



*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, 13 AUGUST 2002 AT 7.00 pm**

**DENIS SMITH**  
**Chief Executive Officer**  
**7 August 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.*

## **CODE OF CONDUCT**

*The Code recognises these ethical values and professional behaviours that support the principles of:*

**Respect for persons** - *this principle requires that we treat other people as individuals with rights that should be honoured and defended, and should empower them to claim their rights if they are unable to do so for themselves. It is our respect for the rights of others that qualifies us as members of a community, not simply as individuals with rights, but also with duties and responsibilities to other persons.*

**Justice** - *this principle requires that we treat people fairly, without discrimination, and with rules that apply equally to all. Justice ensures that opportunities and social benefits are shared equally among individuals, and with equitable outcomes for disadvantaged groups.*

**Beneficence** - *this principle requires that we should do good, and not harm, to others. It also requires that the strong have a duty of care to the weak, dependent and vulnerable. Beneficence expresses the requirement that we should do for others what we would like to do for ourselves.*

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

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# CITY OF JOONDALUP

Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 13 AUGUST 2002** commencing at **7.00 pm**.

DENIS SMITH  
Chief Executive Officer  
7 August 2002

Joondalup  
Western Australia

## AGENDA

### 1 OPEN AND WELCOME

Invited Guest - Reverend Richard Pengelley, St Nicolas Church, Duncraig

### 2 PUBLIC QUESTION TIME

**The following question, submitted by Mrs M Zakrevsky, Mullaloo was taken on notice at the Council Meeting held on 23 July 2002:**

*Questions relate to CJ188-07/02 – Amendment No 10*

*Q1 If there is no recommendation to insert “AS” use to Clause 6.7 Public Notice in the DPS2 in tonight’s amendment, how would the requirement for public notice of the “AS” use be met? Clause 6.7.1 deals with notification “A” uses, Clause 6.7.2 deals with “D” uses and Clause 6.7.3 deals with submissions on “D” and “A” uses but there is no insertion according to this amendment for “AS” use as an interpretation?*

*A1 Clause 6.7 of District Planning Scheme 2 specifies advertising protocols for “D” and “A” land uses. The requirement for advertising “AS” uses will be the same as that which applies to “D” and “A” uses at present. The requirements would be as set out in existing Clause 6.7.1 of the DPS.*

**The following question, submitted by Mr M Caiacob, Mullaloo was taken on notice at the Council Meeting held on 23 July 2002:**

*Q1 Can Council explain the criteria used for Council to form an opinion of size and scale of an expansion or redevelopment of an existing centre under Amendment No 10? This relates to Clause 4.16.3.*

A1 At the Council meeting held on 23 July 2002 it was resolved to delete the proposed subject clause.

**The following question, submitted by Mr S Magyar, Heathridge was taken on notice at the Council Meeting held on 23 July 2002:**

*Q1 My question refers to Amendment No 10. It says that the City shall review the Centres Strategy and policy etc. Could some indication be given as to what level or type of community consultation will be involved in this review of the Centres Strategy?*

A1 It is not certain at this stage what the level of consultation will be, however it is envisaged that independent consultants will be engaged to conduct the consultation phase of the process as a component of the study. There will be extensive consultation, to the extent necessary to obtain representative opinion from the community and interest groups.

**The following question, submitted by Mr R de Gruchy, Sorrento was taken on notice at the Special Council Meeting held on 30 July 2002:**

*Q1 Could I be provided with a list of the Councillors that voted for and against the motion to not phase in the revaluations?*

A1 At the Budget Committee meeting held on 22 May 2002, no request was made for votes to be recorded. The minutes record that the Motion was Carried.

*Q2 Where do we stand with the State and Federal Governments putting money into a Performing Arts Centre in the City of Joondalup?*

A2 This is being explored.

**The following questions, submitted by Mr M Norman, Sorrento were taken on notice at the Special Council Meeting held on 30 July 2002:**

*Q1 Has Council verified, through a specific study, that there will be sufficient bore water, given a drying climate trend and increased bore installations on private property in the City of Joondalup, without bores running dry, ingress of saline water and without impact on remnant bushland which relies on the groundwater?*

A1 Council has not undertaken a study as outlined above, however, it is noted that the licensing of bores and allocation of water is controlled by the Water and Rivers Commission. Council must lodge an application prior to any bore installation being undertaken. Approval authorizes extraction of water in accordance with certain conditions set by that authority. These conditions include volume of water to be used and area of irrigation, as well as water quality requirements. The Water and Rivers commission is responsible for the management and monitoring of the groundwater. To date the City has had no restrictions placed on its underground water usage by that authority.

*Q2 Why are so many road verges being reticulated, with an ongoing annual maintenance cost of \$10,000 per annum per hectare, which is added for each hectare which is reticulated, when they have no amenity value?*

A2 There are limited areas of road verges reticulated within the City, the majority of irrigation occurs within medians.

**The following questions, submitted by Mrs M Macdonald, Mullaloo were taken on notice at the Special Council Meeting held on 30 July 2002:**

*Q1 Re FNM001 621: If there needed to be a reduction in the overall budget, why did the Budget Committee remove \$413,000 from the Mullaloo Beach Project, and none from Sorrento Beach Project? How is the \$950,000 to be spent at Sorrento?*

A1 It was a decision of the Budget Committee to defer consideration of the Mullaloo Beach Project allocation of \$413,000 until 2003/2004 on the bases that further planning and consultation is necessary before the project can proceed. It is noted that funds exist for the coastal dual use path component of the project to proceed during the 2002/2003 budgetary period. This section of the pathway is the last remaining link to be constructed within the city's coastal dual use path network.

In relation to Sorrento Beach it is important to recognise that this project will be funded over four years and the intended construction programme is to be built over two stages.

The total capital required for this project is \$3,700,000 funded in approximate equal amounts over four years.

It is intended that first stage construction will overlap the 2002/03 and 2003/04 budgetary periods, and the second stage to overlap the 2004/05 and 2005/06 budgetary periods.

Funding this project over a four year period as compared to a two or three-year period reduces the annual allocation towards this project.

This project consists of a new coastal recreation reserve between the Sorrento Surf Life Saving Club and the southern Breakwater of Hillarys Boat Harbour. The development will include grassed areas, paths, boardwalks, viewing platforms and additional car parking.

It is intended that a report will be submitted to Council's September 2002 round of meetings outlining the project details.

*Q2 PPE 021 623: To eliminate the situation where needles and dog droppings might lie hidden in sandpits under play areas, has Council given any consideration to alternatives to sandpits, such as the rubber type surface used on the foreshore at Mandurah, and the Ivy Watson Playground at Kings Park?*

A2 Rubber type surfaces are currently being trialled by the City in Negresco Park in Currabine, and subject to the trial findings expansion of this type of surface treatment will be considered as part of future budget deliberations.

**The following questions, submitted by Mrs M Zakrevsky, Mullaloo were taken on notice at the Special Council Meeting held on 30 July 2002:**

*Q1 Why has the Dry Parks, Median and Verge Committee ignored the motion from the Conservation Advisory Committee meeting of 24 April 2002 for a moratorium on any reticulation of median strips, and thus intends to spend funds on verges and median strips that cannot be used for active recreation or for playground equipment, and continuing with Cr Kenworthy's motion of 6 July for funds to be directed to the ongoing beautification of major distributor median strips and verges?*

A1 It is assumed that the question is directed towards the minutes of the Dry Parks, Median and Verge Committee (DPM & VC) presented to Council's meeting held on the 21<sup>st</sup> May 2002.

On this basis it is important to note that the DPM & VC meeting occurred on the 13<sup>th</sup> March 2002 prior to the Conservation Advisory Committee (CAC) meeting which was held on 24<sup>th</sup> April 2002.

Notwithstanding this, the recommendation of the CAC for a moratorium on newly reticulated medians was taken into Council's budgetary considerations, and it is noted that the Dry Park Development Programme for the 2002 / 2003 budgetary period does not include any median or verge reticulation works in keeping with CAC recommendations.

*Q2 Why isn't the City setting the example for its residents by reticulating only essential active sport areas?*

A2 There are a variety of active and passive park areas that are irrigated by the City for the benefit of all sections of the community.



**The following question, submitted by Mr V Cusack, Kingsley was taken on notice at the Special Council Meeting held on 30 July 2002:**

*Q1 What is the total dollar loss to the City resulting from the decision to outsource the management of the three leisure centres to RANS?*

A1 It is not possible to determine the City's final financial position as a result of the failure of RANS Management at this point in time.

*Q2 Has the City secured any commitment in funding from the State Government to assist with the Performing Arts Centre, and if not is it likely to do so in the future?*

A2 Not at this stage. This is being explored.

