

CITY OF JOONDALUP

MINUTES OF SPECIAL COUNCIL MEETING HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON MONDAY, 24 JUNE 2002

OPEN AND WELCOME

The Mayor declared the meeting open at 1800 hrs.

ATTENDANCES

Mayor

J BOMBAK, JP

Elected Members:

Cr P KADAK	Lakeside Ward	
Cr P KIMBER	Lakeside Ward	
Cr D CARLOS	Marina Ward	
Cr C BAKER	Marina Ward	<i>Absent from 1831 hrs to 1842 hrs</i>
Cr A NIXON	North Coastal Ward	<i>from 1804 hrs</i>
Cr J F HOLLYWOOD, JP	North Coastal Ward	
Cr A WALKER	Pinnaroo Ward	
Cr P ROWLANDS	Pinnaroo Ward	<i>Absent from 1831 hrs to 1846 hrs</i>
Cr T BARNETT	South Ward	
Cr M O'BRIEN, JP	South Ward	
Cr A L PATTERSON	South Coastal Ward	<i>from 1804 hrs</i>
Cr J HURST	Whitfords Ward	
Cr C MACKINTOSH	Whitfords Ward	<i>Absent from 1935 hrs to 1937 hrs</i>

Officers:

Chief Executive Officer:	D SMITH
Director, Planning & Community Development:	C HIGHAM
Director, Infrastructure & Operations:	D DJULBIC
Acting Director, Corporate Services and Resource Management:	A SCOTT
Manager, Audit & Executive Services:	K ROBINSON
Manager, Marketing, Communications & Council Support:	M SMITH
Manager, Community Development:	G HALL
Manager Project Policy & Planning:	R HARDY
Manager Approval Planning & Environmental Services:	C TERELINCK

Acting Coordinator, Urban Design
& Policy: S VELJANOSKA
Publicity Officer: L BRENNAN
Minute Clerk: L TAYLOR

There were 27 members of the Public and 1 member of the Press in attendance.

ATTENDANCES AND APOLOGIES

Leave of absence previously approved:

Cr G Kenworthy 17 June 2002 to 7 July 2002 inclusive

Late Apology: Cr Rowlands

PUBLIC QUESTION TIME

(Please Note: Section 7(4)(b) of the Local Government (Administration) Regulations 1996 states that a Council at a special meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked).

Crs Nixon and Patterson entered the Chamber, the time being 1804 hrs.

Mr M Sideris, Mullaloo:

Q1 Re Item 1 – Amendment 10: Are the Mayor and Councillors, familiar with Amendment No 10 – DPS No 2 and all the strategy and policy documents that are associated with Item 1 on the agenda?

A1 Councillors are guided by the report in front of them and by the recommendations of officers to assist.

Q2 Will the Councillors respond as well?

A2 Response by Mayor Bombak: Councillors, if anyone wishes to respond, otherwise I am speaking on behalf of the Councillors.

Response by Cr Hollywood: I have not familiarised myself with this report yet. I have not had time to read it. When question time finishes I will be asking for this item to be postponed to a Strategic Session in the coming weeks.

Response by Cr Carlos: I do not believe that we have had sufficient information on Amendment 10 and I will be supporting a deferment.

Q3 Item 2 - I note this is a confidential item with a possible financial impact to ratepayers and to the municipality of the City of Joondalup. Can you please explain why such an important issue is going to be hidden behind closed doors?

A3 It is a matter of contractual arrangements between this Council and RANS.

Q4 Are you saying that this item is 'commercial in confidence'?

A4 Yes.

Q5 Are you aware that 'commercial in confidence' has no legal status?

A5 It is understood this item is one that will be dealt with in the Private and Confidential Session of Council.

Q6 Do you understand that there is no legal term that defines 'commercial in confidence'?

A6 The question has been answered.

Mr M Caiacob, Mullaloo:

Q1 Why doesn't the City of Joondalup provide an easy, legible and commonsense approach to Town Planning to myself and other ratepayers and also to my Councillors?

A1 This question will be taken on notice.

Ms M Macdonald, Mullaloo:

Q1 Re Amendment No 10 - The recommendation tonight suggests that Council reviews the City of Joondalup's Centres Strategy and Policy 3.2.8 Centres Strategy. If this recommendation is taken up, what will be the status of the Centres Strategy? Will it be able to be used for any purpose during that review period?

A1 This question will be taken on notice.

