



City of
Joondalup

DRAFT AGENDA

FOR ELECTED MEMBERS'

BRIEFING SESSION

TUESDAY, 5 MARCH 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 MARCH 2002 commencing at 6.00 pm

ORDER OF BUSINESS

1 OPEN AND WELCOME

2 PUBLIC QUESTION TIME

The following questions were submitted by Mr S Magyar, Heathridge to the Briefing Session held on 19 February 2002:

Q1 Item 4 - City Depot Committee: The attachment to the report lists seven possible sites for the Depot. Can you confirm that the idea of using any part of Craigie Open Space or the adjoining Freeway Reserve has been deleted from the list of sites under consideration?

A1 That was one of the sites considered by the Committee. The Committee and officers are now of the opinion that the site is not suitable for the purpose of a depot site. Accordingly there has been no further action and the site has been removed from further investigation.

Q2 Item 10 - Closure of Crown Land Airspace Due to Balcony Encroachments - Lot 200 (167) Grand Boulevard, Joondalup: When development approval was given, was Council aware that part of the building would not be over the developer's land?

A2 Council was aware of that. It is quite common in the City Centre to have balconies protruding into the street spaces. The requirements of the State Government have changed and the City will now have to go through the process outlined within the report.

Q3 If an object fell from the balcony and injured a pedestrian, is Council liable?

A3 Verbal legal advice is that the local authority could be bound into a dispute if it had knowledge that a building or encroachment was dangerous and it did not act to mitigate the problem. Otherwise the responsibility rests with the building owner.

The following questions were submitted by Mrs M MacDonald, Mullaloo to the Briefing Session held on 19 February 2002:

Q1 If the Director Planning and Development had no intention of removing the grassed area why did he send me a copy of the design plan which showed this proposal?

- A1 Mrs MacDonald requested a copy of the attachment to the brief. This original Concept Plan is the only plan prepared to date. The brief stated that the first stage would be to set the parameters; that brief was prepared for both Sorrento and Mullaloo at the same time to minimise costs. The Consultant was advised not to proceed with Mullaloo until the Council had resolved accordingly. We have now had instructions from Council. This is the plan we are working from, but it would have to be modified as a result of the resolution of Council and the concerns expressed by the community.
- Q2 The design brief was already modified by the excision of the car park. The date on the front of the design brief was June. How can you make a decision in September, when you got the permission to take out the car park. I asked for a copy of the design brief and received only certain pages. Why is there so much misinformation?*
- A2 Response by Cr Hurst: Council determines what happens. The resolution of Council which I read out earlier states that Council will “pay 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.” This is a decision of the Council.

The following questions, submitted by Mr Colin Stokes, were taken on notice at the Briefing Session held on 19 February 2002:

- Q1 Was there any consultation with the Senior Citizens group before this report was presented?*
- A1 No, as the study is in its infancy.
- Q2 Has there been any research into the history of the group? We have records from 1976 which we can provide.*
- A2 Not at this early stage.
- Q3 I have a copy of a Transfer of Land from National Mutual to the City of Wanneroo which shows a caveat. Is the caveat still on the property?*
- A3 The issue will be researched and the results considered within any further scoping study.
- Q4 The Senior Citizens Centre currently has 4000 square metres allocated to it. The report shows an allocation of 2500 square metres. If you transfer the group to this smaller area, we would have insufficient facilities to cater for the 400 members.*
- A4 The needs of all users (present and future) will be considered in any notional proposals.

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of absence previously approved:

Cr A Nixon 26 February – 8 March 2002
Cr J Hurst 28 March – 14 April 2002

REQUESTS FOR LEAVE OF ABSENCE - CR J HURST

Cr Hurst has requested Leave of Absence from Council duties from 18 March 2002 to 22 March 2002 inclusive.

RECOMMENDATION

That Council APPROVES the request for Leave of Absence from Cr Hurst for the period 18 March 2002 to 22 March 2002 inclusive.

4 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

Mr Clayton Higham, Director Planning and Community Development has stated his intention to declare an interest in Notice of Motion – Cr Patterson, as he is a shareholder in the Mayne Group.

5 REPORTS

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

WARD - All

PURPOSE

To alter the Order of Business at Council meetings.

EXECUTIVE SUMMARY

With the recent change in organisational structure, there is a need to change the Order of Business for Council Meetings. The proposed Standing Orders Local Law 2001 contains an appropriate Order of Business. It is recommended that the current Order of Business be altered by deleting ‘Policy items’, ‘Finance and Community Service items’, ‘Technical Services items’ and ‘Planning and Development Services Items’ and replacing these with the item of business ‘Reports’.

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.

The Joint Commissioners at their meeting held on 1 July 1998 resolved to set its Order of Business as follows:

“that the Joint Commissioners set the order of business at the ordinary meeting of Council for the City of Joondalup as follows:

- **Apologies and Leave of Absence**
- **Public question time**
- **Declarations of financial interest**
- **Confirmation of Minutes**
- **Announcements by the Mayor/(Chairman) without discussion**
- **Petitions**
- **Policy items**
- **Finance and Community Service items**
- **Technical Services items**
- **Planning and Development Services items**
- **Report of the Chief Executive Officer**
- **Date of next meeting**
- **Closure”**

Subsequent to that, Council on 12 February 2002 resolved to amend its Order of Business to place Question Time before Apologies and Leave of Absence. Council at its meeting held on 26 February 2002 resolved to amend its organisational structure from four directorates to three being:

- Director Planning & Community Development
- Director Corporate Services and Resource Management
- Director Infrastructure and Operations

DETAILS

To ensure that the reports presented to Council Meetings reflect the structure of the organisation, it is necessary to amend the Order of Business. This is to be altered by deleting the following items of business:

- Policy items
- Finance and Community Service items
- Technical Services items
- Planning and Development Services items

These will be replaced with the item of business ‘Reports’. This heading will allow flexibility on the reports presented, but will be ordered in line with the organisational structure.

Statutory Provisions

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

COMMENT

It is considered that the Order of Business at Council meetings should be amended to reflect the City’s new organisational structure. 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 accordance 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 deleting items of business ‘Policy items’, Finance and ‘Community Service items’, ‘Technical Services items’ and ‘Planning and Development Services items’ and replace them with an item of business ‘Reports’, until such time as the City of Joondalup’s Local Law 2001 comes into operation.

ITEM 2 REPORTING OF COUNCIL COMMITTEES – [02153]

WARD - All

PURPOSE

To allow for more time effective Council meetings.

EXECUTIVE SUMMARY

Currently the general procedure is for minutes of committee meetings to be presented to the Council for consideration. There is no legislation requirement for minutes of committee meetings to be presented to the Council. It is also practice that copies of all minutes of committee meetings are circulated to all elected members, committee members and relevant officers.

In order to make better use of the time spent on items consider by the Council it is suggested that only those committees that are making a recommendation to the Council that requires it to make a decision in response to that recommendation are presented to a Council meeting.

BACKGROUND

General procedure is for minutes of those committees that have been established by the Council to be presented to it for consideration. The minutes are either presented to the Council for noting, (where a Council decision is not required as a result of a recommendation from a committee), or for the Council to make a decision in regards to a recommendation from a committee.

Following the compilation of the relevant minutes of a committee meeting, they are circulated to all elected members, committee members and relevant officers.

DETAILS

Statutory Provision:

Section 5.8 of the Local Government Act 1995 states that the Council may establish committees (comprising various persons as detailed by section 5.9) to assist the Council in its decision making process. When establishing a committee, the Council may delegate to it certain powers and allow it to discharge certain duties.

Section 5.22 of the Local Government Act 1995 states:

- 1 “The person presiding at a meeting of a Council or committee is to cause minutes to be kept of the meeting’s proceedings;
- 2 The minutes of a meeting of a Council or a committee are to be submitted to the next ordinary meeting of the Council or the committee, as the case requires, for confirmation;

- 3 The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.”

The Local Government (Administration) Regulations requires minutes of a committee to be produced within 5 business days from the holding of the meeting. The legislation does not require minutes of committee meetings to be forwarded to the Council.

COMMENT

A well structured agenda will provide members the maximum opportunity to debate, set policy and strategy and to plan for the future. It is generally agreed that short, sharp meetings directed towards decisions are the ones likely to achieve good results. The concept of including items merely for information does not support this best practice principle.

It is suggested that to strive for shorter, sharper meetings, those committee minutes that only require ‘noting’ are no longer included as part of the agenda for the fortnightly Council meeting. However, where a committee recommends to the Council a course of action, and that committee does not possess delegated authority to make a decision then those minutes will continue to be submitted to the Council for consideration. In order to ensure that an accurate and informed decision is made by the Council, committee recommendations will be accompanied by an officer’s report.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That only minutes of those committee meetings where a recommendation is required to be submitted to the Council for consideration shall be included as part of the Agenda for an Ordinary Meeting of Council.

ITEM 3 CBD ENHANCEMENT PROJECT – COUNCIL ENDORSEMENT OF THE PROJECT MANAGEMENT TEAM AND PROJECT STEERING GROUP – [53469]

WARD - All

PURPOSE

The City has received seed funding from the Commonwealth Government under its Regional Assistance Program (RAP) to support the CBD Enhancement Project. In accordance to the RAP funding contract, the City of Joondalup is required to formulate two committees. The first is a Project Management Team to oversee the contractual obligations associated with the grant. The second is a Project Steering Group to develop and implement marketing strategies to achieve the objectives of the CBD Enhancement Project. This report seeks Council endorsement of both the Project Management Team and the Project Steering Group.

EXECUTIVE SUMMARY

In order to administer the RAP funding and the development and implementation of strategies to satisfy the objectives of the CBD Enhancement Project, a Project Management Team and Project Steering Group needs to be established and endorsed by Council.

The Project Management Team's role will be to oversee the contractual obligations outlined in the Commonwealth Government's RAP Funding Grant Contract with the City of Joondalup.

The Project Steering Group's role will be to develop and implement strategies to achieve the objectives of the CBD Enhancement Program.

The proposed committee structure, role and membership of the CBD Enhancement Project Management Team and Project Steering Group is outlined in this report for Council consideration and endorsement.

BACKGROUND

The CBD Enhancement Project was developed by the City of Joondalup, in consultation with the Joondalup Business Association and the Perth Area Consultative Committee.

The City of Joondalup compiled and submitted a grant application to the Perth Area Consultative Committee (ACC), who are the representative funding body for the Department of Transport and Regional Services who administer the Commonwealth Government's Regional Assistance Program (RAP).

The grant application outlined the City of Joondalup's CBD Enhancement Project and its objectives, highlighting the creation of 150-200 jobs over a three-year period.

The application requested \$59,765 (ex GST) of RAP funding. The majority of this funding was allocated to employ a CBD Promotions Coordinator and the remainder was to assist in the development and implementation of a marketing identity and marketing strategy (approx

\$9500). **In accordance with the contract, the RAP funding grant needs to be administered and monitored by a management team.**

The development of a marketing identity and strategy needs to involve CBD stakeholders including council, local government executive, business operators, commercial property owners, residents and visitors (including workers and students).