*Q3 To what extent did the City consult the ratepayers in order to measure the existing level of support for the Performing Arts Centre?*

A3 A Public Meeting was held on 22 August 2001, for the presentation by Consultants APP Projects of the *Feasibility Study for the Establishment of a Performing Arts Facility for Joondalup*.

*Q4 The CEO mentioned a needs analysis in relation to adjacent Councils. Was the Performing Arts Centre itself subjected to a needs analysis within the City of Joondalup?*

Q4 Yes. As part of the Feasibility Study on the establishment of the Regional Performing Arts facility, by APP Projects in July 2001. Stage 1 of the Feasibility Study report looked at four areas of cultural analysis:

- *The City's Cultural Objectives;*
- *The demography of the community/catchment;*
- *The main stakeholders' and funders' objectives; and*
- *The community's needs.*

**The following question, submitted by Mr M Sideris, Mullaloo was taken on notice at the Special Council Meeting held on 30 July 2002:**

*Q1 How much money has been put aside for the Fringe Benefit Tax for the CEO's salary package?*

A1 An amount of \$6,800 has been provided in the 2002/2003 budget for the Chief Executive Officer's Fringe Benefit Tax.

**The following questions, submitted by Mr S Magyar, Heathridge were taken on notice at the Special Council Meeting held on 30 July 2002:**

*Q1 Attachment 10, Page 5, Section 3 – Functions and Activities – relating to critical success factors in achieving the vision, mission and guiding principles of the Council: How will Council measure its success or failure in achieving the critical success factors and will such evaluations be made publicly available?*

A1 The Critical Success Factors in the City's Strategic Plan are essentially statements of intent. Performance indicators support some, whilst others need performance indicators to be developed. Formal reporting against performance indicators has not been established to-date.

At present, the Strategic Plan for 2003 – 2008 is being developed and performance indicators will be required to track the City's performance against objectives. Decisions with respect to publicising performance against objectives have yet to be made by Council.

*Q2 Attachment 10 – relating to harnessing the potential of the information age: Will Council make available on its web site the tapes of its Council meetings in MPEG-3 format?*

A2 Due to the limited interest in such a service and the cost to provide a quality service (modifications to existing infrastructure) then not at this immediate point in time.

*Q3 Attachment 10, Page 19 – Hodges Drive Drainage Reserve: Where and when will this money be required to finish any works on Hodges Drive?*

A3 The purpose of the reserve is to enable the completion of a drainage outfall into Lot 1029 following the development of that site. The existing outfall is only temporary in nature pending development.

*Q4 Attachment 11, Page 1 – Capital Works Programme – FNM 003 – Sorrento Beach Project: What social, environmental or economic benefits can the ratepayers of the City of Joondalup expect from the expenditure of almost \$1m and how much more money is planned to be spent on this land which is not owned by Council?*

A4 From a community perspective the redevelopment of the beach would provide the following benefits:

- 1 Improve the local amenity;
- 2 Become a regional attractor for residents and tourists both within and outside the City;

- 3 This project will set the standard for future infrastructure improvements along West Coast Drive which links into the City of Stirlings improvement works;
- 4 Safe and easy access to the beach;
- 5 Balance between new lawn and retained dunal vegetation;
- 6 Extensive lighting to create safer environment;
- 7 Well defined access to all areas of the development for all including the elderly and the disabled;
- 8 Creation of a series of terraces to minimise extent of earthworks and heights of retaining;
- 9 Protection from wind and sun utilising earth forms, shade shelters and tree planting;
- 10 Creation of a range of landscape areas to provide various passive and semi-active spaces including open lawn areas, BBQ facilities playground, shelters, lookouts, etc;
- 11 A new dual-use path along West Coast Drive;
- 12 Lookout Structure on high point on site;
- 13 Timber boardwalks through the existing dunes;
- 14 Additional Car Parking Bays;
- 15 An elevated boardwalk access and fishing platform on the existing groyne.

*Q5 Capital Works Programme has a slab replacement programme listed. Can some estimate be given of how many kilometres of slab footpath are still to be replaced within the City of Joondalup?*

A5 This is approximately 33 kilometres of slab pathways to be replaced within the City.

The proposed allocation of funds within the City's 2002/2003 Five Year Capital Works Programme will result in the majority of these slab pathways being replaced with in situ concrete paths within the next five year period.

*Q6 If the Council has reduced its slab replacement programme and a person is injured, does that increase the Council's public liability for not replacing the slabs as originally planned?*

A6 No, this has no effect on the City's Public liability\Professional Indemnity Insurance premium.

### 3 APOLOGIES AND LEAVE OF ABSENCE

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

Cr Patterson - 14 August 2002 to 18 August 2002 inclusive  
Cr A Nixon - 5 August 2002 to 1 September 2002 inclusive.  
Cr Hurst - 9 September 2002 to 13 September 2002 inclusive

#### **REQUEST FOR LEAVE OF ABSENCE - CR T BARNETT**

Cr Barnett has requested Leave of Absence from Council duties from 6 September 2002 to 15 September 2002 inclusive.

#### **RECOMMENDATION**

**That Council APPROVES the request for Leave of Absence from Cr Barnett for the period 6 September 2002 to 15 September 2002 inclusive.**

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

### 5 CONFIRMATION OF MINUTES

MINUTES OF COUNCIL MEETING, 23 JULY 2002 AND SPECIAL COUNCIL MEETING, 30 JULY 2002

#### **RECOMMENDATION**

**That the following Minutes be confirmed as a true and correct record:**

- **Council Meeting held on 23 July 2002**
- **Special Council Meeting held on 30 July 2002**

### 6 ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

### 7 PETITIONS

### 8 REPORTS

## **CJ189 - 08/02 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [15876]**

**WARD - All**

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### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 08.07.02 to 25.07.02, not previously listed.

Document: Contract  
Parties: City of Joondalup and Grove Financial Services  
Description: Execution of Contract No 086-99/00 A and B  
Date: 08.07.02

Document: Contract  
Parties: City of Joondalup and Dalcon Construction P/L  
Description: Contract for the Mullaloo Surf Club additions  
Date: 08.07.02

Document: S.70A  
Parties: City of Joondalup and Joanne and Marc Puttins  
Description: Notification for Lot 6 (4) Retreat Cove, Woodvale  
Date: 10.07.02

Document: Copyright  
Parties: City of Joondalup and Jean Lang  
Description: Recording of historical importance  
Date: 10.07.02

Document: Legal Deed  
Parties: City of Joondalup and Peet and Co  
Description: Provision of road interface – Lot 9005 Kinross Drive, Kinross  
Date: 15.07.02

Document: Structure Plan  
Parties: City of Joondalup and Western Australian Planning Commission  
Description: University Village Structure Plan  
Date: 23.07.02

Document: Copyright  
Parties: City of Joondalup and Norma Spencer  
Description: Recording of historical importance  
Date: 25.07.02

**RECOMMENDATION**

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

## **CJ190 - 08/02      MINUTES OF THE CBD ENHANCEMENT PROJECT STEERING COMMITTEE MEETINGS HELD ON 28 JUNE 2002 – [53469]**

**WARD** - Lakeside

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### **PURPOSE**

The CBD Enhancement Project Steering Committee met on 28 June 2002 and the minutes of the meeting are submitted for noting by Council, and consideration of relevant recommendations.

### **EXECUTIVE SUMMARY**

The CBD Enhancement Project Steering Committee considered a range of business items at its meeting held on 28 June 2002 and recommendations to Council have been made in relation to:

- Suggested activities that would guide the CBD Enhancement project to December 2002.
- The invitation of a Youth Advocate and Youth Advisory Committee (YAC) Representative on the Committee.

*This report recommends that Council:*

- 1 NOTES the minutes of the CBD Enhancement Project Steering Committee held on 28 June 2002 (Attachment 1 to this Report refers);*
- 2 ENDORSES the CBD Enhancement Project Marketing Plan for the CBD Enhancement Project as outlined in the Marketing Matrix to August 2002 (Attachment 2 to this Report refers) and requests that closer consultation takes place with business stakeholders via the two working groups recommended in Recommendation 3 below.*
- 3 NOTES that the CBD Enhancement Project will establish a working group based on issues relevant to property owners/agents and food and entertainment;*
- 4 AUTHORISES BY AN ABSOLUTE MAJORITY the Committee's Terms of Reference to include: "Youth Advisory Council Representative" under Clause 2 "Membership" (Attachment 3 to this Report refers).*

### **DETAILS**

The minutes of the CBD Enhancement Project Steering Committee 28 June 2002 are Attachment 1 to this Report.

