



*City of*  
**Joondalup**

NOTICE IS HEREBY GIVEN THAT THE NEXT  
**ORDINARY MEETING OF THE COUNCIL OF THE CITY OF JOONDALUP**  
WILL BE HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP  
**ON TUESDAY, 26 MARCH 2002 AT 7.00 PM**

**DENIS SMITH**  
**Chief Executive Officer**  
**20 March 2002**

## **PUBLIC QUESTION TIME**

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

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

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

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

*The Mayor or presiding person shall decide to:*

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

*The following rules apply to question time:*

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

## **DEPUTATION SESSIONS**

*Elected Members will conduct an informal session on the same day as the meeting of the Council in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup, commencing at 5.00 pm where members of the public may present deputations by appointment only. (Please note that deputation requests are to be received by no later than 4.00 pm on the Friday prior to a Council meeting.)*

*A time period of fifteen (15) minutes is set aside for each deputation, with five (5) minutes for Elected Members' questions. Deputation sessions are open to the public.*

\* *Any queries on the agenda, please contact Council Support Services on 9400 4369.*

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# CITY OF JOONDALUP

Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 26 MARCH 2002** commencing at **7.00 pm**.

DENIS SMITH  
Chief Executive Officer  
20 March 2002

Joondalup  
Western Australia

## AGENDA

### 1 OPEN AND WELCOME

Invited Guest Pastor David Snell, Lake Joondalup Baptist Church

### 2 PUBLIC QUESTION TIME

**The following questions, submitted by Mr A Bryant, Craigie, were taken on notice at the Council meeting held on 12 March 2002:**

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

A1 This numbering system was introduced following the split of the former City of Wanneroo, during the period when both new Councils were administered by the Joint Commissioners, to distinguish between the reports of the City of Joondalup (prefix "CJ") and the Shire of Wanneroo (prefix "SW"). For the purpose of continuity, no change has been made to the numbering system.

*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.*

A2 Mr Bryant's request is noted.

*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?*

- A3 This matter has been actioned by the City's Ranger Services and Mr Bryant will be contacted to advise on the action that has been taken.

**The following questions, submitted by Mr M Sideris, Mullaloo, were taken on notice at the Council meeting held on 12 March 2002:**

- Q1 *My understanding is that Connell Wagner were not the original concept plan developers, when did you change and how much did it cost?*
- A1 It is correct that Connell Wagner were not the original Concept Plan consultants, and as previously advised, Council is under no obligation to go with previously appointed consultants. To expedite the preparation of a revised concept plan, the City used Connell Wagner, as part of a long term consultancy contract. Representatives of Connell Wagner and their sub-consultants were briefed on 27 February 2002, and the cost involved with preparing the revised plan is \$2,970.00, inclusive of GST.
- Q2 *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?*
- A2 In the 2000/01 budget year, Woods Bagot were engaged at a total cost of \$12,700.00. In the 2001/02 budget year, funds have been committed for consultancy work from Tabec (\$9,255.00) and Klyne Consulting (\$1,375.00). In addition, as previously mentioned, Connell Wagner have been engaged at a cost of \$2,970.00.
- Q3 *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?*
- A3 No. The Local Government Act 1995 does not refer anywhere to copies of tape recordings whether they be audio or visual.

*The City's Policy 2.2.6 "Council Meetings – Electronic Sound Recordings" refers to such things as "electronic recording, taped proceedings and recorded proceedings." As the title indicates it relates to "Sound Recordings"*

**The following questions, submitted by Ms M MacDonald, Mullaloo, were taken on notice at the Council meeting held on 12 March 2002:**

- 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 As previously advised, it has not been the practice, nor would it be practical, to separate out the staff related costs for each project to such a degree necessary

to achieve a total project cost with certainty of accuracy. A review of each officer's performance is undertaken on an annual basis, which takes Key Performance Indicators into account, including satisfactory completion or progress of projects.

*Q2 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?*

A2 Following Council's decision to abandon the Precinct Planning process, it was deemed appropriate that all other information on the Internet, in relation to this matter, be removed.

**The following questions, submitted by Ms Sue Hart, Greenwood, were taken on notice at the Council meeting held on 12 March 2002:**

*Q1 Can you please tell me what section of the Local Government Act 1995 requires a Special Electors Meeting to be visually or audibly recorded?*

Q1 None.

*Q2 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?*

A2 As previously advised, the vote of no confidence in the Mayor at the Special Electors meeting held at Greenwood High School, was re-counted as the initial vote taken was too close to determine, due to the large number of electors in attendance.

This is a common practice in meeting procedure and clause 4.8 of the City's Standing Orders Local law 1997, as outlined below, clearly indicates this:

“The chairperson shall in taking the vote on a motion or amendment, put the question first in the affirmative and then in the negative and may do so as often as is necessary to enable the Chairperson to form and declare an opinion as to whether the affirmative or the negative has the majority.”

**The following questions, submitted by Mr S Magyar, Heathridge, were taken on notice at the Council meeting held on 12 March 2002:**

*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 No. However, all elected members are provided with laptop computers and with a Council resolution to proceed in developing the computerised meeting system, there is a clear expectation that it will be used.

*Q2 What was the purpose of videoing the two special electors' meetings held in Greenwood and Kingsley?*

A2 To have a visual record of the meetings.

**The following question, submitted by Mr V Cusack, Kingsley, was taken on notice at the Council meeting held on 12 March 2002:**

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

A1 None.

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

*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.*

A1 Attendance figures supplied by RANS for the six month period ending 31/12/2001 were 250,654.

Information records retained by the City of Joondalup were based primarily upon financial performance, and attendance figures retained by the City were not subject to the same scrutiny as they are under the RANS management group.

Revenue collected in the six month period ending 31/12/2000 - \$988,540

Revenue collected in the six month period ending 31/12/2001 - \$1,084,972

*Q2(a) Would you please advise 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:*

A2(a) To date, \$1,704 has been collected.

*Q2(b) Would you please advise 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.*

A2(b) \$162,318 has been expended on Repairs and Maintenance

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

A3 The issue of Corporate Overheads was addressed in the report to Council (24/10/2000 CJ290 Operational Management and Lease City of Joondalup Leisure Centres)

### 3 APOLOGIES AND LEAVE OF ABSENCE

#### Leave of Absence previously approved

Cr Mackintosh	25 March – 19 April 2002 inclusive
Cr Hurst	28 March – 14 April 2002 inclusive
Cr Kadak	3 April - 24 May 2002 inclusive
Cr Barnett	20 April - 28 April 2002 inclusive

### 4 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

*Cr O'Brien stated his intention to declare a financial interest in Item CJ063-03/02 – Warrant of Payments (Voucher No 38108 Chubb Security Australia Pty Ltd)– 28 February 2002 as Chubb Security has taken over an FAI Extra Watch security at his residence.*

### 5 CONFIRMATION OF MINUTES

#### MINUTES OF COUNCIL MEETING, 12 MARCH 2002

#### **RECOMMENDATION**

**That the Minutes of the Council Meeting held on 12 March 2002 be confirmed as a true and correct record.**

### 6 ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

### 7 PETITIONS

### 8 REPORTS

## **CJ060 - 03/02      POLICY FOR DISPOSAL OF SURPLUS PERSONAL COMPUTERS – [38510]**

**WARD - All**

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CJ020319\_BRF.DOC:ITEM 1

### **PURPOSE**

To adopt a policy for the disposal of the City's surplus personal computers to schools and community groups.

### **EXECUTIVE SUMMARY**

The City of Joondalup purchases personal computers (PC) annually in accordance with its PC replacement schedule. The City will replace a PC after it has reached its useful life of 3 years. The City's current practice for disposal of PCs is by auction.

At its meeting of 13 November 2001 Council resolved to develop a policy that will enable the donation of surplus PCs to interested schools and community groups within the City of Joondalup. This report presents the recommended policy.

### **BACKGROUND**

The City's personal computers are currently replaced under a three-year rolling replacement program. Under this program up to one third of corporate PCs are replaced each year.

