



City of
Joondalup

DRAFT AGENDA

FOR ELECTED MEMBERS'

BRIEFING SESSION

TUESDAY, 5 FEBRUARY 2002

PUBLIC QUESTION TIME

Council allows for public question time at each Council meeting or Briefing Session which is opened to the public. Questions must relate to the ordinary business of the City of Joondalup or the purpose of the Special Meeting, as appropriate.

The Mayor or the presiding person is responsible for the procedures and conduct of the public question time.

To enable prompt and detailed responses to questions, members of the public are requested to lodge questions in writing to the Committee Clerk two (2) days prior to the Council meeting or Briefing Session at which the answer is required. Answers to those questions received within that time frame will be provided in hard copy form at that meeting.

Those questions that are to be asked at the meeting are requested to be submitted in writing and placed in the 'question tray' prior to the commencement of the meeting. Those questions submitted in writing will be read aloud by the Chief Executive Officer and answers provided where possible. Verbal questions may be asked by members of the public and the period of time for verbal questions will be a minimum of fifteen (15) minutes.

The Mayor or presiding person shall decide to:

- *accept or reject the question;*
- *nominate a member of the Council and/or officer to answer the question; or*
- *determine that any complex question which requires research shall be taken on notice with a response provided as soon as possible and included in the agenda for the next ordinary meeting of the Council.*

The following rules apply to question time:

- *question time is not to be used by a member of the public to make a statement or express a personal opinion;*
- *questions should properly relate to Council business;*
- *question time shall not be used to require an Elected Member or an officer to make a personal explanation;*
- *questions should be asked politely and are not to be framed in such a way as to reflect adversely on a particular Elected Member or officer;*
- *where an elected member is of the opinion that the question is not relevant to the business of the City of Joondalup or that a member of the public is making a statement, they may bring it to the attention of the meeting.*

CITY OF JOONDALUP – BRIEFING SESSION

to be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on
TUESDAY, 5 FEBRUARY 2002 commencing at 6.00 pm

ORDER OF BUSINESS

1 OPEN AND WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

REQUESTS FOR LEAVE OF ABSENCE - CR A NIXON AND CR J HURST

Cr Nixon has requested Leave of Absence from Council duties from 26 February 2002 to 8 March 2002 inclusive.

Cr Hurst has requested Leave of Absence from Council duties from 28 March 2002 to 14 April 2002 inclusive.

RECOMMENDATION

That Council approves the following requests for Leave of Absence:

- **Cr. Nixon for the period 26 February 2002 to 8 March 2002**
- **Cr Hurst for the period 28 March 2002 to 14 April 2002**

3 PUBLIC QUESTION TIME

The following question, submitted by Mr S Magyar, Heathridge, was taken on notice at the Briefing Session held on 11 December 2001:

Q1 Item 4 - Minutes of the Ocean Reef Development Committee meeting: Will the Joondalup Coast Care Forum be regarded as a stakeholder and will a representative of that group be invited to the workshop?

A1 No, the Joondalup Coast Care Forum will not be invited to the workshop. This workshop is intended for the Council and key government agencies, so that the Council will be able to determine government agencies' key interests and issues associated with the site.

Following this workshop, it is intended to hold community workshops to which groups such as Joondalup Coast Care Forum will be invited.

4 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

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7 DATE OF NEXT MEETING

8 CLOSURE

ITEM 1 STANDING ORDERS - CHANGE IN ORDER OF BUSINESS – [01369]

WARD - All

PURPOSE

The purpose of this report is to advise Council of the need to amend the current Order of Business in the Agendas for Council Meetings and to recommend the amendment. The Order of Business outlined in the Standing Orders Local Law 1997, does not comply with the Local Government (Administration) Regulations 1996 and it is suggested that the necessary change to achieve compliance be made, until such time as Council's proposed Standing Orders Local Law 2001 come into operation.

EXECUTIVE SUMMARY

Clause 7(2) requires Public Question Time to be held before any discussion on matters that require a decision of Council. Apologies and Leave of Absence appear before Public Question Time in the current Order of Business. The amendment recommended in this report would bring the Order of Business into line with legislative requirements, until such time as the proposed Standing Orders Local Law 2001, comes into operation. The proposed Standing Orders Local Law 2001, complies with the legislation requirements.

BACKGROUND

Council's Standing Orders Local Law 1997 was carried over from the former City of Wanneroo. A completely revised Standing Orders Local Law 2001 has been in the process of review by Council for the last two years and is in the final stages of coming into operation.

Apart from applying the new format, plain English, breaking down of lengthy clauses into sub clauses and application of extensive clause numbering, the proposed Standing Orders Local Law 2001 also complies with current legislation.

DETAILS

Council's Order of Business for its Ordinary Council Meetings does not comply with the Local Government (Administration) Regulations 1996, Clause 7(2). Administration Regulation 7(2) requires public question time to be held before discussion on any matter requiring a decision of Council. The current Order of Business places "Apologies and Leave of Absence" before "Public Question Time." Apologies and Leave of Absence require a Council decision for approval or refusal.

Statutory Provisions

The details of Clause 7(2) of the Local Government (Administration) Regulations 1996 have been extracted and reproduced as follows:

“Procedures for question time for the public – s.5.24 (2)

7 (2) the time allocated to the asking 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.”

What is required to comply

To comply with the requirements of Clause 7(2) of the Local Government (Administration) Regulations 1996, it will be necessary to place “Public Question Time” before “Apologies and Leave of Absence” in the Order of Business in Agendas for Council meetings.

COMMENT

Clause 3.2 of the current Standing Orders provides Council with the opportunity to amend the Order of Business for its meetings.

It is considered that the Order of Business at Council meetings should be amended to comply with the Local Government (Administration) Regulations 1996. It is suggested that the recommended change in the Order of Business apply until the proposed Standing Orders Local Law 2001 comes into operation.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council in keeping with clause 3.2 of the Standing Orders Local Law 1997, AMENDS the Order of Business for all its meetings open to the public, by placing “Public Question Time” before “Apologies and Leave of Absence”, until such time as the City of Joondalup Standing Orders Local Law 2001 comes into operation.

ITEM 2 NORTH WEST DISTRICT PLANNING COMMITTEE - AMENDMENT TO REPRESENTATION – [01080]

WARD – All

PURPOSE

To amend the City's representation on the North West District Planning Committee.

EXECUTIVE SUMMARY

The City's current representative on the North West District Planning Committee, Mayor John Bombak, has advised he is unable to continue in this position due to time restraints and a heavy appointment schedule. Council is required to give consideration to a replacement representative.

BACKGROUND

The North West District Planning Committee is one of a number of district committees within the Perth Metropolitan Region, comprising members from local government councils in the district, which provides a forum for discussion and recommendation on regional planning issues. These matters are referred to the Perth Region Planning Committee for consideration.

Items of particular interest to the North West District Committee have included Perth's Bushplan, the Model Scheme Text, the draft Planning Bulletin on Rights-of-Way or Laneways, the Proposed Alkimos-Eglington District Structure Plan and Metropolitan Region Scheme Amendments, such as Burns Beach – Western Cell.

The Committee meets on a bi-monthly basis, usually commencing at 8.00am. The venue is rotated between current members of the Committee which are:

Cr Ian Ker	Town of Vincent
Cr Adam Spagnolo	City of Stirling
Mayor John Bombak	City of Joondalup

DETAILS

At the Special Meeting of Council held on 7 May 2001, Council appointed Mayor John Bombak as representative to the North West District Planning Committee, with Cr Mike O'Brien appointed as deputy.

Mayor Bombak has advised that he is unable to continue as Council's representative on this Committee due to time restraints and a heavy appointment schedule.

COMMENT

It is recommended that an elected member be appointed to the North West District Planning Committee in place of Mayor John Bombak.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council:

- 1 ACCEPTS the resignation of Mayor John Bombak as its representative on the North West District Planning Committee;**
- 2 APPOINTS an elected member as representative on the North West District Planning Committee.**

ITEM 3 MINUTES OF THE ENVIRONMENTAL AND SUSTAINABILITY ADVISORY COMMITTEE MEETING HELD ON 15 NOVEMBER 2001, 20 DECEMBER 2001 AND 17 JANUARY 2002 – [00906]

WARD – All

PURPOSE

The Environmental and Sustainability Advisory Committee met on 15 November 2001, 20 December 2001 and 17 January 2002 and the minutes of the meetings are submitted for noting by Council, and endorsement of relevant motions.

EXECUTIVE SUMMARY

The Environmental and Sustainability Advisory Committee has considered a range of business items at its meetings held on 15 November 2001, 20 December 2001 and 17 January 2002. Recommendations to Council have been made in relation to:

- Craigie Open Space,
- a review of a proposed local law on local air quality,
- acceptance of Committee member resignations and nominations to the Committee,
- a request for a report on work to-date in relation to a proposal for an Environment Centre in the City of Joondalup.

BACKGROUND

The Environmental and Sustainability Advisory Committee meeting held on 15 November 2001 discussed a range of items including:

- Adoption of the Environmental and Sustainability Advisory Committee 2002 work plan.
- An update on the committee's sustainability report workshop and the scheduling of an additional committee workshop.
- A presentation on Precinct Planning/Community Visioning.
- Updates regarding the Greenhouse gas emission reduction target setting community consultation and survey.
- Formation of a committee working group to review waste management issues.
- Investigations regarding a potential project regarding bus shelters.
- WA State government commencement of the State's sustainability strategy.
- Sustainability strategy and Water Corporation performance reporting on economic, social and environmental performance (triple bottom line).

At the Committee meeting held on 20 December 2001, the following main items of business were addressed:

- Development of the City's Sustainability Action Plan.
- Investigations into a project to encourage public transport usage by the promotion of bus shelters.
- A briefing on Craigie Bushland.
- Local Government Managers State Conference.
- Community representative nominations.
- Investigations into a Local Law for air quality.
- A permaculture proposal.
- Resignation of Committee member Mr Johnny Prefumo.

At the Committee meeting held on 17 January 2002 the following items were discussed:

- A presentation by the Water Corporation on Sustainability and Triple Bottom Line reporting.
- A presentation on secondary waste treatment.
- Resignation of Committee member Mrs C Wood.

DETAILS

The minutes of the Environmental and Sustainability Advisory Committee held on 15 November 2001, 20 December 2001 and 17 January 2002 are included as Attachment 1.

Mr J Prefumo tendered his resignation from the Committee and this matter was considered at the meeting of 20 December 2001. At the meeting of 17 January 2002 the Committee considered the resignation of Mrs C Wood.

The Committee considered two nominations for community representatives on the Committee, at its meeting on 17 January 2002. The Committee recommends that both nominees be appointed to the Committee and a summary of the nominees' backgrounds are provided:

Mr Garry Harnett. Has worked at a senior level in strategic planning in State Government. Extensive experience in liaison with community and local government. Has held a manager role with Department of Conservation and Land Management- CALM Sharefarms Business Unit. Presently, Director and Operations Manager of Pinetec Treefarms Pty Ltd. Experienced committee participation. Edgewater resident.

Mr Geoff Down. Holds a B Sc (Honours) in Zoology. Currently undertaking a Master of Science degree (renewable energy and the environment) at Murdoch University. Assistant Facilitator on the "Col Communities" project, and energy conservation initiative by the Federal Australian Greenhouse Office. Duncraig resident.

COMMENT

At the Committee meeting held on 15 November 2001, a Committee working group was established to consider waste management issues. The Committee meeting held on 20 December 2001 noted that staff members (who are not Committee members) can not be appointed on such a working group without Council endorsement. The Committee working group presently comprises Committee members only.

OFFICER RECOMMENDATION

An alternative to the Committee recommendation is proposed.

The Committee recommended:

- “6. SEEKS a report reviewing work to-date on the environment centre originally proposed (Lot 1) and that the Report address future development proposals for the centre and how the Council can progress the establishment of such a centre in the City of Joondalup.”

In the late 1980's, the State Government considered the possibility of establishing an Environment Centre at Lot 1 Joondalup. Lot 1 is part of the Yellagonga Regional Park and is the responsibility of CALM. The concept did not proceed and no formal approach was made to Council, or a development application submitted, for an Environmental Centre. No work has been undertaken by Council to-date on the Environmental Centre concept. Calm has undertaken public consultation for the Draft Yellagonga Regional Park Management Plan and is yet to be approved. The Plan includes Lot 1. It would not be appropriate at this stage, in the absence of a Management Plan for the Park, to address the possible establishment of an Environmental Centre on Lot 1.

The alternative recommendation is as follows:

- “6. NOTES the committee's comments in relation to the establishment of an Environmental Centre and considers it is not appropriate at this stage to proceed with such a concept.”

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council:

- 1 **NOTES** the minutes of the Environmental and Sustainability Advisory Committee meeting held on 15 November 2001, 20 December 2001 and 17 January 2002 forming Attachment 1 to this Report;
- 2 **NOTES** that the Committee acknowledges the high conservation value of the Craigie Open Space bushland and supports option D referred to in the Craigie Open Space Consultant's Report and also supports the preservation of bushland adjoining Craigie Open Space;
- 3 **REFERS** to the administration for review and comment on the following:

“In the interest of improving local air quality for the common benefit of all residents of the City of Joondalup, Council endorses the preparation of a Local Law for advertising in accordance with the Local Government Act (1995), stating that from May 2002, it will be prohibited to install or replace domestic wood combustion heaters in residential, commercial or industrial buildings within the City of Joondalup.”
- 4 **ACCEPTS** the resignation of Mr J Prefumo and Mrs C Wood from the committee;
- 5 **ENDORSES** by an **ABSOLUTE MAJORITY** the appointment of Mr Geoff Down and Mr Garry Hartnett as community representatives to the Environmental and Sustainability Advisory Committee;
- 6 **NOTES** the committee's comments in relation to the establishment of an Environmental Centre and considers it is not appropriate at this stage to proceed with such a concept.

Appendices 1(a), (b), (c), (d) and (e) refer

To access this attachment on electronic document, click here: [Attach1abrf050202.pdf](#)
[Attach1bbrf050202.pdf](#) [Attach1cbrf050202.pdf](#) [Attach1dbrf050202.pdf](#)
[Attach1ebrf050202.pdf](#)

ITEM 4 SKATEPARK COMMITTEE MEETING – [08096]

WARD – All

PURPOSE

To submit the unconfirmed Minutes of the Skatepark Committee held on 13 December 2001 for noting by Council.

EXECUTIVE SUMMARY

A meeting of the Skatepark Committee was held on 13 December 2001 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the Skatepark Committee meeting held 13 December 2001 are included as Attachment 1.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council NOTES the unconfirmed minutes of the Skatepark Committee meeting held on 13 December 2001 forming Attachment 1 to this Report.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf050202.pdf](#)

ITEM 5 ART COLLECTION WORKING PARTY – [14158]

WARD - All

PURPOSE

This report presents the unconfirmed minutes of the Art Collection Working Party held on 10 December 2001 for noting by Council and recommends purchase of an artwork.

EXECUTIVE SUMMARY

A meeting of the Art Collection Working Party held on 10 December 2001 and the unconfirmed minutes are submitted for noting by Council.

The Working Party also considered purchase of the following artwork:

Imanara Country (2001)
Acrylic on Paper by Butcher Cherele
Priced at \$3,400 (inc GST)

The Art Collection Working Party has recommended purchase of the artwork.

BACKGROUND

The Art Collection has the following objectives:

- To support contemporary Western Australian Art and Artists
- To provide the citizens of the City of Joondalup access to high quality visual art within the boundaries of the region.

The profile of the collection is to establish a collection of good quality artwork by contemporary Western Australian artists with a second priority of having a regional focus.

Artworks over the value of \$1000 are required to be considered by the Art Collection Working Party for acquisition for the City's collection.

Members of the Art Collection Working Party are:

Cr Paul Kimber, Chair
Cr Carol Mckintosh
Rie Heymans, Curator and Art Consultant
James Boyd, Coordinator Cultural Development.

DETAILS

The minutes of the Art Collection Working Party meeting held on 10 December 2001, are included as Attachment 1.

The Art Collection Working Party has recommended purchase of the following artwork:

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE GST INC	PRICE GST EXC
Butcher Cherel	Imanarra Country	Acrylic on Paper	Artplace	\$3,400	\$3,090.91
TOTAL					\$3,090.91

Financial Implications

Funds are listed in the 2001-2002 budget for the purchase of the artworks as detailed below.

Account No:	11 80 82 871 6781 A007
Budget Item:	Asset Clearing Account for the Purchase of Artifacts & Artworks at Cost
Budget Amount:	\$10,000
Current Balance	\$ 4,588.02
Actual Cost:	\$3,090.91
Remaining Budget:	\$ 1,497.11

COMMENT

The Consultant recommended the purchase of *Imanarra Country* by Butcher Cherel for \$3,400.00 because:

- the artist is a well-respected senior artist (82 years of age) from the Kimberley Region.
- Butcher Cherel has had numerous sell-out shows both in Australia and overseas and is represented by major collections.
- the artwork will appreciate in value.
- the artwork exhibits various beautiful shades of colour and will sit well in the Council's public collection.
- the artist had a Festival of Perth exhibition in 1999 at Artplace, where the entire exhibition was purchased by Kerry Stoke's ACE Collection.

RECOMMENDATION

That Council:

- 1 NOTES the minutes of the Art Collection Working Party held on 10 December 2001 forming Attachment 1 to this Report;**
- 2 PURCHASES for the following art work for the Art Collection at the cost of \$3,090.91 from Account Number 11 80 82 871 6781 A007 – Asset Clearing:**

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE GST INC	PRICE GST EXC
Butcher Cherel	Imanarra Country	Acrylic on Paper	Artplace	\$3,400	\$3,090.91

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf050202.pdf](#)

ITEM 6 MINUTES JOONDALUP FESTIVAL AND SUMMER EVENTS COMMITTEE – [16036]

WARD – All

PURPOSE

To submit the Minutes of the Joondalup Festival and Summer Events Committee to Council for noting.

EXECUTIVE SUMMARY

A meeting of the Joondalup Festival and Summer Events Committee was held on 5 December 2001 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The minutes of the Joondalup Festival and Summer Events Committee meeting held on 5 December 2001 are included as Attachment 1.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council NOTES the minutes of the Joondalup Festival and Summer Events Committee meeting held on 5 December 2001 forming Attachment 1 this Report.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf050202.pdf](#)

ITEM 7 CITIES FOR CLIMATE PROTECTION PROGRAMME – [59091] [09717]

WARD – All

PURPOSE

This report presents the results of the public consultation process on the setting of Greenhouse gas emission reduction targets, as requested by Council (item CJ195-06/01 refers). It makes recommendations regarding the setting of City and community greenhouse gas reduction targets (Milestone 2) and presents the development of the Greenhouse gas emission reduction plan Milestone 3 for endorsement.

EXECUTIVE SUMMARY

Results of the public survey in relation to the setting of Greenhouse gas emission reduction targets for the Council and community, indicate a high degree of support for the setting of targets, and support for a wide range of actions to focus on Greenhouse gas emission reduction activities. A total of 168 survey responses were received, with 98% of respondents indicating that they believe the Greenhouse Effect exists, and 96% of respondents support Council adopting a Greenhouse policy.

BACKGROUND

The City of Joondalup is a member of the Cities for Climate Protection Programme, which assists local governments to reduce greenhouse gas emissions. The Cities for Climate Protection programme comprises of five milestones:

- 1 Conduct an inventory of current Greenhouse gas emissions for Council and community activity and a forecast of emissions growth in the future (achieved 19 December 2000 *refer CJ362-12/00*).
- 2 Establish a greenhouse gas emissions reduction goal (for Council and for the community).
- 3 Develop a local action plan.
- 4 Implement the local action plan.
- 5 Monitor and report on the implementation of the local action plan.

Milestone 2 involves the Council consulting with the community to establish a greenhouse gas emission reduction goal. This goal is the amount of greenhouse gases that the Council and the community are committed to reducing from the base year.

Milestone 3 involves developing a Local Action Plan that documents the types of measures that the Community and Council will undertake to reduce the greenhouse gas emissions.

At the Council Meeting held on 26 June 2001, it was resolved that a community consultation programme be undertaken to assist the Council in determining and endorsing greenhouse gas

emission reduction targets, for the City's corporate activities and also the community's activities (*Item CJ195-06/01 refers*).

Council made the following resolution:

- 1 *NOTES the goal of reducing Corporate greenhouse gas emissions from 2000 levels by 20% by 2010;*
- 2 *NOTES the goal of reducing Community greenhouse gas emissions from 1996 levels by 20% by 2010;*
- 3 *ADVISES the International Council for Local Environmental Initiatives (ICLEI) of Council's concerns on the corporate and community reduction goals;*
- 4 *BE ADVISED on the process of the Cities for Climate Protection (CCP™) programme on a regular basis;*
- 5 *IMPLEMENTS a significant period of public consultation to seek further feedback on this issue;*
- 6 *SEEKS a report from Council staff on the proposed programme of public consultation.*

(Item CJ195 - 06/01.)

Council endorsed the proposed consultation programme at its meeting on 14 August 2001 (*Item CJ260-08/01 refers*).

That Council endorses the proposed community consultation for the Cities for Climate Protection Programme, Milestone 2 and 3, including the following:

1. *a 12 week public consultation period;*
2. *information sheets to be distributed that provide arguments for and against the existence of the greenhouse effect and arguments for and against Council adopting a policy with regards to the greenhouse effect;*
3. *that links be established to internet sites from the City of Joondalup site that provide arguments for and against the greenhouse effect.*

Strategic Plan: The Cities for Climate Protection programme is undertaken in accordance with the City of Joondalup Strategic Plan (2000-2005). Strategy 2.6 of the Strategic Plan states:

*“Promote and enjoy lifestyles that engender environmental, social and economic balance and sustainability. To achieve this we will pursue projects including...
...Cities for Climate Protection, and encompass these principles into all our activities”.*

DETAILS

Consultation:

A three-month community consultation programme was conducted to assess the community's view on the establishment of greenhouse gas emission reduction targets. The consultation programme commenced on 11 October 2001 and concluded 11 January 2002.

The community consultation programme commenced with a four-page Council News feature which was distributed in the Joondalup Community newspaper, 11 October 2001. This feature discussed greenhouse gas targets and emission reduction actions. The feature also included a community survey to assess community opinion regarding the setting of greenhouse gas targets for the community and Council, and related matters.

The four-page feature was based primarily on the CCP Milestone 1 report, "*Inventory and Forecast of Greenhouse Gas Emissions*" which was considered by the Council in December 2000 (refer CJ362-12/00), in conjunction with previous Council reports relating to the Cities for Climate Protection Programme.

The 'Council News' feature reviewed possible arguments for and against the existence of the Greenhouse effect, and possible arguments for and against Council adopting a Greenhouse policy.

A 'Targeting Greenhouse Gases' web site was also established on the City's web site at living.joondalup.wa.gov.au. The web site included an online survey, link to the Council News feature, links to other web sites regarding global Warming and the Greenhouse Effect.

As part of the consultation programme, two community forums were held in October 2001 to discuss Global Warming and Greenhouse gas emission targets for the community and Council. The public meetings were held on 18 October 2001 (Sorrento Community Hall), and on 25 October 2001 (Joondalup library). The first public meeting was attended by approximately 20 people and the second by 15 people. The meetings were chaired by Cr J Hollywood and Sustainable Development Officer Mr J Goldsmith gave presentations on the Cities for Climate Protection Programme, and addressed questions from the attendees on the programme and the survey.

The public consultation programme concluded on 11 January 2002.

Results of the Public Survey

Attachment A presents the results of the public survey. A summary of the results is provided below.

- A total of 168 survey responses were received.
- 98% of respondents believe that there is a Greenhouse Effect.
- 96% of respondents believed that Council should adopt a strategy in relation to the Greenhouse Effect.
- In relation to **Community** greenhouse gas emission reduction targets (based on 1996 emission levels by 2010);

- 90% of respondents support a community greenhouse gas reduction target of 20% or greater.
 - 25% of respondents support a community greenhouse gas reduction target of 20%.
 - 35% of respondents support a community greenhouse gas reduction target of 35%.
- In relation to **Council** greenhouse gas emission reduction targets (based on 2000 emission levels by 2010);
 - 87% of respondents support a council greenhouse gas reduction target of 20% or greater.
 - 22% of respondents support a council greenhouse gas reduction target of 20%.
 - 36% of respondents support a council greenhouse gas reduction target of 35%.

In relation to the question on greenhouse gas emission reduction actions, respondents indicated support or strong support for a focus on the following;

Greenhouse gas emission reduction action	% of respondents that support or strongly support action
Promoting efficient use of energy.	99%
Improve air quality (e.g. by reducing smoky fires and vehicle emissions).	96%
More use of environmentally friendly transport (Cycling, public transport and walking).	98%
Promoting local employment for local people (to minimise the need for long commuting trips).	92%
Saving money by reducing energy costs.	90%
Streetlighting and other public lighting.	88%
Community education regarding Greenhouse and energy usage.	95%
Promotion and use of renewable energy.	98%
Energy efficiency in the household.	97%
Business practices that reduce energy usage and waste.	97%
Promote businesses which market energy efficient products.	94%
Government initiatives focussing on greenhouse gas emission reductions.	96%

Respondents provided many responses, reporting on current actions that may help to reduce Greenhouse gas emissions. The survey canvassed details on current actions by the following groups:

- Personal and households.
- Schools and community groups.
- Business

Approximately 137 comments detailed current personal and household actions, including:

- *“Promoting efficient use of energy. Support businesses that do the same. Educate my family and those around me about greenhouse gasses and renewable energy. Recycle as much as possible”.*

- *“Smaller cars, use alternative transport, reducing household energy by simple means, i.e. energy-efficient lighting, insulation etc”.*
- *“Solar-passive living accommodation using minimum of lighting and heating, composting, energy efficient appliances”.*
- *“Alternative transport (cycling, use of shade for cooling, composting, water efficiency, prefer locally-made produce especially fresh foods, gas heating, solar hot water, no wood fires, recycling”.*
- *“Recycling, energy-efficient appliances, recycled and reduced packaging products, public transport, family education”.*

Approximately 50 comments detailed current school and community group actions, including:

- *“A colleague and myself are in the process of initiating a greenhouse response strategy within the School of Natural Sciences at Edith Cowan University and will be in contact with your office shortly”.*
- *“Promote composting and recycling of garden wastes - Organic Growers Association of WA Inc. Promote dune re-vegetation – Joondalup Community Coast Care Forum”*
- *“Turn off lights when not needed, general education on energy efficiency activities, share transport”.*
- *“Active in natural area regeneration & preservation. Keep vehicle travel to a minimum”..*
- *“Car pooling”*

Approximately 48 comments detailed current business actions, including:

- *“Establishment of a recycling & energy monitoring committee”.*
- *“Waste minimisation programmes, recycling, fluorescent lights, push bikes for use on site”.*
- *“Green transport plans, walk and use bus/train for work trips, avoid unnecessary use of lights/equipment”.*
- *“Energy efficient lighting. Energy efficient equipment & vehicles”.*
- *“Improving energy efficiency of all equipment via replacement”.*
- *“Encourage energy awareness, turn off power to unnecessary equipment”.*

Respondents provided approximately 115 comments to the question “What overall comments do you have regarding the Greenhouse Effect, Global Warming and the community’s actions seeking to reduce Greenhouse gas emissions?” Sample responses include:

- *“I strongly support the City of Joondalup taking such a proactive approach to making it part of everyone's activities”.*
- *“This (Global Warming) is a problem for all of us and it is pleasing to see the city responding to citizens’ concerns in such a positive manner”.*

- *“The reduction of Greenhouse Gases has to be tackled and will give benefits to any community that is involved. The benefits will be environmental, social and economic”.*
- *“People who dispute the existence of the Greenhouse Effect are rapidly losing credibility, given the substantial scientific understanding of the greenhouse effect and global warming. Given our very high per capita usage of non-renewable fossil fuels, we have a correspondingly high obligation to actively develop and implement global warming solutions. Everyone has a role to play, including political leadership at all levels of government, and community action from all parts of society including individuals, families, businesses etc. The City of Joondalup should be congratulated for participating in the Cities for Climate Protection Programme and should provide strong leadership for Greenhouse emission reduction actions”.*

Greenhouse Gas Emission Reduction Targets

The results of the public survey indicate a high percentage of respondents support greenhouse gas emission reduction actions and the setting of Greenhouse gas emission reduction targets.