Ms M Moon, Greenwood:

Q1 Part of Amendment No 10 is Amendment No 3, which was never processed by WAPC. Did Council take it upon itself to proceed with the development based on Amendment No 3 and Centres Strategy policy in the interim?

A1 Amendment No 3 dealt with the nine centres where there was a difference between the floor space which was shown in District Planning Scheme No 2 and the actual floor space which has shown up in the 1997 WAPC survey.

Q2 This is not yet in place, is that correct?

A2 That is correct.

Q3 Did Council take upon itself to proceed with development based on Amendment No 3 and Centres Strategy policy in the interim?

A3 Amendment No 3 was never adopted by the WAPC, so the City could not have acted upon it.

Q4 Council has given itself permission to develop in the interim. What safeguards were put in place if not successful?

A4 The Council can deal with development applications under the current scheme provisions regardless of Amendment No 3 or Amendment No 10.

Ms Sue Hart, Greenwood:

Q1 At the Kingsley Special Meeting of Electors the Director of Planning was asked what other plans are there that we do not know about? The question was not answered. Why was this question not answered?

A1 The question is not related to the item of business.

Q2 When did the Mayor find out about Amendment No 10?

A2 I would invite you to listen to the debate later this evening.

Ms C Woodmass, Kingsley:

Q1 Why after we had the Special Meeting of Electors in the two suburbs and we stated that we were unhappy with the community consultation did all the Councillors continue with their voting for Amendment No 10?

A1 *Response by Cr O'Brien:* As I had previously stated at the last Council meeting, I had not been aware of the Planwest (WA) Pty Ltd Belingwe Pty Ltd recommendations that were put to the Commissioners which became the 1999 document. Elected members were not furnished with it at the time Amendment No 10 was debated and I blame myself for not having pursued the matter and sought a copy of that document. It stated September 1999 and Planwest were commissioned by the municipality to come down with a draft Centres strategy.

Cr O'Brien referred to the document and gave an overview of the contents.

Both Crs Hollywood and Carlos indicated they agreed with Cr O'Brien's comments.

Q2 Can I ask why when we made it clear at all of the Special Electors' Meetings that we were unhappy about the fact that the advertisements for any changes within the City were going on over the Christmas period, this advertisement was put over the Christmas period and why was it worded so misleadingly and led us to believe that only Padbury and Kinross were affected by Amendment No 10?

A2 It is not believed that it was badly worded or misleading.

Q3 Was there reference to the fact that it affected the entire City of Joondalup or that it was just the Padbury and Kinross lots that were particularly picked out in your advertisement and was there any note in that advertisement to tell you exactly what Amendment 10 involved in terms of the description that Cr O'Brien has just given and also in terms of what I have read reading Amendment 10 myself?

A3 Amendment No 10 was widely advertised as the whole of the City of Joondalup amendment which had many parts to it.

Q4 Do you have the advertisement to hand or have you seen the advertisement? Are copies of the advertisement available?

A4 This question will be taken on notice.

Mr S Magyar, Heathridge:

Q1 Re RANS Management Group - Can the information be made publicly available as to whether the City of Joondalup has received more money from RANS than it has paid to RANS, or whether it is the other way around? How much of the ratepayers money has been paid to the RANS Group and is that amount of money greater than the amount of money that RANS has paid in rental, or other fees that require to come back to the Council?

A1 This question will be taken on notice.

Q2 Considering the complexity and importance of these matters, can Standing Orders be set aside to allow a second public question time for clarification of the resolutions of Council?

A2 That is not a practice set down in the Standing Orders or the guidelines recommended by the Department of Local Government.

Mrs M Macdonald, Mullaloo:

Q1 Does the City not consider that people who live around or adjacent to these centres might have been affected landowners given that they were going to increase the nett lettable area of nearly all these centres. Doesn't the City consider that the affected landowners could have been ratepayers living nearby?

A1 Certainly it is considered that every ratepayer in the City of Joondalup could possibly be affected by the amendment, but it was not possible to write to every ratepayer. The most directly affected were those within the centres themselves.

Ms M Moon, Greenwood:

Q1 Today in the agenda, it is stated that it is not intended that the community interpret the content. How is the community supposed to understand the content if it is not meant for the community to interpret the content?

A1 It is believed the question relates to the paragraph within the Executive Summary of the report where it mentions the word “centre” and states that the word centre is causing some concern and provides for a degree of in the City’s view unintentional interpretation. This is accepted and this is the point being made that there is a degree of interpretation that the City had not intended and that is what the City would like to correct.

