



*City of*  
**Joondalup**

**DRAFT AGENDA**

**FOR ELECTED MEMBERS'**

**BRIEFING SESSION**

**TUESDAY, 2 APRIL 2002**

## ***PUBLIC QUESTION TIME***

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

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

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

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

*The Mayor or presiding person shall decide to:*

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

*The following rules apply to question time:*

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

# CITY OF JOONDALUP – BRIEFING SESSION

to be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on  
**TUESDAY, 2 APRIL 2002** commencing at **6.00 pm**

## ORDER OF BUSINESS

### 1 OPEN AND WELCOME

### 2 PUBLIC QUESTION TIME

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

#### **Re Item 3: Review of the Council's Decision Making Process:**

Q1 Is it the intent of the Council and administration that the Strategic Briefing Sessions be used to review items that are intended to be presented at the following week's open to the public briefing sessions?

A1 No.

Q2 If it is the intent of the Council to use the Strategic Briefing Sessions to review items that will come to the Ordinary meeting of Council in the same cycle of Strategic Briefing Session, Briefing Session and Council meeting, does the Council see any conflict with the provisions of the Local Government Administration Regulation 14?

A2 No.

Q3 Can an explanation be made of how the proposed system of Strategic Briefing Sessions, Open to the Public Briefing Sessions, followed by the Ordinary Meetings of Council will promote the intent of the Local Government Act to provide greater community participation in the decisions and affairs of local governments and greater accountability of local governments to the communities?

A3 The proposed meeting session represents sound management practices and transparency in decision making.

Q4 If this proposed cycle of briefing sessions and Council meetings is adopted, will the public be given access to the documents made available to the Councillors as required under Local Government Administration Regulation 14?

A4 Public will be entitled to all public information.

Q5 Will Council be giving itself any powers or decision making powers for the Strategic Planning Sessions?

A5 No.

Q6 Will the Councillors at a Strategic Planning Session be able to instruct staff to withdraw or modify any reports or recommendation presented at the Strategic Planning Sessions?

A6 No.

Q7 Is it correct that if Councillors wished to change the recommendations sent to Council then the Council would have to establish a Reports Review Committee to give themselves the power to change recommendations to Council?

A7 Not applicable.

**Re: meeting between the Mayor and the Minister for Local Government.**

Q8 Is it true that the Mayor and the CEO recently met with the Minister for Local Government to complain that the provision that only 100 signatures are required to call a Special Electors meeting should be amended to make it more difficult for electors to call for such meetings?

A8 No.

Q9 Was this opinion given to the Minister by the Mayor as a private individual or as an expression of the thoughts of the Council?

A9 Not applicable.

Q10 If the Mayor was speaking on behalf of Council when did Council resolve that it believed that the Local Government Act should be amended to make it more difficult for electors to participate in the affairs of their local government?

A10 Not applicable.

Q11 In relation to Question 8 submitted for this meeting, an item within the “Desk of the CEO” mentioned a meeting with the Minister for Local Government. Can you give an assurance that the City will not make a statement to the Minister requiring more than 100 signatures to request a Special Electors’ meeting?

A11 Council has made no decision on this matter.

### **3 APOLOGIES AND LEAVE OF ABSENCE**

#### **Leave of absence previously approved:**

Cr J Hurst	28 March – 14 April 2002
Cr Mackintosh	25 March – 19 April 2002
Cr P Kadak	3 April – 24 May 2002
Cr T Barnett	20 April – 28 April 2002
Cr Carlos	4 April – 15 April 2002
Cr Kenworthy	8 April – 11 April 2002

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

### **5 REPORTS**

ITEM 1	SPECIAL MEETING OF ELECTORS HELD ON 18 MARCH 2002 AT TOM SIMPSON PARK, MULLALOO – [75029] [48840] .....	1
ITEM 2	SPECIAL MEETING OF ELECTORS HELD ON 25 MARCH 2002 AT WHITFORD SENIOR CITIZENS CENTRE, HILLARYS - [04045] .....	3
ITEM 3	CART DONATION - SHIRE OF MENZIES – [02004] [41887] [38634] .....	6
ITEM 4	CBD ENHANCEMENT PROJECT STEERING COMMITTEE [53469] .....	8
ITEM 5	MINUTES OF THE ENVIRONMENTAL AND SUSTAINABILITY ADVISORY COMMITTEE MEETINGS HELD ON 21 FEBRUARY & 21 MARCH 2002 – [00906] .....	15
ITEM 6	SUBMISSION – STATE GOVERNMENT’S SUSTAINABILITY STRATEGY – [00906] .....	18
ITEM 7	AMENDMENTS TO LOCAL GOVERNMENT HOUSE TRUST DEED – [00033] [38634] ....	20
ITEM 8	TENDER NUMBER 022-01/02 – SUPPLY AND LAYING OF BITUMINOUS CONCRETE SEAL – [15518] .....	24
ITEM 9	TENDER NUMBER 023-01/02 – PRUNING OF STREET TREES WITHIN THE CITY OF JOONDALUP – [27519] .....	27
ITEM 10	TENDER NUMBER 024-01/02 – SUPPLY AND APPLICATION OF BULK FERTILISER – [28519] .....	30
ITEM 11	TENDER NO 025-01/02 - REPLACEMENT OF "ASBESTOS CEMENT" ROOF JOONDALUP ADMINISTRATION CENTRE – [32519] .....	33
ITEM 12	CLOSURE OF CROWN LAND AIRSPACE DUE TO BALCONY ENCROACHMENTS – LOT 516 (205) LAKESIDE DRIVE, JOONDALUP – [35633] [04018] .....	38

---

## **ITEM 1 SPECIAL MEETING OF ELECTORS HELD ON 18 MARCH 2002 AT TOM SIMPSON PARK, MULLALOO – [75029] [48840]**

**WARD** - Whitfords

---

### **PURPOSE**

To submit the Minutes of the Special Meeting of Electors' held on 18 March 2002 to Council for noting and seek a further report addressing the motions raised at that meeting.

### **EXECUTIVE SUMMARY**

As requested by the electors of the City of Joondalup, a special meeting of electors was held on 18 March 2002 at Tom Simpson Park, Mullaloo.

As a result of this meeting a number of decisions were made by the electors, which in accordance with the Local Government Act 1995 are required to be considered by the Council at either an ordinary or special meeting of the Council.

Due to the time constraints, it is not practicable to submit the decisions from the electors' meetings to the Council meeting scheduled to be held on 9 April 2002. It is recommended that the Minutes of the Special Electors meeting are noted, and a further report submitted to Council addressing each of the motions carried at that meeting.

### **BACKGROUND**

A 324-signature petition was received requesting that a Special Meeting of Electors be held to enable the community to vote on the following motions:

- "1 Stop the relocation of the central car park to the grassed area in Tom Simpson Park, Mullaloo;*
- 2 Defer the elements of the concept plan for which there is no clear and demonstrable community support and have these issues considered further when a new plan has been drafted;*
- 3 Other matters that may be raised from the floor of the meeting relating to the Mullaloo Beach Precinct Plan or Preservation of Reserves Policy or any other matters of concern to residents of the City of Joondalup."*

### **DETAILS**

In accordance with the provisions of the Local Government Act 1995, a Special Meeting of Electors was held at 7.00 pm on Monday 18 March 2002 at Tom Simpson Park, Oceanside Promenade, Mullaloo. This meeting was duly advertised in the local community newspaper.

There were in excess of 500 members of the public in attendance, 359 of whom signed the attendance record.

The minutes of the meeting are attached - Appendix 1 to this Report refers.

## COMMENT

Any decisions made at electors' meeting are required to be considered by the Council. Section 5.33 of the Local Government Act 1995 states those decisions are required to be considered by the Council at the next ordinary meeting of the Council. Where that is not practicable then at the first ordinary Council meeting after that meeting or a special meeting of the Council called for that purpose; whichever happens first.

Section 5.33 further states that if at a meeting of the Council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the Council meeting.

Due to the time constraints, it is not practicable to submit the decisions from the electors' meetings to the Council meeting scheduled to be held on 9 April 2002. It is recommended that the Minutes of the Special Electors meeting are noted, and a further report submitted to Council addressing each of the motions carried at that meeting.

## VOTING REQUIREMENTS

Simple majority.

## RECOMMENDATION

### **That Council:**

- 1 NOTES the minutes of the Special Meeting of Electors held on 18 March 2002 at Tom Simpson Park, Oceanside Promenade, Mullaloo, forming Attachment 1 to this Report;**
- 2 SEEKS a further report addressing each of the motions carried at that Special Meeting of Electors as detailed in (1) above.**

*Appendix 8 refers*

To access this attachment on electronic document, click here [Attach8brf020402.pdf](#)

[Attendance180302.pdf](#)

## **ITEM 2 SPECIAL MEETING OF ELECTORS HELD ON 25 MARCH 2002 AT WHITFORD SENIOR CITIZENS CENTRE, HILLARYS - [04045]**

**WARD** - Whitfords

---

### **PURPOSE**

To submit the Minutes of the Special Meeting of Electors' held on 25 March 2002 to Council for noting.

### **EXECUTIVE SUMMARY**

As requested by the electors of the City of Joondalup, a special meeting of electors was held on 25 March 2002 at Whitford Senior Citizens Hall, Hillarys.

The main purpose for the special electors' meetings was to discuss concerns of the Whitford Senior Citizens Club in relation to the hall.

In accordance with the Local Government Act 1995, any decisions made at a special meeting of electors are required to be considered by the Council at either an ordinary or special meeting of the Council. As the Council has determined this issue within Item CJ043-02/02, it is suggested that the Council notes the decisions of the electors' meetings and reaffirms its decision CJ043-02/02 of 26 February 2002.

### **BACKGROUND**

A 197-signature petition was received requesting that a Special Meeting of Electors be held to consider the following motions:

- “1 That this meeting of Electors calls upon the City of Joondalup’s Councillors to abandon any attempts that would affect this Senior Citizens Hall, by way of granting, exchanging, selling or transferring to any Private or Public Company and/or any Australian and/or International Corporate Entity any rights over Lot 503 on which this building stands together with and including its adjacent facilities;*
- 2 This meeting of Electors calls upon the Councillors, to protect the Property belonging to the Citizens of the City of Joondalup, in the form of City of Joondalup Council, having its responsibility, as trustees, required to act on behalf of its citizens, not on behalf of some profit motivated corporate company;*
- 3 This meeting calls upon the Councillors of the City of Joondalup, to stop treating Seniors in this City as second class citizens and get on with the job of properly maintaining its buildings and upgrading them where required;*
- 4 Any other business in order brought forward by the Electors present at the Electors’ meeting.”*



## DETAILS

In accordance with the provisions of the Local Government Act 1995, a Special Meeting of Electors was held at 7.00 pm on Monday 25 March 2002 at Whitford Senior Citizens Hall, cnr Banks and Marmion Avenues, Hillarys.

There were 115 members of the public in attendance. The minutes of the meeting are now attached - Appendix 1 refers.

