



City of
Joondalup

NOTICE IS HEREBY GIVEN THAT THE NEXT
ORDINARY MEETING OF THE COUNCIL OF THE CITY OF JOONDALUP
WILL BE HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP
ON TUESDAY, 09 APRIL 2002 AT 7.00 PM

DENIS SMITH
Chief Executive Officer
3 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.*

DEPUTATION SESSIONS

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

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

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

TABLE OF CONTENTS

		Page No:
1	OPEN AND WELCOME	v
2	PUBLIC QUESTION TIME.....	v
3	APOLOGIES AND LEAVE OF ABSENCE	ix
4	DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY	ix
5	CONFIRMATION OF MINUTES.....	ix
6	ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION.....	ix
7	PETITIONS.....	ix
8	REPORTS	ix
CJ072 – 04/02	SPECIAL MEETING OF ELECTORS HELD ON 18 MARCH 2002 AT TOM SIMPSON PARK, MULLALOO – [75029] [48840].....	1
CJ073 – 04/02	SPECIAL MEETING OF ELECTORS HELD ON 25 MARCH 2002 AT WHITFORD SENIOR CITIZENS CENTRE, HILLARYS - [04045]	3
CJ074 – 04/02	CART DONATION - SHIRE OF MENZIES – [02004] [41887] [38634].....	6
CJ075 – 04/02	CBD ENHANCEMENT PROJECT STEERING COMMITTEE [53469].....	8
CJ076 – 04/02	MINUTES OF THE ENVIRONMENTAL AND SUSTAINABILITY ADVISORY COMMITTEE MEETINGS HELD ON 21 FEBRUARY & 21 MARCH 2002 – [00906]	15
CJ077 – 04/02	SUBMISSION – STATE GOVERNMENT’S SUSTAINABILITY STRATEGY – [00906]	18
CJ078 – 04/02	AMENDMENTS TO LOCAL GOVERNMENT HOUSE TRUST DEED – [00033] [38634]	20
CJ079 – 04/02	MINDARIE REGIONAL COUNCIL LAND REQUIREMENTS - [03149].....	24
CJ080 – 04/02	TENDER NUMBER 022-01/02 – SUPPLY AND LAYING OF BITUMINOUS CONCRETE SEAL – [15518]	31
CJ081 – 04/02	TENDER NUMBER 023-01/02 – PRUNING OF STREET TREES WITHIN THE CITY OF JOONDALUP – [27519]	34
CJ082 – 04/02	TENDER NUMBER 024-01/02 – SUPPLY AND APPLICATION OF BULK FERTILISER – [28519]	37
CJ083 – 04/02	TENDER NO 025-01/02 - REPLACEMENT OF "ASBESTOS CEMENT" ROOF JOONDALUP ADMINISTRATION CENTRE – [32519].....	40
CJ084 – 04/02	CLOSURE OF CROWN LAND AIRSPACE DUE TO BALCONY ENCROACHMENTS – LOT 516 (205) LAKESIDE DRIVE, JOONDALUP – [35633] [04018].....	46

REPORT OF THE CHIEF EXECUTIVE OFFICER

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

NOTICE OF MOTION – CR P KIMBER 50

NOTICE OF MOTION NO 1 – CR J HOLLYWOOD 51

NOTICE OF MOTION NO 2 – CR J HOLLYWOOD 52

10 **DATE OF NEXT MEETING 53**

11 **CLOSURE 53**

CITY OF JOONDALUP

Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chambers, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 9 APRIL 2002** commencing at **7.00 pm**.

DENIS SMITH
Chief Executive Officer
3 April 2002

Joondalup
Western Australia

AGENDA

1 OPEN AND WELCOME

Invited Guest – Pastor Rod Waters, Joondalup City Church

2 PUBLIC QUESTION TIME

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

Q1 In relation to question 1(a) previously answered, I have a copy of the City of Joondalup Annual Report dated June 2001 and on page 30 it shows that attendance figures for the Craigie Leisure Centre for 2000/2001 was 791,622. If attendance figures can be obtained for 12 months why are they not available for six months?