At present all computer equipment is fully depreciated over a three-year period. When computer equipment is replaced or made obsolete it is disposed of at public auction by the City, with any profits realised recorded against the City's Profit on Asset Disposal account. While the PCs are fully written off in the City's asset register, the PCs may realise up to \$100 per unit at auction depending on specification. Before PCs are sent to auction their hard drives are reformatted to remove all software licences and data, which remains the property of the City.

### **DETAILS**

Most of 85 PCs replaced this year will be recycled for use within the City's Libraries for public use, with approximately 30 PCs being surplus to requirements. Rather than dispose of the surplus PCs at auction, it is proposed that these PCs be donated to schools and community groups within the City of Joondalup.

It is proposed that the overall approach for this process for 2001/2002 and subsequent financial years will be as follows:

- The City will prepare a list of PCs that are surplus to requirements. This list will detail the specification of each computer and the date the equipment is available.
- Submissions will be invited from schools interested in the PCs. Guidelines for submissions are in line with the City's Community Funding guidelines and distribution decisions will be made by a panel consisting of both staff and elected members. In the event that insufficient interest is received from schools, then community groups will be offered the equipment.
- Any equipment that is not donated to schools and community groups will be auctioned.
- The hard drives of all PCs will be reformatted to remove all software and data before they are either donated or auctioned.
- A schedule of all PCs donated showing their identification details will be removed from the City's Asset Register.

### **Financial Implications:**

The surplus PCs have been written off in the City's asset register but may realise up to \$3,000 (30 units @ \$100 each) if disposed by auction.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That Council ADOPTS the Policy for Disposal of Surplus Personal Computers forming Attachment 1 to Report CJ060-03/02.**

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf190302.pdf](#)*

## **CJ061 - 03/02 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [15876]**

**WARD - All**

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CJ020319\_BRF.DOC:ITEM 2

### **PURPOSE**

To provide a listing of those documents executed by affixing the Common Seal for noting by Council.

### **EXECUTIVE SUMMARY**

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 14.02.2002 to 28.02.2002, not previously listed.

Document: Copyright  
Parties: City of Joondalup and Kevin Merifield  
Description: Recording of historical importance – Kevin Merifield  
Date: 14.02.02

Document: Lease  
Parties: City of Joondalup and Minister for Education  
Description: Craigie Pre-School  
Date: 14.02.02

Document: Deed  
Parties: City of Joondalup and van Gogh Holdings Pty Ltd  
Description: Access and Parking Agreement – Lot 100 (4) Elcar Lane, Joondalup  
Date: 14.02.02

Document: Agreement  
Parties: City of Joondalup  
Description: Amendment to District Planning Scheme No 2 – Amendment No 11  
Date: 18.02.02

Document: Agreement  
Parties: City of Joondalup  
Description: Amendment to District Planning Scheme No 2 – Amendment no 8  
Date: 18.02.02

Document: Copyright  
Parties: City of Joondalup and June Lyndhurst  
Description: Recording of historical importance – June Lyndhurst  
Date: 26.02.02

Document: Copyright  
Parties: City of Joondalup and Ken Mann  
Description: Recording of historical importance – Ken Mann  
Date: 26.02.02

Document: Deed  
Parties: City of Joondalup and State of Western Australia  
Description: Deed of Indemnity for City of Joondalup to use Law Courts grassed area for Joondalup Festival – 23 and 24 March 2002  
Date: 28.02.02

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That the Schedule of Documents executed by means of affixing the Common Seal be NOTED.**

## **CJ062 - 03/02      REVIEW OF THE COUNCIL'S DECISION-MAKING PROCESS - [02154] [08122] [27456] [23184]**

**WARD – All**

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CJ020319\_BRF.DOC:ITEM 3

### **PURPOSE**

For the City to ensure it is meeting best practice principles by reviewing its decision making process.

### **EXECUTIVE SUMMARY**

Section 5.25(g) of the Local Government Act 1995 and Clause 12 of the Local Government (Administration) Regulations 1996 require a local government to set its meeting dates and at least once each year give local public notice of the time, date and place of its ordinary meetings.

The Council at its Special Meeting held on 7 May 2001 agreed to meet on the second and fourth Tuesdays of each month, supported by informal briefing sessions on the first and third Tuesdays of the month (with the exception of December – one round of meetings; and January – Council recess). This meeting cycle was set for the period May 2001 to April 2002.

This mode of decision making is regarded as a modern approach that meets the needs of best practice principles and effectively provides better customer service to the community that local government serves.

In an effort to enhance the decision making process of the City, this paper has been prepared to further review the process and suggest improvements. The major reason for the review is due to the concerns relating to the ability to discuss issues of a strategic nature behind closed doors. The following options are suggested.

- Strategy Session/Briefing Session/Council Meeting per month;
- Strategy Session and Briefing Session/two Council Meetings per month;
- Two Strategy Sessions/two Council Meetings per month.

It is recommended that the option of Strategic Session, Briefing Session, ordinary Council meeting be adopted on a 'rolling' three week cycle, with the Council recessing for the Christmas/New Year period.

### **BACKGROUND**

Section 5.25(g) of the Local Government Act 1995 and Clause 12 of the Local Government (Administration) Regulations 1996 require a local government to set its meeting dates and give local public notice of the time, date and place of its ordinary meetings.

It is general practice that at a May meeting of each year, the Council reviews its meeting dates and timetable. The Council at its Special meeting held on 7 May 2001 resolved to:

- “1 **hold two Ordinary Council meetings per month on the second and fourth Tuesdays of each month commencing at 7.00 pm;**
- 2 **hold two informal briefing sessions per month, that are open to the public, on the first and third Tuesdays of each month commencing at 6.00 pm;**
- 3 **SET the following meeting dates for the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup;**

<b>Month</b>	<b><u>Briefing Sessions</u> to be held in Conference Room 1</b>	<b><u>Council Meetings</u> To be held in the Council Chamber</b>
<b>May 2001</b>	<b>Tuesday 15 May 2001</b>	<b>Tuesday 22 May 2001</b>
<b>June 2001</b>	<b>Tuesday 5 June 2001 Tuesday 19 June 2001</b>	<b>Tuesday 12 June 2001 Tuesday 26 June 2001</b>
<b>July 2001</b>	<b>Tuesday 3 July 2001 Tuesday 17 July 2001</b>	<b>Tuesday 10 July 2001 Tuesday 24 July 2001</b>
<b>August 2001</b>	<b>Tuesday 7 August 2001 Tuesday 21 August 2001</b>	<b>Tuesday 14 August 2001 Tuesday 28 August 2001</b>
<b>September 2001</b>	<b>Tuesday 4 September 2001  Tuesday 18 September 2001</b>	<b>Tuesday 11 September 2001 Tuesday 25 September 2001</b>
<b>October 2001</b>	<b>Tuesday 2 October 2001 Tuesday 16 October 2001</b>	<b>Tuesday 9 October 2001 Tuesday 23 October 2001</b>
<b>November 2001</b>	<b>Tuesday 6 November 2001  Tuesday 20 November 2001</b>	<b>Tuesday 13 November 2001 Tuesday 27 November 2001</b>
<b>December 2001</b>	<b>Tuesday 11 December 2001</b>	<b>Tuesday 18 December 2001</b>
<b>January 2002</b>	<b>Recess</b>	<b>Recess</b>
<b>February 2002</b>	<b>Tuesday 5 February 2002  Tuesday 19 February 2002</b>	<b>Tuesday 12 February 2002 Tuesday 26 February 2002</b>

<b>March 2002</b>	<b>Tuesday 5 March 2002</b> <b>Tuesday 19 March 2002</b>	<b>Tuesday 12 March 2002</b> <b>Tuesday 26 March 2002</b>
<b>April 2002</b>	<b>Tuesday 2 April 2002</b> <b>Tuesday 16 April 2002</b>	<b>Tuesday 9 April 2002</b> <b>Tuesday 23 April 2002</b>

**4 in accordance with the Local Government Act 1995, GIVE local public notice of the meeting dates as detailed in (3) above.”**

The two ordinary meetings of the Council per month, supported by two informal briefing sessions were introduced by the Joint Commissioners as from July 1998. This mode of decision making has continued by the newly elected Council for the City of Joondalup since December 1999.