Council at its meeting held on 26 February 2002 (Item CJ043-02/02) resolved as follows:

- “1 Council NOTES the content of this preliminary report;*
- 2 Council NOMINATES Cr Hurst, Cr Mackintosh, Cr Walker and Cr Carlos and the Executive Committee of Management of the Whitford Senior Citizens Association Inc and the Association of Independent Retirees to form part of the Project Team to negotiate only the relocation of the library service and its contents and that the owners of Whitford City Shopping Centre be informed that Council will not entertain any change in the municipality’s ownership of Lot 503, Volume 1551, Folio 105;*
- 3 further the Whitford City Senior Citizens Association, the Whitford Branch of the Pensioners League, the Self-Funded Retirees Association and any other user groups that use the Whitford Senior Citizens building be informed that Council does not intend to allow any intrusion into Lot 503 which was transferred to Council for community use by National Mutual;*
- 4 should negotiations result in the library being relocated into the Shopping Centre, it is Council’s intention that that part of the building which would be vacated, shall be converted for the expanding needs for seniors and community group facilities and remain intact on Lot 503;*
- 5 should negotiations result in the library being relocated into the Shopping Centre, it is Council’s intention that that part of the building which would be vacated, shall be subject to refurbishment and minor modification to suit the needs of non-profit community groups.”*

## COMMENT

Any decisions made at electors’ meeting are required to be considered by the Council. Section 5.33 of the Local Government Act 1995 states those decisions are required to be considered by the Council at the next ordinary meeting of the Council. Where that is not practicable then at the first ordinary Council meeting after that meeting or a special meeting of the Council called for that purpose; whichever happens first.

Section 5.33 further states that if at a meeting of the Council a local government makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the Council meeting.

The main purpose for the special electors’ meetings was to discuss concerns of the Whitford Senior Citizens Club in relation to the hall. As the Council has determined this issue within

Item CJ043-02/02, it is suggested that the Council notes the Minutes of the electors' meetings and reaffirms its decision CJ043-02/02 of 26 February 2002.

## VOTING REQUIREMENTS

Simple majority.

## RECOMMENDATION

### That Council:

- 1 **NOTES** the minutes of the Special Meeting of Electors held on 25 March 2002 at Whitford Senior Citizens Centre, Hillarys, forming Attachment 1 to this Report;
- 2 **REAFFIRMS** its decision of 26 February 2002 (Item CJ043-02/02 refers) being that:
  - “1 Council NOTES the content of this preliminary report;*
  - 2 Council NOMINATES Cr Hurst, Cr Mackintosh, Cr Walker and Cr Carlos and the Executive Committee of Management of the Whitford Senior Citizens Association Inc and the Association of Independent Retirees to form part of the Project Team to negotiate only the relocation of the library service and its contents and that the owners of Whitford City Shopping Centre be informed that Council will not entertain any change in the municipality's ownership of Lot 503, Volume 1551, Folio 105;*
  - 3 further the Whitford City Senior Citizens Association, the Whitford Branch of the Pensioners League, the Self-Funded Retirees Association and any other user groups that use the Whitford Senior Citizens building be informed that Council does not intend to allow any intrusion into Lot 503 which was transferred to Council for community use by National Mutual;*
  - 4 should negotiations result in the library being relocated into the Shopping Centre, it is Council's intention that that part of the building which would be vacated, shall be converted for the expanding needs for seniors and community group facilities and remain intact on Lot 503;*
  - 5 should negotiations result in the library being relocated into the Shopping Centre, it is Council's intention that that part of the building which would be vacated, shall be subject to refurbishment and minor modification to suit the needs of non-profit community groups.”*

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf020402.pdf](#)

[Attendance250302.pdf](#)

### **ITEM 3     **CART DONATION - SHIRE OF MENZIES – [02004] [41887] [38634]****

**WARD - All**

---

#### **PURPOSE**

The purpose of the report is to bring to Council's attention a request from the Shire of Menzies for the donation of the old four wheeled cart currently on display outside Gloucester Lodge in Yanchep and to seek Council's approval to the donation.

#### **EXECUTIVE SUMMARY**

The City of Wanneroo was approached by the Shire of Menzies seeking the donation of the four wheeled cart currently on display outside Gloucester Lodge. The cart was previously used in the Menzies area and it is proposed that if returned, it be used in a museum display in Menzies of heritage items of its area. The City of Wanneroo has in turn written to Council as joint owners of the cart, seeking its agreement to the donation.

#### **BACKGROUND**

In the 1980's the City of Wanneroo acquired an old four wheel cart that had been used in the Menzies area and placed it on display outside Gloucester Lodge in Yanchep, as a museum attraction.

#### **DETAILS**

The Shire of Menzies is forming its own museum collection. The City of Wanneroo advises that the cart has no provenance to the Wanneroo/Joondalup area. However, it does indicate a type of vehicle used in that era. The City of Wanneroo indicated support to return the cart to its original place of use and seeks agreement from the City of Joondalup to the donation of the cart to the Shire of Menzies.

There is no record of a four wheel cart on the City's Asset Register. It is understood that the cart was purchased by the former Shire of Wanneroo on the recommendation of the Gloucester Lodge Management Committee of the day for display at Gloucester Lodge. It is also understood that the cart is listed as an item of memorabilia as part of the Heritage Collections of the former City of Wanneroo and therefore in joint ownership with the City of Wanneroo.

#### **COMMENT**

It is considered that this request provides the City with an excellent opportunity to support the work of the Shire of Menzies in establishing its own museum collection in recognition of its heritage, by donating this item to them.

Should the City agree to the request of the Shire of Menzies it is recommended that it be on the condition that there is no cost to the City.

## **VOTING REQUIREMENTS**

Simple majority.

## **RECOMMENDATION**

**That Council as joint owners with the City of Wanneroo, APPROVES the donation of the old four wheeled cart currently located outside Gloucester Lodge in Yanchep to the Shire of Menzies subject to there being no cost to Council.**

## **ITEM 4                      CBD    ENHANCEMENT    PROJECT    STEERING    COMMITTEE [53469]**

**WARD - All**

---

### **PURPOSE**

To establish a Steering Committee for the CBD Enhancement Project that will progress the City's vision to develop a unique City Centre.

### **EXECUTIVE SUMMARY**

Seed funding has been made available from the Federal Government through the Regional Assistance Program (RAP) to promote the Joondalup CBD in a manner that is consistent with the City's vision for its City Centre over three financial years to the end of 2003/04.

The managing of the RAP contract with the Federal Government requires a Committee to monitor the financial probity of the project within the seed-funding period to January 2003. Such a Committee may be established in accordance with Section 5.8 of the Western Australian Local Government Act 1995.

*This report recommends that Council:*

- 1     *ESTABLISHES by an ABSOLUTE MAJORITY a CBD Enhancement Project Steering Committee to make recommendations to Council concerning broad priorities and financial monitoring of the CBD Enhancement Project and to recommend strategies for the project's financial self-sufficiency beyond the 2003/04 financial year;*
- 2     *APPOINTS by an ABSOLUTE MAJORITY the following persons to the Committee detailed in 1 above, being:*
  - (a)     *the two Lakeside Councillors;*
  - (b)     *two other Councillors;*
  - (c)     *a representative from each of the following stakeholder groups:*
    - *The Joondalup Business Association;*
    - *The Perth Area Consultative Committee;*
    - *The Department of Training(North Metropolitan Employment Office) ; and*
    - *The North Metropolitan Business Enterprise Centre (BEC).*

### **BACKGROUND**

On 20 September 2001, the City of Joondalup signed a funding agreement with the then Federal Department of Employment, Workplace Relations and Small Business (DEWRSB) for a Regional Assistance Program (RAP) to seed-fund the Joondalup CBD Enhancement Project. The project summary description (Item 1.5) stipulated under the RAP funding agreement is summarised as follows:

“The Joondalup CBD Enhancement Project seeks to generate a targeted total of 150-200 equivalent full time jobs in Joondalup’s Central Business District utilising the commercial space available ... and developments on currently vacant land zoned as commercial.

*A key element of the project is to fund a Promotions Officer ... to:*

- *Develop a marketing identity for the CBD area of the City of Joondalup to improve its capture of the City’s surrounding residential consumer market;*
- *Co-ordinate and maximise CBD business stakeholder promotion to local consumers in conjunction with the City of Joondalup’s schedule of events and festivals;*
- *Develop a program of business and marketing seminars and networking for CBD business stakeholders to grow their business and employ additional staff.*

*Measurable outcomes of the project include:*

- *the number of businesses generated taking up vacant premises in the target area;*
- *the number of persons employed in the target area; and*
- *the level of business confidence among stakeholders in the target area.”*

To date, the key developments in the CBD Enhancement Project have included:

- The appointment of the CBD Promotions Officer commencing early February 2002;
- The completion of a survey and base-data collection of the CBD Enhancement target area by the Research and Development Centre of West Coast College to inform the project and facilitate the required project evaluation with the concluding of the RAP funding period at the end of January 2003; and
- The hosting of a successful CBD Promotions workshop co-sponsored with the Joondalup Business Association (JBA) on Wednesday 20 March 2002.

The 20 March 2002 Workshop may be summarised as having supported the following key outcomes for the CBD Enhancement Project:

- To facilitate a vibrant location with employment, entertainment, shopping, restaurants, arts, culture and university life by developing and implementing a co-ordinated marketing plan; and
- To create a sustainable mix of (new) businesses to the area by working with property owners/agents to target potential new businesses that may fill an unmet local consumer demand.

**Strategic Plan:**

Under the key result areas of ‘Lifestyle’, Strategy 2.2 of its Strategic Plan 2000-2005, the City states that it will:

*“Facilitate the development of the Joondalup City Centre”.*

The CBD Enhancement Project is consistent with this key result area sought by the City’s Strategic Plan 2000-2005.

**DETAILS**

The seed funding provided to the City by the Federal Government totals \$65,742 (\$59,168 excluding GST) and was facilitated through the Perth Area Consultative Committee (Perth ACC) for a specified 15-month period from 1 October 2001 and to 31 January 2003. A core requirement of the RAP funding was a stipulated process for the Project’s monitoring and evaluation.

A requirement under section 1.15 of the final RAP funding application form includes a Project Management Committee will be formed to provide guidance for a longer period encompassing three financial years (2001/02 to 2003/04) for the project – beyond the seed-funding period concluding in the end of January 2003.

This report recommends that Council establishes a CBD Enhancement Steering Committee in accordance with Section 5.8 of the WA Local Government Act with the main objectives of the Committee being:

- To monitor the financial accountability requirements of the City’s funding contract under the Regional Assistance Program to the end of the contract period in January 2003;
- To make recommendations to Council concerning the broad priorities of the CBD Enhancement Project to the end of June 2004; and
- Consider issues regarding the project’s possible financial self-sufficiency by the nominated target of the 2004/05 financial year.

Section 5.8 requires a voting requirement of an absolute majority of Council for the establishment of a Committee in accordance with the Local Government Act 1995.

The Regional Funding Contract also requires a number of members to be present on the Steering Committee. It is recommended that Council invite four additional representatives from the organisations listed below to the Committee in order to comply with the requirements of the Regional Assistance Program contract agreement:

- Joondalup Business Association (JBA);
- Perth Area Consultative Committee (ACC);
- Department of Training (Regional Employment Coordinator, North Metropolitan);
- North Metropolitan Business Enterprise Centre (BEC).

This broadened membership of the Steering Committee will ensure the City’s compliance with the funding contract for the project with the Federal Government under the Regional Assistance Program (RAP). (Administration of RAP was transferred from DEWRSB to the

Federal Department of Transport and Regional Services [DTRS] under recent Federal Government restructure.)