Mr P Menaglio, Greenwood:

Q1 Re Gurda Park, which is within the 200m boundary of the Greenwood Village Shopping Centre. Can Gurda Park be rezoned and the Council take back the parkland as part of Amendment No 10?

A1 No, that would not be the intention.

Q2 It is not an intention, or it is not going to happen? Does this leave the option open under Amendment No 10 for the City in the future?

A2 Amendment No 10 is not for the City of Joondalup to do things, it is set up for landowners if they wish to pursue certain things and sets down some guidelines. It is not up to the Council whether it wants to do something or not.

Ms C Woodmass, Kingsley:

Q1 I received a letter from the Mayor in response, I am assuming, to the letter from the South Ward Ratepayers Association sent individually to each Councillor. Is that a response from all Councillors and are Councillors aware that the Mayor was responding on their behalf and do they know the contents of that response?

A1 That is not an item on the agenda. This can be addressed at a later stage.

- Mayor Bombak queried whether Ms Woodmass was the President of the South Ward Ratepayers Association and how often the association met. Mayor Bombak indicated his query was to make himself available to attend the associations next meeting. He suggested the minutes of the association’s last meeting could be circularised to all elected members.*

DECLARATION OF FINANCIAL INTEREST/INTEREST WHICH MAY AFFECT IMPARTIALITY

Mayor Bombak declared an interest which may affect his impartiality in Item JSC2-06/02 – Status Report Community Feedback on adopted Centres Strategy, Adopted Centres Policy, and Draft Scheme Amendment No 10 as he owns a property within close proximity to the Lakeside Shopping Centre.

Cr Nixon declared an interest which may affect his impartiality in Item JSC2-06/02 – Status Report Community Feedback on adopted Centres Strategy, Adopted Centres Policy, and Draft Scheme Amendment No 10 as he lives adjacent to the Currambine District Centre.

Cr Baker declared an interest which may affect his impartiality in Item JSC2-06/02 – Status Report Community Feedback on adopted Centres Strategy, Adopted Centres Policy, and Draft Scheme Amendment No 10 as he is a Director of a company that owns a Strata Title Unit in the Maddison Building which is situated in Grand Boulevard, Joondalup.

ITEMS OF BUSINESS

This Special Meeting of Council has been advertised in The West Australian on Monday 24 June 2002.

Mayor Bombak declared an interest which may affect his impartiality in Item JSC2-06/02 – Status Report Community Feedback on adopted Centres Strategy, Adopted Centres Policy, and Draft Scheme Amendment No 10 as he owns a property within close proximity to the Lakeside Shopping Centre.

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JSC2-06/02 STATUS REPORT COMMUNITY FEEDBACK ON ADOPTED CENTRES STRATEGY, ADOPTED CENTRES POLICY, AND DRAFT SCHEME AMENDMENT 10

WARD – All

PURPOSE

To report on the background to the above guidelines and the District Planning Scheme amendment and to consider the input received from the community over the past week and provide a way of moving forward.

EXECUTIVE SUMMARY

In order to alleviate uncertainty over possible interpretation of the content of the Centres Strategy it is suggested that the policy be reviewed and parts of Amendment 10 relating to the centres strategy be deleted. The City is mindful of fostering good working relationships with the community and the importance of consulting with the community. It is highlighted that

the review should concentrate only on those parts of the policy causing the ambiguities. Parts to be reviewed are as follows:

Net Lettable Area (NLA) - Issues have been raised in regards to nominated NLA's for centres.

In fact the nominated areas are in line with the values provided for by government policy, however, the City is prepared to review this part.

“Main Street” - These provisions also reflect the intentions of the government's policy. However due to the situation earlier this year with Precinct Planning and significant community opposition it is recommended that this part of the Centres Strategy also be reviewed.

Centre - It is acknowledged that the lack of a definition for the word ‘Centre’ is causing some concern and provides for a degree of (unintentional) interpretation, including the size of a centre. It is suggested this issue be reviewed accordingly.

It is also recommended that parts of Amendment 10 relating to the Centres Strategy be deleted.

BACKGROUND

Previous Council Decisions

At the meeting of 28 September 1999 the Commissioners resolved (in accordance with Clause 5.11 of Town Planning Scheme No 1) to adopt the Draft Centres Strategy prepared by Planwest-Belwigwe as a draft planning policy, and make it available for public submissions for a period of 42 days.

