



**MINUTES OF COUNCIL MEETING
HELD ON 12 MARCH 2002**

TABLE OF CONTENTS

No:	Item	Page
	OPEN AND WELCOME	1
	ATTENDANCES	1
	PUBLIC QUESTION TIME	2
	APOLOGIES AND LEAVE OF ABSENCE	10
C22-03/02	REQUESTS FOR LEAVE OF ABSENCE	11
C23-03/02	NOTICE OF MOTION NO 4 – CR A PATTERSON	11/77
	DECLARATIONS OF FINANCIAL INTEREST/INTEREST AFFECTING IMPARTIALITY	13
	CONFIRMATION OF MINUTES	
C24-03/02	MINUTES OF COUNCIL MEETING, 26 FEBRUARY 2002	13
	ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION	
	ROAD SAFETY AWARDS	14
	FESA LEVY POSTPONED	14
	CITY WATCH	15
C25-03/02	PETITIONS	15
	PETITION REQUESTING UPGRADE AND RETICULATION OF PUBLIC RECREATION RESERVE KNOWN AS GREENWICH PARK – [19103]	15
	EXTENSION OF PUBLIC CONSULTATION PERIOD – MULLALOO TAVERN – [02089]	15
	PETITION IN RSPECT OF MULLALOO SURF LIFESAVING CLUB – [02364]	16

C26-03/02	REQUEST FOR SECOND PUBLIC QUESTION TIME	16
	FINANCE AND COMMUNITY DEVELOPMENT	
CJ049 - 03/02	STANDING ORDERS - CHANGE IN ORDER OF BUSINESS – [01369].....	17
CJ050 - 03/02	REPORTING OF COUNCIL COMMITTEES – [02153].....	19
CJ051 - 03/02	COMPUTERISING OF THE AGENDA/MINUTE SYSTEM – [44942] ...	22
CJ052 - 03/02	CBD ENHANCEMENT PROJECT – COUNCIL ENDORSEMENT OF THE PROJECT MANAGEMENT TEAM AND PROJECT STEERING GROUP – [53469]	25
CJ053 - 03/02	GRANTING OF FREEDOM OF ENTRY TO THE CITY OF JOONDALUP TO THE WA POLICE ACADEMY – [41579]	28
CJ054 - 03/02	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].....	32
	INFRASTRUCTURE MANAGEMENT	
CJ055 - 03/02	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].....	36
CJ056 - 03/02	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]	40
	PLANNING AND DEVELOPMENT	
CJ057 - 03/02	MODIFICATION TO ILUKA STRUCTURE PLAN – [48934]	43
CJ058 - 03/02	REQUEST FOR CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN CARRON RISE AND ROSSITER HEIGHTS, HILLARYS – [41466].....	47
CJ059 - 03/02	REQUEST FOR CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN BARRACUDA COURT AND LANCETT COURT, SORRENTO – [56123].....	52
	REDUCTION IN POLICE NUMBERS – JOONDALUP DISTRICT POLICE AREA.....	58/66
	MOTION TO GO BEHIND CLOSED DOORS	59
	REPORT OF THE CHIEF EXECUTIVE OFFICER	
C27-03/02	ENTERPRISE AGREEMENT – [19883] [930490].....	59
C28-03/02	REDUCTION IN POLICE NUMBERS – JOONDALUP DISTRICT POLICE AREA.....	66/58
C29-03/02	DRAFT MULLALOO CONCEPT PLAN – [48840] [46597]	68

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

C30-03/02	NOTICE OF MOTION NO 1 – CR A PATTERSON.....	73
C31-03/02	NOTICE OF MOTION NO 2 – CR A PATTERSON.....	75
C32-03/02	NOTICE OF MOTION NO 3 – CR A PATTERSON.....	76
	NOTICE OF MOTION NO 4 – CR A PATTERSON.....	77/11
C33-03/02	NOTICE OF MOTION NO 5 – CR CAROL MACKINTOSH	77

DATE OF NEXT MEETING 81

SECOND PUBLIC QUESTION TIME..... 81

CLOSURE 82

CITY OF JOONDALUP

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY, 12 MARCH 2002

OPEN AND WELCOME

The Mayor declared the meeting open at 1902 hrs.

ATTENDANCES

Mayor

J BOMBAK, JP

Elected Members:

Cr P KADAK	Lakeside Ward	<i>Absent from 2034 hrs to 2036 hrs</i>
Cr P KIMBER	Lakeside Ward	
Cr D CARLOS	Marina Ward	
Cr C BAKER	Marina Ward	<i>Absent from 2028 hrs to 2030 hrs</i>
Cr A NIXON	North Coastal Ward	<i>from 1935 hrs; Absent from 2140 hrs to 2154 hrs</i>
Cr J F HOLLYWOOD, JP	North Coastal Ward	
Cr A WALKER	Pinnaroo Ward	
Cr P ROWLANDS	Pinnaroo Ward	<i>to 2055 hrs</i>
Cr T BARNETT	South Ward	
Cr M O'BRIEN, JP	South Ward	
Cr A L PATTERSON	South Coastal Ward	<i>to 2214 hrs; Absent from 2025 hrs to 2029 hrs</i>
Cr G KENWORTHY	South Coastal Ward	<i>to 2214 hrs; Absent from 1955 hrs to 1956 hrs; and from 2206 hrs to 2209 hrs</i>
Cr J HURST	Whitfords Ward	
Cr C MACKINTOSH	Whitfords Ward	

Officers:

Chief Executive Officer:	D SMITH	
Director, Corporate Services and Resource Management:	J TURKINGTON	
Director, Planning & Community Development:	C HIGHAM	
Director, Infrastructure & Operations:	D DJULBIC	
Manager, Audit & Executive Services:	K ROBINSON	
Manager, Human Resources:	M LOADER	
Manager, Infrastructure Management Services:	P PIKOR	<i>to 1956 hrs</i>
Acting Manager, Strategic and Corporate Planning:	R HARDY	
Publicity Officer:	L BRENNAN	
Committee Clerk:	J AUSTIN	
Minute Clerk:	L TAYLOR	

There were 21 members of the Public and 1 member of the Press in attendance.

In Attendance

Deputy Mayor of the Shire of Melton, Victoria – Cr Richard Gough and Mrs Gough

The Mayor welcomed Cr Richard Gough, Deputy Mayor of the Shire of Melton, Victoria and Mrs Gough as tonight's invited guests.

PUBLIC QUESTION TIME

The following questions, submitted by Whitford Senior Citizens Centre, were taken on notice at the Council meeting held on 26 February 2002:

- Q1 If the Senior Citizens Centre is relocated, has any provision been made to the hairdressing salon, and the podiatry facilities that are now available to senior citizens in the existing centre?*
- A1 The location and availability of specific services has not been detailed and this would require investigation (if an in-principle concept was supported by the Council). Any scenario for future alternate new development would involve the creation of increased floor space to accommodate current and future demand for services.
- Q2 Has safety aspects been taken into consideration if this centre is relocated? It will be going into an area along with Target, Woolworths, Cinema complex and access to roof top carpark etc. Access to it will be from Whitfords Avenue, so parking will be at a premium and through traffic will be heavy. The present location has no main entrance for traffic and is relatively safe for seniors in wheel chairs, walking frames, crutches etc. Can you guarantee that the same will apply to the new location?*
- A2 Concept planning for any new facilities are at a very early stage. Notwithstanding, disabled parking, lift, and escalator access is earmarked to be located immediately adjacent to any new community facilities. Parking exclusivity and security issues would require the negotiation of appropriate management arrangements with the centre owner, as a component of detailed planning, should that be supported.
- Q3 The cost of relocating must be more expensive than maintenance or even extending the present building towards Marmion Avenue, Banks Avenue. Funding of this building was approved in 1984-85, so it is not twenty years old.*
- A3 The Senior Citizen's representative comments about the age of existing buildings will be considered is part of the evaluation of the existing asset and options for providing an improved level of service.
- Q4 On reading your summary to be submitted to Council tonight, it appears that the new Centre will be a community leisure centre with access to other clubs. Is this correct? If so, will it be managed by the Council or by a Seniors Management Committee as it is now? This centre was funded by Commonwealth and State Government with our*

approval from the Shire as a Seniors Citizens Centre and an agreement was reached with the Council at the time to this effect and it has been managed very successfully on this basis for the last 16 years. How many Councillors have visited the Whitford Seniors Centre to see how this is run, or even got a copy of the activities available to the seniors through this centre before voting on it. You have other aged facilities within the City of Joondalup, but the Whitford Senior Citizens Club has an exceptionally high membership with members coming from Merriwa to Hillarys and all areas in between, and the reason for this is that members can come and listen to entertainment, enjoy various games, play pool and enjoy a host of other activities, but more importantly enjoy a friendly cuppa without interference from other clubs. We have won a State Award on what we provide seniors with. Seniors have very little offered to them now, so why take away from us a facility that has been able to offer a little pleasure to them. Whitford Seniors Club will strongly oppose any move that takes this away from the seniors.

- A4 It is understood that various Councillors have visited the Whitford Seniors to discuss members concerns. The Councillors share a consensus view that any plans, or scenarios, for future development must consider the use of the existing facilities and the value enjoyed by members. Preliminary discussions with the Senior Citizen groups have highlighted the need to build on the range of services offered by the existing facility to enhance the enjoyment that can be provided to members. The Councillors have individually committed to oppose any initiative, which reduce seniors' services in the Whitfords location.

The following questions, submitted by Mr R de Gruchy, Sorrento, were taken on notice at the Council meeting held on 26 February 2002:

Re: Operation of Craigie Leisure Centre:

Q1 Would you please advise the attendance figures for:

- (a) the six month period ending 31 December 2000;*
- (b) the six month period ending 31 December 2001.*

Q2 Would you please advise:

- (a) the total amount of revenue collected by the City of Joondalup from the RANS Management Group in relation to the Craigie Leisure Centre since they assumed operations control in May 2001;*
- (b) the total amount of funds expended by the City of Joondalup on maintenance, repairs, renovations and any other expenses incurred by the Craigie Leisure Centre since 1 May 2001;*

Q3 What consideration, if any, has been given to corporate overheads in relation to the Craigie Leisure Centre?

- A1-3 It has not been possible to prepare detailed responses for tonight's meeting due to the considerable amount of research required. A response will be provided as early as possible.

The following question, submitted by Ms Sue Hart, Greenwood, was taken on notice at the Council meeting held on 26 February 2002:

Q1 At a special electors meeting, can a motion be voted upon twice?