Proposed Work Plan and Implementation for the CBD Enhancement Project to the end of 2002/03

A proposed work plan for the remainder of the period funded by the Regional Assistance Program (RAP) to January 2003 and to the end of the 2002/03 financial year consistent with the outcome of the 20 March 2002 workshop may include though not limited to the following:

- 1) A gap analysis/survey of anticipated local community, worker and student demands for goods and services currently not provided that would inform a targeted information package (for property agents) and prospective businesses to take up vacant commercial space in the Joondalup CBD. Waivers of application development fees and required licensing for targeted businesses may also apply to the area for a specific period such as the 2002/03 financial year. The first phase of this gap analysis has been incorporated into the intensive survey of CBD visitors to the Joondalup Festival of 23-24 March 2002.
- 2) A marketing plan to develop an identity for the Joondalup CBD incorporating a schedule of public/cultural events in the area that also strategically promotes (or launches) a range of finalised initiatives.

It is proposed that the implementation of the project be co-ordinated by the CBD Promotions Officer in conjunction with a CBD Enhancement Project Team that comprises of officers from the following management units:

- Marketing, Communications and Council Support;
- Planning, Approvals and Environmental Services;
- Operation Services; and
- Community Development Services.

### **Statutory Provision:**

The CBD Enhancement Project is to be steered and monitored in accordance with the provision of Section 5.8 of the Local Government Act 1995 which states that:

*“A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.”*

(\*An absolute majority voting requirement of Council is required to establish a Committee in accordance with Section 5.8 of the Local Government Act 1995.)

### **Financial Implications:**

Under Regional Assistance Program (RAP) the funding contract with the Federal Department of Transport and Regional Services (DTRS) will fund the project up to \$65,742 (\$59,168 excl GST) for a 15-month period between October 2001 to January 2003 under the following schedule of instalments.



<b>Gross Amount</b>	<b>Amount Excl. GST</b>	<b>Details</b>
\$32,868	\$29,581	This amount was transferred to the City of Joondalup in October 2001 and is expected to cover the salary of the CBD Enhancement Promotions Officer to end of June 2002.
\$23,001	\$20,701	To be paid within 30 days of receipt by DTRS of satisfactory acquittal of the first payment and a correct rendered invoice. This is anticipated to be in early July 2002 with the salary commitment to the CBD Promotions Coordinator and assuming the expenditure of \$9,000 for the project before the close of the 2001/02 financial year.
\$9,873	\$8,886	Final payment (in arrears) within 30 days of receipt by DTRS of a satisfactory audit report, without any qualification, and a correctly rendered invoice. This is anticipated to be by end of March 2003.
<b>\$65,742</b>	<b>\$59,168</b>	Total seed funding provided by DTRS between September 2001 and March 2003.

The Federal Government seed funding is anticipated to be sufficient to fund the salary of the CBD Promotions Officer to the end of January 2003 (end of the RAP funding contract) with an additional \$9,000 for initiatives under the project.

An additional submission has been made as part of the 2002/03 budget (priority 1 category) process and this is summarised in the table below as an absolute minimum requirement to ensure the project's progress. Other initiatives have also been proposed as priority categories 2, 3 and 4 under the forthcoming budget process.

<b>Item</b>	<b>Amount</b>	<b>Description/Comment</b>
<b>Revenue</b>	<b>\$29,587</b>	Expected Regional Assistance Program (RAP) grant funding for 2002/03.
<b>Expenditure</b>	<b>\$80,605</b>	
Promotions Officer salary and on-costs.	\$50,605	CBD Promotions Officer salary and costs will be funded from RAP grant to end of January 2003. The remainder of the 2002/03 salary and on-costs is sought from the City of Joondalup budget allocation.
Materials and contracts.	\$30,000	This amount is sought for the implementation of the CBD Marketing plan and other projects as approved by the Steering Committee in the 2002/03 financial year.
<b>Project budget allocation sought from City of Joondalup in 2002/03.</b>	<b>\$51,018</b>	This minimum amount is sought as part of the 2002/03 budget process.

Another consideration for the Steering Committee is to explore options whereby the Joondalup's on-going promotion can be financially self-sufficient and stakeholder-funded by the nominal target financial year 2004/05.

## COMMENT

The risks associated with the CBD Project include:

- The potential for stakeholder expectations to exceed the City's capacity to address the problems associated with parts of the CBD, as highlighted by the recent 20 March 2002 Workshop.

- A limited level of available funding for the project, particularly during the determination of the Administration’s budget in the forthcoming 2002/03 financial year.

Key success factors underpinning the CBD Enhancement project include:

- A sophisticated level of organisational co-operation and resource sharing within the City’s Administration to schedule, deliver and promote initiatives that are and will directly impact on the CBD’s future commercial viability.
- Continued engagement with the stakeholders involved to encourage their participation and ownership of the project.
- Where possible, cross-promotion of the CBD with other related initiatives with “spill-over effects” into the target areas such as the ‘Learning City’ project as well as the City’s year-round schedule of cultural events.
- A level of flexibility within the Steering Committee to allow for unanticipated environmental factors and learn from unexpected outcomes during the project’s progress.
- Attention - once the project is successfully under-way - to developing strategies to facilitate the CBD’s on-going promotion on a financially self-sustained and stakeholder-supported basis in the medium to longer term.

## **VOTING REQUIREMENTS**

Absolute Majority

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

- 1 ESTABLISHES by an ABSOLUTE MAJORITY a CBD Enhancement Project Steering Committee to make recommendations to Council concerning broad priorities and financial monitoring of the CBD Enhancement Project and to recommend strategies for the project's financial self-sufficiency beyond the 2003/04 financial year;**
- 2 APPOINTS BY AN ABSOLUTE MAJORITY the following persons to the Committee detailed in 1 above, being:**
  - (a) the two Lakeside Councillors;**
  - (b) two other Councillors;**
  - (c) a representative from each of the following stakeholder groups:**
    - The Joondalup Business Association;**
    - The Perth Area Consultative Committee;**
    - The Department of Training (North Metropolitan Employment Office); and**
    - The North Metropolitan Business Enterprise Centre (BEC).**

## **ITEM 5 MINUTES OF THE ENVIRONMENTAL AND SUSTAINABILITY ADVISORY COMMITTEE MEETINGS HELD ON 21 FEBRUARY & 21 MARCH 2002 – [00906]**

**WARD - All**

---

### **PURPOSE**

The Environmental and Sustainability Advisory Committee met on 21 February and 21 March 2002 and the minutes of the meetings are submitted for noting by Council, and consideration of relevant recommendations.

### **EXECUTIVE SUMMARY**

The Environmental and Sustainability Advisory Committee considered a range of business items at its meetings held on 21 February and 21 March 2002 and the following recommendations to Council have been made in relation to:

- A submission on the State Government's Sustainability Strategy. (This is the subject of a separate report)
- Sustainability information for the City's web site.
- Appointment of new members to the committee.
- Resignation of Committee member Mrs J Richards.

*This report recommends that Council:*

- 1 *NOTES the minutes of the Environmental and Sustainability Advisory Committee meetings held on 21 February and 21 March 2002;*
- 2 *PROVIDES key sustainability information for the community including sustainability pilot projects, funding sources, grants, awards and network contacts;*
- 3 *ACCEPTS the resignation of Mrs J Richards from the Committee.*
- 4 *APPOINTS BY AN ABSOLUTE MAJORITY a representative from Edith Cowan University to the Environmental and Sustainability Advisory Committee to enhance the partnership between the City of Joondalup and Edith Cowan University in place of the previous committee member being the City's former Manager Organisation and Strategic Development.*

## BACKGROUND

The Environmental and Sustainability Advisory Committee meeting, held on 21 February 2002, discussed a range of items as outlined in the Minutes shown at Attachment A, including:

- A submission on the WA State Government sustainability strategy.
- An update regarding the development of the City of Joondalup sustainability plan.
- Transport planning.
- Resignation of Committee member Mrs J Richards. (Shown at Attachment 3 of Attachment A – Minutes of Environmental & Sustainability Advisory Committee of the 21 February 2002) and;
- Appointment of new committee members

A range of items were considered at the meeting held on 21 March 2002, with the primary business being;

- Endorsement of the City of Joondalup submission on the proposed State Sustainability Strategy. (This is the subject of a separate report.)
- Sustainability information for updating on the City's web site.

## DETAILS

The minutes of the Environmental and Sustainability Advisory Committee 21 February 2002 and 21 March 2002 are Attachment A and Attachment B respectively.

### Sustainability Information

The Committee members reviewed a preliminary listing of sustainability pilot projects, funding sources, grants, awards and network contacts. The Environmental and Sustainability Advisory Committee recommended that Council;

- 1 *PROVIDES key sustainability information for the community including sustainability pilot projects, funding sources, grants, awards and network contacts;*
- 2 *UPDATES the City of Joondalup sustainability web page.*

Comment: The updating of the webpage is not considered to be a matter requiring Council resolution and will be undertaken administratively by the City. Details for the update of the City's webpage is shown at Attachment 2 of Attachment B the Minutes of the Environmental & Sustainability Advisory Committee 21 March 2002.

## Committee Membership

Due to the resignation of Mrs J Richards (as shown at Attachment 3 of Attachment A of the Minutes of the Environmental & Sustainability Advisory Committee meeting 21 February 2002) and the change to the role of the Manager of Organisational and Strategic Development, two committee positions are presently vacant. The City has a Regional Economic Development Coordinator whose role emphasises economic, social and environmental developments. The Committee considered this position as appropriate for membership to the Committee. It is also considered there is an opportunity to develop links with Edith Cowan University. The Environmental and Sustainability Advisory Committee recommended to:

*“request Council to endorse the appointment of the Sustainable Development Coordinator Mr Uzaraga to the Environmental and Sustainability Advisory Committee and further request Council to seek representation on the committee from Edith Cowan University to enhance the partnership between the City of Joondalup and Edith Cowan University.”*

Comment: The officer appointed to the position of Sustainable Development Coordinator will attend all meetings of this Committee.

It is not considered necessary, as part of the positions role, that the Committee include the Sustainable Development Coordinator as a committee member.

## VOTING REQUIREMENTS

Absolute Majority

## RECOMMENDATION

### That Council:

- 1 NOTES the minutes of the Environmental and Sustainability Advisory Committee meeting held on 21 February 2002 at Attachment A and 21 March 2002 at Attachment B to this Report;**
- 2 PROVIDES key sustainability information for the community including sustainability pilot projects, funding sources, grants, awards and network contacts at Attachment 2 to the Minutes of 21 March 2002;**
- 3 ACCEPTS the resignation of Mrs J Richards from the Committee at Attachment 3 to the Minutes of 21 February 2002;**
- 4 APPOINTS BY AN ABSOLUTE MAJORITY a representative from Edith Cowan University to the Environmental and Sustainability Advisory Committee to enhance the partnership between the City of Joondalup and Edith Cowan University in place of the previous committee member being the City’s former Manager Organisation and Strategic Development.**

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf020402.pdf](#)

## **ITEM 6 SUBMISSION – STATE GOVERNMENT’S SUSTAINABILITY STRATEGY – [00906]**

**WARD - All**

---

### **PURPOSE**

To seek Council’s endorsement of a submission to the Department of Premier and Cabinet on the State’s Sustainability Strategy.

### **EXECUTIVE SUMMARY**

In response to an invitation from the Department of Premier and Cabinet’s Sustainability Policy Unit to make a submission on the State’s Sustainability Strategy, the City has through consultation, developed a submission, as shown at Attachment A.