## FINANCIAL IMPLICATIONS

The budget allocated to the CBD Enhancement Project Marketing Plan for the 2002/2003 financial year is outlined below:

Account No:	11.10.210.213.xxxx.F371
Budget Item:	CBD Enhancement Project Marketing Plan
Budget Amount:	\$81 018
YTD Amount:	\$25 565 including salary of CBD Promotions Officer
Actual Cost:	\$ -

## COMMENT

Further recommendations at the Committee meeting held on 28 June 2002 included:

- that the Sustainable Development Coordinator reports to the Committee on a regular basis for input and advice on the marketing strategies.
- that the working groups report to the Steering Committee via the CBD Promotions Officer.
- that the support for the freeing up of restrictions pertaining to liquor licences in the Joondalup CBD by furnishing relevant correspondence from the City to the Liquor Licensing Board within the next month.
- that the proposal to invite the Commissioner of Lotteries to view the Joondalup CBD and actively encourage the establishment of a newsagent in the area.
- that the CBD continues to be branded as Joondalup City.
- that the development of a positioning statement is deferred until further market research is undertaken.
- that the existing Joondalup logo is used for Joondalup City.

The items above will be undertaken by the appropriate City of Joondalup Officers.

The Administration is of the view that the Marketing Plan, July-December 2002, as outlined in Attachment 2 to this Report, needs to be further developed in close consultation with CBD business stakeholders. Most of the items listed for July and August 2002 are currently being implemented. Items proposed for September to December 2002 and through to July 2003 needs however, to be developed in closer consultation with the CBD business stakeholders concerned. An ideal vehicle for this consultation should be the two working groups based on (1) Food And Entertainment and (2) Property Owners/Agents as outlined in the Committee's Recommendation 3.

## VOTING REQUIREMENTS

Absolute Majority



## RECOMMENDATION

### That Council:

- 1 **NOTES** the minutes of the CBD Enhancement Project Steering Committee held on 28 June 2002 forming Attachment 1 to Report CJ190-08/02;
- 2 **ENDORSES** the CBD Enhancement Project Marketing Plan for the CBD Enhancement Project as outlined in the Marketing Matrix to August 2002 forming Attachment 2 to Report CJ190-08/02 and requests that closer consultation takes place with business stakeholders via the two working groups recommended in Recommendation 3 below;
- 3 **NOTES** that the CBD Enhancement Project will establish a working group based on issues relevant to property owners/agents and food and entertainment;
- 4 **AUTHORISES BY AN ABSOLUTE MAJORITY** the Committee's Terms of Reference to include - "*Youth Advisory Council Representative*" under Clause 2 "Membership" as shown on Attachment 3 to Report CJ190-08/02.
- 5 **AUTHORISES** the City's Youth Worker (Youth and Public Space) to act as an Advocate for the wider youth population of the City by acting as an advisor on the Committee.

*Appendices 1, (1a) and (1b) refer*

To access these attachments on electronic document, click here: [Attach1brf060802.pdf](#)  
[Attach1aagn130802.pdf](#)                      [Attach1bagn130802.pdf](#)

**CJ191 - 08/02 MINUTES OF THE ENVIRONMENTAL AND SUSTAINABILITY ADVISORY COMMITTEE MEETINGS HELD ON 20 JUNE AND 22 JULY 2002 – [00906]**

**WARD - All**

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**PURPOSE**

The Environmental and Sustainability Advisory Committee met on 20 June and 22 July 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 20 June and 22 July 2002. Committee recommendations to Council have been made in relation to:

- Beverage container deposit legislation.
- A funding allocation relating to the Cities for Climate Protection programme.
- Referral to the Depot Committee for consideration of an LNG fuelling facility.
- Councillor attendance at the Edith Cowan University Indopacific Ecosystem Health Conference in November 2002.

*This report recommends that Council:*

- 1 *NOTES the minutes of the Environmental and Sustainability Advisory Committee held on 20 June and 22 July 2002;*
- 2 *REQUESTS the Depot Committee to investigate opportunities and initiatives that will reduce Greenhouse gas emission reductions, to support and contribute towards the corporate Greenhouse gas reduction target of 20% by 2010, endorsed by Council (refer to report CJ007 02/02);*
- 3 *REQUESTS the Environmental and Sustainability Advisory Committee to investigate opportunities for Council to work in conjunction with Edith Cowan University in relation to the Cities for Climate Protection programme initiatives.*

**BACKGROUND**

The Environmental and Sustainability Advisory Committee meeting, held on 20 June 2002 focussed on the Strategic Planning public survey, as indicated in the minutes shown at Attachment A to this Report. An item regarding beverage container deposit legislation was discussed.

The Environmental and Sustainability Advisory Committee meeting, held on 22 July 2002 covered a range of business items including:

- A database for sustainability projects
- Cities for Climate Protection programme
- A communication strategy
- Ecosystem Health Conference
- Car Free Day
- Earth Charter
- Other items

## DETAILS

The minutes of the Environmental and Sustainability Advisory Committee 20 June 2002 are at Attachment A and the minutes of the committee meeting held on 22 July 2002 are at Attachment B to this Report.

## COMMENT

A recommendation to Council was made at the committee meeting held on 20 June 2002:

- *that the Environmental and Sustainability Advisory Committee encourages Council to support beverage container deposit legislation for Western Australia.*

The committee indicates that supporting documentation is to be provided regarding the above recommendation. Cr O'Brien has subsequently provided South Australian Environmental Protection (Beverage Container) Regulations (1995) as supporting documentation. Given that the committee is yet to review the supplied supporting documentation, it is considered that the committee should re-assess the above recommendation based on the supplied information and other considerations. On this basis, referral of the above committee recommendation to Council is not supported.

Recommendations at the committee meeting held on 22 July 2002 included:

- *that a funding amount of \$50,000 be allocated in conjunction with the Edith Cowan University to progress Cities for Climate Protection initiatives.*

The committee has not provided supporting information regarding the potential role of Edith Cowan University in such a funding allocation. Further investigation and justification is required regarding this recommendation. The Officer Recommendation is:

- *that Council requests the Environmental and Sustainability Advisory Committee to investigate opportunities for Council to work in conjunction with Edith Cowan University in relation to the Cities for Climate Protection programme initiatives.*

The committee recommended:

- *that the Environmental and Sustainability Advisory Committee recommends to Council that the Depot Committee consider a LNG fuelling facility at the proposed Joondalup depot, based on the consumption figures from the 2<sup>nd</sup> National Cities for Climate Protection conference.*

Whilst the above recommendation is seeking the depot committee to investigate a Liquefied Natural Gas (LNG) fuelling facility, the committee has not indicated the purpose or goal of the investigation. As a result, an alternative recommendation is put forward:

- *that Council seeks the Depot Committee to investigate opportunities and initiatives that will reduce Greenhouse gas emissions reductions, to support and contribute towards the corporate Greenhouse gas reduction target of 20% by 2010, endorsed by Council (refer to report CJ007-02/02).*

The committee recommended:

- *that the Environmental and Sustainability Advisory Committee recommends that Council considers that all Councillors attend the Ecosystem Health Conference.*

It is very desirable to have Councillor representation and participation at the forthcoming Ecosystem Health Conference to be held at the Edith Cowan University between 25-27 November 2002. A notice to this effect is proposed to be included in the Desk of the CEO newsletter.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That Council:**

- 1 NOTES the confirmed and the unconfirmed minutes of the Environmental and Sustainability Advisory Committee held on 20 June 2002 and 22 July 2002 respectively forming Attachments 1 & 2 to Report CJ191-08/02;**
- 2 REQUESTS the Depot Committee to investigate opportunities and initiatives that will reduce Greenhouse gas emissions reductions, to support and contribute towards the corporate Greenhouse gas reduction target of 20% by 2010, endorsed by Council (refer to Report CJ007-02/02);**
- 3 REQUESTS the Environmental and Sustainability Advisory Committee to investigate opportunities for Council to work in conjunction with Edith Cowan University in relation to the Cities for Climate Protection programme initiatives.**

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf060802.pdf](#)  
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## **CJ192 - 08/02 LEASE TO GRANNY SPIERS COMMUNITY HOUSE INC – [37505]**

**WARD - Marina**

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### **PURPOSE**

To seek approval for the City of Joondalup to lease the premises at 2 Albatross Court, Heathridge to Granny Spiers Community House Inc.