To facilitate their involvement, a CBD Business and Stakeholder Workshop is proposed for Wednesday 20 March 2002 to gain stakeholder input into the CBD Enhancement Project. Once developed, the implementation of the marketing identity and strategy needs to be guided by a group of people that represent the major stakeholders in the Joondalup CBD and have the ability to action tasks effectively. **Therefore, it is proposed that a Project Steering Group be established. It is also proposed that the Mayor and Lakeside Councillors be appointed to the Project Steering Group so that the Council is represented.**

DETAILS

Project Management Team

The Project Management Team's role will be to oversee the contractual obligations outlined in the Commonwealth Government's RAP Funding Grant Contract with the City of Joondalup. As required by the RAP Contract, the Management Team's role is limited to managing the funds for projects developed by the Project Steering Group and acquitting funds at the completion of the RAP funding contract.

Given the RAP contract is held between the Commonwealth Government and the City of Joondalup (COJ) and highlights the inclusion of local business in the project, the Management Team will consist of City of Joondalup staff, JBA executive and a representative of the ACC – The members of this committee include:

- Ray Fischer – Business Unit Manager, Strategic & Corporate Planning, City of Joondalup
- Fabian Uzaraga – Co-ordinator Sustainable Development, City of Joondalup
- Deanne Squance – CBD Promotions Officer, City of Joondalup
- Terry Darby-Smith – Executive Officer, JBA
- Russell Poliwka – President, JBA
- Marilynn Horgan - Perth ACC

It is proposed that the Project Management Team would meet on a quarterly basis prior to reporting. It is also proposed that a provision will be given in the terms of reference to allow the team to meet on an ad hoc basis in regards to approving grant funding for the implementation of strategies recommended by the Project Steering Group.

Project Steering Group

The Project Steering Group's role will be to develop and implement strategies to achieve the objectives of the CBD Enhancement Program. In accordance to the RAP contract, the group will be developed out of the CBD business and stakeholder consultation. This group will be

the driving force behind the CBD Enhancement Project and it will report to the Project Management Team in regards to RAP funding only.

The CBD Enhancement Project's success lies in the relationship the City develops with the local business operators and other key stakeholders. The Project Steering Group will be formulated at the CBD Business and Stakeholders Workshop to be held on Wednesday 20 March 2002. During the workshop, a name for the Project Steering Group will be developed and key organisations and people will be identified as members for this group including the City's elected members and senior administration.

The following groups will be invited to attend the workshop: the Mayor, City Councillors and senior administration (including the CEO), business associations, residents groups, key business owners, property associations, local employment agencies and key visitor groups to Joondalup CBD such as Edith Cowan University (ECU) and West Coast College of TAFE (WCCT).

Strategic Plan:

Supports the **Mission:**

Developing partnerships to enhance growth, economic vitality and diversity of lifestyle, through leadership.

A vehicle to achieve the **Vision:**

To develop a unique City Centre which is a vibrant place filled with people day and night, with employment, entertainment, shopping, restaurants, arts, culture and university life.

Links to **Key Result Area, Economic Vitality:**

Encourage alliances with key stakeholders to identify opportunities to encourage and promote economic growth.

Strategic Implications:

The development of the Project Management Team and the "Project Steering Group" is in line with the City's Strategic Plan.

COMMENT

The establishment of the Project Management Team and the "Project Steering Group" is essential for the operation and implementation of the CBD Enhancement Project.

VOTING REQUIREMENTS

By Simple Majority.

RECOMMENDATION

That Council ENDORSES:

- 1 the Project Management Team and Project Steering Group to oversee, develop and implement strategies to satisfy the objectives of the CBD Enhancement Project;**
- 2 the appointment of the Mayor and Lakeside Ward Councillors to the CBD Enhancement Project Steering Group.**

ITEM 4 GRANTING OF FREEDOM OF ENTRY TO THE CITY OF JOONDALUP TO THE WA POLICE ACADEMY – [41579]

WARD – All

PURPOSE

To recommend that Council gives consideration to granting Freedom of Entry to the City of Joondalup to the WA Police Academy and conduct a ceremony to commemorate the occasion.

EXECUTIVE SUMMARY

The Joondalup campus of the WA Police Academy was officially opened on Friday, 15 February 2002.

The tradition of the privilege of Freedom of Entry to a City has great historical significance. However, in modern times it bears no legal right or privilege on the recipient body, however it is the most honourable distinction a City may bestow.

The City of Perth has endorsed several groups of military origin based on the measure of precaution and security they provide a City. The City of Perth also set the precedent of honouring a group not linked to the military, when a Freedom of Entry ceremony was held for the Fire and Rescue Service of WA in 1999.

The granting of Freedom of Entry to an individual or body should be acknowledged with an appropriate public ceremony including a parade and exchanging of scrolls featuring both organisations' seal.

Following correspondence between the City of Joondalup and the WA Police Academy, 24 March has been identified as a suitable date for the ceremony.

It is anticipated that the ceremony would be followed by a reception hosted by the WA Police Academy.

BACKGROUND

Premier Geoff Gallop officially opened the WA Police Academy in Joondalup on 15 February 2002. The state-of-the-art facility features a 25 metre, 10 bay firing range, skills training self-defence area, mock courtroom and an operational scenario village. The \$47m institution will provide a professional learning environment that is unrivalled anywhere in the world.

The City of Joondalup, Edith Cowan University, West Coast College of TAFE and the Joondalup campus of the WA Police Academy have formed a partnership, which will be the 'engine-room' for Learning City initiatives. Discussions are currently underway for a formal launch of the Learning City in 2003, coinciding with the re-location of ECU's main campus to Joondalup.

The tradition of the privilege of Freedom of Entry to a City and the colourful ceremony attaching to the granting of entry by a City have a much deeper historical significance than the modern ceremony may imply.

The tradition began in the Cities of Europe in the eleventh century mainly for City protection. During and after the Crusades, Freedom of Entry was rigorously controlled by City Leaders as a measure of precaution.

In the eighteenth century it was established in the City of London that notification of the passage of “armed force” was a matter of courtesy. Even today, Her Majesty the Queen asks leave of the Lord Mayor to enter the City of London. Permission is made by the presentation to the Queen of the City Sword at Temple Bar pointing downward, indicating that authority is surrendered.

The City of London ceremony is traditionally colourful and, out of the tradition, the ceremony of modern times has spread so that traditional links are forged between famous regiments and cities in Great Britain and Australia.

In modern times, the granting of the Freedom of Entry bears no legal right or privilege on the recipient body, but it is accepted that the conferment is the most honourable distinction that a City may bestow.

The City of Joondalup has never granted Freedom of Entry to any individual or organisation and does not have a policy with regard to the Conferring of Honours.

Correspondence with the City of Perth has revealed policy (*CS24: Conferring of Honours by the City of Perth*) providing that Freedom of Entry is to be granted to units of the Defence Force which have a significant attachment to the City as determined by the Lord Mayor.

The policy provides guidelines for the selection of recipients, as follows;

- (i) an individual or group must be considered to have reached a high level of achievement and service in their chosen field;
- (ii) individuals or groups must have been considered to have made a significant and meritorious contribution to the City of Perth, Western Australia, Australia or world affairs.

Until 1999, City of Perth had previously only granted Freedom of Entry to the City to groups of military origin, given the centuries old act is one historically linked to a measure of precaution and security for a city. Those granted this honour by the City of Perth in the past have been:

- The 25th Squadron of the RAAF;
- The Special Air Services Regiment;
- The Royal Western Australian Regiment;
- HMAS Perth;
- The Australian Army Band of Perth

In 1999, the City of Perth set the precedent of honouring a group not linked to the military when a Freedom of Entry Ceremony was conducted for the Fire and Rescue Service of WA.

Siting that in regard to the Freedom of Entry requirement, to provide “precaution and safety” for a city, the Fire and Rescue Service of WA would arguably be more applicable to the City and its citizens of today than military units.

The development of the WA Police Academy in Joondalup will help the WA Police Service to ensure high level development of police personnel and to meet the contemporary policing needs of communities. Given this, and the WA Police Academy’s aim to better prepare officers to protect the community, this group is a worthy recipient of the granting of Freedom of Entry to the City of Joondalup.

DETAILS

Following correspondence with the WA Police Academy it has been suggested that should the Council grant Freedom of Entry to the City of Joondalup, the ceremony should be held on 24 March 2002. The ceremony would be recognised and promoted as an event within the Joondalup Festival.

Such a ceremony, in conjunction with the Joondalup Festival would create the opportunity to involve a wide representation of people. It is envisaged that all officers, including new recruits be included in this ceremony.

The WA Police Academy has proposed that the ceremony include a street parade involving Officers, Police Marching Squad, Pipe Band and Mounted Section to accompany the arrival of the Police Commissioner. The granting of Freedom of Entry involves the exchange of scrolls featuring the City of Joondalup’s seal.

It is anticipated that the granting and exercising of the honour would be followed by a reception hosted by the WA Police Academy at the new facility.

COMMENT

The City of Joondalup should grant the honour of Freedom of Entry on the WA Police Academy in recognition of its conspicuous service to our City, and the State of Western Australia. It is recognition of the establishment of the WA Police Academy and the choice of Joondalup as a fitting location for such an institution.

Given the precedent set by the City of Perth, the service provided by the WA Police Academy, the recent completion and opening of the new state-of-the-art academy and the benefit of a high profile street parade, it is recommended that the Council grant approval for Freedom of Entry to the City of Joondalup to the WA Police Academy.

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

That Council:

- 1 GRANTS approval for Freedom of Entry to the City of Joondalup be extended to the WA Police Academy;**
- 2 APPROVES the conducting of an appropriate street parade and ceremony on 24 March 2002 to mark the occasion of granting Freedom of Entry to the WA Police Academy;**
- 3 APPROVES the City of Joondalup seal be used to endorse the scroll conferring the granting of Freedom of Entry to the City of Joondalup to the WA Police Academy.**

ITEM 5 TENDER NO. 38.2001/02 - DESIGN AND CONSTRUCTION OF AN IN-SITU SKATE FACILITY - CARINE REGIONAL OPEN SPACE FOR THE CITY OF JOONDALUP AND THE CITY OF STIRLING (JOINT VENTURE) – [08096]

WARD – South Coastal

PURPOSE

To accept the tender from Skatetech Pty Ltd of \$135,000 for the design and construction of a joint venture skatepark facility, and to endorse the signing of the Memorandum of Understanding between the City of Joondalup and City of Stirling for the Carine Open Space Skatepark Joint Venture by the Chief Executive Officer and the Mayor.

EXECUTIVE SUMMARY

This report is raised to notify Council on the progress of the joint venture skatepark facility for Carine Open Space. Tenders have been publicly advertised and assessed in accordance with a selection criterion for the design and construction of a skate facility in Carine Open Space. The Carine Skate Park Committee have fully endorsed the preferred tenderer, Skatetech Pty Ltd, and recommended the signing of the Memorandum of Understanding (Attachment 1.refers) between both Cities. This report recommends that Council:

- 1 *ACCEPTS the tender from Skatetech Pty Ltd of \$135,000 for the provision of design and construction of an in-situ skate facility – Carine Regional Open Space for the City of Joondalup and the City of Stirling (Joint Venture);*
- 2 *ENDORSES the signing of the Memorandum of Understanding between the City of Joondalup and the City of Stirling for the Carine Open Space Skatepark Joint Venture by the Chief Executive Officer and the Mayor under Common Seal; and*
- 3 *ENDORSES the forwarding of \$75,000 to a City of Stirling trust fund for the purpose of designing and constructing a joint venture skate facility at Carine Regional Open Space.*

BACKGROUND

Council at its meeting of 9 October 2001 (CJ343-10/01 Skate Park Committee Minutes) resolved to:

- Enter into a joint venture with the City of Stirling for the development of a skate park at Carine Open Space contributing up to \$75,000 towards the construction costs on the basis of a 50/50 share of capital and future operational and maintenance costs, based on a public consultation period facilitated by the City of Joondalup being carried out with the residents of Duncraig and surrounding suburbs; and

- Request the City of Stirling to be part of a committee consisting of two elected members from the City of Joondalup to oversee the construction and design of the skatepark at Carine Open Space.