A1 If the motion to which you refer is the vote of no confidence in the Mayor at the Special Electors meeting held at Greenwood High School, then the vote in this instance was re-counted as when the initial vote was taken the outcome was too close to determine. Due to the large number of electors in attendance it was necessary to do so.

The following question, submitted by Ms Pauline Floate, Kingsley, was taken on notice at the Council meeting held on 26 February 2002:

I refer to questions which I put to the Mayor which were taken on notice at the special electors meeting held at Kingsley on 11 February 2002.

Q1 Referring to Question 3 – “Were you present at a Council meeting on 12 June 2001 in which the precinct action plan was updated and the next stage of the plan was endorsed and the response given as Yes.”

Is the response of “Yes” in June 2001 compatible with your latest statement in February 2002 that you had only learnt of precinct action planning two weeks prior to the special electors meeting?

A1 Yes.

The following question, submitted by Mr S Magyar, Heathridge, was taken on notice at the Council meeting held on 26 February 2002:

Q1 Is it correct the Code of Conduct states that Councillors will make themselves available after meetings to talk to the public?

A1 Yes, the Code states that where practicable, elected members are to be available to discuss matters with members of the public following Council and Committee meetings.

The following question, submitted by Mrs M McDonald, Mullaloo, was taken on notice at the Council meeting held on 26 February 2002:

Q1 I refer to the response given to a question taken on notice on 12 February 2002 from Mr M Sideris regarding the cost of precinct planning. If the staff salaries and on-costs are not allocated to identical projects and activities, how are the Council and ratepayers to know what the true costs are of any of the City’s projects and activities? Is this not poor accounting practice?

A1 The staff within the Local Government work on a myriad of projects to varying degrees of involvement. It has not been the practice, nor would it be practical, to separate out the staff related costs for each project to such a fine degree necessary to achieve a total project cost with certainty of accuracy.

Cr P Kadak:

Q1 Referring to Item CJ043-02/02: Is relocation of the library concept in jeopardy as a result of the motion that was passed this evening, or does further discussion need to take place with Whitford City?

A1 Initial discussions have focused on a scenario where the Library and Senior Citizens' activities would be relocated to a location within Whitfords City. Relocation of the library (only) could constrain the options for the use of Lot 503 and may therefore reduce the viability of a joint initiative with the centre owners. The centre owners have been made aware of the Council's resolution adopted on 26 February 2002, and are currently assessing the potential impact of that decision on future development scenarios.

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

Q1 At the meeting held on 26 February 2002, I asked a question regarding the Councillors' Code of Conduct and the Code stating that Councillors will make themselves available after meetings to talk to the public. What provisions are there in the Code of Conduct to ensure that Councillors obey the requirements of the Code such as staying back after a meeting to discuss matters with the public?

A1 Point 2.3.1(g) of the Code of Conduct states Elected Members shall, where practicable, be available to discuss with members of the public following Council and Committee meetings. The Code of Conduct provides a framework for behaviour, and encourages Elected Members to commit to ethical and professional behaviour. Notwithstanding, there are no enforcement provisions in the Code.

Q2 Regarding CJ049 - Standing Orders - Change in Order of Business, what provision will be made in the reports to help identify the Director or author of the report so that Councillors and the public can monitor and therefore keep accountable the Administration for the quality of the advice given in the reports and recommendations?

A2 All Reports to Council are considered corporately via an Agenda Settlement process attended by Senior Officers. A Report when signed off at this meeting then becomes a corporate report, under signature by the Chief Executive Officer.

Q3 Regarding CJ050 - Reporting of Council Committees, Council's Strategic Plan makes a commitment to providing open and accountable local government. How does the idea of not reporting the minutes to Council of Committee Meetings, when there are no recommendations to Council, improve to affect the Council's commitment to open and accountable local government?

A3 Committee minutes will be available through alternative access arrangements such as the City of Joondalup web-site and Customer Service Centres. In addition all Committee items requiring a consideration by Council will continue to be presented to Council as part of the decision-making process.

- Q4 Regarding CJ051 - Computerising of the Agenda/Minute System, does Standing Orders give the Mayor or Council any means of ensuring that in the event of Council using this system, that Councillors can be compelled to use the Computerised System to record how a Councillor votes on an item?*
- A4 No. Under Section 5.21(2) of the Local Government Act 1995 each member present at the meeting is to vote unless they have declared an interest which precludes them from participating in the vote.
- Local Government Administration Regulation 9 requires that no members vote is secret.
- Q5 Regarding CJ052 CBD Enhancement Project, the report, in paragraph one states, "the City of Joondalup is required to formulate two committees." Do the requirements of the Local Government Act, regarding the establishment of committees apply to this report, and if so then why does the recommendation fail to mention the details that are required under the Act?*
- A5 The report contains a number of inconsistencies and as such the CEO has requested that the report be withdrawn to enable all matters to be clarified.
- Q6 Regarding CJ052 CBD Enhancement Project, is it the intent of this report that Council establishes a committee which includes Councillors and the Mayor that will be required to report to another committee that comprises only Staff and members of the public?*
- A6 Refer response to question 5.
- Q7 Regarding CJ052 - CBD Enhancement Project, it appears that the two committees will be delegated authority to expend funds granted to the City of Joondalup. Therefore why is there no mention of the requirements of the Local Government Act in this regard?*
- A7 Refer response to question 5.
- Q8 Regarding CJ055-03/02 - Construction of roundabouts at Warwick Road/Dorchester Avenue and Whitfords Avenue/Kingsley Drive, have the following aspects of considering to install traffic lights as opposed to constructing roundabouts been addressed:*
- 1 severity of accidents at traffic lights versus roundabouts;*
 - 2 frequency of accidents at traffic lights versus roundabouts;*
 - 3 traffic flow advantages and disadvantages of traffic lights versus roundabouts?*
- A8 The aspects raised in relation to severity and frequency of accidents, and traffic flow impacts have been taken into consideration. The traffic modelling undertaken by Main Roads WA for both options revealed that there was not much difference between the two options as signals would be more effective along the main arterial roads during non peak periods as compared to the R/A being more effective during peak periods.

It is anticipated by officers that the severity and frequency for either option would be similar as a reduction in right angle crashes is anticipated to occur for both treatments.

It is important to keep in mind that from an ongoing operational perspective MRWA tend to favour R/A over signals where possible.

Due to the increased capital costs for R/A it has clearly made the signals the preferable solution which will not compromise any safety considerations.

It is also noted that signals will have less impact on land requirements, as a R/A will require some reclamation of the northern verges which has raised concerns with the adjacent residents in Trailwood Drive, and would impact on Sheoak park if the R/A option proceeded.

Cr Nixon entered the Chamber, the time being 1935 hrs.

Mr A Bryant, Craigie

Q1 Why does this Council prefix each numbered agenda item with the letters 'CJ'?

Q2 A notice of motion has been given by Cr Patterson in respect to public car parking at Joondalup Health Campus which is now owned privately by Ramsey Health, an Australia wide identity and an offshoot of Ramsey Health of USA.

I request Council considers carefully using my rate money to subsidise public parking for a private enterprise. If the private enterprise needs more public parking space for its clients' customers it should use its own capital resources to provide them, not ratepayers money.

Q3 On the street verge at 2 Stocker Court, Craigie, there is a quantity of limestone building blocks and other rubbish that has been there since the middle of last year. Is it possible for the materials and rubbish to be removed as it affects the amenity of the area that is neat and tidy?

A1-3 These questions will be taken on notice.

Mr M Sideris, Mullaloo:

Q1 I refer to Late Item No. 2. Can you please advise why we have another Mullaloo Concept Plan submitted to go to public consultation? I understand that it is a concept plan, not a design plan. We have already had one concept plan.

A1 Council's resolution was to give a report detailing costings and priorities. Given community concerns and that Council has a public meeting on this issue soon, it was considered that prior to providing detail costings on any particular plan the City should take back to the community the revised plan and seek further comment.

Q2 Can Council advise when the design brief for this revised Concept Plan was issued?

- A2 Council requested the preparation of a further plan detailing costings and priorities based on the community concerns. The consultants were briefed verbally on the basis of the further work carried out by the traffic consultants, the existing draft concept plan, the Council's resolution and the previous submissions received from the community.
- Q3 *When did Council give the consultant the design brief to prepare this plan?*
- A3 There is no detailed consultant's brief, it is a continuation process where Council discussed with the consultants, Connell Wagner, that are engaged by the Council. These discussions with the landscape architect took place on 27 February 2002.
- Q4 *My understanding is that Connell Wagner were not the original concept plan developers, when did you change and how much did it cost?*
- A4 Council is under no obligation to go with the previous consultant. This question will be taken on notice to be available for Monday, 18 March 2002.
- Q5 *Will Council provide a complete breakdown of all the costs associated with preparing the concept plans for Mullaloo Precinct which is to include all of Mullaloo?*
- A5 As previously stated Council does not have accurate costs pertaining to all staff allocation of time or resources. Council will provide the costs of consultancies, being the two in 2001 and the recent Connell Wagner consultancy.

Mrs M McDonald, Mullaloo:

- Q1 *I refer to the answer to my question of 26 February 2002 relating to the allocating of time of staff members to identifiable projects. Is the Council aware that many client-based organisations have to allocate time to projects often on a six minute unit? How does the City assess performance and productivity of its officers? As a ratepayer I would like to know how much of the officers' time was spent on the now defunct precinct planning for Greenwood and Kingsley?*

A1 This question will be taken on notice.

- *Mr A Bryant, Craigie offered to Council a copy of an Agenda from the City of Queanbeyan for information.*

Ms Sue Hart, Greenwood:

- Q1 *Can I have a copy of the video from the Greenwood Special Electors Meeting? One copy of the video would be sufficient to pass around. People were denied participation in the meeting. The City had been asked, prior to the meeting, to provide outside speakers due to the quantity of people attending.*

A1 Council has no policy in place that would allow Council to provide a copy of a video.

Q2 Could Council give a progress report on the resolutions put forward at the Greenwood and Kingsley Special Electors Meetings?

A2 Council is working on the resolutions and it is anticipated that the report will be submitted to Council between four and six weeks from the time advised. It is anticipated to go before Council before the end of April 2002.

Q3 Can you please tell me what section of the Local Government Act 1995 requires a Special Electors Meeting to be visually or audibly recorded?

Q3 The question will be taken on notice.