As part of the Cities for Climate Protection Programme, adoption by Council of a Greenhouse gas emission reduction target for Council activities and the community, constitutes completion of Milestone 2 (Greenhouse gas emissions reduction target setting) of the CCP programme.

Based in part on the survey responses, it is recommended that Council endorse the following Greenhouse gas emission reduction targets:

A 20% Community Greenhouse gas emissions reduction target on 1996 levels by 2010, and a stretch target of 35%.

A 20% Council Greenhouse gas emissions reduction target on 2000 levels by 2010, and a stretch target of 35%.

Following endorsement of Greenhouse gas emission reduction targets, it is recommended that community and Council workshops be undertaken to consider and develop the greenhouse gas emission reduction action plan (Milestone 3 of the CCP programme). It is recommended that the greenhouse gas emission reduction plan be based on the development of a Council action plan (which specifically relates to Council activities), and a community action plan.

To assist development of the Council Greenhouse Gas Reduction Plan, it is recommended that a Cities for Climate Protection working group be established, comprising representatives from key City of Joondalup business units. The purpose of the working group will be to guide and oversee the development of the Council action plan. Development of the City of Joondalup community Greenhouse Gas Reduction Plan is recommended to be coordinated by the Sustainable Development Officer.

To address the community Action Plan, a community forum is recommended, based on a similar approach taken for the two workshops held during the consultation programme. Approximately 75 respondents to the public survey have indicated their interest in attending such a forum. The forum will require notices to be placed in the Community newspaper, in

conjunction with information sheets and displays. The community Action Plan would commence in the new financial year, subject to funding from the budget process.

Milestone 3 of the Cities for Climate Protection will be achieved when Council endorses the Greenhouse Gas Reduction Plans.

Policy Implications: Endorsement of greenhouse gas emission reduction targets, and the development of Greenhouse emission reduction action plans for Council and community activities, is consistent with, and provides a practical application of the City of Joondalup Environmental Sustainability Policy 2.6.4.

Public survey responses have been assessed in accordance with Council policy 2.3.6, Public Submissions.

Financial Implications:

A budget estimate for developing the Council and community Greenhouse Gas Emission Reduction Plan is itemised as follows:

Advertising and features in Community Newspaper,	\$ 2,500
Hire of venue and catering allowance,	\$ 200
Preparation of displays, photography and information sheets,	\$ 1,500
Printing costs, Council and community draft and final action plans,	\$ 2,500

TOTAL \$ 6,700

This amount would need to be considered as part of the Budget process for 2002/2003.

Strategic Implications:

The endorsement of Council and community Greenhouse gas emission reduction targets, comprising Milestone 2 of the Cities for Climate Protection programme, will provide for a specific goal to work towards, to promote greenhouse gas emission reduction activities. The setting of targets is based on a voluntary Council endorsement and does not represent a legal obligation to achieve. Targets may be progressively amended and updated by Council endorsement, during the implementation of the Cities for Climate Protection programme.

Endorsement of greenhouse gas emission reduction targets and emission reduction action plans represents a significant development in the strategic direction of the City. Development of the action plans will relate strongly to energy management within the City, with an emphasis on energy efficiency, investigation and adoption of appropriate energy sources including renewable energy sources, town planning to facilitate greenhouse gas emission reductions, and a variety of other approaches.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION**That Council:**

- 1** NOTES the report “Cities for Climate Protection Programme, City of Joondalup Targeting Greenhouse Gases Public Consultation and Survey Results”;
- 2** ENDORSES a 20% Community Greenhouse gas emissions reduction target on 1996 levels by 2010, and a stretch target of 35%;
- 3** ENDORSES a 20% Council Greenhouse gas emissions reduction target on 2000 levels by 2010, and a stretch target of 35%;
- 4** ADVISES the International Council for Local Environmental Initiatives (ICLEI) of Council’s endorsement of Greenhouse gas targets;
- 5** ENDORSES the programme for developing the Greenhouse Gas Emission Reduction Action Plan for Council and the Community (Milestone 3 of the Cities for Climate Protection Programme);
- 6** THANKS the community for participating in the “Targeting Greenhouse Gases” public survey.

Appendix 5(a) and (b) refers

To access this attachment on electronic document, click here: [Attach5abrf050202.pdf](#)
[Attach5bbrf050202.pdf](#)

ITEM 8 SERVICE AGREEMENT WITH NORTH WEST METROPOLITAN BUSINESS ENTERPRISE CENTRE LOCATED AT UNIT 4/189 LAKESIDE DRIVE, JOONDALUP – [03082]

WARD – All

PURPOSE

The City has received a request from the Joondalup Business Association for funding assistance for the North West Metropolitan Business Enterprise Centre (BEC). It is proposed that the City of Joondalup should enter into a three year Service Agreement with the BEC for \$50,000 per year plus GST, indexed to CPI.

EXECUTIVE SUMMARY

The North West Metropolitan Business Enterprise Centre (BEC) has submitted a request for funding assistance to the City.

The objectives of the BEC are to:

1. Maximise the creation of employment opportunities by facilitating the establishment of new business start-ups within the North West Metropolitan region;
2. To encourage and facilitate the development and broadening of the economic base within the North West Metropolitan region.

The development and establishment of small businesses in the region has been a key element in the economic growth of the north west region. The City has been very supportive of this development and under the City's Strategic Plan, seeks to take a proactive leadership role in encouraging sustainable economic vitality and to increase local employment. The City has provided grants to the JBA and the BEC for special projects and in 2000, entered into a Service Agreement with the BEC for \$25,000.

The BEC offers a valuable service to the region's potential and existing businesses by providing free resources, advice, business planning guidance and information on regulations and licensing as well as a range of business related services.

The BEC relies on grants from the Small Business Development Corporation (SBDC), the City of Joondalup and in-kind support from the Joondalup Business Association (JBA) for operation and for provision of these services to businesses.

The BEC has a total budget of \$142,500 for 2001/02. The SBDC will provide \$60,000 and \$8,500 will be income collected from seminars conducted during the year by the BEC. There is a budget shortfall of \$74,000 in the budget and the BEC have asked that the City fund \$50,000. The JBA has indicated that the balance of \$24,000 will be funded by it.

It is proposed that the City provide the BEC \$50,000 plus GST per annum for three years (indexed to CPI). This funding will be in line with the funding that the SBDC has committed to the BEC for the next three years.

The funding arrangement will be subject to the BEC signing a Service Agreement with the City. The expected outcome of this agreement will be the broadening of the economic base within region. It will also reinforce City of Joondalup's image of being the regional centre of the North West Metropolitan Region.

As part of the Service agreement, the BEC will be required to provide:

1. A copy of the statistical report that it normally provides to the BEC Management Board outlining client contacts, the location of these visits and type of client service requests.
2. A quarterly and annual (financial year) report on the number of new business start-ups, full-time jobs created and approximate economic value to the region of its operations;
3. A copy of its annual report to the Management Board and/or SBDC on its operations.

BACKGROUND

The development and establishment of small businesses in the region has been a key element in the economic growth of the north west region. The City has played an important role in this growth through its support of organisations such as the JBA and the BEC. The City has also shown its commitment to business growth in the region by playing a crucial role in overseeing the development of the Business Incubator and participation in the 2Cities Project.

Joondalup Business Association

The JBA, formerly the North West Metro Business Association, is a non-government, not-for-profit, incorporated organisation which was established in the early 90s with the aim of representing small owners within the City of Joondalup to Federal, State and the Local governments. The JBA owns its premises (Unit 4/ 189 Lakeside Drive, Joondalup) and is funded by member subscriptions supplemented by income from seminars, fund raising and special projects.

The City has been a key sponsor of the JBA in the past and has shown support by Council representation on the JBA board of management and by the provision of financial support, some examples of which are:

1. \$36,550 in the 1998/99 community funding round – pro-rata assistance with staffing and for projects associated with development of the web page. (Item CJ66-03/99 refers)
2. \$6000 grant in 1999 – City's contribution to the Grow project with the Cities of Wanneroo and Stirling being co-sponsors.
3. \$2,200 (in 2000) and \$2,500 (in 2001) – category sponsorship of the Small Business Awards Night.

4. \$35,420 in the 2000/01 community funding round – for the Joondalup Business Audit. (CJ364- 12/00 refers)

City's Support for Business Incubator, Business Directory and 2Cities Project

In its meeting in April 2000, Council endorsed the commitment of funds for the establishment of a business incubator to be situated in Joondalup and agreed to provide \$51,800 in the 2001/02 financial year. (Item CJ074-04/00 refers)

Council has also supported the JBA through purchase of advertising rights in the Joondalup Business Directory (\$16,000 in 2000/01 and \$17,600 in 2001/02).

In December 2001, Council provided a grant of \$36,000 to the 2Cities project for development of a portal for community and business groups in the Joondalup/Wanneroo region (CJ427-12/01 refers).

Support of the North Metro Business Enterprise Centre

The Small Business Development Corporation (SBDC) funds the BEC. It also receives ongoing additional funding in kind, from the JBA. In February 2000, Council endorsed the allocation of \$25,000 to the BEC, subject to the signing of a service agreement. (Item CJ097-04/00 refers).

DETAILS

Strategic Plan:

The City of Joondalup's Strategic Plan seeks to:

“Take a proactive leadership role to achieve desirable outcomes for our community and encourage sustainable economic vitality and business opportunity, and to increase local employment”

By continuing to support small businesses in the region through on-going support of the BEC, the City will be fulfilling a key obligation under the Plan by promoting:

“local employment and exploring incentives to attract new business into the region.”

Joondalup Business Association

In the mid 90's the Joondalup Business Association and the Wanneroo Chamber of Commerce amalgamated to become the North West Metro Business Association. The object of this exercise was to increase the representation of business into the north west region and to widen the membership base of the group. Following the splitting of the former City of Wanneroo, the group reverted to the Joondalup Business Association to reflect its role within the new City of Joondalup and established its new premises at the present location in Lakeside Drive, Joondalup in 1999.

The Joondalup Business Association is a member of the City's Stakeholder Group and has worked with the City in helping to create Joondalup as a regional employment, administration and service centre for the North West Corridor. The JBA has done this by active participation in major initiatives such as the Business Incubator, the Buy Local Policy, the Mainstreet

project and the Community Business Directory. It has also been an on-going supporter of the Joondalup Business Enterprise Centre.

Role of the BEC in Joondalup

The Joondalup BEC is part of a network of 37 independent Business Enterprise Centres throughout Western Australia. The SBDC co-ordinates the core funding programme for the centres as well as provides a broad range of support services aimed at assisting and improving the service levels within the network. Each centre has a management committee with representation from business, public sector and local government. The centres provide services to prospective and established small business operators by offering free advice, assistance and referrals.

Local governments throughout Western Australia have continued to play a vital role in the success of the BEC network. In 2000/01 \$224,895 was given to Business Enterprise Centres by local governments. Amounts that were provided by some of the metropolitan local governments were:

LOCAL GOVERNMENT	AMOUNT
City of Belmont	\$40,000
City of Stirling	\$27,500
City of Rockingham	\$30,000
City of Swan (includes Malaga BEC and Midland BEC)	\$68,345
City of Subiaco	\$10,000
CITY OF Joondalup	\$25,000

The North West Metro BEC is an important partner of the City in the identification of opportunities to encourage and promote economic growth in the North West metropolitan region. It shares the offices of the JBA at Unit 4/189 Lakeside Drive, Joondalup under an arrangement with the JBA for in-kind support that includes the use of office space, vehicle and administration.

The Joondalup BEC has recently obtained access to the SBDC Extranet, the Financial Management Research Centre Benchmarks and Ibis World. These three services will enable it to provide existing and prospective business owners with the highest quality information possible. A Committee of Management directs the BEC. It meets monthly to develop policy and provide accountability. Committee members also provide monitoring services for the BEC clients. Councillor P Kadak (nominated member), Cr C Baker and Cr C Mackintosh (deputies) represent the City of Joondalup on the Committee.

Objectives of the BEC

Under its objectives, the BEC seeks to:

1. Maximise the creation of employment opportunities by facilitating the establishment of new business start-ups within the North West Metropolitan region.
2. To encourage and facilitate the development and broadening of the economic base within the North West Metropolitan region.

To achieve these objectives, the BEC provides facilitation resources and guidance in marketing, business planning, finance, market research, trade information, regulations, licensing and other business related services. It also supports new business starters through a range of practical resources and facilities including organisation of seminars and workshops and referral to appropriate professional service providers.

The economic impact of the BEC over the last 4 years in the North West Metropolitan region has been:

Year	New Business Start-ups	Full Time Jobs Created	Approximate Economic Value to the Region
1997/98	48	76	\$11,771,040
1998/99	56	110	\$13,732,880
1999/00	62	115	\$15,204,260
2000/01	148	122	\$36,990,000

Financial Implications:

The proposed funding required for the BEC for 2001/02 is:

SBDC	BEC INCOME	COJ	JBA	TOTAL
\$60,000	\$8,500	\$50,000	\$24,000	\$142,500

The BEC budget for the Year 2001/2002 shows a short fall of approximately \$74,000. The JBA has recently written to the City stating that:

“A recent budget forecast, (of the BEC) based on cost centre accounting, reveals a shortfall of some \$74,000 in the BEC operation for 2001-2002 of which we are seeking funding assistance for \$50,000 (plus GST and indexed to CPI) from the City of Joondalup with the remaining \$24,000 to be taken up by the JBA”.

The BEC will require similar amounts in the future as operating capital. The SBDC have already committed \$60,000 per annum for three years.

It is proposed that the City enters into a three-year service agreement with the BEC for 2001/02, 2002/03 and 2003/04. The funding amount will be \$50,000 per annum (plus GST and indexed to CPI) and will be inline with the funding that the BEC will receive from the SBDC.

The outcome of the Service Agreement will require the North West Metro BEC to be fully accountable for the funding provided and to achieve increased economic activity through the development of new business.

The Service Agreement will be subject to funding being made available in the half-yearly review of the City’s Budget for 2001/02. Further funding will have to be made available if the City endorses a three-year Service Agreement with the BEC.

Account No:	11.20.21.213.440.F402
Budget Item:	Service agreement to NW Metro BEC
Budget Amount:	\$0
YTD Amount:	\$0
Actual Cost:	\$50,000

COMMENT

Current situation

The Economic Development Manager, City of Wanneroo has recently spoken to an officer of the City of Joondalup stating that *“the City of Wanneroo will not be funding the Joondalup BEC”*. The current situation is that unless the BEC receives funding from the City of Joondalup, there is a danger of Joondalup losing the Centre. This could impact on the region, as benefits associated with services that the BEC provides will become inaccessible or unavailable. The BEC has had a positive impact on businesses in the North West Metro Region and the continuing support by the City will enable it to continue to provide the level of services that it presently offers to businesses in the region.

Three Year Service Agreement

By committing to a three-year agreement, the City will be showing leadership and proactive support for small businesses in the region. This commitment will be in line with the SBDC funding.

As part of the Service agreement, the BEC will be required to provide:

1. A copy of the statistical report that it normally provides to the BEC Management Board outlining client contacts, the location of these visits and type of client service requests.
2. A quarterly and annual (financial year) report on the number of new business start-ups, full-time jobs created and approximate economic value to the region of its operations;
3. A copy of its annual report to the Management Board and/or SBDC on its operations;

The BEC will also be required to be a full participant in the forthcoming CBD Enhancement Projects. It will take a role that will include providing assistance to (potential) CBD Promotions programme stakeholders when requested, in areas related to start-up, promotion, marketing and business growth, and also providing seminar presentations to stakeholders when required, on small business development and marketing issues.

Serious consideration should be given to the continuing support of the BEC, as the future success of the City will be determined by the increase in employment opportunities by building on the existing business base.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council, subject to funding in the half-yearly Budget Review for 2001/02:

- 1 APPROVES the allocation of \$50,000 per annum (plus GST and indexed to CPI) for a period of three years commencing in the financial year 2001/2002;**
- 2 AUTHORISES the signing of a Service Agreement between the City of Joondalup and the North West Metro Business Enterprise Centre for a period of three years commencing in the financial year 2001/02.**

ITEM 9 WARRANT OF PAYMENTS - 31 DECEMBER 2001 – [09882]**WARD – All****PURPOSE**

The Warrant of Payments as at 31 December 2001 is submitted to Council to be noted.

EXECUTIVE SUMMARY

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

DETAILS

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	036353-036923	4,884,542.94
Municipal	000293-000296	4,922,426.04
	TOTAL	\$ 9,806,968.98

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 December 2001, the amount was \$941,781.18.

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 \$9,806,968.98 which is to be submitted to each Councillor on 12 February 2002 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.

DARRYL BROWN
Statutory Systems Accountant

J B TURKINGTON
Director Resource Management

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$9,806,968.98 submitted to Council on 12 February 2002 is recommended for payment.

.....
 Mayor John Bombak

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 31 December 2001, certified by the Mayor and Director of Resource Management and totalling \$9,806,968.98.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	036353-036923	4,884,542.94
Municipal	000293-000296	4,922,426.04
	TOTAL	\$ 9,806,968.98

Appendix 6(a) and (b) refer

To access this attachment on electronic document, click here: [Attach6abrf050202.pdf](#)
[Attach6bbrf050202.pdf](#)

ITEM 10 FINANCIAL REPORT FOR THE PERIOD ENDING 31 DECEMBER 2001- [07882]

WARD – All

PURPOSE

The December 2001 financial report is submitted to Council to be noted.

EXECUTIVE SUMMARY

The December 2001 report is the fifth financial report for the 2001/2002 year. The report shows a variance of \$3.5m when compared to the Adopted Budget for the year to date. This variance reflects differences attributable to the timing of revenue and expenditure and does not represent net savings for the year. The half-year financial review will identify the net position.

This variance can be analysed as follows-

- The **Operating** position shows an Operating surplus of \$2.1m to budget at the end of December 2001 due to revenue received in advance of \$0.5m and the underspending in Materials & Contracts of \$1.3m.
- **Capital Expenditure** for the year-to-date is \$0.4m and is slightly below the year-to-date budget of \$1.0m, a variance of \$0.6m at the end of December 2001.
- **Capital Works** expenditure for the year-to-date amounted to \$4.6m against a year-to-date budget of \$5.4, a variance of \$0.8m at the end of December 2001. However, the City has committed expenditure through raised purchase orders of \$1.02m.

DETAILS

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

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That the Financial Report for the month ended 31 December 2001 be NOTED.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf050202.pdf](#)

ITEM 11 TELECOMMUNICATIONS LEASES – TAMALA PARK – [41196]

WARD – All

PURPOSE

To seek approval to the various telecommunications lease applications at Tamala Park.

EXECUTIVE SUMMARY

At its Meeting on 14 August, 2001, in respect of Report CJ368 - 10/01, Council passed the following resolution:

Council APPROVES, in accordance with the provisions of Section 3.58(3) and 3.58(4) of the Local Government Act 1995, the City of Joondalup with the other owners of lot 118 Tamala Park entering into agreements by private treaty:

- 1 subject to the City of Perth undertaking advertising of the proposed Leases of portion of Lot 118 pursuant to Section 3.58(3) and 3.58(4) of the Local Government Act 1995;*
- 2 subject to a further report being submitted to Council to consider any submissions received as a result of advertising pursuant to Section 3.58(3) and 3.58(4) of the Local Government Act 1995;*
- 3 to amend the Lease with Vodafone Network Pty Ltd in respect of portion of Lot 118 to provide for a total lease area of 150m² subject to Vodafone meeting all associated costs;*
- 4 to consent to Crown Castle Australia Pty Ltd granting licences to VodaFone Network Pty Ltd, Optus and Telstra for co-location on the tower and a sub-lease to VodaFone Network Pty Ltd in respect of the shelter site within the leased area;*
- 5 to agree to the proposed Assignment of Lease in respect of portion of Lot 118 from VodaFone Network Pty Ltd to Crown Castle Australia Pty Ltd, following amendment to the VodaFone Lease and completion of the sub-leases granted by VodaFone to Telstra & Optus respectively; and*
- 6 to enter into a Deed of Partial Surrender by Mindarie Regional Council for 1,095m² of its Lease to accommodate the amendment to the VodaFone Lease, the proposed shelter site lease to Orange and to provide additional land for lease for future carriers.*

The City of Perth has advised that the advertisement advising of the ground lease to Hutchison (Orange) and the amendment for the Vodafone lease area in accordance with Section 3.58 of the *Local Government Act, 1995* appeared in *The West Australian*, on Saturday 1 December 2001. No submissions were received as a consequence of this advertisement. In view of the lack of submissions, this report recommends proceeding with the lease by private treaty, subject to conditions.

BACKGROUND

Suburb/Location: Tamala Park, City of Wanneroo.

Applicants:

1. VodaFone Network Pty Ltd;
2. Crown Castle Australia Pty Ltd;
3. Hutchison Telecommunications (Australia) Limited (Orange); and
4. Optus Mobile Pty Limited.

Owners:

1. City of Joondalup;
2. City of Stirling;
3. City of Wanneroo;
4. City of Perth;
5. Town of Vincent;
6. Town of Victoria Park; and
7. Town of Cambridge.

VodaFone Network Pty Ltd currently leases 130 m² of Tamala Park and seeks to:-

- a) increase its lease area to 150 m² by incorporating a further 20 m²; and
- b) assign its enlarged lease to Crown Castle Australia Pty Ltd.

Other telecommunications companies have made the following related applications:-

- a) Hutchison Telecommunications (Australia) Limited (Orange) has applied for a 30 m² site, which is adjacent to the VodaFone lease, on which to construct a telecommunications shelter; and
- b) Optus Mobile Pty Limited has applied for a site within the VodaFone lease on which to construct a telecommunications shelter.

Approximately 251 hectares of Tamala Park is leased to the Mindarie Regional Council for the principal purpose of refuse disposal. On 8 October, 1998 an area of 130 m² was surrendered by the Mindarie Regional Council to enable that land to be leased to VodaFone Network Pty Ltd (VodaFone). On 1 November, 1998 the joint owners entered into a Lease with VodaFone for the 130 m² of Lot 118. The lease is for a term of 5 years plus options for two further terms each of five years with the total lease term expiring on 31 October 2013.

At its Meeting on 14 August, 2001, in respect of Report CJ368 - 10/01, Council passed the following resolution:

Council APPROVES, in accordance with the provisions of Section 3.58(3) and 3.58(4) of the Local Government Act 1995, the City of Joondalup with the other owners of lot 118 Tamala Park entering into agreements by private treaty:

1. *subject to the City of Perth undertaking advertising of the proposed Leases of portion of Lot 118 pursuant to Section 3.58(3) and 3.58(4) of the Local Government Act 1995;*
2. *subject to a further report being submitted to Council to consider any submissions received as a result of advertising pursuant to Section 3.58(3) and 3.58(4) of the Local Government Act 1995;*

3. *to amend the Lease with Vodafone Network Pty Ltd in respect of portion of Lot 118 to provide for a total lease area of 150m² subject to Vodafone meeting all associated costs;*
4. *to consent to Crown Castle Australia Pty Ltd granting licences to VodaFone Network Pty Ltd, Optus and Telstra for co-location on the tower and a sub-lease to VodaFone Network Pty Ltd in respect of the shelter site within the leased area;*
5. *to agree to the proposed Assignment of Lease in respect of portion of Lot 118 from VodaFone Network Pty Ltd to Crown Castle Australia Pty Ltd, following amendment to the VodaFone Lease and completion of the sub-leases granted by VodaFone to Telstra & Optus respectively; and*
6. *to enter into a Deed of Partial Surrender by Mindarie Regional Council for 1,095m² of its Lease to accommodate the amendment to the VodaFone Lease, the proposed shelter site lease to Orange and to provide additional land for lease for future carriers.*

DETAILS

Land Details:

Tamala Park is described as Lot 118 on Plan 28300 and is held jointly in Certificates of Title by the Cities of Joondalup, Perth, Stirling and Wanneroo and Towns of Vincent, Cambridge and Victoria Park.

In view of City of Perth, on behalf of the joint owners, compliance with the provisions of Section 3.58 of the Local Government Act, 1995 and no submissions having been received, the way is now clear for the City of Joondalup to proceed with the remainder of the Council resolution for Report CJ368 - 10/01 as follows:

1. Approve a Deed of Variation to amend the Lease with Vodafone Network Pty Ltd in respect of portion of Lot 118 to provide for a total lease area of 150m² subject to the approval of the Planning Commission and Vodafone meeting all associated costs;
2. Approve Crown Castle Australia Pty Ltd granting licences to VodaFone Network Pty Ltd, Optus and Telstra for co-location on the tower and a sub-lease to VodaFone Network Pty Ltd in respect of the shelter site within the leased area subject to the approval of the Planning Commission;
3. Approve the proposed Assignment of Lease in respect of portion of Lot 118 from VodaFone Network Pty Ltd to Crown Castle Australia Pty Ltd, following amendment to the VodaFone Lease and completion of the sub-leases granted by VodaFone to Telstra & Optus respectively subject to the approval of the Planning Commission;
4. Enter into a Deed of Partial Surrender by Mindarie Regional Council for 1,095m² of its Lease to accommodate the amendment to the VodaFone Lease, the proposed shelter site lease to Orange and to provide additional land for lease for future carriers subject to the approval of the Planning Commission;

5. The proposed Lease between the joint owners and Orange has been negotiated with the following key terms and conditions:-

Lease area:	The proposed shelter site Lease be for an area of 30 m ² (5m x 6m).
Term of Lease:	5 years plus 3 options of 5 years each (on the proviso that the Lease will terminate on 31 October 2013 if access to the tower is not available beyond this date)
Commencement date:	1 January 2002, or as agreed with joint owners
Rental:	\$15,000 per annum and increased by 5% compounding annually on each anniversary of the commencement date.
Rent Review:	On the commencement date of each of the further 5 year terms, the rent shall be reviewed to market rental. Additionally the lease will provide that the annual rental at the commencement of each of the 5 year terms cannot be less than the annual rent in the previous year.
Outgoings	All rates, taxes, charges and outgoings levied on the leased area to be the responsibility of the Lessee. In addition a separate electricity meter will be installed by the Lessee at its cost.
Right of Access	Lessee to have right of access 24 hours per day, 7 days per week.
Legal costs	Lessee responsible to a maximum fee of \$2,000.

CCA has confirmed that it will permit Orange to co-locate on the tower by way of a licence and has provided a draft licence document for the joint owners' consent.

Statutory Provision:

As the proposed Lease to Orange is by private treaty, the joint owners have complied with the provisions of Section 3.58 of the Local Government Act, 1995.