The City of Joondalup conducted a public meeting at the Carine Open Space Clubrooms on 12 November 2001. There was strong support for a joint skate park facility to be developed. As a result of the support from the public meeting a joint working committee has been working toward developing the concept of the joint project at Carine Open Space. This group has looked at developing the potential financial arrangements, a memorandum of understanding, scope of works, continuing the consultation process and coordinating the media releases.

DETAILS

The Joint Working Committee developed a project brief for the “Provision of Design and Construction of an In-Situ Skate Facility – Carine Regional Open Space for the City of Joondalup and the City of Stirling (Joint Venture). Due to the scope of works involved with this project, tenders were advertised in the Western Australian on Saturday 26 January 2002, with tenders closing on 12 February 2002. The City of Stirling accepted all tenders and will award and administer the contract on behalf of the joint venture. The City of Stirling will provide a Superintendent for the whole of the project.

One tender was submitted by Skatetech Pty Ltd with its registered office in Margaret River, Western Australia. This tender was assessed, in accordance with the selection criteria stated below, by a joint City of Stirling and City of Joondalup tender evaluation committee comprising of officers from both parties.

Selection Criteria

- Demonstrated understanding of the requirements of the project;
- Demonstrated previous similar experience in the area of skate facility design and construction;
- Demonstrated experience liaising with local communities, local authorities and youth groups in the development of skate facilities;
- An outline of the proposed team which will be dedicated to this project, including sub-contractors, their roles and skills;
- An ability and willingness to meet the project requirements within or under the stated project budget;
- Demonstrated price competitiveness / value for money;
- Demonstrated ability and agreement to meet the project timeframes as outlined in the tender documents;
- Submission of a community consultation proposal outlining the proposed methods of consultation and use of consultation information in the development of the skate facility; and
- Tenderers preparedness to accept and comply with the conditions of the contract.

A Memorandum of Understanding (MOU) between the City of Joondalup and City of Stirling for the Carine Open Space Skatepark Joint Venture has been completed. The MOU incorporates sections on:

- Commitments and Protocols;
- Dispute Resolution;
- Costs;
- Insurance;
- Maintenance;
- Supervision / Surveillance of the Facility; and
- Media and Publicity.

Financial Implications:

Account No:	BCW045
Budget Item:	Skateboard Parks and Facilities
Budget Amount:	\$230,000
YTD Amount:	\$0.00
Actual Cost:	\$75,000

The figure of \$75,000 is the City of Joondalup's contribution towards the total project cost of \$150,000. The tender amount of \$135,000 enables the City of Joondalup and the City of Stirling to include \$15,000 for contingencies for the project.

COMMENT

The Skatetech Pty Ltd tender submitted for the design and construction of the skate park facility has fully met with the selection criteria as outlined. The company is becoming renown for the quality work it presents, as is exemplified by its recent notification that they are to receive an award from the Skate Park Association of America for outstanding work in the field of skate park design and construction. Skatetech Pty Ltd has also been engaged to construct a range of transportable skate equipment within Asia.

Reference checks with Skatetech Pty Ltd's most recent design and construction contract, the City of Kalgoorlie Boulder, resulted in highly recommending the company to undertake the project. Skatetech Pty Ltd worked extremely well with the local skaters in designing the facility and did not encounter any problems within the construction phase of the project. They worked within the timeframes specified and consistent with the proposed budget.

Below is a list of skate park projects, within Australia, that Skatetech Pty Ltd are currently undertaking:

- City of Bayswater, WA \$180,000
- City of Randwick, NSW \$280,000
- YMCA Alice Springs, NT \$150,000
- Blue Mountains Council, NSW \$210,000
- City of Darebin, VIC \$220,000

The Carine Skate Park Committee, consisting of elected members and officers from the City of Stirling and City of Joondalup, have fully endorsed the preferred tenderer, Skatetech Pty Ltd, and recommended the signing of the Memorandum of Understanding between both Cities.

This report pre-empts the endorsement of the preferred tenderer and the recommendation to sign the Memorandum of Understanding between the City of Stirling and City of Joondalup by the Council Skatepark Committee. The committee is due to meet and consider the tender process and Memorandum of Understanding at a specially convened meeting on Tuesday 26 February 2002.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1 ACCEPTS the tender from Skatetech Pty Ltd of \$135,000 for the provision of design and construction of an in-situ skate facility – Carine Regional Open Space for the City of Joondalup and the City of Stirling (Joint Venture);**
- 2 ENDORSES the signing of the Memorandum of Understanding between the City of Joondalup and the City of Stirling for the Carine Open Space Skatepark Joint Venture by the Chief Executive Officer and the Mayor under Common Seal; and**
- 3 ENDORSES the forwarding of \$75,000 to a City of Stirling trust fund for the purpose of designing and constructing a joint venture skate facility at Carine Regional Open Space.**

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf050302.pdf](#)

ITEM 6 TENDER NUMBER 020-01/02, CONSTRUCTION OF ROUNDABOUTS AT WARWICK ROAD/DORCHESTER AVENUE & WHITFORDS AVENUE/KINGSLEY DRIVE (STATE BLACKSPOT PROGRAM) – PROPOSED TRAFFIC SIGNALS INSTALLATION – [68515]

WARD - South

PURPOSE

To seek approval to reject all tenders for the construction of roundabouts at Warwick Road/Dorchester Avenue and Whitfords Avenue/Kingsley Drive and proceed with the installation of traffic signals at these intersections.

EXECUTIVE SUMMARY

As part of its 2001/02 Capital Work Program, Council has listed construction of roundabouts at the intersection of Warwick Road/Dorchester Avenue and Whitfords Avenue/Kingsley Drive.

These projects had been included following a successful application for funding as part of the 2001/02 State Blackspot Program.

To meet the Capital Works construction timeframe, the proposed works had been programmed for construction by an external Contractor through a public tender.

However given the significant cost (lowest tendered price of \$770,694.45) to construct roundabouts at these intersections, the City would no longer be eligible to receive funding for these projects as part of the 2001/02 State Blackspot Program.

Notwithstanding this, the City has now successfully sought approval from Main Roads WA for approval to install traffic signals at these intersections.

The purpose of the changed intersection treatment is directly related to the revised Benefit Cost Ratio (BCR) associated with actual tender price of constructing dual lane roundabouts at the intersections. The installation of traffic signals excluding design and project management costs, is estimated to be approximately \$320,000 for both sites now ranks higher than previously approved projects in terms of BCR.

In simple terms, traffic signals are now a more ‘cost effective’ option than dual lane roundabouts to improve safety at these locations.

In view of this and as a result of the tender process, it is proposed to reject all tenders and proceed with the installation of traffic signals as part of the 2001/02 State Blackspot program, and it is recommended that Council:

- 1 *REJECTS all tenders submitted for Tender Number 020-01/02 Construction of roundabouts at Warwick Road/Dorchester Avenue and Whitfords Avenue/Kingsley Drive;*

- 2 *ENDORSES the installation of Traffic Signals at the intersections of Warwick Road/Dorchester Avenue and Whitfords Avenue/Kingsley Drive as part of the 2001/02 State Blackspot Program.*

BACKGROUND

As part of its 2001/02 Capital Work Program, Council has listed construction of roundabouts at the intersection of Warwick Road / Dorchester Avenue and Whitfords Avenue / Kingsley Drive.

These projects had been included following a successful application for State Blackspot funding.

The location of the proposed roundabout treatments are shown on Attachment 1.

To meet the Capital Works construction timeframe, the proposed works had been programmed for construction by an external Contractor. Accordingly a public tender was advertised and subsequently closed on 30 January 2002.

DETAILS

At the close of tenders, four (4) tenders had been received from the following Civil Engineering Contractors.

- Densford \$770,694.45
- Works Infrastructure \$805,476.00
- Croker Construction \$977,459.00
- Brierty Contractors \$1,179,723.00

The tender prices above do not include GST

While these tender prices may reflect the current market rate, they are well in excess of the available funds of \$560,000.

The increased cost is more significant given the funding criteria for State Blackspot Projects.

In accordance with the State Blackspot funding criteria, grant applications are ranked in order of Benefit Cost Ratio (BCR) which are calculated using the estimated Construction cost.

Notwithstanding, even when using the lowest tendered price, the BCR values for the dual roundabout options are significantly lower at both sites than the initial approved projects. In simple terms, construction of dual lane roundabouts are no longer 'cost effective' options to improve safety at these locations.

On this basis, the projects would no longer be eligible to receive funding as part of the 2001/02 State Blackspot Program and would normally have to be withdrawn by the City.

An alternative option for treatment of the intersections is traffic signals. The City has successfully sought approval from Main Roads WA for approval to install traffic signals as an alternative treatment at these intersections. At an estimated cost of \$160,000 (each, excluding

design and project management costs), traffic signals are now a more ‘cost effective’ option than dual lane roundabouts to improve safety at these locations.

The purpose of the change of the intersection treatment is directly related to the revised BCR associated with actual tender price of constructing dual lane roundabouts at the locations. The installation of traffic signals at both sites now ranks higher than previously approved projects in terms of BCR.

BCR is an economical evaluation used to determine a projects priority for State Blackspot Funding criteria.

In simple terms the BCR represents the 'cost effectiveness' of a treatment to address a particular crash type at a particular location.

It is the ratio between the current cost of crashes (COST), the current cost of the treatment and the cost of crash reductions (over the life of the treatment say 10-15 years) as a result of the treatment (BENEFIT).

A summary of the reviewed project details, including the revised BCR values are shown on Attachment 2.

Main Roads WA have subsequently given approval for the City to proceed with the installation of traffic signals. The change has been supported in principle by the State Blackspot Co-ordinator and has been submitted to the State Blackspot Panel for formal endorsement.

Financial Implications:

Account No:		Project No. 6315, 6318		
Budget Item:		State Blackspot Projects		
		SBS	Municipal	Total
Budget	Amount:	\$293,334	\$266,666	\$560,000
(Revised)				
Estimated design and project fees		\$40,000	\$20,000	\$60,000
Estimated Cost (Signal installation costs)		\$213,333	\$106,667	\$320,000
ESTIMATED TOTAL PROJECT COST		\$253,333	\$126,667	\$380,000

As shown above, sufficient funds are available to proceed with the installation of traffic signals.

COMMENT

While these tender prices may reflect the current market rate, they are well in excess of what had been anticipated.

In view of this, traffic signals are now a more ‘cost effective’ option than dual lane roundabouts to improve safety at these locations.

On this basis, it is proposed to reject all tenders and proceed with the installation of traffic signals at these intersections.