Q4 Can a motion be voted on twice at a Special Electors Meeting according to the Local Government Act 1995 in reference to the vote of no confidence in the Mayor at the Greenwood Special Electors Meeting?

A4 The question will be taken on notice.

Mr J McNamara, Sorrento:

Q1 Further to the previous question by Sue Hart regarding video access. Is access to the videotape made available to our Elected Members?

A1 Elected Members do have access to the video but have not been supplied with copies.

Q2 Can Elected Members make a copy of any videos and make them available to ratepayers?

A2 If Council wishes to give a direction and passes a resolution that a copy of the video is to be supplied, that would be at the direction of Council. Staff at the City will not be supplying a copy of the video, as Council has no policy to do so.

Mr S Magyar, Heathridge:

Q1 Further to my previous question regarding the computerisation of minutes. Do the Standing Orders give Council any means to ensure that Councillors use the computerised system?

A1 The question will be taken on notice.

Q2 This question refers to the Special Electors' Meetings at Greenwood and Kingsley. With the Mullaloo Plan that was released tonight, does that cut across Council's resolution, as moved by Cr Baker, that community precinct planning halts until such time as a public consultation policy is in place?

A2 The motion referred to future concept plans. The Mullaloo plan was a pre-existing plan.

Mr V Cusack, Kingsley:

Q1 What policy is in place to record Special Electors' Meetings?

A1 The question was taken on notice.

Mrs M McDonald, Mullaloo:

Q1 Cr Baker's motion regarding Greenwood and Kingsley Precinct Planning is the only item on the Internet. Can Council tell me why the other items have been removed?

A1 The question will be taken on notice.

Mr M Sideris, Mullaloo:

Q1 In reference to the question for a copy of the video of the Special Electors' Meeting at Greenwood, the Local Government Act states that copies of tape recordings are available to the public on request, it does not distinguish between audio and visual. Is this correct?

A1 The question will be taken on notice.

Q2 Is Council aware that the State Records Act 2000 identifies that all electronic mail and hard copy documents, tapes etc are official records of meetings for Government agencies. Council being a Government agency would fall under that umbrella?

A2 Council is aware of its responsibilities.

Ms S Hart, Greenwood:

Q1 A motion was put forward at the Greenwood Special Electors' Meeting that the Mullaloo Precinct Plan be halted until a public consultation policy is drawn up. What is the update on that?

A1 This will be answered in the four to six week timeframe already referred to.

APOLOGIES AND LEAVE OF ABSENCE

Late Apology: Cr Nixon

Leave of Absence previously approved

Cr Mackintosh	25 March – 19 April 2002 inclusive
Cr Hurst	28 March – 14 April 2002 inclusive

C022-03/02 REQUESTS FOR LEAVE OF ABSENCE

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

Cr Kadak has requested Leave of Absence from Council duties from 3 April 2002 to 24 May 2002 inclusive.

Cr Barnett has requested Leave of Absence from Council duties from 20 April 2002 to 28 April 2002 inclusive.

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

Cr Hurst - 18 March 2002 to 22 March 2002 inclusive;
Cr Kadak - 3 April 2002 to 24 May 2002 inclusive;
Cr Barnett - 20 April 2002 to 28 April 2002 inclusive.

The Motion was Put and

CARRIED

MOVED Cr Patterson, SECONDED Cr Mackintosh that in accordance with Clause 3.2 of the City's Standing Orders Local Law the Order of Business for this evening's meeting be altered to allow "Notice of Motion No 4 – Cr Patterson" to be dealt with at this point in time.

The Motion was Put and

CARRIED

C23-03/02 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."

MOVED Cr Patterson, SECONDED Cr Mackintosh 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.

Cr Patterson spoke to the Motion and raised his concerns in relation to correspondence he had received from Mr Tony O’Gorman, MLA – (Appendix 1 refers.)

AMENDMENT MOVED Cr Kimber, SECONDED Cr Rowlands that an additional Point 3 be added as follows:

“3 that the Chief Executive Officer WRITES to Mr Tony O’Gorman, MLA, member for Joondalup expressing Council’s disappointment and dismay at the tone and content of his recent letter to Cr Patterson concerning his secret meeting and advising that secret meetings are not in the best interests of open and accountable Government.”

The Amendment was Put and

CARRIED

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

In favour of the Motion: Mayor Bombak, Crs Mackintosh, Hurst, Kenworthy, Patterson, Rowlands, Baker, Kimber and Barnett

Against the Motion: Crs O’Brien, Walker, Hollywood, Nixon, Carlos and Kadak

The Original Motion, as amended, being:

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;

3 that the Chief Executive Officer WRITES to Mr Tony O’Gorman, MLA, member for Joondalup expressing Council’s disappointment and dismay at the tone and content of his recent letter to Cr Patterson concerning his secret meeting and advising that secret meetings are not in the best interests of open and accountable Government.”

Discussion ensued.

was Put and

CARRIED

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

In favour of the Motion: Mayor Bombak, Crs Mackintosh, Hurst, Kenworthy, Patterson, Barnett, Rowlands, Walker, Baker, Kimber and Kadak

Against the Motion: Crs O’Brien, Hollywood, Nixon and Carlos

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1min120302.pdf](#)

MOVED Cr Kimber, SECONDED Cr Kadak that the meeting revert back to the normal order of the agenda.

The Motion was Put and

CARRIED

DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

Mr Clayton Higham, Director Planning and Community Development declared an interest that may affect his impartiality in Item C30-03/02 – “Notice of Motion No 1 – Cr Patterson”, as he is a shareholder in the Mayne Group.

Cr A Nixon declared a financial interest in Item C30-03/02 – “Notice of Motion No 1 – Cr Patterson”, as he is an employee of Joondalup Health Campus.

CONFIRMATION OF MINUTES

C24-03/02

MINUTES OF COUNCIL MEETING – 26 FEBRUARY 2002

MOVED Cr Baker, SECONDED Cr Kenworthy that the Minutes of the Council Meeting held on 26 February 2002, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

ROAD SAFETY AWARDS

I am pleased to announce that the City of Joondalup has won a prestigious Road Safety Award for an innovative pedestrian crossing in McLarty Avenue, Joondalup.

The “pedestrian Refuge Island” won an Excellence in Road Safety Award, in the category “Engineering Solutions – under \$50,000”.

The awards were sponsored by Roadwise, the Local Government Association and the Institute of Public Works Engineering.

Cr Kenworthy left the Chamber, the time being 1955 hrs.

Congratulations to the City’s Infrastructure and Operations Directorate which also picked up three finalists’ awards.

These were for the Camberwarra Drive on-street parking project, Davallia Road modifications and the Community Speed Watch initiative.

I will now present the “Excellence in Road Safety Award – Engineering Solutions under \$50,000” to Peter Pikor, Manager, Infrastructure Management Services.

Mr Peter Pikor – Manager, Infrastructure Management Services accepted the awards on behalf of his team and acknowledged the recognition received from the industry. He thanked the City’s traffic engineers, designers and operations people for the excellent work that has been achieved.

Manager, Infrastructure Management Services left the Chamber, the time being 1956 hrs.

Cr Kenworthy entered the Chamber, the time being 1956 hrs.

FESA LEVY POSTPONED

It now appears that the proposal to have Councils collect the State’s Fire and Emergency Services Levy from residents has been postponed.

The proposal has been opposed by the City of Joondalup and the Western Australian Local Government Association, who argue it is unfair that Councils act as State Government tax collectors – I agree.

The City has received verbal notification from FESA advising that, while the proposed legislation is still to be pursued, implementation is likely to be 1 July 2003, not 1 July 2002.

The City is waiting for FESA to confirm this in writing.

CITY WATCH

City Watch service provider, NGS has provided its first set of reports. Of particular interest:

- Security vehicles are averaging 358 kms each 24 hours;
- Each street is being covered a minimum of once per day, and on average, each kilometre of sealed road within the City of Joondalup has been travelled 101 times during the reporting period (17 December 2001 – 1 February 2002);
- Of the 1061 incidents attended by the service last month, 914 (86%) had a response time of 10 minutes or less.

Residents are reporting noticing the cars more frequently and have asked if there has been an increase in the level of service.

PETITIONS

C025-03/02 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 12 MARCH 2002

1 PETITION REQUESTING UPGRADE AND RETICULATION OF PUBLIC RECREATION RESERVE KNOWN AS GREENWICH PARK - [19103]

Cr O'Brien tabled a 271-signature petition on behalf of Kingsley residents and constituents in the South Ward of the City of Joondalup requesting that Council reviews the current Dry Park assessment for Greenwich Park with the view that the park be scheduled for reticulation.

The petitioners list the following points as reasons for their request:

- unkempt vegetation around the numerous tree clusters in the park;
- lack of ground cover leading to on-going soil degradation;
- safe access to the park;
- play equipment located in inappropriate environment;
- closest open space available to many older citizens;
- public liability risk in relation to safety issues regarding dead trees/limbs of trees;
- Greenwich park is an area preserved for “public recreation”, however, in its current state it is simply not fit for public recreation.

This petition will be referred to Infrastructure and Operations for action.

2 EXTENSION OF PUBLIC CONSULTATION PERIOD – MULLALOO TAVERN – [02089]

A 179-signature petition has been received from residents of the City of Joondalup requesting that the City extend the public consultation period in respect to the proposed development called Mullaloo Beach Village (Mullaloo Tavern) from 21 days to the maximum allowable and that the decision to be made in respect of the proposed development be made by full Council and not by delegated authority.

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

3 PETITION IN RESPECT OF MULLALOO SURF LIFESAVING CLUB – [02364]

Cr Baker tabled a 42-signature petition in relation to the Mullaloo Surf Lifesaving Club requesting that Council:

- 1 SUPPORTS the local Mullaloo Lifesaving Club’s proposal to construct a new boatshed at the Mullaloo Clubrooms;
- 2 IGNORES the misinformation campaign being perpetrated against the Club’s proposal;
- 3 HELPS a local Club to keep Mullaloo Beach safe for our local community, particularly young families, senior citizens and children;
- 4 RECOGNISES the support of the local Mullaloo community for the Club.