### **EXECUTIVE SUMMARY**

The Licence to Occupy the premises at 2 Albatross Court, Heathridge by Granny Spiers Community House Inc., formerly The Ocean Ridge Women's Community Group (Inc.), expired on 30 March, 1996 and the occupant has requested tenancy on a leasehold basis as follows:

- 1 Lease term be for 5 years commencing on 1 July, 2002;
- 2 One option for a further term of 5 years;
- 3 Rental be \$1.00 (Peppercorn) per annum if demanded;
- 4 Lessee shall be responsible for maintenance, repairs, outgoings, all insurance policies and legal costs;
- 5 Purpose of the Lease to be "Community Purposes."

In view of the continued requirement for the facility for its original purpose the report recommends that the premises at 2 Albatross Court, Heathridge, as shown hatched black on Attachment A, be leased to Granny Spiers Community House Inc. in accordance with the application.

### **BACKGROUND**

**Suburb/Location:** Heathridge  
**Applicant:** Granny Spiers Community House Inc.  
**Owner:** City of Joondalup  
**Zoning: DPS:** DPS2 - Residential R20  
**MRS:** Urban  
**Strategic Plan:** The proposed lease will not affect the 5 year strategic plan.

In 1986 the building and car park at 2 Albatross Court, Heathridge were constructed entirely through utilisation of Lotteries Commission grants totalling \$60,100.

The building is used to provide a range of family orientated community services as follows:

- 1 Meditation and health improvement programme;
- 2 Daytime playgroup;
- 3 Post natal Depression group;
- 4 Linguistic help programme for new Australians;
- 5 Northern Suburbs Book Club;
- 6 Respite programme for needy children and their parents;
- 7 Art therapy programme;
- 8 Friendship group for mothers.

In April 1986 the Council granted a Licence of Occupy to the Ocean Ridge Women's Community Group Inc. for the purpose of co-ordinating those services. The Licence was for a five year term with a five year option at an annual fee of \$1.00.

The occupier was required to keep the premises and surrounds in a well maintained and clean condition.

## **DETAILS**

Granny Spiers Community House Inc. was formerly the Ocean Ridge Women's Community Group (Inc.).

The Licence to Occupy expired on 30 March, 1996, but there is a continued need for the premises as a community purposes centre beyond the expiry date. As exclusive occupancy is required, it is necessary that the form of agreement be a lease.

The subject proposed lease comprises the whole of the land and buildings at 2 Albatross Court, Heathridge. The land on which the premises is situated is legally described as Lot 501 on Plan 12091 and being the whole of the land in Certificate of Title Volume 1482 Folio 645 and is shown hatched black on Attachment A to this Report.

Granny Spiers Community House Inc. continues to operate a full range of family support services and therefore a lease is supported subject to the following conditions:

- 1 Lease term be for 5 years commencing on 1 July, 2002;
- 2 One option for a further term of 5 years;
- 3 Rental be \$1.00 (Peppercorn) per annum if demanded;
- 4 Lessee shall be responsible for maintenance, repairs, outgoings, all insurance policies and legal costs;
- 5 Purpose of the lease to be "Community Purposes."

## **Statutory Provision:**

As Granny Spiers Community House Inc. is an incorporated body, the objects of which are of a charitable nature, it qualifies the Lease as exempt dispositions under Regulation 30(2)(b)(i) of the *Local Government (Functions and General) Regulations 1996*. Accordingly, there is no need to comply with the disposal conditions as provided by Section 3.58 of the *Local Government Act, 1995*.

As the facility is situated on land held in freehold by the City, no approval by the Minister for Lands is necessary.

## **Consultation:**

The content of the City's Standard Community Lease was explained in detail to Granny Spiers Community House Inc. and as a result it has confirmed full acceptance of the terms.

**Policy Implications:**

There are no policy implications concerning the Lease as it conforms with “Setting Fees and Charges” Policy 2.4.3.

**Financial Implications:**

Due to the applicant having contributed 100% of construction costs rental is “Peppercorn” in accordance with Policy 2.4.3 (Lease Rents (2)(b)).

The Lease will be in the form of the City’s Standard Community Lease which provides that there will be no cost to the City for maintenance, repairs and outgoings.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council APPROVES leasing Lot 501 at 2 Albatross Court, Heathridge to Granny Spiers Community House Inc., subject to:**

- 1 the Lease being for a period of 5 years commencing 1 July 2002;**
- 2 the Lease containing one option for a further term of 5 years;**
- 3 the rental being \$1.00 per annum (if and when demanded);**
- 4 the Lease being for “Community Purposes”;**
- 5 all legal costs associated with the Lease being met by Granny Spiers Community House Inc;**
- 6 the signing and affixing of the Common Seal to the Lease between the City of Joondalup and Granny Spiers Community House Inc.**

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf060802.pdf](#)

**CJ193 - 08/02 WHITFORDS CUSTOMER SERVICE CENTRE  
LEASE BY THE CITY OF JOONDALUP FROM  
PERPETUAL TRUSTEE COMPANY LIMITED –  
[11528]**

**WARD -** Whitfords

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**PURPOSE**

To seek approval for the City of Joondalup to lease Shop 310 (Attachment A to this Report) in the Whitfords City Shopping Centre, Hillarys, from Perpetual Trustee Company Limited (the owners).

**EXECUTIVE SUMMARY**

On 1 September 1998 the City of Joondalup entered into a 5 year lease with Permanent Trustee Australia Limited, the owner of the Whitfords City Shopping Centre, for the purpose of establishing the Whitfords Customer Service Centre (Whitfords CSC). This lease has been determined 1 year early due to a redevelopment requirement by the Whitfords City Shopping Centre.

The City requires a presence in the Centre and this Report recommends entering into a new lease with the Centre owners for shop 310, as shown on Attachment A, for a further 5 years.

**BACKGROUND**

**Suburb/Location:** Hillarys  
**Applicant:** City of Joondalup  
**Owner:** Perpetual Trustee Company Limited  
**Zoning:** **DPS:** DPS2 - Commercial  
**MRS:** Urban

On 1 September 1998 the City of Joondalup (the City) entered into a five (5) year lease with Permanent Trustee Australia Limited (now Perpetual Trustee Company Limited), the owner of the Whitfords City Shopping Centre, for the purpose of establishing the Whitfords Customer Service Centre (Whitfords CSC). The centre was opened in September 1998 and is located in Kiosk 15 in the Big W mall near the Post Office in the Centre.

Services provided by the Whitfords CSC include the following:

- 1 All council payments
- 2 Dog Licences
- 3 Boat Launch passes
- 4 Communication and information on all services provided by the City

The owners determined the Lease for the original location one (1) year early due to a redevelopment requirement for the Whitfords City Shopping Centre. In accordance with the Lease covenants, a notice of termination was received on 15 March 2002 stating that the Lease will be determined on the 21 September 2002 to allow for redevelopment within the centre.



The Whitfords CSC is currently operating from a temporary location in Shop 304 adjacent to the food hall. The cost of relocation to the City was \$7,000 as existing infrastructure was utilised to furnish the temporary site. This amount will be offset against \$10,000, which will be paid to the City by the owners as solatium compensation for the early termination of the existing lease.

## DETAILS

### Strategic Plan:

The customer service requirements of the organisation are to meet Strategy 4.2 detailed in the City's Strategic plan. This strategy states that the City will excel in Customer Service by continuing to investigate and implement new methods of providing customer service.

### Consultation:

On 8 May 2002 City representatives met with Lease Equity, leasing agents for the Whitfords City Shopping Centre (the Centre). A number of location options were discussed, but current heavy usage of the facility by customers indicated that a site in the original location within the redeveloped premises was most appropriate.

### Policy Implications:

None

### Financial Implications:

In the proposed lease, the annual base rental per annum (excluding GST) \$59,000 and variable outgoings and promotions levy per annum are estimated to be approximately \$5,000, making a total rental payment per annum of approximately \$64,000 per annum. The Table below shows the comparisons between the current lease and the proposed lease.

#### Lease Comparison Table

	Area (m2)	Gross Rental Payment Per Annum (includes outgoings, but is ex. GST)	Rate \$/m2
Current Lease	27	\$41,000.00	\$1,518.52
Proposed Lease	60	\$64,000.00	\$1,066.67

The increased cost will allow the City to provide a Customer Service Centre, which has increased in size from 27m<sup>2</sup> to 60m<sup>2</sup>. However, due to economies of scale, the rental rate is approximately **1/3 below the current rate**. Also, the proposed new lease will be in a prime location, being a corner shop at one of the main entries, as opposed to the current kiosk situation. This provides a more comfortable environment for customers to do business, and opportunity to expand and/or enhance the existing services.

An amount of \$100,000 has been allocated in the 2002/2003 budget for the refurbishment of a new customer service centre. A further \$15,000 has been offered by the Perpetual Trustee Company as an incentive to enter into a further five (5) year lease.