The installation of traffic signals will take place using the Main Roads WA term contract for the installation and maintenance of traffic signals. These works are programmed to be completed by 30 June 2002.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 REJECTS all tenders submitted for Tender Number 020-01/02 Construction of roundabouts at Warwick Road/Dorchester Avenue and Whitfords Avenue/Kingsley Drive;**
- 2 ENDORSES the installation of Traffic Signals at the intersections of Warwick Road/Dorchester Avenue and Whitfords Avenue/Kingsley Drive as part of the 2001/02 State Blackspot Program.**

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf050302.pdf](#)

ITEM 7 CONTRACT NUMBER 085-99/00 - CONSTRUCTION, DEVELOPING & TESTING OF BORES WITHIN THE CITY AND CONTRACT NUMBER 087-99/00 – SUPPLY & MAINTENANCE OF BOREHOLE PUMPS & VERTICAL LINESHAFT TURBINE PUMPS – [42655] [44655]

WARD - All

PURPOSE

To seek Council endorsement to extend Contract No. 085-99/00 - Construction, Developing and Testing of Bores and Contract No. 087-99/00 Supply of Submersible Borehole Pumps & Vertical Lineshaft Pumps.

EXECUTIVE SUMMARY

Council at its meeting of 23 May, 2000 accepted the tenders submitted by Wintergreene Drilling for Contract No. 085-99/00 and TurboMaster Pumps for Contract No. 087-99/00, with an option to extend for two twelve month periods, subject to satisfactory performance. Wintergreene and TurboMaster have requested that their Contracts be extended with no price adjustment and this is supported by Officers.

It is recommended that Council:

- 1 *AUTHORISES the extension of Contract No. 085-99/00 - Construction, Developing and Testing of Bores within the City for a period of twelve months from 1 July 2002 to 30 June 2003 in accordance with the Schedule of Rates which forms Attachment 1 to this report;*
- 2 *AUTHORISES the extension of Contract No. 087-99/00 - Supply of Submersible Borehole Pumps and Vertical Lineshaft Pumps for a period of twelve months from 1 July 2002 to 30 June 2003 in accordance with the Schedule of Rates which forms Attachment 2 to this report;*
- 3 *AUTHORISES signing of the contract extension documents.*

BACKGROUND

Contract No. 085-99/00 was awarded by Council at its ordinary meeting of 23 May, 2000 (Report No. CJ122-05/00 refers). Three tenders were received and the evaluation process identified Wintergreene Drilling as the preferred tenderer. Wintergreene Drilling is based in Ballajura and has successfully undertaken this work for Council since 1992.

Contract No. 087-99/00 was awarded by Council at its ordinary meeting of 23 May, 2000 (Report No CJ120-05/00 refers). Five tenders were received and the evaluation process identified TurboMaster Pumps Pty Ltd as the preferred tenderer. TurboMaster Pumps Pty Ltd is based in Wangara.

TurboMaster were previously known as Metcalf Pumps Pty Ltd and have successfully supplied and maintained Councils bore hole pumping units since 1980. The relocation of the company from Osborne Park to Wangara has benefited the City in service availability and modernised testing and development of the units.

DETAILS

Contract No. 085-99/00 Wintergreene Drilling has undertaken all Councils borehole drilling requirements since 1988. Their experience in this area is acknowledged and they currently undertake drilling for the Cities of Stirling and Wanneroo in conjunction with Joondalup.

Contract No. 087-99/00 TurboMasters Pumps. This company has an extensive workshop and pump fabrication section in Wangara. Operations currently service 30-35 pumps annually during June, July and August and TurboMaster are able to accommodate this and other Councils requirements.

Both companies have proven their experience and competitiveness over a significant period of years.

Financial Implications

Funding for these works are allocated within the Operations Services maintenance budget or the Capital Works Program 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. 085–99/00 - Construction, Developing and Testing of Bores within the City and Contract be extended for a twelve month period in accordance with clause 16, contract period in the General Conditions of Contract.

It is therefore recommended that Contract No. 087–99/00 - Supply of Submersible Borehole Pumps and Vertical Lineshaft Pumps be extended for a twelve month period in accordance with clause 35, contract period in the General Conditions of Contract.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION**That Council:**

- 1 AUTHORISES the extension of Contract No. 085-99/00 - Construction, Developing and Testing of Bores within the City for a period of twelve months from 1 July 2002 to 30 June 2003 in accordance with the Schedule of Rates which forms Attachment 1 to this Report;**
- 2 AUTHORISES the extension of Contract No. 087-99/00 - Supply of Submersible Borehole Pumps and Vertical Lineshaft Pumps for a period of twelve months from 1 July 2002 to 30 June 2003 in accordance with the Schedule of Rates which forms Attachment 2 to this Report;**
- 3 AUTHORISES signing of the contract extension documents.**

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf050302.pdf](#)

ITEM 8 MODIFICATION TO ILUKA STRUCTURE PLAN – [48934]

WARD – North Coastal

PURPOSE

The purpose of the report is for Council to consider a number of modifications to the Iluka Structure Plan following the Western Australian Planning Commission (WAPC) decision to adopt the structure plan on 24 July 2001 subject to modifications (Attachment 1).

EXECUTIVE SUMMARY

Council adopted the Iluka Structure Plan at its meeting on 13 March 2001 (CJ067-03/01). The Iluka Structure Plan was referred to the WAPC where it was adopted on 24 July 2001, subject to a number of modifications:

- Changes to (Figure 1) to identify O'Mara Boulevard as a 'special street', the inclusion of additional park land north-east of the Structure Plan area, the inclusion of a road connection to Delgado Parade and the redesign of the area around Sir James McCusker park in accordance with Liveable Neighbourhoods.
- Inclusion of Road Reserve widths for streets 'AO' and 'AP' (identified as such due to road names not being allocated) in Table 5.4 of the Iluka Structure Plan Traffic Report.
- The words 'to the Crown' being inserted between the words 'free of cost' and 'by the developer' in Section 7 – Parks and Recreation Reserves of Part1 of the Iluka Structure Plan report.
- 16 metre wide road reserves as marked in the Iluka Structure Plan, being modified to incorporate 7-7.5 metre wide pavement widths.
- Additional footpath and dual use paths should be provided, to be consistent with Liveable Neighbourhood Policy.

The City together with consultants Roberts Day Group have prepared the above modifications to the Iluka Structure Plan. The proposed modifications are minor and will improve the integrity of the Structure Plan.

Given that the proposed modifications to the Iluka Structure Plan are minor it is recommended that public advertising be waived and the Iluka Structure Plan forwarded to the WAPC for adoption and certification.

BACKGROUND

Suburb/Location:	Iluka
Applicant:	Roberts Day Group
Owner:	The Roman Catholic Archbishop and Davidson Pty Ltd
Zoning:	DPS: Urban Development
	MRS: Urban
Strategic Plan:	Lifestyle – Strategy 2.6 Promote and enjoy lifestyles that engender Environmental, Social and Economic balance.

Previous Council Decision

At its meeting on 13 March 2001, Council resolved that the Iluka Structure Plan is satisfactory following the advertising period and forwarded copies to the WAPC for adoption and certification.

The Iluka Structure Plan provides guidance with respect to the subdivision/development of land bounded by Burns Beach Road, Silver Sands Drive, Naturaliste Boulevard, Miami Beach Promenade and Delgado Parade. The Structure Plan primarily sets the land aside for residential purpose but includes a commercial area located to the west of the Structure Plan on the corner of O'Mara Boulevard and Burns Beach Road.

WAPC Decision

The Iluka Structure Plan was adopted by the WAPC on 24 July 2001, subject to a number of modifications:

- 1 Following modifications being undertaken to the Structure Plan Map (Figure 1):
 - O'Mara Boulevard and Burns Beach Road being marked as 'special street(s)' and subject to further planning – specifically detailed cross section;
 - A small pocket park being provided for in the north-east corner of the Structure Plan area;
 - inclusion of the road connection to Delgado Parade – as per subdivision approval WAPC Ref: 113905;
 - The land bounded by Silver Sands Drive, Delgado Parade and Sir James McCusker Park being identified as being redesigned in accordance with Liveable Neighbourhoods Policy.
- 2 Inclusion of Road Reserve widths for streets 'AO' and 'AP' (identified as such due to road names not being allocated) in Table 5.4 of the Iluka Structure Plan Traffic Report.
- 3 The words 'to the Crown' being inserted between the words 'free of cost' and 'by the developer' in Section 7 – Parks and Recreation Reserves of Part 1 of the Iluka Structure Plan report.

- 4 16 metre wide road reserves as marked in the Iluka Structure Plan, being modified to incorporate 7-7.5 metre wide pavement widths.
- 5 Additional footpath and dual use paths should be provided, to be consistent with Liveable Neighbourhood Policy.

DETAIL

Current Proposal or Issue

The proposed changes to Figure 1 of the Iluka Structure Plan have been introduced to highlight the importance of O'Mara Boulevard and the land abutting James McCusker Park to future planning and development of the area. Minor changes to a road connection in Delgado Parade reflect the road layout approved in the associated subdivision application (WAPC Ref: 113905), whilst the inclusion of additional public open space will improve the distribution of and access to public open space throughout the structure plan area.

Changes proposed to both the Structure Plan Traffic Report and road reserve widths and the inclusion of additional footpaths and dual use paths have been requested to bring the structure plan more in line with standards under Liveable Neighbourhoods. Modifications to Section 7 Parks and Recreation, are minor changes to the Structure Plan aimed at improving its implementation.

Statutory Provision:

Clause 9.6.3 of the scheme outlines the Commission's consideration of the structure plan. Under clause 9.6.3 (c) if the Commission requires modifications to the Structure Plan the proponent shall make the modifications with the Council and resubmit the Structure Plan for consideration under Clause 9.4.

Under the provision of clause 9.4 of the scheme, advertising of the structure plan subject to minor changes may be waived at the discretion of the Council. After considering the proposed modifications Council then proceeds to either refuse to adopt the modifications to the structure plan or resolves that the modifications to the structure plan are satisfactory with or without changes.

COMMENT

Assessment and Reasons for Recommendation

The proposed modifications to Figure 1 address a number of important issues concerning distribution of public open space, road planning and future development around Sir James McCusker Park and along O'Mara Boulevard. The changes to Delgado Parade are in accordance with an approved subdivision application. The road is now opposite Stinson Square and does not connect through to provide vehicular access.

Additional changes to the Iluka Structure Plan are minor, requiring some changes to the Traffic Report, the inclusion of additional dual use paths and footpaths to the Structure Plan area and modifications to Section 7 Parks and Recreation to improve implementation of the Structure Plan.

Given that the proposed modifications to the Iluka Structure Plan are minor it is recommended that public advertising be waived. It is recommended it be considered the Structure Plan is satisfactory and copies forwarded to the WAPC for adoption and certification.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1** pursuant to clause 9.4 of the City of Joondalup's District Planning Scheme **RESOLVES** that advertising of the Iluka Structure Plan be waived given that the modifications proposed are minor;
- 2** **RESOLVES** that the Structure Plan is satisfactory and submits three copies to the Western Australian Planning Commission for adoption and certification;
- 3** **ADOPTS** the Structure Plan and upon receipt of the documents from the Western Australian Planning Commission authorise the signing and sealing.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf050302.pdf](#)

ITEM 9 CLOSE OF ADVERTISING - PROPOSED AMENDMENT NO 10 TO DISTRICT PLANNING SCHEME NO. 2 – CENTRES STRATEGY – [09030]

WARD – All

PURPOSE

The purpose of the report is for Council to consider public submissions following advertising of Amendment No.10 to District Planning Scheme No.2 (DPS2).