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

MOVED Cr Walker, SECONDED Cr Hurst that the petitions requesting:

- 1 upgrade and reticulation of public recreation reserve known as Greenwich Park;**
- 2 the City extend the public consultation period in respect to the proposed development called Mullaloo Beach Village (Mullaloo Tavern) from 21 days to the maximum allowable and that the decision to be made in respect of the proposed development be made by full Council and not by delegated authority;**
- 3 support for the Mullaloo Surf Lifesaving Club;**

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

The Motion was Put and

CARRIED

C26-03/02 REQUEST FOR SECOND PUBLIC QUESTION TIME

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

The Motion was Put and

CARRIED

CJ049 - 03/02 STANDING ORDERS - CHANGE IN ORDER OF BUSINESS – [01369]

WARD - All

CJ020305_BRF.DOC:ITEM 1

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

MOVED Cr Rowlands, SECONDED Cr Kimber 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.

The Motion was Put and

CARRIED

CJ050 - 03/02 REPORTING OF COUNCIL COMMITTEES – [02153]**WARD - All**

CJ020305_BRF.DOC:ITEM 2

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

MOVED Cr Patterson, SECONDED Cr Barnett 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.

Following a query from Cr Walker, the Manager Audit and Executive Services advised that the City is investigating a number of avenues, including the use of the City of Joondalup website, public libraries in addition to other information centres throughout the City to enable ratepayers to gain access to Committee minutes.

1st AMENDMENT MOVED Cr Walker, SECONDED Cr Hollywood that Points 2, 3 and 4 added as follows:

- “2 Council makes the Minutes and Agenda for each committee available at both the front counter of Council offices and the City’s libraries;**
- 3 Council CREATES a web page for each committee of Council and posts Agendas and Minutes for those relevant committees on such a web page;**

- 4 Council MAKES a web link from the Council web page to the committees web page as a means of easy access for ratepayers, electors, stakeholders, and residents.”**

Discussion ensued.

Cr Walker, with the approval of Cr Hollywood withdrew Point 4 of the proposed Amendment, the Amendment to now read:

- “2 makes the Minutes and Agenda for each committee available at both the front counter of Council offices and the City’s libraries;**
- 3 CREATES a suitable location on the City’s webpage where Committee Minutes and Agendas may be easily accessible to ratepayers, electors, stakeholders and residents.”**

The 1st Amendment was Put and

CARRIED

2nd AMENDMENT MOVED Cr Hollywood that an additional Point 4 be added as follows:

- “4 that the Chairperson of any Standing Committee may request that its minutes be included in the minutes of the next ordinary meeting of Council.”**

Cr Hollywood spoke to the Amendment.

There being No Seconder, the 2nd Amendment

LAPSED

3rd AMENDMENT MOVED Cr O’Brien, SECONDED Cr Baker an additional Point 4 be added as follows:

- “4 a committee by decision at that Committee meeting may forward its minutes to Council for consideration.”**

Discussion ensued.

The 3rd Amendment was Put and

CARRIED

The Original Motion, as amended, being:

That:

- 1 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;**
- 2 Council makes the Minutes and Agenda for each committee available at both the front counter of Council offices and the City’s libraries;**

- 3 Council CREATES a suitable location on the City's webpage where Committee Minutes and Agendas may be easily accessible to ratepayers, electors, stakeholders and residents;**
- 4 a committee by decision at that Committee meeting may forward its minutes to Council for consideration.**

was Put and

CARRIED

CJ051 - 03/02 COMPUTERISING OF THE AGENDA/MINUTE SYSTEM – [44942]

WARD – All

CJ020305_GRN.DOC:ITEM 2

PURPOSE

To seek direction from the Council on the future of the computerising of the agenda/minute project.

EXECUTIVE SUMMARY

The Council has in the past been undertaking a process to automate its agenda/minute system. It has involved a three-phase process with employees of the City and the services of Walman software. Phase I was the automation of the internal process for the compilation of the agenda, Phase II was the distribution of the agenda and minutes electronically via compact disc and Phase III was proposed for the automation of Council meetings, including electronic voting and the displaying of the motions and amendments on a large screen.

Phases I and II have been completed with the internal processes functioning well and elected members receiving their agendas and minutes electronically. Phase III has been trialed over a number of briefing sessions during the end of 2001 with limited success. It is requested that the Council give some consideration to the future of Phase III of the project.

BACKGROUND

The Council has in the past been developing software in conjunction with Walman Software to fully automate the agenda/minute system. Funding for the project has been approved as part of the budget process. The project has involved the supply of laptop computers to elected members, modifications to the Council chamber and conference rooms and the development of the software.

The automation of the agenda/minute process has been a three-phase approach:

- Phase I – streamlining and automating internal processes (complete);
- Phase II – distribution of the agendas electronically via compact disc (complete); and
- Phase III – automating/computerising the Council meeting (trialing).

Phase I was the implementation of ‘Logo Create’ which was establishing internal procedures to better automate the preparation of agendas and minute documents. Phase II was the implementation of ‘LogoView’ which was the distribution (via CD) and the viewing of the agendas and minutes electronically. Phase III was the final stage which is currently being trialed. This will see the automation of the actual Council meeting, electronic recording and displaying motions/amendments and voting of those present.

Strategic Plan:

Strategy 4.3 of the City’s strategic Plan is to maximise the benefits from information technology.

To achieve this the plan states we will:

- Provide ongoing information technology educational opportunities for staff, volunteers and councillors;
- Use state-of-the-art technology appropriate to improving and streamlining business processes;
- Evaluate existing and developing information technology products;
- Upgrade the Council’s information technology infrastructure; and
- Use information technology to enhance customer access to our information and improve two-way communication.

DETAILS

The project has and will involve changes in business processes for the City in the way it prepares, distributes its agendas and minutes documentation as well as how it conducts its Council meetings in the future.

Phases I and II are now complete the development and implementation of Phase III has been ongoing for sometime. There were a number of training sessions offered and conducted for elected members and senior officers. Due to the proposed significant change in the conduct of meetings, it was agreed that the software be tested as part of the briefing sessions. This was commenced in August/September of 2001 and was trialed until the end of 2001.

Financial Implications:

Account No:	Project D794
Budget Item:	
Budget Amount:	\$22,000
YTD Amount:	\$0
Actual Cost:	\$

COMMENT

Throughout the trials and training, it was indicated that for the implementation of the software was to be successful, then it needed 100% participation from elected members. Throughout those sessions, those present at the various sessions indicated that it was the way forward and to progress with the project. Throughout the training and trials a number of improvements were requested and made to the ForumVote module, these changes have also contributed to the delay in going ‘live’.

There appears to be a strong commitment from a majority of the elected members to implement the ForumVote module. Without that 100% participation then the electronic voting will not succeed.

The following options exist:

Option 1

Continue with the implementation of the product with a planned 'live' date at the ordinary meeting of the Council to be held on 23 April 2002. This will mean that the product will be further trialed at the briefing sessions scheduled to be held on 19 March 2002 and 16 April 2002. It is suggested that these briefing be conducted in the chamber to allow members to have a better feel of the changes to the meeting procedure.

Option 2

Discontinue further development and implementation of the product and revisit it under different conditions at a later time. The issue with that is that due to the recent positive press there maybe an expectation outside the City that the implementation of ForumVote is to occur.

If option 1 is selected it is suggested that further training be offered and undertaken by those elected members requiring it.

The project has been recognised at a national and local level with positive press articles on the City's willingness to implement the change in Council meeting procedures.

It is believed that the software is stable enough to go to a live environment, it would take some further co-operation by all elected members in the initial stages. The implementation of the 'ForumVote' module has reached a stage that needs a decision from the Council.

VOTING REQUIREMENTS

Simple Majority

MOVED Cr Rowlands, SECONDED Cr Hurst that Council AGREES to further progress the implementation of Phase III of the computerising of its agenda/minute process with a go live date being the ordinary meeting of Council scheduled to be held on Tuesday 23 April 2002.

Discussion ensued.

The Motion was Put and

CARRIED

Cr Patterson left the Chamber, the time being 2025 hrs.

CJ052 - 03/02 CBD ENHANCEMENT PROJECT – COUNCIL ENDORSEMENT OF THE PROJECT MANAGEMENT TEAM AND PROJECT STEERING GROUP – [53469]

WARD - All

CJ020305_BRF.DOC:ITEM 3

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
- Marilyn 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

Simple Majority

OFFICER’S 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.

MOVED Cr Kimber, SECONDED Cr Kadak that the matter pertaining to CBD Enhancement Project be DEFERRED.

The Chief Executive Officer advised that this matter should be deferred.

The Motion was Put and

CARRIED

CJ053 - 03/02 GRANTING OF FREEDOM OF ENTRY TO THE CITY OF JOONDALUP TO THE WA POLICE ACADEMY – [41579]

WARD – All

CJ020305_BRF.DOC:ITEM 4

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 its 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

MOVED Cr Kimber, SECONDED Cr Kadak 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.**

The Motion was Put and

CARRIED

CJ054 - 03/02 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

CJ020305_BRF.DOC:ITEM 5

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.

At its meeting of 26 February 2002, the Council Skatepark Committee fully supported the endorsement of the preferred tenderer and the recommendation to sign the Memorandum of Understanding between the City of Stirling and City of Joondalup.

VOTING REQUIREMENTS

Simple Majority

Cr Patterson entered the Chamber, the time being 2029 hrs.

MOVED Cr Rowlands, SECONDED Cr Patterson 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;**
- 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.**

The Motion was Put and

CARRIED

Appendix 4 refers

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

Cr Baker left the Chamber, the time being 2028 hrs.

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:

<u>Account No:</u>		<u>Project No. 6315, 6318</u>		
<u>Budget Item:</u>		<u>State Blackspot Projects</u>		
		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		\$253,333	\$126,667	\$380,000
TOTAL PROJECT				
COST				

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

MOVED Cr O’Brien, SECONDED Cr Mackintosh 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.**

AMENDMENT MOVED Cr Kadak, SECONDED Cr Rowlands that Points 3 and 4 be added as follows:

- “3 ERECTS signage advertising the changes adjacent to the intersection advising of the change for a minimum of four weeks;**
- 4 INFORMS petitioners and Trailwood Drive residents of the change by letter.”**

The Amendment was Put and

CARRIED

The Original Motion, as amended, being:

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;
- 3 **ERECTS** signage advertising the changes adjacent to the intersection advising of the change for a minimum of four weeks;
- 4 **INFORMS** petitioners and Trailwood Drive residents of the change by letter.

was Put and

CARRIED

Appendix 2 refers

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

Cr Baker entered the Chamber, the time being 2030 hrs.