The Council has also continued the practice of holding informal deputation sessions between the hours of 5.00 pm and 6.00 pm, prior to the Council meetings. This concept was introduced by the Joint Commissioners in an effort to allow members of the community to present their case on particular matters before the Council. Requests for deputations are to be submitted by 4.00 pm on the Friday prior to the Council meeting.

In an effort to assist the Council in its decision-making process, the former City of Wanneroo and the now City of Joondalup established numerous committees of an advisory nature. These were predominantly established in ‘specialised areas’ to assist the Council in its decision-making. A majority of these types of committees consisted of some elected member membership.

## **DETAILS**

The state of Western Australia is divided into districts and these local governments are governed by an elected Council. The role of the Council is to:

- direct and control the local government’s affairs;
- be responsible for the performance of the local government’s functions;
- oversee the allocation of the local government’s finances and resources; and
- determine the local government’s policies.

A local government is a body corporate with perpetual succession and a common seal. The elected Council consists of a Mayor, Deputy Mayor and Councillors.

The Local Government Act 1995 specifically explains the role and function of the Council, Mayor, Deputy Mayor, Councillor and the Chief Executive Officer. The role of the Council is as stated before and primarily focusing on policy setting and strategic initiatives for the organisation. Whereas, the role of the Chief Executive Officer is primarily focusing on implementing the decisions of the Council and being responsible for the day to day management of the organisation.

The decision making takes place when the Council meets as a whole in order to make informed decisions and such meetings are to be held so they are not more than three (3) months apart.

The Act details that the Council may make decisions through ordinary and/or special meetings of the Council. The Act also states that in order to assist the Council in its decision making process, it may delegate certain powers to either a committee or the Chief Executive Officer.

### **Option 1: Strategy Session/Briefing Session/Council Meeting – three weekly cycle.**

This option would effectively move the ‘green papers’ from after the draft agenda briefing, to a separate evening where the strategic session would be closed to the public. The strategy session would be held on the first Tuesday of the month, followed by the briefing session on the second Tuesday, followed by the ordinary meeting of the Council held on the third Tuesday. This would continue on a ‘rolling’ three weekly cycle, with the exception of the Christmas and New Year period.

#### **Advantages:**

- all elected members and the public are briefed at the same time on all issues on notice paper items;
- allows the administration to brief members on issues of a strategic nature in a conducive environment;
- does not tailor elected members into specialised access of the Council’s operations, eg expert in Technical Services items etc;
- no greater in meeting times (over period of the month) for elected members.

#### **Disadvantages:**

- Slower decision making times for the customers, deferred items are delayed by a minimum of three weeks and not the current delay of a fortnight;
- may be an increase in late and urgent business;
- potentially longer Council meetings;
- no ‘spare’ Tuesdays to deal with other matters that may arise.

### **Option 2: Strategy Session and Briefing Session/two Council Meetings per month**

This would see a continuation of the current meeting/briefing sessions cycle, however this option suggests that the ‘green papers’ of a strategic nature be discussed first, followed by the draft agenda items. More time and consideration would be given to the strategy issues, with points of clarification being sought on the draft notice paper items. These sessions would be closed to the public.

#### **Advantages:**

- improves the decision making time for the customer;
- shorter meetings for elected members;
- all elected members are briefed at the same time;
- allows for elected members to ask questions, points of clarification in a conducive environment and reduce the potential for confrontation;

- does not tailor elected members into specialised areas of the Council for example, expert in Technical Services items;
- if items are deferred, they are only deferred for a two week period;
- reduces the need for late and urgent business;
- closed briefing sessions may allow members to more ‘openly’ discuss matters.

**Disadvantages:**

- Possibly inadequate time to deal with all issues in one evening.

**Option 3: Two Strategy Sessions/two Council Meetings per month**

This would involve two strategy sessions on the first and third Tuesdays of the month, with ordinary meetings of the Council on the second and fourth Tuesdays. The strategy sessions would be closed to the public and the briefing sessions for the notice paper items would no longer occur with items being presented direct to the ordinary meeting.

**Advantages:**

- improves the decision making time for the customer;
- shorter meetings for elected members;
- all elected members are briefed at the same time;
- allows for elected members to ask questions, points of clarification in a conducive environment and reduce the potential for confrontation;
- does not tailor elected members into specialised areas of the Council for example, expert in Technical Services items;
- if items are deferred, they are only deferred for a two week period;
- reduces the need for late and urgent business.

**Disadvantages:**

- No opportunity for elected members to be briefed on ‘draft’ notice paper items in a group environment prior to consideration at a full Council meeting, therefore may lead to more items being deferred.

In an effort to ascertain what practices other leading local governments are following, the following information is forwarded:

**City of Wanneroo**

Comprises of an elected Council of 15 (Mayor and 14 elected members from seven wards). A three weekly meeting cycle comprising a Councillors/Staff Policy Forum in week one; briefing session in week two and a full Council meeting in week three. This continues with no break in the cycle with the exception of the Christmas/New Year recess. The City of Wanneroo has advised that it is undertaking a review of its decision making process.

### City of Melville

Comprises of an elected Council of nineteen (Mayor and 18 elected members from six wards). Three Standing Committees, two meet at the same time on same evening and the other meets a week later and then report to the one Council meeting per month. Each Standing Committee comprises the Mayor and six members, one member from each ward, with the other two ward members serving as deputies. The City of Melville has experienced difficulties in obtaining deputies to serve on a committee when the committee meetings are held on the same evening as the other Ward member would be attending the other committee meeting.

### City of Stirling

Comprises of an elected Council of fifteen (Mayor and 14 elected members). Four Standing Committees are established, with two meeting in the first week of the month and reporting to an ordinary meeting of the Council held in the second week. The remaining two committees would meet in the third week and report to the Council meeting scheduled for the last week of the month. Each committee comprises seven members, including the Mayor. Such a decision-making process is similar to having one Council meeting per month as items are required to go to the committee prior to being submitted to the Council for consideration.

### City of Perth

Comprises an elected Council of nine (Lord Mayor and eight elected members). The City of Perth operates the same decision making process as the City of Joondalup, the two Council meetings/two briefing sessions per month. The only difference being the briefing sessions are held during the day and are not open to the public. This process has been operating since the inaugural elections of the new City of Perth in 1995.

### City of Swan

Comprises an elected Council of fourteen (Mayor and 13 elected members). The City of Swan holds Briefing Sessions on an as-required basis, to consider those items which are to be submitted to Council in the longer term.

### City of Bunbury

Comprises an elected Council of thirteen (Mayor and 12 elected members). The City of Bunbury operates one Committee/one Council meeting twice per month. The Council itself comprises the Committee and reports to the Council itself, this happens twice per month.

### City of Manningham (Victoria)

Below is the comment received from the City of Manningham:

*On the Tuesday the week before and the Tuesday the week after a Council meeting, Council holds a strategic briefing session. This session considers draft policies and strategies at an early stage and has input into their development. It also considers the significant issues being reported to Council. The strategic briefing sessions are attended by all Councillors and our Executive Management Team. The Strategic*

*Briefing Sessions do not formally resolve on issues. The system works very effectively as it has the advantage of overcoming the confrontation between officers and Councillors over the contents of reports because there is a conducive environment in which they can discuss the issues, there is a cohesive working relationship between Councillors as they can discuss issues without feeling the need to grandstand in front of constituents and it generally improves the working relationship between Councillors and Officers.*

## COMMENT

Over the past decade, the focus of all manner of business has been concentrated on improved customer service. This relates as much to local governments as any other business, as our customers increasingly expect an improved quality of service.