*This report recommends that Council:*

- *ENDORSES the City of Joondalup’s submission on the State Government’s proposed Sustainability Strategy as shown at Attachment 1;*
- *FORWARDS the submission to the Department of the Premier and Cabinet (Sustainability Policy Unit) and THANKS the Department of Premier and Cabinet (Sustainability Policy Unit) for the opportunity to provide the submission; and*
- *INVITES representatives from the Sustainability Policy Unit to brief Council on the development of the State Government’s Sustainability Strategy.*

### **BACKGROUND**

The Department of Premier and Cabinet has invited submissions on the Western Australian State Government’s Sustainability Strategy. The Government’s Sustainability Policy Unit will accept submissions until mid April 2002.

At the City’s Environmental and Sustainability Advisory Committee meeting that was held on 21 February 2002, a submission on the WA State Government sustainability strategy was discussed.

A Committee workshop was held to consider and develop a submission on the State Government’s Sustainability Strategy. A submission based on input from Committee members was prepared and submitted for incorporation into the City’s submission.

At its meeting held on 21 March 2002, the Environmental and Sustainability Advisory Committee considered the City’s submission and recommended that Council:

- *ENDORSES the City of Joondalup submission (Attachment 1) on the State Government’s proposed Sustainability Strategy;*
- *ISSUES the submission to the Department of Premier and Cabinet (Sustainability Policy Unit) by 12 April 2002;*

- *INVITES representatives from the Sustainability Policy Unit to brief Council on the development of the State Government’s Sustainability Strategy;*
- *THANKS the Department of Premier and Cabinet (Sustainability Policy Unit) for the opportunity to provide the submission.*

## **DETAILS**

A copy of the City’s submission is shown at Attachment 1 of this Report.

### **Consultation:**

The City of Joondalup’s submission on the State Government’s proposed Sustainability Strategy has been developed based on substantial input from both City of Joondalup staff and the Environmental and Sustainability Advisory Committee.

### **Policy Implications:**

Council’s endorsement of the City of Joondalup’s submission on the State’s proposed Sustainability Strategy is consistent with, and provides a practical application of the City of Joondalup Environmental Sustainability Policy 2.6.4.

### **Strategic Implications:**

The submission is in accordance with the Key Result Area of the City’s Strategic Plan of Leadership: “*Adopt and implement a Local Agenda 21 Plan.*”

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 ENDORSES the City of Joondalup’s submission on the State Government’s proposed Sustainability Strategy as shown at Attachment 1 to this Report;**
- 2 FORWARDS the submission to the Department of the Premier and Cabinet (Sustainability Policy Unit) and THANKS the Department of Premier and Cabinet (Sustainability Policy Unit) for the opportunity to provide the submission;**
- 3 INVITES representatives from the Sustainability Policy Unit to brief Council on the development of the State Government’s Sustainability Strategy.**

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf020402.pdf](#)*



## **ITEM 7 AMENDMENTS TO LOCAL GOVERNMENT HOUSE TRUST DEED – [00033] [38634]**

**WARD - All**

---

### **PURPOSE**

To seek Council's approval on the amendments proposed by the Western Australia Local Government Association to the Local Government House Trust Deed.

### **EXECUTIVE SUMMARY**

The Local Government House Trust currently holds trust equity units in proportion to the amount of capital contributed by certain local governments (as beneficiaries) for the purchase of Local Government House in Altona Street, West Perth. The former City of Wanneroo held 10 units (in a total local government holding of 620 units) in Local Government House, which as a consequence of the Joint Commissioners determination was distributed, equally between the City of Joondalup and City of Wanneroo with each holding 5 units.

As a consequence of:

- the dissolution of the Country Shire Councils Association (CSCA), Country Urban Councils Association (CUCA) and the Local Government Association (LGA) and the creation of the Western Australian Local Government Association (WALGA)
- the introduction of the Local Government Act 1995; and
- the strive for more effective and efficient meetings procedure

it has become necessary to amend the Trust Deed governing Local Government House.

The amendments proposed by WALGA are considered appropriate and reflect modern business practice and are consistent with the requirements of the Local Government Act 1995.

*This report recommends:*

*That Council advises WALGA that it authorises the following amendments to the Trust Deed - Local Government House:*

- 1 the appointment of one (WALGA) replacement Trustee for the CSCA and LGA;*
- 2 the appointment of a new Board of Management which includes the following members:-*

*President of the WA Local Government Association  
Deputy President of the WA Local Government Association  
State Councillor (Country Constituency)  
State Councillor (Metropolitan Constituency)  
Representative from the country beneficiaries  
Representative from the metropolitan beneficiaries  
CEO of the WA Local Government Association;*

- 3 *the number of members necessary to form a quorum of the Board of Management be amended from 100% to greater than 50%;*
- 4 *the majority needed to carry a resolution of the Board of Management be amended from unanimous agreement to an absolute majority.*

## **BACKGROUND**

In the past three associations: Country Shire Councils Association (CSCA), Country Urban Councils Association (CUCA) and Local Government Association (LGA), have represented Western Australian local governments. For unified representation of the local governments and cost efficiency in administrative resources, the three associations were dissolved and Western Australian Local Government Association (WALGA) created. The Local Government House located at 15 Altona Street, West Perth is owned under a Trust Deed which is held by 620 trust units in proportion to the capital contributed by those Local Governments (beneficiaries). The City of Joondalup and the City of Wanneroo each holds 5 trust units. The Trust Deed currently recognises:

- The CSCA and LGA as Trustees;
- The President and Deputy President of the LGA and CSCA as well as the President of the CUCA as members of the Board of Management.

With the dissolution of CSA, CUCA and LGA, it is therefore essential that the Local Government House Trust Deed now be amended to nominate WALGA as the Trustee.

## **DETAILS**

In broad terms the proposed amendments to the Trust Deed seek to achieve the following objectives:-

- **To allow the appointment of one replacement Trustee for the CSCA and LGA.**
  - As the CSCA and LGA are the current Trustees of the Deed it is necessary to appoint a replacement Trustee.
  - The Trustees Act requires a minimum of two trustees to be appointed where more than one trustee was originally appointed. This would prevent appointing the WA Local Government Association as the new Trustee.
  - It is therefore proposed that a Deed of Variation be executed to vary the terms of the Trust Deed to allow the appointment of one Trustee (the WALGA) as replacement for the CSCA and LGA.
- **To replace the current Board of Management with a new Board.**
  - The Board of Management currently includes representatives from CSCA, LGA and CUCA.
  - It is proposed that a new Board of Management be appointed which includes the following members:-

President of the WA Local Government Association  
Deputy President of the WA Local Government Association  
State Councillor (Country Constituency)  
State Councillor (Metropolitan Constituency)  
Representative from the country beneficiaries  
Representative from the metropolitan beneficiaries  
CEO of the WA Local Government Association;

- **To update the Trust Deed and to improve the operation of the Board of Management.**
  - Various amendments need to be made to recognise the Local Government Act 1995 and related State legislation.
  - It is proposed that an amendment be made in relation to constituting a quorum at meetings of the Board of Management. Currently, the number of members required to form a quorum is 100%. This has been a source of ongoing problems, and as such it is proposed that the number of members necessary to form a quorum be amended from 100% to greater than 50%.
  - It is recommended that an amendment be made to the Trust Deed relating to the majority needed to carry a resolution of the Board of Management. Presently, a resolution can only be carried by the *unanimous agreement* of all members. This is contrary to the practices in most other boards and committees. As such, it is proposed that this requirement should be amended to allow an *absolute majority* to carry a resolution of the Board of Management.

## COMMENT

The amendments proposed aim to enhance the administration efficiency and effectiveness following the changes in the Local Government Act and dissolution of three local government associations and creation of WALGA.

The changes are, in general, as a consequence of the creation of WALGA and reflect consistent application of the provisions of the Local Government Act 1995 and therefore should be supported.

## VOTING REQUIREMENTS

Simple majority.

**RECOMMENDATION**

**That Council ADVISES WALGA that it authorises the following amendments to the Trust Deed - Local Government House:**

- 1 the appointment of one (WALGA) replacement Trustee for the CSCA and LGA;**
- 2 the appointment of a new Board of Management which includes the following members:**
  - President of the WA Local Government Association**
  - Deputy President of the WA Local Government Association**
  - State Councillor (Country Constituency)**
  - State Councillor (Metropolitan Constituency)**
  - Representative from the country beneficiaries**
  - Representative from the metropolitan beneficiaries**
  - CEO of the WA Local Government Association;**
- 3 the number of members necessary to form a quorum of the Board of Management be amended from 100% to greater than 50%;**
- 4 the majority needed to carry a resolution of the Board of Management be amended from unanimous agreement to an absolute majority..**

## **ITEM 8                    TENDER NUMBER 022-01/02 – SUPPLY AND LAYING OF BITUMINOUS CONCRETE SEAL – [15518]**

**WARD - All**

---

### **PURPOSE**

This report recommends acceptance of the tender from Asphaltech Pty Ltd. as per the schedule of rates for tender no 022-01/02 Supply and Laying of Bituminous Concrete Seal and to endorse signing of the contract documents.

### **EXECUTIVE SUMMARY**

Tender No 022-01/02 Supply and Laying of Bituminous Concrete Seal was advertised statewide 02 February 2002. Eight tenders were received and this report recommends acceptance of the tender submitted by Asphaltech Pty Ltd. in accordance with the schedule of rates attachment 1 to this Report.

*It is recommended that Council:*

- 1        *ACCEPTS the tender from Asphaltech Pty Ltd as per the Schedule of Rates as shown on Attachment 1 to this Report for tender 022-01/02 Supply and Laying of Bituminous Concrete Seal. This contract will commence from 1 July 2002 for a period of 12 months to 30 June 2003. Clause 4.9 Contract Period provides for a 2 x 12 month extension period subject to agreement by both parties;*
- 2        *ENDORSES signing of the contract documents.*

### **BACKGROUND**

Asphaltech Pty Ltd. of Malaga were successful with the previous contract 034-99/00 and have successfully undertaken the works in accordance with Council requirements. The eight tenders submitted for Tender 022-01/02, have sufficient resources and experience to perform similar kind of work for the council.

### **DETAILS**

Tender 022-01/02 requires the supplier to provide prices for various asphalt mixes to Council's specification and tenders were assessed using a multi-criterion selection evaluation process considering the tender price, tenderer's resources and local content, safety management and tenderer's ability to meet the requirements of the contract.