EXECUTIVE SUMMARY

The City has proposed an amendment to District Planning Scheme No.2 (DPS2) to incorporate some of the recommendations of the Centres Strategy adopted by Council on 28 November 2000 (CJ351-11/00) and other associated amendments as follows:

- Modify the definition of ‘shop’, ‘showroom’ and ‘bakery’.
- Permit ‘shop’ as a discretionary use subject to special conditions in the Business and Mixed-Use zones.
- Include provisions relating to the ‘Development of Centres’.
- Modify the limits and net leasable area (NLA) in accordance with Schedule 3 of the ‘Centres Strategy’.
- Include a definition of Centres Strategy.
- Delete definitions and references to ‘Road House’, ‘Animal Husbandry’ and ‘Takeaway Food Outlet’.
- Include ‘Dry-cleaning’ as a discretionary use in Mixed-Use areas.
- Modify clauses 3.5, 3.6, 3.7 and 3.11, to enable shopping net lettable area to be distributed to all lots within ‘Commercial’, ‘Centre’, ‘Business’ and ‘Mixed-Use’ zones.
- Adjust boundaries of Kinross Local Centre and rezone Lot 199 (163) Kinross Drive Kinross from ‘Residential’ to ‘Commercial’.
- Modify Schedule 3 which provides the net lettable area for commercial centres to delete references to specific lots.
- Include Lot 60 Warburton Avenue as a Local Centre.

The amendment was adopted by Council at its meeting on 23 October 2001 (CJ226–07/01) and was advertised for public comment for a 42-day period which closed on 9 January 2002.

Forty-two submissions were received, which includes two petitions, one signed by 246 people the other signed by 13 people, opposing the rezoning of lots 199 and portion lot 9000 Kinross Drive, Kinross.

Twenty-two individual letters were submitted opposing the rezoning of Lot 199 and portion of Lot 9000 Kinross Drive, Kinross from ‘Residential’ and ‘Mixed-Use’ to ‘Commercial’ due to concerns that commercial development will result in declining property values, cause an increase in traffic, noise, littering, crime, anti-social behaviour and loss of privacy. Additional comments related to adequate shopping facilities existing in the area and that purchase was based on Lot 199 Kinross Drive being developed as a residence with an incidental corner

store. Given the allocated commercial floor space in Kinross and public opposition, Lot 199 Kinross Drive, Kinross should remain ‘Residential’.

Six submissions were received concerning Lot 60 Warburton Avenue. Four submissions object to the redevelopment of Lot 60 Warburton Avenue, whilst one submission raises issues concerning an existing development approval. Another submission supports Lot 60 Warburton Avenue becoming a Village Centre and has made a suggestion that proposed clause 3.2.2 should be modified to enable greater retail net lettable area (NLA) for ‘Mixed-Use’ zone. Issues concerning an existing development approval for Lot 60 Warburton Avenue do not form part of the amendment. Under the present ‘Mixed-Use’ zoning a number of land-uses are permitted such as restaurant and office. The new clause 3.2.2, in addition to including Lot 60 Warburton Avenue into Schedule 3, will ensure only limited retail floor space.

Four submissions were received relating to modifications to the definitions for ‘shop’, ‘showroom’ and ‘bakery’. Three of the submissions questioned why the definitions for ‘shop’, ‘showroom’ and ‘bakery’ are required to be changed, recommended that the definition for ‘Showroom’ be modified, and questioned the implications on existing properties if the definitions of ‘shop’ and ‘showroom’ are modified. One submission has indicated support for the proposed changes. Submissions concerned with changes to definitions are acknowledged, however it is considered that the changes are necessary to improve both their interpretation and application to land use planning.

Four submissions were received concerning changes proposed to Schedule 3 of DPS2 which provides the net lettable area for commercial centres. One submission supported the revision of Schedule 3 but suggested that the inclusion of retail activity within ‘Mixed-Use’ and ‘Business’ zone be excluded. Three submission support changes to Schedule 3 however, requested that higher order centres have retail NLA determined by the implementation of a structure plan. Changes to Schedule 3 are required to reflect recommendations made by the Centres Strategy for retail floor space in all centres.

The proposed amendment to DPS2 will provide an improved way of distributing appropriate land uses and floor space to centres and will provide an improved strategy towards the future development, expansion and redevelopment of Centres. Adoption of DPS2 amendment No.10 subject to not proceeding with the rezoning of Lot 199 (163) Kinross Drive, Kinross from ‘Residential’ to ‘Commercial’ is recommended.

BACKGROUND

Suburb/Location:	Various
Applicant:	City of Joondalup
Owner:	Various
Zoning:	DPS: Various
	MRS: Various
Strategic Plan:	Lifestyle – Strategy 2.6 Promote and enjoy lifestyles that engender Environmental, Social and Economic balance.

DETAIL

Proposal

The proposed amendment follows an examination of the objectives, principles and recommendations of the ‘Centres Strategy’ adopted by Council on 28 November 2000 as a strategic policy document. The amendments and inclusions to DPS2 proposed are:

Modify schedule 1 to include ‘new’ definition for ‘shop’, ‘showroom’ and ‘bakery’ (Attachment 1 – refer to changes in Schedule 1)

The proposal to modify the definition for ‘shop’ and ‘showroom’ in schedule 1 of DPS2 follows an examination of the interpretation of both definitions and the need to accord the definitions with the Model Scheme Text.

Traditionally there was a clear distinction between ‘shop’ and ‘showroom’ with the later more akin to the sale or wholesale of ‘bulky goods’ and goods associated with home improvement. The current definitions however fail to make these distinct differences resulting in the experience of ‘overlap’ between the two definitions when applied. The ‘new’ definitions propose to alleviate these incursions by using ‘scale’ and ‘product by example’ as a basis to delineate the definitions. This is strengthened by the inclusion of a list of examples of goods included as part of a ‘showroom’ and the exclusion of a ‘showroom’ from the definition of ‘shop’.

Changes to the definition of ‘bakery’ are due partly to changes proposed to ‘shop’ to enable related uses such as ‘hot bread shops’ to be considered under ‘shop’ rather than ‘bakery’.

Modify Table 1 to permit ‘Dry Cleaning Premises’ subject to Council’s discretion in a Mixed-Use Zone (Attachment 1 – refer to changes to table 1)

Currently ‘Dry Cleaning Premises’ is a non-permitted use in the Mixed-Use zone. During the preparation of DPS2 it was included as a discretionary use however was required to be deleted by the Minister for Planning. The use class is considered suitable in areas zoned Mixed-Use and is not considered to impact on the amenity of the surrounding area.

Modify clause 3.2.2 and Table 1 to include a new symbol ‘AS’ that would permit a ‘shop’ use in the Mixed Use and Business Zone subject to Council’s discretion (Attachment 1 – refer to changes to part 3).

The proposal will promote the opportunity for greater land use variety in mixed-use environments, and provide for Council discretion to encourage the appropriate development to occur. Clause 3.2.2 will provide special standards to ensure that development occurs along ‘Main Street’ style.

Modify Part 4 to include a new clause (4.16) ‘Development of Centres’ (Attachment 1 – refer to changes to Part 4).

The proposal establishes new development standards in Part 4 of the scheme. Where revitalisation and re-modelling of existing centres may occur or new centres are proposed, the provisions require where practical development to include ‘main street’ principles, providing for integrated, mixed use, safe, attractive and vibrant centres with a community focus.

Include in schedule 1 a definition for ‘Centres Strategy’ (Attachment 1 – refer to changes to Schedule 1).

The proposal is to include in Schedule 1 of the scheme a definition for ‘Centres Strategy’ to provide legal recognition to the document wherever cited in the Scheme.

Delete the use classes ‘Road House’ and ‘Animal Husbandry’ from Schedule 1 and Table 1 and ‘Takeaway Food Outlet’ from schedule 1, Table 1 and Table 2 (Attachment 1 – refer to changes to Schedule 1, Table 1 and Table 2).

The proposal will remove the use classes ‘Road House’ and ‘Animal Husbandry’, which are no longer considered relevant to the scheme area. The definition of ‘Take Away Food Outlet’ is no longer required as it is considered part of the new definition of ‘shop’

Adjust the zone boundary of Kinross Drive, Centre and include in Schedule 3 as Kinross ‘Local Shop’ (Attachment 2).

The proposal will rectify an oversight during the preparation of DPS2 whereby Lot 199 Kinross Drive, Kinross intended to be zoned for ‘commercial’ purpose. The property is a vacant corner lot used as a sales office and is abutting a lot zoned commercial. The Centres Strategy identifies this lot as a ‘Local Shop’ under Schedule 3. Lot 9000 Kinross Drive, Kinross is a minor zoning re-alignment to accord with lot boundaries.

Modify Schedule 3 to reflect recommendations for net leasable area (NLA) as per ‘Centres Strategy’ (Attachments 3, 4, and 6) and include all lots in each centre.

Centres Strategy

The proposal will ratify an inconsistency between the existing floor area and Schedule 3 of DPS2 in respect to NLA permitted for 9 of the 41 centres in the City (Attachment 3). The figures provided for Schedule 3 of DPS2 at the time the Scheme was being prepared were based on outdated data and in some cases derived from different interpretations of retail floor space. Figures obtained for the Centres Strategy are based on 1997 WAPC survey.

At the Council meeting on 19 December 2000, Amendment No.3 (CJ381-12/00) was initiated to modify Schedule 3 to increase the NLA for the 9 centres. As an interim measure it was proposed to permit development in these centres until the Centres Strategy was approved. The amendment was not processed by the WAPC with advice that it should be included in the Centres Strategy amendment.

The proposal will replace the current shopping NLA in Schedule 3 of DPS2 with that identified in Schedule 3 of the Centres Strategy (Attachment 4).

Include all properties zoned ‘Commercial’, ‘Centre’, ‘Business’ and ‘Mixed-Use’ zones in the calculation of shopping NLA

The proposal will modify Schedule 3 to include all properties zoned ‘Commercial’, ‘Centre’, ‘Business’ and ‘Mixed-Use’ in the calculation of shopping NLA for each centre.

Currently Schedule 3 distributes shopping net lettable area to selected lots in ‘Commercial’ and ‘Centre’ zones but not all lots. This results in some lots not being able to be developed for shopping purposes. For example a maximum 38,000m² NLA is currently permitted over the

Warwick Grove Shopping Centre however this is restricted to only a number of lots identified in Schedule 3. The commercial land use survey indicates a total of 25,015m² occupied as shopping floor space, 12,985m² retail NLA is available for future expansion of the centre. As NLA distribution is restricted to a number of selected lots that have already been largely developed, the potential for further expansion of shopping net lettable area is restricted.

Accordingly the proposal will modify Schedule 3 by deleting the column headed ‘Description of Centre and Commercial Zone’ and modify Clauses 3.5, 3.6, 3.7 and 3.11 to enable shopping net lettable area to be distributed to all lots within these zones (Attachment 1 – refer to changes to Section 3).

Warburton Avenue.

The proposal is to include Lot 60 Warburton Avenue (Padbury – Warburton Avenue West) as a ‘Centre’ in Schedule 3 of DPS2 to enable ‘shop’ to be considered as a possible land use for the site. Under DPS2 the land is zoned Mixed-Use which accommodates small scale, low impact land uses. Prior to the finalisation of DPS2 a development approval was issued providing for shops, office and consultancy room. The property is well located on the corner of Warburton Avenue and Renou Street (Attachment 5) to take advantage of new provisions that permit ‘shop’ in the Mixed-Use zone subject to special conditions.

Summary

As a result of the number of changes proposed to Schedule 3 of DPS2, it is proposed it be replaced by the ‘new’ Schedule 3 (Attachment 6) that reflects all changes resulting from the proposals outlined in this report.