In an attempt to achieve best practice principles, a modern approach that meets these requirements and effectively provides better customer service, has been adopted by many local governments. The administration of the City of Joondalup has been for some time striving to achieve best practice principles, including various benchmarking exercises. An example would be the combining of the building and planning approval process in an effort to better serve the customer. The modern approach involves the introduction of briefing sessions. The application of such meeting processes, provides the opportunity for all elected members to be equally informed, initially on an informal basis at the Briefing Session, where matters can be thoroughly discussed before any formal decision is to be made by full Council.

The document prepared by the Department of Local Government “The Preparation of Agendas and Minutes” states:

*“A well functioning local government is an excellent example of the elected body and the supporting administration working together to produce the best results for those that they serve, the community, the elected body and the administration come together at meetings of the Council, where the elected members knowledge and experience, and the advice from staff to make decisions.*

*With a well structured decision making process, this will lead to the elected body having efficient and effective meetings in order that they produce good decisions that are made following analysis of sound advice and constructive debate.”*

As stated before, the modern role of the elected body is to set policy and strategy, and provide goals and targets for the local government. The staff have the task of implementing the decisions. A well structured decision making process will provide the elected body with the opportunity to seek points of clarification, ask questions, adequate time to research issues and maximum time to debate matters before the Council. It would be fair to say that the time spent on briefing sessions could be better utilised discussing those matters of a strategic nature. This would allow the administration to make presentations and consult with the Council and seek direction on policy and strategic issues.

In an effort to allow members to better focus on the strategic direction of the Council, it is suggested to better achieve a more conducive environment to allow free flowing conversation amongst elected members and officers, that the strategy sessions be held behind closed doors and at a time which allows members to clearly focus on the issues before them. The current process of having the 'strategic' green papers discussed late on the evening following the draft notice paper items does not 'justify' the importance of the matters. Closing the strategy sessions will allow officers to make detailed presentations and seek feedback, direction and guidance from elected members.

It is still intended to hold briefing sessions which would be open to the public where the draft notice papers would be discussed.

The proposed meeting cycle does not include any form of session on the Tuesday evening following the Easter holiday period in 2003. Therefore there will be a two week period from the scheduled briefing session (15 April 2003) to the ordinary meeting of Council (29 April 2003).

### **Deputation sessions**

It is opportune to also raise the concerns relating to deputation sessions. It is evident that there appears to be difficulty for some elected members to attend the sessions in their current time slot. There is also a concern that having deputations immediately prior to a Council meeting may raise issues that need addressing prior to the Council meeting, with the current timeframe this cannot be done and may lead to the item being deferred for a two week period, or the Council making a decision potentially without all the matters being addressed.

In an effort to overcome this, it is suggested that deputations be moved to immediately prior to or as part of the briefing session, which will then allow issues raised at the sessions to be addressed prior to the matter being discussed by the full Council.

It should be noted that as the Council has set its meeting dates up to 16 April 2002, any change to this may require the original decision to be revoked, by an absolute majority.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 ADOPTS Option 1 as detailed in Report CJ062-03/02, being a strategy session (closed to the public), briefing session (draft notice paper) and ordinary Council meeting;**
- 2 AGREES to hold informal deputation sessions for those requesting them in conjunction with the briefing session;**

**3 SETS the following meeting dates for the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:**

<b>Strategy Sessions To be held at 6.00 pm in Conference Room 1</b>	<b>Briefing Session To be held at 6.00 pm in Conference Room 1</b>	<b>Council Meetings To be held at 7.00 pm in the Council Chamber</b>
<b>Tuesday 7 May 2002</b>	<b>Tuesday 14 May 2002</b>	<b>Tuesday 21 May 2002</b>
<b>Tuesday 28 May 2002</b>	<b>Tuesday 4 June 2002</b>	<b>Tuesday 11 June 2002</b>
<b>Tuesday 18 June 2002</b>	<b>Tuesday 25 June 2002</b>	<b>Tuesday 2 July 2002</b>
<b>Tuesday 9 July 2002</b>	<b>Tuesday 16 July 2002</b>	<b>Tuesday 23 July 2002</b>
<b>Tuesday 30 July 2002</b>	<b>Tuesday 6 August 2002</b>	<b>Tuesday 13 August 2002</b>
<b>Tuesday 20 August 2002</b>	<b>Tuesday 27 August 2002</b>	<b>Tuesday 3 September 2002</b>
<b>Tuesday 10 September 2002</b>	<b>Tuesday 17 September 2002</b>	<b>Tuesday 24 September 2002</b>
<b>Tuesday 1 October 2002</b>	<b>Tuesday 8 October 2002</b>	<b>Tuesday 15 October 2002</b>
<b>Tuesday 22 October 2002</b>	<b>Tuesday 29 October 2002</b>	<b>Tuesday 5 November 2002</b>
<b>Tuesday 12 November 2002</b>	<b>Tuesday 19 November 2002</b>	<b>Tuesday 26 November 2002</b>
<b>Tuesday 3 December 2002</b>	<b>Tuesday 10 December 2002</b>	<b>Tuesday 17 December 2002</b>
<b>January 2003 - Council recess</b>		
<b>Tuesday 4 February 2003</b>	<b>Tuesday 11 February 2003</b>	<b>Tuesday 18 February 2003</b>
<b>Tuesday 25 February 2003</b>	<b>Tuesday 4 March 2003</b>	<b>Tuesday 11 March 2003</b>
<b>Tuesday 18 March 2003</b>	<b>Tuesday 25 March 2003</b>	<b>Tuesday 1 April 2003</b>
<b>Tuesday 8 April 2003</b>	<b>Tuesday 15 April 2003</b>	<b>Tuesday 29 April 2003</b>
<b>Footnote: there is no meeting scheduled for the Tuesday after the Easter holiday period.</b>		

**4 in accordance with the Local Government Act 1995, GIVES local public notice of the meeting dates as detailed in (3) above.**

*Cr O'Brien stated his intention to declare a financial interest in Item CJ063-03/02 – Warrant of Payments (Voucher No 38108 Chubb Security Australia Pty Ltd)– 28 February 2002 as Chubb Security has taken over an FAI Extra Watch security at his residence.*

## **CJ063 - 03/02      WARRANT OF PAYMENTS - 28 FEBRUARY 2002 – [09882]**

**WARD - All**

CJ020319\_BRF.DOC:ITEM 4

### **PURPOSE**

The Warrant of Payments as at 28 February 2002 is submitted to Council to be noted.

### **EXECUTIVE SUMMARY**

This report details the cheques drawn on the funds during the month of February 2002. It seeks Council's approval for the payment of the February 2002 accounts.

### **DETAILS**

<b>FUNDS</b>	<b>VOUCHERS</b>	<b>AMOUNT</b>
		\$           c
Director Resource Management Advance Account	037607-038304	4,164,338.12
Municipal	000300A-000303	4,884,613.17
	<b>TOTAL</b>	<b>\$      9,048,951.29</b>

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

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of February 2002, the amount was \$505,505.20.

The cheque register is appended as Attachment A.

### **CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT**

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$9,048,951.29 which is to be submitted to each Councillor on 26 March 2002 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of

services and as to prices, computations and casting and the amounts shown are due for payment.

ALEXANDER SCOTT  
Manager Financial Services

J B TURKINGTON  
Director Corporate Services & Resource Management

### **CERTIFICATE OF MAYOR**

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$9,048,951.29 submitted to Council on 26 March 2002 is recommended for payment.

.....  
Mayor John Bombak

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 28 February 2002, certified by the Mayor and Director Corporate Services & Resource Management and totalling \$9,048,951.29.**

<b>FUNDS</b>	<b>VOUCHERS</b>	<b>AMOUNT</b>
		<b>\$ c</b>
<b>Director Resource Management Advance Account</b>	<b>037607-038304</b>	<b>4,164,338.12</b>
<b>Municipal</b>	<b>000300A-000303</b>	<b>4,884,613.17</b>
	<b>TOTAL \$</b>	<b>9,048,951.29</b>

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf190302.pdf](#)

## **CJ064 - 03/02      FINANCIAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2002 – [07882]**

**WARD - All**

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CJ020319\_BRF.DOC:ITEM 5

### **PURPOSE**

The February 2002 financial report is submitted to Council for noting.