A1 As previously indicated, the City places greater emphasis on financial information rather than attendance figures for the Leisure Centre. The City is unable to guarantee that its attendance figures are as reliable as the figures available from the RANS Management Group.

Q2 Can Council explain the difference between an amount of \$1704 being collected by the City of Joondalup, when the Business Plan dated December 2000 for the lease of the three leisure centres indicated that \$7876 would be collected in the first year?

A2 The amount of \$1704 is an actual year to date figure. Based on the latest monthly report from the RANS Management Group, the City is due to invoice RANS for a further instalment based on the generated income.

Q3 Can Council elaborate on what is meant when you say “The issue of corporate overheads was addressed in the report to Council – CJ290 on 24 October 2000”. What does this mean and how much corporate overheads are being allocated to the Craigie Leisure Centre today?

A3 Council Report CJ290-10/00 identified that “Corporate Overheads” would continue to be attributable to Council’s management of its leisure facilities even if RANS undertook the day-to-day management of those facilities. These corporate overheads recognise that the City incurs costs of overseeing those operations.

As at 29 February 2002, corporate overheads for the year to date amounting to \$9,687 had been attributed to the Activity 866-Leisure Centres RANS.

Q4 In the Business Plan there is a commitment of \$1 million for the extension of the Health and Fitness Centre at Craigie Leisure Centre with an official opening date of March 2002. Would Council advise why this has not yet occurred?

A4 The City’s agreement with RANS Management does not state March 2002 as an opening date for a new fitness centre at Craigie Leisure Centre. What is stated in Schedule 3.48 of the agreement is:

“As soon as practicable after the Commencement Date of the Term, the Lessee shall engage a market research consultant”

This process is being followed by RANS in accordance with the agreement and on 21 March 2001 the RANS Management Group and a consultant engaged by them made a presentation to the City outlining their plans. This matter is due to be progressed as soon as possible.

The following question, submitted by Ms M MacDonald, Mullaloo, was taken on notice at the Council meeting held on 26 March 2002:

Q1 The Mullaloo Tavern was identified as a village. This was related to its size, which is 2377 metres square and is a commercial area. Did Council apply size criteria to all the other centres that were looked at?

A1 The Mullaloo Tavern site was identified as a “Village” due to its likely role of providing a relatively small amount of retail floor space, in comparison to other centres in the City of Joondalup. The Centre types for all other Centres within the City were not determined on the basis of land area, but by a number of other planning factors.

The following questions, submitted by Mr S Magyar, Heathridge, were taken on notice at the Council meeting held on 26 March 2002:

Q1 Cr Mackintosh's letter to the Community Newspaper published on Thursday, 21 March 2002 states: "I wholeheartedly support the plans for the redevelopment of the Mullaloo Tavern."

Will the Mayor and the Chief Executive Officer examine the contents of the letter and see if that letter has kept within the spirit and intent of Item 2.3.1(d) of the Code of Conduct of the City of Joondalup?

A1 The contents of the letter have been examined and no breach of the City's code has been committed.

Q2 Can you please explain how the idea of holding a strategic briefing session behind closed doors equates with Code of Conduct Item 2.5.1 Communication with the Community?

A2 The holding of strategy sessions will allow Council to focus on issues that are strategic in nature. The Council is in the process of developing a detailed communications policy which will greatly enhance its communication with the community. Those matters presented for discussion at the strategy session that require public consultation will be submitted for public comment.

- *Re new schedule regarding Council Strategy Sessions, Briefing Sessions and Council Meetings:*

Q3 How will members of the public know there may be a need to organise a deputation to a Briefing Session if the agenda for that Briefing Session comes out on a Wednesday or a Friday before (less than a week to determine what is on the agenda and what action they may require to take). At present if a person wishes to request a deputation to the Council meeting, they have close to two weeks to find out there is an item under consideration by this Council.