As all leasing actions affect Leases which are for a term greater than ten years and comprises only portion of a Lot, the approval of the Planning Commission is required under the provisions of Section 20 of the *Town Planning and Development Act, 1928*.

Financial Implications:

The City of Joondalup is a 1/6th owner of the subject land, the new Lease to Orange will mean an increase in annual revenue of \$2,500 (excluding GST). Factoring in annual escalations, over the entire 20 year period of the Lease, the revenue will be approximately \$82,500 (excluding GST).

There is no guarantee that the other leasing arrangements will have any affect on revenue.

Strategic Implications:

The leasing applications will not impinge on the City's five year Strategic Plan.

COMMENT

This Report is a follow-up after advertising as required pursuant to the provisions of Section 3.58 of the Local Government Act, 1995 and as requested by Council at its Meeting on 14 August, 2001, vide Report CJ368 - 10/01.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council, subject to the consent of the Planning Commission in accordance with the provisions of Section 20 of the *Town Planning and Development Act, 1928*, APPROVES:

- 1 a Deed of Variation to amend the Lease with Vodafone Network Pty Ltd in respect of portion of Lot 118 to provide for a total Lease area of 150m² subject to Vodafone meeting all associated costs;**
- 2 Crown Castle Australia Pty Ltd granting licences to VodaFone Network Pty Ltd, Optus and Telstra for co-location on the tower and a sub-lease to VodaFone Network Pty Ltd in respect of the shelter site within the Leased area;**
- 3 the proposed Assignment of Lease in respect of portion of Lot 118 from VodaFone Network Pty Ltd to Crown Castle Australia Pty Ltd, following amendment to the VodaFone Lease and completion of the sub-leases granted by VodaFone to Telstra & Optus respectively;**
- 4 a new lease with Hutchinson Telecommunications (Orange) subject to:**
 - (a) the Lease area comprise 30 m² (5m x 6m) of Lot 118 on Plan 28300.**
 - (b) the Lease term being for 5 years, plus 3 Options of 5 years each;**
 - (c) the Lease commencing on 1 January, 2002;**
 - (d) the Lease being determined on 31 October, 2013 if access to the tower is not available beyond this date;**
 - (e) rental being \$15,000 per annum, with escalations of 5% per annum, except at the commencement of every Option term;**
 - (f) the rental being reviewed to market at the commencement of every Option term (every 5 years), subject to the new rental being not less than the rental for the previous year;**
 - (g) the Lessee being responsible for all rates, taxes, charges and outgoings levied on the leased area;**
 - (h) the Lessee being responsible for the cost of installation of a separate electricity meter; and**
 - (i) the Lessee being responsible for all legal costs;**
- 5 a Deed of Partial Surrender by Mindarie Regional Council for 1,095m² of its Lease to accommodate the amendment to the VodaFone Lease, the proposed shelter site lease to Orange and to provide additional land for lease for future carriers.**

ITEM 12 GRANT OF OPTION TO RENEW CRAIGIE LEISURE CENTRE - KIOSK LEASE – [08397]

WARD – Pinnaroo

PURPOSE

To grant the first Option to renew the Craigie Leisure Centre kiosk Lease for a term of 5 years.

EXECUTIVE SUMMARY

Cara Lynne Hursthouse, the Lessee of the Craigie Leisure Centre kiosk, has made a late application to exercise the first of 2 Options for further terms of five years each.

This report recommends granting the late application for the first Option of an additional five year lease term.

BACKGROUND

Through the public tender process, on 18 January, 1997 the former City of Wanneroo leased the Craigie Leisure Centre kiosk to Australian Kiosk Enterprises Pty Ltd for a period of 5 years with two Options to renew, each for terms of 5 years.

On 11 May 1998 Australian Kiosk Enterprises Pty Ltd assigned its interest in the lease to Classic Asset Pty Ltd. This business was a husband-wife team which dissolved shortly after the assignment. The dissolution required a second assignment to one party only, the wife, Cara Lynne Hursthouse.

On 19 December 2000 Council resolved to advertise its intention to lease to RANS Management Group the whole of the Craigie Leisure Centre, together with two other Centres, Sorrento - Duncraig and Ocean Ridge Recreation Centres. As all the Leisure Centres were situated on Crown Reserves, plans for the proposal were approved by the Department of Land Administration (DOLA) and consent of the Minister of Lands was obtained.

DETAILS

The kiosk is situated within the Craigie Leisure Centre, which is located on Reserve N^o 32858 (Swan Location 8889). This reserve is set aside for the purpose of "Recreation" with a Management Order being issued to the City of Joondalup with power to lease for periods up to 35 years subject to the approval of the Minister for Lands.

With the expiry of the term of the lease on 17 January 2002, the Lessee, Cara Lynne Hursthouse, has lodged an application to exercise her Option to renew the first further term of 5 years.

Clause 4.12 of the lease provides that an Option to renew can be exercised only if the application is lodged no earlier than 6 months and no later than 3 months prior to the expiration of the term. The subject application, being dated 19 December 2001, was 2 months

past the due date. Legal advice however indicates that Council may accept a late application. Accordingly, in the interest of lease continuity it is recommended that Council accepts the late application and grants the Option to renew for a further term of 5 years commencing 18 January 2002 and terminating 17 January 2007.

Statutory Provisions

In accordance with the provisions of Section 29(2) of the former *Land Act 1933 (Land Act)*, DOLA set aside Reserve N^o 32858 (Swan Location 8889) for the purpose of "Recreation". DOLA then issued (with the approval of the Minister Lands) the former City of Wanneroo with a Vesting Order including power to lease for periods up to 35 years.

The lease commenced on 18 January 1997 following a public tender process as required pursuant to the provisions of Section 3.58 of the Local Government Act 1995.

Financial Implications

Annual rental for the kiosk lease effective 18 January 2002 was \$53,265 (excluding GST), with annual escalations linked to the CPI. Not excluding the annual escalations, this rental represents a total income of \$532,650 over the possible remaining 10 year period of the lease agreement.

COMMENT

The Lessee has been in arrears on her lease payments to the City due to a downturn in business during the 1999 – 2000 financial year. Council agreed (see Report CJ 263-08/01) to a payment arrangement to repay the arrears of \$11,585. Effective 16 January 2002, the Lessee has arrears by \$5,867.81. The arrears are being paid in accordance with the agreed payment plan and will be cleared by July 2002. To date all current rental payments are being made on the required monthly basis.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council ACCEPTS the late application from Cara Lynne Hursthouse and grants the Option to renew the Craigie Leisure Centre kiosk lease for a further term of 5 years commencing 18 January 2002 and terminating 17 January 2007.

ITEM 13 HILLARYS BOAT HARBOUR – REQUEST FOR SPECIFIED AREA RATE – [01081]

WARD – Whitfords

PURPOSE

This report outlines a submission received from the lessees and management of the Hillarys Boat Harbour requesting Council consideration of a Specified Area Rate for the Boat Harbour.

EXECUTIVE SUMMARY

The City has received a submission from the Department of Planning and Infrastructure acting on behalf of the lessees and management of the Hillarys Boat Harbour requesting consideration be given to providing a greater level of service to the harbour surrounds by imposing a Specified Area Rate (SAR) or a Differential Rate. The SAR would confine all the existing rates paid by the Harbour lessees to be spent specifically within the harbour area.

The request for the SAR is not however in conformance with the provisions of Section 6.37 of the Local Government Act 1995 which enables a Local Government to impose Specified Area Rating. It is to be appreciated that a SAR applied pursuant to those provisions, is in **addition** to the general rate.

The proposal for a Differential Rate, whilst open to the Council to apply, is not supported as it will not achieve the objectives and requirements of the Hillarys Boat Harbour lessees and set an undesirable precedent for other commercially zoned properties.

This report recommends that Council does not accede to the request from the Hillarys Boat Harbour lessees for:-

- a Specified Area Rate as this conflicts with the provisions of the Local Government Act 1995; or
- a Differential Rate as this is deemed inappropriate

BACKGROUND

Properties within the Hillarys Boat Harbour have paid rates to the City of Joondalup since 1 March 1988.

The Hillarys Boat Harbour is situated on Crown land and vested by a Head lease to the Department of Planning and Infrastructure (formerly The Department of Transport) which in turn leases the majority of the area for commercial purposes.

The following table provides details of the breakdown of the Head lease held by the Department of Planning and Infrastructure to various lessees and the amount of 2001/02 rates levied

Lease Area Number	Land Usage	Lessee Name	2001/2002 Rates Levied
95 Northside	Hillarys Marina Fuel & Kiosk	Sharmax Developments Pty Ltd	\$1,070.68
65 Northside	Hillarys Yacht Club	Hillarys Yacht Club Inc	\$5,680.00
45 Northside & 59 Northside	Government Boat Sheds & Hillarys Lifting Services	Revierie Pty Ltd	\$4,061.20
40 Northside	T S Marmion	Unit Committee of the Training Ship Marmion	\$801.00
43 Northside	Sorrento Dive Shop	Castledome Pty Ltd	\$4,615.00
58 Southside	Sorrento Quay Shops	Sorrento Quay Pty Ltd	\$92,965.41
28 Southside	Shops/Restaurants	Strelzicki Holdings Pty Ltd	\$14,801.23
52 Southside	Sorrento Quay Shops	Skycorp Investments Pty Ltd	\$34,427.90
68 Southside	Apartments & Townhouses	Fini Group Pty Ltd	\$49,952.72
91 Southside	AQWA (Aquarium)	Coral World Australia Pty Ltd.	\$14,200.00
14-22 Southside	Great Escape, Trampoline Centre & Garden Golf	Fernhall Pty Ltd	\$3,550.00
		Total	\$226,125.14

The City provides the same level of service to the Boat Harbour as it does for all rateable properties within the City of Joondalup. These services include but are not limited to road construction and maintenance, lighting, parks and gardens maintenance, public facilities construction and maintenance etc. The City applies its servicing to public areas only.

Suburb/Location: The Hillarys Boat Harbour is located at 255 West Coast Drive, Hillarys.

Applicant/Owner: The Hillarys Boat Harbour is owned by the Department of Planning and Infrastructure (formerly known as The Department of Transport) which privately leases the majority of the area for Commercial purposes with the exception on the Public Open Space areas.

Zoning: The area is zoned as a regional reserve for parks and recreation.

Strategic Plan: This report has no linkages with or impact on the City's Strategic Plan given that the request has arisen from an external submission.

DETAILS

The Department of Planning and Infrastructure acting on behalf of the harbour lessees and management has requested the City to apply a Specified Area Rate which confines all the rates paid by harbour lessees to be specifically spent on services within the harbour boundaries.

The submission stated that the harbour lessees and management believe that an inequity currently exists between the quantum of rates being paid by the harbour lessees and the level of service being received from the City.

Statutory Provisions:

Section 6.26(1) of the Local Government Act 1995 provides that all land within the district is rateable except in certain circumstances when it is classified as non-rateable. Section 6.26(2) of the Local Government Act 1995 refers to land owned by the Crown is one such example of non-rateable property as it is used for public purpose. However in circumstances where it is in public ownership and leased for commercial gain it is rateable land.

The leased land within the Hillarys Boat Harbour is therefore rateable land. It has been divided into 11 leased areas and the individual lessees are deemed rated separately.

Specified Area Rate:

Unlike general rates, which are not tied to any specific project, a Council may also raise **additional** funds from a Specified Area Rate which is to be allocated to works and services within the specified area determined.

The provisions of Section 6.37 of the Local Government Act 1995 enable a local government to:-

- Impose a Specified Area Rate on rateable land within a portion of its district for the purpose of meeting the cost of a specific work, service or facility if, in the opinion of the local government, the ratepayers or residents within that area:-
 - (a) have benefited or will benefit from
 - (b) have access to or will have access to; or
 - (c) have contributed or will contribute to the need for that work service or facility.
- Use the funds from a specified area rate only for the purpose for which the rate is imposed.

The Local Government Act 1995 also places stringent accounting requirements upon the local government to adequately and appropriately account for the funds raised and expended. Any surplus funds raised by this mechanism are to be repaid at the end of the year, or placed into a reserve account and carried forward to the next financial year. Likewise, any deficit is to be carried forward against the project or programme with the appropriate financial adjustments to be undertaken in the next year.

It is to be appreciated that the Specified Area Rate is in addition to the general rate.

- (a) To illustrate this concept the following is a hypothetical example:-

2001/02 Rates

PROPERTY 1

General Rate	\$6,500 GRV x 0.0710 cents in \$ =	\$461.50
Specified Area Rate	\$6,500 GRV x 0.0100 cents in \$ =	\$65.00
	Total Rates Payable	\$526.50

PROPERTY 2

General Rate	\$15,000 GRV x 0.0710 cents in \$ =	\$ 1,065.00
Specified Area Rate	\$15,000 GRV x 0.0100 cents in \$ =	\$150.00
		\$ 1,215.00

The above example illustrates that the owner of Property 1 pays far less as a contribution towards the specific works and services for which the SAR is raised.

- (b) The amount raised is via a rate in the \$ (and not a levy) and thus the contribution by each property will vary in accordance with the valuation of the property, ie. a **shopping centre** with a high value will pay many times more than a normal house.
- (c) There is a **considerable degree of accounting required** to accommodate the legislative requirements.

Differential Rates:

Section 6.33 (1) of the Local Government Act 1995 provides that a local government may impose a differential general rate to any, or a combination, of the following characteristics –

- (a) the purpose for which the land is zoned under a town planning scheme in force under the Town Planning and Development Act 1928;
- (b) the predominant purpose for which the land is held or used as determined by the local government;
- (c) whether or not the land is vacant land; or
- (d) any other characteristic or combination of characteristic prescribed.

In the case of the Hillarys Boat Harbour, Council may choose to determine the nature to be for tourism development and may choose to apply a differential rate that is either a lesser or greater percentage of the general rate.

Consultation:

A meeting was held on 6 December 2001 with officers of the City of Joondalup's Resource Management Directorate and the following representatives from the Hillarys Boat Harbour:

Mr. C. Norman, Department for Planning and Infrastructure
Mr. P. Duffield, McGees National Property
Ms. J. Hough, General Manager, AQWA
Mr. D. Froome, Hillarys Boat Harbour

The purpose of the meeting was to outline to City Officers the perceived inequity between the level of service received compared with the level of rates paid. The group raised the notion of a Specified Area Rate (SAR) being applied which redirected rates into the provision of direct services and works to the harbour area.. The Officers advised that a SAR can only be applied in accordance with the provisions of Section 6.37 of the Local Government Act 1995. The Hillarys Boat Harbour proposal, did not comply with these provisions.

Policy Implications

The request being made by the Hillarys Boat Harbour is not in compliance with the Specified Area Rating provisions of the Local Government Act 1995.

Council may however wish to consider a differential rate for the harbour. However, revenue derived from this source is not 'quarantined' for expenditure in that area.

Nevertheless, should Council resolve to apply a SAR within the Hillarys Boat Harbour precinct then the City would set a precedent for other property owners ie shopping centres which may seek to also be considered differently and argue for a differential rate.

Financial Implications:

The financial implications arising from the granting of a differential rate for properties located within the Hillarys Boat Harbour which is less than the general rate would require the City to fund the shortfall from other ratepayers.

Strategic Implications:

The members representing the Hillarys Boat Harbour advised at the meeting that the State Government's Department of Tourism has recently been recognised as being one of 4 main tourist attractions in Western Australia. Furthermore it was suggested that Council should support the growth of tourism in the City by providing direct assistance to the Boat Harbour.

This strategic consideration may provide the impetus for Council to support the submission. Should Council decide that this proposal warrants support then the City's Strategic Plan will need to reflect this as a Key Result Area outlining the benefits to the community and the organisation.

COMMENT

The request by the Hillarys Boat Harbour for a Specified Area Rate is considered inappropriate given the provisions of Section 6.37 of the Local Government Act 1995 which

provides that a Specified Area Rate must be a rate charged **in addition** to the general rate. Consequentially, the request conflicts with the legislation.

The request could only be supported through the application of a differential rate which is less than the general rate. This is not recommended however as it would:-

1. not strictly comply with the requirements of the Hillarys Boat Harbour as revenue raised by means of a differential rate is ‘general revenue’ and not specifically for expenditure in that area
2. set an undesirable precedent for other commercially zoned properties.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council DOES NOT accede to the request from the Hillarys Boat Harbour lessees for:

- 1 a Specified Area rate as this conflicts with the provisions of the Local Government Act 1995;**
- 2 a Differential rate as this is deemed inappropriate.**

ITEM 14 PURCHASE OF TWO SKID STEER LOADERS AND DISPOSAL OF A USED SKID STEER LOADER- [85512] [09763]

WARD – All

PURPOSE

To seek approval for the procurement of two-skid steer mini loaders and disposal of one used skid steer loader, plant No 98879.

EXECUTIVE SUMMARY

A Public tender was invited for the procurement of two new skid steer loaders and disposal of one used skid steer loader. A state-wide advertisement was published on 24 November 2001 and nine submissions were received including one late tender. In accordance with the selection criteria and conditions of tendering it is recommended that Council:

- Accepts the tender as submitted from BT Equipment for the supply of two new skid steer loaders (Mustang 2070) for a consideration of \$129,000 plus GST with a trade in of plant no 98879 for a consideration of \$25,500 plus GST resulting in a net cash out flow of \$103,500 after the effects of GST.
- Approves the deficit in budget to be recovered from anticipated savings in the total replacement program
- Reject the late tender submitted by Smith Broughton and the non-conforming tenders submitted by McIntosh & Son, Casewest, Bobcat West Australia, and CFC Holdings Pty. Ltd.

Under the provisions of S5.42 of the Local Government Act 1995, the Chief Executive Officer has the delegated authority to accept tenders to a limit of \$100,000. As this tender exceeds this limit, it must be approved by Council.

BACKGROUND

The Council has previously considered the tender submission for a similar supply and disposal (Refer Report CJ 388-11/01) and rejected all tenders and resolved to call for new tenders with revised specifications.

DETAILS

The City invited public tenders for the supply of two new skid steer mini loaders and disposal of one used skid steer mini loader through state-wide advertisement on 24 November 2001. Eight submissions were received at the time of closing of the tender at 3 PM on 13 December 2001 and one was received after closing.

Of the eight tenders received before closing, six offered to supply two new skid steer mini loaders with trade-in. These were as follows:

1. McIntosh & Son (Redcliffe)
2. Hyster West (Canningvale),
3. Casewest (Welshpool),
4. Bobcat West Australia (Kenwick) offered submission only for new supply
5. CFC Holdings (Bassendean),
6. BT Equipment (office at South Guildford),
7. Westrac Equipment (South Guildford).

Submissions for outright disposal of plant equipment no 98879 were received from:

8. Mayday Equipment (Kingsway) and
9. Smith Broughton (Midland) which was received after closing and rejected.

A tender evaluation committee evaluated each tender submission against the selection criteria listed in the General Conditions of Tendering. The committee comprised of the Contracts Manager, Asset Controller and the Construction Supervisor.

The selection criteria for the tender were as follows:

1. Prices offered for new supply with or without trade-in,
2. Outright purchase of the used plant,
3. Tenderer's demonstrated ability to provide after sales service and product spare parts,
4. Meeting the design and specification of the proposed supply,
5. Whole of life costs
6. Scheduled delivery.

The tender submission from Smith Broughton was received after the tender box was opened and therefore was not considered for evaluation.

The proposed supply from McIntosh & Son, Casewest, Bobcat West Australia, and CFC Holdings Pty. Ltd. did not meet the specifications and were not considered for evaluation.

Considering the nature of the equipment, safety, spare part supply and ease of operation it was important that the selection be based on greater reliance on qualitative rather than quantitative criteria.

The proposed supply from Westrac Equipment for the CAT 246 was a relatively new model to the market and the resale value normally used in the whole of life evaluation, was not available.

The proposed supply from Hyster West for the Gehl SL5635 SXT is seen in the used equipment industry as having a lower than normal resale value due to a fire sale of Gehl machines after the closure of its previous agent, Houghton Motors.

The City has operated Gehl and Mustang skid steer loaders in the past and has found that Mustang loaders provide superior maintenance, resale value and ease of operation.

Statutory Provision:

The Public Tender was in accordance with the provisions of Section 3.57 and 3.58 of the Local Government Act 1995 and Regulation 11 of Local Government (F & G) Regulations

1996, requiring a public tender for the disposal of used equipment and procurement of goods worth more than \$50,000.

Policy Implications:

The Public tender complies with Council's policy.2.4.6 - Purchasing Policy.

Financial Implications:

Attachment A provides comparative financial figures.

When considering the cash flow perspective only Council would have to fund \$92,000 (excluding GST component) from the acceptance of the Gehl 5635 SXT machine and trade in offered by Hyster West, \$103,500 from the acceptance of the Mustang 2070 and trade in offered by BT Equipment and \$115,600 from the acceptance of the CAT 246 and trade in by Westrac.

The qualitative values as detailed previously, especially the superior resale value and ease of operation of the Mustang Loader compared to the Gehl Loader, as considered in the over all assessment, indicated that Council would benefit from the acceptance of the offer from BT Equipment.

Account No: Plant Reserve
Budget Item: P039 and P072
Budget Amount: \$99,800

Actual Cost: \$103,500

The \$3,700 over budget can be funded from anticipated savings in the total replacement program.

The current written down value at 31 January 2002 is \$16,027. Given the trade in value of \$25,500 the profit on sale is \$9,473.

GST IMPACT

GST can be claimed as a full 100% tax credit on the new supply and 1/11th of the Trade Valuation must be remitted to the Tax Office

	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$129,000	\$141,900	YES	\$12,900
				Tax Debit
Outright Purchase	\$25,500	\$28,050	NO	(\$2,550)

COMMENT

The recommendation will benefit the City by providing two new skid steer loaders into the plant fleet, providing high reliability and efficient services together with a reduction in external hire. The trade in price is also significant and could decrease if this tender acceptance is delayed. No business situated in the district of City of Joondalup has submitted a tender.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council:

- 1 ACCEPTS the tender submitted by BT Equipment for the supply of two new skid steer loaders (Mustang 2070 model) for a consideration of \$129,000 plus GST with a trade in of plant no 98879 for a consideration of \$25,500 plus GST resulting in a net cash out flow of \$103,500 after the effects of GST;**
- 2 REJECTS the late tender submitted by Smith Broughton and the nonconforming tenders submitted by McIntosh & Son, Casewest, Bobcat West Australia, and CFC Holdings Pty. Ltd.**

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf050202.pdf](#)

ITEM 15 “DRUGS - NATIONAL PROBLEM - LOCAL SOLUTIONS” CONFERENCE REPORT – [26173]

WARD - All

PURPOSE

To provide an information report on “Drugs – National Problem – Local Solutions” Conference Report.

EXECUTIVE SUMMARY

Council, at its meeting on 13 November 2001 (item CJ 387 – 11/01), carried a motion to approve the attendance of Councillors Kimber and Mackintosh and Julie Eaton, Co-ordinator Community Services, at the “Drugs – National Problem - Local Solutions” Conference in Brisbane on 4 and 5 December 2001. The Council requested “an information report on the outcomes of the Conference.”

Possible strategies for Local Government identified during the conference will be evaluated by Council staff and implemented where appropriate.

BACKGROUND

Council, at its meeting on 13 November 2001 (item CJ 387 – 11/01), carried a motion to approve the attendance of Councillors Kimber and Mackintosh and Julie Eaton, Co-ordinator Community Services, at the “Drugs – National Problem - Local Solutions” Conference in Brisbane on 4 and 5 December 2001. The Council requested “an information report on the outcomes of the Conference.”

A new national Local Government Committee has been established as part of the Inter-Governmental Committee on Drugs. A first step towards involving and informing local governments about drug issues was the Conference held in Brisbane on 4 and 5 December 2001. The Council of Capital City Lord Mayors and the Brisbane City Council jointly sponsored the conference.

DETAILS

The format for both conference days was that of guest speakers in the morning, then panel and audience discussions followed by elective sessions in the afternoon. The panel and audience discussions involved three or four of the keynote speakers addressing a specific issue then inviting questions from the conference delegates. The elective sessions were mainly opportunities for local governments to showcase successful programs which address community drug issues.

The conference included a trade exhibition featuring current information and advice on matters of illicit drug policy, health promotion and other related issues. Exhibitors included:-

- Abaleen Detoxification Services Group
- Alcohol and Drug Foundation – Queensland
- Amtec Professional Services

- Alcohol and Drug Information Services
- ASP Harm Reduction Systems
- Community Safety Program Brisbane City Council

Conference delegates travelled from all parts of Australia and represented many local government authorities, universities, health departments, youth agencies, police departments, premier's offices, drug action groups and criminal justice agencies. From Western Australia the City's of Joondalup, Perth, Wyndham and Mandurah were represented as well as a number of individual delegates from this state, including one of the speakers.

Keynote Sessions

“Directions of Drug Policy”

Ethan Nadelmann founded the Lindesmith Centre, a leading drug policy and research institute situated in New York. Ethan is described as one of the world's most respected and high profile critics and commentators on US and international drug control policies. Ethan opened the conference as the Keynote Speaker.

Ethan's address was by design controversial. Ethan discussed the concept that drug prohibition, not drugs, is the root of social evil. He maintained that there is no such thing as a totally safe drug, but there is overwhelming evidence that the negative consequences of the prohibition of cannabis outweigh the negative consequences of cannabis use. Ethan outlined European models in which communities were benefiting from reduced crime in a controlled legal market.

“Can the War on Drugs be Won? – Perspectives from US and Europe.”

Marsha Rosenbaum is a medical sociologist, the Director of the San Francisco office of the Lindesmith Centre and the author of numerous books and articles about drug use, addiction, treatment and drug policy. Marsha detailed the Drug Education programs that exist in the United States and their success in preventing drug use amongst young people. A video presented teenagers speaking about their responses to drug education in primary and high school.

The message from the young people was strong – the “Say No” strategy, which was the thrust of the education campaign, was not working. Some success in getting the message across to youth was being achieved through real-life experiences such as young people seeing the negative effects of drugs on the streets in their own neighbourhoods or talking to other people who had experienced the drug scene and successfully moved away from it. Marsha emphasised the importance of family support for teenagers and ensuring that young people feel valued in the family and community. She recommended that research be done with teenagers who abstain from drugs to discover the factors that contribute to abstinence.

“Can the War on Drugs be Won? – Perspectives from US and Europe”

Jan Van Der Tas - Board member of the Netherlands Drug Policy Foundation specialising in international aspects of drug policy reform.

Jan outlined the Dutch model of drug policy and the concept of legalising some drugs so that governments, rather than the criminals, have control over the drug scene. It was argued that the war on drugs cannot be won and therefore should not be waged and that drug policy needs to be based on fact not fear.

In addition to the keynote sessions, the 40 Australian speakers whose representations included:-

- Brisbane City Council
- Mackay Alcohol and Other Drugs Committee
- Premier’s Drug Prevention Council
- Department of Criminology – University of Melbourne
- NSW Users and AIDS Association
- City of Sydney – Safe City Strategy
- National Centre for Education and Training on Addiction – Flinders University SA
- Alice Springs Town Council
- Sydney Medically Supervised Injecting Centre – Kings Cross – 18 month trial

The Australian speakers addressed a broad range of topics that addressed drug issues from many different angles such as:-

- Drug Markets and Economics
- Crime Prevention through Environmental Design
- The Law Enforcement Perspective
- Allocation of Drug Resources – National and State Spending
- Treatment and Rehabilitation
- Developing and Effective Sharps Management Strategy
- Pathways to Prevention
- Health Costs
- Community Drug Strategies – Developing Drug Action Plans
- Indigenous and Alcohol Issues

The main focus for many of the speakers was that of “harm-minimisation”. This term acknowledges that regardless of the best efforts of governments, communities and individuals – some people will choose to obtain, use and abuse drugs. The harm-minimisation approach implements strategies, which are established to reduce the level of risk and/or harm to individuals and the community. These strategies can include community education, placement of syringe disposal units in public places, safer and more hygienic use strategies, breathalyser machines placed in places where alcohol is served, random breath testing and encouraging people to use drugs or drink alcohol in their home environment rather than in public. The safest strategy is always seen as abstinence.