### **EXECUTIVE SUMMARY**

The February 2002 report is the seventh financial report for the 2001/2002 year. The report shows a variance of \$4.3m when compared to the Adopted Budget for the year to date. This variance reflects differences attributable to the timing of revenue and expenditure and does not represent net savings for the year. This February 2002 report compares the actual results to the Adopted Budget and does not include the amendments arising from the half-year financial review. Reporting against the Revised Budget has not been possible for the February 2002 report, however changes arising from the half-year review will be included in the March 2002 report.

This variance can be analysed as follows-

- The **Operating** position shows an Operating surplus of \$1.9m to budget at the end of February 2002 due to revenue received in arrears of \$0.2m and the underspending in Labour and Materials & Contracts of \$2.1m.
- **Capital Expenditure** for the year-to-date is \$0.6m and is below the year-to-date budget of \$1.1m, a variance of \$0.5m at the end of February 2002.
- **Capital Works** expenditure for the year-to-date amounted to \$5.5m against a year-to-date budget of \$7.4m, a variance of \$1.9m at the end of February 2002. However, the City has committed expenditure through raised purchase orders of \$2.30m.

### **DETAILS**

The financial report for the month ending 28 February 2002 is appended as Attachment A

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That the Financial Report for the month ended 28 February 2002 be NOTED.**

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3agn260302.pdf](#)*

**CJ065 - 03/02 FINANCIAL SYSTEMS – AUDIT - [07882]****WARD - All**

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**PURPOSE**

The purpose of this report is to advise the Audit Committee and Council of the completion of the Financial Management Systems and Procedures Review carried out by Haines Norton, Chartered Accountants and to provide a copy of the report as required under the Local Government (Financial Management) Regulations 1996.

**EXECUTIVE SUMMARY**

The attached report provides details of the findings of a review of City's Financial Systems and Processes as required under the Local Government (Financial Management) Regulations 1996.

The review was undertaken by an independent firm of chartered accountants that specialise in consulting to local governments. While the findings indicate the City is financially well managed and sound and generally reflects well on the administration, it does indicate some areas where improvement can be achieved.

At its meeting held on 14 March 2002, the Audit Committee resolved that it be recommended to Council that the report on the Review of the City's Financial Systems and Processes undertaken by Haines Norton be noted.

**BACKGROUND**

The CEO of a local government is to review the City's Financial Systems and Processes and reporting the findings of that review to the local government, is a statutory requirement under the Local Government (Financial Management) Regulations 1996. The CEO of a local government is also charged with the responsibility of ensuring appropriate systems and procedures are in place to effectively record all financial transactions and facilitate proper management of financial matters in keeping with the various statutes applicable to financial management of a local government.

Accordingly, in December 2001, Haines Norton Chartered Accountants and Consultants to Local Government was engaged to undertake the independent review of the City's Financial Management Systems and Processes and report on the appropriateness and effectiveness of the control environment in place. A copy of the report on financial systems is attached.

## DETAILS

### Statutory Provision:

Provision of the attached report is in compliance with the requirement under Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 which requires the CEO to:

“undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.”

## COMMENT

The independent report provided on the City’s financial systems and processes is positive to the City and its financial management. Several matters of a minor nature need to be addressed in order to fully comply with Accounting legislation requirements. Positive action has already been initiated to address the two items of concern mentioned in the covering correspondence to the report, being Employee Entitlements Liabilities and General Access Security.

The Chief Executive Officer advised that legal advice is being sought in relation to the applying of the minimum rating on commercial properties with a view to refunding that portion of rates overcharged.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That Council NOTES the report on the Review of the City’s Financial Systems and Processes undertaken by Haines Norton on behalf of the CEO in accordance with Local Government (Financial Management) Regulation 5(2)(c).**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8agn260302.pdf](#)*

**CJ066 - 03/02      STATUTORY COMPLIANCE RETURN - [09492]****WARD - All**

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**PURPOSE**

To adopt the completed 2001 Compliance Audit Return.

**EXECUTIVE SUMMARY**

**The Joint Certification by the Mayor and the Chief Executive Officer to be read aloud at the meeting of the Council:**

*“We, John Bombak being the Mayor and Denis Ian Smith being the appointed Chief Executive Officer of the City of Joondalup hereby certify that:*

*The information contained in Parts A and B of this Return is true and correct to the best of our knowledge.*

*The Return was included in the agenda papers and considered by the Council at the Ordinary Meeting of the Council held in 26 March 2002.*

*The contents of this Certification was read out aloud to the meeting.*

*The particulars of any matters of concern relating to the Return were recorded in the Minutes of the meeting.*

*The Appendix attached to this Return is a true and correct copy of the relevant section(s) of those minutes*

*Subject to the matters of concern raised and recorded, the Council adopted the Compliance Return as the official Return of the Council for the period 1 January 2001 to 31 December 2001.”*

The City has completed the Department of Local Government’s compliance audit return for the period 1 January 2001 to 31 December 2001.

Presentation of this report and adoption of its recommendations will allow the City to meet all the necessary requirements, which are part of the audit process.

At its meeting held on 14 March 2002, the Audit Committee resolved that it be recommended to Council that the completed Local Government Compliance Audit Return for the period 1 January 2001 to 31 December 2001 be adopted.

## **BACKGROUND**

Some years ago, the Local Government Department introduced a voluntary statutory compliance assessment as a result of its concerns at the level of non-compliance within the industry.

To ensure requirements of the Local Government Act S.7.13(i) are followed sections 13, 14 and 15 of the Local Government (Audit) Regulations have been amended. This means that there is now a legal requirement to annually complete a Compliance Audit Return and return it to the Local Government Department by 31st March each year.

## **DETAILS**

The City places a high level of importance on being open and accountable and believes that the compliance audit return is a valuable tool to help achieve that outcome. The completed return is an attachment to this report.

To enable the City to meet all of its statutory requirements, performance measures such as the corporate compliance calendar and monthly compliance reports to the executive have been put in place. Along with these organisational measures the business unit initiatives ensure a thorough and ongoing compliance process.

With the exception of Clauses 6.21 (Administration), 6.33 (Code of Conduct), 7.3 (Local government employees), 9.5 (Primary Returns), 10.1 (Annual Report) and 12.12 (Rates) the return indicates total compliance. In regards to Clauses 6.21, 6.33, 7.3, 9.5, 10.1 and 12.12 of the return, the following explanatory notes are offered:

### 6.21 - ADMINISTRATION

With the exception of two minor committee meetings Council complied with this clause. The appropriate officers have been notified and inconsistencies will be rectified to ensure total compliance in the future.

### 6.33 - CODE OF CONDUCT

The Council is required to review its Code of Conduct within 12 months of each ordinary election (May 2001). At the completion of this return, the Code of Conduct had not been reviewed with a report to be presented to the Council in April 2002.

### 7.3 - LOCAL GOVERNMENT EMPLOYEES

In 2001 there was a considerable increase in the number of staff who had completed their performance review. Greater emphasis was placed on establishing processes and procedures to advise managers of impending reviews. This ensured the majority of employees received their annual performance review in the given timeframe. However there were some staff who did not receive their review within the timeframe. Every effort will be made to ensure that the performance of every employee will be reviewed in 2002 by putting in place stricter timeframes and guidelines.

### 9.5 - PRIMARY RETURNS

On one occasion, an employee in August 2001 completed an Annual Return, when in fact the employee was a 'new' employee and should have completed a Primary Return.

### 10.1 - ANNUAL REPORT

The 2000/01 Annual Report omitted to provide information as required by the National Competition Policy and Disability Services Act.

### 12.12 - RATES

The Minimum Payments on Commercial properties were levied on only 2.8% properties. The Local Government Act 1995 requires minimum payment to be on not less than 50%. This should have been undertaken by levying a differential rate.

## COMMENT

Following the adoption of the Compliance Audit Return, the Mayor and the Chief Executive Officer will jointly certify it.