Other lease conditions are as follows:

- 1 The rental being escalated annually by the CPI plus 1.5% of the rental for the previous year;
- 2 The Lease being for "Office & Display Area for the City of Joondalup";
- 3 All legal costs associated with the Lease being met by the City of Joondalup;
- 4 Commencement date being from and including the earlier of the date of commencement of trade and four (4) weeks after handover of the premises to the Tenant (the City) for its fitout which is estimated to be on or about 1 October 2002.

### **Proposed Timeframe**

Schematic design and budget	2 weeks
Budget approval	1 week
Approvals from Hames Sharley	1 week
Design development	2 weeks
Detail design documentation	2 weeks
Tender	2 weeks
Tender analysis	1 week
Client approvals	1 week
Site construction	4 weeks

Project completion date will be approximately 16 weeks and the occupation date is anticipated to be sometime in October 2002.

### **COMMENT**

The City currently receives in the region of 28,000 customers per annum of which approximately 17,000 are making payments while the remaining 11,000 customers have general enquiries concerning Council business. Customer volumes have steadily increased, with 12,300 receipts being processed through the Whitfords CSC in 2000, then 17,000 in 2001. It is expected that these numbers will continue to increase each year.

The Whitfords CSC provides a valuable service to the residents of the City and maintains a positive presence within the community. It is proposed to explore opportunities in the future of possibly expanding the services offered by the Whitfords CSC. The City requires a presence in the Centre and it is therefore recommended that the City enter into a lease, for a shop in the new premises, with the owners for a further 5 years.

### **VOTING REQUIREMENTS**

Simple Majority

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

- 1 APPROVES the City of Joondalup leasing Shop 310 in the Whitfords City Shopping Centre, Hillarys, from Perpetual Trustee Company Limited, subject to:**
  - (a) the Lease being for a period of 5 years;**
  - (b) the net rental (excluding GST) being \$59,000 per annum, plus variable outgoings;**
  - (c) the rental being escalated annually by the CPI plus 1.5% of the rental for the previous year;**
  - (d) the Lease being for “Office & Display Area for the City of Joondalup”;**
  - (e) all legal costs associated with the Lease being met by the City of Joondalup;**
  - (f) commencement date of the Lease being from and including the earlier of the date of commencement of trade and four (4) weeks after handover of the premises to the Tenant (the City) for its fitout which is estimated to be on or about 1 October 2002;**
- 2 AUTHORISES the signing and affixing of the Common Seal to the Lease between the City of Joondalup and Perpetual Trustee Company Limited;**
- 3 AUTHORISES the Chief Executive Officer to negotiate commencement & occupation dates with Perpetual Trustee Company Limited.**

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf060802.pdf](#)*

**CJ194 - 08/02      TENDER      NO:      006-02/03      -      JOONDALUP  
ADMINISTRATION      CENTRE      FIT-OUT  
ALTERATIONS – [15528]**

**WARD -** Lakeside

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**PURPOSE**

To seek acceptance of the tender submitted by Business Interiors for Tender No 006-02/03 – Joondalup Administration Centre Fit-out Alterations.

**EXECUTIVE SUMMARY**

The organisational restructure in March this year requires changes to the Administration Office accommodation to reflect the new corporate structure. Tenders for contract 006-02/03 to construct alterations to the Joondalup Administration Centre to accommodate the new corporate structure were advertised on Saturday 13 July 2002 and closed on Thursday 25 July 2002.

The tenders have been evaluated and it is recommended that Business Interiors be considered as the successful tenderer for a lump sum price of \$201,486 exclusive of GST for the Joondalup Administration Centre Fit-Out alterations. The recommended tender's price is in excess of the available budget funds of \$150,000 and it is proposed to allocate the additional funds from the Major Works Building Programme.

*It is therefore recommended that Council:*

- 1      *AUTHORISES BY AN ABSOLUTE MAJORITY in accordance with section 6.8(1) of the Local Government Act 1995, the reallocation of \$30,000 from Project BCW007 Joondalup Administration Centre and \$21,486 from Carry Forward Building Project 4112 to Project F393 Organisation Refurbishment;*
- 2      *ACCEPTS the tender from Business Interiors for contract 006-02/03 Joondalup Administration Centre Fit-Out Alterations for the lump sum price of \$201,486 exclusive of GST;*
- 3      *AUTHORISES the signing of contract documents.*

**BACKGROUND**

The Organisation Restructure in March 2002 has resulted in the need to relocate staff within Directorates to reflect the new corporate structure. James Christou & Partners Architects were engaged to design, document and administer a contract for the fit-out alterations to the Joondalup Administration Centre.

The Architects undertook considerable consultation with staff to determine the most appropriate configuration. The following main changes are proposed:

- All Approvals, Planning and Environmental Services staff will be located on the Ground floor;
- All Marketing, Communications and Council Support Staff except Records Services will be located on the first floor;
- All Assets and Commissioning staff will be concentrated in one area of the 2<sup>nd</sup> floor;
- The Training Room will be moved to the 3<sup>rd</sup> floor and will be enlarged. The staff room will also be enlarged.
- The Director Planning & Community Development will relocate to the 3<sup>rd</sup> floor, and Community Development staff will concentrate at the eastern end of the 3<sup>rd</sup> floor. The remaining space on the 3<sup>rd</sup> floor will be turned into two large meeting rooms.

Tenders for the work were advertised on Saturday 13 July 2002 and closed on Thursday 25 July 2002.

## DETAILS

At the close of tenders four tenders were received:

<b>TENDERER</b>	<b>LOCALITY</b>	<b>TENDER PRICE</b>
Business Interiors	Osborne Park	\$201,486.00
The Design Team	Nedlands	\$217,038.00
Scope Interiors (1997) Pty Ltd	Malaga	\$232,790.00
Dawn Express Partitioning Pty Ltd	East Perth	\$239,765.00

The tender prices do not include GST.

All tenders included the specified contingency sum of \$20,000.00, and two adjustable 'Prime Cost' allowances of \$5,000.00 for the supply of door hardware and \$2,000.00 for the supply of signs.

Scope Interiors (1997) Pty Ltd failed to submit all the required forms and information. The Tender Evaluation Committee ruled that this tender could not be assessed on the information submitted and was, therefore, invalid.

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

For Tender 006-02/03, the evaluation criteria provided in the Tender Information Document were:

- 1 Lump sum price and Tender sum breakdown;
- 2 Current demonstrated ability and resources to carry out the works;
- 3 Tenderer's proposed innovation in construction method that may reduce inconvenience to the Principal's staff;
- 4 Tenderer's previous experience in carrying out alteration work in occupied office buildings;
- 5 Tenderer's safety management policy and record.

#### **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. However no local companies could be considered as none of the tenderers were local businesses.

#### **TENDER EVALUATION**

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 Business Interiors for contract 006-02/03 for the construction of Joondalup Administration Centre Fit-Out Alterations.

#### **Financial Implications**

The funds available in project F393	\$150,000
Less	
Tender from Business Interiors	<u>\$201,486</u>
<b>Funding Shortfall</b>	<b>(\$ 51,486)</b>

The tender amount includes a contingency of \$20,000, however it is considered prudent to keep this amount in the contract.

It is considered that for an effective staff working environment, the proposed alterations be undertaken and additional funding be provided. Therefore to complete this project additional funds of \$51,486 are required. Funds of \$30,000 have been allocated in the 2002/03 Building Capital Works Programme to provide shade and seating to the third floor balcony. In addition funds of \$22,000 have been carried forward from the 2001/02 financial year to modify the office lighting for energy usage improvements. It is considered that both of these projects can be deferred for future budget consideration to enable the Administration Office alterations to be undertaken.

#### **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, the reallocation of \$30,000 from Project BCW007 Joondalup Administration Centre and \$21,486 from Carry Forward Building Project 4112 to Project F393 Organisation Refurbishment;**
- 2 ACCEPTS the tender from Business Interiors for contract 006-02/03 Joondalup Administration Centre Fit-Out Alterations for the lump sum price of \$201,486 exclusive of GST;**
- 3 AUTHORISES the signing of contract documents.**

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**CJ195 - 08/02      WARWICK ROAD U-TURN FACILITY – [05013]  
[09116]****WARD - South**

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**PURPOSE**

The purpose of this report is to consider a request for provision of a U-turn facility on Warwick Road between Dorchester Avenue and Coolibah Drive.

**EXECUTIVE SUMMARY**

In May 2002, the City received a 79-signature petition from local residents seeking the provision of a U-turn facility on Warwick Road between Dorchester Avenue and Coolibah Drive.

The petitioners have requested that this facility be considered to allow residents on the north side of Warwick Road and eastern end of Tuart Road more direct access to their properties.