At the Council meeting of 28 November 2000 it was resolved subject to minor modifications to adopt the Centres Strategy as a Planning Policy and refer the Centres Strategy together with supporting documentation to the Western Australian Planning Commission (WAPC) with a request for consideration and endorsement as a Local Commercial Strategy pursuant to the Metropolitan Centres Policy.

At the Council meeting of 23 October 2001 Amendment 10 was adopted for the purpose of advertising. At the Council meeting of 26 March 2002 it was resolved subject to the exclusion of lot 199 Kinross Drive to endorse the documents. The documents are currently with the WAPC awaiting consideration for final approval.

Attachment 1 provides a timeline of the milestones in regard to the evolution and consultation associated with the Centres Strategy, Amendment 10, and the review of the District Planning Scheme. In addition it highlights the parts of the respective processes undertaken by the Commissioners versus the Council.

Metropolitan Centres Policy (MCP)

The MCP has been formulated by the state government as a Statement of Planning Policy to ensure that it is given due regard in the preparation and amendment of town planning schemes. The principal purpose of the policy is to provide a broad regional planning framework to coordinate the location and development of retail and commercial activities in the metropolitan region. It is mainly concerned with the location, distribution and broad design criteria for the development of commercial activities at the regional and district level. Local Planning Strategies prepared by local governments will provide more detailed guidance for planning and development control at the local level.

The MCP sets the following guidelines for floor space: Strategic Regional Centres (up to 80,000m² nla), Regional Centres (up to 50,000m² nla), District Centres (up to 15,000m² nla) and Neighbourhood Centres (up to 4,500m² nla). This now better reflects the sizes of established centres in the hierarchy. The MCP also promotes the development of centres in accordance with Main Street design principles.

The key implementation element of the MCP (2000) is to oblige the local government to prepare Local Planning Strategies (LPS) for endorsement by the WAPC. Once adopted and endorsed the LPS will enable delegation of development control in accordance with the MCP in relation to the development of centres. The Centres Strategy has been prepared in accordance with the guidelines for the preparation of LPS's and is proposed to function as a LPS for the City.

Centres Strategy

A Centres Strategy is an LPS, and required to comply with the MCP and to provide a basis for provisions to be incorporated into DPS2. The major implementation focus of the strategy is the preparation of structure plans, which require the endorsement of the WAPC to enable delegation of development control to the City. The strategy ensures that changes to the shopping and commercial centres occur in an orderly manner and benefit the community as a whole.

The preparation of a Centres Strategy to determine the location, size, land use mix and related matters of all existing and planned future commercial centres within the City was commenced in August 1998. It was intended to complete the strategy in 1998/99 for incorporation into the new scheme, DPS2, prior to final approval. Unfortunately the set timeframe was not met and the detail in the strategy was unable to be incorporated in the new scheme. The Scheme was adopted without the Centres Strategy being in place.

The Strategy examines the planning context, population, employment and commercial activity including the retail requirements as background to develop the strategy. The objective of the strategy is to interpret, apply and implement the Metropolitan Centres Policy in the context of the City and set out objectives and principles for centres in the City identifying a hierarchy and lists functions and shopping floor areas appropriate to each level of the hierarchy.

The draft Centres Strategy was advertised for 42 days from 7 October 2000 to 18 November 2000. Advertisements were placed in the Wanneroo Times and the West Australian newspaper. All owners and managers of shopping centres and adjoining business (156) were advised by letter, and copies of the draft strategy were made available in the City's libraries and the two customer service centres. Eleven (11) submissions were received.

Council determined that section 5 of the Draft Centres Strategy report be modified and adopted as policy. The Western Australian Planning Commission subsequently endorsed the strategy. It was recognised at the time that following endorsement of the Strategy the major implementation item would be an amendment to DPS2.

Amendment 10

Amendment 10 proposes to incorporate only the following recommendations of the Centres Strategy:

- Permit ‘Shop’ as a discretionary use subject to special conditions in the Business and Mixed-Use zones;
- Include provisions relating to the ‘Development of Centres’;
- Modify the limits of net leasable area (NLA) in accordance with Schedule 3 of the ‘Centres Strategy’, which will delete reference to specific lots;
- Include a definition for Centres Strategy;
- Modify clauses 3.5, 3.6, 3.7 and 3.11 to enable shopping net leasable area to be distributed to all lots within the ‘Commercial’, ‘Centre’, ‘Business’ and ‘Mixed Use’ zones;
- Include a new clause 4.16 ‘Development of Centres’ that establishes new development standards.