A3 The procedures relating to deputations and the new meeting cycle are currently being developed. Advertisements will be placed in the local paper advising of the necessary arrangements for those wanting a deputation.

The following questions, submitted by Mrs M Zakrevsky, Mullaloo, were taken on notice at the Council meeting held on 26 March 2002:

Q1 CJ70 – Proposed Amendment No. 10 to District Planning Scheme No.2. Schedule 5 clause 5.3.1 list five places as having "significance for the purpose of protection of the landscape or the environment". Neil Hawkins Park is on that list and has aboriginal heritage. Why are two of our oldest parks that have historical, landscape and environmental significance not on this list? I refer to Tom Simpson Park, Mullaloo which dates back to 1938 and Geneff Park, Sorrento which goes back to the fifties or earlier. Trigg Point Park, Ocean Reef has unsurpassed views and Craigie Bushland should be included for its landscape and environmental views.

- A1 Amendment 10 does not propose any changes to either Schedule 5 or Clause 5.3.1 of District Planning Scheme No. 2. The suggestion to include additional sites in Schedule 5 of DPS 2 will be further investigated, and you are welcome to stay in touch with City staff directly on that point.
- Q2 *CJ70 – Proposed Amendment No. 10 to District Planning Scheme No.2. How many persons were involved in deciding the hierarchy of the centres in the Centres Policy (Ref. Attachment 4, Schedule 3 – Net lettable area for centres)?*
- A2 The Centres Strategy was prepared by a group of consultants, and was the subject of a period of public advertising, and submissions were invited. The issues raised in the submissions received were then taken to Council for consideration.

The following question, submitted by Mr K Zakrevsky, Mullaloo, was taken on notice at the Council meeting held on 26 March 2002:

- Q1 *Were you, Mayor Bombak, not the Chairman of the briefing session on 19 February 2002?*
- A1 There is no formal ‘Chairman’ of a briefing session, however the Mayor adopts the role to oversee the order of business. The Mayor was in attendance at that briefing session.

The following question, submitted by Mr M Sideris, Mullaloo, was taken on notice at the Special Meeting of Electors held on 18 March 2002:

- Q1 *At the Greenwood Special Electors’ meeting, we asked for a copy of the design brief. As a result we received documentation which essentially triggered the calling of this meeting. I have an attachment which is identified as ‘proposed project area - Mullaloo beach’. Why does this project area go three blocks north and all the way to Dampier Avenue?*
- A1 The attachment in question was provided to give the consultant a scaled plan to work from. It showed Oceanside Promenade and, for ease of reference, the street network around it, and was a copy of the original project area plan given to the consultants engaged to undertake the Mullaloo Beach Study.

The extent of the traffic management consultancy is indicated in the scope of the brief, as follows:

“To review the Concept Plans for the management of traffic and provision of parking adjacent to the beachside commercial areas in Mullaloo and Sorrento, with due consideration given to pedestrian, cyclist and public transport needs.”

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 CONFIRMATION OF MINUTES

MINUTES OF COUNCIL MEETING, 26 MARCH 2002

RECOMMENDATION

That the Minutes of the Council Meeting held on 26 March 2002 be confirmed as a true and correct record.

6 ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

7 PETITIONS

8 REPORTS

CJ072 – 04/02 SPECIAL MEETING OF ELECTORS HELD ON 18 MARCH 2002 AT TOM SIMPSON PARK, MULLALOO – [75029] [48840]

WARD - Whitfords

CJ020402_BRF.DOC:ITEM 1

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 Report CJ072-04/02;**
- 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](#)

CJ073 – 04/02 SPECIAL MEETING OF ELECTORS HELD ON 25 MARCH 2002 AT WHITFORD SENIOR CITIZENS CENTRE, HILLARYS - [04045]

WARD - Whitfords

CJ020402_BRF.DOC:ITEM 2

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 Report CJ073-04/02;
- 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](#)

**CJ074 – 04/02 CART DONATION - SHIRE OF MENZIES – [02004]
[41887] [38634]**

WARD - All

CJ020402_BRF.DOC:ITEM 3

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.