Engineering Consultants Connell Wagner were subsequently engaged to independently examine the petitioners request and make appropriate recommendations based on the findings of the assessment.

Based on the assessment Connell Wagner recommends that two U-turn facilities be considered on Warwick Road between Dorchester Avenue and Coolibah Drive to cater for both west bound and east bound turning demand as the favoured solution to accommodate the petitioners concerns.

At this stage however, the provision of a second U-turn facility west of Coolibah Drive would need to be subject to further community consultation.

*Therefore this report recommends that Council:*

- 1      SUPPORTS the petitioners' request for the provision of a U-turn facility on Warwick Road, 60 metres east of Dorchester Avenue;*
- 2      SUPPORTS in principle the provision of a second U-Turn facility on Warwick Road west of Coolibah Drive subject to community consultation;*
- 3      LISTS for funding consideration in the Draft 2003/04 Capital Works Budget, the construction of a U-turn facility on Warwick Road between Dorchester Avenue and Coolibah Drive at an estimated cost of \$25,000;*
- 4      ADVISE the petitioners accordingly.*



## **BACKGROUND**

In May 2002, the City received a 79-signature petition from local residents seeking the provision of a U-turn facility on Warwick Road between Dorchester Avenue and Coolibah Drive.

The petitioners have requested that this facility be considered to allow residents on the north side of Warwick Road and eastern end of Tuart Road more direct access to their properties.

Westbound motorists are currently banned from performing U-turns at the intersection of Warwick Road and Dorchester Avenue by a no U-turn sign. Notwithstanding, this will also be the case when the intersection is signalised in the next few months.

The next available U-turn opportunity for westbound motorists on Warwick Road is provided 50 metres east of Oronsay Road.

## **DETAILS**

Engineering Consultants Connell Wagner were subsequently engaged to independently examine the petitioners request and make appropriate recommendations based on the findings of the assessment.

The consultants considered two options to provide a solution for westbound access to residential properties on the north side of Warwick Road.

- The provision of a sign controlled (three-way) intersection at Tuart Road; or
- The provision of U-turn median openings on Warwick Road between Dorchester Avenue and Coolibah Drive

### **Tuart Road Intersection**

While the provision of a seagull island controlled intersection at Tuart Road would provide a more direct access to properties, the consultants highlight that this option has the potential to increase vehicle conflicts at this location and may also inadvertently increase traffic along Tuart Road.

### **Median U-turn Facility**

The construction of a U-turn facility, 60 metres east of Dorchester Avenue would facilitate a safe U-turn movement for westbound traffic and provide access to the northern residential properties along Warwick Road and the eastern end of Tuart Road.

In addition to this the Consultants consider that a similar facility 60 metres west of Coolibah Drive would service eastbound turning demand for residents and negate the need for them to undertake potentially hazardous U-turns at Ballantine Road.

Based on this assessment Connell Wagner recommends that two U-turn facilities be considered on Warwick Road between Dorchester Avenue and Coolibah Drive to cater for both west bound and east bound turning demand as the favoured solution to accommodate the petitioners concerns.

However, it should be noted that the second U-turn facility would require community consultation as it may be considered to adversely affect residents directly opposite the facility. Additional detailed design would also be required to ensure that the facility is able to meet the appropriate design standards as there is a slight level difference at this location.

The location of each U-turn facility is shown on Attachment 1. The estimated cost to construct each U-turn is \$25,000.

## **COMMENT**

While the existing U-turn facility east of Oronsay Road currently provides for westbound motorists, the programmed installation of traffic signals at the intersection with Dorchester Avenue may be perceived as increasing the travel time for residents wishing to access their properties on the north side of Warwick Road and the eastern end of Tuart Road.

In view of this, the petitioners request that a single U-turn facility be considered to allow residents more direct access to their properties, may be warranted.

Furthermore the construction of two separate facilities to cater for both eastbound and westbound traffic may also have merit.

However the provision of a second U-turn facility west of Coolibah Drive would be subject to further community consultation as this would directly affect a number of residential properties on the south side of Warwick Road.

On this basis and after taking into consideration the consultants report, the proposal to consider the construction of two U-turn facilities is recommended on the basis that it may improve access to properties along Warwick Road and the eastern end of Tuart Road without compromising safety for all road users at this location.

At this stage it is recommended that the second U-turn facility be supported 'in principle', subject to further community consultation with adjacent landowners.

In the meantime, it is recommended that construction of a U-turn facility 60 metres east of Dorchester Avenue is listed for funding consideration as part of the Draft 2003/04 Capital Works Budget.

## **VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION****That Council;**

- 1 SUPPORTS the petitioners' request for the provision of a U-turn facility on Warwick Road, 60 metres east of Dorchester Avenue;**
- 2 SUPPORTS in principle the provision of a second U-Turn facility on Warwick Road west of Coolibah Drive subject to community consultation;**
- 3 LISTS for funding consideration in the Draft 2003/04 Capital Works Budget, the construction of a U-turn facility on Warwick Road between Dorchester Avenue and Coolibah Drive at an estimated cost of \$25,000;**
- 4 ADVISES the petitioners accordingly.**

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf060802.pdf](#)*

**CJ196 - 08/02      EXTENSION OF CONTRACT NO 052-00/01,  
PAVEMENT MARKINGS WITHIN THE CITY OF  
JOONDALUP – [48029]**

**WARD - All**

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**PURPOSE**

This report recommends extension of Contract No 052-00/01, Pavement Markings within the City of Joondalup, in accordance with the existing schedule of rates.

**EXECUTIVE SUMMARY**

This Contract was awarded by Council at its ordinary meeting of 14 August 2001. (Item CJ26908/01 refers). Road Safety Shops have requested extension of the Contract in accordance with Clause 28 of the general conditions of Contract documentation.

*This report therefore recommends that Council:*

- 1      AUTHORISES the extension of Contract No 052-00/01, Pavement Markings within the City of Joondalup awarded to Road and Traffic Services in accordance with the existing schedule of rates;*
- 2      ENDORSES signing of the Contract extension documents.*

**DETAILS**

This Contract forms part of the City of Joondalup's contracts and it negotiated an appropriate extension with the current Contractor.

Contractor, Road Safety Shop has indicated it has no objection to extending the contract and in view of satisfactory performance experienced from it, the recommendation is to extend Contract No 052-00/01, Pavement Markings within the City of Joondalup for 12 months from 1 September 2002 to 31 August 2003.

**COMMENT**

The scope of works under this contract is to provide pavement markings associated with Council's parking facilities and marking of roads, roundabouts and traffic islands as a part of Council's new construction works. Most of the road markings of new construction works, either from Traffic Management Works or resurfacing works, are normally completed by the Mains Road Department at its own expense. Council only takes responsibility for marking the roads under black spot funded projects.

Extension of this Contract is supported given the performance by Roads and Traffic Services and the schedule of rates remaining unchanged. (See attachment 1 to this Report)

## **FUNDING**

No change to current schedule of rates. All expenditure is via Council's endorsed operation budget.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 AUTHORISES the extension of Contract No 052-00/01 - Pavement Markings within the City of Joondalup awarded to Road and Traffic Services in accordance with the existing Schedule of Rates;**
- 2 ENDORSES signing of the Contract extension documents.**

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf060802.pdf](#)*

**CJ197 - 08/02      EXTENSION OF CONTRACT NO 105B-99/00 LAYING  
OF BRICK PAVERS WITHIN THE CITY OF  
JOONDALUP – [46847]**

**WARD - All**

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**PURPOSE**

This report recommends extension of Contract 105B-99/00, Laying of Brick Pavers within the City of Joondalup in accordance with the existing schedule of rates.

**EXECUTIVE SUMMARY**

This Contract was awarded by Council at its ordinary meeting of 22 May 2001. (Item CJ155-05/01 refers). Tapps Contracting Pty. Ltd., Balcatta have requested extension of the contract in accordance with Clause 15 of the special conditions of Contract documentation.

*This report therefore recommends that Council:*

- 1      *AUTHORISES the extension of Contract 105B-99/00, Laying of Brick Pavers within the City of Joondalup awarded to Tapps Contracting Pty Ltd in accordance with the existing schedule of rates;*
- 2      *ENDORSES signing of the Contract extension documents.*

**DETAILS**

This Contract forms part of the City's contracts and it has negotiated an appropriate extension with the current Contractor.

Contractor, Tapps Contracting of Balcatta, has indicated it has no objection to extending the contract and in view of satisfactory performance experienced from it, the recommendation is to extend Contract No 105B-99/00 Laying of Brick Pavers within the City of Joondalup for 12 months from 1 September 2002 to 31 August 2003.