The main asphalt mix used for local roads is 7mm fine gap-graded mix and for distributor and arterial mix is 10mm dense graded mix. As currently there is a short supply of diorite aggregate in Perth Metropolitan area and there is no guarantee of availability of diorite asphalt mix, Council is using granite mix for all it's asphaltting works. Therefore, for tender evaluation purpose, the prices for granite mix is considered, a comparison of granite prices is summarised below:

**COMPARISON OF PRICES – TENDER NUMBER 022-01/02 – SUPPLY AND LAYING OF BITUMINOUS CONCRETE SEAL (GRANITE MIX)**

Item	Description	Rate(tonne)							
		Granite							
		Asphaltech	CSR	AshSur	Boral	BGC	Roads	Hotmix	Pioneer
1	7mm Fine Gap Graded Mix 1	100.0	134.2	117.7	120	125	115	129	106.9
2	7mm Fine Gap Graded Mix 3	104.5	137.5	123.2	133	140	127	172	109.7
3	7mm Fine Gap Graded Mix 4	126.5	150.7	162.8	151	170	138	212	134.5
4	10mm Dense Graded Mix 1	94.6	128.7	116.6	120	106	112	119	98.9
5	10mm Dense Graded mix 2	93.5	126.5	115.5	120	106	112	119	95.7
6	10mm Dense Graded Mix 3	104.5	132.0	123.2	133	118	127	172	106.5
7	10mm Dense Graded Mix 4	126.5	145.2	161.7	151	148	138	212	131.1
8	14mm Dense Graded Mix 2	92.5	124.3	113.3	120	105	112	114	96.6
9	10mm Stone Mastic Asphalt Mix2	137.5	181.5	159.5	180	-	153	159	126.6

This contract will commence from July 1 2002 and remain in place for a period of 12 months to 30 June 2003. The contract period provides for 2 x 12-month extension periods subject to agreement by both parties.

### **Financial Implications**

Asphaltech submitted a lower price for all type of mix except 10mm stone mastic asphalt. The percentage increase in price from previous contract for 7mm fine gap-graded mix is 2.4% and for 10mm dense graded mix is 4.13%.

### **Policy 2.4.6 – Purchasing Goods and Services**

The City's Policy on Purchasing Goods and Services encourages participation of local business in the purchasing and tendering process. However, no local companies were able to be considered as none of the tenderers are local businesses.

It is noted that the City is currently discussing the potential opportunity and benefits with the City of Stirling and City of Wanneroo Chief Executive Officers in relation to regional tendering which may impact on the future provision of these goods and services.

## COMMENT

The major use of asphalt is for Council Road Preservation and Resurfacing program. The systematic and timely application of a new surface overlay can maintain pavement integrity, leading to the reduction of expensive reconstruction and maintenance costs. The other use of asphalt is for council's Minor construction works, Traffic Management Program and Dual Use path construction.

The current contract will enable Council to use Stone-mastic Asphalt for all major intersections and roundabout areas. Stone mastic asphalt is highly recommended to use in areas subject to heavy wear and tear and provide good skid resistance. This will improve driver's safety on the road and will ensure low maintenance costs.

## VOTING REQUIREMENTS

Simple majority

## RECOMMENDATION

### **That Council:**

- 1 ACCEPTS the tender from Asphaltech Pty Ltd as per the Schedule of Rates as shown on Attachment 1 to this Report for tender 022-01/02 Supply and Laying of Bituminous Concrete Seal. This contract will commence from 1 July 2002 for a period of 12 months to 30 June 2003. Clause 4.9 Contract Period provides for a 2 x 12 month extension period subject to agreement by both parties;**
- 2 ENDORSES signing of the contract documents.**

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf020402.pdf](#)

## **ITEM 9 TENDER NUMBER 023-01/02 – PRUNING OF STREET TREES WITHIN THE CITY OF JOONDALUP – [27519]**

**WARD - All**

---

### **PURPOSE**

This report recommends acceptance of the tender submitted by Geoff's Tree Services as per the schedule of rates for Tender No 023-01/02 Pruning of Street Trees within the City of Joondalup.

### **EXECUTIVE SUMMARY**

Tender No 023-01/02 Pruning of Street Trees within the City of Joondalup was advertised statewide 23 January 2002. Three tenders were received and this report recommends acceptance of the tender submitted by Geoff's Tree Services in accordance with the Schedule of Rates see Attachment 1 of this Report.

*It is recommended that Council:*

- 1 *ACCEPTS the tender from Geoff's Tree Services as per the Schedule of Rates attachment 1 to this Report. For tender 023-01/02 Pruning of Street Trees within Joondalup. This contract is to commence from 1 May 2002, for a period of 12 months to 30 April 2003. Clause 28 provides for a 2 x 12 month extension period subject to agreement of both parties;*
- 2 *ENDORSES signing of the contract documents.*

### **BACKGROUND**

Geoff's Tree Services of Gibbs Road, Nowergup has undertaken this work since March 1999 in accordance with Contract No 130-98/99 refers report City of Joondalup item No. CJ134-04/99.

Contract 130-98/99 involved two contractors, Trees Need Tree Surgeons trading as Radiant Nominees Pty Ltd and Geoff's Tree Services. The Contract extension clause for Trees Need Tree Surgeons was not exercised by Council after the initial 12-month period due to problems with invoicing and performance of designated works.

Geoff's Tree Services therefore became the sole Contractor and the extension clause was authorised by Council at its ordinary meeting 23 May 2000 Item CJ123-03/00. Geoff's Tree Services have complied with the contract requirements in safety management for pruning within the City of Joondalup.

In association with Worksafe and Council Officers the contractor has undertaken a safety audit of work practices while pruning intermittent trees with residential streets. The contractors current practices exceeded the safety guidelines developed by Worksafe.



## DETAILS

Geoff's Tree Services are based in Gibbs Road Nowergup and currently undertake street tree pruning for various Local Governments, City of Wanneroo, City of Claremont and the City of Bayswater. Geoff's Tree Services have submitted rates for all aspects of pruning as identified in the Schedule of Rates, see Attachment 1. Comparison with the previous tender identified an increase of \$3.00 per tree for standard tree beneath wires and a \$7.00 per hour reduction for the hourly rate for extra works on specific trees. The major portion of the Contract involves pruning of standard residential verge trees.

Evaluation of the tenders submitted by Geoff's Tree Services of Nowergup, Trees Need Tree Services of Canning Vale and Specialised Tree Lopping Co of Mt. Lawley confirmed that Geoff's Tree Services were the lowest overall contractor in accordance with the Schedule Tender of Rates documentation. See Attachment 2.

This Contract is to commence from 1 May 2002, for a period of 12 months to 30 April 2003. The Contract period provides for a 2 x 12-month extension period subject to agreement of both parties.

### Financial Implications:

Current Contract Price 130B-98/99	Schedule 1 \$26.00	Schedule 2 \$22.00	Schedule 3 \$150.00
Tender Price 023-01/02	\$29.00	\$25.50	\$143.00

The Annual expenditure for this tender is anticipated to be in excess of \$200,000.

### Policy 2.4.6 – Purchasing Goods and Services

The City's policy on purchasing goods and services encourages participation of local businesses in the purchasing and tender process, however, no local companies were able to be considered as none of the tenderers are local businesses.

## COMMENT

Trees Need Tree Surgeons submitted a price for one component of the 3 items identified in the Schedule of Rates for elevated platform E.P 5 metre. Geoff's Tree Services and Specialised Tree Lopping Co submitted prices for all components as required in the Tender Schedule of Rates.

## VOTING REQUIREMENTS

Simple majority

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

- 1 ACCEPTS the tender from Geoff's Tree Services as per the Schedule of Rates attachment 1 to this Report. For tender 023-01/02 Pruning of Street Trees within Joondalup. This contract is to commence from 1 May 2002, for a period of 12 months to 30 April 2003. Clause 28 provides for a 2 x 12 month extension period subject to agreement of both parties;**
- 2 ENDORSES signing of the contract documents.**

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf020402.pdf](#)*

## **ITEM 10 TENDER NUMBER 024-01/02 – SUPPLY AND APPLICATION OF BULK FERTILISER – [28519]**

**WARD - All**

---

### **PURPOSE**

This report recommends acceptance of the tender from Turfmaster Facility Management as per the schedule of rates for tender no 024-01/02 Supply and Application of Bulk Fertiliser and to endorse signing of the contract documents.

### **EXECUTIVE SUMMARY**

Tender No 024-01/02 Supply and application of Bulk Fertiliser was advertised statewide 23 January 2002. Three tenders were received and this report recommends acceptance of the tender submitted by Turfmaster Facility Management in accordance with the schedule of rates attachment 1.

*It is recommended that Council:*

- 1 ACCEPTS the tender from Turfmaster Facility Management as per the Schedule of rates as shown on Attachment 1 of this Report for tender 124-01/02 Supply and Application of Bulk Fertiliser. This contract will commence from 1 May 2002 and remain in place for a period of 12 months to 30 April 2003. Clause 28 provides for 2 x 12-month extension periods subject to agreement by both parties;*
- 2 ENDORSES signing of the contract documents.*

### **BACKGROUND**

Turfmaster Facility Management of Bayswater were successful with the previous contract 132-98/99 and have successfully undertaken the works in accordance with Council's requirements. The three tenderers submitting for Tender 024-01/02 have all undertaken fertilising of Council's parks and road reserves previously. Supply and application has been proven the most cost-effective process for broad acre fertilising.

### **DETAILS**

Tender 024-01/02 requires the supplier to provide various fertiliser mixtures to Council's specification, and a specific quantity per annum enables a comparison of total costs for tender evaluation purposes.

The main fertiliser utilised for park and road reserve fertilising is Turf Special with Iron Sulphate added for coastal areas. Nitrate (ASN) and Nitrate (CAN) is only utilised for specific nutrient booster requirement to improve turf surface colour and resilience. Prices submitted by Turfmaster are slightly lower than Bailey's but significantly lower than The Spreaders. Turfmaster and Baileys are based in the Perth Metropolitan area and The Spreaders in Bunbury. Note Tender Price comparison Table.

**COMPARISON OF PRICES – TENDER NUMBER 024-01/02 – SUPPLY, DELIVERY AND APPLICATION OF BULK FERTILISER .**

Item	Description	Tender Price \$ (approx amount per annum)		
		Baileys	Turfmaster	Spreaders
1(a)	Turf Special	89,000.00	88,000.00	95,900.00
1(b)	Organic	37,900.00	37,800.00	44,650.00
1©	ASN	50,820.00	50,780.00	50,325.00
1(d)	CAN	48,465.00	48390.00	47,300.00
2(a)	Turf Special	11,000.00	10,000.00	44,000.00
2(b)	Organic	5500.00	5000.00	22,000.00
2©	ASN	5500.00	5000.00	22,000.00
2(d)	CAN	5500.00	5000.00	22,000.00
	<b>TOTAL</b>	<b>253,685.00</b>	<b>249,970.00</b>	<b>348,175.00</b>

This comparison uses a standard 200 Tonne of product to enable a uniform cost comparison.

Two Tenderers submitted an alternative blended mix fertilizer that was cheaper than the required mix.

Turfmaster     \$350.00  
Baileys         \$351.00

This mixture has reduced trace elements and will be considered for use in Road Reserve Dry Areas that receive one annual cycle.

The increase in tonnage price will impact on the operating budget in future years as the application rates now in use have been adjusted to two cycles annually for:

- (a) Reticulated Parks 2 cycles @ 250 Kg per Ha.
- (b) Dry Parks, medians and verge areas one cycle @ 250 Kg Per Ha

This contract will commence from May 1 2002 and remain in place for a period of 12 months to 30 April 2003. The contract period provides for 2 x 12-month extension periods subject to agreement by both parties.

**Financial Implications:**

Current Contract Price 132-98/99	Schedule 1 \$346.00 per tonne	Schedule 2 \$38.00 Application
Tender Price 024-01/02	\$440.00 per tonne	\$50.00 Application

**Policy 2.4.6 – Purchasing Goods and Services**

The City's Policy on Purchasing Goods and Services encourages participation of local business in the purchasing and tendering process, however, it would appear that in the case of this particular tender there are no local suppliers as no local submissions were received.