### Return Audit

Arrangements have been made for an independent audit to be undertaken of the various reporting items included in the Statutory Compliance Return. A further report on the results of the audit will be provided to the Audit Committee.

## VOTING REQUIREMENTS

Simple Majority

*Note: It is a requirement of the Return that details of voting (ie carried 12/3) be recorded in the minutes.*

## RECOMMENDATION

**That Council ADOPTS the completed Local Government Compliance Audit Return for the period 1 January 2001 to 31 December 2001 and appended notes attached to Report CJ066-03/02.**

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9agn260302.pdf](#)*

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**CJ067 - 03/02 TENDER NO 027-01/02 - DESIGN AND CONSTRUCTION OF WHEEL SPORTS FACILITY – [74519] [027-01/02]**

**WARD** – North Coastal

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CJ020319\_BRF.DOC:ITEM 6

**PURPOSE**

To accept the tender from Skatetech WA of \$103,785 for the design and construction of a Wheel Sports Facility at MacNaughton Park, Kinross.

The location has previously been agreed and the scope of works submitted conforms to the Skatepark Committee requirements.

**EXECUTIVE SUMMARY**

Council advertised Tender No. 027-01/02 Statewide for Design and Construction of a Wheel Sports Facility.

One tender was received from Skatetech WA based in Margaret River, Western Australia. Evaluation of the tender confirms that Skatetech WA has the capacity and expertise to construct a wheel sports facility in accordance with the scope of works documentation.

*This report recommends that Council:*

- 1 *ACCEPTS the tender from Skatetech WA of \$103,785 for the Design and Construction of a Wheel Sports Facility at MacNaughton Park, Kinross;*
- 2 *AUTHORISES signing of the contract documents.*

**BACKGROUND**

Council included in the 2001/2002 adopted budget funding for the construction of Skateboard facilities amounting to \$276,465 (Account No. 4092).

Council, at its meeting of 12 March, 2002 received Report No (CJ054-03/02 refers) accepting Tender No. 38-01/02 Design and Construction of an insitu Skate Facility at Carine Regional Open Space in a joint venture with City of Stirling.

This report authorised expenditure of \$75,000 from Account No. 4092 in accordance with recommendations from the Skatepark Committee.

## DETAILS

MacNaughton Park was the agreed location for a Skatepark facility. Tender Documentation was prepared and advertised on 9 February, 2002 in The West Australian newspaper.

The tender for design and construction provided the opportunity for suppliers to provide “something different” in Skatepark options. The scope of works requires the tenderer to:

- a) provide detailed construction drawings for approval by the Principal within 20 calendar days of acceptance of tender
- b) Provide a detailed works program within 7 days of acceptance of the design by the Project Committee
- c) Construction works shall be completed within 40 calendar days from acceptance of the detailed design plans.

Skatetech WA has provided concept plans and preliminary construction plans for consideration. These concepts and preliminary plans conform to the requirements identified by the Skatepark Committee’s Needs Analysis.

Skatetech WA and Conquest Skate Parks, Queensland have combined to form Convic International Pty Ltd. This company brings together experience and expertise in Skatepark construction. Skatetech WA has listed 33 locations in WA where it has provided facilities.

### Selection Criteria

- Fitness of preliminary design submitted with the tender along with Principal’s purpose statement, competitive advantages of design features, spares availability in Western Australia
- Tenderer’s design and construction methodology and implementation strategy
- Tenderer’s resources (people, software, equipment and capability), experience and ability to deliver a cost effective solution and customer services within time
- Tenderer’s safety record, safety design, and quality control and management process
- Local content in the Tenderer’s selection of materials, resources and understanding local community needs

Skatetech WA has complied with the above tender evaluation criteria.

### Financial Implications:

Account No:	
Budget Item:	492
Budget Amount:	\$276,465
YTD Amount:	\$75,000 for joint venture with City of Stirling \$5,000 preliminary design fees
<b>Balance of Budget</b>	<b>\$196,465</b>

## Tender 027-01/02

Net Price	\$ 94,350	
Plus GST	\$ 9,435	
<b>Total</b>		<b>\$103,785</b>

## Additional Expenditure anticipated

Access Paths	\$ 9,000	
Lighting	\$ 2,600	
Water	\$ 1,860	
Furniture	\$ 5,000	
Project Total	\$122,245	
Contingency 5%	\$ 6,112	
<b>Grand Total</b>		<b>\$128,357</b>

**COMMENT**

The information provided by Skatetech WA for the Carine Open Space facility and the MacNaughton Park facility confirms the Company's position as the major provider of Skatepark facilities in Australia. It is therefore recommended that Tender No. 027-01/02 Design and Construction of Wheel Sports Facility be awarded to Skatetech WA.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION****That Council:**

- 1 ACCEPTS the tender from Skatetech WA for \$103,785 for the Design and Construction of Wheel Sports Facility at MacNaughton Park, Kinross;**
- 2 AUTHORISES the signing of the Contract documents.**

**CJ068 - 03/02      PARKING RESTRICTIONS - NEWPORT GARDENS,  
HILLARYS – [47608]****WARD** - Whitfords

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CJ020319\_BRF.DOC:ITEM 7

**PURPOSE**

Residents of Newport Gardens and Greenmount Heights are seeking approval for the installation of a parking restriction at the intersection of Newport Gardens and Greenmount Heights adjacent to Mawson Park.

**EXECUTIVE SUMMARY**

Residents of Newport Gardens and Greenmount Heights are seeking to restrict parking at the intersection of Newport Gardens and Greenmount Heights adjacent to Mawson Park to alleviate parking congestion problems associated with users of Mawson Park. Implementation of a parking restriction is presented for Councils consideration.

*This report recommends that Council APPROVES no stopping parking restriction on the eastern side of Newport Gardens at the intersection of Greenmount Heights as shown on Attachment 2*

**BACKGROUND**

At the 13 August 1997 Council meeting, a report was considered regarding residents and motorists concerns about the parking congestion problems in Newport Gardens caused by users of Mawson Park. A “NO PARKING ANYTIME CARRIAGEWAY OR VERGE” restriction on the residential side of Newport Gardens and Greenmount Heights was recommended and approved.

The existing parking restriction strategy is shown on Attachment 1.

**DETAILS**

Mawson Park is bounded by Flinders Avenue, Mawson Crescent and Newport Gardens in Hillarys. Mawson Park attracts a substantial number of users from the surrounding localities and as a result the majority of users travel to the park by motor vehicle.

At present, the majority of users of Mawson Park are parking in accordance with the existing parking restrictions on the reserve side of Newport Gardens. However, street residents have become concerned that parking during peak demand on the reserve side adjacent to the intersection of Newport Gardens and Greenmount Heights restricts traffic flow at the intersection.

In view of this, street residents have requested that consideration be given to restrict parking on the reserve side at the intersection of Newport Gardens and Greenmount Heights. Generally, a “NO STOPPING” restriction would be the most appropriate to reduce the congestion caused by parked vehicles, maintain the general traffic flow at all times and therefore increase the level of safety at this intersection. It is envisaged that a “NO STOPPING” restriction be delineated by a continuous yellow edge line.

The proposed parking restriction is shown on Attachment 2.

## COMMENTS

The proposal to restrict parking on the reserve side adjacent to the intersection of Newport Gardens and Greenmount Heights as per Attachment 2, will maintain the general traffic flow at all times and therefore increase the level of safety at the intersection.

On this basis, it is recommended that the proposed parking restriction be supported.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That Council APPROVES no stopping parking restriction on the eastern side of Newport Gardens at the intersection of Greenmount Heights as shown on Attachment 2 to Report CJ068-03/02.**

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf190302.pdf](#)*

## **CJ069 - 03/02 TENDER NUMBER 026-01/02 – CONSTRUCTION OF ON-STREET PARKING AND MINOR ROAD MODIFICATIONS AT SCHOOLS – [56519]**

**WARD** – Marina, Whitfords and South Coastal

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CJ020319\_BRF.DOC:ITEM 8

### **PURPOSE**

To seek approval for the acceptance of Works Infrastructure as the successful tenderer for Tender Number 026-01/02 – Construction of on-street parking and minor road modifications at schools.