CJ075 – 04/02 CBD ENHANCEMENT PROJECT STEERING COMMITTEE [53469]

WARD - All

CJ020402_BRF.DOC:ITEM 4

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.

Gross Amount	Amount Excl. GST	Details
\$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.
\$65,742	\$59,168	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.

Item	Amount	Description/Comment
Revenue	\$29,587	Expected Regional Assistance Program (RAP) grant funding for 2002/03.
Expenditure	\$80,605	
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.
Project budget allocation sought from City of Joondalup in 2002/03.	\$51,018	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;

3 INVITES a representative from each of the following stakeholder groups to be a member of the committee detailed in (1) above:

- 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)

CJ076 – 04/02 MINUTES OF THE ENVIRONMENTAL AND SUSTAINABILITY ADVISORY COMMITTEE MEETINGS HELD ON 21 FEBRUARY & 21 MARCH 2002 – [00906]

WARD - All

CJ020402_BRF.DOC:ITEM 5

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 Report CJ076-04/02;**
- 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 INVITES a representative from Edith Cowan University to the Environmental and Sustainability Advisory Committee in order 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](#)

CJ077 – 04/02 SUBMISSION – STATE GOVERNMENT’S SUSTAINABILITY STRATEGY – [00906]

WARD - All

CJ020402_BRF.DOC:ITEM 6

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 Report CJ077-04/02;**
- 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](#)

CJ078 – 04/02 AMENDMENTS TO LOCAL GOVERNMENT HOUSE TRUST DEED – [00033] [38634]

WARD - All

CJ020402_BRF.DOC:ITEM 7

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..**

CJ079 – 04/02 MINDARIE REGIONAL COUNCIL LAND REQUIREMENTS - [03149]

WARD - All

CJ020402_GRN.DOC:ITEM 1

PURPOSE

The Mindarie Regional Council (MRC) has resolved to adopt a plan for future land requirements landfilling and the location of the Secondary Waste Treatment Facility (SWTF).

The purpose of this report is to seek Council's endorsement of the plan.

EXECUTIVE SUMMARY

Since the adoption of the implementation plan for secondary waste treatment the MRC has been seeking a site for the SWTF. The site selection process has been the subject of robust discussions between the member Councils. The issue was resolved at a workshop on 30 January 2002 where approximately 30 elected members and officers were in attendance and a plan was adopted to:

- Continue to use Tamala Park as a landfill up to and beyond 2011, for that waste not treatable via SWTF, and residue from SWTF;
- The staged development of a SWTF at one or more locations, other than Tamala Park.

At its meeting on the 14 February 2002, the MRC adopted the plan and resolved to seek individual member Council support for the Plan.

Previously, Council adopted a report titled 'Future Directions in Managing the Waste Stream in the Mindarie Region' at a meeting on 13 November 2001. It endorsed land tenure security at Tamala Park and resolved to support the introduction of SWTF either at Tamala Park or an alternate site based sound economical, social and environmental considerations.

This Report suggests that Council:

- 1 *NOTES the information from the land requirements workshop held on 30 January 2002;*
- 2 *ADOPTS a plan for future land requirements as follows:*
 - 2.1 *the continued use of Tamala Park for landfill up to and beyond 2011, for that waste not treatable via SWTF, and residue from SWTF processes; and*
 - 2.2 *the development of plant for SWTF processing at one location, other than Tamala Park, as previously proposed i.e. in three stages with milestones of 2005, 2010 and 2015;*

- 3 *HAS no objection to further investigation of potential sites other than Tamala Park for establishment of a SWTF plant, noting the previously recommended preferred site of Wangara;*
- 4 *HAS no objection to the Mindarie Regional Council authorising an investigation into improved security of tenure for Tamala Park, including a revised lease of land, or purchase of an appropriate parcel of land;*
- 5 *HAS no objection to the Mindarie Regional Council advising the land owner of this investigation into improved security of tenure; and*
- 6 *HAS no objection to the Mindarie Regional Council initiating investigations into potential landfill sites for use following closure of Tamala Park.*

