (The 'Courting' Stage)

Ms Fiona Verco from the University of Adelaide, SA, made a presentation on the need for potential sister cities to do research prior to committing to a relationship. She noted that there were examples of mismatches between partners resulting.

Another point raised in this presentation was the different approaches of the respective countries involved in the sister-city movement. She noted that the Japanese tended to focus on cultural exchanges as a means of exposing their citizens to the world outside Japan. She also quoted research that found that in general the (Mainland) Chinese tend to use sister-city relationships as a means to promote the expansion of exports.

Also noted was that local government authorities, in many cases, lack the staffing numbers, knowledge and expertise to undertake the necessary research that is the basis of a purposeful sister-city relationship where the goals and objectives of both parties are aligned in a beneficial way. Often, the nature and course of many sister-city relationships are not known until well after the respective parties have formally committed to them.

An appropriate analogy for the Joondalup-Jinan relationship is one of the ‘courtship’ stages where the perspective partners ‘size each other up’ prior to making the ‘commitment’. Moreover, in this developing relationship, ECU is playing the role of ‘chaperone’ in the ‘match making’ exercise.

With regards to the expected delegation visiting Joondalup towards the end of 2001, it is understood that this delegation is part of a fact-finding mission that seeks to deepen the continuing friendship with Joondalup. This delegation will not be led by the Mayor of Jinan and nor is it expected that the visit would involve Joondalup being required to consider signing (just yet) a Sister City Memorandum.

Status of Friendship and Sister-City Relationships

Another issue raised, particularly at informal networking level during the conference, was the significance between a Memorandum of Friendship and a Sister City Relationship, particularly from the perspective of the Chinese partner. From an Australian perspective, both ‘friendship’ and ‘sister-city’ relationship have the status of a ‘gentlemen’s agreement’.

From the perspective of a Chinese municipal government, however, a sister-city agreement must have the formal approval of the Provincial Government. In the Chinese political system a far more hierarchical relationship exists between the different levels of government from the neighbourhood and village committees through to the National Government. The existence of a strong and formally signed relationship with an international sister-city has an additional benefit of facilitating relevant documentation and approvals (from provincial and national level official) for municipal level official to travel overseas. At the administrative level, these constraints on the outward movement of officials appear to be in operation with the anticipated delegation to Joondalup from Jinan.

Advice from ECU indicates that the next Municipality of Jinan delegation will not be led by the Mayor of Jinan and a request for the signing of a sister-city MOU would not be made during this visit. More recently the Foreign Affairs Office of the Jinan Municipal People’s Government faxed the Office of the Mayor indicating that their visit is still undergoing the processes of approval at the government, the provincial and national level. Moreover the exact date of the visit is yet to be finalised.

The Foreign Affairs Office of Jinan has nonetheless faxed a draft copy of a “Memorandum of Friendly Talks between the City of Jinan, People’s Republic of China and City of Joondalup, Australia”. The original copy of the Memorandum has been transcribed into this report as Attachment C. Some amendments are suggested that brings the proposed Memorandum into line with the City of Joondalup’s approach to the development of the relationship and this document is included as Attachment D.

In addition to clarifying certain grammatical points, the amendments to the proposed document:

- Acknowledges the presence of the Edith Cowan University members of the delegation present during much of the Mayor’s official visit to Jinan;
- Emphasises the strengthening and deepening of education-related areas of cooperation prior to other endeavours being pursued in the relationship;
- Agreeing to facilitate the travel of delegates, particularly in the issuing of formal invitations, but only when this is necessary to the formal travel documentation of the relevant party;
- Highlights that the City of Joondalup (for the purposes of formal communication) does not have a Foreign Affairs office and that formal communication be handled through the Office of the Mayor.

Management of a Sister City Relationship

Another issue raised at the conference was the development of sister-city relationships beyond the initial exchange of delegations between the municipal governments that initiate these relationships. Discussions with conference delegates indicated that the exchange of students was by far the most common and sustained basis for exchange within these sister-city relationships. Cultural exchange involving visiting artists and groups was another basis for many sister-city relationships, often in conjunction with the exchange of students.

Where there were specific economic rationales underpinning sister-city relationships, these tended to be initiated by organisational entities that were separate to the municipal governments involved. In the case of the developing relationship between Joondalup and Jinan, ECU has the lead role in managing the relationship by virtue of its on-the-ground presence in Jinan. On 26 June 2001, Council endorsed a discussion paper (CJ188 – 06/01) that stressed a key criteria underpinning any successful sister-city relationships include:

“The likelihood of these complementary fields of exchange being independently championed by community, business or other groups that are external to the City/Municipal governmental and administrative processes that formalise these relationships.”

The development of the relationship can only progress through the process of ‘learning by doing’. The attendance of Joondalup representatives to the ASCA 2001 conference, together with the visit of the Mayor to Jinan and the forthcoming visit of the Jinan delegation can be considered part of the ‘learning by doing’ process.

It has to be noted that the gains the Jinan Municipal Government seeks from the relationship with Jinan remains broad and general. It also needs to be recognised that the linguistic and cultural barriers, and the incremental building of trust comprising the ‘Chinese way’ of doing business means that Jinan’s goals and objectives may not be clearly articulated for some time. Given that ECU has ‘on the ground’ contact with relevant officials in Jinan, the University is an appropriate conduit through which this relationship develops and is articulated from the Jinan end.

Nonetheless, should any additional elements develop from this relationship, again these should be developed ‘organically’ through community groups, commercial or other interests emerging that are external to the formal institutions of the City and that have the capacity to sustain these links. The City of Joondalup should only provide a supportive role to these initiatives.

Benefits Arising from Sister City Relationships

From the outset, the relationship between Joondalup and Jinan has been initiated through Edith Cowan University (ECU) with a main objective being the promoting full-fee-paying student enrolments in an increasingly competitive but growing Chinese education marketplace. The current arrangement is a highly visible collaboration in which the City makes a positive contribution to the global services export success of a major educational stakeholder in the Joondalup regional economy. The expected economic benefits will amplify as ECU moves its main campus to Joondalup and these will include:

- Increased demand for residential building construction from overseas students studying at ECU in Joondalup;
- Increased retail and hospitality industry turnover and local employment; and
- Increased revenue sources for the City resulting from increased rateable properties created in order to service the expanded Joondalup regional economy.

The conference also focused on the benefits that accrue as a result of city relationships from respective partners. Views diverged with one spectrum of opinion believing that the student and cultural exchanges that are at the heart of many relationships are beneficial ends in themselves. Such exchanges involving the celebration of cultural diversity and learning by young people, particularly from students in school exchanges involving sister cities.

Where there were economic benefits cited, these were affiliations that were initiated by organisations or bodies that were external to municipal governments. A clear example outlined during the conference was a presentation made by the Managing Director of the Port of Bunbury in its pursuit of a port affiliation with the Port of Zhapu in Zhejiang Province in China.

The Joondalup delegates attending the ASCA Conference are of the view that the benefits accruing to the Joondalup Learning Precinct should also confer to the City’s ratepayers and ordinary community members. Council, in partnership with relevant stakeholders, should canvass through its consultations with schools and the broader community, possible interest in the development of student exchanges between Jinan and Joondalup as a component of the Learning City.

Breadth Vs Depth in Sister-City Affiliations, and their Demise

Discussion at the ASCA Conference also focused on the merits of ‘depth’ versus ‘breadth’ of affiliations that had been initiated and maintained among delegates. As can be seen in Attachment B, the number of sister-city relationship ranged from six and five maintained respectively by Perth and Fremantle through to one maintained by the majority of Western Australian municipalities. The delegate from Fremantle noted that the City’s available resources appear not to justify the five sister-city affiliations that require maintenance.

Other delegates felt that it was more appropriate to ‘deepen’ a small number of relationships and the successful relationships involving the Belmont and the Adachi Prefecture in Tokyo or that between Bunbury and Setagaya in Tokyo. It is recommended that the development of a relationship of ‘depth’ be developed between Joondalup and Jinan before any additional relationships are proposed with other municipal affiliations at the international level. It is also recommended that a regular review be made of the ongoing relationship between Jinan and Joondalup that considers the benefits and costs of maintaining the relationship.

Finally, the issue of ‘terminating’ a non-existing relationship was also raised at the ASCA conference. A clear message on this issue was one of avoiding such a termination at all costs, particularly where these involved Asian affiliates. To return to the courtship and ‘marriage’ analogy, a non-existent relationship would be seen from the Asian partner as one in which one or both partners had lost interest. Letting the relationship ‘slide’ or ‘wither on the vine’ is an accepted practice and much favoured in contrast to undertaking a ‘shameful’ and ‘face-losing’ public ‘divorce’.

COMMENTS

The current rounds of visits between Jinan and Joondalup can be seen, from the Chinese perspective, in terms of a ‘courtship’ between potential partners ‘sizing’ each other up for their suitability. The hierarchical nature of municipal-provincial-national governmental relationships in China was noted, including permission requirements for officials undertaking overseas travel. It is this factor which conditions the eagerness by Jinan officials for the signing of Memoranda whenever delegate exchanges take place.

This report affirms the appropriateness of ECU in continuing to assist with the management of these potentially complex cross-cultural processes as the Joondalup-Jinan relationship develops. Moreover, continued ECU participation puts into clear perspective the core economic outcomes sought from the City, namely the development of Joondalup as a global supplier of education services. Furthermore, a continued partnership between the City and ECU in this project can comprise a foundation on which Joondalup as a Learning City can be built.

This report concludes with a number of recommendations, including the need to consider an amended Memoranda that has been faxed from Jinan for signature by Mayor Bombak JP. This formal signing will form an important part of the anticipated visit of the Jinan delegation at the end of 2001 or early in 2002.

MOVED Cr Baker, SECONDED Cr Walker that:

- 1 the objective of promoting overseas student services through Edith Cowan University and/or other members of the Joondalup Learning Precinct remain the core rationale and external driver underpinning the currently developing Joondalup-Jinan relationship;**
- 2 as part of its development of a Learning City the canvassing interest in a student exchange program incorporating schools and relevant community groups be considered as a second possible rationale underpinning the developing relationship between Jinan and Joondalup;**
- 3 any new proposals emerging (including that proposed in 2 above) that may have the Joondalup-Jinan ‘friendly relations’ imprimatur be assessed in terms of their capacity to be sustained by stakeholders that are external to the City of Jinan or Joondalup official or administrative resources;**
- 4 the City of Joondalup SEEKS, where possible, to play a supporting, enabling and co-ordinating role to these initiatives and without being the key driver or financial source of these initiatives;**
- 5 initiatives emerging from the Joondalup-Jinan relationship be subject to regular reviews of benefits and costs and that no new relationships (friendship or sister-city) be considered until a comprehensive evaluation has been made of current Joondalup-Jinan developments;**
- 6 Council, in anticipation of the visit of a delegation from Jinan, APPROVES the “Memorandum of Friendly Talks Between the City of Jinan, People’s Republic of China and the City of Joondalup, Australia” as outlined in Attachment D to Report CJ403-11/01.**

The Motion was Put and

CARRIED

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf201101.pdf](#)

Cr O’Brien declared a financial interest (in writing) in Item CJ404-11/01 – Warrant of Payments for the period ending 31 October 2001 regarding cheque numbers 35310 and 35319 payable to Chubb Security who have taken over an FAI Extra Watch security at his residence.

Cr O’Brien left the Chamber, the time being 1943 hrs.

CJ404 - 11/01 **WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 OCTOBER 2001 – [09882]**

WARD - All

CJ011120_BRF.DOC:ITEM 5

SUMMARY

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

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	034852-035533	6,157,533.87
Municipal	000283A-000288	7,413,741.28
Trust	-	0
	TOTAL \$	13,571,275.15

The difference in total between the Municipal and Director of Resource Management Advance Account is attributable to the direct debits by the Commonwealth Bank for bank charges, credit card charges, investments and dishonoured cheques being processed through the Municipal Fund.

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of October 2001, the amount was \$1,151,937.57.

The cheque register is appended as Attachment A.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$13,571,275.15 which is to be submitted to each Councillor on 27 November 2001 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

RHONDA HARDY
Manager Accounting Services

J B TURKINGTON
Director Resource Management

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$13,571,275.15 submitted to Council on 27 November 2001 is recommended for payment.

.....
Mayor John Bombak

MOVED Cr Mackintosh, SECONDED Cr Walker that Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 31 October 2001, certified by the Mayor and Director of Resource Management and totalling \$13,571,275.15.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	034852-035533	6,157,533.87
Municipal Trust	000283A-000288	7,413,741.28
	-	0
	TOTAL \$	13,571,275.15

The Motion was Put and

CARRIED

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf201101.pdf](#)

Cr O'Brien entered the Chamber, the time being 1944 hrs.