Scheme Review, State Government Policy, Centres Strategy Policy, Amendment 10 – Relationship

In preparing DPS2, the state government (through long standing policy) requires that all Local Governments prepare a number of strategies to provide a context for the development of draft Planning Schemes. In the case of the (then) City of Wanneroo, the draft Scheme was under development for a period exceeding 10 years. Related to that process, a draft centres strategy was prepared (to cover the issue of retail centres).

A brief was prepared and tenders were invited in 1999. The Centres Strategy Policy interprets, applies and implements the WAPC’s MCP in the context of the City. The City’s Centres Strategy Policy provides for the incremental expansion of existing low order centres with shopping and related development throughout the City as part of a consolidation strategy until 2006 and encourages ‘Main Street’ principles which reflects the MCP (State Government Policy). The Centres Strategy was adopted as policy in November 2000 and has had little impact to date.

DPS2 was adopted in November 2000. At this time, the retail centres strategy was well advanced, but not finalised. Hence, specific provisions had not been introduced to the review of the scheme to reflect retail planning in the City. Amendment 10 seeks to introduce those provisions to the scheme.

DETAILS

Current Situation

An anonymous flyer has been circulated to residents within the suburbs of Kingsley, Greenwood and Duncraig as far as can be ascertained. This is a clear and purposeful attempt to link Amendment 10 to Precinct Action Planning. Contrary to the anonymous flyer being circulated, Amendment 10 is not an attempt to re-kindle the Precinct Action Planning process

but endeavours to implement the City’s Centres Strategy, which reflects the principles of the WAPC’s MCP.

The City has forwarded correspondence to the Hon Minister for Planning requesting an urgent deputation to discuss the content of Amendment 10 and its alignment with the Government’s current planning policies. In addition a press release has been prepared and released to the Community Newspaper Group.

Amendment 10 was advertised for a period of 42 days and in accordance with the Town Planning Regulations 1967.

Request for Rescission

The City has implemented Council’s resolutions in relation to Amendment 10. The City’s recommendation relating to the Minister adopting the Scheme Amendment is currently under consideration by the WAPC, prior to it making a recommendation to the Hon Minister. In view of the fact that these decisions of the Council have been implemented, any resolution revoking those decision would be of no practical effect. This is in accordance with legal advice received by the City.

Issues

The objectives of Amendment 10 are:

- To provide for an improved way of distributing appropriate land uses within centers:
- promote revitalization and re-modeling of existing centres, where practical along 'main street' principles;
- promote centres that include mixed uses, and foster safe, attractive and vibrant centres that provide for a community focus.

Definition for ‘Centre’

The issues being raised relate to the lack of a definition for the word ‘Centre’ in DPS2 and the Centres Strategy and the extent of the Centre. It is acknowledged that this raises some ambiguity and it is recognized that this should be reviewed. In an attempt to understand what is meant by the term ‘Centre’ the community has made reference to the statement in the conclusion part of the Centres Strategy as follows:

“Centre zones should be created around all existing centers encompassing peripheral areas relative to the size of the center. For example a village center might encompass a 100 metre wide peripheral area...a large town center 400 metre radius...”.

It needs to be stated that this is not the intention of Amendment 10. In fact the provisions proposed to be incorporated in DPS2 refer only to the Mixed Use, Business, Commercial and Center **zones**, which are the zones that contain the existing commercial activity.

‘Main Street’ Principles

Proposed new clause 4.16.2 provides for no new centre to be developed or an existing centre redeveloped until a structure plan has been approved which promotes built form in ‘main street’ style. The structure plan is intended to guide decision-making. Proposed clause 4.16.3 provides for expansion or partial redevelopment of an existing centre where it is of such a small scale to be approved in the absence of a structure plan, however ‘Main Street’ style built form will be encouraged.

There is concern regarding the parameters of the structure plan. It is intended that the structure plan only relate to that land containing the commercial development and in no way to land that is zoned Residential.