**COMMENT**

Application of fertiliser has been progressively adjusted to minimise nutrient loading around water bodies and feature areas. Monitoring of various lakes on a quarterly basis provides information to measure where nutrient run off may have occurred and adjustments can be initiated. Refinement of fertilising practices is an essential component of environment sustainability.

Parks where heavy winter sports use is programmed may receive an additional application to the oval area only to assist in turf recovery. This application is restricted to a need only basis to contain expenditure.

**VOTING REQUIREMENTS**

Simple majority

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

- 1 ACCEPTS the tender from Turfmaster Facility Management as per the Schedule of rates as shown on Attachment 1 of this Report for tender 124-01/02 Supply and Application of Bulk Fertiliser. This contract will commence from 1 May 2002 and remain in place for a period of 12 months to 30 April 2003. Clause 28 provides for 2 x 12-month extension periods subject to agreement by both parties;**
- 2 ENDORSES signing of the contract documents.**

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf020402.pdf](#)*

## **ITEM 11 TENDER NO 025-01/02 - REPLACEMENT OF "ASBESTOS CEMENT" ROOF JOONDALUP ADMINISTRATION CENTRE – [32519]**

**WARD** - Lakeside

### **PURPOSE**

To seek approval for the acceptance of Numans Pty Ltd as the successful tenderer for Tender Number 025-01/02 – Replacement of “asbestos cement” roof Joondalup Administration Centre.

### **EXECUTIVE SUMMARY**

The Administration Building is over 20 years old and the asbestos reinforced cement roof, eaves sheeting, and roof plumbing is beginning to show signs of deterioration which can impose a health risk on employees and the community. As part of the 2001/02 Capital Works Programme Budget, funds of \$150,000 were listed for the roof replacement.

As the work involves structural alteration, tenders from registered builders were advertised on Saturday 26 January 2002, and closed on Wednesday 13 February 2002.

The tender evaluation committee has determined that the best value for the City can be achieved by accepting the tender from Numans Pty Ltd for the specified works on the third floor (Level 5) and roof (Level 6) for a total sum of \$183,620. As the tender price is in excess of the Budget amount additional funding will be required.

*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 \$33,620 from Joondalup Administration Centre Lighting Modifications - Project Number 4112, to Joondalup Administration Centre Roofing - Project Number 4062;*
- 2 *ACCEPTS the tender from Numans Pty Ltd for contract 025-01/02 Replacement of "Asbestos Cement" Roof & Soffit Sheeting: Joondalup Administration Centre for the replacement of Level 5 roof, rainwater plumbing, fascia and eaves soffit and Level 6 roof and rainwater plumbing for the lump sum price of \$183,620.00 plus GST of \$18,362;*
- 3 *AUTHORISES the signing of contract documents.*

### **BACKGROUND**

Built in 1978/79, the Joondalup Administration Centre is roofed with corrugated cement sheeting reinforced with blue asbestos fibre. Flat “asbestos cement” sheets were used for the third floor (level 5) fascia and eaves and the plastered balcony on the Ground, First and Second floors. “Asbestos Cement” was also used for box gutters and rainwater plumbing.

In the last 20 years there has been some deterioration of the “asbestos cement” products.

With the known potential health risks associated with asbestos cement products, it is important to ensure that deteriorating products are removed and replaced before they can begin to pose a health risk.

While the original intention was to replace only the third floor (level 5) and roof (level 6), the tender was arranged to include the level 2,3 and 4 balcony eaves soffit. It was thought that there may be sufficient savings in grouping the whole job together to make this grouping viable.

Replacing the cement roof sheeting with a much lighter product (steel) requires structural alterations to tie down the roof for high wind conditions.

The tender was advertised in Saturday 26 January 2002, and tenders closed on Wednesday 13<sup>th</sup> February 2002.

The tender documentation included the following requirements:

The *Occupational Safety & Health Act 1984* requires employers to provide a safe workplace.

Clause 3.75. of the *Local Government Act 1995* requires that where a Council contracts for work requiring structural alteration to be undertaken, the contractor must be a registered builder.

Clause 3.114. of the *Occupational Safety & Health Regulations 1996* establishes that only demolition contractors holding a Class 1 Demolition Licence can remove “an area of brittle or fragile roofing material in excess of 200m<sup>2</sup> from a building or structure if any part of the area to be removed is 10 metres or more above the lowest ground level of the building or structure.” Class 2 and 3 Licensed demolition contractors may remove asbestos roofing from buildings less than 10m high, and under certain circumstances may work over 10m in height with the written approval of the WorkSafe Commissioner.

### **Consultation:**

The City’s Coordinator Occupational Health & Safety and the City’s Safety Committee have been kept fully informed of the roof replacement proposals. Regular staff updates will be provided prior to and during the progress of the Project.

### **Implementation Plan:**

As sections of the third floor will be occupied by staff it is proposed to stage the removal of the roof by closing discrete working areas to staff access. The ceiling will however remain in place. Suitable barriers will be used to prevent access to the working area including sections of the carpark at ground level. It is a requirement that asbestos cement products removed from the site are encapsulated before removal. For the project it will be necessary to wrap and seal the sheets in plastic and crange this to the ground level for removal offsite. The project is estimated to take six weeks.

The contractor is required to leave the workplace in a safe condition either by washing or vacuum cleaning all surfaces that may contain asbestos dust.

## DETAILS

At the close of tenders, the following submissions were received:

<b>Tenderer</b>	<b>Locality</b>	<b>Total Cost</b>
Numans P/L (Class 2 Demolition Licence)	Osborne Park	<b>\$274,020</b>
Joondalup City Roofing P/L (Class 3 Demolition Licence) t/a Lydon Construction	Joondalup	<b>\$278,093</b>
Enviro Engineering P/L t/a Multitech Engineering (Class 3 Demolition Licence)	Kardinya	<b>\$294,706</b>
Timecheck P/L t/a Reward Constructions (Class 1 Sub-contractor)	Malaga	<b>\$312,375</b>
Air Roofing Co	Como	<b>\$376,320</b>
Perth Asbestos Removal Company P/L (Class 1 Sub-contractor)	Rivervale	<b>\$618,100</b>
<b>The tender prices do not include GST</b>		

The Perth Asbestos Removal Company did not offer any details of a registered builder overseeing the works or undertaking the structural alteration, and the tender was therefore ruled invalid.

Air Roofing Company did not submit details with tender and as this firm is not a registered builder, this tender was ruled invalid.

Under the City's Contract Management Framework, the conforming tenders were assessed by an evaluation committee using a weighted multi-criterion assessment system.

For Tender No 025-01/02, the tender evaluation criteria provided in the Tender Information Document were:

- 1 Lump Sum Price;
- 2 Tenderer's experience in coordinating and undertaking the removal and disposal of asbestos cement products;
- 3 Tenderer's experience in coordinating and undertaking major construction work in a continuously occupied building; and
- 4 Tenderer's safety management record and experience.

In addition, the tender evaluation committee considered total cost against the total budget for the works. With a budget of \$150,000 it was clear that it was not possible to consider completing the lowest priority works (Level 2, 3 and 4 eaves). These sums were therefore excluded from consideration under assessment criterion 1 (Lump Sum Price), and the total for the third floor (level 5) and roof level 6 only was considered:



<b>Tenderer</b>	<b>L5 Roof , rainwater plumbing, fascia &amp; eaves</b>	<b>L6 Roof &amp; rain water plumbing</b>	<b>Sub-total</b>	<b>Contingency</b>	<b>Total</b>
Enviro Engineering P/L t/a Multitech Engineering	\$169,090	\$26,962	<b>\$196,052</b>	\$15,000	<b>\$211,090</b>
Timecheck P/L t/a Reward Constructions	\$169,635	\$32,948	<b>\$202,583</b>	\$15,000	<b>\$217,583</b>
Joondalup City Roofing P/L t/a Lydon Construction	\$165,844	\$7,390	<b>\$173,234</b>	\$15,000	<b>\$188,234</b>
Numans P/L	\$155,100	\$13,520	<b>\$168,620</b>	\$15,000	<b>\$183,620</b>

### **Tender Evaluation:**

By applying the multi-criterion analysis, Numans Pty Ltd and Joondalup City Roofing are ranked as the first and second preferred tenderers.

### **Demolition Licence:**

The Occupational Safety and Health Regulations 1996 require that a Class 1 Demolition Licence is required to remove asbestos roofing above ten metres in height. Numans Pty Ltd who have a Class 2 Demolition Licence have advised that they would use the services of a contractor, Mannor Holdings Pty Ltd, who have a Class 1 Demolition Licence.

Joondalup City Roofing which holds a current Class 3 licence has advised that Worksafe has granted an exemption in relation to the requirement to hold a Class 1 demolition Licence for the removal of asbestos cement roof sheets for this project.

### **Tenders' Experience:**

Numans Pty Ltd have submitted in support of their application that they undertake a yearly programme of asbestos roof removal at a number of schools and that they have been the major contractor over recent years.

Also a large percentage of their work is carried out for government bodies including colleges, fire stations, police stations, courthouses and parliament house. These buildings are occupied and operational during the works.

Joondalup City roofing has indicated that it has been continually involved with asbestos roof removal and replacement over a period of six to seven years. It has recently carried out asbestos removal for the University of Western Australia (a two week contract), and an occupied factory warehouse (a two week contract).

### **Policy 2.4.6 – Purchasing Goods and Services:**

The City's Policy on Purchasing Goods and Services encourages the participation of local business in the purchasing and tendering process. In compliance with the Trades Practices Act 1974 and the National Competition Policy, the policy states that no price preference be given on account of the supplier being local.

It is noted that the tender for Joondalup City Roofing for the level five and level six roof works is \$4,614 higher than Numans Pty Ltd.

### **Tender Recommendation:**

By applying the multi-criterion analysis, the tender evaluation committee has determined that the best value for the City of Joondalup can be achieved by accepting the tender from Numans Pty Ltd for the replacement of:

- Level 5 roof, rainwater plumbing, fascia and eaves soffit
- Level 6 roof and rainwater plumbing

for a total sum of \$183,620 which includes a contingency sum of \$15,000.

### **Financial Implications:**

<b>Account No:</b>	Project No. 4062
<b>Budget Item:</b>	Administration Centre Roof Replacement
<b>Budget Amount:</b>	\$150,000
<b>Contract Amount:</b>	\$183,620

The lowest tender price is in excess of the available funds. In order to complete the roof replacement of level five and level six it is proposed that additional funds of \$33,620 be re-allocated from the Joondalup Administration Centre – Lighting Modifications Project 4112. These modifications are part of a trial programme and therefore the available budget funds of \$84,350 will not be fully expended.

### **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 \$33,620 from Joondalup Administration Centre Lighting Modifications - Project Number 4112, to Joondalup Administration Centre Roofing - Project Number 4062;**
- 2 ACCEPTS the tender from Numans Pty Ltd for contract 025-01/02 Replacement of "Asbestos Cement" Roof & Soffit Sheeting: Joondalup Administration Centre for the replacement of Level 5 roof, rainwater plumbing, fascia and eaves soffit and Level 6 roof and rainwater plumbing for the lump sum price of \$183,620.00 plus GST of \$18,362;**
- 3 AUTHORISES the signing of contract documents.**

## **ITEM 12 CLOSURE OF CROWN LAND AIRSPACE DUE TO BALCONY ENCROACHMENTS – LOT 516 (205) LAKESIDE DRIVE, JOONDALUP – [35633] [04018]**

**WARD** - Lakeside

---

### **PURPOSE**

The purpose of this report is for Council to consider the closure of Crown land airspace due to balcony encroachments.