CJ405 - 11/01 FINANCIAL REPORT FOR THE PERIOD ENDING 31 OCTOBER 2001 – [07882]

WARD - All

CJ011120_BRF.DOC:ITEM 6

SUMMARY

The financial report for the month ending 31 October 2001 is appended as Attachment A.

The October 2001 report is the second financial report for the 2001/2002 year. The report shows a variance of **\$1.9m** when compared to the Adopted Budget for the year to date. This variance can be analyzed as follows:

- The Operating position shows an operating surplus of **\$1.5m** to budget at the end of October 2001 due to revenue received in advance of **\$0.6m** and the major underspending is in Materials & Contracts of **\$0.7m**.
- Capital Expenditure for the year-to-date is **\$0.2m** and is slightly below the year-to-date budget of **\$0.3m**, a variance of **\$0.1m** at the end of October 2001.
- Capital Works expenditure for the year-to-date amounted to **\$2.9m** against a year-to-date budget of **\$3.2m**, a variance of **\$0.3m** at the end of October 2001.

MOVED Cr Kenworthy, SECONDED Cr Mackintosh that the Financial Report for the month ended 31 October 2001 be NOTED.

Cr Patterson sought clarification of points made by the Chief Executive Officer in relation to comments appearing in the Wanneroo Times regarding surplus budget funds. Chief Executive Officer stated exact figures were not known at present and advised every endeavour would be made to have the information available for the half yearly review.

Cr Patterson sought leave to provide a personal explanation and elaborated on comments attributed to him in the Community newspaper. He stated that whilst he would like to see a portion of any surplus funds spent on additional works within the City, he would also like monies coming from any surplus to go towards ensuring that rates are not increased in the next financial year.

The Motion was Put and

CARRIED

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6agn201101.pdf](#)

CJ406 - 11/01 SALE OF ELECTORAL ROLLS/STREET LISTINGS/BUILDING RETURNS – [03030 02517]

WARD - All

CJ011120_GRN.DOC:ITEM 2

SUMMARY

During July and August 2001, the City received a number of complaints regarding the sale of electoral, rates and building information to the public.

The major concerns expressed by the public were:

- the distribution of the information was unauthorised
- the information provided was personal
- telephone numbers were provided, and
- the information was sold.

The City currently sells Electoral Rolls / Street Listings and Building Returns to the public.

The City has a legal obligation to provide public access to the City's rate records pursuant to the provisions of the Local Government Act 1995. This obligation may be interpreted to extend to Electoral Rolls and Street Listings. The City also has an obligation to suppress details and does so where requested by owners / occupiers.

The City produces a monthly Building Return which is provided to statutory authorities. A revised form of this document which suppresses the owners name, if requested, is sold.

This report recommends that Council continues:-

1. to suppress personal information on Electoral Rolls and Street Listings at the request of the relevant individual
2. to sell Electoral Rolls and Street Listings
3. to sell monthly Building Returns

DETAILS

During July and August 2001, the City received a number of complaints regarding the sale of Electoral Rolls / Street Listings / Building Returns to the public. The major concerns expressed by the public appeared to be that the distribution of the information was unauthorised, that the information provided was personal, and that the information was offered for sale.

1 SALE OF STREET LISTINGS AND ELECTORAL ROLLS

The Street List discloses details including property address, owners name and postal address and is generated on demand. The Electoral Roll discloses details including property address, occupants name and postal address and is generated on demand. The 2001/02 Schedule of Fees and Charges lists the fee for the sale of electoral rolls at \$154.00 for all wards inclusive of GST, or \$44.00 per ward inclusive of GST. A fee of \$66 per ward including GST, or \$231 for all wards inclusive of GST, applies for the sale of street lists. The City's 2001/02 budget income from the sale of Street Lists / Electoral Rolls is \$5,500.

Requirement to Provide Public Access to Information

Section 5.94 of the Local Government Act 1995 requires the City to provide public access to its rate records. Regulation 55 of the Local Government (Financial Management) Regulations 1996 describes "a rate record" as containing information that includes the particulars of all rateable land, land not rateable but upon which a service charge is imposed, the full name and postal address of the owner of the land and details regarding rating and service charges and any outstanding amounts.

The Local Government Act 1995 (Section 5.95) prevents any person, other than the owner, from obtaining rates record information regarding financial transactions, application details and comments made in relation to activities relating to the property. Through the Freedom of Information legislation the specific property details are also limited to the owner of the property.

Further, at section 5.96 of the Local Government Act 1995, a person may request copies of the information not prohibited under Section 5.95.

Suppression of Personal Information

The City is required to comply with legal suppression orders which require personal details of owners not to be disclosed to the public. Section 51B of the Electoral Act provides that certain information may be suppressed. The City also complies with requests from ratepayers to suppress personal information.

Providing Access to Information Whilst Limiting Personal Information

Requests to view the Rate Records are provided by giving direct access to the Proclaim Property System through the generic user password or through the sale of electronic and paper copies of the electoral rolls and street listings.

The City's Property System is structured such that different elements relating to a property such as ownership, development, payment records, related information etc are separated by providing different levels of access. The City currently provides public access to the rate book through a staff member. In the near future, the City will establish a generic system user which provides access to selected information relating to the Rate Record. This information will limit information viewed by the ratepayer and will exclude personal information if suppressed. Electronic or paper copies of the Electoral Rolls and Street Listings suppress personal details.

Issuing of Telephone Numbers

Whilst the Proclaim system provides for telephone numbers to be entered, the City updates these numbers where possible. The telephone numbers associated with a person or property are not disclosed on the electoral roll or the street listings hence complaints regarding the issuing of private telephone numbers by the City are incorrect.

2 SALE OF BUILDING RETURNS

The monthly Building Return provides a summary of the building licence, name of owner (suppressed if requested), applicant (suppressed if owner is applicant and requested to be suppressed), location, description and value. The information can be provided in electronic or hard copy formats. Individual Building Returns are sold for \$22.00 or \$165.00 per annum and is estimated to provide income of \$6,000 per annum. The City currently has 28 annual subscribers and sells about 10 individual copies on a monthly basis.

Building Returns are provided to statutory bodies such as the Valuer General, Watercorp and includes the names of owners and builders. The City also sells the Building Returns to the public as a service used by local suppliers and suppliers to the industry which appear to be used for marketing of products or services relevant to this industry. The document sold allows for the name of the owner to be suppressed (if requested on the building application form) and shows property location but does not reveal the telephone number.

COMMENT/FUNDING

Section 5.96 of the Local Government Act 1995 provides that local governments may recover the cost of providing copies of information. Electoral Rolls or Street Listings are generated on demand and the fee charged approximates the cost of providing the information.

The City has budgeted to receive income of \$5,500 per annum from the sale of Electoral Rolls / Street Listings and \$6,000 from the sale of Building Returns. The fee charged for these approximate the cost of providing the information. The income generated assists in defraying costs to the organisation.

As the sale of the Electoral Rolls / Street Listings / Building Returns are considered to be a public service and as owners names may be suppressed from publication on request, the City can sell this information without prejudicing the rights of an individual.

In relation to the major concerns expressed by the public:-

- the information provided is of a nature that could be obtained from the public record,
- personal information is suppressed on request,
- telephone numbers are not published, and
- the information is sold at a price to recover the cost of the service.

MOVED Cr Walker, SECONDED Cr Kenworthy that Council CONTINUES:

- 1 to sell Electoral Rolls, Street Listings and Building returns;**
- 2 to suppress personal information on Electoral Rolls / Street Listings / Building Returns at the request of the relevant individual.**

Director, Resource Management provided an explanation to a query from Cr Baker in relation to suppression of certain information upon request.

The Motion was Put and

CARRIED

Cr Carlos declared an interest (in writing) that may affect his impartiality in Item CJ407-11/01 – Request to Supply Seniors Details to the Self Funded Retirees Association (Inc) as he is a self-funded retiree and a member of this non-profit association.

**CJ407 - 11/01 REQUEST TO SUPPLY SENIORS DETAILS TO THE
SELF FUNDED RETIREES ASSOCIATION (INC) –
[04081 00718]**

WARD - All

CJ011120_GRN.DOC:ITEM 3

SUMMARY

The City has received a request from the Self Funded Retirees Association (Inc) to provide the names and addresses of seniors registered with the City. The purpose of the request was to forward a magazine to the seniors so registered.

In response to this request the City has liaised with other organisations holding or controlling seniors' information to determine their views on this request. The City was advised as follows: -

- The Office of Seniors Interests - does not supply however would consider forwarding the magazine to seniors if it were approached direct by the Self Funded Retirees Association (Inc).
- The Department of Veteran Affairs - does not supply.
- The Office of State Revenue - does not supply.

Local governments do not have jurisdiction over the information provided through pensioners/seniors applications other than to verify eligibility for rebate purposes.

The City recommends that this request be referred to the Office of Seniors Interests which is the body for pensioners/senior information for its determination on the matter.

BACKGROUND

Recent changes to the Rates and Charges (Rebates and Deferments) Act 1992 permitted seniors with certain eligibility to obtain local government rating concessions effective from 1 July 2001. This required the City to update its rating data base to reflect this new concession for these residents. Currently the City has in excess of 3,000 seniors registered to which this concession applies.

DETAILS

The City has received a request from the Self Funded Retirees Association (Inc) to provide from the City's rate records the names and addresses of eligible seniors. The purpose of this request is to enable the association to forward a magazine to the seniors.

Seniors information is also available from other organisations. A scan of those organisations indicated the following:

- The Office of Seniors Interests does not provide information regarding Seniors details, however would consider forwarding the magazine to seniors if it were approached direct by the Self Funded Retirees Association (Inc).
- The Department of Veteran Affairs does not provide seniors details.
- The Office of State Revenue advised that releasing individual names and addresses would not be considered appropriate as the Pensioner/Senior's application form allows local governments Council to use the applicants personal details for verifying eligibility with other bodies such as the Office of State Revenue, Centrelink, Veterans Affairs and Water Corporation, but does not allow use of personal information for any other purpose.

The Freedom of Information Act (FOI) does not permit Local Governments to provide personal information. Notwithstanding, Section 5.94 of the Local Government Act 1995 does allow any person to inspect the rates record with exception to any debts owed and Section 5.96 of the Local Government Act 1995 allows copies of information to be provided for a price that does not exceed the cost of providing the copies.

The Self Funded Retirees Association (Inc) has indicated that it would only use the details for distributing its magazine to a wider number of Seniors. The listing would remain with the Association at all times and it would only use the listing to produce the labels for the distribution of the magazine.

COMMENT/FUNDING

The provision of this information needs to be considered carefully as a number of ramifications exist in regard to privacy rights of individuals and this would set a precedent for other organisations holding Seniors information.

Furthermore, Council needs to consider whether the provision of this listing is similar to that of Street Lists or whether we are "stretching the boundaries" of Sections 5.94 and 5.96 of the Local Government Act 1995 to meet other objectives which were not the intention of the legislation. The key major difference being that the Seniors List targets a **specific group** of people while Street Lists are a **general listing** by Ward.

On balance it would appear that the City needs to carefully consider the privacy rights of its seniors.

To address this request it would appear the City has the following options:-

- A Provide the information to the Self Funded Retirees Association (Inc).
- B Not provide the information given the confidentiality matters outlined above.
- C Advise the Self Funded Retirees Association (Inc) to approach the Office of Seniors Interests direct with its request.

Finally, in the broader context, the City should consider developing a policy on the release of information relating to a particular group or individual.

OFFICER'S RECOMMENDATION: That:

- 1 the Self Funded Retirees Association (Inc) BE ADVISED that it would be more appropriate to contact the Office of Seniors Interests direct in relation to the seeking of Seniors details;
- 2 the City DEVELOPS a policy in relation to the provision of specific information relating to a particular group or individual.

MOVED Cr Carlos, SECONDED Cr Hollywood that:

- 1 the Association of Independent Retirees (Inc) be ADVISED the City of Joondalup will provide a list of those seniors who registered with the Council so that they would receive the benefits of the extension to the rate rebate scheme which became effective 1 July 2001; provided the Association of Independent Retirees (Inc) undertakes to keep this information confidential and only circulates "The Western Australian Retiree" or the "Independent Retiree" magazines to the seniors on the list;
- 2 the City DEVELOPS a policy in relation to the provision of specific information relating to a particular group or individual.

Discussion ensued.

Cr Baker queried the difference between the Self Funded Retirees Association (Inc) and the Association of Independent Retirees.

Cr Hollywood foreshadowed an alternative motion should the motion under consideration not succeed.