### **EXECUTIVE SUMMARY**

As part of the 2001/02 Capital Work Program, Budget funds of \$180,000 were listed for the construction of on-street parking embayments and minor road modifications adjacent to schools. These projects are anticipated to improve safety for all road users by formalising parent parking and pedestrian access adjacent to schools.

In order to meet the Capital Works Construction timeframe, these projects have been programmed for construction by an external Civil Engineering Contractor. Accordingly a public tender was advertised and subsequently closed on 27 February 2002.

The Tender Evaluation Committee (TEC) has evaluated the tenders and recommends that Works Infrastructure be considered as the successful tenderer. As the tender price from Works Infrastructure is \$248,083 additional funding will be required.

In accordance with its written commitment, the Education Department will be invoiced for 50% of the project tendered amount of \$124,042.

It is proposed to allocate the additional amount of \$34,041 from funds available in the State Blackspot Programme.

*It is recommended that Council:*

- 1 *AUTHORISES BY AN ABSOLUTE MAJORITY in accordance with Section 6.8(1) of the Local Government Act 1995, re-allocation of \$17,020 from State Blackspot Project Number 6307 Warwick Road / Dorchester Avenue and \$17,021 from State Blackspot Project Number 6310 Whitfords Avenue / Kingsley Drive to Various Schools Street Parking Project Number 6298;*
- 2 *ACCEPTS Tender No. 026-01/02 submitted by Works Infrastructure for Supply and Construction of On-street Parking Embayments and minor road works for the lump sum price of \$248,083 plus GST of \$24,808;*
- 3 *AUTHORISES the contract documents be executed.*

## BACKGROUND

As part of the 2001/02 Capital Work Program, Council has listed construction of on-street parking embayments and minor road modifications adjacent various schools. These high profile projects are anticipated to improve safety for all road users by formalising parent parking adjacent to schools.

Funding priority is currently given to schools that have actively participated in a recognised Road Safety and Parking Program in the last twelve months.

However, final priority for funding of short-listed schools is subject to a 50% joint funding arrangement with the Education Department.

As part of the City's 2001/02 Capital Works Program, the Education Department has agreed to jointly fund the following projects;

- Ocean Reef Senior High School - Venturi Drive, Ocean Reef
- Mullaloo Heights Primary School - Charonia Road, Mullaloo
- Davallia Primary School - Juniper Way, Duncraig

The location of these projects are shown on attachments 1, 2 and 3.

In order to meet the 2001/02 Capital Works Construction timeframe, these projects have been programmed for construction by an external Civil Engineering Contractor.

Accordingly a public tender was advertised and subsequently closed on 27 February 2002.

## DETAILS

At the close of tenders, three tenders had been received from the following Civil Engineering Contractors.

	<b>Ocean Reef PS</b>	<b>Mullaloo PS</b>	<b>Davallia PS</b>	<b>Total</b>
• Works Infrastructure	\$57,650	\$88,842	\$101,591	\$248,083
• Densford	\$71,330	\$101,070	\$99,620	\$272,020
• Pavement Technology	\$85,473	\$126,277	\$120,000	\$331,750

The tender prices above do not include GST.

The lowest tender price includes provisional sums of \$43,643.

While these tender prices may reflect the current market rate, they are well in excess of the combined project estimates.

Notwithstanding, all conforming tenders were evaluated by the Tender Evaluation Committee (TEC) using a weighted multi-criterion assessment system based on the following selection criteria as specified in the Tender Information Document (TID).

- Lump Sum Price
- Construction Program
- Construction Methodology and Safety Management
- Previous experience with similar tasks
- Resources
- Contract Approach and Quality Management

By applying the above evaluation method, the TEC recommended that subject to additional funds being available that Works Infrastructure be awarded the tender for the lump sum price of \$248,083 (including provisional sums of \$43,643) excluding GST.

### Financial Implications:

Account No:	Project No. 6298		
Budget Item:	Various Schools Street Parking		
	<b>Education Dept</b>	<b>Municipal</b>	<b>Total</b>
Budget Amount	\$124,042	\$90,000	\$214,042
Contract Costs	\$124,042	\$124,041	\$248,083

As shown, insufficient funds are available to proceed with the awarding of a contract.

In order to complete the project as scheduled, it is proposed that the additional funds of \$34,041 be re-allocated from State Blackspot Projects Whitfords Avenue / Kingsley Drive and Warwick Road / Dorchester Avenue. It is anticipated that these projects will have available funds given the change in scope to the projects from roundabouts to traffic signals as detailed in the report to Council on 12 March 2002 (Item CJ055-03/02 refers).

Given that the Education Department has committed \$124,042 the cost to Council to complete the project will be \$124,041 if all the provisional funds are fully expended.

### COMMENT

While these tender prices may reflect the current market rate, they are well in excess of the project estimate.

Notwithstanding this, given that the works may significantly improve safety, traffic flow and pedestrian access to each school, the additional funding to complete the works to the anticipated standard is strongly supported.

On this basis it is recommended that Works Infrastructure be awarded the tender for the lump sum price of \$248,083 exclusive of GST.

In accordance with its written commitment, the Education Department will be invoiced for 50% of the project tendered amount of \$124,042.

## VOTING REQUIREMENTS

Absolute Majority

## RECOMMENDATION

### That Council;

- 1 AUTHORISES BY AN ABSOLUTE MAJORITY in accordance with Section 6.8(1) of the Local Government Act 1995, re-allocation of \$17,020 from State Blackspot Project Number 6307 Warwick Road / Dorchester Avenue and \$17,021 from State Blackspot Project Number 6310 Whitfords Avenue / Kingsley Drive to Various Schools Street Parking Project Number 6298;**
- 2 ACCEPTS Tender No 026-01/02 submitted by Works Infrastructure for Supply and Construction of On-street Parking Embayments and minor road works for the lump sum price of \$248,083 plus GST of \$24,808;**
- 3 AUTHORISES the contract documents be executed.**

*Appendix 7 refers*

*To access this attachment on electronic document, click here:* [Attach7brf190302.pdf](#)

## **CJ070 - 03/02      CLOSE      OF      ADVERTISING      -      PROPOSED AMENDMENT NO 10 TO DISTRICT PLANNING SCHEME NO. 2 – CENTRES STRATEGY – [09030]**

**WARD – All**

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CJ020319\_BRF.DOC:ITEM 9

### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

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

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

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

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

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

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

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

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

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

## BACKGROUND

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

## DETAIL

### Proposal

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Centres Strategy

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

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

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

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

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

Currently Schedule 3 distributes shopping net lettable area to selected lots in ‘Commercial’ and ‘Centre’ zones but not all lots. This results in some lots not being able to be developed for shopping purposes. For example a maximum 38,000m<sup>2</sup> NLA is currently permitted over the Warwick Grove Shopping Centre however this is restricted to only a number of lots identified in Schedule 3. The commercial land use survey indicates a total of 25,015m<sup>2</sup> occupied as shopping floor space, 12,985m<sup>2</sup> retail NLA is available for future expansion of the centre. As NLA distribution is restricted to a number of selected lots that have already been largely developed, the potential for further expansion of shopping net lettable area is restricted.

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

### Warburton Avenue.

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

### Summary

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

### **Previous Council Decision.**

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

### **Consultation**

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

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

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

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

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

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

### **Statutory Provision**

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

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

## COMMENT

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

Submissions for Lot 60 Warburton Avenue, are concerned largely with an existing development approval and the implications of redevelopment for the site that does not form part of this amendment. Under the current 'Mixed-Use' zoning a number of land-uses are permitted such as restaurant and office. The amendment proposes to allow limited 'shop' use in the 'Mixed-Use' zone by proposing special provisions under clause 3.2.2 and including Lot 60 Warburton Avenue into Schedule 3 as a Village Centre. The limited retail uses will complement existing land uses approved for the site.