Previous Council Decision.

At its meeting on 23 October 2001, Council resolved to adopt the proposed amendment and advertised it for public comment for a period of 42 days, concluding on 9 January 2002.

Consultation

The proposed DPS2 amendment No.10 was advertised for public comment for a 42-day period, which closed on 9 January 2001. Letters were sent to landowners affected by the amendment and signs were erected at Lot 60 Warburton Avenue and Lot 199 Kinross Drive Kinross. An advertisement was also placed in the local newspaper on 28 November 2001. A total of forty-two submissions were received, which includes two petitions, one signed by 246 people the other signed by 13 people both opposing the rezoning of lots 199 and portion lot 9000 Kinross Drive, Kinross. A detailed summary of submissions is provided for in Attachment 7.

Twenty-two individual letters were submitted opposing the rezoning of lots 199 and portion lot 9000 Kinross Drive, Kinross from ‘Residential’ and ‘Mixed-Use’ to ‘Commercial’. Common issues raised in the submissions were concerns that commercial development will result in declining property values, cause an increase in traffic, noise, littering, crime, anti-social behaviour and loss of privacy. Additional comments related to adequate shopping facilities existing in the area and that purchase was based on lot 199 Kinross Drive being developed as a residence with an incidental corner store. One submission was in support of the rezoning.

Six submissions were received concerning Lot 60 Warburton Avenue. Four submissions objecting to the redevelopment of Lot 60 Warburton Avenue on the grounds of nuisances that would occur from commercial development such as increased noise and traffic. Additional comments suggested that adequate shopping already existed along Warburton Avenue and that development should be sensitive to the surrounding residential area. One submission provided two letters that relate to a development proposal for the site. The first objecting to the proposed development (dated 13th November 2001), the second letter (dated 30th November 2001) supports the development (DA01/0500) after modifications were made to access arrangements. One submission supported the inclusion of Lot 60 Warburton Avenue as a Village Centre and made a suggestion that proposed clause 3.2.2 should be modified to enable greater retail net lettable area (NLA) for 'Mixed-Use' zone.

Four submissions were received relating to modifications to definitions of 'shop', 'showroom' and 'bakery'. Submissions questioned why the definitions for 'shop', 'showroom' and 'bakery' are required to be changed, the legal ramifications in terms of existing developments and requested examples in the definition for 'showroom' being removed. One submission has indicated support for the proposed changes.

Four submissions were received concerning changes proposed to Schedule 3 of DPS2. One submission supported the revision of Schedule 3 but suggested that the inclusion of retail activity within 'Mixed-Use' and 'Business' zone be excluded. Three submissions support changes to Schedule 3 however, requested that Joondalup Centre, Town Centres and Small Town Centres have their retail NLA determined by the implementation of a structure plan.

One submission has objected to proposed amendment No.10 without detail, whilst another submission questioned a statement in clause 4.16.2. The remaining two submissions have indicated their general support for the amendment.

Statutory Provision

Section 7 of the Town Planning and Development Act 1928 (TPD Act 1928) together with Town Planning Regulations 1967 enable Local Authorities to amend a Town Planning Scheme and set out the process to be followed (Attachment 8).

Under provision of regulation 17 (2) of the Town Planning Regulations 1967, Council shall consider all submissions received during the advertising period. After considering all submissions the Council shall either resolve to not proceed or adopt the amendment, with or without modification and submit three copies to the WAPC for recommendation to the Minister for Planning.

COMMENT

Lot 9000 Kinross Drive, Kinross is currently zoned 'Commercial' with a small portion of the lot zoned 'Mixed Use'. The amendment intends to correct this anomaly. Lot 199 Kinross Drive was originally identified as a 'corner store residence' site. Given that community expectations for the development of the site was for a 'corner store residence' and that provision has been made for adequate commercial floor space in Kinross the site should not be rezoned.

Submissions for Lot 60 Warburton Avenue, are concerned largely with an existing development approval and the implications of redevelopment for the site that does not form part of this amendment. Under the current 'Mixed-Use' zoning a number of land-uses are

permitted such as restaurant and office. The amendment proposes to allow limited ‘shop’ use in the ‘Mixed-Use’ zone by proposing special provisions under clause 3.2.2 and including Lot 60 Warburton Avenue into Schedule 3 as a Village Centre. The limited retail uses will complement existing land uses approved for the site.

The submissions concerned with changes to definitions and Schedule 3 of DPS2 are acknowledged, however it is considered that the changes proposed to the definition’s of ‘shop’, ‘showroom’ and ‘bakery’ are necessary to improve both their interpretation and application to future land use planning. The proposal does not impact on existing developments. Changes to Schedule 3 are required to reflect recommendations made by the Centres Strategy for retail floor space in all centres. General comments for and against amendment No.10 are acknowledged.

Adoption of DPS2 amendment No.10 subject to not proceeding with the rezoning of Lot 199 (163) Kinross Drive, Kinross is recommended.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1** pursuant to Town Planning Regulations 17 (2) **ADOPTS Amendment No. 10 to the City of Joondalup District Planning Scheme No. 2 subject to the following modification:**
 - **The rezoning of Lot 199 Kinross Drive, Kinross from ‘Residential’ to ‘Commercial’ not be proceeded with.**
- 2** **NOTES** the submissions received and **ADVISES** submitters of Council’s resolution;
- 3** **AUTHORISES** the affixation of the common seal to, and endorses the signing of the amendment documents.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf050302.pdf](#)

ITEM 10 REQUEST FOR CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN CARRON RISE AND ROSSITER HEIGHTS, HILLARYS – [41466]

WARD - Whitfords

PURPOSE

The purpose of this report is for Council to consider the closure of the pedestrian accessway (PAW) between Carron Rise and Rossiter Heights, Hillarys. (See Attachment 1).

EXECUTIVE SUMMARY

A request to close the PAW between Carron Rise and Rossiter Heights, Hillarys has been received from all four adjoining landowners and their justification for closure is that the PAW provides little or no useful shortcut advantage, closure would improve security, graffiti, nuisance and noise from skateboarders. The application was advertised for public comment from 2 October 2001 to 1 November 2001. As part of the advertising process questionnaires were forwarded to local residents seeking their view on closure of the PAW. A letter was attached to the questionnaire that provided information on the grounds for closure put forward by the applicants.

The City's Pedestrian Accessway Policy requires formal evaluation of the request for closure. This evaluation is composed of three parts, assessing Urban Design, Nuisance Impact and Community Impact. The assessments are rated as low, medium or high and a recommendation made whether to support closure or not.

The Urban Design Assessment determines the importance of the PAW in the pedestrian movement network by analysing the impact closure would have on access to local community facilities within 400 metres. The Nuisance Impact Assessment assesses any evidence and information to determine the degree of anti-social behaviour being experienced and the Community Impact Assessment examines the information provided by surrounding residents to determine the PAW's level of use.

In this case, the Urban Design, Nuisance Impact and Community Impact Assessments are all rated as medium, low and low respectively. Based on these ratings, the proposal accords with Case 4 of the Pedestrian Accessway Policy, therefore it is recommended that the PAW between Carron Rise and Rossiter Heights, Hillarys is not supported for closure.

BACKGROUND

Suburb/Location:	Hillarys
Applicant:	Mr & Mrs AP & CA Smith Mr J and Mrs H Jacob Mr C and Mrs M Cook Mr I and Mrs Kemp
Zoning:	DPS: Residential
	MRS: Urban

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

DETAILS

Current Proposal or Issue

The four adjoining landowners request closure based on:

- concerns that the proposed new shopping centre will create additional opportunities for roving vandalism
- graffiti has been experienced
- closure will improve the security of the adjoining properties by preventing obscured side entry from the PAW
- skateboarders use the PAW creating noise and nuisance

All four adjoining landowners support the closure and should closure be supported the land within the PAW can be disposed of to adjoining landowners who will meet all of the necessary costs and conditions. As part of their request they provided a petition of support signed by residents from 7 homes in Carron Rise and 8 homes in Rossiter Heights.

Site Inspection (See Attachment 2)

- Very little rubbish/broken glass etc
- No obvious fence damage
- Graffiti was old and minor
- Some weeding required
- Light poles at each end of PAW
- Links to Gipps Court
- Vision good

PAW Closure Process

A request can be made to close a PAW and the City's Pedestrian Accessway Policy provides the process and guidelines for dealing with requests for closure. From the outset, the City must have an indication that some or all of the adjoining landowners are prepared to acquire the land within the PAW, pay the associated costs and meet any necessary conditions. As part of the process service authorities provide details of any service plant within the PAW that would be affected by the proposed closure and if it can be modified or removed to accommodate the closure. If Council and the Minister for Planning and Infrastructure support the application to close the PAW, on receipt of such approvals the Department of Land Administration (DOLA) will arrange a valuation of the land and commence formal closure actions.

Consultation:

Consultation was by the erection of a notification sign at each end of the PAW for a period of thirty days from 1 October 2001 to 2 November 2001 and a letter and questionnaire forwarded to residents living within a 400-metre radius of the subject PAW. The letter provided the reasons the adjoining landowners seek closure and the questionnaire seeks information from residents on various matters relating to the PAW.

Attachments (3) and (4) summarise the information received from the returned questionnaires during the advertising period.

Prior to DOLA considering closure of a PAW, it is necessary for the Department of Planning and Infrastructure (DPI) to support closure. As per the City's Pedestrian Accessway Policy, the City seeks the DPI's view. The former Ministry for Planning and Department of Transport, which now are under the portfolio of the DPI, have provided comments on this application. Both agencies did not object to the closure, the Ministry for Planning stating that *"The Ministry has considered the proposed closure of the pedestrian accessway by assessing the impacts that the proposed closure would have upon the walkable access to facilities that exist within the immediate area, especially access to bus stops and public open space. In this instance the impact of closure is minimal to local residents."*

Policy Implications:

This City's Pedestrian Accessway Policy has been prepared in accordance with clause 8.11 of the City of Joondalup's District Planning Scheme No.2, which allows Council to prepare planning policies relating to planning or development within the scheme area. The Policy provides guidance on the inclusion and design of PAWs in new subdivisions and assessment criteria for closure of PAWs.

As part of the City's Pedestrian Accessway Policy when closure of a PAW is requested formal evaluation of the application is conducted. This evaluation is composed of three parts, assessing Urban Design, Nuisance Impact and Community Impact. The assessments are rated low, medium or high and a recommendation made whether to support closure or not.

The Urban Design Assessment determines the importance of the PAW in the pedestrian movement network by analysing the impact closure would have on access to local community facilities within 400 metres. The Nuisance Impact Assessment assesses any evidence and information to determine the degree of anti-social behaviour being experienced and the Community Impact Assessment examines the information provided by surrounding residents to determine the PAW's level of use.

COMMENT

Assessment and Reasons for Recommendation

Urban Design Assessment

The subject PAW is part of a network with the next PAW in the link (in Gipps Court) leading indirectly to Mawson Park (Reserve 33401) and to a system of PAWs via Colson Place to Drinan Place. (See Attachment 2) There is a shopping centre site on the corner of Flinders Avenue and Waterford Drive and the closest bus stops are on Waterford Drive as shown on Attachment (2). This PAW is not part of the "Safe Routes to School" programme or significant with regard to the City's Bike Plan.