CJ056 - 03/02 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

CJ020305_BRF.DOC:ITEM 7

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

MOVED Cr Walker, SECONDED Cr Hurst that Council AUTHORISES:

- 1 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 Report CJ056-03/02;**
- 2 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 Report CJ056-03/02;**
- 3 signing of the contract extension documents.**

The Motion was Put and

CARRIED

Appendix 3 refers

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

CJ057 - 03/02 MODIFICATION TO ILUKA STRUCTURE PLAN – [48934]

WARD – North Coastal

CJ020305_BRF.DOC:ITEM 8

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 and Burns Beach Road as ‘special streets’, 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:

- 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.
- 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 Part 1 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.

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, Burns Beach Road, 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, O'Mara Boulevard and Burns Beach Road. 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

OFFICER'S 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.

MOVED Cr Hollywood, SECONDED Cr Walker 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.

Discussion ensued.

During discussion Cr Kadak left the Chamber at 2034 hrs and returned at 2036 hrs.

Cr Hollywood, with the approval of Cr Walker advised he wished to have his Motion

WITHDRAWN

MOVED Cr Baker, SECONDED Cr Rowlands that the matter pertaining to modification of the Iluka Structure Plan be DEFERRED to enable public consultation to take place to allow an assessment to be made of community views on this matter.

The Motion was Put and

CARRIED

Appendix 5 refers

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

CJ058 - 03/02 REQUEST FOR CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN CARRON RISE AND ROSSITER HEIGHTS, HILLARYS – [41466]

WARD - Whitfords

CJ020305_BRF.DOC:ITEM 10

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

OFFICER'S RECOMMENDATION: That Council DOES NOT SUPPORT the closure of the pedestrian accessway between Rossiter Heights and Carron Rise, Hillarys.

MOVED Cr Hurst, SECONDED Cr Baker that Council:

- 1 SUPPORTS the closure of the pedestrian accessway between Rossiter Heights and Carron Rise, Hillarys;**
- 2 REQUESTS the Department of Land Administration (DOLA) to formally close the accessway and dispose of the land to the adjoining owners.**

The following reasons were given for departing from the Officer's Recommendation:

- 1 Connects to the end of two isolated cul-de-sacs located at the top of the hill;
- 2 The accessway is not on the Bike Plan, school route, Mawson Park or bus routes;
- 3 Anti-social behaviour and burglaries occurring;
- 4 90% of residents are in favour of the closure, with only one objection from a resident living in a street that links the two cul-de-sacs.

AMENDMENT MOVED Cr Kimber, SECONDED Cr Baker an additional Point 3 be added as follows:

- “3 that in light of the deputation held earlier this evening that the policy with respect to pedestrian accessways (PAWs) be reviewed with the weighting factors as provided to the various issues for closure of pedestrian accessways being reassessed.**

The Amendment was Put and

CARRIED

The original Motion, as amended being:

That:

- 1 Council SUPPORTS the closure of the pedestrian accessway between Rossiter Heights and Carron Rise, Hillarys;**
- 2 Council REQUESTS the Department of Land Administration (DOLA) to formally close the accessway and dispose of the land to the adjoining owners;**
- 3 in light of the deputation held earlier this evening that the policy with respect to pedestrian accessways (PAWs) be reviewed with the weighting factors as provided to the various issues for closure of pedestrian accessways being reassessed.**

was Put and

CARRIED

Appendices 7 & 7(a) refer

*To access this attachment on electronic document, click here: [Attach7brf050302.pdf](#)
[Attach7abrf050302.pdf](#)*

CJ059 - 03/02 REQUEST FOR CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN BARRACUDA COURT AND LANCETT COURT, SORRENTO – [56123]

WARD – South Coastal

CJ020305_BRF.DOC:ITEM 11

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

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

MOVED Cr Patterson, SECONDED Cr Mackintosh that:

- 1 SUPPORTS the closure of the pedestrian accessway that leads from Barracuda Court to Lancett Court, Sorrento;**
- 2 Council REQUESTS the Department of Land Administration (DOLA) to formally close the accessway and dispose of the land to the adjoining owners;**

The following reasons were given for departing from the Officer's Recommendation:

- 1 the proponent highlighted during the deputation session earlier in the evening that the urban design assessment was originally incorrect in the report and has found that the urban design assessment is low;
- 2 the accessway is not on the Bike Plan, or a school route and does not impact on the public accessing community assets;
- 3 anti-social behaviour.

Director, Planning and Community Development provided an overview of the policy in respect to closure of pedestrian accessways.

The Motion was Put and

CARRIED

Appendices 8 & 8(a) refer

To access this attachment on electronic document, click here: [Attach8brf050302.pdf](#)
[Attach8abrf050302.pdf](#)

MOVED Cr Kimber, SECONDED Cr Baker that Standing Orders be suspended at this time to deal with an urgent matter in relation to an article appearing on the front page of today's Wanneroo Times (12 March 2002) regarding proposed Police staff-cuts.

Mayor Bombak advised it was not appropriate that this matter be dealt with at this point and sought further clarification.

Cr Kimber, with the approval of Cr Baker advised that the Motion be

WITHDRAWN

MOVED Cr Hurst, SECONDED Cr Mackintosh that in accordance with Clause 5.6 of the City's Standing Orders, the meeting be held behind closed doors to enable the Council to discuss C27-03/02 – Enterprise Agreement, being a matter which affects the employees of the City of Joondalup.

The Motion was Put and

CARRIED

The Chairman adjourned the meeting for 5 minutes, the time being 2055 hrs.

Members of the public and press left the Chamber at this point, the time being 2055 hrs.

The Chairman reconvened the meeting, the time being 2100 hrs.

REPORT OF THE CHIEF EXECUTIVE OFFICER

C27-03/02 ENTERPRISE AGREEMENT - [19883] [30490]

PURPOSE

This report seeks the approval of Council for the new EBA as a result of negotiations with staff and representative bodies and seeks the budget necessary to implement the EBA.

EXECUTIVE SUMMARY

The City of Joondalup has for over 6 months been negotiating with staff representatives on a new Enterprise Bargaining Agreement (EBA). The results of these negotiations are in the attached draft agreement. (Attachment 1)

The Agreement offers a new people management strategy and proposes to reward staff for their outcomes. The underlying principles of the Agreement include:

- Establishing a rewarding work environment;
- promoting responsibility and commitment;
- clarifying roles and operational focus;
- clarifying direction; and
- promoting training and development.

RECOMMENDATION:

That Council ENDORSES the Enterprise Bargaining Agreement containing:

1. A salary increase of 4% or \$25 per week, whichever is the greater, for employees covered by this Agreement, to take effect from the first pay period on or after 1st January 2002.

2. A salary increase of 2.5% or \$20 per week, whichever is the greater, for employees covered by this Agreement, to take effect on or after the first pay period on 1st January 2003. An increase of 1.5% subject to performance, payable on or after the first pay period on 1st March 2003
3. A salary increase of 2.5% or \$20 per week, whichever is the greater, for each employee covered by this Agreement, to take effect on or after the first pay period on 1st January 2004. An increase of 2.5% subject to performance, payable on or after the first pay period on 1st March 2004.
4. Authorises the lodgement of an application in the Industrial Relations Commission to certify the Agreement.
5. Authorises the lodgement of an application in the Industrial Relations Commission to deregister the Ranger Service certified Agreement 1998.

BACKGROUND

At the Council meeting of 24 July 2001 the following resolution (CJ241 - 07/01) was endorsed.

That the Council;

1. AGREES IN PRINCIPLE to the establishment of Rewards and Recognition Scheme as described in this report;
2. NOTES that a further report will be presented to Council following negotiations with staff and representative bodies.

Through the EBA process the negotiating committee has been able to reach agreement on a set of principles to include the rewards and recognition scheme currently being developed in consultation with the staff. The aim of the scheme is:

- To motivate employees
- To encourage valuable staff to remain within the City of Joondalup
- Reduce turnover levels
- To reward staff in a fair and equitable manner based upon merit

While staff have not had an opportunity to vote on the EBA it is encouraging to see staff representatives taking a leading role in promoting these principles. A vote of the staff will be taken once the Council determines its position.

A formal salary offer, subject to Council endorsement, has also been put to the union. This has been made in the following terms:

1. A salary increase of 4% or \$25 per week, whichever is the greater, for each employee covered by this Agreement, to take effect from the first pay period on or after 1st January 2002.

2. A salary increase of 2.5% or \$20 per week, whichever is the greater, for each employee covered by this Agreement, to take effect on or after the first pay period on 1st January 2003. An increase of 1.5% in salary budget allocation for distribution as salary increases to employees covered by this Agreement, payable on or after the first pay period on 1st March 2003. The salary rate increase for each employee shall be determined in accordance with Reward and Recognition principles based upon corporate and team performance achievements.
3. A salary increase of 2.5% or \$20 per week, whichever is the greater, for each employee covered by this Agreement, to take effect on or after the first pay period on 1st January 2004. An increase of 2.5% in salary budget allocation for distribution as salary increases to employees covered by this Agreement, payable on or after the first pay period on 1st March 2004. The salary rate increase for each employee shall be determined in accordance with Reward and Recognition principles based upon corporate, team and individual performance achievements.

In broad terms, salary outcomes for the next three years are in accordance with market expectations, comparable councils and certified agreements throughout the country. However as some of the increases are tied to performance outcomes the City's proposed EBA is unique.

Strategic Plan:

In terms of the strategic plan one of our objectives is to:

Be a cohesive, customer-focused and achievement-orientated organisation.

The Performance Measures associated with this include:

- Being an employer of choice.
- The attractiveness of the organisation as a place to work.
- Awards and recognition.

The provisions within this EBA give the City the industrial instrument to move in that direction.

DETAILS

A negotiating committee consisting of management representatives and staff representatives has been negotiating a draft Enterprise Agreement that incorporates principles and specific provisions of commonality across the organisation. This Agreement, which will apply to the Rangers and inside workforce, will allow the organisation a framework to adopt a new approach to people management, reward staff for outcomes and enhance significant cultural changes.

Essentially the primary outcomes of the Agreement will be improved productivity, greater flexibility, excellent customer service and improved conditions of employment.

The negotiation process for the development of the Agreement is now completed with the consultative committee in agreement with the terms and conditions.