The Motion was Put and

TIED

There being an equal number of votes, the Deputy Mayor chose not to exercise her casting vote, therefore the Motion was

NOT CARRIED

MOVED Cr Hollywood, SECONDED Cr Carlos that when mailing out rates notices, the City of Joondalup approach all self funded retirees residing in the City with a view to the retirees indicating whether they wish their details to be provided to the Association of Independent Retirees (Inc) in order that they may receive the magazine produced by the association.

Discussion ensued. Director, Resource Management advised there would be costs to the City associated with this option.

Cr Baker foreshadowed an alternative motion should the motion under consideration not succeed.

The Motion was Put and

LOST

MOVED Cr Baker, SECONDED Cr Patterson that the:

- 1 City DEVELOPS and IMPLEMENTS a policy in relation to the provision of specific information relating to a particular group or groups, or individual and that such a policy be implemented prior to the 2002/2003 financial year;**
- 2 matter be REFERRED to the relevant committee for further consideration.**

Discussion ensued.

The Motion was Put and

CARRIED

CJ408 - 11/01 JOONDALUP FESTIVAL AND SUMMER EVENTS COMMITTEE - [16036]

WARD - All

CJ011120_BRF.DOC:ITEM 7

SUMMARY

A meeting of the Joondalup Festival Committee was held on 7 November 2001 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the Joondalup Festival Committee meeting held on 7 November 2001 are included as Attachment 1.

Cr Carlos left the Chamber, the time being 2022 hrs.

MOVED Cr Kadak, SECONDED Cr Baker that Council NOTES the unconfirmed minutes of the Joondalup Festival Committee held on 7 November 2001 forming Attachment 1 to Report CJ408-11/01.

Cr Kadak gave an overview of the Summer Events program and congratulated the Cultural Development team, in particular James Boyd and Corrine van Hall for another excellent schedule.

The Motion was Put and

CARRIED

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf201101.pdf](#)

Cr Nixon left the Chamber, the time being 2024 hrs.

**CJ409 - 11/01 SAFER COMMUNITY PROGRAM 2001/02
FINANCIAL SUPPORT - CONSTABLE CARE CHILD
SAFETY PROJECT [02707]**

WARD - All

CJ011120_BRF.DOC:ITEM 8

SUMMARY

The City of Joondalup entered into Service Agreements with the Constable Care Child Safety Project Inc in 1999/2000 and 2000/01 for its Constable Care Child Safety Project. It is proposed that a new service agreement be drawn up for 2001/02.

The proposal would involve the City providing financial assistance for the development and delivery of age appropriate, interactive educational puppet shows, which would travel to all 45 primary schools within the City and promote child safety to approximately 10, 900 children in years 3 to 5. A further 8 shows would be scheduled to be held during educational events held by the City as part of the City's Community Connections Program. The shows will involve a new program called "Choice Advice" specifically targeting children in Years 3 to 5 and focusing on issues relating to anti-smoking, drug, alcohol and anti-social behavior.

The program would cost the City \$21,000 (excluding GST) for the production and performance of 108 shows to be performed for 10,900 primary school students by 30 June 2002 together with the development of product resources (1,100 water bottles) which would be used as merit awards during the program. Each show would cost \$175 at a total cost of \$18,900. The 1,100 water bottles, to be used as merit awards, would cost a total \$2,100.

In 1999/2000, the City successfully contracted with the Constable Care Child Safety Project to conduct 114 shows for 10,444 primary school children at a cost of \$19,110. In 2000/01 the City successfully contracted for the Project to conduct 100 shows for 10,000 students at a cost of \$20,000.

It is recommended that the project be carried out by the City as one of several strategies of the City's Safer Community and Community Connections Programs.

BACKGROUND

The Constable Care Child Safety Project was first introduced in 1989 by the then State Community Policing Crime Prevention Council Inc., now Safer WA Council, as one of a number of strategies aimed at children by encouraging crime prevention through education. The project plays a significant role in educating primary school children throughout Western Australia on children's safety issues.

The Constable Care Child Safety Project is owned and operated by the Safer WA Council and is an incorporated, not for profit, non Government funded organisation that relies on financial assistance from private businesses and organisations throughout Western Australia. The Project is supported by the Constable Care Board of Management which is made up of representatives from the Education Department of Western Australia, the Constable Care Office, the WA Police Service, a member of the general public and a Safer WA Council member.

The mission statement of the Constable Care Child Safety Project is expressed as “To educate primary school aged children on the many safety issues in order to protect our greatest resource - Young Western Australians”. The Project’s motto is “Protecting Our Next Generation” with a focus on early intervention as a key to crime prevention and a target group of primary school aged children aged 4 to 12 years.

Constable Care is a registered character which is used in various passive or active ways to impart messages of safety and security to children. The character is used on promotional resources such as calendars, police caps, stickers and t-shirts and attends special educational facilities such as a road safety training track and playsafe playground.

The Constable Care Child Safety Project also operates a Constable Care Puppet Show which is designed to teach primary school aged children a number of safety messages over a short period of time, in a format that promotes both recall and fun.

The puppet show has the full support of the Western Australian Police Service. Currently, the West Australian Police Service and the City are working in partnership on other community safety and security related issues; an objective of this partnership is to create a safer environment within the City.

Research conducted by Edith Cowan University reported “that exposure to the Constable Care Puppet Show is very effective in imparting messages of safety and respect”.

DETAILS

Financial support of the Constable Care Child Safety Project is presently considered to be an important component of the City’s current Safer Community and Community Connections Programs. The project would continue to be managed through the City’s Community Connections Program, which has already established a close and productive working relationship with the Education Department in the region.

The proposal is also viewed as an important prevention and early intervention strategy in the fight against crime and anti-social behaviour in the Joondalup region.

The City was the first local government authority in Western Australia to engage the Constable Care Child Safety Project. The Constable Care Office reports that eighteen other local government authorities are now providing financial assistance to the Project.

The funding proposal in this report is considered to be consistent with the commitment of the City to community security and safety. The proposal forms part of the City's Safer Community Program.

The project has been well received by children, teachers and the community. Negotiations have been carried out with Council's Community Education Co-ordinator to ensure the subject matter supports Council's strategic objectives.

Research demonstrates that children in years 3 to 5 are the most susceptible to cause and effect education and retain the positive messages the longest. It is for this reason that Constable Care will target this age group with anti-smoking, drug, alcohol and anti-social behavior messages.

Given the importance and support for this project, both from schools and the community, it is proposed to fund this project for another year.

The conditions for this service agreement would be similar to the previous year and as follows:

- The City receives appropriate public recognition for its financial support including the City's logo displayed on all prizes, signs and promotional documentation.
- The puppet shows continue to be comprehensively evaluated by the Constable Care Office in order to assess their impact and effectiveness and that quarterly written progress reports, together with a final written evaluation report, be provided to Council by 31 July 2002.
- Constable Care Office provides the City with an audited financial statement by 31 October 2002.

Account No: 11 20 22 222 5240 0001
Budget Item: Community Safety and Security –
Internal Charges – Security Service
Budget Amount: \$958,084
Actual Cost: \$21,000 (excluding GST)

MOVED Cr Kadak, SECONDED Cr Mackintosh that Council AGREES to enter into a service agreement with the Constable Care Child Safety Project Inc by providing funds to the Constable Care Office to the value of \$21,000 subject to the Constable Care Office agreeing to the following conditions:

- 1 the City receives appropriate public recognition for its financial support including the City's logo displayed on all prizes, signs and promotional documentation;**
- 2 the puppet shows continue to be comprehensively evaluated by the Constable Care Office in order to assess their impact and effectiveness and that quarterly written progress reports, together with a final written evaluation report, be provided to Council by 31 October 2002;**

- 3 **the Constable Care Office provides the City with an audited financial statement by 31 October 2002;**
- 4 **the Constable Care Office returns any unused funds that have been provided by the City for the purposes outlined in Report CJ409-11/01 and that such funds would be returned to the City by 31 October 2002.**

The Motion was Put and

CARRIED

CJ410 - 11/01 SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST INC - MANAGEMENT COMMITTEE MEMBERSHIP - [13275]

WARD - All

CJ011120_BRF.DOC:ITEM 9

SUMMARY

An elected member has requested that a report be prepared recommending to Council that the City seek to have representation on the Management Committee of the Shire of Wanneroo Aged Persons' Homes Trust Incorporated, currently trading as Elderbloom Community Care Centres. This report provides background information to this request and, in doing so does not support the proposal that the City seeks representation on the Trust's Management Committee. Rather, this report recommends that the City adopts a more strategic approach to support the development of aged care residential facilities and services for seniors in the City.

BACKGROUND

At its meeting held on 23 October 2001, Council resolved:

“that the matter pertaining to the Shire of Wanneroo Aged Persons' Homes Trust Inc be DEFERRED.”

An elected member has requested that a report be prepared recommending to Council that two elected members from the City be nominated as members of the Management Committee of the Shire of Wanneroo Aged Persons' Homes Trust Incorporated, currently trading as Elderbloom Community Care Centres. The request is based on an understanding that there are currently two vacant positions for City of Joondalup nominees on the Management Committee of the Trust.

Eldbloom is a community-based organisation providing care and specialised support for elderly people in the greater Wanneroo Region. It exists to enrich the lives of the elderly through home-based services and residential accommodation. Currently, it operates four community centres:

- Belgrade Park Village (192 one and two bedroom units) situated in Belgrade Road Wanneroo;
- Jacaranda Lodge (65 bed frail aged hostel including a 15 bed special dementia unit) also located in Belgrade Road Wanneroo;
- Wanneroo Community Nursing Home (40 bed, full nursing home care facility) situated in Amos Road Wanneroo; and
- Barridale Lodge (24 bed frail aged hostel) situated in Barridale Road Kingsley.

Barridale Lodge, built by the Trust, is situated on Crown land on reserve 41582 that is vested in the City of Joondalup for the purpose of an aged persons' hostel. In 1991, the former City of Wanneroo entered into a 21 year lease arrangement with the Trust for the land. Accordingly, the City of Joondalup has a lessor tenant relationship with the Trust in relation to this property.

Elderbloom was established in 1979 as the then Shire of Wanneroo Aged Persons' Homes Trust Inc. The Trust has provided a short history of the Trust's establishment and its operation for the period 1979 to 1987 (See Attachment One). This historical background information has been written by Councillor O'Brien who was the inaugural Chairperson of the Trust for the period 1979 to 1987 and who is currently an Honorary Life Member of the Trust.

The Trust's original constitution includes various clauses that require the "Shire of Wanneroo" to exercise certain functions for the Trust such as appointing the auditor and authorising the borrowing of funds. The constitution provides that it cannot be amended without the approval of the "Shire of Wanneroo".

Both the City of Joondalup, during the term of the Joint Commissioners, and the current City of Wanneroo had requested on several occasions, that the Trust review its constitution to reassess its relationship with both Cities and to reflect more contemporary and appropriate business principles, practices and procedures. This review was completed with the adoption of a new constitution at the Trust's AGM held on 29 August 2001. The new constitution is now awaiting the formal approval of the City of Wanneroo prior to submission for incorporation.

Clause 20 (a) of the original constitution of the Trust stated:

The Management Committee shall consist of fifteen (15) members of whom no more than four (4) shall be members of the Council (Shire of Wanneroo) appointed by the Council, three (3) shall be members of the Residents Committee appointed by it and three (3) may be officers of the Council (Shire of Wanneroo) and appointed by it, such officer not be appointed to an executive position of the Trust...

From the incorporation of the Trust in 1979 to 30 June 1998, elected members and certain staff of the former Shire of Wanneroo, and later the former City of Wanneroo, were members of the Management Committee.

From the abolition of the former City of Wanneroo on 1 July 1998, by virtue of the Joondalup and Wanneroo Order 1998, until 30 June 1999, one staff member of the City of Joondalup was appointed by the Joint Commissioners as a member of the Management Committee.

From 1 July 1999 until December 1999, there was no person appointed by the Joint Commissioners on the Management Committee. This followed a letter from the City to the Trust advising it that the Joint Commissioners had reviewed the representation on external committees which no longer fall within the boundaries of the City and that, in view of the Committee falling within the City of Wanneroo, there would be no further representation by the City of Joondalup on the Trust's Management Committee.

Following the elections for the two new Cities in December 1999, two elected members of the City of Wanneroo were members of the Management Committee. There were no members of the Management Committee from the City of Joondalup. This is the present situation.

DETAILS

Following receipt of the request for the City to have representation on the Trust's Management Committee and with an understanding that the Management Committee was in the process of preparing a new constitution for the Trust, correspondence was forwarded to Elderbloom's Chief Executive Officer requesting advice as to the Management Committee's intention in relation to any future representation by the City of Joondalup on the proposed governing body of the Trust. Advice was also sought on the expected timeframe for the adoption of the Trust's revised constitution.