STRATEGIC IMPLICATIONS

Key points identified in many conference sessions were -

- The definition of drugs includes alcohol, tobacco, inhalants and over the counter medications as well as illicit drugs.
- Alcohol and tobacco are more widely used and cause far greater health problems, deaths and costs to society than any other drugs.
- Illicit drug users form a very small percentage of the general population.
- Drugs are a part of our society. The ultimate goal is for people not to abuse drugs, however the reality is that some people do. The next step is to minimise the risk or harm to the drug user and the community in general.

- Successful community programs tend to include a preventive community education component as well as a number of risk minimisation strategies operating simultaneously.
- Different communities have very different drug usage, influenced by a range of factors. It is very important to conduct research prior to embarking on programs in local government areas in order to meet the needs appropriately.
- Local Governments can make a difference to the management of drug issues in the community.

Possible Strategies for Local Government Action

- Conduct research and analyse the scope of drug usage in the region.
- Develop strategies based on the research.
- Develop policies that reflect best practice.
- Provide more prevention programs for young people eg. activities, recreation and lifeskills programs.
- Provide ongoing and supportive work experience, training and/or employment opportunities to those who are working towards a drug-free lifestyle.
- Raise community awareness through pamphlets, posters, articles etc.
- Run workshops offering general information about drugs.
- Involve young people in the provision of resources and services for young people.
- Develop support groups for families dealing with drug-related issues.
- Develop preventive education packages for schools.
- Develop partnerships with the Parent Committees of local schools.
- Research the possibilities of developing partnerships with other agencies or businesses in the community.
- Support Local Drug Action Groups
- Create a drug-specific information website.
- Develop a resource kit about drugs that could be made available in libraries and/or posted out to community members.
- Design public space (Urban Design) that creates safer environment and simultaneously decreases the negative impact of drug use on the community.
- Install closed circuit cameras in “hot spot” areas for crime prevention.
- Evaluate public buildings such as ablution blocks and modify to limit drug use and associated norms within.
- Evaluate the lighting in public spaces to create safer communities.
- Activate the Rangers for clean-up campaigns in “hot spots.”
- Lobby State and Commonwealth governments regarding drug policy and the availability of funding for preventive projects.

These strategies impact on a range of Council services and will need to be considered in the development of programs and budgets.

COMMENT

The City of Joondalup has a high proportion of young people. Council staff will evaluate the suggested strategies and implement where appropriate.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Report on the “Drugs – National Problem – Local Solutions” conference Report be NOTED.

ITEM 16 DECLARATION OF THE EXTENSION OF MITCHELL FREEWAY – [06763] [138826]

WARD – Pinnaroo, Marina and Lakeside

PURPOSE

The purpose of this report is to seek Council's agreement to the proclamation of a section of the Mitchell Freeway as a State Road.

EXECUTIVE SUMMARY

The City has received a letter from Main Roads WA (MRWA) advising that it intends to proclaim the section of Mitchell Freeway from Ocean Reef Road to Hodges Drive as a State Road.

The section of Mitchell Freeway proposed for proclamation as a State Road is shown on MRWA Drawing No. 0093-655 at Attachment 1.

There are no financial or policy implications for Council. Main Roads WA becomes the sole provider of the road and is responsible for all maintenance, refurbishment and construction works on the Freeway.

Main Roads WA has provided drawings which must be endorsed with the Resolution/Recommendation Number, Date and the Chief Executive Officers Signature and Date.

It is recommended that Council:

- 1 AGREES to the proposal submitted by Main Roads WA to proclaim the section of Mitchell Freeway from Ocean Reef Road to Hodges Drive as a State Road as detailed on Main Roads Drawing Numbers 0093-655, 0093-656 and 0093-657 and as shown on Attachments 1, 2 and respectively, to this report;**
- 2 AUTHORISES the Chief Executive Officer to endorse Main Roads Drawing Numbers 0093-655, 0093-656 and 0093-657 and as shown on Attachments 1, 2 and 3 to this report.**

BACKGROUND

The City has received a letter from Main Roads WA advising that it intends to proclaim the section of Mitchell Freeway from Ocean Reef Road to Hodges Drive as a State Road.

Although this section of Freeway was opened to traffic in 1999, it had not been proclaimed a State Road. The purpose of the proclamation is to formalise Main Roads WA's responsibility for the care, control and management of the road.

Prior to recommending to the Minister for Planning and Infrastructure that the declaration proceed, the Commissioner of Main Roads WA has requested Council's formal agreement of the proposal as part of the proclamation process.

Statutory Provisions

The section of Mitchell Freeway proposed for proclamation as a State Road is shown on MRWA Drawing No. 0093-655 at Attachment 1.

The Commissioner of Main Roads is required under Section 13A of the Main Roads Act to consult with the affected local government, receive objections, if any, consider the response and make a recommendation to the Governor.

DETAILS

Main Roads WA is the State Government authority responsible for the management of State Roads in Western Australia. Main Roads WA manages and maintains these "declared Main Roads" which are the primary transport routes on the road network, such as Wanneroo Road, Marmion Avenue south of Ocean Reef Road and the Mitchell Freeway. The purpose of the declaration is to enable Main Roads WA to incorporate this section of the Mitchell Freeway into the remainder of the Freeway and State Road network.

Financial Implications:

There are no financial or policy implications for Council. Main Roads WA becomes the sole provider of the road and is responsible for all maintenance, refurbishment and construction works on the Freeway.

COMMENT

Main roads WA has provided a set of plans showing the carriageway details at Ocean Reef Road and Hodges Drive. These plans, Drawing No. 0093-656 and Drawing No. 0093-657 are shown at Attachments 2 and 3 respectively.

All the plans, Drawing No. 0093-655, 656 and 657 must be endorsed with the Resolution/Recommendation Number, Date and the Chief Executive Officers Signature and Date. The drawings will then be forwarded to the Minister for Planning and Infrastructure.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION**That Council:**

- 1** **AGREES** to the proposal submitted by Main Roads WA to proclaim the section of Mitchell Freeway from Ocean Reef Road to Hodges Drive as a State Road as detailed on Main Roads Drawing Numbers 0093-655, 0093-656 and 0093-657 and as shown on Attachments 1, 2 and respectively, to this Report;

- 2** **AUTHORISES** the Chief Executive Officer to endorse Main Roads Drawing Numbers 0093-655, 0093-656 and 0093-657 and as shown on Attachments 1, 2 and 3 to this Report.

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf050202.pdf](#)

ITEM 17 CONTRACT NO. 032-00/01 - GRAFFITI CONTROL SERVICES & COATINGS – [52151]

WARD – All

PURPOSE

This report recommends the extension of Contract No. 032-00/01 – Agreement for the supply of Graffiti Control Services & Coatings to the City's infrastructure in accordance with Clause 24 -Contract Period, of the General Conditions of Contract.

EXECUTIVE SUMMARY

Council, at its meeting on 13 February, 2001 accepted the tender submitted by *Kleenit* for supply of Graffiti Control Services and Coatings for the City's infrastructure, with an option to extend for two twelve month periods, subject to satisfactory performance. *Kleenit* has requested that the contract be extended with no price adjustment and this is supported by officers.

It is recommended that Council:

- 1 AUTHORISES the extension of Contract No. 032-00/01, Agreement for the Supply of Graffiti Control Services & Coatings to the City's Infrastructure for a period of twelve months from 1 March, 2002 to 28 February 2003 in accordance with the Schedule of Rates forming Attachment 1 to Report CJ018-02/01;**
- 2 AUTHORISES the signing of the contract extension documents.**

BACKGROUND

Contract No. 032-00/01 was awarded by Council at its ordinary meeting of 13 February 2001, Report No. CJ018-02/01 refers. Four tenders were received and the evaluation process identified *Kleenit* as the preferred tenderer. *Kleenit* is based in Bassendean and services various local authorities.

DETAILS

Kleenit has undertaken all works as requested in a professional manner and has advised the City on various product options for improving the service.

Graffiti removal is a competitive market with new products becoming available continuously. *Kleenit* is currently undertaking product evaluation to ensure that Council is receiving regular information and an efficient service.

The City currently has two contractors engaged for graffiti control services – Dalecoast Pty Ltd (trading as Graffiti Systems Aust) for removal from Council buildings and *Kleenit* for Graffiti Control Services and Coatings to the City's infrastructure.

The City has recently undertaken responsibility for the Graffiti Campaign Program from the State Government for removal of graffiti from private residential fences and has two employees involved in this program. Council will review the provision of this in-house service as part of the forthcoming 2002/2003 budget process.

The availability of contractors has been a benefit during the transition from the State Government Graffiti Program to the Council operated program.

Financial Implications:

Funding for these works is allocated within the Operations Services Maintenance Budget as authorised by Council in its adoption of the Annual Budget.

COMMENT

The request for extension of the contract is supported by officers for the following reasons:

- No price adjustment proposed
- Service provision has been good
- Availability has been within accepted timeframe
- Product information has been supplied when appropriate
- This service was previously exposed to the public tender process and the most competitive bid was awarded the contract on the basis that they have available equipment, resources and materials to undertake the works in the most responsive manner.

It is therefore recommended that Contract No. 032-00/01 Graffiti Control Services and Coatings to the City's infrastructure be extended for a twelve month period in accordance with Clause 24, Contract Period in the General Conditions of Contract.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council:

- 1 AUTHORISES the extension of Contract No. 032-00/01, Agreement for the Supply of Graffiti Control Services & Coatings to the City's Infrastructure for a period of twelve months from 1 March, 2002 to 28 February 2003 in accordance with the Schedule of Rates forming Attachment 1 to Report CJ018-02/01;**
- 2 AUTHORISES the signing of the contract extension documents.**

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf050202.pdf](#)

ITEM 18 PETITION - OBJECTION TO INSTALLATION OF GOAL POST, RUTHERGLEN PARK, KINROSS – [40500]

WARD – North Coast

PURPOSE

Residents have submitted a petition objecting to the installation of a soccer goal post within a passive park in Kinross. Provision of a goal post was undertaken at the request of various local residents and a Ward Councillor. This report recommends a trial period and provision of a barrier fence to minimise resident's concerns.

EXECUTIVE SUMMARY

Council has received a petition from residents in Rutherglen Circle, Kinross objecting to the installation of a goal post in the park. Residents are concerned regarding safety, noise and disturbance and possible accumulation of rubbish.

An on-site meeting with residents on site regarding provision of a goal post in a suitable location to alleviate the residents' initial concerns.

Subsequent to this meeting, residents in Rutherglen Circle have expressed their concerns at the park use and location of the soccer goal post.

The following actions are recommended:

- 1 PROVIDES a screen fence barrier on the park boundary for a 15 metre section of Rutherglen Circle, for a trial period of three months during the winter sports season;**
- 2 SEEKS the co-operation of local children to utilise the park in keeping with the local amenity of the area;**
- 3 EVALUATES the option to remove further vegetation, following the 3 month trial period, if the residents' concerns continue regarding the fence and goal post;**
- 4 ADVISES the petitioners accordingly.**

BACKGROUND

Rutherglen Park is a small passive reticulated park with a significant portion of remnant vegetation in the centre.

Total area .44 ha with approximately .20 bushland bordered by Rutherglen Circle, Ailsacraig Ramble and residential property. The park was irrigated in conjunction with the enhancement of Connolly Drive, median and verges during the suburb development by Peet and Co. See Attachment 1.

In September 2001, the City received a request from a resident in Ailsacrag Ramble regarding restrictions to be placed on the type of use allowed within a passive park.

Young children were regularly practising ball sports within the grassed areas of the park and this has been of concern to adjoining residents.

Investigations on site confirmed that a group of children regularly use the open areas of grass near adjoining residential property and were causing concern to residents by kicking balls against the retaining walls and fence, balls were going over the fences and damaging property. The children were generally being noisy, creating a nuisance and running across the road to retrieve the balls

DETAILS

A site meeting was held between Council Officers and residents to determine the extent of the problem and to find a solution.

It was agreed with various residents at the site meeting of 13 November, 2001 that the provision of a practice goal post was a benefit as it was an alternative to the resident's fence. The initial location selected had proven unsatisfactory.

The second location selected was adjacent to Rutherglen Way and approximately 15 metres from the park boundary. Two trees were removed to enlarge the area enough to enable kicking of a ball.

Residents were advised that there was no other alternative solution if this location proved to be unsuitable. Further clearing of vegetation was to be avoided if possible.

Provision of a screen fence was proposed to minimise the problem of balls rolling on to or over the road and hitting adjoining residential fences.

The goals were relocated and utilised for one weekend. Residents on Rutherglen Circle contacted Councillor Hollywood and staff expressing their concerns about ball play in the park.

Financial Implications:

Provision of the fence is via surplus link mesh fencing material stored at the Works Depot. Installation is proposed to be undertaken by the Community Service work team. Any minor costs incurred for concrete and supervision would be debited to the park maintenance account for Rutherglen Park, 11 60 72 721 4615 2727.

COMMENT

There is a small group of children who are soccer fans and regularly play in the park often with parents in attendance.

Removal of the goal post will transfer the problem back to the residential fences and this will move the concern from Rutherglen to the adjoining owners.

The following actions are recommended:

- 1 Provision of the screen/barrier fence on Rutherglen verge site as per the initial proposal
- 2 Education of the children to respect that the area is small and adjoining property damage is unacceptable
- 3 Acceptance by residents that the park is for recreational use and kicking a ball around conforms to this use

A meeting on site with the children, parents and local residents to advise of the options available to address some residents concerns and the public open space aspects of the park, is planned.

The comments about noise and accumulation of rubbish are accepted as a normal consequence of park usage.

A three month trial period, to coincide with winter sports activities following installation of the barrier fence, be put in place. This will enable all parties to experience the benefits and disadvantages and determine long term options.

This process is preferable to additional clearing of indigenous vegetation that is the next option to enable children to utilise the park without disrupting the local residents. The condition of this remnant bushland is a very good representation of Banksia and Coastal Heath.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council:

- 1 PROVIDES a screen fence barrier on the park boundary for a 15 metre section of Rutherglen Circle, for a trial period of three months during the winter sports season;**
- 2 SEEKS the co-operation of local children to utilise the park in keeping with the local amenity of the area;**
- 3 EVALUATES the option to remove further vegetation, following the 3 month trial period, if the residents' concerns continue regarding the fence and goal post;**
- 4 ADVISES the petitioners accordingly.**

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf050202.pdf](#)

ITEM 19 CLOSE OF ADVERTISING - REVIEW OF HOME BUSINESS POLICY 3.1.11 – [03170]

WARD - All

PURPOSE

Council is required to consider the draft changes proposed to the Home Business Policy following public advertising.

EXECUTIVE SUMMARY

Council undertook a review of the City's Home Business Policy at its meeting on 9 October 2001 (CJ339-10/01) and adopted a number of draft changes to the policy. The changes have been advertised for public comment for a 28-day period, closing on 15 November 2001. No submissions were received.

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

It is recommended that the proposed changes to the Home Business Policy be adopted without modification.

BACKGROUND

Suburb/Location: All
Applicant: N/A
Owner: N/A
Zoning: DPS: N/A
MRS: N/A

Strategic Plan: Lifestyle – Strategy 2.6
Promote and enjoy lifestyles that engender environmental, social and economic balance and sustainability.

Previous Council Decision

At its meeting on 9 October 2001, Council adopted the draft changes to the Home Business Policy (attachment 1) and it was advertised for public comment for 28 days, closing on 15 November 2001.

DETAIL

Current Proposal or Issue

The Home Business Policy operates in recognition of the need to accommodate the growing trend towards working at home, whilst recognising that people still regard residential areas as primarily a place to live, not to work. It operates together with District Planning Scheme

No.2 (DPS2) and the ‘Local Planning Strategy to Regulate Working from Home’ to provide a collective strategy and a set of principles that can be applied when home occupation applications are considered.

The Home Business Policy supplements DPS2 by providing relevant details relating to each category of Home Business. This includes:

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

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

The review of the policy was initiated to evaluate its performance since its inception in September 1999. Whilst the policy is performing satisfactorily and no formal complaints have been received since its adoption, some minor changes are proposed to guide the location of home business proposals in residential areas and limit the days and operating hours of home businesses. An additional inclusion initiates a review of Category 2 and 3 home business proposals through the mandatory renewal of applications every 12 months (attachment 1).

Statutory Provisions

Clause 8.11 of DPS2 sets out the requirements for preparing, adopting and amending local planning policies. It provides that Council shall consider all submissions received during the advertising period. After considering all submissions Council is required to finally adopt the changes to the policy with or without modification, or not proceed with the changes. Following final adoption of the changes, notification is required. This is published once in a newspaper circulating within the scheme area.

Consultation

The proposed changes to the ‘Home Business Policy’ were advertised for public comment for 28 days, closing on 18 November 2001. No submissions were received.

COMMENT

Assessment and Reasons for Recommendation

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

The inclusion of a mandatory 12 month review period for Category 2 and 3 home business proposals will improve the monitoring of these proposals and is in line with the current practice of granting approvals for an initial period of 12 months.

It is recommended that the amendments to the policy be adopted.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

THAT Council in accordance with clause 8.11 of the City of Joondalup's District Planning Scheme No 2 ADOPTS the amended policy 'Home Business' as per Attachment 1 to this Report.

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf050202.pdf](#)

ITEM 20 JOONDALUP CITY CENTRE PUBLIC PARKING STRATEGY – [07190]

WARD – Lakeside

PURPOSE

The purpose of this report is for Council to adopt the Joondalup City Centre Parking Strategy following public advertising and decide whether to proceed with the Joondalup City Centre Traffic and Parking Review outcomes.

EXECUTIVE SUMMARY

Council considered a report at its meeting on 9 October 2001 (CJ354-10/01) on the Joondalup City Centre Public Parking Strategy, redevelopment opportunities for increased parking and improved traffic circulation in the Central Business District (CBD), and changes to the parking restrictions in some areas.

The Parking Strategy and the development options were made available for public comment with two submissions and 13 submissions being received respectively. The submissions are generally supportive except for concerns expressed regarding the proposals for median parking in Lakeside Drive.

The submissions were very supportive for the Collier Pass proposals and the Western Australian Government Railways have agreed to provide funding for commuter parking at the Joondalup Transit Station that can be used to implement this proposal.

It is recommended that the Joondalup City Centre Public Parking Strategy be adopted, that the concept for Collier Pass be endorsed and works commenced this financial year utilising funds available from the WAGR, and that the other concepts be endorsed for further design and consideration in the 2002/2003 capital works projections. It is also recommended that Main Roads Western Australia (MRWA) be requested to examine appropriate speed limits for Grand Boulevard and Lakeside Drive.

BACKGROUND

Suburb/Location:	Joondalup City Centre
Applicant:	N/A
Owner:	N/A
Zoning:	DPS: Centre Zone
	MRS: City Centre Zone
Strategic Plan:	2.2 Facilitate the development of the Joondalup City Centre

At its meeting on 9 October 2001 Council considered a report (CJ354-10/01) which described a strategy to provide for the long term parking needs of the Joondalup City Centre Central Business District (CBD). The report also addresses the management of the existing public parking and an approach to phasing parking development to suit CBD activity.

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

The report addressed a number of design options developed from a workshop exercise. These options related to Grand Boulevard, Reid Promenade, Collier Pass and Lakeside Drive.

Council resolved:

- 1 *ADOPTS the Joondalup City Centre Public Parking Strategy dated August 2001 as a draft for public comment for a period of 30 days;*
- 2 *INVITES the major stakeholders in the Joondalup City Centre to join with the City in a review of the short and long term vision for the development of the Joondalup City Centre;*
- 3 *in accordance with Clause 4.11.3 of District Planning Scheme No 2, CALCULATES the cash payment in lieu of the provision of on-site parking, applicable to development in the Joondalup City Centre Central Business District, for the period of 30 June 2002, to be \$8,100 per parking bay;*
- 4 *AMENDS the City of Joondalup Parking Scheme in accordance with clause 18 of the City's Parking Local Law 1998, by the:*
 - (a) *ADOPTION of Schedule 3 Public Parking Stations in the Joondalup City Centre and the attached plan indicating the location of the parking stations, as indicated in Attachments 8 and 3 to Report CJ354-10/01;*
 - (b) *APPROVAL and application of a combination of time restrictions of one hour, two hour and four hours being applied in City of Joondalup Parking Station P2 - McLarty Avenue No 2, as indicated in Attachment 9 to Report CJ354-10/01;*
- 5 *AMENDS the City of Joondalup Parking Scheme On Street Parking Time Restrictions in accordance with clause 33 of the City's Parking Local Law 1998:*

At Boas Avenue between Grand Boulevard and McLarty Avenue

Replacing the existing 30 minute time limit with 15 minute time limit

Replacing the existing one hour time limit with 30 minute time limit

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

Replacing the existing one hour time limit with 30 minute time limit

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

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

- 6 *ENDORSES the use of the City of Joondalup Private Parking Agreement as the appropriate method for co-ordinating the management of public and private parking areas;*
- 7 *ADVERTISES and makes available the details of the overall approach to the provision of parking and traffic circulation in the Joondalup City Centre arising from the workshop aimed at maximising on street parking, for public inspection and comment for a period of 30 days;*
- 8 *REQUIRES a further report following public comment recommending priorities and an implementation strategy for traffic and parking modification to the Joondalup City Centre, including funding options for the provision of parking in the Collier Pass road reserve.*

DETAILS

The Joondalup City Centre Public Parking Strategy was advertised and made available for public comment from 25 October 2001 until 22 November. Two submissions were received (Attachment 1). One submission related to the lack of specific provision for transit commuter parking. The other asked a series of questions about the impact of aspects of the Strategy on the private parking related to the shopping centre and expressed pleasure at the approach Council is taking to parking in the City Centre.

The invitation to the major stakeholders to participate in a review of the vision for the City Centre will be conducted in the City Centre Place Management project proposed to commence in February 2002.

The details and approach to the provision of parking and traffic circulation arising from the workshop were compiled into a brochure for distribution and comment from 1 December 2001 to 8 January 2002.

A total of 13 submissions were received and are summarised in the schedule in Attachment 2. While the submissions were generally supportive and saw a positive impact on business, calming traffic, and relieving parking congestion, four submissions expressed concern. The main concern was with the proposal for median parking in Lakeside Drive.

The requirement to provide a report recommending priorities and an implementation strategy for traffic and parking modification to the Joondalup City Centre, including funding options for the provision of parking in the Collier Pass road reserve has also been addressed. The normalisation agreement with LandCorp for the Joondalup City Centre provides for funds for the duelling of Collier Pass. The West Australian Government Railways has agreed to provide \$578,000 for the parking component of this proposal subject to notices being included to indicate the parking is for commuters. These funds will be available this financial year and the works can be accommodated in the schedule.

Statutory Provision:

There is no statutory requirement relating to the preparation of strategies or public consultation for traffic and parking issues.

Consultation:

For consultation regarding the Parking Strategy a notice was published in the local paper and affected landowners and stakeholders were advised by letter and invited to comment. A brochure was compiled containing the details and approach to the provision of parking and traffic circulation arising from the workshop for distribution to affected landowners and stakeholders. The brochure was displayed on the notice board and a notice placed in the local paper inviting comment.

Policy Implications:

The Cash in Lieu of Parking policy is currently under review and will include reference to details of this strategy.

Strategic Implications:

The parking strategy is an important document that will guide decision making and planning for parking and related issues in the City Centre in the short, medium, and long term. Subsequent changes will have to be made to the Joondalup City Centre Structure Plan.

COMMENT**The Parking Strategy**

The long term Joondalup City Centre Public Parking Strategy is important to decision making for both the City and the Development community. As no significant issues in relation to the Strategy have been raised through the public consultation it is recommended that the Strategy be adopted.

Collier Pass

The concept design for Collier Pass supports the short term strategy of maximising on street parking by including a combination of parallel and median parking to provide approximately 126 parking bays. A number of submissions were received in support of this proposal urging Council to proceed as soon as possible. Path Transit made a submission opposing the proposal on the basis of increased traffic congestion and risk of accidents. It is considered that the provision of dual carriageways and the long term (low turnover) nature of the parking will not result in an unacceptable level of congestion or risk of accidents.

Council has implemented changes to the time limits for parking in the main McLarty Avenue parking station. These changes have caused long term (commuter) users to move to the smaller McLarty Avenue parking station giving rise to considerable complaints regarding the lack of commuter parking and disruption being caused to businesses in McLarty Avenue.

It is estimated that the cost of the works in Collier Pass is \$850,000, of which \$420,000 is estimated to represent the parking component. There is provision in the LandCorp normalisation agreement for \$540,000 to construct the second carriageway of Collier Pass and the WAGR has agreed to provide \$578,000 for commuter parking for the Joondalup Transit Station, to be spent this financial year. The Joondalup City Centre Public Parking Reserve contains \$447,684 for the purchase of land and construction of off street public parking. Funds could be accessed from this reserve (\$272,000) to complete the works, and be replaced

when the Normalisation Agreement is finalised. As funding can be accessed it is recommended that the concept be endorsed and works commenced this financial year to partly meet the identified commuter parking needs in the area.

Council is in the process of obtaining a 3,000 square metre site adjacent to the Transit Station which will be able to accommodate further parking for commuter purposes.

Grand Boulevard (Boas Avenue To Shenton Avenue)

The concept design for the mid City section of Grand Boulevard north of Boas Avenue to Shenton Avenue provides an option to narrow the dual carriageway to single lanes in each direction through utilising the kerbside traffic lanes as car parking bays (see Attachment 3). This proposal has been supported by submissions and now that the connection of Lakeside Drive to Joondalup Drive is under construction, further consideration can be given to its implementation.

An important element of this proposal is the slowing of traffic through the City Centre to ease traffic manoeuvres and improve pedestrian walkability and safety. This aspect may be reinforced with a reduction in the speed limit to 50 kph and it is recommended that MRWA investigate this possible reduction.

It is recommended that this concept be endorsed as a basis for further design and consideration in the 2002/2003 projected capital works program.

City Centre Streets

The concept design for City Centre streets was represented by a plan showing part of Reid Promenade providing 45 degree angle parking by using the existing parallel parking embayment and cycle lane on the roads as shown on Attachment 4. The submissions are supportive of this concept although a number have mentioned the need for care in using angle parking. It is considered that this has been addressed by the use of a clear reversing zone and the creation of a very low speed environment. It is not considered necessary to maintain the bicycle lanes in these streets given the expected low vehicle speeds.

It is considered important to provide additional parking in the area and this proposal is a favoured option for achieving this. It is recommended that this concept be endorsed as a basis for further design and consideration in the 2002/2003 projected capital works program.

Lakeside Drive

The concept design for Lakeside Drive involved the provision of right angle parking in the central median to provide parking on the periphery of the CBD for low turnover employee parking (Attachment 5). There are a number of submissions opposing this concept claiming it to be out of character with the residential area and that the landscaped median is a major attraction of the area. Concern was also expressed regarding the proposed connection of Moorhen Court to Lakeside Drive. While improved connectivity is considered to be desirable, this would represent a minor connection and is not essential.