The main objectives of this EBA are to focus on people management and customer service. This is embodied in the employer of choice concept that embraces change by adopting the following objectives:

- Establishment of a rewarding work environment in which employees are committed to achieving the City of Joondalup's goals;
- promotion of responsibility and commitment by ensuring that employees have a clear understanding of the strategic and business directions of the City of Joondalup;
- clarity of understanding amongst staff of their roles and operational focus;
- clear direction with regard to expectations of individual and collective staff performance; and
- promotion of training and development in which the City of Joondalup provides opportunities for employees to engage in continuous learning.

The Employer of Choice concept represents a best practice strategy, which directly links employee and organisational performance with all aspects of employment. This concept identifies a number of key people management issues, such as Performance Management, Training and Development and Leadership and Management. The proposed strategies of this concept aim to meet the organisational objective of 'recruiting, developing and retaining a high performing workforce'.

Essentially the Agreement adopts the provision of the simplified award that identifies minimum conditions. However to provide the framework necessary to attract and retain the staff, the following provisions would apply:

- The agreement is for a period of three years which gives the staff and the City the necessary timeframe to develop and implement a performance management system and give some certainty to the City's salary increases;
- A guaranteed salary increase and an increase tied to performance outcomes;
- A clause to discuss phasing out incremental progression, which provides the City with the opportunity to review the question of incremental progression and its relationship to the performance development review process as set out in the local government Act;
- Paid maternity leave as a result of recent cases which provides 6 week's paid leave;
- Paternity leave of 2 weeks;
- A clause providing salary packaging should the City adopt that facility;
- A clause that incorporates the Ranger's conditions and reregistering the old EBA;
- Streamlining conditions that are set out in the simplified award;
- A clause providing a process to annualise hours;
- Dispute settling procedures providing due process and procedural fairness.

Over the past 18 months the City of Joondalup has undertaken a number of important initiatives in relation to the way in which the organisation manages its workforce. These include the Reward and Recognition Scheme (R&R Scheme) and the Enterprise Agreement. While each of the proposals and reviews addresses specific issues, they collectively and overwhelmingly identify that for the City of Joondalup to realise the benefits identified there needs to be quite a different and more professional approach to the management of people.

Policy Implications:

The new EBA will provide the opportunity for the City to expand strategic policies to develop and implement employer of choice policies and practices.

Financial Implications:

In determining whether the amount of salary increase is justified it is critical to note what the City is getting in return for offering the salary increases. As discussed earlier in the document this EBA with its rewards and recognition principles is cutting edge practice. No other local government has attempted to introduce change and enhance cultural improvements in this manner.

The offer of 4% + 4% +5%pa is marginally higher than market expectations. However in return for this there is an expectation and a commitment by staff to implement change, be innovative and accept the performance management system. It would be a cost to the City \$1,873,562 over three years. It is possible that some staff may be rewarded at a higher rate than other staff. The emphasis is on motivating staff to reach their agreed performance outcomes.

In recent years Staff have received a 2% increase effective from 1st January 2000 and 1% increase from 1st July 2001. Effectively this relates to a 3% increase in 2.2 years, which is below community expectations for staff on EBAs. This anomaly is addressed in the salary offer.

Emphasis is also placed on lower income earners and that is the reason why there is an offer of a fixed amount to staff.

The two tables below provide information to the Council on the effect the increases will have each year for the next three years. For the first 6 months the salary estimates are in accordance with the budget figures already approved for the year 2001/2002. In other words there is no more funding required for the first 6 months. However funding would need to be set aside for the second and subsequent years as tabled.

Table 1-City Offer

Year 1 - 1 January 2002 – 31 December 2002	
4% guaranteed or \$25/week	
<i>From 1 January 2002 - 4% or \$25/week</i>	
<i>Financial Year 1 2001/2002</i>	\$313,964.50
Year 2 - 1 January 2003 – 31 December 2003	
2.5% guaranteed or \$20/week + 1.5% R&R	
<i>From 1 January 2003 - 2.5% or \$20/week</i>	
<i>From 1 March 2003 - 1.5%</i>	
<i>Financial Year 2 2002/2003</i>	\$941,266.83

Year 3 - 1 January 2004 – 31 December 2004	
2.5% guaranteed or \$20/week + 2.5% R&R	
From 1 January 2004 - 2.5% or \$20/week	
From 1 March 2004 - 2.5	
Financial Year 3 2003/2004	\$618,331.50
Total	\$1,873,562.83

The current market rate provided by Mercer Cullen Egan Dell for salaried staff is 3.8%. Research also shows that staff covered by EBAs in recent years is averaging 3.8% per year. Should the Council then offer staff the market rate or average EBA rate of 3.8%+3.8%+3.8%p.a. then the cost to the City would be \$1,935,037 over three years. In return the City would not be able to implement some of the strategies that have been identified to make the City a more customer-focussed achievement orientated organisation.

This second table demonstrates the cost to the City if it offered the going rate for staff on an EBA.

Table 2 Market Rate

Year 1 - 1 January 2002 – 31 December 2002	
3.8% guaranteed	
From 1 February 2002 - 3.8%	
Financial Year 1 2001/2002	\$240,119.58
Year 2 - 1 January 2003 – 31 December 2003	
3.8% guaranteed	
From 1 February 2003 - 3.8%	
Financial Year 2 2002/2003	\$831,652.67
Year 3 - 1 January 2004 – 31 December 2004	
3.8% guaranteed	
From 1 February 2004 - 3.8%	
Financial Year 3 2003/2004	\$863,264.91
\$1,935,037.16	

COMMENT

Many organisations have formal statements about the importance of managing their workforce. However, only a handful of cutting edge organisations put the rhetoric into practice. When organisations see their employees as strategic assets rather than costs, they adopt people management practices that encourage high quality performance built on strong employee commitment. This requires investment in the development of management systems and skills that will enable the organisation to manage its people with the same rigour as any other resource.

Now that the City of Joondalup management has consulted widely and gained Council endorsement to *“Design and implement a rewards and recognition scheme, which motivates staff to achieve high levels of performance, and provides a platform to set the scene for the City to become the ‘employer of choice’, the onus is on management to actually ‘make it happen’.*

The EBA can deliver positive outcomes for management and the organisation. It can be used as a vehicle to demonstrate to employees and other stakeholders, that the City is striving to ensure that good people management is good business sense and is prepared to make an investment in staff and evaluate performance.

Reviewing key activities such as training and ensuring that the principles of equity, fairness and excellence are applied in all aspects of employment, will encourage employee commitment to major change.

This new approach to people management through the enterprise agreement, if successfully implemented, also has the potential to immediately provide the City of Joondalup with a number of opportunities to develop a strong external profile and take advantage of available resource sources within industry and the community. These include:

- Sponsoring and leading forums/workshops/seminars within local government sector and more broadly around Employer of Choice issues e.g. retention of employees; performance management;
- Accessing government funds for specific programs eg training subsidies for registered training organisations;
- Nominating the organisation for a range of employer/organisation awards for people management;
- Marketing (fee for service) specific people management programs, training and consultancy to other local government organisations and more broadly;
- Offering training program places for community and business within City;
- Organising for media coverage of specific initiatives in professional management journals e.g. AIM, AHRI, etc; and
- Establishing partnerships with education and research providers for internal research projects.

The Chamber of Commerce and Industry has reviewed the EBA and its comments are incorporated into the document.

MOVED Cr Baker, SECONDED Cr Rowlands that Council ENDORSES the Enterprise Bargaining Agreement containing:

- 1 a salary increase of 4% or \$25 per week, whichever is the greater, for employees covered by this Agreement, to take effect from the first pay period on or after 1st January 2002;**
- 2 a salary increase of 2.5% or \$20 per week, whichever is the greater, for employees covered by this Agreement, to take effect on or after the first pay period on 1st January 2003. An increase of 1.5% subject to performance, payable on or after the first pay period on 1st March 2003;**

- 3 a salary increase of 2.5% or \$20 per week, whichever is the greater, for each employee covered by this Agreement, to take effect on or after the first pay period on 1st January 2004. An increase of 2.5% subject to performance, payable on or after the first pay period on 1st March 2004;
- 4 authorises the lodgement of an application in the Industrial Relations Commission to certify the Agreement;
- 5 authorises the lodgement of an application in the Industrial Relations Commission to deregister the Ranger Service certified Agreement 1998.

The Motion was Put and

CARRIED

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6min120302.pdf](#)

MOVED Cr Hurst, SECONDED Cr Kadak that Standing Orders be RESUMED and the meeting be held with the doors open, the time being 2121 hrs.

The Motion was Put and

CARRIED

Cr Rowlands did not re-enter the Chamber.

Members of the public entered the Chamber at this point. In accordance with the City's Standing Orders Local Law, the Chief Executive Officer read the Motion in relation to Item C27-03/02 - Enterprise Agreement.

C28-03/02 REDUCTION IN POLICE NUMBERS – JOONDALUP DISTRICT POLICE AREA – [09709]

MOVED Cr Kimber, SECONDED Cr Baker that in accordance with Clause 8.1 of the City's Standing Orders Local Law that Standing Orders be suspended in order that a matter of urgency necessity be dealt with at this time.

Mayor Bombak advised it was necessary to determine the nature of the urgency in relation to this issue.

Discussion ensued.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

MOVED Cr Kimber, SECONDED Cr Kenworthy that Council:

- 1 WRITES to the Minister for Police expressing its great regret and disappointment in response to today's (12 March 2002) headline news article in the Wanneroo Times newspaper that 15 full-time and 10 probationary constables will be axed from the already unstaffed Joondalup District Police by the State Government;**
- 2 LOBBIES the State Government and all members of the Government for the return of our local Police to assist our already hardworking Police men and women in fighting crime.**

Discussion ensued.

1st AMENDMENT MOVED Cr Kenworthy that an additional Point 3 be added as follows:

“3 if the Minister cannot supply the City with additional Police, that the City will be seeking “Special Constable” powers for its security force.”

There being No Seconder, the 1st Amendment

LAPSED

2nd AMENDMENT MOVED Cr Kadak, SECONDED Cr O'Brien that the words “and the Commissioner for Police” be added after the words “Minister for Police”.

The 2nd Amendment was Put and

CARRIED

The Original Motion, as amended, being:

That Council:

- 1 WRITES to the Minister for Police, and the Commissioner for Police expressing its great regret and disappointment in response to today's headline news article in the Wanneroo Times newspaper that 15 full-time and 10 probationary constables will be axed from the already unstaffed Joondalup District Police by the State Government;**
- 2 LOBBIES the State Government and all members of the Government for the return of our local Police to assist our already hardworking Police men and women in fighting crime.**

was Put and

CARRIED

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

In favour of the Motion: Mayor Bombak, Crs Mackintosh, Hurst, Kenworthy, Patterson, O'Brien, Barnett, Walker, Nixon, Carlos, Baker, Kimber and Kadak

Against the Motion: Cr Hollywood

MOVED Cr Kimber, SECONDED Cr Baker that Standing Orders be RESUMED.