In reply to this correspondence, the Chief Executive Officer advised that the Trust was in the final stages of seeking comment from its members regarding a proposed new constitution for the Trust with a view to holding its Annual General Meeting on 29 August 2001, at which it would be proposed that the new constitution be adopted.

The Trust's CEO further advised that the new constitution would make provision for two members of the Board to be nominated by the City of Wanneroo only and that, in the view of the Management Committee, the City of Joondalup would need to pass a resolution that it wished to be involved with the Trust prior to the Trust taking any action in respect to representation by the City on the Board under the new constitution.

Legal advice was sought prior to the Trust's AGM from the City's solicitors in relation to the Trust's proposal to amend its constitution and whether the City of Joondalup was entitled at law to any involvement in the process.

Based on the understanding that the City of Joondalup is not a member of the Trust (and nor is the City of Wanneroo or the former Shire of Wanneroo), the legal advice is that the City of Joondalup has no interest or standing, in a legal sense, which would have entitled it to challenge or prevent the amendment of the constitution by the Trust's members. This would have applied even where it is said that the constitution required the approval of the Council of the City of Joondalup and that approval has not been sought.

The advice received is that the fact that the Trust's constitution makes reference, in various clauses, to the Council of the former Shire of Wanneroo, does not, by itself, have the effect of conferring any contractual rights on the Shire (or its successors). At best, the constitution may confer rights as between the Trust and its members.

COMMENT/FUNDING

Based on the legal advice received, if Council wishes to have representation on the new governing body of Elderbloom, then it is considered that the most appropriate way to progress this matter would be for the City to write to the Trust to express its interest in having such representation.

The City, and the Trust, would need to consider the advantages and disadvantages of seeking involvement with the Trust in this capacity. Factors which would need to be taken into consideration by Council include, but are not limited to:

- The majority of the Trust's facilities and services are situated within the boundaries of the City of Wanneroo;
- The Trust promotes its services as being available to the "greater Wanneroo Region";
- The Trust has indicated that it has no current plans to further expand its services and facilities within the boundaries of the City of Joondalup;
- The Trust considers that, following the division of the former City of Wanneroo, its links are primarily with the City of Wanneroo;
- The question of whether or not Council should be on any governing bodies of aged care organisations given the highly competitive nature of the industry and the resultant possible perception of bias or favouritism towards any one organisation;
- The value to Council of being seen to be involved in supporting the provision of aged care in the City through representation on such bodies;
- The question of whether or not representation on governing bodies is the best way for Council to show its involvement and support for aged care, or whether this would best be achieved through the provision of technical support, or both; and
- The question of whether or not Council would be better placed to utilise the majority of its resources to assist already established organisations with planning for new aged care residential facilities within the City of Joondalup.

In consideration of the above issues, and in line with the future directions for Community Services outlined in various reports to Council (Reports CJ201-08/00, CJ367-12/00, CJ368-12/00 and CJ245-07/00 refer), it is not considered appropriate that the City position itself to be aligned with one aged care provider operating within the City. Rather, it is recommended that the City adopt a more strategic approach to support the development of aged care residential facilities and services for seniors in the City.

Currently, it is understood that there are in excess of some sixteen facilities catering for the accommodation needs of older people within the City. Approximately half of these facilities are operated as retirement villages or complexes for independent living, which may also provide high care facilities or services for frail residents. The remaining facilities provide a mix of hostel and/or nursing home care. A mix of church based, community based and private organisations operate these facilities.

The Aged Care Industry currently confronts a number of critical issues, such as:

- Increased facilities operating costs arising from the Commonwealth Government's accreditation requirements;
- Recruitment and retention of suitably skilled staff;
- Growth in the numbers of seniors; and
- Shortage of accommodation for frail aged people in not for profit nursing homes and hostels.

Against this background, it is considered appropriate that the City take several steps to address the immediate and longer term accommodation needs of seniors in the Joondalup community. These could include, but are not limited to:

- Bringing together the various aged care service providers with a view to help inform the City of future residential facilities and services requirements; and
- Undertaking consultation with the Commonwealth and State Governments with a view to ascertaining their future plans for the provision of residential facilities and services.

With this information, and information available to the City through means such as the City's community needs survey, the City would be better positioned to determine the role it will perform in meeting the accommodation needs of seniors in the community.

Council at its meeting held on 9 October 2001 agreed to establish a Strategic Advisory Committee – Seniors Interests (CJ345-10/01 refers). It is therefore proposed that the issues highlighted in this report be referred to that committee for consideration and subsequent advice to Council.

RECOMMENDATION TO COUNCIL MEETING 23 OCTOBER 2001

“That Council:

- 1 DOES NOT SEEK to have representation on the Board of the Shire of Wanneroo Aged Persons' Homes Trust Inc;
- 2 ADOPTS a more strategic approach to support the development of aged care residential facilities and services for seniors in the City through means such as those detailed in Report CJ369-10/01, and refers the issues raised in this report to the Strategic Advisory Committee – Seniors Interests”

ADDITIONAL INFORMATION

A further issue regarding representation was raised by Cr O'Brien. The Trust has leased Barridale House from the City which is currently a non rateable property. Cr O'Brien is of the opinion that if the City does not have ongoing representation on the boards of such not for profit community purpose organisations they may incur rates into the future given the precedent set by the ruling in the Port Kennedy case. Cr O'Brien believes that representation will provide a history and a security for these organisations to ensure that the City, even though it may be within its right to rate such land, will not do so on moral and ethical grounds.

The details of the Kennedy case are as follows:

The City of Rockingham v Port Kennedy Resorts Pty Ltd (1999) Supreme Court of Western Australia Court of Appeal (20 December 1999)

The case briefly is outlined as follows:

Port Kennedy Resorts objected to this rating on the grounds that the land was NOT rateable because it was the:

1. The property of the Crown; and
2. was being held or used for public purpose; or
3. was relevantly unoccupied; and
4. that it was not the Owner in the meaning of s6.41

The Tribunal held in this instance that the land was not rateable.

The City of Rockingham appealed this decision and the Tribunal considered the following tests: -

- 1 The test of Public Purpose is firstly considered and concludes that if land is used for a private purpose then it is rateable – generally Crown land is considered for the purpose of continuing governmental or public activity
- 2 The test of Occupation is secondly considered – evidence as to occupation was found to show that the Port Kennedy Resorts did in fact take occupation of the land and the Tribunal held that the respondent - Port Kennedy Resorts did in fact occupy the land and could then be rateable in accordance with Section 6.26 LG Act.
- 3 The final test of Ownership is considered – Given the test of occupation is held then the test to ownership within the meaning of Section 1.4 cannot be sustained.

The appeal by the City of Rockingham was allowed and the area of Crown land vested to Port Kennedy Resorts was then considered to be rateable.

The City is of the view that the case has no bearing on the not for profit organisations operating in the City and that such organisations will continue to remain rates exempt under Charitable organisations status if they meet the selection criteria for such status. The case in question is in regard to a private developer and to draw a parallel to community groups would not be accurate.

OFFICER'S RECOMMENDATION: That Council:

- 1 **DOES NOT SEEK** to have representation on the Board of the Shire of Wanneroo Aged Persons' Homes Trust Inc;
- 2 **ADOPTS** a more strategic approach to support the development of aged care residential facilities and services for seniors in the City through means such as those detailed in Report CJ410-11/01, and refers the issues raised in Report CJ410-11/01 to the Strategic Advisory Committee – Seniors Interests.

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

- 1 DEFERS any action at present in relation to representation on the Board of the Shire of Wanneroo Aged Persons' Homes Trust Inc until this matter has been referred to the Strategic Advisory Committee – Seniors Interests;**
- 2 CHARGES the Strategic Advisory Committee – Seniors Interests with the responsibility to advise Council in regards to those which the Committee considers are the appropriate ways to support the development of aged care residential facilities and services for seniors.**

MOVED Cr Patterson, SECONDED Cr Kenworthy that the Motion BE NOW PUT.**The Procedural Motion Was Put and****CARRIED****The Motion as Moved by Cr O'Brien, Seconded by Cr Kenworthy was Put and CARRIED***Appendix 8 refers**To access this attachment on electronic document, click here: [Attach8brf201101.pdf](#)**Cr Carlos entered the Chamber, the time being 2027 hrs.**Cr Baker left the Chamber, the time being 2027 hrs.**Cr Patterson declared a financial interest in Item CJ411-11/01 – Community Funding Program 2001-2002 Grants Allocations – First Funding Round, as his employer has submitted an application for funding.**Cr Patterson left the Chamber, the time being 2029 hrs.***CJ411 - 11/01 COMMUNITY FUNDING PROGRAM 2001-2002
GRANTS ALLOCATIONS - FIRST FUNDING ROUND
- [50066 51066]****WARD - All**

CJ011120_BRF.DOC:ITEM 10

SUMMARY

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

The Community Funding Program consists of a policy and funding guidelines for each funding category of the policy.

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

The report recommends that grants totaling \$60,604 be allocated to 35 organisations and community groups in this round of funding. Funds will assist the organisations and community groups to conduct projects, events and activities in the areas of community services provision, sport and recreation development, economic development, environment and sustainable development and culture and the arts development. There is a particular emphasis on the provision of financial assistance in support of activities associated with the 2001 International Year of the Volunteer objectives.

The report notes that there is a balance of funds remaining in the Program of \$33,526 which will be used to conduct a second round of funding in February 2002.

Council is requested to acknowledge the contributions made by the members of the various assessment panels.

This is the third consecutive financial year in which the Community Funding Program has been administered. The Program was first introduced in July 1999. If the recommendations in this report are adopted by Council this would mean that, to date, Council has allocated a total of 137 grants through the Program to organisations and community groups in support of the communities of the City of Joondalup at a total value of \$254,118.

BACKGROUND

At the Council meeting of 22 December 1998, the City's Community Funding Policy was first adopted to take effect from 1 July 1999 and a further report was sought detailing the initial funding guidelines for each funding category of the Policy (Report CJ286-12/98 refers).

At the Council meetings of 14 September 1999 and 26 September 2000, the Community Funding Program Guidelines for the 1999/2000 and 2000/2001 financial years were noted (Reports CJ304-09/99 and CJ252-09/00 refer) and various amendments were made to the Community Funding Policy (Reports CJ303-09/99 and CJ247-09/00 refer).

At the Council meeting of 11 September 2001, further amendments were made to the Community Funding Policy (Report CJ298-09/01 refers). A background report and a copy of the Program's Guidelines for the 2001/02 financial year were provided to Elected Members at the Briefing Session held on 4 September 2001.

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

At the Council meeting of 10 October 2000, Council resolved to use any remaining funds in the Bicentennial Trust to provide additional funds for the current Community Funding Program (Report CJ271-10/00 refers). These funds (currently valued at \$13,500) were added to the funds budgeted for the Community Funding Program in this financial year. Allocations from the Bicentennial Trust were distributed across all fund categories. The distribution across the fund categories is equal as a percentage to the distribution from the general allocation.

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

Eligible projects, events and activities include:

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

Council will not fund the following:

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

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

The program has five major fund categories as follows:

- Community Services Fund
- Culture and the Arts Development Fund
- Economic Development Fund
- Environment and Sustainable Development Fund
- Sport and Recreation Development Fund

Each of these fund categories has its own specific strategic objectives. In accordance with the Community Funding Policy, guidelines specific to each fund have been developed for the current financial year.

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

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

DETAILS

There is a total of \$94,130 available for distribution in the 2001/2002 financial year. The funds available for distribution are as follows:

Category Funds	Budget 2001/02	Bicentennial Trust	Totals
Sport & Recreation Development Fund	\$20,000	\$3,349	\$23,349
Culture & the Arts Development Fund	\$18,630	\$3,119	\$21,749
Economic Development Fund	\$8,000	\$1,340	\$9,340
Environmental & Sustainable Development Fund	\$10,000	\$1,674	\$11,674
Community Services Fund	\$24,000	\$4,018	\$28,018
Totals	\$80,630	\$13,500	\$94,130

The objectives and funding priorities for each fund category for the 2001/2002 financial year are as follows:

Community Services Fund

Objectives

- To support new and unique initiatives which bring identified positive benefits to young people in the City.
- To support local responses to the needs of seniors in the City.
- To increase the volunteer support base of local community groups.

Funding Priorities

Projects, events or activities which:

- Encourage the involvement and interaction of young people with their community;
- Foster a positive image of young people in the community;
- Involve seniors in active involvement in their community;
- Have a clear practical outcome;
- Are sustainable at their completion; and
- Demonstrate a local response to the International Year of the Volunteer objectives.