While the concern is understandable, the primary function of the Central Business District is to provide for the business activity of the Strategic Regional Centre. Lakeside Drive is a CBD road that will have to accommodate businesses and parking. Residential uses are welcome and encouraged but not at the expense of the necessary business activity. There is,

however, no immediate need for this parking and it is envisaged that the Lakeside Drive option would only be developed after other options had been fully exercised. The option should remain available to provide flexibility for the Council to manage parking in the City Centre.

It is recommended that this concept, except for the Lakeside Drive, Moorhen Court connection, be endorsed as a basis for further design and consideration in the 2002/2003 projected capital works program.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

THAT Council:

- 1 ADOPTS the Joondalup City Centre Public Parking Strategy dated August 2001;**
- 2 ENDORSES the concept design for dual carriageway and parking in Collier Pass;**
- 3 AUTHORISES the Collier Pass works to commence this financial year as an interim measure for providing commuter parking for the Joondalup Transit Station utilising the Western Australian Government Railway contribution of \$578,000, and an amount of \$272,000 from the Joondalup City Centre Public Parking Reserve;**
- 4 REPLACES the \$272,000 in the Joondalup City Centre Public Parking Reserve with funds from the LandCorp Normalisation Agreement when that Agreement is finalised;**
- 5 ADVISES the Western Australian Government Railways that it accepts with thanks the offer of \$578,000 towards commuter parking for the Joondalup Transit Station;**
- 6 ENDORSES the concept designs for parking and traffic circulation for Central Business District streets, except the Lakeside Drive, Moorhen Court connection, for further design and consideration for inclusion in the 2002/2003 projected capital works program;**
- 7 REQUESTS Main Roads Western Australia to examine the speed limits appropriate for Grand Boulevard and Lakeside Drive.**

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf050202.pdf](#)

ITEM 21 AMENDMENT NO. 8 TO DISTRICT PLANNING SCHEME NO. 2 - PORTION OF PART LOT 2 (30) DORIAN LOOP, KINROSS (KINROSS MIDDLE SCHOOL SITE) – [35016]

WARD – North Coast

PURPOSE

Amendment No. 8 to District Planning Scheme No. 2 (DPS 2) is brought before Council for consideration of final adoption.

EXECUTIVE SUMMARY

Amendment No. 8 proposes to rezone a portion of Part Lot 2 (30) Dorian Loop, Kinross (Kinross Middle School site), from ‘Local Reserve – Public Use – High School’ to ‘Residential’. Refer to **Attachments 1, 2 and 3**.

The rezoning is being sought to facilitate the residential subdivision and development of the land.

The rezoning will effectively reduce the size of the Kinross Middle School site from 10 hectares to 7.02 hectares, which is below that recommended by Western Australian Planning Commission (WAPC) policy. The Education Department of Western Australia (EDWA) advises however that the land is surplus to its requirements.

Council resolved at its meeting on the 12 June 2001 (CJ185-06/01) to adopt Amendment No. 8. The amendment was advertised for a period of 42 days from 25 July 2001 to 5 September 2001. Twenty one (21) submissions were received, 16 from members of the local community, and five from government agencies. Of the submissions from the local community, two submissions were in support of the proposal, 12 submissions objected to the proposal and two submissions were neutral. Concerns related to the loss of bush on the subject land, the loss of views from surrounding properties and the proposed intersection of the subdivisional road along the northern boundary of the proposed school site with Roxburgh Circle.

There is no assurance, even if the rezoning does not proceed, that the bush on the subject land will be retained, or the views from surrounding properties will be preserved. The subject land is currently reserved for high school purposes and could therefore be developed for such purposes. In any case, the existing vegetation on the site is considered to be in a degraded condition and not worthy of retention. The area is considered too small to successfully revegetate.

In response to concerns with respect to the proposed intersection of the subdivisional road along the northern boundary of the proposed school site and Roxburgh Circle, the proponents have prepared two further subdivision design options for consideration. **Refer to Attachments 4 and 5.**

It is recommended that Council adopts Amendment No. 8 to DPS 2 for the purpose of rezoning a portion of Part Lot 2 (30) Dorian Loop, Kinross (Kinross Middle School) from

‘Local Reserve – Public Use – High School’ to ‘Residential’ without modification, and endorses subdivision design option ‘A’ (see Attachment 4) as the preferred design.

BACKGROUND

Suburb/Location:	Part Lot 2 (30) Dorian Loop, Kinross (Kinross Middle School Site)
Applicant:	Taylor Burrell on behalf of Peet & Co
Owner:	Burns Beach Management Pty Ltd
Zoning:	DPS: Local Reserve – Public Use – High School
	MRS: Urban
Strategic Plan:	Lifestyle 2.6 – Promote and enjoy lifestyles that engender environmental, social and economic balance and sustainability.

The subject land is located on the corner of Roxburgh Circle and Kinross Drive in Kinross (**Attachment 1**).

Rationale

The rezoning is being sought to facilitate residential subdivision and development of the land as EDWA advises that it is surplus to its requirements.

Site History/ Previous Council Decisions

Subdivision applications to create a 10 hectare school site over the subject and adjoining land were conditionally approved on the 13 January 1993, 30 April 1993 and the 25 March 1996. The school site however was never formally created and exists merely as a portion of freehold land. Notwithstanding this, the site has been reserved ‘Local Reserve – Public Use – High School’ under DPS 2 and is designated in the Kinross Structure Plan as a high school site.

A subdivision application was submitted on the 31 January 2001 to subdivide the Kinross Middle School site into two lots, one being 7.02 hectares, and the other, 2.80 hectares. The 7.02 hectare lot is proposed to accommodate the Kinross Middle School whilst the 2.80 hectare lot is proposed for future residential subdivision and is the subject of this rezoning proposal. Council considered the subdivision application at its meeting on the 24 April 2001 (CJ124-04/01) where it resolved to support the application subject to conditions, one of these being the rezoning of the proposed 2.80 hectare lot from ‘Local Reserve – Public Use – High School’ to ‘Residential’ under the City’s DPS 2. The subdivision application was conditionally approved by the WAPC on the 29 May 2001 however the approval did not require the land to be rezoned. The approval was however subject to:

“Satisfactory arrangements being made with the Western Australian Planning Commission for the dedication of a 17 metre road reserve and construction of the new subdivisional road on the proposed 2.80 hectare lot.”

The WAPC advised that this condition could be satisfied by way of a legal agreement between the City and the subdivider.

The subject proposal was considered at Council’s meeting on the 12 June 2001 (CJ185-06/01) where it was resolved to adopt Amendment No. 8 for the purpose of advertising and to advise

the applicant that a legal agreement between the City and EDWA would need to be finalised with respect to the use of the adjoining public open space (POS) prior to the finalisation of the amendment.

DETAILS

Following adoption of the amendment at Council's 12 June 2001 meeting, the amendment was forwarded to the Department of Environmental Protection (DEP) for consideration of the need for environmental assessment. The DEP advised that:

Groundwater

The amendment may raise groundwater quality issues and as such should be referred to the Water and Rivers Commission for comment.

Vegetation

The vegetation on site may be of local significance and measures should be taken to ensure identification and protection of any vegetation on site worthy of retention.

Consultation:

The amendment was advertised for a period of 42 days. Advertising commenced on the 25 July 2001 and closed on the 5 September 2001. At the closure of the advertising period, 21 submissions were received, 16 from members of the local community, and five from government agencies. Of the submissions from the local community, two submissions were in support of the proposal, 12 submissions objected to the proposal and two submissions were neutral.

The major concerns raised in the submissions are outlined below.

Bush

Concern was expressed with respect to the loss of bush on the subject land.

Views

Concern was expressed with respect to the loss of views from surrounding properties.

Intersection - Roxburgh Circle

Concern was expressed about the proposed intersection of the subdivisional road along the northern boundary of the proposed school site with Roxburgh Circle. Residents opposite the proposed intersection believe that it will have an adverse impact on their lifestyle and property value.

The submissions have been summarised and addressed in the attached schedule – refer to **Attachment 6**. A plan indicating the location of submitters has also been attached – refer to **Attachment 7**.

Policy Implications:

The WAPC's Policy DC 2.4 (School Sites) generally recommends a minimum of 8-10 hectares for a high school site but states:

“Where a school site is co-located with public open space, that open space is fully utilised by the school and arrangements are in place to the satisfaction of the local government to provide long-term contributions from the education provider for the management of the open space, the land requirement for the school may be reduced.”

Statutory Provision:

The Town Planning Regulations 1967 set out the procedures for amendments to local government’s Town Planning Schemes. The procedure is summarised at **Attachment 8** and the current stage of the amendment has been highlighted.

COMMENT

The following comments are made with respect to the issues raised:

Bush

There is no assurance, even if the rezoning does not proceed, that the bush on the subject land will be retained. The subject land is currently reserved for high school purposes and could therefore be developed for such purposes.

The existing vegetation on the subject site is considered to be in a degraded condition and not worthy of retention. The upper storey of the vegetation consists of banksia woodland, *Nuytsia floribunda* and *Xanthorrhoea preissii*. There is no natural under storey and the site is heavily weed infested. Most banksia species are short lived and are sensitive to any disturbance. The *Nuytsia floribundas* are also sensitive to disturbance and reliant on a healthy understorey for survival.

The WAPC requires 10% of the gross subdividable area to be set aside as POS. A 2800m² area of POS is therefore required to be set aside as part of the proposed subdivision. An area of this size is considered too small to successfully revegetate, particularly given the sensitivity of the existing upper storey. Small areas of native vegetation are often the subject of weed infestation and rubbish collection, creating unsightly areas, which are difficult to manage. Such areas are also likely to attract anti-social behaviour. The area is unable to be reticulated as the capacity of the bore servicing Falkland Park is already fully committed. It is recommended that cash-in-lieu be provided in place of POS in this instance.

The City believes that this area of Kinross is well serviced by POS (Falkland Park – 5.0038ha, Callander Park – 2.6197ha, Roxburgh Park – 0.65ha, Rutherglen Park – 0.4468ha). Callander Park, Rutherglen Park and Roxburgh Park all possess areas of native vegetation and are shown on Attachment 1.

Views

There is no assurance, even if the rezoning does not proceed, that views will be maintained from adjoining properties. The subject land is currently reserved for high school purposes and therefore could be developed for such purposes.

Intersection – Roxburgh Circle

In response to concerns from local residents with respect to the proposed intersection of the subdivisional road along the northern boundary of the proposed school site with Roxburgh

Circle, the City requested the proponents to provide the City with further subdivision design options for its consideration. Following the preparation of these, a workshop was held to determine the suitability of the various options. This was attended by representatives of the developers, their consultants, EDWA, concerned residents, relevant ward Councillors and City officers. The attached subdivision designs were derived from the workshop. Refer to **Attachments 4 and 5**. The strengths and weaknesses of these options are outlined below.

Option A

Strengths

- Number of intersections on existing roads (i.e. Roxburgh Circle and Kinross Drive) are kept to a minimum. Intersection opposite homes in Roxburgh Circle has been removed. Intersection on Roxburgh Place has been relocated opposite existing intersection.
- Subdivision road allows for good circulation of school traffic.
- Shorter street lengths promote lower vehicle speeds, which is desirable around schools.
- Lots have been orientated to overlook school and therefore provide passive surveillance.

Weaknesses

- Lack of road interface along the entire length of the school's northern boundary. Doesn't allow for clear demarcation of school boundary. Reduces passive surveillance. Reduces amount of on-street parking bays.
- School traffic will utilise proposed north-south residential subdivisional road.
- Council's PAW Policy states that due to the variety of problems which may be experienced by people living adjacent to PAWs, the creation of new PAWs is generally not supported. It does acknowledge however that there may be instances where the creation of PAWs is the only solution to providing a convenient and legible pedestrian movement. In these instances, a new PAW may be created subject to the requirements set out in Council's Policy.
- Whilst the pedestrian accessway (PAW) is not desirable, it is acknowledged that this, in addition to the access to the lots, does provide some demarcation of the school boundary.
- Creation of landscaped median island on Roxburgh Circle will create an access barrier to adjoining properties and is therefore not supported. Landscaping should be limited to appropriately spaced street trees. Existing road pavement will need to be widened to accommodate this.

Option B

Strengths

- Road interface provided along entire length of school's northern boundary. Allows for clear demarcation of school boundary. Allows for the number of on-street parking bays to be maximised (a significant number of on-street bays are proposed to be lost as a result of the proposed subdivision). Allows for passive surveillance.
- Number of intersections on existing roads (i.e. Roxburgh Circle and Kinross Drive) are kept to a minimum. Intersection opposite homes in Roxburgh Circle has been removed.

Weaknesses

- Not all lots have been orientated to overlook the school and therefore provide passive surveillance.
- Proposed cul-de-sac on Roxburgh Circle does not allow for good circulation of school traffic. This may promote an undesirable number of U-turns by school generated traffic similar to the existing road pattern..
- Bus stop lies adjacent to proposed intersection on the eastern side of Kinross Drive. This is considered undesirable. Bus stop will need to be relocated.
- Creation of landscaped median island on Roxburgh Circle will create an access barrier to adjoining properties and is therefore not supported. Landscaping should be limited to appropriately spaced street trees. Existing road pavement will need to be widened to accommodate this.

As option A allows for better circulation of school traffic, this is considered to be the preferred option.

DEP Advice

Groundwater

The Water and Rivers Commission advises that it has no objection to the amendment.

Vegetation

As outlined above, the City has inspected the existing vegetation on the subject land and believes that it is in a degraded condition and not worthy of retention. The subject area is considered too small to successfully revegetate.

Legal Agreement

Council at its 12 June 2001 meeting (CJ185-06/01) resolved to advise the applicant that a legal agreement between the City and EDWA would need to be finalised with respect to the use of the adjoining POS prior to the finalisation of the amendment. The legal agreement has been drafted and is the subject of a separate report to this Council meeting.

Assessment and Reasons for Recommendation

For the reasons outlined above, it is recommended that the amendment be adopted for final approval, without modification, and that subdivision design option 'A', having a greater number of strengths, be endorsed as the preferred design.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION**That Council:**

- 1** pursuant to Town Planning Regulation 17 (2) **ADOPTS** Amendment No. 8 to the City of Joondalup’s District Planning Scheme No. 2 without modification;
- 2** **NOTES** the submissions received;
- 3** **AUTHORISES** the affixation of the Common Seal to, and endorses the signing of the amendment documents.
- 4** **ENDORSES** subdivision design option ‘A’ as the preferred design.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf050202.pdf](#)

ITEM 22 AMENDMENT NO. 11 TO DISTRICT PLANNING SCHEME NO. 2 - PORTION LOT 9000 – CORNER SELKIRK AND CONNOLLY DRIVES, KINROSS (KINROSS NEIGHBOURHOOD CENTRE) – [58472]

WARD – North Coast

PURPOSE

Amendment No. 11 to District Planning Scheme No. 2 (DPS 2) is brought before Council for consideration of adoption for final approval.

EXECUTIVE SUMMARY

Amendment No. 11 proposes to rezone a portion of Lot 9000, on the corner of Selkirk Drive and Connolly Drive, Kinross (Kinross Neighbourhood Centre), from ‘Residential’, ‘Business’, ‘Commercial’ and ‘Civic and Cultural’ zones to the ‘Centre’ zone, and to uncode the land, currently coded ‘R20’ and ‘R40’. (**Attachments 1 & 2**)

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

Under the Centre zone, no subdivision and development is permitted, unless a Structure Plan is prepared and adopted in accordance with Part 9 of the Scheme, and the proposed subdivision and development is in accordance with that Structure Plan. The applicant has prepared a Structure Plan for the site and this is the subject of a separate report to this Council meeting.

Council adopted Amendment No. 11 at its meeting on the 9 October 2001 (CJ352-10/01) in order to proceed with advertising the proposal. The amendment was advertised for a period of 42 days from 7 November 2001 to 19 December 2001. At the close of advertising, six submissions were received, one from a community member and five from government agencies.

The submission received from a community member expressed concern with respect to the proposed commercial land use for the site. The submissions received from government agencies expressed no objections to the amendment.

The site has clearly been zoned for these purposes all along and this amendment is to facilitate improved design. A portion of the subject site is already zoned for Commercial purposes and is identified in the City’s Centres Strategy as a Village Centre. The amendment does not propose any new land uses for the site, it merely allows for the centre to be relocated and redesigned through the structure planning process.

It is recommended that Council adopts Amendment No. 11 to DPS 2 for the purpose of rezoning a portion of Lot 9000, on the corner of Selkirk Drive and Connolly Drive, Kinross

(Kinross Neighbourhood Centre), from ‘Residential’, ‘Business’, ‘Commercial’ and ‘Civic and Cultural’ zones to the ‘Centre’ zone, and to uncode the land, without modification.

BACKGROUND

Suburb/Location:	Kinross
Applicant:	Taylor Burrell on behalf of Peet & Co
Owner:	Burns Beach Management Pty Ltd
Zoning: DPS:	Residential (R40), Business (R20), Commercial (R20), Civic and Cultural (R20)
 MRS:	Urban
Strategic Plan:	<u>Key Result Area - Lifestyle</u> <i>Strategy 2.1</i> – Rejuvenate our suburbs <i>Strategy 2.3</i> – Foster opportunities for cultural development and involvement <i>Strategy 2.5</i> – Work with the community and key organisations to enhance safety and security <i>Strategy 2.7</i> – Encourage provision of a range of innovative and quality facilities, services and recreational activities which achieve the physical, social, cultural and intellectual well-being of the community, both locally and regionally. <u>Key Result Area – Economic Vitality</u> <i>Strategy 3.1</i> – Establish alliances with key stakeholders to identify opportunities to encourage and promote economic growth.

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

Site History

The existing zoning of the site under the City’s DPS 2 was derived from a concept plan for the Neighbourhood Centre, which was prepared by Hames Sharley in 1993, and a subdivision plan, which was conditionally approved by the WAPC on 30 June 1994. Neither of these plans have been implemented.

Rationale

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

The applicant advises that the existing zoning and coding of the site restricts the relocation and redesign of the Centre. It is therefore proposed to rezone the site to the ‘Centre’ zone under the City’s DPS 2, and to relocate and redesign the Centre through a Structure Plan. The

applicant advises that the structure plan process is the best mechanism for this, as it avoids the need for further rezoning, should the design need to be modified in the future.

The Centre Zone

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

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

Schedule 3 of DPS 2 restricts the retail net lettable area of the subject Centre to 3000m². This is proposed to be modified however as part of Amendment No. 10 to the City's DPS 2 to, below 4500m², with the following notation, "*generally Village Centres over 3000m² or expansion to over this figure will not be supported unless it can be shown there is a need and that the proposed expansion will be based on 'mainstreet' shopping principles.*"

Previous Council Decisions

The subject amendment was considered at Council's 9 October 2001 meeting (CJ352-10/01) where it was resolved to adopt it for the purposes of advertising.

DETAILS

Following adoption of the amendment at Council's October 2001 meeting, the amendment was forwarded to the Department of Environmental Protection (DEP) for consideration of the need for environmental assessment. The DEP advised assessment is not required.

Consultation:

Following receipt of the above advice from the DEP, the amendment was advertised for a period of 42 days, commencing on 7 November 2001 and ending on 19 December 2001. Six submissions were received during this time, one from a community member and five from government agencies. The submission received from a community member expressed concern with respect to the proposed commercial use of the site. The submissions received from government agencies expressed no objection to the amendment. The submissions have been summarised and addressed in **Attachment 3**.

Statutory Provision:

The Town Planning Regulations 1967 set out the procedure for amendments to local government's Town Planning Schemes. The procedure is summarised at **Attachment 4** and the current stage of the amendment has been highlighted.

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

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

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

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

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

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

Strategic Implications:

The redesign and relocation of the Kinross Neighbourhood Centre will increase its exposure and ensure that it reflects current urban design principles, thereby having economic and lifestyle benefits.

COMMENT

Whilst concern has been expressed regarding the landuse, the site has been zoned for these specific purposes all along. A portion of the subject site is already zoned for Commercial purposes and the City's Centres Strategy recognises it as a Village Centre. The amendment does not propose any new land uses for the site, it merely facilitates the redesign of the centre through the structure planning process.

The redesign of the centre, by way of increasing its exposure and ensuring that it reflects current urban design principles, will be beneficial to future businesses within the centre and to the local community. It is accordingly recommended that the amendment be adopted for final approval, without modification.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1** pursuant to Town Planning Regulation 17(2) **ADOPTS Amendment No. 11 to the City of Joondalup’s District Planning Scheme No. 2 without modification;**
- 2** **NOTES the submissions received;**
- 3** **AUTHORISES the affixation of the Common Seal to, and endorses the signing of the amendment documents.**

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf050202.pdf](#)

ITEM 23 PROPOSED STRUCTURE PLAN - PORTION LOT 9000 – CORNER SELKIRK AND CONNOLLY DRIVES, KINROSS (KINROSS NEIGHBOURHOOD CENTRE) – [58472]

WARD – North Coast

PURPOSE

The proposed structure plan is brought before Council for consideration prior to advertising in accordance with the provisions of District Planning Scheme No.2. (Attachment 1)

EXECUTIVE SUMMARY

The structure plan refers to the Kinross Neighbourhood Centre, described as portion of Lot 9000, on the corner of Selkirk Drive and Connolly Drive, Kinross (Attachment 2).

Amendment No.11 rezones the subject land from ‘Residential’, ‘Business’, ‘Commercial’ and ‘Civic and Cultural’ zones to the ‘Centre’ zone and removes the Residential Density coding of the site. The amendment has been advertised and is the subject of a separate report to this Council meeting.

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

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

The structure plan determines the overall detailed land use and form of development within the Neighbourhood Centre. The subject land is divided into the following three land use areas, Residential, Civic and Cultural and Commercial and specific objectives and criteria are set out for each land use. Essentially the structure plan provides the rationale and framework to support future subdivision and development of the land.

It is recommended that in accordance with Part 9 of DPS2 it be determined that the structure plan is satisfactory, that a copy be sent to the Western Australian Planning Commission and that it be advertised for twenty eight (28) days.

BACKGROUND

Suburb/Location:	Kinross
Applicant:	Taylor Burrell on behalf of Peet & Co
Owner:	Burns Beach Management Pty Ltd
Zoning:	DPS: Residential (R40), Business (R20), Commercial (R20), Civic and Cultural (R20)
	MRS: Urban

Strategic Plan:Key Result Area - Lifestyle

Strategy 2.1 – Rejuvenate our suburbs

Strategy 2.3 – Foster opportunities for cultural development and involvement

Strategy 2.5 – Work with the community and key organisations to enhance safety and security

Strategy 2.7 – Encourage provision of a range of innovative and quality facilities, services and recreational activities which achieve the physical, social, cultural and intellectual well-being of the community, both locally and regionally.

Key Result Area – Economic Vitality

Strategy 3.1 – Establish alliances with key stakeholders to identify opportunities to encourage and promote economic growth.

Site History

A previous plan for the development of the Neighbourhood Centre was prepared in 1993 by Hames Sharley, in consultation with the City. The existing zoning of the site reflects that plan.

Rationale

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

The Centre Zone

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

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

Previous Council Decisions

The associated amendment No.11 was considered at Council's meeting of 9 October 2001 where it was resolved to adopt it for advertising.

DETAILS

The structure plan refers to the Kinross Neighbourhood Centre, described as portion of Lot 9000, on the corner of Selkirk Drive and Connolly Drive, Kinross. Amendment No.11 rezones the subject land from 'Residential', 'Business', 'Commercial' and 'Civic and Cultural' zones to the 'Centre' zone and removes the Residential Density coding of the site. The amendment has been advertised and is the subject of a separate report to this Council meeting.

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

The structure plan determines the overall detailed land use and form of development within the Neighbourhood Centre. The subject land is divided into the following three land use areas, Residential, Civic and Cultural and Commercial and specific objectives and criteria are set out for each land use. Essentially the structure plan provides the rationale and framework to support future subdivision and development of the land.

Consultation:

Proposed to advertise the structure plan for comment.

Statutory Provision:

Part 9 of DPS2 outlines the provisions with respect to the preparation of structure plans. Clause 9.4 outlines the procedures relating to the submission of a structure plan to Council and for consideration prior to advertising.

Policy Implications:

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

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

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

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

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

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

Strategic Implications:

The redesign and relocation of the Kinross Neighbourhood Centre will increase its exposure and ensure that it reflects current urban design principles, thereby having economic and lifestyle benefits.

COMMENT

The relocation and redesign of the centre, by way of increasing its exposure and ensuring that it reflects current urban design principles, will be beneficial to future businesses within the centre and to the local community.

The Structure Plan essentially provides the rationale and framework to support future subdivision and development of the land.

It is recommended that in accordance with Part 9 of DPS2 it be determined that the structure plan is satisfactory, send a copy to the Western Australian Planning Commission, and advertise it for twenty eight (28) days.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION**That Council:**

- 1** pursuant to Clause 9.4 of the City of Joondalup District Planning Scheme No 2, **ADOPT** the draft Kinross Neighbourhood Centre Structure Plan and make it available for public comment for a period of twenty eight (28) days;
- 2** **FORWARD** a copy of the Kinross Neighbourhood Centre Structure Plan to the Western Australian Planning Commission for comment.

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16brf050202.pdf](#)

ITEM 24 MODIFICATION OF JOONDALUP CITY CENTRE STRUCTURE PLAN (CAMPUS DISTRICT) – [52070]

WARD – Lakeside

PURPOSE

The purpose of the report is for Council to consider a number of modifications to the Joondalup City Centre Structure Plan (Campus District) following the Western Australian Planning Commission (WAPC) decision to require additional modifications be made.

EXECUTIVE SUMMARY

Council adopted modifications to the Joondalup City Centre (Campus District) Structure Plan at its meeting on 13 February 2001 (CJ022-02/01). The structure plan was referred to the WAPC where it was adopted on 12 December 2001, subject to a number of further modifications:

- The inclusion of guidelines for all lots in the Campus District area.
- Amend the plan contained in Part 1 ‘Statutory Planning Section’ to clearly identify the boundaries of the structure plan area.
- The replacement of the indicative subdivision plan in Appendix 3 with the amended plan of subdivision approved by the WAPC on 11 December 2001.

The proposed design guidelines address a number of design issues that effect residential lots abutting Lakeside Drive (Attachment 1). These guidelines are required to form part of a conditional approval of subdivision for the ‘University Village’ (WAPC approval date on 11 December 2001). Additional changes require the indicative subdivision plan to be replaced with the approved plan of subdivision for the area (see Attachments 2 and 3), and to more clearly define the boundary (see Attachments 4 and 5).

It is recommended that the proposed modifications to the Joondalup City Centre Structure Plan (Campus District) be advertised for public comment.

BACKGROUND

Suburb/Location:	Joondalup City Centre
Applicant:	Taylor Burrell Town Planners and Designers
Owner:	LandCorp
Zoning:	DPS: Centre Zone
	MRS: City Centre
Strategic Plan:	<u>Lifestyle – Strategy 2.6</u> Promote and enjoy lifestyles that engender Environmental, Social and Economic balance.

Previous Council Decision

At its meeting on 13 February 2001, Council adopted modifications to the Joondalup City Centre Structure Plan (Campus District) following advertising to the public for a 28-day period.

The modifications provide particular guidance with respect to the subdivision/development of a portion of land within the southeast section of the Campus District area referred to as the 'University Village'. This area is mainly for residential purpose but includes a small mixed use/residential area located on the corner of Lakeside Drive and Joondalup Drive.