BACKGROUND

The MRC embarked on a programme to introduce secondary waste treatment into the region in view of:

- Government directives such as the push for sustainability, 50% reduction to landfill and there is to be no new landfills on the Swan coastal plain;
- The recognised long term disposal issues for the region;
- Shortage of landfill space available at Tamala Park in the longer term;
- A previous commitment by the MRC to introduce some form of waste processing in the region;
- A conditional approval for the second stage landfill at Tamala Park based on a demonstrated progress towards the introduction of a SWTF.

Major studies into the feasibility of secondary waste processing resulted in the development of SWTF implementation plan which was subsequently adopted by the MRC.

Since this time siting of the facility has been an issue with member council, however, this issue has now been resolved at the MRC but is still subject to the approval of individual member Councils.

In terms of timing, the implementation plan schedules the commissioning date for the SWTF in March 2005 provided the purchase of an alternative site was completed by 1 February 2002. Importantly, at the time of writing this report, the site assessment study has nominated a number of possible areas with no specific site being identified. It is therefore reasonable to assume the March 2005 commissioning date is remote.

DETAILS

The Tamala Park waste facility was the most obvious place to site a SWTF, however during the ensuing period after the adoption of the implementation plan it became obvious there was strong opposition to the siting of the SWTF at Tamala Park. The City of Wanneroo made its opposition clear and there was considerable debate on the issue. It soon became apparent that as the statutory planning approval authority, chances of receiving favourable decisions from the City of Wanneroo for the establishment of the facility was remote.

The MRC's technical Officers were of the view that any adversarial approach would not be successful and in the interests of progressing the matter it was decided that a workshop should be held with elected members and technical officers.

The workshop was held on 30 January 2002 where land requirements were established.

Land Requirements

Attendees agreed to the following specification for land requirements and land options were:

- **Landfill**

- 30 hectares for 30 year life span
- Class 2 landfill was required
- Not located on coastal plain
- 500 m buffer (240 hectares)
- Environmental Conditions

- **SWTF**

- Three sites of 2.5 to 5 hectares; or
- One site of 8 to 10 hectares
- Appropriate adjoining land use
- Planning requirements
- Services
- Benign political environment and appropriate political conditions

Land Options

Attendees agreed the following strategic options for provision of these land requirements:

Option One

- SWTF located at Tamala Park (up to and beyond 2011)
- Landfill located at Tamala Park (up to and beyond 2011)

Option Two

- SWTF located at a site other than Tamala Park
- Landfill located at Tamala Park (up to and beyond 2011)

Option Three

- SWTF located at a site other than Tamala Park
- Landfill located at Tamala Park to 2011, and other site beyond 2011

Key issues which emerged from this evaluation were as follows:

- **Landfill**

- Tamala Park is the preferred location from a technical perspective due to the existence of an established facility and associated systems
- Major customers of Mindarie Regional Council, particularly member Councils, would incur significant additional costs (\$1.6 - \$2.8m) should landfill be located at other than Tamala Park
- Political issues as a result of a resolved City of Wanneroo position in relation to future use of Tamala Park are potentially not significant, given the City of Wanneroo written advice (correspondence dated 11 December 2001 refers) on some flexibility regarding this use

- **SWTF**

- Tamala Park is the preferred location from a technical perspective due to the existence of an established facility and associated systems;
- The cost differential between Tamala Park and elsewhere to major customers is not significant;
- Political issues as a result of a resolved City of Wanneroo position in relation to the non acceptability of Tamala Park as a SWTF site, have the potential to significantly impact on the Council's business, if pursued;
- Whilst the zoning of Tamala Park (leased land) ie Public Open Space (Special Purpose) is consistent with a land use for waste management, the pursuit of an option based on consensus between all member Councils ie elsewhere is likely to be more cost beneficial to the Council;

Attendees concluded that the preferred combination of capability siting characteristics was as follows:

- Landfill: To continue at Tamala Park
- SWTF: Other than Tamala Park

Key reasons for this conclusion were as follows:

- The location of landfill at Tamala Park represents the most attractive option, from a cost perspective, with no significant technical environmental or political disadvantages; and
- The location of any SWTF facility other than Tamala Park removes any cause for dispute with City of Wanneroo by the Council given Wanneroo's stated position of non support for SWTF at Tamala Park. No technical or financial penalty exists for selection of this course.