Culture and the Arts Development Fund

Objectives

- To extend and support the level of participation in cultural activities within the community.
- To increase the number and variety of cultural opportunities in the City.
- To assist in the improvement of community recreation.
- To positively contribute to the well being of the community.
- To increase and enhance the volunteer base of the local community groups.

Funding Priorities

Projects, events or activities which:

- Encourage skills development and greater participation by young people with a particular focus on creating a sense of community; and
- Demonstrate a local response to the International Year of the Volunteer objectives.

Economic Development Fund

Objectives

- To encourage the development of new businesses within the City which do not operate in direct competition to existing business.
- To fill an identified economic need within the community.
- To assist the City in achieving its stated economic strategies.

Funding Priorities

Projects, events or activities which:

- Support strategic economic development within the City;
- Encourage participation of the local business community in partnership arrangements with other business sectors; and
- Are sustainable at their completion.

Environment and Sustainable Development Fund

Objectives

- To encourage ecologically sustainable development.
- To encourage integrated environmental, social and economic development projects.

- To provide opportunities for people to become actively involved in environmental protection and conservation activities.
- To enhance community participation and understanding of sustainable development and environmental issues.
- To provide a positive contribution to the well being of the community.
- To increase or enhance the volunteer support base of the local community groups.

Funding Priorities

Projects, activities or events which:

- Encourage efficient use of renewable energy sources.
- Encourage waste reduction, reuse and recycling.
- Reduce Greenhouse gas emissions.
- Develop eco-tourism opportunities.
- Improve air quality.
- Encourage sustainable forms of transportation (walking, cycling, etc).
- Promote ecologically sustainable business practices.
- Encourage community participation and enhance community awareness of ecologically sustainable development, sustainability and environmental issues.
- Have a clear, practical direction and are sustainable at their completion.
- Support the City's Strategic Plan (2000-2005), including strategy 1.2 (adopt and implement a Local Agenda 21 Plan) and strategy 2.6 (implement projects with a focus on improving environmental, social and economic balance).
- Enhance community sustainability and generate environmental benefits to the community.
- Integrate with other sustainable development initiatives and environmental programmes.
- Represent "seed" projects, readily transferable or adaptable for wider application.
- Demonstrate a local response to the International Year of the Volunteer objectives.

Sport and Recreation Development Fund

Objectives

- To extend and support the level of participation in recreation activities within the community.
- To increase the number and variety of recreation opportunities in the community.
- To assist in the improvement of community recreation.
- To positively contribute to the well being of the community.
- To increase or enhance the volunteer support base of local community groups.

Funding Priorities

Projects, events or activities which:

- Demonstrate significant benefits to the community's overall quality of life;
- Promote active participation in recreational activities;

- Expand the active membership and participation base of sport and recreation organisations; and
- Demonstrate a local response to the International Year of the Volunteer objectives.

The Community Funding Program was advertised locally on 18 and 25 September 2001 in the Wanneroo Community Times and on the 20 September 2001 in the Joondalup Community Times. Flyers, consisting of a copy of the paid advertisement, were also sent out to approximately 300 organisations.

An information package, which contained the Community Funding Program Guidelines and application forms, was posted or emailed to organisations and community groups. The information package was also available electronically via the City's Web.

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

Each application received was assessed against the generic eligibility and assessment criteria together with the specific funding objectives and priorities for the 2001/2002 financial year, as contained in the Community Funding Guidelines.

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

Community Services Fund:

- Ms Lisa Crozier – Joblink Consultant – Member of JAWS – Youth Representative
- Mr Bruce Woodward – Joondalup resident – Seniors representative – has worked with staff of the City on a number of projects including “Absolutely Everybody”
- Mr Mike Barry – Acting Manager Community and Health Services, City of Joondalup
- Ms Michelle Wolsoncroft – Senior Administration Officer, Community and Health Services, City of Joondalup

Culture and the Arts Development Fund:

- Ms Miv Egan – Professional Visual Artist
- Mr Albie Herbert – Professional Artist and Sculptor
- Ms Faye Muir – Local Primary School Teacher – also on the Joondalup Eisteddfod Committee
- Ms Geraldine Thomas – Musician involved in North Metro Music Club and Perth Concert Sound – also works with local youth bands.

Economic Development Fund:

- Mr Keith Anthonisz - Project Leader - Business and Community Online, Department of Commerce and Trade
- Mr Fabian Uzaraga - Regional Economic Development Coordinator – City of Joondalup
- Mr Phil McQue – Senior Strategic Policy Officer – City of Joondalup
- Ms Prapti Mehta – Research Officer – City of Joondalup

Environment and Sustainable Development Fund:

- Mr Stuart Hawkins - community representative, Deputy Chairperson, Environmental and Sustainability Advisory Committee
- Mrs Jan Richards - community representative, member of Environmental and Sustainability Advisory Committee
- Mr John Goldsmith, Sustainable Development Officer – City of Joondalup
- Mr James Kirton, Manager Organisation Strategic Development – City of Joondalup
- Mr Dennis Cluning, Manager Operations Services – City of Joondalup

Sport and Recreation Development Fund:

- Mr David Ernst - ECU Joondalup
- Mr Brian Atkin - Wanneroo Basketball Association
- Ms Carol Roberts - Joondalup Netball Association
- Mr Wayne Grimes – Recreation Development Officer – City of Joondalup

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

	Applications Received	Applications Received for Funding <=\$2,500	Applications Received for Funding >\$2,500	Applications Recommended for Full or Partial Funding	Applications referred to Formal Facilities Assessment Process
Community Services Fund	24	18	6	10	0
Culture & the Arts Development Fund	20	16	4	11	0
Economic Development Fund	2	0	2	1	0
Environment & Sustainable Development Fund	5	3	2	2	0
Sport & Recreation Development Fund	15	14	1	11	0
TOTAL	66	51	15	35	0

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

Applications from the following 35 organisations have been recommended for funding:

Kingsley Baptist Church	Hillarys Yacht Club
Bella Music	Joondalup Little Athletics
Association of Independent Retirees	Wanneroo Joondalup Tee Ball Club
Australian Red Cross (Family Support Services)	The Patricia Giles Centre
Meerilinga Family Centre	Swan & Flippers Puppet Theatre Inc
North City Community Services	Joondalup Encore Theatre Society
Brightwater Care Group	Woodturners Association of WA
Sorrento Surf Lifesaving Club	Beaumaris Children's Dancing Club
1 st Kinross Scout Group	Whitford Catholic Primary School
Ocean Reef Primary School P & C Association Inc	Peter Cowan Writers Centre
Wanneroo Basketball Association	Woodvale Senior High School P & C
Warwick Greenwood Junior Cricket Club	Kulcha/Young Somoan
Whitfords Junior Football Club	Padbury Primary School
Perth Wave Ski Club	Culture and the Arts
Duncraig Tennis Club	Sunset Coast Tourism Association Inc
Sorrento Soccer, Sports and Social Club	Yellagonga Catchment Group
Whitfords Sea Sports Club	Joondalup Community Coast Care Forum
Joondalup District Cricket Club	

COMMENT/FUNDING

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

	Funding included in 2001/2002 Budget	Funding Requested by all Applicant Organisations	Funds Recommended for Allocation	Balance of Funds Remaining
Community Services Fund	\$28,018	\$64,269.42	\$15,112	\$12,906
Culture & the Arts Development Fund	\$21,749	\$45,186	\$16,100	\$ 5,649
Economic Development Fund	\$ 9,340	\$ 65,500	\$ 5,500	\$ 3,840
Environment & Sustainable Development Fund	\$11,674	\$17,826.92	\$8,317	\$ 3357
Sport & Recreation Development Fund	\$23,349	\$32,021	\$15,575	\$ 7,774
TOTAL	\$94,130	\$224,803.34	\$60,604	\$33,526

All funds recommended for allocation are inclusive of GST.

It is intended that the balance of the remaining funds from the fund categories be used to conduct a second funding round for the current financial year in February 2002. Work will be undertaken to redistribute the balance of the funds across the fund categories in order to better respond to community need in each category.

All funded organisations will be required to expend grant funds prior to 30 June 2002.

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

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

Should the recommendations in this report be adopted by Council, this will mean that since the introduction of the City's Community Funding Program a total of 137 grants have been allocated by the City under this program to organisations and community groups with a total value of \$254,118 as follows:

1999/2000	41 organisations	\$62,638
2000/2001	61 organisations	\$130,876
2001/2002	35 organisations	\$60,604 (Year to date)

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

To date, the City's administration has posted cheques to organisations and community groups where grants have been approved by Council. It is suggested that, in the future, arrangements be made for the Mayor or his delegate to personally present organisations and community groups with their cheques.

Crs Nixon and Baker entered the Chamber, the time being 2029 hrs.

OFFICER'S RECOMMENDATION: That Council:

- 1 APPROVES the grants recommended for approval under the City of Joondalup's Community Funding Program for the financial year 2001/2002 as detailed in Report CJ411-11/01;
- 2 NOTES that a further round of funding under the Community Funding Program will be conducted in February 2002;
- 3 ACKNOWLEDGES and thanks those members of the community who participated on the various assessment panels.

MOVED Cr Kadak, SECONDED Cr Baker that Council:

- 1 **APPROVES** the grants recommended for approval under the City of Joondalup's Community Funding Program for the financial year 2001/2002 as detailed in Report CJ411-11/01, with the following amendments:
 - (a) **funding of \$2,190 be APPROVED** for the Joondalup City Church's Carols at the Arena event;
 - (b) **funding of \$1,200 be APPROVED** for the Lakeside Christian Church's Carols in the Park event;
 - (c) **funding of \$1,400 be APPROVED** for the Salvation Army Heathridge's Carols by Candlelight event;
- 2 **NOTES** that a further round of funding under the Community Funding Program will be conducted in February 2002;
- 3 **ACKNOWLEDGES** and thanks those members of the community who participated on the various assessment panels.

Cr Kadak provided the following reasons for his alternative motion to the officer's recommendation:

- that the three events do comply with the Community Funding program policy;
- that the events did meet the majority of funding objectives;
- that the events will cater for thousands of ratepayers in a range of suburbs spread across the City;
- recognition that the funding panel was in fact evenly divided over the question of partial funding;
- that the motion calls for partial funding which was agreed to by half the funding panel.

Discussion ensued. To a suggestion by Cr Hollywood, Director, Community Development advised this would be in contravention of the current Community Funding policy, which prohibits recurrent funding. The City could liaise with relevant groups to ensure that their applications were submitted well in advance of these events occurring in future years.

The Motion was Put and

CARRIED

Appendix 9 refers.

To access this attachment on electronic document, click here: [Attach9brf201101.pdf](#)

INFRASTRUCTURE MANAGEMENT**CJ412 - 11/01 TRAFFIC MANAGEMENT STRATEGY - NEW CROSS ROAD, KINGSLEY - [05820]****WARD** - South

CJ011120_BRF.DOC:ITEM 11

SUMMARY

A 59-signature petition has been received from Kingsley residents urgently seeking the installation of traffic calming and traffic safety measures along New Cross Road.

Details of the proposed modifications along New Cross Road, Kingsley which are currently listed in the City's Five Year Capital Works Program are presented for consideration.

BACKGROUND

In October 2001, residents of New Cross Road, Kingsley petitioned Council seeking the installation of traffic calming and traffic safety measures along New Cross Road. The petition co-ordinator highlights a number of recent crashes and high pedestrian usage along this street as the main motivation for seeking traffic treatments.

New Cross Road, Kingsley is a 10m wide local road that runs between Barridale Drive and Creaney Drive, Kingsley. In addition to direct residential access it also provides access to a local reserve, school and church. As such it could be reasonably expected to carry between 2000-4000 vehicles per day.

A traffic survey carried out in 1995 established that New Cross Road (midblock) carries around 2700 vpd. At that time, the recorded 85th percentile speed of vehicles (midblock) was 68km/h. A comparative traffic survey carried out in October 2001 confirmed that midblock traffic volumes (2850 vpd) and speed (65km/h) remain relatively unchanged.

In the five year period to December 2000 Main Roads WA crash database indicates that there have been 3 recorded crashes along New Cross Road. These crashes have occurred at or near the intersection of Shepherds Bush Drive. Speed had been noted as a factor in one of these crashes.

DETAILS

While isolated incidences of excessive speed may occur, the available traffic data suggests that the majority of New Cross Drive, Kingsley is otherwise functioning normally as a local road.

Unfortunately, the higher midblock 85th percentile speed is not unusual for a road of this type. In most cases higher overall vehicle speeds have been associated with the majority of 10m wide roads throughout the municipality.

Generally, traditional traffic treatments are only considered effective in reducing the 85th percentile speed of vehicles.