WAPC Decision

The modifications to the Structure Plan were referred to the WAPC on 20 February 2001 and adopted on 12 December 2001, subject to a number of further modifications:

- The inclusions of guidelines for all lots in the 'University Village' area.
- Amend the plan contained in Part 1 'Statutory Planning Section' to clearly identify the boundaries of the structure plan area.
- The replacement of the indicative subdivision plan in Appendix 3 with the amended plan of subdivision approved by the WAPC on 11 December 2001.

DETAIL

Current Proposal or Issue

The additional design standards have been requested as part of the WAPC subdivision approval for the 'University Village' on 11 December 2001 to ensure that the building design on lots abutting lakeside drive address both Lakeside Drive and secondary street frontage. Inclusions to Part 1 of the Joondalup City Centre Structure Plan (Campus District) are:

- Provision of a 1.0m minimum and 3m maximum front setback for all residential lots within 'University Village'. For lots abutting Lakeside Drive that have dual street frontage, primary frontage is determined as being Lakeside Drive.
- Minimum 2.0m setback for carports/garages to streets, with all other buildings having a minimum setback of 1.5m.
- Provisions that requires all dwellings to have clearly identifiable entrances, with lakeside drive lots having entrances for both primary and secondary street frontage. Entrance structures are to have maximum height, width and setback.
- Provision of minimum fencing standards for all lots in the subdivision area and additional standards to address the secondary street frontage for Lakeside Drive lots.
- Inclusion of minimum building height for Lakeside Drive lots and maximum height of two storeys for Residential/Mixed Use and Institutional Uses.

The above standards have been included in Part 1 of the Joondalup City Centre Structure Plan (Campus District), (Attachment 1) to improve both the administration and application of the guidelines.

The replacement of the 'Indicative Plan of Subdivision' in Appendix 3 with the amended plan of subdivision approved by the WAPC on 11 December 2001 (see Attachments 2 and 3) and

modifications to the plan in Part 1 (see Attachments 4 and 5) are both minor changes to the Structure Plan recognising progress of the subdivision design and improving its legibility.

Statutory Provision:

The modifications to the Structure Plan have been submitted and assessed in accordance with Part 9 of the Scheme. The WAPC has examined the Joondalup City Centre Structure Plan (Campus District) and has resolved to adopt the structure plan subject to a number of modifications.

In accordance with clause 9.6.3(c) of the Scheme the proponent has made the necessary changes in consultation with Council and has resubmitted the modifications for consideration under clause 9.4. Should Council determine that the modifications are satisfactory, the proposal will be advertised for public comment in accordance with clause 9.5 of the Scheme.

Upon completion of advertising Council is required to review all submissions within sixty (60) days and then proceed to either refuse to adopt the modifications to the structure plan or resolve that the modifications to the structure plan are satisfactory with or without changes.

COMMENT

Assessment and Reasons for Recommendation

The proposed design guidelines address a number of design issues that affect residential lots abutting Lakeside Drive. These guidelines are required to form part of the Joondalup City Centre Structure Plan (Campus District) as required by a condition of subdivision approval for the 'University Village' (WAPC approval date on 11 December 2001). Additional modifications are minor, requiring the indicative subdivision plan to be replaced with the approved plan of subdivision for the area, and to more clearly define the boundary.

The plans for the area show the adjoining Edith Cowan University (ECU) land as proposed student housing. It is envisaged that the student housing should have the same character as proposed for this subdivision and that guidelines for the area will be developed in conjunction with ECU as the Structure Plan is further developed.

It is recommended that proposed modifications to the Joondalup City Centre Structure Plan (Campus District) be advertised for public comment.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

THAT Council in accordance with clause 9.4 of the City of Joondalup's District Planning Scheme No.2 ADOPTS the draft modifications to the Campus District Structure Plan and make it available for public comment for 28 days.

Appendix 17 refers

To access this attachment on electronic document, click here: [Attach17brf050202.pdf](#)

ITEM 25 PROPOSED 20 MULTIPLE DWELLINGS REQUIRING VARIATIONS TO POLICY 3.1.9 (HEIGHT AND SCALE OF BUILDINGS WITHIN A RESIDENTIAL AREA) AND FRONT AND SIDE SETBACKS: LOT 48 (41) CURRAMBINE BOULEVARD, CURRAMBINE – [42892]

WARD – North Coast

PURPOSE

The development proposal is referred to Council for determination due to the discretions requested, scale, bulk and its relationship to existing residential development in the surrounding area.

EXECUTIVE SUMMARY

An application has been received for a three storey multiple dwelling development consisting of 20 apartments at Lot 48 (41) Currambine Boulevard, Currambine. Consideration of the proposal was deferred at the December Council meeting.

Council discretion is sought in this instance as the proposal:

- ◆ Exceeds the building height envelope in the Height and Scale of Buildings within a Residential Area Policy 3.1.9
- ◆ Requires front and side setback variations to the Residential Planning Codes (R-Codes)

The proposed multiple dwellings create an interesting urban façade which is achieved by reducing the street setback to a minimum of 1.5 metres in lieu of the standard 9 metre front setback. The multiple dwellings have been designed to address the street by way of windows, balconies and open fencing which provide natural surveillance to the street and surrounding areas. The design also provides for ample and adequate communal open space, good pedestrian footpaths with complimentary landscaping and fencing.

The proposal has been advertised and submissions have raised issues in regard to the lot being developed for multiple dwellings instead of single houses (which is apparently contrary to marketing advice provided when the lots were first sold), potential increase in traffic, visitor and tenant car parking, access off Currambine Boulevard, devaluation of properties and the excessive height of proposal.

Having regard to the submissions received, the irregular shape of the lot, constraints of a rear Right of Way (ROW), R-80 density and close proximity to public transport, the planning variations proposed are appropriate for the style, scale and density of the development and are therefore considered to be reasonable. It is recommended that Council exercise discretion under District Planning Scheme No 2 (DPS2) and the R-Codes to vary the requirements and approval is recommended.

BACKGROUND

Suburb/Location	Lot 48 (41) Currambine Boulevard, Currambine
Applicant	Ausiasia Design Consultants
Land Owner	Firstland Investment Pty Ltd
DPS2 Zoning	Residential R-80
MRS Zoning	Urban

The subject lot is an irregular shaped block with an area of 2770m². A 2.5 metre wide unconstructed Right of Way (ROW) abuts the north side of the land, and the remaining lot boundaries front public streets (as shown on the attached plan). The lot is a vacant site and slopes gently in an east/west direction. The Currambine Railway Station is located to the east of the site, while single residential development is located opposite the site.

The proposal was considered by Council on 18 and 19 December 2001 where it was resolved as follows:

“that Council DEFERS consideration of the application and revised plans dated 25 October 2001 submitted by Ausiasia Design Consultants on behalf of the owners, Firstland Investment Pty Ltd, for 20 Multiple Dwellings at Lot 48 (41) Currambine Boulevard, Currambine as:

- 1 the Ward Councillors and local residents have not been fully informed on the development;*
- 2 the development is inappropriate in the area.”*

DETAILS

Proposal and Discretion Sought

The subject lot is 2,770m² in area (which includes 215m² of proposed ROW). It is one of the larger super lots designated for high residential density in this precinct. The subject land is zoned R-80, which can allow up to 8 dwellings/1000m² of land. The proposal is for two, 3 storey blocks of 3 bedroom multiple dwellings which are ‘D’ uses under DPS2. The design incorporates part of the communal open space to be provided at ground level beneath Block A. The multiple dwellings have been designed with various features to address the street such as windows, Juliet balconies and open fencing.

The total height of the buildings from natural ground level is 10.4 metres. The maximum height permitted in Policy 3.1.9 is 8.5 metres. The proposal exceeds Policy 3.1.9 by 1.9 metres.

The applicant has also requested a front setback variation of 1.5 metres in lieu of 9 metres and a nil side setback in lieu of 1.5 metres (for the stores).

The applicant has provided the following comments in support of the proposal:

“A total of 34 car bays has been provided in lieu of 31 carbays with provision of 525m² of communal open space in lieu of 510 m²

The lot being narrow at one end and wider at the other is an irregular shaped block. As we have to give 2.5 metres to the rear ROW, this places further constraints on the setback requirements. By bringing the building forward it will enhance the amenity and streetscape character of the surroundings, looking down the street of Currambine Boulevard towards the train station. These units are lower than the railway track and with the station at one side, it will further build the character of the street. However, being an R-80 site, the irregular shape of the block, providing a 2.5 metre Right of Way at the other end and fulfilling all other requirements, it gives us a lot of constraints on the required setbacks. This development will be landscaped inside and all around the street reserve, which will further enhance the street. This development will build investor confidence in Currambine in the form of high density development close to public transport. The greater number of units that can be built on the land would help increase the usage of public transport and less usage of public car parks at the station and city, which is in line with the Government's objective of a cleaner environment."

Right of Way

The subject site has an unconstructed ROW 2.5 metres wide at the rear of the block (north side) which was created as part of the subdivision of the area. When the remaining lot to the rear of the subject site is developed, there is a requirement (applied at the subdivision approval stage) for the rear landowners to cede a further 2.5 metres of land for the remaining width of ROW. This will create a combined ROW width of 5 metres allowing rear access to the adjoining lots. The above proposal has been designed to gain vehicle access to the ROW when it is fully established and constructed. The cost of construction will be borne by the respective landowners abutting the subject ROW. For the current proposal, the main access to the development is via Currambine Boulevard with a temporary access/crossover off Sunlander Drive. Once the ROW has been fully constructed, the temporary access off Sunlander will be closed and the verge reinstated at the applicant's cost.

Statutory Provisions

Council is required under Clause 6.1 of DPS2 to consider this proposal. Should the proposal be refused, further deferred or the conditions applied to an approval be considered onerous, the applicant/owner has the right to appeal to the Minister for Planning or the Town Planning Appeal Tribunal.

Clause 1.7 of the R-Codes allows Council to vary setbacks provided amenity issues under Clause 1.2 of the R-Codes are being satisfied.

Consultation:

The proposal was advertised to adjoining and nearby landowners for a period of 14 days in respect to the development and the variations requested. A sign was also placed on the property during the advertising period. At the end of the submission period, on 29 November 2001, 4 individual objections, two (2) petitions of objection and one (1) petition of support for the proposal had been received. One (1) letter of non-objection was received. The concerns raised within the objections have been summarised (in part) as follows:

- ◆ When the area was marketed as "Currambine Central", Lots 481 to 486 Currambine Boulevard, which is now amalgamated as Lot 48, were shown as single residential lots.

- ◆ Additional increase in traffic to the area. No access was to be allowed onto Currambine Boulevard from the above site as all access was to be through the rear ROW.
- ◆ Head light glare onto properties on the opposite side of Currambine Boulevard.
- ◆ Since 38 carbays (sic: should be 34) are being provided on site, the question raised is whether visitors will be parking at the train station carpark.
- ◆ Loss in value of adjoining properties.
- ◆ Introduction of high density living in the area as most houses in the area are single storey.
- ◆ Preference for owner/occupier dwellings. The current proposal could result in a rental slum.
- ◆ Excessive height of proposal.

Policy Implications:

In respect to Policy 3.1.9, the Council is required to consider the height and bulk of buildings proposed and the likely impact on the amenity and streetscape of the area.

COMMENT

The concerns raised by the objectors is acknowledged and discussed as follows:

Residential lots being converted to a Single Large Lot

Initial planning for the area included it in the Residential Development Zone (TPS1) and the R80 Code area, and identified this lot, and the area across the road, as a mixed use 'mainstreet' local centre. The landowners did not see this fitting with their business or the market, and sold the two sites un-subdivided. Subsequent applications were made to subdivide the site to maximise lot production, but these did not contribute to the function of the site. The site was then amalgamated to form a single lot prior to sale to the current owners - Firstland Investments Pty Ltd.

Traffic and Access Restrictions to Currambine Boulevard

The proposed increase in traffic is within acceptable limits. There is no access restriction from the above lot onto Currambine Boulevard. The rear ROW is an additional alternative access for the above lot and any other future lots abutting the above site. The issue of headlight glare is noted.

Car Parking

The proposal provides adequate car parking in accordance with the R-Code requirements. A total of 34 carbays are provided in lieu of the required provision of 31 carbays, which also include visitor car parking within the lot.

Devaluation of Properties

Property values are generally not a land use planning issue.

Opposed to High Density and Multi-Storey Development

The R-80 density was incorporated into DPS2 in accordance with the Department of Planning and Infrastructure (previously Ministry of Planning) Policy D1.6 relating to development near Metropolitan Rail Stations. The density coding was advertised from Town Planning Scheme No 1 to District Planning Scheme No 2 in 1997 and adopted under DPS2. The higher density applicable to the above site was not an issue at that time.

Multiple dwellings are a “D” use under DPS2 and are a use not permitted unless approved by Council.

Building height levels are discussed below. The aspects of the multiple dwelling proposal requiring consideration of variations are as follows:

Height & Scale of Buildings Within a Residential Area Policy 3.1.9

The multiple dwellings proposed exceed the Policy on all sides. The maximum height difference between the Policy (8.5 metres) and the development is 1.9 metres.

While the majority of homes in the immediate area are single storey, the subject lot is zoned Residential with a high density coding of R-80. There is an expectation by the owners that the only viable way to develop the lot at the R-80 density is for a multiple storey development. To achieve the full development potential and other requirements such as open space, communal open space and car parking, a 3 storey development has been designed. Policy 3.1.9 is not a statute, but is a mechanism to guide Council in the determination of applications. Council has discretion to vary the Policy where the variation is unlikely to affect adjoining owners.

The development is considered to be compatible when compared with the existing Currambine Railway Station in terms of height, scale and bulk. The development is also somewhat reduced in bulk as the building is broken into two portions, separated by the car park.

Front and Side Setback

A minimum 1.5 metre front setback is proposed in lieu of 9 metres. The majority of the development is setback in excess of 4.5 metres. Given the shape of the lot, if the development was designed with a 9 metre front setback, the area within this setback would be dominated by car parking spaces only. By bringing the development closer to the street, while still incorporating front courtyards, it is considered that the development will enhance the amenity and overall streetscape. There will also be greater security provided to the pedestrian footpath connecting to the Currambine Railway Station along Currambine Avenue by the dwellings overlooking that path. Open fencing has also been provided to compliment the overall development.

The side (secondary) street setback of nil in lieu of 1.5 metres for the bin storage areas is supported as they are single storey and are considered convenient locations for the purpose of bin/rubbish removal from the site. The impact of the nil setback is considered to be minimal.

Clause 1.5.7 of the R-Codes allows for variations to setbacks provided that Clause 1.2 below is satisfied. The front and side setbacks in this particular instance are supported as the relevant matters under Clause 1.2 below are satisfied.

- ♦ The proposal encourages a denser and wider range of dwelling;
- ♦ The proposal provides adequate level of privacy, daylight, sunshine and safety to dwellings;
- ♦ Provides adequate car parking, access, storage and drying facilities;
- ♦ There is no overshadowing, however, there may be some visual intrusion by way of overlooking into the adjoining rear lots, which is expected of multi-storey developments;
- ♦ The City has not received submissions of objections from the adjoining landowners; and
- ♦ The proposal would not affect the existing streetscape as it is a separate super lot separated by two streets.

Vehicle Parking

From the table below, it is clear that adequate and sufficient car parking is provided for within the site in relation to the number of units provided for. The car parking design and layout has made provision for future access to the rear ROW.

Use	Parking Provision	No of Bays Required	No of Bays Provided
Multiple dwelling	0.35 bays per unit (@ 0.35 x 20)	7	
	0.015 bays per m ² of plot ratio ie (0.015 x 20 x 79.50)	24	
Total includes visitor Car Parking		31	34
Surplus	34 – 31 = 3 Bays		

Conclusion

The comments raised are reflective of the expectations of existing landowners that the remaining vacant lots would be developed as single houses and the concerns of the potential impact of multi-storey developments proposed. The subject site and the surrounding area were designated as a “High Density” precinct with a R 80 density under the R-Codes in 1990, by the WAPC.

Although the Height and Scale of Buildings policy has been adopted for most of the City's residential areas (excluding structure plan areas), it does not reasonably allow developments at such a high density to reach their development potential. A series of three storey buildings is required to reach the potential R80 density on this site unless the City is prepared to vary development standards (eg setbacks, carparking, open space) to achieve a lower height development.

Under DPS2, the above site and the immediate area has been designated for higher than normal residential density, taking into account proximity to public transport and the Western Australian Planning Commission Policy relating to higher densities within close proximity to major transportation networks (Currabine Railway Station). When individual residential lots are amalgamated, in most cases, the lot is developed to its maximum potential and in this case for multiple dwellings. The irregular shape of the lot, including constraints such as rear ROW, has resulted in non-compliance with the required setbacks of the R-Codes and Policy

3.1.9 in terms of height and scale. The height restriction of 8.5m in Policy 3.1.9 was generally intended to control the height of mainly 2 storey residential developments. In high density sites as above, where the development is multi-storey, exceedence of the building height requirement is to be expected.

While it is acknowledged that the setback variations requested are greater than normal, there are more advantages to be achieved by bringing the development closer to the front boundary to interact with the street thereby contributing to the general amenity of the area. Development of this site is also effectively separated from adjoining land by the surrounding streets and future right of way.

On balance, the proposed variations are considered reasonable for the development proposed and approval is therefore recommended.

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

That Council:

- 1 EXERCISES discretion in relation to Policy 3.1.9 – Height and Scale of Buildings within a Residential Area and under Clause 1.5.7 of the Residential Planning Codes 1991 and determines that:**
 - (a) The extent the multiple dwelling exceeds the building height threshold envelope; and**
 - (b) The front and side setback variations**

are appropriate in this instance.
- 2 APPROVES the application and revised plans dated 25 October 2001 submitted by Ausiasia Design Consultants on behalf of the owners, Firstland Investment Pty Ltd, for 20 Multiple Dwellings at Lot 48 (41) Currambine Boulevard, Currambine subject to the following conditions:**
 - (a) The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Car parking (AS2890). Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the City prior to the development first being occupied. These works are to be done as part of the building programme;**

Car parking bays are to be 5.4 metres long and a minimum of 2.5 metres wide. End bays are to be 2.8 metres wide and end bays in a blind aisle are to be 3.5 metres wide;
 - (b) All stormwater must be contained on-site to the satisfaction of the City;**

- (c) Right of Way (2.5 metre width) construction cost to be borne by owners of above site;**
- (d) Access from the development to the Right of Way to be provided once the adjoining lots to the rear have been subdivided and ROW ceded.**
- (e) The temporary crossover off Sunlander Drive to be removed and verge reinstated at owner's cost upon completion of the Right of Way;**
- (f) The lodging of detailed landscape plans, to the satisfaction of the City, for the development site and the adjoining road verge(s) with the Building Licence Application. For the purpose of this condition, a detailed landscaping plan shall be drawn to a scale of 1:100 and show the following:**
 - (i) the location and type of existing and proposed trees and shrubs within the carpark area**
 - (ii) any lawns to be established**
 - (iii) any natural landscape areas to be retained; and**
 - (iv) those areas to be reticulated or irrigated**
- (g) Landscaping and reticulation to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the City;**
- (h) All existing crossovers not removed being closed, kerbline reinstated, stabilised and landscaped to the satisfaction of the Manager Approval Services prior to development being first occupied;**
- (i) Submission of a Construction Management Plan detailing phasing of construction, access, storage of materials, protection of pedestrians, footpaths and other infrastructure;**
- (j) The boundary wall(s) and/or parapet wall(s) being of a clean finish and made good to the satisfaction of the City;**
- (k) A suitably screened bin storage area is to be provided prior to the development first being occupied, in the location on the approved plans. Such an area must be constructed with a concrete floor, graded to a 100mm industrial floor waste gully connected to sewer and be provided with a hose cock.**

Footnotes

- (a) Applicant should design at least one bin store area to enable the storage of a commercial bulk refuse bin;**
- (b) All internal laundries, bathroom and toilets are to be mechanically exhaust ventilated and the ventilation flumed directly to external air;**

- (c) Applicant is to submit building plans and specifications of a Form 2;
- (d) Applicant is to comply with the Health Act, Regulations and the City's Local Laws.

Appendix 18 refers

To access this attachment on electronic document, click here: [Attach18brf050202.pdf](#)

ITEM 26 CONCEPT PLAN FOR CARINE GLADES TAVERN - REFURBISHMENT PROPOSAL, LOT 12 (493) BEACH ROAD, DUNCRAIG – [05518]

WARD – South Coastal

PURPOSE

To gauge the level of Council's support for an evolving concept for the refurbishment and upgrading of the Carine Glades Tavern.

EXECUTIVE SUMMARY

Council deferred consideration of a development application for refurbishment and upgrading of the tavern in November 2001. The development application had been the subject of design amendments, planning analysis and public submissions, all of which resulted in a number of issues arising. The identified issues of concern are summarised as:

1. Intensity of use and future management strategy;
2. Proximity of residential areas and amenity impact; and
3. Technical conformity with development standards.

The applicant has participated in a forum with local residents and has taken advice from officers of the City and the Office of Racing and Gaming (Liquor Licensing Division) with a view to ameliorating concerns.

The outcome has been the development of preliminary concepts, which foreshadow a re-design of the November 2001 development application.

The applicant has not provided sufficient detail to support the issue of any form of approval at this time. That said, the applicant requests an indication of support for the concepts that have been developed.

It is recommended that the positive elements in the new concept plan, together with a proposed limitation on patronage warrant Council's preliminary support for the new concept. Further detailed design development is required to give confidence to the Council to issue a formal determination for the proposal.

BACKGROUND

Suburb/Location:	493 Beach Road, Duncraig
Applicant:	Sistaro P/L (Mr Brian Higgins)
Owner:	Sistaro P/L
Zoning:	DPS: Commercial
	MRS: Urban

Proposals for the refurbishment of the tavern have been considered over a number of years (1994, 1998, and 2000). Negotiations between the owners and the Council have at times been

protracted during this process. The outcome has been that refurbishment of the tavern has not occurred.

Previous applications have all shown that key recurring issues have emerged relating to:

1. Size of a potential new “beer garden” area;
2. Likely building occupancy (numbers);
3. Demand for car parking space; and
4. Amenity impact upon residential neighbours.

During this period, residential development has intensified in the Carine Glades Residential Estate (which abuts the eastern boundary of the tavern site). Noise complaints from residents have occurred spasmodically in the recent past. The Liquor Licensing Division has become involved in the noise issue (and has taken advice from the City), resulting in a noise-monitoring device being placed within the premises (as a condition of the liquor licence) for the tavern.

In late 2000, negotiations with the owner recommenced with a view to a fresh proposal. Plans were developed, incorporating new alfresco areas and refurbishment of the tavern interior. Analysis indicated that building occupancy would be increased by the changes and impacts would be highly dependent upon the management approach and usage of areas both inside and outside the tavern building (including the location of live music, standing areas, seating and dining areas etc). The alfresco areas were to be located to the North of the existing building, with activity contained by acoustic walls in a courtyard fashion.

The application was formalised during 2001. An acoustic report was commissioned and made available to document the likely noise impacts, particularly upon residents to the North and East. The West side of the tavern site abuts the Carine Glades Shopping Centre.

The proposal was advertised for public comment. The local population responded with 43 submissions and two petitions expressing concern at various elements of the proposal. Notably, the residents’ group and applicant did retain open communication, and this has allowed the groups to work together to discuss issues arising from the tavern refurbishment proposal.

Concurrently, the residents and tavern owner made representations to the Liquor Licensing Director. An amendment to the Liquor Licence was required if the application was to be allowed by the Office of Racing and Gaming (Liquor Licensing Authority).

On 13 November 2001, Council considered the proposal and resolved to:

- 1 DEFER consideration of the application dated 28 June 2001, submitted by Scott Wilson, on behalf of Sistar Pty Ltd for the proposed internal refurbishment and new external garden court, bistro court, children’s play area, toilet block, store and landscaping to the existing Carine Glades Tavern on Lot 12 (493) Beach Road, Duncraig, for a period of four weeks so the proponent and concerned local residents can meet and agree on a proposal that addresses the amenity impact on nearby residents, particularly in regard to noise intrusion and traffic issues;**

- 2 COMMIT to reconsider the proposal following receipt of a management plan addressing the concerns raised within Report CJ396-11/01, and the following general principles:**
- (a) use of the al fresco area;**
 - (b) acoustic protection of adjoining residential areas;**
 - (c) flexibility of the management arrangements, including use of areas, opening of the building, day to day regulation of patronage and hours of operation;**
 - (d) potential to develop a management plan defining and committing to appropriate uses of areas, management techniques, and response to concerns;**
- 3 ADVISES the submitters of the Council's decision.**

DETAILS

Various issues have progressed as a result of the November resolution:

1. In relation to point 1 above, the applicant was unable to resolve issues with the residents within the 4 week period, despite his apparent best endeavours. The revised concept evolved as a result of those discussions (appended as Attachment 1 Page 2).
2. In relation to point 2, separate meetings have been held with the applicant, City officers and interested residents to discuss management issues and requests for appropriate strategies. A summary report was produced (to accompany the concept plan) by the applicant to document outcomes from discussions with the residents' group.
3. The City has responded to the concept (in writing) with suggestions for details that should be incorporated if the concept is to be detailed to a suitable development application.
4. The Director Liquor Licensing has issued a determination on maximum permissible building capacity, which would assist with defining future management requirements. Proposed patronage has evolved during the process as follows:
 - (a) City of Joondalup Approved Occupancy (approved by public building certification) - maximum set at **530** persons;
 - (b) September 2001 Development Application - maximum proposed 834 persons, then reduced to **790** persons during negotiations;
 - (c) Residents' submission lodged December 2001 – limit requested of **570** persons, with additional request for beer garden area to be deleted; and
 - (d) Liquor Licensing Director determination (11 January 2002) suggests a limitation of **630** persons be imposed, with no more than 410 persons in the combined lounge and beer garden area.

Concept Plan Elements

The development application site plan (considered in November 2000 – Attachment 1 Page 1) and concept plan (developed in December 2001- Attachment 1 Page 2) are appended, for comparison and ease of reference.

The concept plan foreshadows the following changes:

Outdoor/alfresco areas

1. A new indoor band and live entertainment area on the West side of the building (adjacent to the shopping centre);
2. An adjoining outdoor lounge court on the South West side of the building (notionally sketched at approximately 100m² in area);
3. Deletion of the restaurant bistro court on the North and East sides of the tavern;
4. Reduction in the size of alfresco areas on the North side of the tavern; and
5. New bottle shop extending East from the front of the building.

Internal alterations

1. Creation of a function room in the North East corner of the building;
2. Expansion of the lounge bar at the South West corner of the building to link with new alfresco area; and
3. New sports bar in existing bottle shop area and bottle shop relocation to the extended building.

The conclusion is that outdoor activity areas have been moved away from the residents and that there may be potential for the building bulk to provide an additional acoustic buffer to noise transmission to the East.

The expansion does, however, result in similar floor space, as was proposed in the Development Application, despite the building occupancy limits proposed by the Director Liquor Licensing.

Residents' Group Comments

The residents have become well organised to present opinions concerning the ongoing management, and potential alterations to the tavern. The residents' group has incorporated some comments in the submission (placed in the Councillor's Reading Room) and has supplemented that written information with a meeting held on 18 January 2002.