**COMMENT**

The current works program contains a significant brick paving component within the modern suburbs particularly road works related to school parking and safety and intersections treatments (major or minor).

Extension of this Contract is supported given the performance by Tapps Contracting Pty Ltd and the schedule of rates remaining unchanged. (See attachment 1 to this Report).

**FUNDING**

No change to current schedule of rates. All expenditure is via Council's endorsed operation budget.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

### That Council:

- 1 AUTHORISES the extension of Contract 105B-99/00 - Laying of Brick Pavers within the City of Joondalup awarded to Tapps Contracting Pty Ltd in accordance with the existing Schedule of Rates;**
- 2 ENDORSES signing of the Contract extension documents.**

*Appendix 7 refers.*

*To access this attachment on electronic document, click here: [Attach7brf060802.pdf](#)*

**CJ198 - 08/02      EXTENSION OF CONTRACT NO. 109E-99/00 -  
SUPPLY OF DRAINAGE GULLY MAINTENANCE  
CLEANING – [47910]**

**WARD - All**

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**PURPOSE**

This report recommends extension of Contract No 109E-99/00, Supply of Drainage Gully Maintenance Cleaning in accordance with a 3% increase (C.P.I increase requested) of the existing price schedule.

**EXECUTIVE SUMMARY**

This Contract was awarded by Council at its ordinary meeting of 26 June 2001. (Item CJ207-06/01 refers). Asteranch Pty. Ltd., Midvale has requested extension of the contract in accordance with Clause 24 of the general conditions of Contract documentation.

*This report therefore recommends that Council:*

- 1      *AUTHORISED the extension of Contract No 109E-99/00, Supply of Drainage Gully Maintenance Cleaning awarded to Asteranch Pty Ltd in accordance with a 3% increase of the existing schedule of rates;*
- 2      *ENDORSES signing of the Contract extension documents.*

**DETAILS**

This Contract forms part of the City of Joondalup's contracts and it has negotiated an appropriate extension with the current Contractor.

Contractor, Asteranch Pty. Ltd. of Midvale has indicated it has no objection to extending the contract and they want to adjust their price as per the CPI figures for the 2001 – 2002 Financial Years. The current CPI as published by the Australian Bureau of Statistics being 3.2 %, Clause 24 of the General Conditions of contract allows contract extension subject to price adjustment not exceeding the changes in CPI, and therefore in view of satisfactory performance experienced from it, the recommendation is to extend Contract No 109E-99/00, Supply of Drainage Maintenance Cleaning for 12 months from 1 September 2002 to 31 August 2003 with an increase of 3% of the existing price schedule.

**COMMENT**

Asteranch Pty Ltd trading as Clean Sweep currently undertakes the major portion of the gully educting on behalf of the Metropolitan Councils. This Contract requires the Contractor to clean 50% of all gullies within the Council geographical area annually. Work areas are altered to ensure areas experiencing drainage problems are given priority.

Extension of the Contract is supported given the performance by Asteranch Pty Ltd and the schedule of rates would be adjusted with a 3% increase on the existing price schedule. (See



attachment 1 to this Report). The proposed increase would result in the new schedule of prices remaining less than the second lowest priced tender previously received.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

### That Council:

- 1 AUTHORISED the extension of Contract No 109E-99/00 - Supply of Drainage Gully Maintenance Cleaning awarded to Asteranch Pty Ltd in accordance with a 3% increase of the existing Schedule of Rates;**
- 2 ENDORSES signing of the Contract extension documents.**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf060802.pdf](#)*

## **CJ199 - 08/02      EXTENSION OF CONTRACT NO. 053-0001 - SWEEPING OF URBAN AND ARTERIAL ROADS – [49029]**

**WARD - All**

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### **PURPOSE**

This report recommends extension of Contract No 053-00/01, Sweeping of Urban and Arterial Roads in accordance with a 3.2 % increase (as per CPI index) of the existing schedule of rates.

### **EXECUTIVE SUMMARY**

This Contract was awarded by Council at its ordinary meeting of 14 August 2001. (Item CJ270-08/01 refers). Coastal Sweeping Services Joondalup have requested extension of the contract in accordance with Clause 28.2 of the general conditions of Contract documentation.

*This report therefore recommends that Council:*

- 1      AUTHORISES the extension of Contract No 053-00/02, Sweeping of Urban and Arterial Roads in accordance with a 3.2% increase of the existing schedule of rates;*
- 2      ENDORSES signing of the Contract extension documents.*

### **DETAILS**

This Contract forms part of the City of Joondalup's contracts and it has negotiated an appropriate extension with the current Contractor.

Contractor, Coastal Sweeping Services, Joondalup has indicated it has no objection to extending the Contract but they want to adjust their price as per the CPI figures for the 2001 – 2002 Financial Year. The current CPI published by the Australian Bureau of Statistics being 3.2%, Clause 28.2 of the General Conditions of Contract allow Contract extension subject to price adjustment not exceeding the charges in CPI, therefore in view of satisfactory performance it is recommended that Contract No 053-00/01 be extended for Sweeping of Urban and Arterial Roads for 12 months from 1 September 2002 to 31 August 2003, with an increase of 3.2% of the existing price schedule.

### **COMMENT**

The scope of works for this Contract incorporates sweeping of all urban and arterial roads and residential streets within the suburbs of the City of Joondalup. Council maintains a separate contract for sweeping the Joondalup City Central area.

Extension of this Contract is supported given the performance by Coastal Sweeping Services and the schedule of rates would be adjusted with a 3.2 % increase on the existing schedule of rates. (See attachment 1). The proposed price increase would result in the new schedule of prices remaining less than the second lowest priced tender previously received.

## FUNDING

All expenditure is via Council's endorsed operation budget. Sufficient funds will be allocated to accommodate extra spending.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

### That Council:

- 1 AUTHORISES the extension of Contract No 053-00/02 - Sweeping of Urban and Arterial Roads in accordance with a 3.2% increase of the existing Schedule of Rates;**
- 2 ENDORSES signing of the Contract extension documents.**

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf060802.pdf](#)*

**CJ200 - 08/02      EXTENSION OF CONTRACT NO 010-01/02 - FIXED  
TERM      MAINTENANCE      SERVICES      FOR  
LANDSCAPING AT ILUKA – [46487]**

**WARD - All**

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**PURPOSE**

This report recommends extension of Contract 010-01/02 Agreement for Fixed Term Maintenance Services for Landscape at Iluka. This Contract services the enhanced landscape component via specified area rate.

**EXECUTIVE SUMMARY**

This Contract was awarded by Council at its ordinary meeting of 25 September 2001. Refer Report CJ334-09/01 Landscape Developments have requested extension of the Contract in accordance with Clause 28 of the general conditions of Contract. This Contract is jointly managed by Council with the Beaumaris Beach Home Owners Association via specified area rate calculation. The B.B.H.O.A Committee has confirmed their support for this extension to proceed.

*This report therefore recommends that Council:*

- 1      AUTHORISES the extension of Contract 010-01/02 Agreement for Fixed Term Maintenance Services for Landscaping at Iluka in accordance with the existing schedule of rates;*
- 2      ENDORSES signing of the Contract extension documents.*

**BACKGROUND**

Tenders were advertised statewide for the Maintenance Services for Landscape for the location of Iluka. Tenders closed on Wednesday, 28 August 2001 with the following five tenders being received: -

DME Contractors	Wangara
Russell Landscaping	Carabooda
Landscape Developments	Kwinana
Manicured Lawns	Wanneroo
Turfmaster	Morley

Council considered this matter at its meeting held on 25 September 2001, where it resolved to award the tender to Landscape Development for the provision of landscaping services to the Iluka locality from 25 September 2002 for a period of twelve months to 24 September 2003, with an option for a further 1 x 12 months extension subject to performance and Council's approval.

## DETAILS

The suburb of Iluka has various areas of enhanced landscape and all areas to be maintained are identified within the existing contract documentation. Due to the initial 5 year maintenance time frame commitment by Beaumaris Land Sales, there will be no expansion of the current identified area until 2003/04 financial year when a small section transfers to Council. Subdivision works currently in progress within Iluka will not impact on the specified area rating until 2008.

The B.B.H.O.A. have a works committee for liaison with the contractor and monthly inspections are undertaken. Operations Services Staff provide technical comment/information as required. All reticulation maintenance remains the responsibility of the City and relevant costs are debited to the specified area rating account.

## FUNDING

No change to current Schedule of Rates. All expenditure is via the Specified Area Rating allocation within the City's annual maintenance budget.

- Account Number: 11-60-72-721-0000-2225
- Budget item Iluka Specified Area Rating.
- In accordance with the Contract Schedule of Rates
- 2001/2002 expenditure \$143,772.