Examinations were conducted to assess the impact before and after closure of the PAW on homes within 400 metres of the local bus stops, the proposed shopping centre and Mawson Park. Should closure of the PAW take place, there could be some minor increase in walking distance to Mawson Park but there would not be a significant increase in walking distances to the local bus stops and the shopping centre site. This is confirmed by the information in the returned questionnaires as it indicates that this does not appear to be a well used PAW.

The subject PAW is linked indirectly to community facilities and it is part of a continuous link to community facilities. Therefore, a medium rating has been applied to the Urban Design Assessment as it is stated in Policy 3.2.7:

- PAW provides a route to community facilities but not direct;
- An alternative route exists but some inconvenience;
- PAW not designated as a ‘safe route to school’ or bike plan.

Nuisance Impact Assessment

The Nuisance Impact Assessment is carried out by investigating any reported anti-social behaviour however, it should be noted that the applicants did not justify closure of the PAW due to excessive anti-social problems. Reports from the Hillarys Police Department and the City’s Security Watch indicate that the problems encountered with the PAW do not appear to suggest that criminal activity or anti-social behaviour in and around the area of the PAW is any higher than other areas within the suburb. The police advised that *“a check of police records has failed to identify any particular incidents of an anti-social nature that can be directly related to the Rossiter Heights, Carron Rise pedestrian accessway.”*

Information from the City’s security service “City Watch” advised that between the period of 26 December 2001 and 4 February 2001, 48 patrols were undertaken in the vicinity of the subject PAW and no incidents were recorded.

Attachment (3) demonstrates responses to the questions relating to any incidents or evidence local residents have witnessed with regard to anti-social behaviour.

The site inspection carried out by a City officer revealed a clean, well-maintained PAW with no obvious evidence of vandalism or anti-social behaviour therefore based on the foregoing, the Nuisance Assessment is rated low as per Policy 3.2.7 – Pedestrian Accessways:

- Occurrence of criminal activity or antisocial behaviour similar to elsewhere in the suburb.
- Types of offences are limited to antisocial behaviour
- The severity of antisocial behaviour is similar to elsewhere in the suburb

Community Impact Assessment

The Community Impact Assessment is undertaken to obtain information about the PAW’s level of use and Attachment (4) indicates the reasons for use, and frequency of use for the 12 users of the PAW.

The level of use of the PAW is low with only 12 local residents advising that they use the PAW, it being used daily by 4 residents and the main reason for its use is for exercise/social purposes. One resident uses it twice daily to access the bus stop as well as for exercise/social reasons. Of the 12 users of the PAW, 4 advised that if closure was supported they would be inconvenienced.

It is considered that this PAW is not a major link in the network, which is likely to account for the PAW not being well used. As there appears to be a low level of use associated with this PAW it is rated as low as per Policy 3.2.7 – Pedestrian Accessways:

- High number of residents in favour of closure
- Low number of households using the PAW
- Few users inconvenienced by closure

Final Assessment

The result of each assessment is detailed below:

Urban Design	-	Medium
Nuisance Impact	-	Low
Community Impact	-	Low

It is acknowledged that from the results of the Community Impact Assessment, the subject PAW has relatively low use, however, the PAW is an indirect link to community facilities and the criteria as outlined in the City's Pedestrian Accessway policy directs the Urban Design Assessment to be rated medium. This rating does not appear unreasonable given the fact that there is an undeveloped shopping centre site with a current planning approval in close proximity to the PAW that may in the future, generate more pedestrian traffic. Also, the Nuisance Impact Assessment demonstrates that there is not a significant level of anti-social behaviour associated with this PAW.

The assessment accords with Case 4 of the Pedestrian Accessway Policy and therefore it is recommended that the pedestrian accessway between Carron Rise and Rossiter Heights is not supported for closure.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council DOES NOT SUPPORT the closure of the pedestrian accessway between Rossiter Heights and Carron Rise, Hillarys.

Appendices 7 & 7a refer

To access this attachment on electronic document, click here: [Attach7brf050302.pdf](#)

[Attach7abrf050302.pdf](#)

ITEM 11 REQUEST FOR CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN BARRACUDA COURT AND LANCETT COURT, SORRENTO – [56123]

WARD – South Coastal Ward

PURPOSE

The purpose of this report is for Council to consider the closure of the pedestrian accessway (PAW) between Barracuda Court and Lancett Court, Sorrento. (See Attachment 1)

EXECUTIVE SUMMARY

A request to close the PAW between Barracuda Court and Lancett Court, Sorrento has been received from one of the adjoining landowners and the justification for closure is various and regular acts of anti-social behaviour. The request was accompanied by a petition of support from surrounding residents. The application was advertised for public comment from 27 September 2001 to 27 October 2001. As part of the advertising process, questionnaires were forwarded to local residents requesting their view on closure of the PAW. A letter was attached to the questionnaire that provided information on the grounds for closure put forward by the applicant.

The City's Pedestrian Accessway Policy requires formal evaluation of the request for closure. This evaluation is composed of three parts, assessing Urban Design, Nuisance Impact and Community Impact. The assessments are rated as low, medium or high and a recommendation made whether to support closure or not.

The Urban Design Assessment determines the importance of the PAW in the pedestrian movement network by analysing the impact closure would have on access to local community facilities within 400 metres. The Nuisance Impact Assessment assesses any evidence and information to determine the degree of anti-social behaviour being experienced and the Community Impact Assessment examines the information provided by surrounding residents to determine the PAW's level of use.

In this case, the Urban Design, Nuisance Impact and Community Impact Assessments are rated as medium, low and medium respectively. Based on these ratings, the proposal accords with Case 5 of the Pedestrian Accessway Policy, therefore the pedestrian accessway between Barracuda Court and Lancett Court, Sorrento is not supported for closure.

BACKGROUND

Suburb/Location: Sorrento
Applicant: Mr B Lund
Zoning: **DPS:** Residential
MRS: Urban
Strategic Plan: Lifestyle – Strategy 2.6
Promote and enjoy lifestyles that engender environmental, social and economic balance

DETAILS

Current Proposal or Issue

The applicant provided a petition in support of the proposal signed by 54 residents. However, as questionnaires were forwarded to all of the residents who originally signed the petition, consideration has been given to the information provided in the returned questionnaires and the submissions received during the public consultation period rather than the petition.

The reasons for requesting closure are:

- Vandalism which includes the destruction of letter boxes, gardens, fences, spray painting a vehicle, throwing glass bottles and stealing property from gardens and vehicles
- Leaving litter including drug taking aids in the PAW, streets and gardens
- Using the PAW as a toilet
- Anti-social behaviour from youths such as swearing, screaming abuse at each other and threatening residents
- Youths congregating in the PAW drinking alcohol

All four adjoining landowners support the closure and should closure be supported the land within the PAW can be disposed of to adjoining landowners who will meet all of the necessary costs and conditions.

Site Inspection (See Attachment 2)

A mid afternoon site inspection was carried out, which revealed:

- Attractive PAW that has been planted out
- Vision through PAW may be reduced by overgrown plants
- PAW not part of a network
- Very quiet area
- No obvious sign of fence damage
- No obvious sign of graffiti
- All four adjoining landowners have reasonably high fences
- Light poles at each end of PAW
- PAW slightly uphill from Lancett Court

PAW Closure Process

A request can be made to close a PAW and the City's Pedestrian Accessway Policy provides the process and guidelines for dealing with requests for closure. From the outset, the City must have an indication that some or all of the adjoining landowners are prepared to acquire the land within the PAW, pay the associated costs and meet any necessary conditions. As part of the process service authorities provide details of any service plant within the PAW that would be affected by the proposed closure and if it can be modified or removed to accommodate the closure. If Council and the Minister for Planning and Infrastructure support the application to close the PAW, on receipt of such approvals the Department of Land Administration (DOLA) will arrange a valuation of the land and commence formal closure actions.

Consultation:

Consultation was by way of a notification sign at each end of the PAW for a period of thirty days from 27 September 2001 to 27 October 2001 and a letter and questionnaire forwarded to residents living within a 400-metre radius of the subject pedestrian accessway. The letter

provided the reasons the adjoining landowners wished the PAW to be closed and the questionnaires requested information from residents on various matters related to the PAW.

Attachments (3) and (4) summarise the information received during the advertising period. The City also received seven submissions (four from one household) objecting to the proposal and a submission of support was forwarded from an adjoining landowner. The objectors state that although living in close proximity to the PAW very little anti-social behaviour has been witnessed. A few incidents of anti-social behaviour have taken place after parties held in a local residence in Barracuda Court. Objectors further advised that the PAW is used daily for transport to work and school and the type of incidents that the applicants advise take place within the PAW take place everywhere. Graffiti has not been seen for approximately three years

In the submission of support, the City was advised that security lights have been broken twice recently and adjoining landowners endure disturbances in the middle of the night with people climbing the fence. A male was witnessed peering over the fence towards a bedroom window; car damage, items stolen from the backyard, graffiti and foul language has been heard from youths running down the PAW or loitering within it.

Prior to DOLA considering closure of a PAW, it is necessary for the Department of Planning and Infrastructure (DPI) to support closure. The former Ministry for Planning and Department of Transport, which now are under the portfolio of the DPI, have provided comments on this application. The Department of Transport advised that it did not object to the proposal stating *“The PAW has small potential usage. The added walking distance to the bus stop is only small, at 100 metres.”*

Comments from the Ministry for Planning state *“The Ministry advises that it does not support the closure of the PAW as it would result in longer and less convenient pedestrian and cycle access to nearby neighbourhood facilities, in this case Seacrest Park and Seacrest Village.”*

Policy Implications:

This City’s Pedestrian Accessway Policy has been prepared in accordance with clause 8.11 of the City of Joondalup’s District Planning Scheme No.2, which allows Council to prepare planning policies relating to planning or development within the scheme area. The Policy provides guidance on the inclusion and design of PAWs in new subdivisions and assessment criteria for closure of PAWs.

As part of the City’s Pedestrian Accessway Policy when closure of a PAW is requested formal evaluation of the application is conducted. This evaluation is composed of three parts, assessing Urban Design, Nuisance Impact and Community Impact. The assessments are rated low, medium or high and a recommendation made whether to support closure or not.

The Urban Design Assessment determines the importance of the PAW in the pedestrian movement network by analysing the impact closure would have on access to local community facilities within 400 metres. The Nuisance Impact Assessment assesses any evidence and information to determine the degree of anti-social behaviour being experienced and the Community Impact Assessment examines the information provided by surrounding residents to determine the PAW’s level of use.

COMMENT

Assessment and Reasons for Recommendation

The evaluation of a PAW closure request is composed of three parts, assessing Urban Design, Nuisance Impact and Community Impact.

Urban Design Assessment

If closure of the subject PAW was to take place, residents in four streets would be affected, namely the two subject streets and Dace Court and Herring Court. With regard to the bus stop on Seacrest Drive, the residents in Herring Court and the cul-de-sac head of Barracuda Court would have their walking distances increased to that over 400 metres if the PAW was closed. Walking distances to Seacrest Park would also increase to over 400 metres for some of the residents in Barracuda Court. There would not be any significant increase in walking distances to the shopping centre or another local park (Harman Park) if the PAW was closed.

The bus stop on the eastern side of Seacrest Drive appears to be one of the main attractors and the level of use from the four streets according to the returned questionnaires is relatively high. Further information gathered from the questionnaires indicate that the subject PAW is also well used for exercise/social pedestrian movement and for access to the parks and shopping centre.