Accordingly, New Cross Road, Kingsley is one of several 10m wide local collector roads that have been identified as potentially treatable roads. These roads have been listed in priority order, for treatment as part of the City's Five Year Capital Works (Traffic Management) Program.

The main proposal features installation of a flush red asphalt central landscaped median similar to that recently completed along Bridgewater Drive, Kallaroo.

The low speed environment created by this treatment may also be enhanced by the proposed future construction of a roundabout at the intersection of New Cross Road and Shepherds Bush Drive. While the location of a roundabout at this intersection is intended to regulate traffic flow and thereby reduce the number and severity of crashes, it may also have a significant effect on reducing the midblock speed of vehicles.

It is anticipated that when fully completed, the reduced carriageway width and changed road environment may effectively reduce *overall* vehicle speeds and improve safety and amenity for all road users along New Cross Road.

Generally, the proposed flush red asphalt median does not impact on residential access or require widening of the road. However it should be noted that the construction of a roundabout at Shepherds Bush Drive will require some localised widening and may also reduce the existing level of access for adjacent landowners.

The proposed flush red asphalt central landscaped median treatment of New Cross Road is currently listed in year 4 (2004/05) of the Five year Capital Works Program. The construction of a roundabout at Shepherds Bush Drive is currently listed in year 3 (2003/04) of the Five year Capital Works Program.

The overall traffic management strategy for New Cross Road is shown on Attachment 1.

Generally, the current priority of all projects within the Five Year Capital Work - Traffic Management Program will be reviewed as part of the City's 2002/03 budget deliberations.

COMMENT/FUNDING

Given the current budget constraints, it is necessary to prioritise treatment of roads such as New Cross Road.

At this stage, while the petitioners' concerns are noted, treatment of New Cross Road currently has a medium priority when compared with other similar roads throughout the municipality.

On this basis, support for the current traffic management proposals is recommended for implementation as determined by the current priority listed in the City's Five Year Capital Works Program, in due course.

Finally priority for these proposals may be reviewed as part of the City's 2002/03 budget deliberations.

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

- 1 SUPPORTS the proposed treatment of flush red asphalt central landscaped median for New Cross Road, Kingsley;**
- 2 ADVISES the petitioners that the following treatments have been included in Council's Five Year Capital Works Program for New Cross Road:**

2003/2004 – Construction of a roundabout at Shepherds Bush Drive
2004/2005 – installation of a flush red asphalt central landscaped median treatment
- 3 ADVISES the petitioners that the current priorities for the New Cross Road treatments listed in Item 2 above will be reviewed by Council as part of the forthcoming 2002/2003 draft budget process.**

The Motion was Put and

CARRIED

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf201101.pdf](#)

Cr Patterson entered the Chamber, the time being 2035 hrs.

CJ413 - 11/01 PROPOSED PARKING PROHIBITIONS – BELDON, CURRAMBINE AND SPRINGFIELD PRIMARY SCHOOLS - [00371 07384 08077]

WARD – Pinnaroo, North Coastal, Whitfords

CJ011120_BRF.DOC:ITEM 12

SUMMARY

The Beldon, Springfield and Currambine Primary Schools are seeking to restrict parking on roads adjacent to their respective schools to alleviate parking congestion problems associated with parent parking. As the parking restrictions form part of an overall Road Safety and Parking Strategy for each school, the implementation of the parking restriction on roads adjacent to these schools is presented for consideration.

BACKGROUND

Road Safety and parking at Beldon, Springfield and Currambine Primary Schools have been a concern to each school and the local community for some time. These schools have recently expressed their concerns at parking congestion problems on roads adjacent to each school.

The City has been concurrently working with each school's Road Safety Committee and RoadWise to implement a comprehensive road safety and parking strategy at their school.

As part of this strategy, each schools Road Safety Committee has requested that a parking restriction be implemented to roads adjacent to their school.

DETAILS

The above-mentioned schools are concerned that parent parking on both sides of the roads adjacent to their school during school peak times, restricts normal traffic flow and making it hazardous for pedestrians and other road users.

In view of this, each schools Road Safety Committee has requested that consideration be given to restrict parking on roads around their school. Generally, a "NO STOPPING" restriction would be the most appropriate to reduce the congestion caused by parked vehicles, maintain the general traffic flow at all times and therefore increase the level of safety during school peak times. It is envisaged that a "NO STOPPING" restriction be delineated by a continuous yellow edge line. This type of parking restriction delineation has been used very successfully at other schools within the City.

The extent of the proposed parking restrictions are shown on Attachments 1, 2 and 3. In each instance, a copy of the proposal was also circulated to adjacent landowners for comment. No negative responses were received.

COMMENT

At each school, the existing on-street parking embayments provide formalised parking for parent/motorists to drop-off and pick-up students. The on-going commitment to each school's Road Safety and Parking strategy will be achieved through an educational package to students and through the schools' newsletters. The proposal to restrict parking on the roads as per attachments will regulate parent parking, maintain the general traffic flow at all times and therefore increase the level of safety and access during school peak times.

As the parking restriction proposals form an integral part of the overall road safety and parking strategy for each of these schools, the implementation of parking restrictions as per the attachments is supported.

MOVED Cr Baker, SECONDED Cr Walker that Council:

- 1 ADOPTS the parking restriction strategy for Beldon, Currambine and Springfield Primary Schools shown respectively on Attachments 1, 2 and 3 to Report CJ413-11/01;**

2 ADVISES the schools and affected residents accordingly.**The Motion was Put and****CARRIED***Appendix 11 refers**To access this attachment on electronic document, click here: [Attach11brf201101.pdf](#)***CJ414 - 11/01 PERTH BICYCLE NETWORK GRANTS - [18861
133121]****WARD – All**

CJ011120_BRF.DOC:ITEM 13

SUMMARY

The City has received an offer from the Department for Planning and Infrastructure that it is prepared to provide grant assistance in the construction of Bicycle Facilities. The offer expires on 30 November 2001. This report provides details about the offer, projects to be considered and commitments to a Bicycle Networks program in future Budgets.

BACKGROUND

In October 1996, the State Government announced a plan to create a strategic cycle network for Perth. The Perth Bicycle Network (PBN) would involve a \$25 million investment over 4 years. It was envisaged that 50 Local Bicycle Routes (LBR) would be created on local government roads, Regional Recreational Routes (RRR) on reserves, Principal Transport Routes (PTR) on Rail and Freeway Reserves and with parking stations and other facilities at various locations in Perth.

By May 1997, two LBRs (Stage 1 routes) had been mapped out for the former City of Wanneroo. At the present time, 9 further LBRs have been added to those first two making up the 11 LBRs in the City of Joondalup.

The routes for LBRs were ridden by cycling experts and experienced cyclist planners with input from the City of Joondalup. The routes passed schools, shops and other areas of interest to create local routes within districts and connecting across municipalities. The current layout of all routes in the City is shown at Attachment 1.

Bikewest was renamed the Perth Bicycle Network (PBN) in 2001 and became part of the Metropolitan Infrastructure Directorate within the Department of Transport.

In early August this year, PBN issued guidelines for Local Governments to apply for Grants for Stage 11 works. Funding would be available for implementation of LBRs, end of trip (EOT) facilities and Generic Minor Works (GMW).

Funding is on a dollar for dollar basis (50:50) which is down from previous years' contributions of (2/3:1/3). Priority was given to funding LBRs because of the change in the Australian Road Rules allowing children under 12 years of age to cycle on all paths, regardless of width. This meant that LBRs provided for the greatest number of possible cyclists rather than for commuter cyclists or other specialised groups.

DETAILS

A submission was made to PBN by 28 August, 2001 for funding essential items on a number of routes and enhancements on other routes. The type of works is split into Safety and Essential Works – kerb ramps, bollards, modification of drainage grates, signs, path repairs, etc. Enhancements – path widening, bicycle lanes, better kerb ramp, etc and Generic Minor Works – new paths, connections to other routes and Local Bike Plans. Because the guidelines and application forms were not received until early August 2001, an allocation to fund PBN pathways was not listed in the 2001/02 Capital Works Budget. Therefore, the August 2001 submission was made on the basis that the City did not have any funds identified in the current capital works program to be used as a contribution towards a project that received grant funding. It was proposed that an application would be made and if the City was successful, then the contribution and source would be the subject of a report to Council. This was preferable to not submitting any projects and not receiving any funds at all.

The Department for Planning & Infrastructure which has now assumed the PBN responsibilities from the Department of Transport, has advised that the City was successful in obtaining \$236,400 over a 4 year period for LBR Essential and Enhancement works.

This report details the amount of grant funds offered for each LBR, where contributory funds can be sourced in the current capital works program for 2001/02 Grants and confirmations that future years grants are accepted by the City prior to 30 November, 2001.

When the PBN submission was made in August 2001, a Draft 5 Year Capital Works Program for Bicycle Networks was created. This was attached to the submission and is shown at Attachment 2. It is in the same spreadsheet format as the current A3 booklet listing of all Capital Works and essentially details how a new sub-program, Bicycle Networks, which is part of the Paths Program would be configured using grant funds from Bikewest/PBN. The program requires an equal amount of funds from the City for each project except for Joondalup Bikeplan projects, which will need to be majority funded by the City.

Those projects shaded in Attachment 2 were successful in obtaining grant funds from PBN. Attachment 3 details the Summary of Grant Awarded provided by the Department for Planning and Infrastructure. This matches the shaded projects in Attachment 2.

COMMENT/FUNDING

In the first year of the proposed Bicycle Networks program – 2001/02, two of the three projects have been offered with PBN grants, LBR NE23 - \$1,500 and NW25 - \$6,800. The total amount of grant is \$8,300. The City needs to match this amount of \$8,300 to receive the Grant. It is proposed that an amount of \$8300 be reallocated from Project 6322 – Joondalup Drive – Treetop Drive to Emerald Way - \$91,800. This project is now completed but has a surplus of \$10,537. It is recommended that \$8,300 of this amount be reallocated to match the PBN Grant. This will enable the City to confirm acceptance of the grant for 2001/02. The third project, Perth Bicycle Network, Generic Minor Works – Yellagonga Regional Park – connection path from Picnic Cove to LBR NE2 Edgewater Drive, did not receive funding.

This project will be undertaken using the funds from the Foreshore/Natural Areas Management Program, Project 2114 – Yellagonga Regional Park DUP Stage 1 - \$269,908.

For the years, 2002/03 to year's 2004/05, it is recommended that the City accepts the grant funding offered for the projects as shown in Attachments 2 and 3. This will enable the City to undertake LBR works at 50% of the total cost as detailed in Attachment 2. However, it will require a commitment to fund these projects over the next 3 years in the 2002/03 5 Year Capital Works Program. Those projects not grant funded at this stage can be considered on a project by project basis as part of the 2002/03 Draft Five Year Capital Works Program.

It is understood further invitations for PBN Grants will be issued in December 2001 by Department for Planning and Infrastructure. This gives the City a further opportunity to receive grant funds for PBN projects and its own Joondalup Bike Plan projects.

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

- 1 ACCEPTS the offer from the Department for Planning and Infrastructure for Perth Bicycle Network Grants as detailed in the Summary of Grants awarded shown at Attachment 3 to Report CJ414-11/01;**
- 2 LISTS for consideration in the 2002/03 Draft Five Year Capital Works Program, funds for Stage 1 - Local Bicycle Route Enhancement Items and Stage 2 - Local Bicycle Route Essential Items as outlined at Attachment 3 to Report CJ414-11/01;**
- 3 REALLOCATES surplus funds of \$8,300 from Project 6322 – Joondalup Drive, (Treetop Drive to Emerald Way) to Perth Bicycle Network – LBR NE23 and NW25 – Construction of facilities to correct serious hazards and provide essential route safety, various locations – \$8,300.**

The Motion was Put and

CARRIED

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf201101.pdf](#)

**CJ415 - 11/01 DORCHESTER AVENUE, WARWICK -
INTERACTIVE DESIGN WORKSHOP - [06041 42148
05378]**

WARD - South

CJ011120_BRF.DOC:ITEM 14

SUMMARY

A workshop was held on 24 October 2001 to investigate treatment options for Dorchester Avenue between Dugdale Street and Beach Road, Warwick.

The workshop has highlighted the need for further investigations to be undertaken to address access issues in Dorchester Avenue.

BACKGROUND

At its 14 August 2001 meeting Council resolved to facilitate a workshop to investigate treatment options for Dorchester Avenue between Dugdale Street and Beach Road, Warwick.

The workshop was held on Wednesday 24 October in Conference Room 3. Four residents and Cr M O'Brien attended, along with representatives from Main Roads WA and Infrastructure Management Services.

DETAILS

The purpose of the Interactive Design Workshop was to provide an informal direct question and answer forum.