A Proposed Land Requirements Plan

The workshop developed a plan for the Council's future land requirements. Key elements of this plan were as follows:

- The continued use of Tamala Park for landfill up to and beyond 2011, for that waste not treatable via SWTF, and residue from SWTF processes; and
- The development of plant for SWTF processing at one or more locations, other than Tamala Park, as previously proposed i.e. in three stages, for implementation in 2005, 2010, 2015 respectively.

Tamala Park – Tenure

The Council is currently progressing administrative action to validate the existing lease of part Lot 118 (formerly Lot 17) Tamala Park. However, the issue remains that the Council only has lease of the land until 2011.

Any land plan which contains an ongoing role for Tamala Park should also address the matter of long term security of tenure at this location. This tenure can potentially be obtained by either of the following strategies:

- Construction of a new lease reflecting long term tenure; and
- Purchase of an appropriate parcel of Lot 118 land for the Council's business activities.

An investigation into these options is now appropriate.

Statutory Provision: These provisions will be the responsibility of the MRC.

Consultation: Issues work shopped with elected members and technical officers.

Policy Implications: Limited policy implications for Council at this stage.

Financial Implications: None at this stage.

Strategic Implications:

It is too early to predict the strategic implications for the City's strategic plan however waste handling systems will be required to meet the requirements of the SWTF. The cost of secondary waste treatment will mean an increase in the disposal costs and subsequent rises in the rubbish rate when the SWTF becomes operational.

Subsequently the MRC made the following recommendations at its Council meeting on 14 February 2002:

- (i) *note the information from the land requirements workshop held on 30 January 2002;*

- (ii) *adopt a plan for future land requirements as follows:*
- (a) *the continued use of Tamala Park for landfill up to and beyond 2011, for that waste not treatable via SWTF, and residue from SWTF processes; and*
- (b) *the development of plant for SWTF processing at one or more locations, other than Tamala Park, as previously proposed ie in three stages with milestones of 2005, 2010, 2015.*
- (iii) *has no objection to further investigation of potential sites other than Tamala Park for establishment of a SWTF plant, noting the previously recommended preferred site of Wangara.*
- (v) *has no objection to the Mindarie Regional Council authorising an investigation into improved security of tenure for Tamala Park, including a revised lease of land, or purchase of an appropriate parcel of land;*
- (vi) *has no objection to the Mindarie Regional Council advising the land owner of this investigation into improved security of tenure; and*
- (vii) *has no objection to the Mindarie Regional Council initiating investigations into potential landfill sites for use following closure of Tamala Park.*

COMMENT

Council has previously adopted the future directions report on the 13 November 2001 and the issues and plan presented in this report is consistent with that report. The resolution was as follows:

- 1 *ADOPTS the regional approach to waste management as detailed in Report CJ392-11/01;*
- 2 *ENDORSES land tenure security for the Mindarie Regional Council for the waste management activities at Tamala Park;*
- 3 *ADVISES the Mindarie Regional Council that it supports the introduction of Secondary Waste Treatment either at Tamala Park or at an alternate site based on sound economical, social and environmental considerations;*
- 4 *ADVISES the Mindarie Regional Council it supports the Tamala Park Master Plan;*
- 5 *ADVISES the Mindarie Regional Council to promote through the responsible State agency and/or the Municipal Waste Management Council (MWAC), and/or at the regional level, a community awareness and education campaign on secondary waste treatment;*
- 6 *DEVELOPS a web page on the City of Joondalup's web site introducing and discussing local waste management and secondary waste treatment issues.*

In the MRC resolution 14 February item (ii) (b), states that the ‘development of plant for SWTF processing should be located at one or more locations’. In considering this matter the siting of a facility other than at one location is not practicable, on the basis that this will require seeking planning and environmental approvals for all the sites chosen and full public consultation, which may result in ongoing delays and unnecessary costs in seeking approvals and consultation fees. Acknowledging the desire for the City of Joondalup to secure a sustainable waste management system, the recommendation should read the SWTF should be located at one location, other than Tamala Park.