Net Lettable Area (NLA)

Another area of concern is the modification of Schedule 3 to reflect the recommendations for NLA as per the Centres Strategy. Based on a 1997 WAPC survey nine (9) of the centres currently exceed the NLA nominated in Schedule 3 (Attachment 2). It is important to note that the MCP provides for a hierarchy of centres and associated maximum NLA. The Centres Strategy reflects the NLA nominated in the MCP and in some cases prevents further expansion of centres and in other cases recognises the hierarchy of the centre and provides for expansion.

COMMENT

The policy, strategy and draft amendment 10 have been subject to various reports and periods of public consultation, the resulting rate of response, and Council endorsement has given a high degree of confidence in progressing these matters. Notwithstanding the above, the recent interest in the issue needs to be addressed.

Context

It is important to note that during the 1990’s planners and Local Governments recognized fundamental shortfalls in the way retail centres (particularly those established between the late 1960’s, and late 1980’s) had been developed. The form of development was often determined by the Local Government planning controls which applied during those times. Typically such developments feature:

1. A large amount of parking, which is often excessive even on the busiest trading days;
2. Buildings centrally located on large sites, surrounded by vast expanses of car parks;
3. Little opportunity to provide substantial pedestrian friendly environments outside the building shell;
4. Little opportunity to link development between adjoining commercial sites;
5. Vast separation between private land and the streetscape or footpath areas, and no encouragement for pedestrians to travel from the passing footpath to the retail center;
6. Lack of emphasis on character of development and providing an environment which is attractive to anyone other than car-based visitors.

Government policy and experience has resulted in planners attempting to rethink the way retail centres should be planned. This is to facilitate success for the visitors to those places. In doing so, planners and government have learnt from emerging trends and successes, including;

1. al fresco environments which combine to attract high levels of activity (usually provided in pedestrian malls and plazas), often in old City Centres
2. contemporary developments incorporating opportunities to shop outside and inside, and providing for the agglomeration of activities (not just shopping) that extend the life of the centre into evenings, usually for entertainment purposes.
3. More reasonable parking requirements, that reflect attitudes of contemporary visitors rather than those stemming from the 1960's.

For these reasons, there may be some parallels and consistency between the different planning initiatives and policies that the Council produces and releases for debate from time to time. The principles that focus on al fresco mixed activity, with buildings close to the street, having an emphasis on human scale and offering pedestrian friendly areas are termed 'main street' principles.

Centres Strategy

It is reiterated that the Centres Strategy has been previously advertised for public comment and only eleven (11) submissions were lodged at that time. The Centres Strategy was adopted as a guiding policy in November 2000 and has been in operation since that time. It is interesting that issues are now being raised in regards to the content of the Centres Strategy. It should be noted that it was not intended the community interpret the content as being demonstrated presently.

The Centres Strategy and Amendment 10 are not an attempt to re-ignite Precinct Action Planning. Unfortunately the contents have raised a degree of ambiguity in the community and concern Precinct Action Planning is being re-ignited. As a course of action it is suggested that the policy be reviewed and clarified to address the concerns being raised.

Option

In order to alleviate the ambiguities being raised by the community in their interpretation of the content of the Centres Strategy it is suggested that the policy be reviewed and parts of Amendment 10 relating to the centres strategy be deleted. The City is mindful of fostering good working relationships with the community and consulting the community. It is highlighted that the review should concentrate only on those parts of the policy causing the ambiguities. Parts to be reviewed are as follows:

Net Lettable Area - Issues have been raised in regards to the nominated NLA's. It should be noted that this is in fact in line with the values provided for by the governments policy, however the City is prepared to review this part.

“Main Street” principles – It should be noted that these provisions are also sound and reflect the intentions of the governments policy. However due to the situation earlier this year with Precinct Planning and the significant community opposition it is recommended that this part of the Centres Strategy also be reviewed.

Centre - It is acknowledged that the lack of a definition for the word ‘Centre’ is causing some concern and provides for a degree of interpretation, including the extent of the centre. It is suggested this aspect be reviewed accordingly.

It is anticipated that the likely cost of such an exercise would be in the order of \$45 000. \$25 000 of this sum would be allocated to a substantial desktop study and the other \$20 000 would be allocated to an appropriate community consultation exercise which may include a random sampling exercise. It is advised that the review process could occur within the next 12 months.