The Motion was Put and

CARRIED

C29-03/02 DRAFT MULLALOO CONCEPT PLAN - [48840] [46597]

WARD - Whitfords

PURPOSE

To progress Council's resolution of 22 May 2001 with regard to the Mullaloo Concept Plan, and to gauge the level of community support for the revised Plan.

EXECUTIVE SUMMARY

In early 2001, a Concept Plan for Mullaloo was prepared and displayed for extensive period of community consultation. A large number of submissions were received, which were generally supportive of the Concept Plan, however, they raised a number of issues. The proposal was presented to Council, with a view to it being used as a basis for further design, costing and evaluation and for discussion purposes regarding the ongoing development of the area. At its meeting on 11 September 2001, it was resolved, amongst other things, that Council:

“..... 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.”

BACKGROUND

Strategic Plan: Lifestyle – Strategy 2.1 and 2.7

In early 2001, a Concept Plan for Mullaloo was prepared and displayed for an extensive period of community consultation. A large number of submissions were received, which were generally supportive of the Concept Plan, however, which raised a number of issues. The proposal was presented to Council, with a view to it being used as a basis for further design, costing and evaluation and for discussion purposes regarding the ongoing development of the area. At its meeting on 11 September 2001, Council resolved as follows:

“That Council:

1 RESCINDS its resolution CJ159-05/01 of 22 May 2001, being:

“that the draft Mullaloo Concept Plan be:

- 1 redrafted by taking into account all the concerns raised in the submissions received from the public;*
- 2 resubmitted to the community, and local interest groups for further review and consultation;*
- 3 resubmitted to Council for review.”*

2 NOTES the submissions received regarding the Mullaloo Concept Plan;

3 NOTES the significant public concern expressed regarding the proposed overspill parking in areas either side of Northshore Drive;

4 NOTES that there are a number of unresolved issues relating to the Council owned lots located to the west of Merrifield Place;

5 NOTES that the Mullaloo Concept Plan, modified by the deletion of the elements noted in 3 and 4 above, be used as a basis for further design, costing and evaluation, and for discussion purposes regarding the ongoing development of the area;

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.”

A Special Electors’ meeting has been called to enable the community to vote on the following motions:

- 1 Stop the relocation of the central car park to the grassed area in Tom Simpson Park, Mullaloo;**

- 2 Defer the elements of the concept plan for which there is no clear and demonstrable community support and have these issues considered further when a new plan has been drafted;
- 3 Other matters that may be raised from the floor of the meeting relating to the Mullaloo Beach Precinct Plan or Preservation of Reserves Policy or any other matters of concern to residents of the City of Joondalup.

The Special Electors' meeting has been set for 18 March 2002.

To progress the Council's resolution, consultancy advice has been sought on traffic and safety issues related to Oceanside Promenade, including establishing survey levels for the road and park.

A preliminary revised plan has now been prepared having regard to the traffic consultancy advice and the previously expressed community comment.

The Council's resolution also required that a report be prepared detailing the costing and priorities for the revised proposal. This was to enable the Council to give consideration to the proposal for budgeting purposes. Detailed costing and priorities have not been undertaken at this stage.

Given the level of community interest in the future of their area, it is considered prudent to place the preliminary revised Concept Plan on public exhibition for a period of six (6) weeks.

The primary purpose of the community consultation period is to ensure that the revised plan has taken cognisance of the various community desires for the area. In any plan such as this, there will always be opposing views and the resultant plan is often a compromise solution having regard to all points of view, safety factors and capital and ongoing maintenance costs.

During the public exhibition period, and immediately following it, further work can be undertaken to refine the proposal and establish the necessary detailed costings and priorities for budget purposes.

It is therefore recommended that the Council:

- 1 **NOTES that a preliminary revised Concept Plan has been prepared;**
- 2 **ENDORSES placing the preliminary revised Concept Plan on public exhibition for a period of six (6) weeks;**
- 3 **will give further consideration to the Plan following the community consultation period, having regard to the comments received and the detailed report on costings and priorities.**

DETAILS

The attached Plan is a preliminary revision of the Concept Plan for Mullaloo. It is based on traffic movement, vehicle safety and landscape architectural advice, having regard to the previously expressed community comments.

The revised preliminary Concept Plan presents a range of opportunities that can be accommodated within an upgrade of this type. A range of passive and semi-active facilities will be provided an intended to offer the widest possible cross-section of the community the best possible “Beach Experience”. The focus of the Concept is to provide a ‘minimal impact’ solution that reflects an “enhancement” of the existing character and facilities that Mullaloo Beach offers whilst ensuring that strict environmental considerations such as retention, protection and rehabilitation of the existing foreshore vegetation, and ongoing landscape management practices are maintained. The intention is to “build-upon” the existing character that the beach precinct offers without impacting on the overall amenity and quality of the environment.

Key features of the proposed redevelopment include:

- modifications to Oceanside Promenade including a new roundabout at the northern entry, median and defined pedestrian crossing points to facilitate safe access and circulation along this road network. The intention is to slow traffic and ensure that pedestrian/cyclists are afforded safe access to the Tom Simpson Park and Mullaloo Beach;
- introduction of Mullaloo Beach Precinct entry features and signage at both roundabouts;
- closure of the existing southern entry to the northern carpark - access to the carpark would be from the new northern roundabout;
- construction of a new dual-use path along Oceanside Promenade including defined crossing points and signage that complies with current Australian Standards;
- construction of 2 new bus stops to Australian Standards to service the site;
- construction of a new beachside pedestrian promenade for safe, well defined and easy access to the beach for all users, including disabled, at numerous locations along the foreshore. This path acts as a transition and protection zone to the dunal vegetation;
- enhancement of existing lawn areas;
- retention, protection and rehabilitation of dunal vegetation to ensure that foredune areas are retained and remain in a stable condition;
- provision for extensive lighting to create a safer environment for users at night including provision for feature lighting at key nodes and major gathering points;
- protection of the existing vegetation to minimise demolition disturbance and maintenance of the new works;
- protection from wind and sun utilising earth forms, shade shelters and intermittent tree planting;

- creation of a range of landscape areas to provide various passive and semiactive uses including rationalisation of existing furniture items to ensure that useable open lawn areas, BBQ facilities, shelters and other facilities are appropriately located;
- upgrade of the existing playgrounds including shade structures, seating nooks and new equipment;
- retention of existing carpark areas including additional shrub and tree planting to improve amenity and shade;
- construction of a new forecourt, ramp and stair access to the Mullaloo Surf Lifesaving Club facility;
- upgrade of the existing toilet block to ensure compliance with current Standards, including new paved forecourt area and defined beach access;
- rehabilitation and protection of the foredune area to ensure this zone remains in a stable condition.

COMMENT

The resolution of the Council (CJ315-09/01) required a 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. It also required that particular attention be given to 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.

Such a report would have incorporated a revised plan, showing the elements to be costed and prioritised. In view of the community interest and the impending Special Electors meeting, it is considered prudent to place the preliminary revised Concept Plan on public exhibition prior to determining costings and priorities. It is not proposed that the Council adopt the plan in any way, but that the Council endorse placing the plan on public exhibition for a period of six weeks.

Feedback from the public exhibition of the preliminary Plan would enable the council to gauge the level of community support for the various elements incorporated into the Plan.

As in any public consultation process, there will always be a divergence of views and the final Plan may have to contain compromise solutions.

During the public exhibition period, and immediately following it, further work can be undertaken to refine the proposal and establish the necessary detailed costings and priorities for budget purposes.

VOTING REQUIREMENTS

Simple Majority

MOVED Cr Mackintosh, SECONDED Cr Hurst that Council:

- 1 NOTES that a preliminary revised Concept Plan has been prepared;**
- 2 ENDORSES placing the preliminary revised Concept Plan on public exhibition for a period of six (6) weeks;**
- 3 will give further consideration to the Plan following the community consultation period, having regard to the comments received and the detailed report on costings and priorities.**

The Motion was Put and

CARRIED UNANIMOUSLY

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9min120302.pdf](#)

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 C30-03/02 – “Notice of Motion No 1 – Cr Patterson”, as he is a shareholder in the Mayne Group.

Cr A Nixon declared a financial interest in Item C30-03/02 – “Notice of Motion No 1 – Cr Patterson”, as he is an employee of Joondalup Health Campus.

Cr Nixon left the Chamber, the time being 2140 hrs.

C30-03/02 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.”*

OFFICER’S COMMENT**Background**

The Joondalup Health Campus is located on Reserve 36696 (60 Shenton Avenue). The site is partially developed with the regional health facilities, community health centre, an ambulance

depot and associated medical services. Planning for the complex must include provision for parking.

The City recently granted approval for additional parking for the development but this has not as yet been constructed. Parking is still a problem in the area and will be aggravated by proposed developments on the adjacent Grand Boulevard lots.

The Role Of The City Of Joondalup

The City's role in relation to parking is to provide parking facilities that are available for use by the general public, not just for specific user groups. In undertaking any parking related works such as the suggested feasibility study, the City would need to be very careful not to be setting a precedent. It could become difficult to refuse similar requests from any of the other major activities in the City Centre that may from time to time find they have trouble meeting their parking responsibilities.

Undertaking such a feasibility study is likely to require specialised advice from appropriate consultants. It may not be appropriate, and in some circumstances could be against the provisions of the Local Government Act 1995 for costs of any consultants on such a project to be met by the City.

The City should encourage the Joondalup Health Campus to prepare its own feasibility study and meet the costs accordingly. The Joondalup Health Campus is a privately owned and operated Hospital and Health Care Service with profit making intent.

The recently adopted Joondalup City Centre Public Parking Strategy ruled out the introduction of fee paid parking at Joondalup at this time. It was considered the introduction of fee paid parking would be a highly sensitive issue, premature at this time and very likely to provide the wrong message to prospective developers and having potential to stifle further development.

The introduction of fee paid parking, depending on the daily fee, could have Fringe Benefits Tax implications on employers in the vicinity.