Since the workshop the Secondary Waste treatment Working Group has recommended that one site should be chosen to accommodate the SWTF, this recommendation should be supported at the next MRC meeting.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1 NOTES the information from the land requirements workshop held on 30 January 2002;**
- 2 AGREES to the future land requirements as follows:**
 - 2.1 the continued use of Tamala Park for landfill up to and beyond 2011, for that waste not treatable via SWTF, and residue from SWTF processes;**
 - 2.2 the development of plant for SWTF processing at one location, other than Tamala Park, as previously proposed i.e. in three stages with milestones of 2005, 2010 and 2015;**
- 3 HAS no objection to:**
 - (a) further investigation of potential sites other than Tamala Park for establishment of a SWTF plant, noting the previously recommended preferred site of Wangara;**
 - (b) the Mindarie Regional Council authorising an investigation into improved security of tenure for Tamala Park, including a revised lease of land, or purchase of an appropriate parcel of land;**
 - (c) the Mindarie Regional Council advising the land owner of this investigation into improved security of tenure;**
 - (d) the Mindarie Regional Council initiating investigations into potential landfill sites for use following closure of Tamala Park.**

CJ080 – 04/02 TENDER NUMBER 022-01/02 – SUPPLY AND LAYING OF BITUMINOUS CONCRETE SEAL – [15518]

WARD - All

CJ020402_BRF.DOC:ITEM 8

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 its 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 Report CJ080-04/02 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](#)

CJ081 – 04/02 TENDER NUMBER 023-01/02 – PRUNING OF STREET TREES WITHIN THE CITY OF JOONDALUP – [27519]

WARD - All

CJ020402_BRF.DOC:ITEM 9

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 Report CJ081-04/02. 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](#)

CJ082 – 04/02 TENDER NUMBER 024-01/02 – SUPPLY AND APPLICATION OF BULK FERTILISER – [28519]

WARD - All

CJ020402_BRF.DOC:ITEM 10

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
	TOTAL	253,685.00	249,970.00	348,175.00

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 to Report CJ082-04/02 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](#)

**CJ083 – 04/02 TENDER NO 025-01/02 - REPLACEMENT OF
"ASBESTOS CEMENT" ROOF JOONDALUP
ADMINISTRATION CENTRE – [32519]**

WARD - Lakeside

CJ020402_BRF.DOC:ITEM 11

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 13th 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 200m² 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:

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

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:

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

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:

Account No:	Project No. 4062
Budget Item:	Administration Centre Roof Replacement
Budget Amount:	\$150,000
Contract Amount:	\$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.**

**CJ084 – 04/02 CLOSURE OF CROWN LAND AIRSPACE DUE TO
BALCONY ENCROACHMENTS – LOT 516 (205)
LAKESIDE DRIVE, JOONDALUP – [35633] [04018]**

WARD - Lakeside

CJ020402_BRF.DOC:ITEM 12

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 Report CJ084-04/02;**
- 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 Report CJ084-04/02;**
- 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](#)

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR P KIMBER

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Paul Kimber has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 9 April 2002:

“That:

- 1 Council expresses concern at the use of notice of motions whereby Council funds are being committed without the benefit of a detailed report from the City’s administration being prepared;*
- 2 the CEO be requested to prepare a detailed report outlining a process for ensuring that all decisions of Council are made in a fully informed and considered environment;*
- 3 Councillors intending to proceed with Notice of Motions involving a considerable monetary commitment, ensure that the relevant area of City of Joondalup administration has had the opportunity to prepare a report detailing the impact and/or benefit to the City of Joondalup overall.”*

OFFICER’S COMMENT

In 1997 the Department of Local Government and Regional Development commenced a review of all local governments’ minutes and agendas documentation. This project produced a guide for local governments titled “The Preparation of Agendas and Minutes – Version 2”. This guide has been one of the base documents used for the drafting of the City’s new Standing Orders Local Laws.