The following resident concerns emerged from that meeting:

- (a) Scale of Operation: The residents were concerned at the potential building occupancy afforded by the generous floor area. The residents have requested a limit of 570 persons in the facility.
- (b) Noise: The residents wish that noise be monitored by independent devices (that cannot be adjusted) within the building. A further request was made for the noise issue to be managed with key tavern staff able to be contacted at all times, and immediate response to complaints.

It was requested that the restaurant area not be allowed to house live bands and that amplified music not be permitted.

It was requested that the beer garden be restricted to a maximum of 80 patrons.

(c) Parking: The extent of on-site parking was not agreed by the residents' group.

The preliminary concerns were expressed as being subject to further consideration of a detailed proposal.

COMMENT

There is no formal process that allows Council to issue planning approval “in principle”. Previous case law indicates that it is not advisable to express “approval in principle” without sufficient detail being available to give surety to a determination. In this case the applicant seeks a preliminary show of support to give confidence to proceed to a development application.

The documentation of the following details is a key to the potential for success of this proposal and integration into the intended location.

Key details need to be developed from the December concept as follows:

1. Occupancy of individual areas should be stipulated;
2. Acoustic modelling report required,
3. Site planning details required, including car parking,
4. Plans and elevations required, and
5. Management commitments (provided incrementally by the applicant over previous months) require consolidation into revised development application.

Significant guidance and dialogue with City officers has occurred throughout the process of developing the concept plant. A letter was sent to the applicant (19 December 2001) to summarise issues that require further consideration as the application is redeveloped. The correspondence is appended as Attachment 1 Page 3.

The proposed building occupancy limit of 630 persons may be considered to be reasonable in the context of the application and the indicated areas for outdoor activity. However, acoustic modelling would be required to determine the suitability of a detailed proposal.

There also appears scope to accommodate additional parking (if required to meet demand), but this will also require further documentation, taking into account the plans to extend and reconfigure the building.

The concept represents an improvement in terms of siting of the proposed extensions and the potential to minimise intrusion on neighbours. Concerns remain that, in the event of the proposal being managed without consideration for neighbours, significant amenity intrusion could occur. The consolidation of a management plan (to the Council's satisfaction) and future adherence to it are critical to the success of the proposal.

RECOMMENDATION**That Council:**

- 1 EXPRESSES its optimism that a revised development application, based on the concept dated 5 December 2001, has the potential to offer a more suitable siting arrangement than the proposal lodged in September 2001, and invite the lodgement of a detailed application addressing the points raised within this Report, for subsequent determination;**
- 2 ADVISES the applicant that the determination of an application for development approval will be made independently of the preliminary views expressed in response to the December 2000 concept plan.**

Appendix 19 refers

To access this attachment on electronic document, click here: [Attach19brf050202.pdf](#)

ITEM 27 PROPOSED FIRE STATION - RESERVE 43210 HEPBURN AVENUE, PADBURY – [57264]

WARD – All

PURPOSE

Council is requested to provide comments to the Western Australian Planning Commission (WAPC) on the proposed development of a fire station on Reserve 43210 Hepburn Avenue, Padbury.

EXECUTIVE SUMMARY

An application for the development of the fire station was submitted to the City on 17 December 2001 and subsequently forwarded to the WAPC who are the determining authority for this proposal.

Due the location of the subject site within the Hepburn Heights bushland, Council has previously considered the possibility of developing the station on City's Community Purpose Site in Blackwattle Parade. That option was the subject of numerous public submissions.

Notwithstanding, Council is required to consider the Development Application for the fire station as applied for by FESA (Fire and Emergency Services Authority of Western Australia).

In line with a previous Council resolution, it is recommended that the Department of Planning and Infrastructure (DPI) determine an appropriate strategy for the provision of essential services in the Hepburn Heights area and community consultation be undertaken by the DPI, prior to a decision being made on this proposal.

BACKGROUND

Suburb/Location:	Reserve 43210 Hepburn Avenue, Padbury
Applicant:	Sandover Pinder Architects
Owner:	Crown Land under the control of FESA
Zoning:	DPS: Local Reserves – Public Use
	MRS: Urban

FESA approached the City in mid 2001 with a view to development of the subject land. The land visually forms part of the Hepburn Heights bushland area, but has been designated for FESA purposes for several years.

Preliminary concerns were registered by some interested and nearby landowners. As a consequence, other options for the location of the facility were considered.

A proposal for the development of a fire station on the City's Community Purpose site in Blackwattle Parade was considered at Council's meeting held on 27 November 2001. It was resolved 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.”*

DETAILS

The Development Application includes the station building which consists of accommodation, exercise facilities, and an eight (8) bay car park. Two vehicle access points are proposed onto Hepburn Avenue. The station would operate on a 24 hour, five staff per shift basis. Plans of the proposal are attached for information (Attachment 1).

Statutory Provision:

The Development Application proposes that the fire station would gain vehicle access directly onto Hepburn Avenue. The affected section of Hepburn Avenue is a Category 1 road where direct access onto the road is not permitted. As a result the WAPC is the authority responsible for the determination of this proposal.

Council may provide advice or make a recommendation on the proposal within a 42 day period from the application being received. Due to the timing of the first Council meeting for 2002, a request has been made to the WAPC for an extension of time for Council to comment.

The FESA site is a crown reserve that has been set aside for the purpose of a Fire Station Site.

Consultation:

Community consultation has not been undertaken specifically in relation to the Development Application for the fire station. However, the possibility of using the City’s Community Purpose site in Blackwattle Parade was advertised for a period of 28 days (refer Council Minutes 27/11/01). Significant opposition was received to the use of the Community Purpose site, with a total of 55 submissions received. Twenty-five submissions supported the proposal and 30 opposed, including a 249 signature petition. Supporters generally mentioned the need to preserve the bushland, while opponents generally mentioned the impact of the fire station (if sited on the Community Purpose site) on residential amenity.

Given the public interest and concern in relation to the proposed encroachment into the bushland, it is considered appropriate that the WAPC be requested to undertake public consultation, prior to any decision being made on this application.

The proposal has been referred to the EPA for assessment, however, due to the timeframe for Council’s response to the WAPC, it is unlikely a response will be available. The EPA will therefore need to provide their comments to the WAPC. Previous comments from the EPA have indicated that the area is part of regionally significant bushland and unsuitable for development on conservation grounds.

COMMENT

Technical Details

Compliance with DPS2

The proposed fire station complies with the technical standards of DPS2, with the exception of portion of the front setback to the building. The setback is proposed to range from 6-7.6 metres in lieu of 9 metres. This is considered a minor variation in the context of the development and its location on Hepburn Avenue.

Traffic Management/Access

The existing traffic islands on Hepburn Avenue are proposed to be modified to accommodate right hand turns into and out of the station. In principle, no objection is raised to the proposed access onto Hepburn Avenue, however detailed drawings are required to ensure compliance with technical standards.

Impact on Amenity

The subject site is located approximately 70 metres from the residential area located on the southern side of Hepburn Avenue and 190 metres from the residential area to the north of the Hepburn Heights bushland. The Hepburn Heights residential area is approximately 370 metres from the site.

Given the location of the fire station within the bushland area, its day to day operation is unlikely to have any impact on nearby residential areas. The PA system that is used to alert staff of a call is located within the building, however, the movement of fire appliances with associated lights and sirens may have an impact. FESA have indicated that the service gives due consideration to each station's location in order to minimise noise impacts on residential areas. For example, sirens/lights are only used when leaving the station if required to enter heavy traffic. Sirens would not be used in the early hours of the morning. Notwithstanding, it is considered that a management plan would be appropriate to ensure that the impact on nearby residential areas is minimised.

Conclusion

FESA have pre-empted the City's approach to the DPI to determine an appropriate strategy for the provision of essential services in the Hepburn Heights area. Although the proposed fire station is capable of meeting required standards, the issue of the most suitable site for the provision of essential services in the area has not yet been addressed.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council ADVISES the Western Australian Planning Commission that in regard to the proposed Fire Station on Reserve 43210 Hepburn Avenue, Padbury, it:

- 1 RECOGNISES the intended purpose of the Reserve for FESA’s use;**
- 2 RECOGNISES the community concern in regard to development within the Hepburn Heights bushland;**
- 3 STRONGLY RECOMMENDS that the Department of Planning and Infrastructure undertakes community consultation on the proposal prior to any decision being made;**
- 4 REITERATES the request that the DPI determines an appropriate strategy for the provision of essential services in the Hepburn Heights area prior to a decision being made on this proposal;**
- 5 In the event that approval is granted, REQUESTS that the Western Australian Planning Commission consult the City in regard to appropriate development conditions and that the following issues be addressed:**
 - (a) A management plan be prepared for the operation of the fire station to ensure minimal impact on the amenity of nearby residential areas; and**
 - (b) Detailed drawings be provided for to the City for approval for the proposed access onto Hepburn Avenue and modification of traffic islands.**

Appendix 20 refers

To access this attachment on electronic document, click here: [Attach20brf050202.pdf](#)

ITEM 28 REQUEST TO PURCHASE A PORTION OF BLOCK PLACE ROAD RESERVE FOR AMALGAMATION INTO LOT 525 (33) MAINSAIL DRIVE, OCEAN REEF – [01922]

WARD – Marina

PURPOSE

The purpose of this report is for Council to consider a request for the closure of approximately 28m² of undeveloped road reserve in Block Place, Ocean Reef.

EXECUTIVE SUMMARY

An application has been received from a representative of the owners of Lot 525 (33) Mainsail Drive, Ocean Reef to close approximately 28m² of Block Place, Ocean Reef that abuts their property. The applicants have advised the City that inclusion of this land area into their property will facilitate the design of their proposed building renovations. They state that their intention is to develop a three-car garage with adjoining utility room as per Attachment (1).

During the public comment period, three submissions were forwarded to the City strongly objecting to the proposal. The main points raised were that the property is large enough to develop the proposed addition without the inclusion of the subject road reserve and the loss of the view would mean devaluation of the affected properties. One landowner in Block Place telephoned the City advising that he did not object.

The land area of Lot 525 is 1107m² is considered to be of adequate size to accommodate a residential building and associated structures however, the subject area is undeveloped road reserve without any designated future purpose. (Attachments 2 and 3 are photographs of the subject area). If the request is supported and the development goes ahead as planned, a setback of 1.5 metres from the new boundary is a requirement and therefore the protrusion of the proposed structure would appear to have little impact on the amenity of the surrounding area. It is therefore recommended that Council supports the application.

BACKGROUND

Suburb/Location:	Ocean Reef
Applicant:	Mr David O'Brien
Owner:	Mr F and Mrs G Van Ruth
Zoning:	DPS: Residential
	MRS: Urban
Strategic Plan:	Lifestyle – Strategy 2.6 Promote and enjoy lifestyles that engender environmental, social and economic balance

DETAILS

Road Closure Process

A request can be made to close a portion of road for amalgamation with an adjoining property. The service authorities are asked to provide details of any service plant that may be within the road reserve that would be affected by the proposed closure and if it can be modified or removed to accommodate the request. All costs and conditions associated with service plant modification are to be met by the applicant if closure is the outcome.

The proposal is also forwarded to the Department of Planning and Infrastructure (DPI) for comment. If the service authorities and the DPI do not raise any objections that prevent the proposal from advancing, and the applicants have agreed to meet all associated costs and conditions, then the application can be advertised for public comment.

If Council supports a road closure application, all relevant documentation is forwarded to Department of Land Administration (DOLA) with a request to formally close the road. The Minister for Planning and Infrastructure makes the final decision on whether or not closure takes place.

Current Proposal or Issue

A representative of the owners of Lot 525 (33) Mainsail Drive, Ocean Reef contacted the City requesting the closure and subsequent purchase of approximately 28m² of Block Place on their northern boundary. Following preliminary assessment the request was forwarded to the service authorities and the DPI for comment.

Statutory Provision:

Under Section 58 of the Land Administration Act 1997, closure of a portion of road is required to be advertised for 35 days by way of a notice in a local newspaper. Any objections received during the advertising period are to be considered by Council and if the closure is supported, all associated submissions are to be forwarded to the DOLA. DOLA also require other supporting documentation to be provided such as confirmation that the DPI has not objected to the proposal.

DOLA determines the purchase price to apply, arranges any easements and survey/graphic requirements and undertakes conveyancing. The purchase price is fixed by DOLA in consultation with the Valuer General and is usually the unimproved market value of the land.

Consultation:

Comments were sought from the DPI and the service authorities and the DPI advised it did not object providing that there were not any objections raised by the service authorities.

Telstra, AlintaGas and the Water Corporation do not have any objections to the proposal, as they do not have plant in the area that would be affected. Western Power does have plant in the area that requires modification at cost and the landowners have agreed to this. As Western Power does not carry out reinstatement works, these will need to be completed to the satisfaction of the City, again at cost to the landowner of Lot 525. The owners of Lot 525 have agreed to the meet the costs and conditions associated with this proposal.

The public advertising period took place between 22 November 2001 and 27 December 2001. Besides the newspaper notice, a sign was placed on site and letters were forwarded to the residents living in Block Place. At the close of advertising, three objections were received with the points raised being:

- The properties in the area have been designed to take into account existing property boundaries. Any change to one of those boundaries will adversely affect another
- There is more than sufficient unused land within the property to erect a larger than normal garage without the need to acquire the portion of road reserve.
- “... no valid reason for the applicant’s request other than their own view”
- Verbally neighbours are opposed to the idea, but not everyone may find the time to write formally to object.
- Block Place will look hideous with a garage jutting out into the subject land.
- One landowner’s wishes should not take precedence over another’s to the cost of the street value and beauty.
- When landowners are building and take into account any renovations and alterations that their neighbours may do to their properties, it is not usual at that time to consider that a portion of road can also be acquired to facilitate a particular design. The owners of Lot 525 should have considered their requirements at the time of building and not years later.
- The property is very poorly maintained and the proposed addition will just be another eyesore that surrounding residents have to put up with.

One resident telephoned the City and advised that he did not object to the proposal.

Two of the objectors have requested not to be identified and therefore their property locations have not been shown on Attachment (4) though their comments have been included above. This position can make it difficult for Council to evaluate some of the points they have raised.

Policy Implications:

The City does not have a policy with regard to the consideration of road closures however the current draft Preservation of Public Reserves Policy raises some points that may be applied when considering a road closure.

COMMENT

Assessment and Reasons for Recommendation

It was suggested in the objections raised that it is preposterous that the City is even entertaining a request on behalf of one landowner at the expense of a number of other landowners. However, until a request of this nature is advertised for public comment, the City is not in a position to judge how surrounding neighbours will react.

Two main issues were evident at the end of the advertising period, one being loss of view for some surrounding residents and the second being the large size of Lot 525 therefore negating the need for the subject land. With regard to the first issue, it is difficult to gauge how much of an issue loss of view is due to the orientation and/or elevated position of the surrounding properties. In order to assist with making a judgement, photographs are attached to this report.

In relation to the second issue, Lot 525, with its land area of 1107m², is large enough to accommodate the proposed structure within the confines of its boundaries and the objectors have suggested that if not, then the design of the proposed structure should be altered so that it does. However, the area of road reserve in question does not serve any purpose and the amalgamation of 28m² to enable the addition to Lot 525 would not necessarily have an adverse impact on the streetscape.

Providing the owners of Lot 525 meet the necessary building regulations, they are in a position to construct an addition on their property in the approximate position as shown on Attachment (1). Taking into account the required setback from a secondary boundary, the extra land requested would enable the addition to be constructed somewhere between two and three metres further north than if the subject land was not utilised. Based on the foregoing, the applicant's request is not considered unreasonable and therefore the application is recommended for support.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1 SUPPORTS the request made on behalf of the owners of Lot 525 (33) Mainsail Drive, Ocean Reef to close approximately 28m² of the undeveloped road reserve adjoining their property;**
- 2 AUTHORISES a request to be made to the Department of Land Administration to commence formal road closure procedures.**

Appendix 21 refers

To access this attachment on electronic document, click here: [Attach21brf050202.pdf](#)

ITEM 29 REQUEST TO CLOSE PORTION OF MERRIFIELD PLACE, MULLALOO – [00292] [27885]

WARD – Whitfords

PURPOSE

The purpose of this report is for Council to consider a request for the closure of approximately 161m² of road reserve in Merrifield Place, Ocean Reef.

EXECUTIVE SUMMARY

The owners of Lot 3 (2) Merrifield Place, Mullaloo wish to purchase a portion of the road reserve that adjoins their property, with the balance portion being amalgamated into the adjoining North Node foreshore (Reserve No. 39497), see Attachment 1. They state that this action will prevent the anti-social behaviour they endure by youths who congregate in the area in their vehicles. The owners of Lot 3 have made previous applications for closure of this portion of Merrifield Place road reserve.

The Joint Commissioners supported this application previously and the Department of Land Administration (DOLA) was requested to formally close the road. DOLA received a traffic movement concern raised by an objector and therefore asked the City to reconsider its decision. The Joint Commissioners rescinded their previous resolution of support by absolute majority, and resolved not to support the closure of the subject portion of road.

The matter was presented to Council for consideration at its meeting held on 18 and 19 December 2001, where it lapsed due to lack of a mover.

This portion of road is not required and if it was disposed of may assist with the anti-social behaviour being experienced. It is therefore recommended that Council rescinds the Joint Commissioners decision of 10 November 1998 to not support closure of the portion of Merrifield Place road reserve adjoining Lot 3 (2) Merrifield Place, Mullaloo and agrees by absolute majority, to support this application.

BACKGROUND

Suburb/Location:	Mullaloo
Applicant:	Mr M and Mrs J Wilke
Owner:	As above
Zoning:	DPS: Residential
	MRS: Urban
Strategic Plan:	Lifestyle – Strategy 2.6 Promote and enjoy lifestyles that engender environmental, social and economic balance

Previous Council Decisions

The application to close the subject portion of Merrifield Place was first considered by Council at its meeting of 25 September 1996 (TS248-09/96 refers) and the grounds put

forward for closure by the applicants were numerous and various incidents of anti-social behaviour. Council resolved to list for consideration in the 1997/1998 Capital Works Forward Plan, modifications to the subject portion of road reserve including kerbing, bollards and pine branching and installation of 'No Parking Anytime' signs.

The applicants became concerned with the time frame of the proposed works and further requested the portion of road to be closed. At its meeting of 23 December 1997 (DP323-12/97 refers) the Joint Commissioners supported public advertising of this proposal and agreed in principle to the closure. Closure was proposed to amalgamate half of the land into the adjoining reserve and the applicants purchasing the remaining half.

The proposal was advertised for public comment and four objections were received. These objections expressed the following concerns:

- that the addition of the land with the adjoining property will give the applicants the potential to construct an additional unit on their property when it has sewer connection;
- closure would restrict access to the North Nodes foreshore;
- closure would add to traffic and parking congestion in Merrifield Place;
- objection that a local resident had designed his house to take advantage of the outlook over the reserve and this outlook would be lost if the applicant built a wall around the additional land or built another unit on the property.

The Joint Commissioners at their meeting on 21 April 1998 considered the submissions and resolved to agree to the road closure and DOLA was advised of the Commissioners resolution and requested to seek the Minister for Land's approval.

DOLA received several objections to the road closure from residents who had not objected during the advertising period undertaken by the City. DOLA advised that there was little substance in most of the complaints, however it had received one objection concerning the use of the subject road reserve as a space in which to reverse and manoeuvre an articulated truck before it leaves Merrifield Place. DOLA considered this to be a valid concern and requested the City to review the proposed closure. City staff inspected the subject area with regard to the traffic movement concerns raised and the outcome was that closure would not have an adverse impact on traffic in Merrifield Place. There are many similar cul-de-sacs within the municipality which function satisfactorily and that a portion of road of this nature is not necessary to accommodate the movement of articulated trucks.

A further report was submitted to the Joint Commissioners on 10 November 1998 (CJ240-11/98 refers) with the recommendation that the Joint Commissioners advise DOLA that they still support the application and do not consider that closure of the subject portion of Merrifield Place, Mullaloo will impact on traffic movement in the area. However, the Joint Commissioners rescinded its previous resolution of 28 April 1998, by absolute majority, and resolved not to support the application and DOLA was advised accordingly.

On 18 December 2001, this request for road closure was submitted once again to Council however, the meeting was cancelled due to a power failure and reconvened on 19 December 2001. On the 19 December 2001, this proposal lapsed due to the lack of a mover.

DETAILS

Current Proposal or Issue

In September 2000, the applicant wrote to the City advising that a fire had been started at the end of the subject portion of road on the reserve close to his garage and again requested that the road be closed. Past complaints referred to the number of vehicles parked opposite their property, whose occupants caused noise, dumped rubbish, used foul language, lit fires and caused fights. It was therefore decided to advertise the proposal once again for public comment, and prepare a report for Council.

Originally, the applicants wished to purchase approximately 130m² of the road reserve but during the advertising period discovered that this would not allow them to turn their vehicle into their existing garage and therefore reviewed their request to accommodate this. The proposed land area required is therefore approximately 161m². (See Attachment 2). If this proposal is supported the applicants have stated that they propose to build a wall on the new boundary of the property.

Statutory Provision:

Under Section 58 of the Land Administration Act 1997, closure of a portion of road is required to be advertised for 35 days by way of a notice in a local newspaper. Any objections received during the advertising period are to be considered by Council and if the closure is supported, all associated submissions are to be forwarded to the Department of Land Administration (DOLA). DOLA also require other supporting documentation to be provided such as confirmation that the DPI has not objected to the proposal.

DOLA determines the purchase price to apply, arranges any easements and survey/graphic requirements and undertakes conveyancing. The purchase price is fixed by DOLA in consultation with the Valuer General and is usually the unimproved market value of the land.

Consultation:

The initial application had the support of the former Ministry for Planning, now the Department of Planning and Infrastructure, and the only affected service was a Western Power stay pole that can be relocated at cost. The applicant has agreed to pay all associated costs with regard to this proposed closure.

During the required thirty-five day advertising period, two submissions of objection were received, only one of the objectors lives in the vicinity as shown on Attachment 1. Points raised were:

- other residents to not have the opportunity to increase lot sizes and profit from subdivision when deep sewerage is connected;
- support sets an undesirable precedent and contributes nothing to the average ratepayer; merely benefiting one resident;
- the road provides access to the adjacent bushland, which could be beneficial in an emergency such as a bush fire;
- if Lot 3 acquire the land, it would have subdivision potential, adding residential pressure on the node area;

- the general public should know the amount DOLA would set for the land before a Council decision is made.

The report with regard to this request was prepared for a Council meeting in April 2001, but was withdrawn from the agenda as it was determined that further investigation was needed for the area of Mullaloo that included Merrifield Place. The applicant was informed of this decision, but has on a number of occasions contacted the City requesting a Council decision be made on his application.

Policy Implications:

The City does not have a policy with regard to the consideration of road closures however the current draft Preservation of Public Reserves Policy raises some points that may be applied when considering a road closure.

COMMENT

Assessment and Reasons for Recommendation

The applicants have for many years complained that this small portion of road reserve contributes towards anti-social behaviour and vandalism as youths congregate there in their vehicles, disregarding the existing parking prohibitions, and causing general disturbance. They have advised that if their application is supported, and the subject area of road reserve is closed, it will greatly assist with the problems they experience.

The concern raised that the general public should be aware of the land valuation before a Council decision is made, this process is not in the City's control. If a road is closed and a portion of the land amalgamated with the adjoining privately owned property, it will be sold to the owners at a price determined by the Minister for Planning and Infrastructure by consultation with the Valuer General's Office (VGO). The price set will be based on a current market valuation and will take into consideration the duplex potential when sewer is available. Generally, DOLA does not request the VGO to value land involved with applications of this nature without a Council resolution of support being provided.

In respect of the objection concerning emergency access, direct access to the reserve in an emergency situation is obviously the most beneficial however, not always possible. If this application is supported for closure, there is adequate access from Merrifield Place in an emergency situation such as a bush fire

This road reserve serves no purpose in its present state other than allowing the owners of Lot 3 access to their garage. This access will continue if this proposal is supported, and approximately 161m² portion of the road is amalgamated with the applicants' property. If the balance portion of road reserve is amalgamated into the adjoining North Nodes foreshore, vehicular access for the public will be denied altogether to this area and this action may deal with most of the complaints by the applicant. It is recommended the request be supported and Council request the Minister for Planning and Infrastructure to close portion of Merrifield Place adjoining Lot 3 (2) Merrifield Place, Mullaloo.

VOTING REQUIREMENTS

Call for support of an absolute majority of the Council

Prior to the recommendation being considered by the Council, Local Government (Administration) Regulation 10(a) requires that where an attempt to revoke a decision had been made within the previous three months, and failed, it must be supported by an absolute majority.

Therefore, prior to giving consideration to the following recommendation, elected members are required to give the **support of an absolute majority of their members**, in order that this item may again be considered, and such support is to be recorded in the minutes of this meeting. If that level of support is achieved, any subsequent decision must also be by an absolute majority.

RECOMMENDATION

That Council:

- 1 REVOKES BY AN ABSOLUTE MAJORITY the Joint Commissioners' decision of 10 November 1998, viz:**

“do not support the closure of Merrifield Place road reserve adjoining Lot 3 Merrifield Place, Mullaloo”
- 2 AGREES to the closure of the road reserve adjoining Lot 3 (2) Merrifield Place, Mullaloo and the subsequent disposal of approximately 161m² of the land to the adjoining property and the balance of the road reserve being amalgamated with Reserve 39497 (North Nodes Foreshore);**
- 3 REQUESTS the Minister for Planning and Infrastructure to close the portion of Merrifield Place road reserve adjoining Lot 3 (2) Merrifield Place, Mullaloo in accordance with Section 58 of the Land Administration Act 1997.**

ITEM 30 DELEGATED AUTHORITY REPORT – [07032]

WARD – All

PURPOSE

To submit items of Delegated Authority to Council for noting.

EXECUTIVE SUMMARY

This report provides a resumé of the Development Applications processed by Delegated Authority in November and December 2001.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council NOTES the determinations made under Delegated Authority in relation to the applications described in this report.

Appendix 22 refers

To access this attachment on electronic document, click here: [Attach22brf050202.pdf](#)

6 REPORT OF THE CHIEF EXECUTIVE OFFICER

7 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR P KADAK – [32515]

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Paul Kadak has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 12 February 2002:

“That Council:

- 1 NOTES the widespread community concern expressed over the concept plan proposals for the suburbs of Warwick, Greenwood, Kingsley, and Woodvale, relating to new development adjoining parkland and new road links;*
- 2 in response to community concerns referred to in 1., EXCLUDES proposals relating to new development adjoining parkland and new road links from the Precinct Action Planning concept plans for Warwick, Greenwood, Kingsley and Woodvale;*
- 3 DEFERS the Precinct Action Planning concept planning project, including that related to the suburbs of Warwick, Greenwood, Kingsley and Woodvale, pending a review of the Precinct Action Planning program with specific focus on the objectives and improving the community communication process and having regard to the community’s concerns expressed at the community information sessions.”*

NOTICE OF MOTION NO 1 – CR M O’BRIEN - FORMATION OF A NORTHERN REGIONAL COUNCIL – [57519]

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 12 February 2002:

“That Council SEEKS joint exploratory meetings (preferably on a Saturday or Sunday) between the City of Wanneroo Councillors, the City of Swan Councillors, the City of Stirling Councillors and the City of Joondalup Councillors with as many Councillors and the respective CEOs present as possible, to examine the possibility of the formation of Northern Regional Council, pursuant Part 3, Division 4 of the Local Government Act 1995, with a first exploratory meeting possibly at the City of Swan and any follow on meetings in rotation at the other Municipalities.”