### **EXECUTIVE SUMMARY**

Lot 516 (205) Lakeside Drive, Joondalup has been developed with balconies encroaching into the airspace above Lakeside Drive road reserve. The Department of Land Administration (DOLA) requires the transfer to the developer of the airspace that is encroaching in order for DOLA to receive financial compensation. To facilitate the transfer, standard Crown land closure actions are followed.

The subject balconies already exist (see Attachment 1) and are on the first floor of the building thus closure of the subject road reserve airspace will not have any physical bearing on the land itself. The action of closing the road reserve airspace is purely to allow consideration of a change of tenure. There is also a 0.1 metre pedestrian accessway (PAW) (commonly described as a ‘spite’ strip) on the eastern and southern boundaries of Lot 516 and the airspace associated with the balconies over the 0.1 metre PAW is also required to be closed.

The City has complied with all aspects of the Crown land closure process. In view of no submissions being received, it is recommended that closure of the airspace with regard to the subject portions of road reserve and 0.1 metre PAW be supported.

### **BACKGROUND**

**Suburb/Location:** Lot 516 (205) Lakeside Drive, Joondalup  
**Applicant:** Strata Title Consultancy Services Pty Ltd  
**Owner:** Acre Realty P/L, Northtime Nominees P/L, Victor and Antonia Terpsis and Silverlock Homes P/L  
**Zoning:** **DPS:** Centre Zone  
**MRS:** Central City Area Zone  
**Strategic Plan:** Lifestyle – Strategy 2.6  
Promote and enjoy lifestyles that engender environmental, social and economic balance

The development on the subject site consists of a mixed-use building built to the boundary on both Lakeside Drive and Reid Promenade.

The Joondalup City Centre Development Plan and Manual requires where development abuts a street or thoroughfare that a means of shelter for pedestrians is provided. In the past,

balconies have been considered an acceptable form of shelter. Development containing balconies projecting into reserves has been common throughout the metropolitan area.

Recently DOLA has requested they be advised of strata applications where balconies encroach over Crown land. DOLA now wants to consider a transfer of tenure to the developer with regard to the area of encroachment with appropriate financial compensation.

## **DETAILS**

### **Current Proposal or Issue**

The development has four areas that encroach onto the road reserve as a result of balconies on the first floor level. Three of these encroachments are over Lakeside Drive and one is on the truncated corner of Lakeside Drive and Reid Promenade, Joondalup (see Attachment 2). The developers wish to include these balconies as part of their development. DOLA's advice with regard to applications of this nature is for local authorities to follow standard Crown land closure procedures. In this case closure of portions of road reserve and 0.1 metre PAWs is required to be considered.

### **Road Closure**

On receipt of a request to close a portion of road, the service authorities are requested to provide details of any services that would be affected by the proposed closure. All costs and conditions associated with modification of services are to be met by the applicant if closure is the outcome. The proposal is also forwarded to the Department of Planning and Infrastructure (DPI) for comment. If the service authorities and the DPI raise no objection to the proposal and the applicants have agreed to meet all associated costs and conditions, then the application is advertised for public comment.

Council then considers the request together with any public comments received. Should Council support a road closure application relevant, documentation is forwarded to DOLA with a request to formally close the road. The Minister for Planning and Infrastructure makes the final decision on whether or not closure takes place.

### **Pedestrian Accessway Closure**

The process to close a PAW is governed by the Administrative Guidelines for Pedestrian Accessway Closure/Disposal as produced by DOLA and the Western Australian Municipal Association. Reference in these Guidelines is only made to the PAWs that exist for pedestrian movement. The inclusion of 0.1 metre PAWs on property boundaries is for the purpose of preventing vehicular access, generally for traffic safety reasons. The closure process for 0.1 metre PAWs is an agreed administrative arrangement between local authorities and DOLA and is similar in practice to other reserve or road amendments.

### **Statutory Provision:**

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

DOLA determines the purchase price, arranges any easements and survey/graphic requirements and undertakes conveyancing. The purchase price is fixed by DOLA in consultation with the Valuer General.

### **Consultation:**

The City was advised by DOLA that direct consultation with the DPI was not necessary with regard to the closure of Crown Land airspace and the City is aware that DOLA and the DPI have been in contact regarding this request. The service authorities were contacted and no objections were raised.

The public advertising period took place between 31 January 2002 and 7 March 2002, during which time the City did not receive any written submissions.

### **COMMENT**

DOLA has advised local governments that where development which is subject to the Strata Titles Act 1985 has balcony encroachments over Crown land, a transfer of tenure for the associated Crown land airspace will be necessary. DOLA's view is that such properties benefit by encroaching into Crown land airspace and the Crown should be compensated. DOLA favours the airspace being sold in freehold, however the Western Australian Planning Commission (WAPC) does not agree with this type of tenure. Accordingly, there is a moratorium on any such new applications until a common position is established.

Closure of the subject portions of Crown land airspace does not have any impact on the 0.1 metre PAW or the subject road reserve. The balconies are existing and commence at a first floor level so do not have any physical bearing on the land itself. Closure of the 0.1 metre PAW airspace will not remove the protection it offers in regards to restricting vehicular access.

As stated previously, there is presently a moratorium on new applications of this nature and all proposed developers of land within Joondalup City Centre are being advised of this issue when enquiring about their building options. For existing applications, in an effort to advance the transfer of tenure question, standard Crown land closure practices will take place.

In view of no submissions being received, it is recommended that closure of the airspace with regard to the subject portions of road reserve and 0.1 metre PAWs be supported.

### **VOTING REQUIREMENTS**

Simple Majority

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

- 1 SUPPORTS the closure of the portions of Lakeside Drive road reserve airspace associated with the balconies on the eastern boundary and the truncated corner of Lot 516 (205) Lakeside Drive, Joondalup as shown on Attachment 2 to this Report;**
- 2 SUPPORTS the closure of the portions of 0.1 metre pedestrian accessway airspace associated with the balconies on the eastern boundary and the truncated corner of Lot 516 (205) Lakeside Drive, Joondalup as shown on Attachment 2 to this Report;**
- 3 REQUESTS the Department of Land Administration to commence actions to formally close the subject portions of Crown land airspace.**

*Appendices 7 & 7a refer*

*To access this attachment on electronic document, click here: [Attach7brf020402.pdf](#)*

[Attach7abrf020402.pdf](#)

**6 REPORT OF THE CHIEF EXECUTIVE OFFICER**

**7 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**8 DATE OF NEXT MEETING**

The next meeting of the Council has been scheduled for **7.00 pm** on 23 April 2002 to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

**9 CLOSURE**

## BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS

### **OFFICE OF THE CEO**

#### ANNUAL GENERAL MEETING OF ELECTORS – EX CJ379-11/01

“2 (c) (iii) REVIEWS the order of business, including the possible provision of an additional period of public question time prior to the closure of the meeting, as part of the overall review of the proposed draft Standing Orders Local Law;”

**Status: A report will be submitted to the Standing Orders Review Committee for consideration.**

#### REQUEST TO SUPPLY SENIORS DETAILS TO THE SELF FUNDED RETIREES ASSOCIATION (INC) – ex CJ407-11/01

“the City DEVELOPS and IMPLEMENTS a policy in relation to the provision of specific information relating to a particular group or groups, or individuals and that such a policy be implemented prior to the 2002/2003 financial year;

the matter be REFERRED to the relevant committee for further consideration”

**Status: Policy issues are currently being investigated.**

#### SPECIAL MEETINGS OF ELECTORS HELD ON 7 AND 11 FEBRUARY 2002 – ex CJ033-02/02

“2 SEEKS a further report or series of reports addressing each of the individual motions carried at the Special Electors’ Meetings held in Greenwood and Kingsley in February 2002 and the report to comment on each resolution of the electors and recommend actions required to address the issues raised in each resolution;”

**Status: A report is currently being prepared for submission to a future meeting of council.**



**HUMAN RESOURCES**

TENDER NO 015-01/02 – SUPPLY OF TEMPORARY PERSONNEL – EX CJ426-12/01

“Cr Hollywood requested a report detailing costs to the City of Joondalup for temporary staff for the year.

Mayor Bombak advised this request would be taken on notice.”

**Status: A report is currently being prepared and will be tabled at the next Executive Management Team meeting.**

**STRATEGIC PLANNING**

NOTICE OF MOTION NO 2 – CR A PATTERSON – BUSINESS PLAN, REDUCTION OF ADMINISTRATION COSTS – ex C110-10/01

“that Council DIRECTS the Chief Executive Officer to prepare a business plan based on the shared services concept with a view to reducing the costs of administration for the City of Joondalup. The objective of this business plan is to outline how costs associated with corporate services such as information technology, finance and human resources can be shared across a number of interested Councils. The advantage of this would be the reduction of costs for these services across a number of municipalities.”

**Status: The methodology for addressing this matter is to be considered by the Executive in November following which the business plan will be developed. It is anticipated a report will be submitted to Council in March/April 2002.**

**CORPORATE SERVICES AND RESOURCE MANAGEMENT**

ALTERATIONS TO MULLALOO SURF CLUB, OCEANSIDE PROMENADE, MULLALOO – ex CJ449-12/01

“4 REQUIRES a further report outlining the details of the Deed of Variation to the current lease.”

**Status: This will be undertaken following completion of the alterations, to be reviewed June 2002.**

INDUSTRIAL SPECIAL RISKS, MOTOR VEHICLES AND PLANT AND ANCILLARY INSURANCES FOR 2002/2003 - ex CJ433-12/01

“2 REQUESTS a report from Local Government Self Insurance Schemes on its proposal for a self insurance property scheme (ISR).”

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

## PLANNING & COMMUNITY DEVELOPMENT

REQUESTED CLOSURE OF A PORTION OF A ROAD BETWEEN LOT 151 (88) CLIFF STREET AND LOT 113 (31) MARINE TERRACE, SORRENTO – ex CJ193-07/00

“REQUESTS that the Local Housing Strategy is completed and a report presented to Council by November 2000.”

**In view of the strong community reaction to precinct planning, and the need for a comprehensive community consultation policy, it is proposed to review this programme. A report on this review originally anticipated for July 2001 is unlikely to be completed before July 2002.**

SORRENTO CONCEPT PLAN – ex CJ160-05/01

“REQUIRES a further report detailing relative priorities, indicative costings and phasing of the elements in the Sorrento Concept Plan;”

**Status: A report which was originally anticipated to be presented to the Council following preliminary design work in August 2001, then November/December 2001 is now anticipated to be submitted to Council in June 2002.**

MULLALOO CONCEPT PLAN REVISIONS - ex CJ315-09/01

“6 REQUIRES a further report detailing relative priorities, indicative costings and phasing of the elements in the Mullaloo Concept Plan paying specific attention to the points raised by detailed consultation with key community groups and others, particularly the need to ensure that there is no reduction in the recreational functionality and nett area of the useable surface of Tom Simpson Park proper.”

**Status: A report will be submitted to Council in June 2002.**

BREACH OF DISTRICT PLANNING SCHEME NO 2 – STORAGE OF MORE THAN ONE COMMERCIAL VEHICLE IN A RESIDENTIAL ZONE: LOT 89 (19) BULLARA ROAD, CRAIGIE – ex CJ353-10/01

“that a review be conducted in conjunction with the executive of the Joondalup Business Association of the definition for commercial vehicles in relation to the City of Joondalup District Planning Scheme No 2 with a further report being submitted to a future Council meeting.”