Financial Implications:

Account No:

Budget Item:

Budget Amount: \$45 000

VOTING REQUIREMENTS

Simple Majority

OFFICER’S RECOMMENDATION: That Council:

- 1 **REVIEWS** the City of Joondalup Centres Strategy and Policy 3.2.8 – Centres Strategy having particular regard to the concerns raised by the community such as:
 - (i) The maximum net lettable area allocated to commercial centres;
 - (ii) The lack of a definition for ‘Centre’ and clarification of the extent of the Centre; and
 - (iii) The appropriateness of ‘Main Street’ principles as a development guide for all centres within the City.

- 2 **RECOMMENDS** to the Hon Minister for Planning that she require District Planning Scheme No 2 Amendment No 10 to be modified in order to delete reference to the Centres Strategy by:
 - (iv) deleting the proposed definition for ‘Centres Strategy’;
 - (v) deleting proposed schedule 3;
 - (vi) deleting proposed clauses 3.5.2, 3.6.3 and 4.16;
 - (vii) deleting replacement of clauses 3.6.2, 3.7.2 and 3.11.4; but
 - (viii) including the floor space adjustments for the 9 Centres as per Attachment 2;

- 3 WRITES to the Western Australian Planning Commission with details of the above recommendations and an explanation of the City's reasons for it;
- 4 ALLOCATES an amount in the 2002/2003 budget of \$45 000 for review and appropriate public consultation.

MOVED Cr Hollywood, SECONDED Cr Carlos that consideration of JSC02-06/02 – Status Report Community Feedback on adopted Centres Strategy, adopted Centres Policy, and Draft Scheme Amendment 10 be DEFERRED to the next Strategy Session.

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

- Certain elected members advised there were not fully conversant with the ramifications of this Amendment and had not had sufficient time to study information provided.
- Because of the importance of this matter, it was felt it was not appropriate to be voting on this Item until such time as elected members were more familiar with the various issues involved.

During discussion, Crs Baker and Rowlands left the Chamber at 1831 hrs.

The Motion was Put and

CARRIED

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

In favour of the Motion: Crs Hurst, Patterson, O'Brien, Barnett, Walker, Hollywood, Nixon, Carlos and Kadak

Against the Motion: Mayor Bombak, Mackintosh and Kimber

Appendices 3 and 4 refer

*To access this attachment on electronic document, click here: [Attach3agn240602.pdf](#)
[Attach4agn240602.pdf](#)*

MOTION TO GO BEHIND CLOSED DOORS

MOVED Cr Kimber, SECONDED Cr Kadak that in accordance with Clause 5.6 of the City's Standing Orders, the meeting be held behind closed doors to enable the Council to discuss Item JSC3-06/02 – Confidential Report – Voluntary Administration of the RANS Management Group.

The Motion was Put and

CARRIED (9/3)

Members of the public and press left the Chamber at this point.

Cr Baker entered the Chamber, the time being 1842 hrs.

Cr Rowlands entered the Chamber, the time being 1846 hrs.

**JSC3-06/02 CONFIDENTIAL REPORT - VOLUNTARY
ADMINISTRATION OF THE RANS MANAGEMENT
GROUP – [46492]**

WARD – All

A full report has been provided to Elected Members under separate cover and will be considered at the Special Meeting of Council to be held on 24 June 2002.

During discussion, Cr Hurst left the Chamber at 1935 hrs and returned at 1937 hrs.

MOVED Cr Patterson, SECONDED Cr O’Brien that:

- 1 the City rejects the offer from the administrator of RANS Management as outlined in their letter dated 20 June 2002;**
- 2 in the event that RANS Management terminate its contract with the City, the Council close the three centres to enable an urgent review and preparation of a contingency plan forthwith to permit the centres to be operational with minimal impact upon the community.**

The Motion was Put and

CARRIED (8/6)

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

In favour of the Motion: Crs Mackintosh, Hurst, Patterson, Barnett, Walker, O’Brien, Carlos and Kadak

Against the Motion: Mayor Bombak, Rowlands, Hollywood, Nixon, Baker and Kimber

RESUMPTION OF STANDING ORDERS

MOVED Cr O’Brien, SECONDED Cr Rowlands that Standing Orders be RESUMED and the meeting be held with the doors open.

The Motion was Put and

CARRIED

The Chairman adjourned the meeting for 5 minutes, the time being 1940 hrs; resuming at 1945 hrs.

Members of the public and press entered the Chamber at this point. In accordance with the City’s Standing Orders Local Law, Manager, Audit & Executive Services read the Motion in relation to Confidential Report – Voluntary Administration of the RANS Management Group.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 1950 hrs; the following elected members being present at that time:

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