NOTICE OF MOTION NO 2 – CR M O'BRIEN - ESTABLISHMENT OF HERITAGE COLLECTIONS ADVISORY GROUP – [41887]

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 12 February 2002:

“That Council:

- 1 ENDORSES the establishment of the Heritage Collections Advisory Group recommended by the Commissioners pursuant Report C56-12/99;*
- 2 APPOINTS Cr Kimber, Cr Mackintosh Cr Kadak and Cr O'Brien together with Mr Graeme Johnson of 20 Blackfriars Road, Joondalup and Mr Noal Gannon of 79 Clontarf Street, Sorrento to represent the interests of Joondalup electors and ratepayers on the Heritage Collections Advisory Group.”*

In support of the motion, Cr O'Brien has advised as follows:

- Graeme Johnson was a Councillor on the former Shire of Wanneroo from 1974-1980 and was the Foundation Chairperson of the Gloucester Lodge Museum Committee and spearheaded the group which opposed the State Government of the day's proposal to demolish Gloucester Lodge.
- Noal Gannon also a Councillor of the former Shire of Wanneroo 1974-1977 has been for many years involved with the Marmion, Sorrento Duncraig Ratepayers Association and lives in the area where Mr P Marmion operated his Whaling Establishment which was the first industry in the Wanneroo area, commencing in 1849 ref The Inquirer and Commercial News 11 July 1849.
- Cr Mackintosh was a Bank Officer in the Wanneroo Townsite and is currently a Councillor Member of Joondalup's Art Collection Working Party.
- Cr Kimber is also a Councillor Member of Joondalup's Art Collection Working Party and has a family association with Wanneroo Townsite where his spouse used to reside in the Townsite Forestry Residence.
- Cr Kadak has expressed an interest having been involved with the Junior Council of the former municipality, also youth advisory and historical matters.
- Cr O'Brien is the only currently serving Councillor from either of the new municipalities who served as an elected member of the former Shire of Wanneroo, the former City of Wanneroo and the new City of Joondalup and is keen to see the City's Regional Heritage protected and preserved.
- All of the six persons have expressed an interest in serving on the Advisory Group if Council supports its formation.

NOTICE OF MOTION NO 3 – CR M O’BRIEN - MORATORIUM OF PRECINCT PLANNING ACTIVITY – [32515]

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 12 February 2002:

“That Council IMPOSES a moratorium on all Precinct Planning activity in the areas of Warwick, Greenwood, Kingsley and Woodvale until there has been a Special Electors Meeting as requested by the electors of the South Ward, held in the Greenwood and Kingsley localities in order to canvas community opinion in regard to the Precinct Planning processes being undertaken by the Municipality’s Planning Department.”

NOTICE OF MOTION NO 4 – CR M O’BRIEN - 2002-2003 RATE REVENUE – [28458] [07125]

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 12 February 2002:

“That Council RECOGNISES that since the State Government split Municipal Government north of Beach Road into two municipalities, the “new” City of Joondalup has no potential for heavy industrial land or rural land development within its boundary, therefore this municipality is destined to the status of being basically a “dormitory municipality” of residential localities. With such restriction in mind this year, Council acts to “cut one’s coat according to the cloth” and Council SETS a maximum revenue from rates for the 2002-2003 year of \$39,126,760 from those properties included in last year’s “rateable properties” which also allows for the setting of the Section 6.35 Minimum Payment of \$70 for the 2002-2003 Budget Preparations by the City’s Administration”

NOTICE OF MOTION NO 5 – CR M O’BRIEN - FUNDING FOR PERFORMING ARTS FACILITY – [22173]

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 12 February 2002:

“That Council NOTES the announcement by the Vice Chancellor of Edith Cowan University, Millicent Poole, in the December 2001 edition of ECU Student Newsletter, that the State Government has funded a “new \$8 million Performing Arts Building at Mt Lawley” and expresses disappointment that the State Government has to date indicated no funding for Performing Arts in Joondalup and that such disappointment be expressed to the State Government via the local members of State Parliament.”

OFFICER'S COMMENT

Funding for WA Academy of Performing Arts

Funding totalling \$7.9 million has been committed by the Department of Training over the next 3 years to provide new Vocational Education Training (VET) facilities at Edith Cowan University's Mt Lawley campus that houses the Western Australian Academy of Performing Arts. The funds will be used to relocate students from the old facility that is currently situated in Newcastle Street, Perth into new facilities. These facilities will accommodate the dance, production, lighting and design programs and will provide essential performing, studio and staff space for VET programs funded by the Department of Training. This funding has been procured through The Australian National Training Authority (ANTA is a Commonwealth statutory authority providing a national focus for vocational education and training).

Current status of the Joondalup Performing Arts Centre Project

In October 2001, the Minister for Culture and the Arts, Hon S McHale, visited the City of Joondalup and heard presentations from Council, Business and Community representatives. The Minister indicated it would not be able to fund the Joondalup Regional Performing Arts Centre in this term of Government.

- The City has met with the Minister for Culture and the Arts and the Director General of the Department - both have recognised that there is a demonstrated demand for Performing Arts facilities in Joondalup.
- The City has made a formal funding submission to the State Government – the indication is that the State will not be funding capital works in this term. However, they are willing to participate in discussions to progress the project.
- A follow-up meeting has been held with the Department for Culture and the Arts and it is proposed that a number of workshops are held with key stakeholders to firm up the details of the proposal. This is planned to commence shortly.
- The City made a presentation at the North Metropolitan Zone meeting on 19 November 2001 – recommendations from that meeting are that the City *“provide background information and make a presentation on the proposed Joondalup Regional Performing Arts Facility, to neighbouring local governments in the New Year”*
- On 22 January 2002, Cr Paul Kadak and two of the City's Officers met the Director Community Funding of the Lotteries Commission to discuss funding for the Joondalup Regional Performing Arts Centre – further information has been requested and the City is in the process of sending it.
- The City is now in the process of organising presentations and workshops with officers from neighbouring local governments.

NOTICE OF MOTION NO 6 – CR M O'BRIEN - CORRECTION TO NOMENCLATURE – [37196]

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 12 February 2002:

“That as a mark of respect for the late Frank Roy Whitford, one of the pioneers of the region, that the nomenclature correction be enacted and the “s” be deleted in all street signage and in all usage of the name “Whitford” be corrected in documentation referring to the Whitford area, further that the Council decision in regard to this matter be referred to the Geographic Names Committee of the Department of Land Administration for the endorsement of the corrections required.”

NOTICE OF MOTION NO 7 – CR M O'BRIEN - CENTENARY OF THE FOUNDATION OF LOCAL GOVERNMENT – [58159]

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 12 February 2002:

“That Council:

- 1 RECOGNISES that this year 2002 marks the Centenary of the Foundation of Local Government in this region following the publication in the Government Gazette on Friday 31 October 1902 of the Notice dated 22 October 1902 designating the area as a Roads District following which the first Local Government elections were held on Wednesday 14 January 1903 and the first meeting of the Roads Board which was held on Friday 16 January 1903.*
- 2 therefore SUGGESTS that the proposition of Twin City Regional Centenary Celebration negotiations be entered into between the new City of Joondalup and the new City of Wanneroo as a mark of respect for the pioneers of the region.”*

7 DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 26 FEBRUARY 2002** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

8 CLOSURE

BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS

OFFICE OF THE CEO

ANNUAL GENERAL MEETING OF ELECTORS – EX CJ379-11/01

“2 (c) (iii) REVIEWS the order of business, including the possible provision of an additional period of public question time prior to the closure of the meeting, as part of the overall review of the proposed draft Standing Orders Local Law;”

Status: A report will be submitted to the Standing Orders Review Committee for consideration.

STRATEGIC PLANNING

REWARD AND RECOGNITION – FRAMEWORK - ex CJ241-07/01

“2 NOTES that a further report will be presented to Council following negotiations with staff and representative bodies.”

Status: It is envisaged a report will be presented to Council in February 2002, subject to the outcome of negotiations with staff representatives.

ON-LINE SERVICES CONFERENCE PRESENTATIONS - ex CJ301-09/01

“That Council APPROVES attendance and presentation by the On-Line Services Development Co-ordinator at the:

- 2 Victorian Association for Library Automation Conference to be held in Melbourne from 6-8 February 2002, at a cost to Council not exceeding \$1,000, conditional upon a report being prepared upon return.”

Status: A report will be presented following the February 2002 conference.

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

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

Status: The methodology for addressing this matter is to be considered by the Executive in November following which the business plan will be developed. It is anticipated a report will be submitted to Council in March/April 2002.

TENDER NO 015-01/02 – SUPPLY OF TEMPORARY PERSONNEL – EX CJ426-12/01

“Cr Hollywood requested a report detailing costs to the City of Joondalup for temporary staff for the year.

Mayor Bombak advised this request would be taken on notice.”

Status: It is anticipated a report will be submitted to Council in February/March 2002.

INFORMATION SERVICES**PERSONAL COMPUTER REPLACEMENT 2001/2002 – ex CJ380-11/01**

“3 a report be prepared formulating a policy relating to the disposal of obsolete computers owned by the City to include distribution to schools and other interested community organisations.”

Status: It is anticipated that a report will be submitted to Council in February 2002.

RESOURCE MANAGEMENT**SECURITY & PATROL SERVICES CONTRACT (018-00/01) – ISSUE OF SUB-CONTRACT – ex CJ257 - 08/01**

“that the matter pertaining to Council’s acceptance of all future tenders be referred to the “Buy Local Policy” review team for further consideration.”

Status: This matter is currently receiving attention.

TELECOMMUNICATION LEASES – TAMALA PARK – ex CJ368-10/01

“2 subject to a further report being submitted to Council to consider any submissions received as a result of advertising pursuant to Section 3.58(3) and 3.58(4) of the Local Government Act 1995;”

Status: Report to be submitted to Council on 12 February 2002.

REQUEST TO SUPPLY SENIORS DETAILS TO THE SELF FUNDED RETIREES ASSOCIATION (INC) – ex CJ407-11/01

“the City DEVELOPS and IMPLEMENTS a policy in relation to the provision of specific information relating to a particular group or groups, or individuals and that such a policy be implemented prior to the 2002/2003 financial year;

the matter be REFERRED to the relevant committee for further consideration”

Status: Policy issues are currently being investigated.

ALTERATIONS TO MULLALOO SURF CLUB, OCEANSIDE PROMENADE,
MULLALOO – ex CJ449-12/01

“4 REQUIRES a further report outlining the details of the Deed of Variation to the current lease.”

Status: This will be undertaken following completion of the alterations.

INDUSTRIAL SPECIAL RISKS, MOTOR VEHICLES AND PLANT AND
ANCILLARY INSURANCES FOR 2002/2003 - ex CJ433-12/01

“2 REQUESTS a report from Local Government Self Insurance Schemes on its proposal for a self insurance property scheme (ISR).”

Status: Report to be presented to Council in May/June 2002.

PLANNING & DEVELOPMENT

URBAN DESIGN AND POLICY SERVICES

REQUESTED CLOSURE OF A PORTION OF A ROAD BETWEEN LOT 151 (88)
CLIFF STREET AND LOT 113 (31) MARINE TERRACE, SORRENTO – ex
CJ193-07/00

“REQUESTS that the Local Housing Strategy is completed and a report presented to Council by November 2000.”

Status: A draft report originally anticipated for July 2001, then November 2001, is now anticipated to be submitted to Council in February 2002.

SORRENTO CONCEPT PLAN (PRECINCT PLANNING) – ex CJ160-05/01

“REQUIRES a further report detailing relative priorities, indicative costings and phasing of the elements in the Sorrento Concept Plan;”

Status: A report which was originally anticipated to be presented to the Council following preliminary design work in August 2001, then November/December 2001 is now anticipated to be submitted to Council in March 2002.

MULLALOO PRECINCT PLAN REVISIONS - ex CJ315-09/01

“6 REQUIRES a further report detailing relative priorities, indicative costings and phasing of the elements in the Mullaloo Concept Plan paying specific attention to the points raised by detailed consultation with key community groups and others, particularly the need to ensure that there is no reduction in the recreational functionality and nett area of the useable surface of Tom Simpson Park proper.”

Status: A report will be submitted to Council in April 2002.

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

“that a review be conducted in conjunction with the executive of the Joondalup Business Association of the definition for commercial vehicles in relation to the City of Joondalup District Planning Scheme No 2 with a further report being submitted to a future Council meeting.”

Status: A response has been received from Joondalup Business Association indicating its desire to be involved in the process. Programme to be put in place to carry out review.

JOONDALUP CITY CENTRE PUBLIC PARKING STRATEGY – ex CJ354-10/01

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

Status: It is anticipated a report will be presented to Council on 12 February 2002.

2002 ROYAL AUSTRALIAN PLANNING INSTITUTE (RAPI) NATIONAL CONGRESS – ex CJ395-11/01

“2 REQUESTS an information report on the outcomes of the RAPI 2002 Joint National Congress.”

Status: A report will be presented following attendance at the Congress in April 2002.

TAVERN (INTERNAL REFURBISHMENT AND NEW EXTERNAL GARDEN COURT, BISTRO COURT, CHILDREN’S PLAY AREA, TOILET BLOCK, STORE AND LANDSCAPING) LOT 12 (493) BEACH ROAD, DUNCRAIG – ex CJ396-11/01

“1 DEFERS consideration of the application dated 28 June 2001, submitted by Scott Wilson, on behalf of Sistar Pty Ltd for the proposed internal refurbishment and new external garden court, bistro court, children’s play area, toilet block, store and landscaping to the existing Carine Glades Tavern on Lot 12 (493) Beach Road, Duncraig, for a period of four weeks so the proponent and concerned local residents can meet and agree on a proposal that addresses the amenity impact on nearby residents, particularly in regard to noise intrusion and traffic issues;”

Status: A report on the proposed new concept is to be submitted to Council on 12 February 2002.

PROPOSED 20 MULTIPLE DWELLINGS REQUIRING VARIATIONS TO POLICY 3.1.9 (HEIGHT AND SCALE OF BUILDINGS WITHIN A RESIDENTIAL AREA) AND FRONT AND SIDE SETBACKS: LOT 48 (41) CURRAMBINE BOULEVARD, CURRAMBINE – ex CJ447-12/01

“DEFERS consideration of the application and revised plans dated 25 October 2001 submitted by Ausiasia Design Consultants on behalf of the owners, Firstland Investments Pty Ltd, for 20 Multiple Dwellings at Lot 48 (41) Currambine Boulevard, Currambine as:

- 1 the Ward Councillors and local residents have not been fully informed on the development;
- 2 the development is inappropriate in the area.”

Status: A report will be submitted to Council on 12 February 2002.

TENDER 012-01/02 – LEASE FOR PART OF THE CIVIC CENTRE – EX CJ431-12/01

“3 without impacting the lease and within 60 days of tender acceptance SEEKS a further report addressing the request for improved signage and exposure of the venue.”

Status: This matter is receiving attention.

INFRASTRUCTURE MANAGEMENT

OPERATIONS

NOTICE OF MOTION – CR C BAKER – REVIEW OF “VERGE” LOCAL LAWS – ex C45-06/01

- 1 “Council REVIEWS all existing local laws (and its powers to make new local laws) concerning Council’s powers to actively encourage the owners and/or occupiers of rateable land to adequately maintain the verge area between their front property boundary line and the immediately adjacent road surface (proper) in the manner of a reasonable person (“the Review”)
- 2 the Review be the subject of a report to Council.”

Status: Review in progress.

WARWICK OPEN SPACE – PUBLIC TOILET FACILITY - ex CJ312-09/01

“That Council DEFERS the removal of the Warwick Open Space public toilet facility and calls a community consultation meeting with the Warwick Open Space Facility User Groups, at the Warwick Recreation Association facility, on site, and requests the Urban Animal Management Committee to inspect and comment on the area, which is a regular area for canine animal exercise, in order to see whether the facility should be upgraded, kept as a community asset and developed as a picnic and barbecue area, adjacent to the Bush Walking Trails with interpreter signage, as there are already shelters, park seats and a car park currently in place.”

Status: This matter is to be referred to the Skatepark Committee for further consideration.

COMMUNITY DEVELOPMENT**YOUTH SERVICES INITIATIVES - ex CJ245-07/01**

“8 NOTES that a further report will be submitted to Council outlining the Youth Advisory Councils’ views on the Future Directions and Jumping at Shadows documents.”

Status: Copies of the reports will be sent to Youth Advisory Council members with the next Youth Advisory Council agendas which are due to go out on 10 August 2001.

Comments from the Youth Advisory Council members are currently being compiled by Youth Services. A report, originally anticipated to be presented to Council in October 2001, will be presented to Council in November 2001.

The Strategic Advisory Committee – Youth Affairs met on 8 November 2001, however, the meeting lost its quorum prior to this matter being formally referred to the Council for approval. The meeting will need to reconvene to finalise unfinished business.

ANNOUNCEMENT BY CR P KADAK – ex C106-10/01

2 REQUESTS a report from the Joondalup North and South Youth Advisory Councils and the Strategic Advisory Committee – Youth Affairs on the conference and its recommendations.

Status: A report will be considered by the Strategic Advisory Committee – Youth Affairs at its December 2001 meeting.

URBAN ANIMAL MANAGEMENT COMMITTEE – ex CJ358-10/01

“4 SEEKS a further report and legal advice clarifying whether or not a local government may provide discounts on dog registrations for dogs that attend a recognised dog obedience course;”

“that consideration of the Urban Animal Action Plan – Cats forming Attachment 3 to Report CJ358-10/01 be:

- 1 REFERRED to the Urban Animal management Committee for further review;
- 2 Presented to Council for a further review;
- 3 Presented to Council for a final decision on the matter.

Status: A report will be presented in February 2002.

ANNUAL GENERAL MEETING OF ELECTORS – ex CJ379-11/01

“2 (a) NOTES Motion 1 of the Annual General Meeting of Electors and AGREES that the consultation process undertaken regarding synthetic grass playing surfaces should include an elected member from each Ward where there is a bowling green located, and be finalised and reported to Council as part of the 2002/03 Budget preparation process;”

Status: As proposed, a representative group from the North Metropolitan Regional Recreation Advisory Committee has met with Bowls WA. It is proposed that a pilot study involving the North Metropolitan Regional Recreation Advisory Committee and Bowls WA be undertaken to develop an understanding of the strategic issues relating to the installation of synthetic grass bowling greens. The availability of funding to resource a study is being pursued with LA’s and Bowls WA being the major contributors, with some Department for Sport and Recreation funding also being sought.

“DRUGS: NATIONAL PROBLEM, LOCAL SOLUTIONS” CONFERENCE – ex CJ387-11/01

“3 requests an information report on the outcomes of the conference.”

Status: A report will be presented to the 12 February 2002 Council meeting.

SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST INC – MANAGEMENT COMMITTEE MEMBERSHIP – ex CJ410-11/01

“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;

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”

Status: There has been nothing referred to the Strategic Advisory Committee – Seniors Interests at this point in time.

APPOINTMENT OF WARD MEMBERS – CONSULTATION PROCESS REGARDING SYNTHETIC GRASS PLAYING SURFACES - ex C139-12/01

“That Council APPOINTS the following Ward Members, with appropriate officers from the City to undertake a consultative process regarding synthetic grass playing surfaces with representatives from the bowling clubs within those wards, with a report to be presented to the Council as part of the 2002/03 budget process:

	<u>Member</u>	<u>Deputy</u>
South Ward	Cr M O’brien	Cr T Barnett
South Coastal Ward	Cr A Patterson	Cr G Kenworthy
North Coastal Ward	Cr J Hollywood	Cr A Nixon

Status: This matter is under consideration, this report will be presented to Council as part of the 2002/03 Budget process.

OUTSTANDING PETITIONS

	Date of presentation to Council - Referred to -
<p>Various petitions opposing mobile telecommunication facility (30 metre high slimline pole and equipment) – Percy Doyle Reserve, Warwick Road, Duncraig.</p> <p>Petition opposing mobile telecommunication facility (30 metre high slimline pole and equipment) – Percy Doyle Reserve, Warwick Road, Duncraig.</p> <p>Petition opposing mobile telecommunication facility (30 metre high slimline pole and equipment) – Percy Doyle Reserve, Warwick Road, Duncraig.</p> <p>Comment: The application has been deferred at the request of the applicant.</p> <p>The application lodged by One-Tel has been withdrawn, and the petitioners have been advised accordingly.</p> <p>The further report on mobile telecommunication facilities within the City, originally scheduled for November 2001, is now anticipated to be submitted in April 2002.</p>	<p>12 September 2000</p> <p>26 September 2000</p> <p>24 October 2000</p> <p>Director Planning and Development</p>
<p>Petition requesting removal and relocation of BMX track at Menteith Park, Kinross.</p> <p>Comment: Removal of the BMX track hinges on the final location of the skatepark. This issue is being addressed in the skatepark report.</p> <p>Council has established a skatepark committee to further consider the proposed development of skateparks in the City. The Committee is currently engaged in design work for the skate facility at MacNaughton Park, Kinross. It is expected a further report will be submitted to Council in October 2001, and is considering a joint arrangement with City of Stirling. Also looking at other sites such as Warwick Open Space.</p> <p>The implications are that if the skatepark goes in at MacNaughton Park, Kinross the BMX track will as well.</p>	<p>10 October 2000</p> <p>Director Community Development (Referred to Leisure Services due to skatepark request linkage.) Director Infrastructure Management/ Skatepark Committee</p>

<p>Petition requesting the closure of the public accessway between Barracuda Court and Lancett Court, Sorrento.</p> <p>Comment: A report originally intended to be submitted August/September 2001, then December 2001, is now anticipated for May 2002.</p>	<p>28 November 2000</p> <p>Director, Planning and Development</p>
<p>Petition objecting to proposed skateboard park to be located behind Burns Beach Caravan Park.</p> <p>Petition opposing construction of skateboard facilities at Mirror Park, Ocean Reef.</p> <p>Petition opposing construction of skateboard facilities at Penistone Reserve, Greenwood.</p> <p>Petition supporting skate/BMX Park Currambine</p> <p>Petition requesting Council approval for a skate park in or near to Winton Road, Joondalup.</p> <p>Petition from young residents of Hillarys requesting a skate park in the Hillarys area.</p> <p>Comment: Council has established a skatepark committee to further consider the proposed development of skateparks in the City.</p> <p>The Skatepark Committee is continuing to research potential sites for skate parks in the City. A report was presented to Council on 9 October 2001 recommending the establishment of a Skatepark at MacNaughton Park, Kinross and Carine Open Space with the City of Stirling.</p>	<p>13 March 2001</p> <p>10 July 2001</p> <p>10 July 2001</p> <p>28 August 2001</p> <p>23 October 2001</p> <p>23 October 2001</p> <p>Director, Community Development/ Skatepark Committee</p>
<p>Petition requesting construction of a bus shelter and bus bay on the inward route on Cockman Road between Mulligan Drive and Cobine Way, Greenwood.</p> <p>Comment: Will be considered in conjunction with a safety audit of Cockman Road. A report will be submitted to Council in due course.</p>	<p>12 June 2001</p> <p>Director Infrastructure Management</p>

<p>Petition requesting the limiting of hours of operation or relocation of dance studio – Batavia Place, Kallaroo.</p> <p>Comment: Approval has been given for a new building, with an estimated three month completion date. The petitioners will be notified once building is complete.</p>	<p>12 June 2001</p> <p>Director Planning and Development.</p>
<p>Petition requesting resealing of Mayflower Crescent, Craigie.</p> <p>Comment: This road has been identified in the first run of the Roman Works Program for resurfacing (mid September) and is currently listed in the First Stage of the 2001/02 Road Resurfacing Program. The program is listed for construction from November 2001 to May 2002. This matter will be dealt with administratively.</p>	<p>13 November 2001</p> <p>Director Infrastructure Management.</p>
<p>Petition opposing construction of footpath – Sycamore Drive, Duncraig.</p> <p>Comment: It is proposed that a pedestrian survey be undertaken to determine the warrant of a footpath.</p>	<p>13 November 2001</p> <p>Director Infrastructure Management</p>
<p>Petition requesting construction of a wall – Bute Court, Kinross.</p> <p>Comment: This matter is currently being investigated with the Developer and other directorates and a report will be submitted in February/March 2002.</p>	<p>13 November 2001</p> <p>Director Infrastructure Management</p>
<p>An 8-signature petition has been received from Warwick residents requesting the removal of a verge tree situated at 39 Aberdare Way, Warwick.</p> <p>Comment: Residents have been advised by letter that removal of the tree is in progress.</p>	<p>27 November 2001</p> <p>Director Infrastructure Management</p>
<p>A 7-signature petition has been received from residents of Oldham Street, Hillarys opposing the construction of a footpath in Oldham Street.</p> <p>Comment: An evaluation of the warrant for a footpath will be undertaken.</p>	<p>27 November 2001</p> <p>Director Infrastructure Management</p>
<p>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.</p> <p>Comment: An investigation of the proposed road treatment has been programmed and a report will be submitted to a Council meeting in March, 2002.</p>	<p>27 November 2001</p> <p>Director Infrastructure Management</p>

<p>Petitions (2) strongly opposing development of 20 three-storey units, Lot 302 (41) Currambine Boulevard, Currambine.</p>	<p>18 December 2001</p>
<p>Petition in support of development of 20 three-storey units, Lot 302 (41) Currambine Boulevard, Currambine.</p> <p>Comment: A report will be presented to Council on 12 February 2002.</p>	<p>18 December 2001</p> <p>Director Planning & Development</p>
<p>Petition objecting to installation of goal post – Rutherglen Park, Kinross.</p> <p>Comment: Report for 12 February 2002</p>	<p>18 December 2001</p> <p>Director Infrastructure Management</p>

REPORTS/PRESENTATIONS REQUESTED AT BRIEFING SESSIONS

	DATE OF REQUEST - REFERRED TO -
<p>Skatepark facilities – ex (CJ062-03/01)</p> <p>Cr Hollywood requested that the Skatepark Committee report back to Council within six weeks to allow the Committee's recommendations to be considered as part of the 2001/02 budget process.</p> <p>Comment: The Skatepark Committee is continuing to consult with the community in Greenwood and Ocean Reef to identify suitable locations within the City for skate facilities. Design work is continuing for the proposed skate facility at MacNaughton Park, Kinross.</p> <p>Discussions are being held with Greenwood Senior High School, and other interested parties to identify suitable sites in the City.</p> <p>A report was presented to Council on 9 October 2001 recommending the establishment of a skatepark at MacNaughton Park, Kinross and Carine Open Space with the City of Stirling.</p>	<p>13 March 2001</p> <p>Director Community Development/ Skatepark Committee</p>
<p>Cr Hollywood requested that consideration be given to a 'country town' relationship.</p> <p>Comment: Investigations into possible country town relationships has commenced. A report will be submitted in due course.</p>	<p>6 November 2001</p> <p>Executive Manager Strategic Planning</p>
<p>Cr Hurst believed there was a need for a policy in relation to elected members attending conferences.</p> <p>Comment: This matter is to be considered by the Audit Committee at its meeting to be held on 11 December 2001, with a view to be being progressed to Council on 18 December 2001.</p>	<p>13 November 2001</p> <p>Manager Executive Services</p>
<p>Cr Baker requested a report on the future development of the park in Conidae Drive, Heathridge:</p> <p>Comment: Report for 12 February 2002.</p>	<p>11 December 2001</p> <p>Director Infrastructure Management</p>