Of the objectors that use the PAW, access to public transport is one of the prime reasons for objection. When access to public transport is an issue, it is often for the reason that the objector is using the PAW twice daily for commuting to work or school and this was evident from the returned questionnaires.

A medium rating has been applied to the Urban Design Assessment as it is stated in Policy 3.2.7 – Pedestrian Accessways:

- PAW provides a route to community facilities but not direct
- An alternative route exists but some inconvenience
- PAW not designated as a ‘safe route to school’ or part of the bike plan

Nuisance Impact Assessment

The Nuisance Impact Assessment is carried out by investigating any reported anti-social behaviour. The police advised that the *“level of crime could in no way be considered excessive, however, statistics do not cover incidents of anti-social behaviour that either may not have been reported by the public or have not been recorded by the police as an offence committed.”* A police officer conducted a site inspection and reported that the PAW was relatively free of graffiti, with little evidence of vandalism. From a police perspective there was no objection to the proposed closure however, closure was not deemed essential.

Information acquired from the City’s security service “City Watch” indicated that between the period of 26 December 2000 and 4 February 2001, 48 patrols were undertaken in the vicinity of the subject PAW and no incidents were recorded. The reports from the Warwick Police Department and the City’s Security Watch suggest that the criminal activity and anti-social behaviour in and around the area of the PAW is no higher than other areas within the suburb.

Attachment (3) demonstrates responses to the questions relating to any incidents or evidence local residents have witnessed with regard to anti-social behaviour. Of the 16 supporters that use the PAW, rubbish, broken glass, tipping over bins, damage to letterboxes, broken fences and graffiti have been witnessed.

The site inspection carried out by a City officer revealed a clean, well-maintained PAW with no obvious evidence of vandalism or anti-social behaviour therefore based on the foregoing, the Nuisance Impact Assessment is rated low as per Policy 3.2.7 – Pedestrian Accessways:

- Occurrence of criminal activity or antisocial behaviour similar to elsewhere in the suburb.
- Types of offences are limited to antisocial behaviour
- The severity of antisocial behaviour is similar to elsewhere in the suburb

Community Impact Assessment

The Community Impact Assessment is undertaken to enable the City to gather information related to the PAW's level of use and Attachment (4) indicates the reasons for use and frequency of use for the 47 users of the PAW.

Of the 53 supporters for closure, 24 did not provide any information as to why they supported the closure. It should be noted that many of them are unlikely to be affected (see Attachment 1). The type of comments from the remaining 29 supporters are that the PAW serves very little purpose and PAWs in general attract loitering by youths and thereafter vandalism to property.

Of the 47 users of the PAW, 29 advised that if closure was supported they would be inconvenienced, 17 (14%) advised they would not be inconvenienced and 1 person advised that they may be inconvenienced.

Whilst it is considered that this PAW does not form part of a network of accessways, this PAW still appears to be well used for a variety of reasons, access to public transport being one the main ones.

Of the 95 questionnaires returned, there were 25 (26%) objectors to closure and 53 (60%) supporters, 17 (14%) being neutral. However, out of the 53 supporters, only 16 (30%) used the PAW. From the total returned questionnaires, the percentage of residents inconvenienced if closure takes place was 29 (31%). Forty seven (49%) of users of the PAW would be inconvenienced if the PAW was closed. Therefore as the subject PAW appears to have a reasonable level of use, the Community Impact Assessment is rated medium as Policy 3.2.7 – Pedestrian Accessways:

- Medium portion of respondents not in favour of closure (over 30%)
- Moderate level of households using the PAW
- Moderate portion of users inconvenienced by closure of the PAW (30-50%)

Final Assessment

The result of each assessment is detailed below:

Urban Design	-	Medium
Nuisance Assessment	-	Low
Community Assessment	-	Medium

The assessment meets Case 5 of the Pedestrian Accessway Policy and therefore it is recommended that the pedestrian accessway between Barracuda Court and Lancett Court, Sorrento is not supported for closure.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council DOES NOT SUPPORT the closure of the pedestrian accessway that leads from Barracuda Court to Lancett Court, Sorrento.

Appendices 8 & 8a refer

To access this attachment on electronic document, click here: [Attach8brf050302.pdf](#)

[Attach8abrf050302.pdf](#)

6 REPORT OF THE CHIEF EXECUTIVE OFFICER

7 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Mr Clayton Higham, Director Planning and Community Development has stated his intention to declare an interest in Notice of Motion – Cr Patterson, as he is a shareholder in the Mayne Group.

NOTICE OF MOTION NO 1 – CR A PATTERSON

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Andrew Patterson has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 12 March 2002:

“That:

- 1 Council DIRECTS the Chief Executive Officer to undertake a feasibility study of the potential for the City of Joondalup to provide a fee paying parking area for the Joondalup Health Campus;*
- 2 the Chief Executive Officer provides a report on this proposal within two months from the date of this Council meeting.”*

NOTICE OF MOTION NO 2 – CR A PATTERSON

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Andrew Patterson has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 12 March 2002:

“That:

- 1 Council PREPARES a proposal to be forwarded to the Geographic Names Committee requesting that the name of the area between Warwick Road and Beach Road now known as Duncraig be changed to South Duncraig;*
- 2 a period of community consultation be carried out amongst the residents in the affected area to ensure community support for such a change.”*

NOTICE OF MOTION NO 3 – CR A PATTERSON

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Andrew Patterson has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 12 March 2002:

“That:

- 1 Council ENSURES all ratepayers are aware of its commitment to financial efficiency, discipline and local economic development, a report be prepared by the Chief Executive Officer on the success of Council’s contracting out activities since December 1999.*
- 2 the report requested in (1) above is to address the following issues:*
 - the amount of money saved by these contracting out activities.*
 - the reduction in the number of FTE's employed by the council.*
 - the increase in money available for improvements to various amenities in the City of Joondalup.*
 - the positive impact for local business and economic development in the City of Joondalup of such activities.*

The report is to be completed by June 2002.”

NOTICE OF MOTION NO 4 – CR A PATTERSON

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Andrew Patterson has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 12 March 2002:

“That:

- 1 in the interests of open and transparent government, that Council REQUESTS the Mayor to write to the Minister for Local Government asking for details of the meeting between a number of City of Joondalup Councillors and himself that was held in January 2002, with his correspondence including:*
 - who convened the meeting?*
 - who was in attendance?*
 - what issues were discussed at the meeting?*
 - the agreed outcomes of the meeting?*
- 2 once a response is received it is tabled at the following Council meeting.”*

8 DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 12 MARCH 2002** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

CLOSURE

BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS

OFFICE OF THE CEO
<p>ANNUAL GENERAL MEETING OF ELECTORS – EX CJ379-11/01</p> <p>“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;”</p> <p>Status: A report will be submitted to the Standing Orders Review Committee for consideration.</p>
<p>REQUEST TO SUPPLY SENIORS DETAILS TO THE SELF FUNDED RETIREES ASSOCIATION (INC) – ex CJ407-11/01</p> <p>“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;</p> <p>the matter be REFERRED to the relevant committee for further consideration”</p> <p>Status: Policy issues are currently being investigated.</p>
<p>PERSONAL COMPUTER REPLACEMENT 2001/2002 – ex CJ380-11/01</p> <p>“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.”</p> <p>Status: It is anticipated that a report will be submitted to Council in March 2002.</p>
STRATEGIC PLANNING
<p>REWARD AND RECOGNITION – FRAMEWORK - ex CJ241-07/01</p> <p>“2 NOTES that a further report will be presented to Council following negotiations with staff and representative bodies.”</p> <p>Status: It was envisaged a report will be presented to Council in March 2002, subject to the outcome of negotiations with staff representatives. Negotiations are still continuing and it is expected the report will be presented to Council in March 2002.</p>

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 that a report will be presented to the Council meeting to be held on 26 March 2002.

CORPORATE SERVICES AND RESOURCE MANAGEMENT**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, to be reviewed June 2002.

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: Feedback from the Local Government Self Insurance Schemes anticipated May/June 2002, at which time a report will be presented to Council.

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 currently being investigated by Infrastructure Management Services to identify whether a Council report is required to be submitted to a meeting in March 2002.

PLANNING & COMMUNITY DEVELOPMENT

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 March 2002.

SORRENTO BEACH DEVELOPMENT PROJECT – 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 CONCEPT 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.

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.

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: The Strategic Advisory Committee - Youth Affairs at its meeting held 4 February 2002 resolved to have a joint meeting of the Youth Advisory Councils to identify those projects that will be preferred to be carried out in the 2002/03 Financial Year.

It is anticipated a report will be presented to Council in April 2002.

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: The Youth Advisory Councils are to further consider the report recommendations with a view of determining those recommendations that the City's young people can realistically achieve.

It is anticipated a report will be presented to Council in April 2002.

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 March 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.

It is anticipated a report will be presented to Council in April 2002.

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: This matter was referred to the Strategic Advisory Committee-Seniors Interests at the meeting held 6 February 2002. The report was received and the Committee resolved to arrange a visit to the Elderbloom Complex to establish a working relationship with the Trust.

It is anticipated a report will be presented to Council in April 2002.

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: The Consultative Committee has recommended a policy for funding of synthetic bowling greens for bowling clubs within the City of Joondalup for consideration by Council.

It is anticipated that this matter will be the subject of the Council’s budget deliberations in the first instance. A second course of action may be that the project will be considered as part of the CSRFF report considered by the Council in November 2002.

INFRASTRUCTURE AND 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: It is anticipated a report will be presented to Council at a meeting in March, 2002.

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.

PETITION – OBJECTION TO INSTALLATION OF GOAL POST, RUTHERGLEN PARK, KINROSS – ex CJ019-02/02

“that the matter pertaining to petition – objection to installation of Goal Post, Rutherglen Park, Kinross be DEFERRED to a future meeting of Council to enable on-site consultation to occur.”

Status: Arrangements being made to hold an on-site meeting with concerned parties.

OUTSTANDING PETITIONS

<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: A report will be submitted to Council during March/April 2002.</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 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>It is anticipated that a report will be submitted to 26 March 2002 Council meeting.</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 March 2002.</p>	<p>13 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>Further information has now been provided to the resident. This matter will now be handled administratively.</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 Council meeting to be held 26 March, 2002.</p>	<p>27 November 2001</p> <p>Director Infrastructure Management</p>
<p>Petition opposing the development of Gasgoyne Park (Palm Park) and adjoining streets Marlandy Court, Tallering Heights, Wellard Grove and Dixon Parkway, Woodvale.</p> <p>Petition opposing any proposed development, Gasgoyne Park, (Palm Park), Woodvale.</p> <p>Comment: This matter has now been finalised administratively.</p>	<p>12 February 2002</p> <p>Director, Planning and Development</p>
<p>Petition requesting installation of boom gate, retractable bollards, Neil Hawkins Park, Joondalup.</p> <p>Comment: On completion of investigations, a report will be submitted to Council.</p>	<p>12 February 2002</p> <p>Director Infrastructure Management</p>
<p>Petition requesting installation of watering system to park – Chalcombe Way/Glenmere Road, Warwick.</p> <p>Comment: Will be referred to Dry Parks, Median and Verge Committee for its consideration.</p>	<p>12 February 2002</p> <p>Director Infrastructure Management</p>

REPORTS/PRESENTATIONS REQUESTED AT BRIEFING SESSIONS

	DATE OF REQUEST - REFERRED TO -
<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>Report submitted for the meeting on 26 March 2002.</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 in due course.</p>	<p>13 November 2001</p> <p>Manager Executive Services</p>