One of the guides driving principle is for the agendas to be well-structured, that lead to Council meetings that are efficient and effective in that they produce good decisions that are made following analysis of sound advice.

The guide promotes an order of business for Council meetings to follow. Within that order of business there is an item of business for ‘elected members motions of which previous notice has been given’. This allows members to submit notices of motions that they wish debated at a meeting.

The guide includes the following statement:

“It is recommended practice, and should be a requirement, that any notice of motion be accompanied by the report of an appropriate officer when advice of the motion is sent to the Council members.”

The City's current Standing Orders Local Law requires members to give at least seven (7) clear days for notice of a motion. With Council meetings being held on the Tuesday, notices of motions are required to be submitted on the Monday the week prior. The agenda for the Council meeting is distributed on the Wednesday prior, this leaves 2 days to prepare officer's comments relating to the notice of motion. Current practice is that where a notice of motion has been submitted, then where it is appropriate officer's comments are prepared and included with the distribution of the agenda. However, with the tight time frame from the close of notices of motion and the distribution of the agenda, and the complexity of some notices of motion, it is not always possible to accurately research and present officer's comments providing advice on the proposed motion.

It is suggested that the practice of providing officers' comments in relation to notices of motions continue in order to ensure members are provided with factual information to ensure an informed decision is made.

NOTICE OF MOTION NO 1 – CR J HOLLYWOOD

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr John Hollywood has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 9 April 2002:

“That:

- 1 Council ESTABLISHES BY AN ABSOLUTE MAJORITY a Joint Heritage and Artefacts committee in order to make recommendations to Council concerning the items in the heritage collection that are held in joint custody by the Cities of Joondalup and Wanneroo;*
- 2 Council APPOINTS BY AN ABSOLUTE MAJORITY the following persons to the Committee detailed in 1 above, being:*
 - (a) an independent Chairman;*
 - (b) five (5) Councillors from the City of Joondalup;*
 - (c) five (5) Councillors from the City of Wanneroo.*
- 3 the Chief Executive Officers and relevant officers of both the Cities of Joondalup and Wanneroo be invited to provide professional advice.”*

OFFICER'S COMMENT

It is considered premature to adopt the position of a joint Heritage and Artefacts committee until such time that advice has been received from the Minister for Local Government in relation to this matter.

NOTICE OF MOTION NO 2 – CR J HOLLYWOOD

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr John Hollywood has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 9 April 2002:

“That in relation to the future accommodation of the West Perth Football Club, Council ascertains:

- 1 what information Cr Baker has been given that other Councillors have not been privy to;*
- 2 what funding the State Government gives to the West Australian Football Commission each year;*
- 3 what funding or rate relief do other Councils give to other footballs clubs in their respective areas;*
- 4 what the state of negotiation is between the West Perth Football Club and the City of Joondalup;*
- 5 what is the financial position of the West Perth Football Club;*
- 6 what precedent will be set regarding other major sporting groups in Joondalup eg basketball, soccer, cricket, if funding is approved.”*

OFFICER’S COMMENT

At the Council meeting on 26 March 2002, Council requested that a full report be presented to Council as soon as possible regarding the West Perth Football Club.

The information requested in Councillor Hollywood's notice of motion presented at the briefing session on 2 April 2002 will be fully addressed within this report to Council.

10 DATE OF NEXT MEETING

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

11 CLOSURE

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



City of
Joondalup

QUESTION TO MEETING OF COUNCIL

NAME

ADDRESS

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QUESTION

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

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

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

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

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