Suggested Approach

It is recognised that parking is an important issue for the Health Campus and for other institutions and businesses in the City Centre. It is also recognised that parking problems are hard to localise and tend to flow into and create problems in other areas. It is therefore most important that parking issues in the City Centre are approached in a coordinated manner.

While the Health Campus is an independent self contained operation, any overflow in parking can have a major impact on the use of surrounding streets and properties. It is considered important that this issue be discussed with the Campus administration with a view to assisting in the formulation of a detailed parking plan for the area. Such a parking plan may not necessarily require active participation by the City, however all options should be considered.

There may be a number of options available for appropriate parking to be provided on the site. Some of these options may involve fees but such a move would have ramifications for adjacent areas of the City Centre.

OFFICER'S RECOMMENDATION

That Council APPROACHES the Joondalup Health Campus administration to investigate the parking requirements for the existing and future activities on the site and options for the appropriate provision of on-site parking.

MOVED Cr Patterson, SECONDED Cr Kenworthy 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.

Cr Patterson spoke to the Motion.

Discussion ensued. Cr Carlos sought clarification in regard to an article appearing in a recent Local Government magazine in relation to the need to vote when present in the Chamber.

Chief Executive Officer advised a written opinion would be obtained from the City's solicitors clarifying this issue for elected members.

The Motion was Put and

LOST

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

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

Cr Nixon entered the Chamber, the time being 2154 hrs.

C31-03/02 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.”*

OFFICER'S COMMENT

In addition to the support of the Council the Geographic Names Committee will require a strong indication from the affected community and sound reasons for such a change. The Committee will also be guided by the suitability of the proposed name, based on established criteria.

The community support is usually gauged by a survey of affected property owners and occupiers, which has, in the past been undertaken by those in the community seeking the change. Given the extent of the area involved it would be appropriate for the Council to undertake such a survey. Budget funds would need to be identified to carry out such a survey. At this stage, the cost is unknown. Prior to proceeding it would be useful to receive some indication from the community that they would support such a change. A petition may be one such way of the Council obtaining that indication.

MOVED Cr Patterson, SECONDED Cr Mackintosh 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.**

Cr Patterson spoke to the Motion.

Discussion ensued.

The Motion was Put and

CARRIED

C32-03/02 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.”

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 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.”

Cr Patterson spoke to the Motion.

The Motion was Put and

CARRIED

Cr Kenworthy left the Chamber, the time being 2206 hrs and returned at 2209 hrs.

NOTICE OF MOTION NO 4 – CR A PATTERSON

This Item (C23-03/03 refers) was dealt with earlier in the meeting after Requests for Leave of Absence.

C33-03/02 NOTICE OF MOTION NO 5 – CR CAROL MACKINTOSH

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

“That Cr Allison Walker be requested to explain why she did not disclose to a colleague Councillor, either before or after a meeting where both were present, the details of a petition by the Senior Citizens of Whitford Senior Citizens Centre, calling for a Special Meeting of Electors”

MOVED Cr Mackintosh, SECONDED Cr Baker that Cr Allison Walker be requested to explain why she did not disclose to a colleague Councillor, either before or after a meeting where both were present, the details of a petition by the Senior Citizens of Whitford Senior Citizens Centre, calling for a Special Meeting of Electors.

Cr Mackintosh spoke in support of her Notice of Motion.

The following answers were provided by Cr Alison Walker in response to questions raised by Cr Mackintosh at the meeting of Council held on 26 February 2002. Cr Walker requested that the responses be recorded in the Minutes and stated copies had been made available for members of the public attending this evening.

“Mr. Mayor and Councillors,

At the last council meeting, I took several questions asked of me by Cr. Mackintosh on notice.

I answer those questions now.

In doing so, I ask that these answers be recorded in the minutes of this meeting, and therefore become part of the corporate documentation, and on the public record.

Role of a Councillor.

2.10 A Councillor:

- (a) *Represents the interests of Electors, Ratepayers and Residents of the District.*
- (b) *Provides Leadership and Guidance to the community in the district*
- (c) *Facilitates Communication Between the Community and the Council*
- (d) *Participates in the local governments decision-making at council and committee meetings*
- (e) *Performs such other functions as are given to a councillor by this act, or any other written law.*

Source: - Local Government Act. 1995

At the Council meeting at the City of Joondalup on February 26th, 2002 Cr. Mackintosh asked a series of questions of me. As she chose to ask these questions of me in the public arena – an open council meeting, I choose now to answer those questions in an open forum as well.

The Questions referred to a meeting that was held at the Whitford Senior Citizens Centre on Monday, February 25th at 9.30am, and was attended by the members of the Committee of the Senior Citizens Centre, President, Mr Colin Stokes, Secretary, Mrs. Barbara Marsh, Vice President, Mrs Doreen Gaunt, Treasurer, Mrs. Doris Roberts Assistant Treasurer, Mrs. Joan Pett, a representative from the Combined Pensioners League, Mrs. Maureen Grierson, Cr. Carol Mackintosh and Myself, Cr. Allison Walker.

At the council meeting Cr. Mackintosh stated that the main thrust of the meeting was that the seniors wanted a bigger hall, and wanted to maintain the management exactly as it is now. This is not correct. The main thrust that came out of the meeting on the Monday morning was that the Seniors did not want to move at all, but they would like the Library to be moved so that they could have more room, and regardless of being moved or not, if a guarantee could not be provided that the centre would be for the exclusive use of the seniors, as a senior Citizens Centre ONLY, then anything else would be irrelevant. I have checked this back with the seniors, and they agree that they believe this is what they were trying to convey as the main thrust of the meeting.

Q1 Did you initiate this petition calling for a special electors meeting at the Whitford Senior Citizens Centre?

A1 I did not initiate that petition. I understand that petition was initiated by the Combined Pensioners League.

The seniors did ask me what they could do to stop the proposed changes from taking place. As per 2.10.b of the Local Gov't Act, (provides guidance to the community)

I suggested that they could take up a petition, because that is what community groups do when they want to get a message through to council. They said that they had to make a petition to get their centre in the first place. At that time they did not envisage that they would have to take up another petition in order to keep it some 15 years later. But I did not organise the petition.

Q2 Were you aware of the petition before our meeting at 9.30am at eh centre yesterday?

A2 Yes I was aware of the petition. The seniors had asked me to take their petition to council office and hand it in for them – (2.10.c facilitate communication between the community and the council) Cr. Mackintosh stated the proposal would not be going ahead until it is passed through council, and a petition is a democratic right of the community as a voice towards accessing their rights within the local government machine.

Q3 Why did you not see fit to inform me about the presence of the petition?

A3 There is nowhere in the Local government Act that says that I have to inform you of anything. The petition did not come up in conversation by the seniors, and as such it was not mentioned.

Q4 Did you tell any persons present at that meeting not to tell me about the petition?

A4 The petition was not a part of the meeting, and as such that subject did not even come up. No I do not believe I told anyone not to mention the petition to you.

Q5 If no. Why do you think nobody mentioned it at the meeting?

A5 I don't presume to think for the ratepayers. I simply carry out what they ask me to do for them, as per 2.10.a of the Local Gov't Act 1995 (Represent the interests of Electors, Ratepayers and Residents)

Q6 Why was nobody aware that you were to be present at the meeting?

A6 Cr. Mackintosh was aware that I was to be present, because I informed her on Friday, 22nd February that I would be attending. The President, Mr. Stokes was aware because he invited me to the meeting, Barbara Marsh was aware, so was Doreen Gaunt, and Maureen Grierson. I do not consider these people as being no-bodies.

Q7 Did you not signify your agreement to order a request for a new hall at yesterdays meeting, yet knowing the whole time about the contents of this petition?

A7 I did not signify anything at that meeting. The seniors had already indicated to me during the previous week and also at the beginning of this meeting that they did not want to be moved, but that they did require several alterations to their building. I was simply agreeing with the proposal that there were several things that needed to be attended to at the centre, and I was merely carrying out 2.10.a (Representing the interests of the electors), and working towards that end.

In general, at that meeting, I said very little, because as a councillor, 2.10.a of the Local gov't Act 1995 states that I must represent the interests of my ratepayers – it does not say that I should expound my own theories and agendas, so I believe it is better to ask people what they want, listen to their answers, and then try to fulfil their needs.

Q8 Are you aware that statements 1,2, & 3 can be dealt with in other ways than by a special electors meeting.

A8 *If it is the decision of the ratepayers that they want a special electors meeting, and it is their right if they so wish it to be, and if they want these issues to be dealt with at this meeting, then 2.10.a & c of the Local Gov't Act 1995 states that I may facilitate that on their behalf, through representing their interests and facilitating communication between themselves and Council. I have stated previously that I did not initiate this petition, so this was a decision of the electors – not mine, and they are entitled to do that under section 5.28 of the Local Gov't Act 1995*

Q9 Did you together with Jane Heilkema co-erce over 300 seniors to sign a petition of which they were unaware of the implications?

A9 Our senior citizens are intelligent people. To insinuate that they do not know what they are doing is an insult to them. I did not co-erce anyone into doing anything, and I never have. Unless Cr. Mackintosh has positive proof that I did co-erce these seniors into signing this petition, and then I would remind her that as council does not have parliamentary privilege, this could be classed as slander.

Also. Forshadowing a Motion Cr. Mackintosh has listed to the Council meeting of March 12th, asking me to explain why I did not disclose to a fellow Councillor, either before or after a meeting where both were present, the details of a petition by the senior citizens of Whitford Senior Citizens Centre, calling for a Special Meeting of Electors.

As I understand it, from discussions I have had with the with Mr. Gilfillan from the Department of Local Government, and WALGA, as a councillor, the only people I have to explain myself to are the people I represent. In this case, I represent the ratepayers, and in particular, the Senior Citizens. I have it on good authority that the Senior Citizens are very happy with my performance in this matter – because they have told me. Apart from that, this question has already been answered elsewhere in this communication”

The Motion was Put and

LOST

Crs Patterson and Kenworthy left the Chamber, the time being 2214 hrs.

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 26 MARCH 2002** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

SECOND PUBLIC QUESTION TIME

Mr S Magyar, Heathridge:

Q1 What was the purpose of videoing the two special electors' meetings held in Greenwood and Kingsley?

A1 This question will be taken on notice.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 2215 hrs; the following elected members being present at that time:

J BOMBAK, JP
P KADAK
P KIMBER
D CARLOS
C BAKER
A NIXON
J F HOLLYWOOD, JP
A A WALKER
T BARNETT
M O'BRIEN, JP
C MACKINTOSH
J HURST