As a result of the Workshop, the following three main issues have been identified. Each of the suggested actions is listed concurrently below each issue.

- **Dorchester Avenue / Barnsbury Road Intersection**

While traffic data indicates that this intersection operates safely, local perceptions regarding exit onto Dorchester Avenue remains a concern.

- **Entry Exit to the Shopping Centre**

The operation of this access into the shopping centre is considered a hazard to pedestrians and other road users.

- **On road Parking of Buses on Dorchester Avenue**

Buses periodically park along Dorchester Avenue adjacent to Dorchester Hall. It is considered that they create a hazard for pedestrians and other road users.

Suggested Actions:

- Consider installation of give way line and centreline delineation in Barnsbury Road and monitor its effectiveness to guide motorists as an interim treatment.
- Defer construction of an intersection island at Barnsbury Road and Dorchester Avenue pending review of the proposed give-way line and centreline delineation.
- Further investigate modification options for the Shopping Centre entry exit in conjunction with adjacent landowners.
- Monitor effectiveness of works associated with providing a link road between the car parks at the rear of the Community facilities.
- Consider the use of a 24 hour video monitoring service to establish operational levels of the entry exit.
- Liaise with bus operator to utilise alternative area for pickup set down of bus patrons.

A request for delineation of the intersection has been forwarded to Main Roads WA for consideration.

COMMENT/FUNDING

In terms of highlighting a number of local concerns, the workshop may be considered a success.

However given that the majority of issues will require further investigation and liaison with adjacent land-owners, it is envisaged that they may be completed in due course at an Officer level.

In particular the Shopping Centre access issues may be referred to and dealt with concurrently during the Precinct Action Planning Process for the Warwick District which is currently in progress.

On this basis, no further workshops are considered necessary at this stage however, any capital works items will be subject to further community consultation and approval by full Council.

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

- 1 NOTES the suggested actions from the Workshop and further investigates suitable traffic treatment solutions along Dorchester Avenue being:**
 - Consider installation of give way line and centreline delineation in Barnsbury Road and monitor its effectiveness to guide motorists as an interim treatment.
 - Defer construction of an intersection island at Barnsbury Road and Dorchester Avenue pending review of the proposed give-way line and centreline delineation.
 - Further investigate modification options for the Shopping Centre entry exit in conjunction with adjacent landowners.
 - Monitor effectiveness of works associated with providing a link road between the car parks at the rear of the Community facilities.
 - Consider the use of a 24 hour video monitoring service to establish operational levels of the entry exit.
 - Liaise with bus operator to utilise alternative area for pickup set down of bus patrons.
- 2 LIAISES with the appropriate representatives from the Warwick Shopping Centre for the purposes of addressing access and egress issues;**
- 3 THANKS the Workshop participants for their contribution.**

The Motion was Put and

CARRIED

CJ416 - 11/01 TENDER NO. 007-01/02 - SUPPLY, DELIVERY AND REPAIR OF MOBILE GARBAGE BINS - [18143]

WARD - All

CJ011120_BRF.DOC:ITEM 15

SUMMARY

The City has invited a competitive tender to supply Mobile Garbage Bins (MGBs) Option 1, and to supply and provide a maintenance and delivery service (Option 2) for two years and an option for a one year extension. No tenders were received for Option Two. The Tender Evaluation Committee has analysed the tenders and recommends that the tender submitted by Brickwood Holdings be accepted for a period of 2 years commencing 17 December 2001.

BACKGROUND

The City of Joondalup provides, as part of its rubbish collection service, the supply of MGBs to residents and is responsible for their maintenance. Under the Service Level Agreement between two Cities, the City of Joondalup is responsible for the supply of MGBs and the City of Wanneroo provides for the delivery of new MGBs and a maintenance service. As part of the City of Joondalup's commitment to benchmarking, a price for the delivery and maintenance service was sought under Option 2 of the tender. There were no tenders received for Option Two.

DETAILS

The City needs to maintain its rubbish service to ratepayers and from time to time needs to replace, repair and provide new MGBs to new residents.

A public invitation to tender was carried out in accordance with the City's tendering procedure and in conformation with Regulation 14 and its sub regulations of the Local Government (Functions and General) Regulations 1996.

The advertisement was placed in the West Australian on Saturday 22 September 2001 and closed 11 October 2001. Tenders were received from the following companies:

Option 1

- Macdonald Johnson (Sulo MGB Australia) with its registered office at Perth.
- David Gray & Co. Ltd. (Schaeffer MGBs) with its registered office at Perth.
- Brickwood Pty Ltd with its registered office at Melbourne.
- F&T Industries Pty Ltd with its registered office at Melbourne.

Option 2

No tenders received

All tenders received were conforming. F & T Industries Pty Ltd provided a revised price for its tender before the closing of tender in the tender box and were considered for evaluation.

The Tender Evaluation Committee assessed each tender in accordance with the selection criteria, which were:

Compliance requirements

- MGB must operate in standard lifting device of trucks;
- MGB must not affect the functioning of trucks;
- Carrying load 80 kg ;
- Capacity (inside) 240 litres; and
- Flexibility to remove wheels from the bins after assembly is completed.

Selection Criteria

- Competitive Price offered by the Tenderer (Option 1 and Option 2);
- Amount of PCP (post recycle plastic) in MGB content (maximum PCP is 45%);
- Recycled plastic content (minimum 5%);
- Tenderer's demonstrated understanding of tasks involved and proven capacity to undertake similar work;
- Demonstrated capacity and ability to supply and delivery of MGB within stipulated time including short notice (option #1);
- Demonstrated capacity and ability to supply, delivery and repair of MGB(s) within stipulated time including short notice (option #2);
- Previous experience in similar projects; and
- Demonstrated Quality and Warranty of the products to be supplied and Customer Service.

One of the key criteria of the assessment was for recycled post consumer plastic used in the manufacturing material in the MGB. Post consumer plastics (PCP) are the plastics used in household containers like milk bottles (plastics coded 1 & 2). Brickwood Holding's supply has the highest percentage (45%) of post consumer recycled plastics. The evaluation committee considered various amounts of recycled plastics used in the manufacture of all kinds of bins. This issue of use of recycled plastics and the percentages used is a complex one and is highly dependent on the availability of the material and cost at the time of manufacturing the bins. The only manufacturer that guarantees the amount of post consumer plastics in their bins is Brickwood, due to their investment in low pressure structural foam technology that allows for the manufacture of bins with at least 45% post consumer plastics incorporated into the body of the bin. The use of and support of this process represents effective 'close the loop' recycling and assists in maintaining a viable and stable market for post consumer plastics. Council's policy encourages recycling of plastics which is consistent with the concept of 'close the loop' recycling.

The supply from Macdonald Johnson and David Gray offered up to 20% PCP in its proposed supply. It may be noted that the term 'up to 20%' does not guarantee that the content of PCP will be maintained at 20% at all times.

F&T Industries Pty Ltd. did not demonstrate to possess enough experience in the business of manufacturing or supply of MGB and City's specialist officer assessed the quality of two bins. The specification of the proposed bin was not considered to be to the market standard. The following points noted on the assessment of the bin including feed back received from Environmental Waste Services and current users of this supply were:

- The lid did not fit the body of the bin correctly leaving a gap at the hinged rear allowing for flies to enter;
- Structural design faults for the attachment of the axles. The bin only has two moulded lugs for the axle all the others have four or a moulding along the breadth of the bin. There is considerable weight from a fully laden bin and if dropped or put down on an uneven drive this could cause damage. Once a lug is broken, the bin is not usable;
- The hinge pins for the attachment of the lids are different design and size. This has raised concerns about stress on the lid bin when emptying, the lids will break before the pin. The pins are less expensive to replace than the lid;
- The pins are not interchangeable with the rest of the bins in use within the City;
- The City of Cockburn had major supply problems during the roll out of their recycling bins;
- The City of Gosnells received the wrong sized axles, which resulted in wheel problems.

The warranty period offered by the tenderers varied from 5 to 10 years.

EVALUATION SUMMARY

Based on the evaluation of the selection criteria and practical assessment (for F & T), the Tender Evaluation Committee recommends the Brickwood Holdings tender be accepted in accordance with conditions of tendering, for the period of 24 months commencing 17 December 2001, with the option to extend for 12 months, or part thereof, subject to Council's approval. (Brickwood Holdings Schedule of Rates is shown at Attachment 1)

The following bin prices were received from the tenderers:

BRICKWOOD HOLDINGS	DAVID GRAY	F & T INDUSTRIES	MACDONALD JOHNSTON
\$53	\$43.10	\$36.17	\$43.50

COMMENT/FUNDING

Council undertakes an extensive recycling programme that includes the collection of plastics. Markets are required to close the loop and have the collected material used productively. The Brickwood bins are manufactured differently to the other MGBs tendered. This allows the use of a high proportion of post consumer plastics. The product from Brickwood Holdings is particularly robust, uses 45% PCP, has a 10-year warranty and an expected service life of 15 years.

Brickwood Holdings has provided excellent service in the past to the City and supply or the quality has not been an issue.

As there were no tenders received for Option 2, the City of Wanneroo will continue to provide the repair and maintenance service under the service level agreement.

Account No:	11 60 62 651 4503 0001
Budget Item:	Plant & equipment purchase minor - \$287,000
Estimated Annual Cost:	\$134,730

MOVED Cr Patterson, SECONDED Cr Nixon that Council:

- 1 AWARDS Tender Number 007-01/02 for the supply of Mobile Garbage Bins (Option 1) to Brickwood Holdings in accordance with conditions of tendering for a period of 24 months commencing 17 December 2001 until 18 December 2003, with an option to extend for another 12 months or part thereof, subject to Council's approval;**
- 2 AGREES that the City of Wanneroo continues to provide a maintenance and delivery service to the City of Joondalup under the Service Level Agreement for the supply of domestic refuse collection;**
- 3 AUTHORIZES the contract to be executed under common seal.**

Cr Baker raised his concerns in relation to the awarding of this tender and referred to the draft "Buy Local Policy" being formulated by the City.

The Motion was Put and

CARRIED

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf201101.pdf](#)

PLANNING AND DEVELOPMENT**CJ417 - 11/01 DELEGATED AUTHORITY REPORT – [07032]****WARD - All**

CJ011120_BRF.DOC:ITEM 16

SUMMARY

This report provides a resumé of the Development Applications processed by Delegated Authority from 1 October 2001 to 31 October 2001.

MOVED Cr Mackintosh, SECONDED Cr Patterson that Council NOTES the determinations made under Delegated Authority in relation to the applications described in Report CJ417-11/01.

The Motion was Put and**CARRIED***Appendix 13 refers*

To access this attachment on electronic document, click here: [Attach13brf201101.pdf](#)

CJ418 - 11/01 SUBDIVISION REFERRALS PROCESSED 1 – 31 OCTOBER 2001 – [05961]**WARD - All**

CJ011120_BRF.DOC:ITEM 17

SUMMARY

A schedule of the Subdivision Referrals processed by Urban Design and Policy Services, from 1 – 31 October 2001 is attached. Applications were dealt with in terms of the delegation of subdivision control powers by the Chief Executive Officer (DP247-10/97 and DP10-01/98).

DETAILS

The subdivision applications processed will enable the potential creation of 80 additional residential lots, 6 mixed use lots and 7 strata residential lots. The average processing time taken was 20 days.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council NOTES the action taken by the Subdivision Control Unit in relation to the application described in Attachment 1 to Report CJ418-11/01.

The Motion was Put and

CARRIED

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf201101.pdf](#)

CJ419 - 11/01 PROPOSED LAND EXCHANGE - LOCATION 11898 (273) HEPBURN AVENUE, PADBURY (RESERVE 43210 - FIRE STATION SITE) AND LOCATION 12223, (12) BLACKWATTLE PARADE, PADBURY (RESERVE 43717 - COMMUNITY PURPOSE SITE) - [55022 57264]

WARD - Pinnaroo

CJ011120_GRN.DOC:ITEM 1

SUMMARY

This report presents the outcome of the public consultation process conducted as a result of Council's decision of 14 August 2001 (CJ277-08/01 refers) to advertise the possibility of a land swap of the Fire and Emergency Services Authority (FESA) Reserve (43210) and the City of Joondalup Community Purpose Site (43717).

The proposal was advertised for 28 days and a total of 55 submissions received, including petition of 249-signatures. Twenty-five submissions supported the proposal and 30 opposed, including the petition. Supporters generally mentioned the need to preserve the bushland. Opponents generally mentioned the impact of the fire station on residential amenity.