**Status: A response has been received from Joondalup Business Association indicating its desire to be involved in the process. Programme to be put in place to carry out review.**

2002 ROYAL AUSTRALIAN PLANNING INSTITUTE (RAPI) NATIONAL CONGRESS – ex CJ395-11/01

“2 REQUESTS an information report on the outcomes of the RAPI 2002 Joint National Congress.”

**Status: A report will be presented following attendance at the Congress in April 2002.**

MODIFICATION TO ILUKA STRUCTURE PLAN – ex CJ057-03/02

“that the matter pertaining to modification of the Iluka Structure Plan be DEFERRED to enable public consultation to take place to allow an assessment to be made of community views on this matter.”

**Status: A report will be presented to Council following the advertising period.**

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

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

**Status: It is anticipated a report will be presented to Council in May/June 2002.**

#### **COMMUNITY DEVELOPMENT**

YOUTH SERVICES INITIATIVES - ex CJ245-07/01

“8 NOTES that a further report will be submitted to Council outlining the Youth Advisory Councils’ views on the Future Directions and Jumping at Shadows documents.”

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

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

## ANNOUNCEMENT BY CR P KADAK – ex C106-10/01

- 2 REQUESTS a report from the Joondalup North and South Youth Advisory Councils and the Strategic Advisory Committee – Youth Affairs on the conference and its recommendations.

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

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

## ANNUAL GENERAL MEETING OF ELECTORS – ex CJ379-11/01

- “2 (a) NOTES Motion 1 of the Annual General Meeting of Electors and AGREES that the consultation process undertaken regarding synthetic grass playing surfaces should include an elected member from each Ward where there is a bowling green located, and be finalised and reported to Council as part of the 2002/03 Budget preparation process;”

**Status: As proposed, a representative group from the North Metropolitan Regional Recreation Advisory Committee has met with Bowls WA. It is proposed that a pilot study involving the North Metropolitan Regional Recreation Advisory Committee and Bowls WA be undertaken to develop an understanding of the strategic issues relating to the installation of synthetic grass bowling greens. The availability of funding to resource a study is being pursued with LA's and Bowls WA being the major contributors, with some Department for Sport and Recreation funding also being sought.**

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

## SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST INC – MANAGEMENT COMMITTEE MEMBERSHIP – ex CJ410-11/01

“defers any action at present in relation to representation on the Board of the Shire of Wanneroo Aged Persons' Homes Trust Inc until this matter has been referred to the Strategic Advisory Committee – Seniors Interests;

CHARGES the Strategic Advisory Committee – Seniors Interests with the responsibility to Advise Council in regards to those which the Committee considers are the appropriate ways to support the development of aged care residential facilities and services for seniors”

**Status: This matter was referred to the Strategic Advisory Committee – Seniors the Trust.**

### APPOINTMENT OF WARD MEMBERS – CONSULTATION PROCESS REGARDING SYNTHETIC GRASS PLAYING SURFACES - ex C139-12/01

“That Council APPOINTS the following Ward Members, with appropriate officers from the City to undertake a consultative process regarding synthetic grass playing surfaces with representatives from the bowling clubs within those wards, with a report to be presented to the Council as part of the 2002/03 budget process:

	<u>Member</u>	<u>Deputy</u>
South Ward	Cr M O’Brien	Cr T Barnett
South Coastal Ward	Cr A Patterson	Cr G Kenworthy
North Coastal Ward	Cr J Hollywood	Cr A Nixon

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

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

**The North Metropolitan Regional Recreation sub committee is to meet with WA Bowls.**

### NOTICE OF MOTION NO 3 - CR A PATTERSON - ex C32-03/02

- “2 that report requested in (1) above is to address the following issues:
- the amount of money saved by these contracting out activities;
  - the reduction in the number of FTEs employed by the Council;
  - the increase in money available for improvements to various amenities in the City of Joondalup;
  - The positive impact for local business and economic development in the City of Joondalup of such activities.

The report is to be completed by June 2002.”

**Status: A report is to be completed by no later than June 2002.**

## INFRASTRUCTURE AND OPERATIONS

### NOTICE OF MOTION – CR C BAKER – REVIEW OF “VERGE” LOCAL LAWS – ex C45-06/01

- 1 “Council REVIEWS all existing local laws (and its powers to make new local laws) concerning Council’s powers to actively encourage the owners and/or occupiers of rateable land to adequately maintain the verge area between their front property boundary line and the immediately adjacent road surface (proper) in the manner of a reasonable person (“the Review”)
- 2 the Review be the subject of a report to Council.”

**Status: A report will be presented to Council on 23 April 2002.**

**WARWICK OPEN SPACE – PUBLIC TOILET FACILITY - ex CJ312-09/01**

“That Council DEFERS the removal of the Warwick Open Space public toilet facility and calls a community consultation meeting with the Warwick Open Space Facility User Groups, at the Warwick Recreation Association facility, on site, and requests the Urban Animal Management Committee to inspect and comment on the area, which is a regular area for canine animal exercise, in order to see whether the facility should be upgraded, kept as a community asset and developed as a picnic and barbecue area, adjacent to the Bush Walking Trails with interpreter signage, as there are already shelters, park seats and a car park currently in place.”

**Status: This matter is to be referred to the Skatepark Committee for further consideration.**

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

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

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

**TENDER 012-01/02 – LEASE FOR PART OF THE CIVIC CENTRE – ex CJ431-12/01**

“3 without impacting the lease and within 60 days of tender acceptance SEEKS a further report addressing the request for improved signage and exposure of the venue.”

**Status: This matter is currently being investigated by Infrastructure Management Services in consultation with Fawn Holdings Pty Ltd to identify whether a Council report is required to be submitted to Council in April 2002.**

**URBAN ANIMAL MANAGEMENT COMMITTEE – ex CJ358-10/01**

“4 SEEKS a further report and legal advice clarifying whether or not a local government may provide discounts on dog registrations for dogs that attend a recognised dog obedience course;”

“that consideration of the Urban Animal Action Plan – Cats forming Attachment 3 to Report CJ358-10/01 be:

- 1 REFERRED to the Urban Animal management Committee for further review;
- 2 Presented to Council for a further review;
- 3 Presented to Council for a final decision on the matter.

**Status: A report will be presented in April 2002.**

## OUTSTANDING PETITIONS

<p>Petition requesting construction of a bus shelter and bus bay on the inward route on Cockman Road between Mulligan Drive and Cobine Way, Greenwood.</p> <p><b>Comment: A report will be submitted to Council in April 2002.</b></p>	<p>12 June 2001</p> <p>Director Infrastructure &amp; Operations</p>
<p>Petition requesting the limiting of hours of operation or relocation of dance studio – Batavia Place, Kallaroo.</p> <p><b>Comment: Approval has been given for a new building, with an estimated three-month completion date. The petitioners will be notified once building is complete.</b></p>	<p>12 June 2001</p> <p>Director Planning &amp; Community Development.</p>
<p>Petition opposing construction of footpath – Sycamore Drive, Duncraig.</p> <p><b>Comment: A pedestrian survey has been undertaken to determine the warrant of a footpath. It is anticipated that a report will be submitted to April 2002 Council meeting.</b></p>	<p>13 November 2001</p> <p>Director Infrastructure &amp; Operations</p>
<p>Petition requesting construction of a wall – Bute Court, Kinross.</p> <p><b>Comment: This matter is currently being investigated with the Developer and other directorates and a report will be submitted to Council in April 2002.</b></p>	<p>13 November 2001</p> <p>Director Infrastructure &amp; Operations</p>
<p>A 7-signature petition has been received from residents of Oldham Street, Hillarys opposing the construction of a footpath in Oldham Street.</p> <p><b>Comment: An evaluation of the warrant for a footpath will be undertaken.</b></p> <p><b>Further information has now been provided to the resident and a survey is programmed. A report will be presented in May 2002.</b></p>	<p>27 November 2001</p> <p>Director Infrastructure &amp; Operations</p>
<p>A 179-signature petition has been received from residents of the City of Joondalup requesting the City include in its 2001/02 budget the cost of modifying the road design of Gibson Avenue to facilitate easier and safer driveway exiting for residents.</p> <p><b>Comment: An investigation of the proposed road treatment has been programmed and a report will be submitted to Council in April 2002.</b></p>	<p>27 November 2001</p> <p>Director Infrastructure &amp; Operations</p>
<p>Petition requesting installation of boom gate, retractable bollards, Neil Hawkins Park, Joondalup.</p> <p><b>Comment: On completion of investigations, a report will be submitted to Council.</b></p>	<p>12 February 2002</p> <p>Director Infrastructure &amp; Operations</p>

<p>Petition requesting installation of watering system to park – Chalcombe Way/Glenmere Road, Warwick.</p> <p><b>Comment: Will be referred to Dry Parks, Median and Verge Committee for its consideration. Dry Park Median and Verge Committee report to be prepared for the April round of Meetings.</b></p>	<p>12 February 2002</p> <p>Director Infrastructure &amp; Operations</p>
<p>Petition requesting installation of traffic calming devices on Beach Road, east of Marmion Avenue.</p> <p><b>Comment: This matter is currently being investigated by the City of Stirling.</b></p>	<p>26 February 2002</p> <p>Director Infrastructure &amp; Operations</p>
<p>Petition in relation to preparation of Precinct Plan for suburb of Heathridge.</p> <p><b>Comment: In accordance with the Council resolution, a community consultation policy is currently being prepared. Following this, further consideration will be given to whether to proceed with this precinct plan.</b></p>	<p>26 February 2002</p> <p>Director Planning &amp; Community Development</p>
<p>Petition in relation to proposed roundabout, Whitfords Avenue</p> <p><b>Comment: This has been dealt with administratively as part of the changed traffic treatment. Traffic signals are now supposed to be installed.</b></p>	<p>26 February 2002</p> <p>Director Infrastructure &amp; Operations</p>
<p>Petition requesting upgrade and reticulation of public recreation reserve known as Greenwich Park.</p> <p><b>Comment: Will be referred to Dry Parks, Median and Verge Committee for its consideration.</b></p>	<p>12 March 2002</p> <p>Director, Infrastructure &amp; Operations</p>
<p>Extension of Public Consultation Period – Mullaloo Tavern.</p> <p><b>Comment: Public advertising period extended to 35 days. Proposal currently being advertised.</b></p>	<p>12 March 2002</p> <p>Director, Planning &amp; Community Development</p>
<p>Petition in respect of Mullaloo Surf Lifesaving Club.</p> <p><b>Comment: The resolution of Council was to support the application. The petitioners will be notified.</b></p>	<p>12 March 2002</p> <p>Director, Planning &amp; Development</p>



## REPORTS/PRESENTATIONS REQUESTED AT BRIEFING SESSIONS

	<b>DATE OF REQUEST - REFERRED TO -</b>
<p>Cr Hollywood requested that consideration be given to a 'country town' relationship.</p> <p><b>Comment: Investigations into possible country town relationships has commenced. A report will be submitted in due course.</b></p> <p><b>Report to be submitted for the meeting on 23 April 2002.</b></p>	<p>6 November 2001</p> <p>Manager Strategic &amp; Corporate Planning</p>