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

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

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

### That Council:

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

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf190302.pdf](#)*

**CJ071 - 03/02 DELEGATED AUTHORITY REPORT – [07032]****WARD - All**

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CJ020319\_BRF.DOC:ITEM 10

**PURPOSE**

To submit items of Delegated Authority to Council for noting.

**EXECUTIVE SUMMARY**

This report provides a resumé of the Development Applications processed by Delegated Authority from 1 February to 28 February 2002.

**RECOMMENDATION**

**That Council NOTES the determinations made under Delegated Authority in relation to the applications described in Report CJ071-03/02.**

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf190302.pdf](#)

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**REPORT OF THE CHIEF EXECUTIVE OFFICER**

**ITEM 1 - SUPERANNUATION - [05030] [00033]**

**WARD - All**

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**This Item is**

**Confidential - Not For Publication**

**A report has been provided to Elected Members under separate cover and will be considered at the Council meeting on 26 March 2002.**

## 9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### **NOTICE OF MOTION NO 1 – CR C BAKER**

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Chris Baker has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 26 March 2002:

*“That the City of Joondalup:*

- 1 ACKNOWLEDGES the importance of using its best endeavours to ensure that the West Perth Football Club Inc (“the Club”) continues to be accommodated at the Arena Joondalup;*
- 2 ACKNOWLEDGES that the Arena Joondalup is owned and managed by the State Government Agency known as the W A Sports Centre Trust;*
- 3 NOTES that the Club is presently engaged in negotiations with the City of Wanneroo with a view to the Club re-locating from the Arena Joondalup to the Kingsway sporting facility located in the City of Wanneroo;*
- 4 CONSIDERS formulating a sponsorship package for the Club to encourage the Club to remain at the Arena Joondalup which package may include:*
  - (a) financial or in-kind assistance to the Club;*
  - (b) the matching, on a dollar for dollar basis, of any financial or in-kind assistance to the Club by the W A Sports Centre Trust or any other State Government Department or Agency, up to a maximum annual sum to be determined by the City of Joondalup;*
  - (c) a requirement that the Club markets itself as the Joondalup Falcons;*
  - (d) a requirement that any such sponsorship will be conditional upon the Club recognising the City of Joondalup’s sponsorship in all of the Club’s printed material and on its football jerseys;*
  - (e) an undertaking by the City of Joondalup to seek out other forms of sponsorship from the local business community, in conjunction with the Club.”*

**NOTICE OF MOTION NO 2 – MAYOR J BOMBAK**

In accordance with Clause 3.12 of the Standing Orders Local Law, Mayor John Bombak has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 26 March 2002:

*“That the CEO be requested to:*

- 1 PROVIDE a copy of the video recording of the Special Electors meeting held on 7 February 2002 in Greenwood to the principal organiser of the petition calling for the meeting;*
- 2 PREPARE a report establishing a policy on the recording, availability and distribution of visual recordings of Electors and Council meetings as a matter of urgency.”*

**NOTICE OF MOTION NO 3 - CR M O'BRIEN**

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Mike O'Brien has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 26 March 2002:

*“That:*

- 1 Council ADOPTS a system of Four Standing Committees for a 12 month trial period, commencing with the election of the Standing Committees at a Special Meeting of Council on Tuesday, 7 May 2002;*
- 2 there be one Councillor from each Ward as a member of each Standing Committee and the other Councillor from that Ward as the deputy member representing that Ward;*
- 3 The term of office for the membership of the Standing Committees be for a period of twelve (12) months;*
- 4 The Mayor be ex officio a member of each Standing Committee;*
- 5 the Chief Executive Officer be charged with the responsibility of channelling the system of Officer reporting to each of the Standing Committees;*
- 6 the Council SETS the meeting dates for the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup as:*

*First Tuesday*

*Meal – 6.00 pm*

***Works Committee***

*Committee Room 1 - 6.30 pm*

*Wednesday 15 May 2002*

*Tuesday 4 June 2002*

*Tuesday 2 July 2002*

*Tuesday 6 August 2002*

*Tuesday 3 September 2002*  
*Tuesday 1 October 2002*  
*Tuesday 5 November 2002*  
*Tuesday 3 December 2002*  
*Tuesday 4 February 2003*  
*Tuesday 4 March 2003*  
*Tuesday 1 April 2003*

*Monday after 1<sup>st</sup> Tuesday*  
*Meal - 6.00 pm*  
***Town Planning Committee***  
*Committee Room 1 - 6.30 pm*

*Monday 13 May 2002*  
*Monday 10 June 2002*  
*Monday 8 July 2002*  
*Monday 12 August 2002*  
*Monday 9 September 2002*  
*Monday 7 October 2002*  
*Monday 11 November 2002*  
*Monday 9 December 2002*  
*Monday 10 February 2003*  
*Monday 10 March 2003*  
*Monday 7 April 2003*

*Second Tuesday*  
*Meal - 6.00 pm*  
***Engineering Committee***  
*Committee Room 1 - 6.30 pm*

*Tuesday 14 May 2002*  
*Tuesday 11 June 2002*  
*Tuesday 9 July 2002*  
*Tuesday 13 August 2002*  
*Tuesday 10 September 2002*  
*Tuesday 8 October 2002*  
*Tuesday 12 November 2002*  
*Tuesday 10 December 2002*  
*Tuesday 11 February 2003*  
*Tuesday 11 March 2003*  
*Tuesday 8 April 2003*

*Third Tuesday*  
*Meal - 6.00 pm*  
***Finance Committee***  
*Committee Room 1 - 6.30 pm*

*Tuesday 21 May 2002*  
*Tuesday 18 June 2002*  
*Tuesday 16 July 2002*  
*Tuesday 20 August 2002*  
*Tuesday 17 September 2002*

*Tuesday 15 October 2002*  
*Tuesday 19 November 2002*  
*Tuesday 11 December 2002*  
*Tuesday 18 February 2003*  
*Tuesday 18 March 2003*  
*Tuesday 15 April 2003*

*Fourth Tuesday*  
*Meal - 6.00 pm*  
***Full Council***  
*Council Chamber - 6.30 pm*

*Tuesday 28 May 2002*  
*Tuesday 25 June 2002*  
*Tuesday 23 July 2002*  
*Tuesday 27 August 2002*  
*Tuesday 24 September 2002*  
*Tuesday 22 October 2002*  
*Tuesday 26 November 2002*  
*Tuesday 17 December 2002*  
*Tuesday 25 February 2003*  
*Tuesday 25 March 2003*  
*Tuesday 22 April 2003*

***Special Council***  
*Meal - 6.00 pm*  
*Council Chamber - 6.30 pm*

*Tuesday 7 May 2002* - *Special Council*  
*Tuesday 30 July 2002* - *Budget*  
*Tuesday 28 January 2003* - *Special Council*  
*Tuesday 6 May 2003* - *Special Council*

- 7 *Council AGREES to hold informal deputations in conjunction with the appropriate Standing Committees and/or Special or Full Council meetings;*
- 8 *Public Question Time be scheduled before the reports commence at Standing Committee meetings and that the Standing Committee shall have the right to meet with the public excluded where “confidential matters” are required to be so treated;*
- 9 *pursuant to the provisions of the Local Government Act 1995, PUBLIC NOTIFICATION is given of the schedule in (6) above.”*

**10 DATE OF NEXT MEETING**

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 9 APRIL 2002** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

**11 CLOSURE**

**DECLARATION OF INTEREST FORM, CLICK HERE:** [declofininterestsept2001.pdf](#)



City of  
Joondalup

**QUESTION TO MEETING OF COUNCIL**

**NAME** .....

**ADDRESS** .....

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**QUESTION** .....

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Please place this form in the tray provided at the meeting or post to:

The Chief Executive Officer  
City of Joondalup  
P O Box 21  
Joondalup WA 6919

**NOTE** Council is not obliged to respond to a question that does not relate to a matter affecting the municipality.

Questions at a Special Meeting of Council must relate to the stated purpose of the meeting.

**FOR SEATING PLAN OF THE COUNCIL CHAMBER, CLICK HERE:** [seatplan.pdf](#)