It is recommended that Council:

1. NOTES there is significant community opposition to the development of a fire station on the designated FESA site due to concern about damage to regionally significant bushland;
2. NOTES there is significant community opposition to the development of a fire station on the community purpose site on Blackwattle Parade due to concern about the impact on amenity of the surrounding residential area;

BACKGROUND

Site History

FESA Site

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

Community Purpose Site

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

Previous Council Decisions

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

Council at its meeting on 24 July 2001 (CJ249-07/01 refers) resolved to defer the item pending further consideration by elected members.

A further report was submitted to Council at its meeting of 14 August 2001 (CJ277-08/01 refers) and Council resolved to:

- 1 *NOTE the environmental significance of Hepburn Heights Bushland;*
- 2 *NOTE the social and historical significance of Hepburn Heights Bushland;*
- 3 *NOTE the lack of proposed uses for the City of Joondalup Community Purpose Site, reserve 43717;*
- 4 *ADVERTISE for a period of 28 days the possibility of the land swap of FESA Reserve Loc. 11898 and City of Joondalup Community Purpose site, Reserve 43717 for the purpose of consolidating the Hepburn Heights Bushland Conservation Area;*
- 5 *INFORM the residents of the Hepburn Heights Estate of the consideration of a possible land swap by means of a letterbox distribution of flyers within the estate;*
- 6 *COMMUNICATE this decision to:*
 - 6.1 *Hepburn Heights Residents Association;*
 - 6.2 *Fire & Emergency Services Authority of Western Australia;*
 - 6.3 *Western Australian Planning Commission;*
 - 6.4 *Friends of Hepburn & Pinnaroo Bushland and;*
 - 6.5 *The Environmental Protection Authority.*
- 7 *LIAISE with the Department of Land Administration regarding the possible revocation of the Management Order on Reserve 43717;*
- 8 *RECEIVES a report on the outcome of the public consultation process by the end of October 2001.”*

DETAILS

Current Proposal or Issue

It has been suggested that the FESA site (Reserve 43210) be swapped with the community purpose site (Reserve 43717) adjoining the Hepburn Heights Shopping Centre (Attachment 1). This has been suggested as the FESA site is included in the Bush Forever Site 303 and the land swap is seen as a mechanism by which to retain the bushland on the site.

The FESA site is a crown reserve that has been set aside for the purpose of a Fire Station Site and is identified accordingly under DPS2 as Local Reserves – Public Use. Under Section 29 of the (former) Land Act 1933, Reserve 43210 was set aside for the designated purpose of “Fire Station Site” and was vested in the Western Australian Fire Brigades Board. This action was approved by His Excellency the Governor on 25 October 1994 and was gazetted on 1 November 1994. On 23 June 2000 the original vesting order was revoked and a Management Order issued in favour of the Fire and Emergency Services Authority of Western Australia, the purpose unchanged.

The community purpose site was created as a condition of subdivision under Section 20A of the Town Planning and Development Act. It was vested in the former City of Wanneroo on 22 March 1994 with a new Management Order issued in favour of the City of Joondalup dated 18 May 2000 for the purpose of ‘Community Purpose’. The site is zoned Civic and Cultural under DPS2. The ‘A’ Class Reserve 42987 was created at the same time (22 March 1994) for bushland preservation. The FESA site was located at that time but not created until 1 November 1994.

Advertising and Summary

As per Item 4 of Council’s resolution of 14 August 2001, the proposal was advertised for public comment for a period of twenty-eight days, during which time the City received fifty-five (55) submissions. Twenty five (25) of the submissions received are in support of the proposal, though in certain cases subject to conditions, and thirty (30) submissions objecting to the proposal which includes a petition with 249 signatures. All but one of the signatories represent residents living within the Hepburn Heights estate or the Duncraig area local to the community purpose site. The submissions have been summarised and listed in the schedule included as Attachment 2. The individual submissions (but not the petitions) have been located on the map included in Attachment 3.

The issues raised by the supporters are as follows:

- Traffic - there are existing traffic issues in the area and the proposal may compound the problem also Hepburn Avenue carries high traffic volumes;
- Access - should be off Hepburn Avenue only and not through the local road system;
- Incompatible land use – not appropriate given proximity to existing residents and aged persons development, significant noise issue;
- The site is identified in Bush Forever, therefore regionally significant and should be preserved and conserved.

The issues raised by the objectors are as follows:

- Traffic - There are existing traffic issues in the area and the proposal may compound the problem also Hepburn Avenue carries high traffic volumes;
- Access – should be off Hepburn Avenue only and not through the local road system.
- Other suitable sites available – Lilburne Reserve and area opposite Craigie Open Space;
- Should use community purpose site for its intended purpose, child care etc;
- Incompatible land use – not appropriate given proximity to existing residents and aged persons development, significant noise issue;
- Devaluation – properties were bought on the basis that there would be a community purpose facility on the site not a fire station;
- Location – community purpose sites should be located near other facilities and in close proximity to the community.

COMMENTS

Issues

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

Intentions for Community Purpose Site

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

The full extent of the community needs in the area is unknown at this stage. There is a range of ‘community uses’ accommodated within Hepburn Heights but there is no other land available for the range of services Council normally provides. The loss of the possibility of a community purpose facility could be detrimental given the high ratio of young people residing in the City and the fact that the area may develop a need for a facility in the future.

Purpose of Reserves

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

To effect a land exchange, the City and FESA would have to be in mutual agreement to proceed and as Reserve 43717 (community purpose site) was created as a condition of subdivision (section 20A reserve) the Western Australian Planning Commission (WAPC) would also have to agree.

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

FESA Requirements

FESA advise that any alternate sites need to be within 500 metres of the existing reserve with good access to the Mitchell Freeway and Marmion Avenue. FESA have not advised their preferred location at this stage. At an on-site meeting with Council officers, FESA officers advised that the community purpose site would be able to accommodate the proposed development. Further contact with FESA has revealed that Lilburne Reserve (reserve 35545) and portion of Reserve 42987 are also suitable locations. Lilburne Reserve is a public recreation reserve created as a condition of subdivision (Section 20A). It is zoned Urban under the Metropolitan Region Scheme and Local Reserve – Park and Recreation under DPS2. Reserve 42987 is an ‘A’ Class reserve and included in Bush Forever Site 303 and is zoned Urban under the MRS and Local Reserve – Parks and Recreation under DPS2.

Incompatible Land Use

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

Access Issues

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

Bush Forever

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

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

Assessment and Reasons for Recommendation

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

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

In most cases at the time community purpose sites are created the community itself is not in existence. Therefore these sites usually remain vacant until such time that a specific community need is identified or a community needs survey undertaken to determine the need. The community purpose site is the only opportunity in the area for the provision of a facility for the delivery of community services and the opportunity should be retained.

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

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

- Community purpose sites are given up free of cost by the subdivider for community purposes, traditionally these have not been used for bushland preservation;
- Applying community purpose sites for preservation purposes will set a precedent;
- There may be a community expectation that a community facility will be provided;
- Community purpose sites should be allocated to satisfy community needs;
- The location of the community purpose site in the Bush Forever site will reduce the development capacity and value of the City's resource;
- The community purpose site is appropriately located between the Hepburn Heights Shopping Centre to the west and Business zoned lot to the east. Its location, being in close proximity to the immediate community is of great benefit. Further, given its location there are a number of land uses that may benefit from this location, therefore providing land use flexibility;

- The community purpose site has been designed to have access from an internal road system. It is not considered appropriate for the relocated site to have direct access onto Hepburn Avenue;
- The proposal is not really a land swap as the FESA site is not suitable for community purposes even if it can be developed.

From the public comments received, it is evident that there is significant opposition to the development of a fire station on either the existing Reserve or the Council's community purpose site. Given that there is also the issue of possible development in the Western Power Reserve (also included in the Bush Forever site), it may be appropriate for this issue to be addressed directly with the Department of Planning and Infrastructure (DPI). It is therefore recommended that the matter of the development of these essential services in this locality be discussed with DPI.

MOVED Cr Mackintosh, SECONDED Cr Walker that Council:

- 1 NOTES there is significant community opposition to the development of a fire station on the designated Fire and Emergency Services Authority site due to concern about damage to regionally significant bushland;**
- 2 NOTES there is significant community opposition to the development of a fire station on the community purpose site on Blackwattle Parade due to concern about the impact on amenity of the surrounding residential area;**
- 3 APPROACHES the Department of Planning and Infrastructure (DPI) to determine an appropriate strategy for the provision of these essential services (fire station and Western Power facilities) in the Hepburn Heights area.**

The Motion was Put and

CARRIED

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16agn201101.pdf](#)

REPORT OF THE CHIEF EXECUTIVE OFFICER

Nil

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

C131-11/01 NOTICE OF MOTION – CR M O'BRIEN – [02154 01367]

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Mike O'Brien has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 27 November 2001:

“That Council:

- 1 SEEKS a meeting with Edith Cowan University to discuss the perceived restriction of expression and thought, resulting from the University’s action in regard to one of the Chaplains appointed to the University;*
- 2 is aware that such restrictions may have occurred in universities in totalitarian countries and is concerned, that the co-operative relationship, recently vigorously entered into, between Council and ECU, may need to be re-visited by Council.*
- 3 supports Freedom of Expression and Thought within Australian academic institutions.”*

MOVED Cr O’Brien, SECONDED Cr Nixon that Council:

- 1 SEEKS a meeting with Edith Cowan University to discuss the perceived restriction of expression and thought, resulting from the University’s action in regard to one of the Chaplains appointed to the University;
- 2 is aware that such restrictions may have occurred in universities in totalitarian countries and is concerned, that the co-operative relationship, recently vigorously entered into, between Council and ECU, may need to be re-visited by Council.
- 3 supports Freedom of Expression and Thought within Australian academic institutions.

Cr O’Brien spoke to the Motion.

Cr Baker requested Cr O’Brien be granted an extension of time to speak.

Discussion ensued.

MOVED Cr Mackintosh, SECONDED Cr Walker that the Motion BE NOW PUT.

The Procedural Motion Was Put and

TIED

There being an equal number of votes, the Deputy Mayor chose not to exercise her casting vote, therefore the Procedural Motion was **NOT CARRIED**

Discussion continued.

MOVED Cr Kadak, SECONDED Cr Baker that Points 1, 2 and 3 of the Motion as proposed by Cr O’Brien be voted upon separately.

The Motion was Put and

CARRIED

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

- 1 SEEKS a meeting with Edith Cowan University to discuss the perceived restriction of expression and thought, resulting from the University's action in regard to one of the Chaplains appointed to the University;

Discussion ensued.

The Motion was Put and

TIED

There being an equal number of votes, the Deputy Mayor exercised her casting vote and declared the Motion

LOST

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

In favour of the Motion: Crs Kenworthy, Patterson, O'Brien, Walker, Nixon and Carlos

Against the Motion: Crs Hurst, Mackintosh, Barnett, Hollywood, Baker and Kadak

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

- 2 is aware that such restrictions may have occurred in universities in totalitarian countries and is concerned, that the co-operative relationship, recently vigorously entered into, between Council and ECU, may need to be re-visited by Council;

The Motion was Put and

TIED

There being an equal number of votes, the Deputy Mayor exercised her casting vote and declared the Motion

LOST

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

In favour of the Motion: Crs Kenworthy, Patterson, O'Brien, Walker, Nixon and Carlos

Against the Motion: Crs Hurst, Mackintosh, Barnett, Hollywood, Baker and Kadak

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

- 3 supports Freedom of Expression and Thought within Australian academic institutions"

The Motion was Put and

CARRIED UNANIMOUSLY

C132-11/01 REQUEST FOR SECOND PUBLIC QUESTION TIME

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

It was advised Clause 3.2 of the City's Standing Orders Local Law allows the Council to resolve its Order of Business. The clause did not specify when this should be done.

The Motion was Put and

CARRIED

SECOND PUBLIC QUESTION TIME

Mr R Phillips, on behalf of Fire and Emergency Services:

Q1 CJ419-11/01: Why did the Mayor decline FESA's deputation request of 26 November 2001, knowing that FESA had only received on that day notification from the City that this item was to be included in tonight's meeting?

A1 This question will be taken on notice.

Mr D Davies, Connolly:

Q1 CJ406-11/01 and CJ407-11/01: The Freedom of Information Act does not allow personal information to be provided by local government yet the City is selling information. Can you define 'personal information'?

A1 This question will be taken on notice.

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 18 DECEMBER 2001** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

CLOSURE

There being no further business, the Deputy Mayor declared the Meeting closed at 2114 hrs; the following elected members being present at that time:

P KADAK
D CARLOS
C BAKER
A NIXON
J F HOLLYWOOD, JP
A A WALKER
BARNETT
M O'BRIEN
A L PATTERSON
G KENWORTHY
J A HURST
C MACKINTOSH