## COMMENT

Confirmation was requested from the Beaumaris Beach Home Owners Association regards the requested extension. The President Rhett Cooper – Fowle confirmed the associations position in writing on 12 July 2002 following their Committee meeting of 10 July 2002. The Association have initiated an additional landscape enhancement project in Ocean Gate Parade as a joint project between the City, the Association and Area Developer Beaumaris Land Sales.

This is an indication of the community willingness to become involved in enhancement and maintenance of the entry statement areas. Council's contribution is via project information and in kind support.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

### That Council:

- 1 AUTHORISES the extension of Contract 010-01/02 - Agreement for Fixed Term Maintenance Services for Landscaping at Iluka in accordance with the existing Schedule of Rates;**
- 2 ENDORSES signing of the Contract extension documents.**

**CJ201 - 08/02 SKATEPARK COMMITTEE MINUTES – [08096]****WARD - All**

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**PURPOSE**

A meeting of the Skatepark Committee was held on 26 June 2002, and the unconfirmed minutes are submitted for noting by Council.

**EXECUTIVE SUMMARY**

A meeting of the Skatepark Committee was held on 26 June 2002, and the unconfirmed minutes are submitted for noting by Council. (Attachment 1 to this Report refers).

*The Committee has recommended that Council:*

- 1 *NOTES the unconfirmed minutes of the Skatepark Committee meeting held on 26 June 2002 forming Attachment 1 to Report CJ201-08/02;*
- 2 *ACCEPTS the resignations of Councillors Kimber and Rowlands from the Skatepark Committee;*
- 3 *AMENDS BY AN ABSOLUTE MAJORITY the Terms of Reference of the Skatepark Committee to reduce the Committee membership to five (5) Elected Members, with a quorum of three (3) people as shown on Attachment 2 to Report CJ201-08/02.*

**DETAILS**

The unconfirmed minutes of the Skatepark Committee meeting held 26 June 2002, are included as Attachment 1 to this Report.

**COMMENT**

With the recent member resignations, of Councillors Kimber and Rowlands from the Skatepark Committee, it is recommended that Council amends the Committee's membership to a more workable and realistic five members, with three required for a quorum. This is considered a more efficient situation in terms of administration and the process involved in investigating, developing and making recommendations for future skateparks and BMX tracks.

Following the City's compulsory 21-day advertisement period, in relation to the specific site location for the skatepark in MacNaughton Park, Kinross, the Skatepark Committee recommended to proceed with works for the skatepark, as per Tender No 027-01/02. Council had previously resolved at its meeting of 26 March 2002, to accept Tender No 027-01/02 from Skatetech WA for the Design and Construction of Wheel Sports Facility at MacNaughton Park, Kinross (Item CJ067-03/02 refers).

Work on the construction of the skatepark facility at MacNaughton Park, Kinross, has commenced and is proceeding. It is anticipated that the facility will be completed by September 2002.

## VOTING REQUIREMENTS

Absolute Majority

## RECOMMENDATION

### That Council:

- 1 NOTES the unconfirmed minutes of the Skatepark Committee meeting held on 26 June 2002 forming Attachment 1 to Report CJ201-08/02;**
- 2 ACCEPTS the resignations of Councillors Kimber and Rowlands from the Skatepark Committee;**
- 3 AMENDS BY AN ABSOLUTE MAJORITY the Terms of Reference of the Skatepark Committee to reduce the Committee membership to five (5) Elected Members, with a quorum of three (3) people as shown on Attachment 2 to Report CJ201-08/02.**

*Appendices 11 & 11(a) refer*

*To access this attachment on electronic document, click here: [Attachment11brf060802.pdf](#)*

*[Attachment11abrf060802.pdf](#)*

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**CJ202 - 08/02      WARWICK BOWLING CLUB – FLOODLIGHTING –  
[03045] [22209]****WARD - South**

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**PURPOSE**

To consider a request by the Warwick Bowling Club that Council provides one-third funding for the proposed installation of floodlighting to two bowling greens at the Warwick Bowling Club.

**EXECUTIVE SUMMARY**

Council previously resolved at its meeting of 23 October 2001 (Item CJ370-10/01 refers) to list for consideration \$11,670, for floodlighting to two bowling greens, in the 2002/03 draft budget on the proviso that Warwick Bowling Club is granted \$11,670 from the Community Sport and Recreation Facility Fund (CSRFF). The total cost is estimated to be \$23,340. The Club was unsuccessful with its CSRFF application, however has now advised that it would like to continue with the project by providing two-thirds of the funding.

It is recommended that Council endorses the expenditure of \$11,670 in the 2002/03 budget and that funding provided by the City is used specifically for the floodlighting proposal only and that the Warwick Bowling Club agrees to meet the operating costs of additional floodlights.

**BACKGROUND**

In September 2001, the Warwick Bowling Club applied for funding, through the State Government's Community Sport and Recreation Facility Fund (CSRFF), for the conversion of two greens from natural grass to a synthetic surface, as well as the installation of floodlighting sufficient for the two greens.

At its meeting of 23 October 2001, Council resolved to list for consideration \$11,670 in the 2002/03 Draft Budget on the proviso that Warwick Bowling Club is granted \$11,670 from CSRFF and that funding provided by the City is used specifically for the floodlighting proposal only and that the Warwick Bowling Club agrees to meet the operating costs of additional floodlights (Item CJ370-10/01 refers).

In March 2002, the City of Joondalup and the Warwick Bowling Club were notified, by the Minister for Sport and Recreation, that the club's CSRFF application had been unsuccessful. However in the same round of funding, the Beaumaris Bowling Club were successful with its CSRFF application to install floodlighting to two bowling greens. As a consequence of this, Council will contribute \$9,134 toward the Beaumaris project.



## **DETAILS**

The Warwick Bowling Club has requested that the City consider funding the floodlighting proposal as per the agreed original amount of \$11,670. The Club has advised that it will meet the outstanding balance of \$23,340 for the project.

Additional lighting will enhance the potential to increase physical activity of people playing lawn bowls. It will also expand the ability of the Club to use the greens and increase use and patronage of the clubrooms. This will assist in making the Warwick Recreation Association and its member clubs more financially viable, therefore reducing dependence upon the Council.

## **COMMENT**

It is considered that the Warwick Bowling Club's request for funding the installation of floodlighting is reasonable. Even though one third of costs are not forthcoming from the State Government, as part of the CSRFF, the Club itself will now meet this cost. Council's financial position would not be affected, as the previous resolution listed \$11,670 for consideration in the 2002/03 Draft Budget.

### **Recommendation submitted to Council meeting of 11 June 2002**

*That Council:*

*Considers including \$11,670 in the 2002/03 budget and that funding provided by the City is used specifically for the floodlighting proposal only and that the Warwick Bowling Club agrees to meet the operating costs of additional floodlights.*

## **ADDITIONAL INFORMATION**

At the meeting of 11 June 2002, it was MOVED Cr O'Brien SECONDED Cr Baker that consideration of the request by the Warwick Bowling Club that the City of Joondalup provides one-third funding for the proposed installation of floodlighting to two bowling greens at the Warwick Bowling Club be DEFERRED to the next meeting of Council to enable relevant information to be provided on lighting operating costs for adjacent sporting groups.

The Motion was Put and CARRIED (12/3)

The Greenwood Tennis Club is the club that is located adjacent to the Warwick Bowling Club and identified in the preceding motion at the meeting of 11 June 2002. The following information is provided regarding the provision of floodlighting to tennis clubs.

(Council Policy 5.4.1 - Tennis Court Lighting Standards, applies - copy attached).

### **Council policy regarding costs of floodlighting**

The Club shall also be responsible for ongoing operating costs of the upgraded installation beyond the specified standard and shall include lamp, luminaire and control gear replacement and cleaning, wear and tear on the electrical installation and switching points, and all other maintenance costs.

The Club shall be responsible for the additional power charges for the upgraded lighting beyond the specified standard.

At the present time the City meets the costs of electricity to floodlights at all of the tennis courts, this cost is met because the community have access to the facilities. The one exception to this arrangement is the Sorrento Tennis Club who have a different agreement with regards to their facility.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That Council ENDORSES the expenditure of \$11,670 from the 2002/03 budget for the floodlighting proposal by the Warwick Bowling Club despite the club not having received CSRFF funding for the project with the club providing two thirds of the total project cost and the Warwick Bowling Club agrees to meet the operating costs of additional floodlights.**

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf060802.pdf](#)*

**CJ203 - 08/02      CRAIGIE OPEN SPACE STUDY – [43127]****WARD - Pinnaroo**

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**PURPOSE**

The purpose of the report is to consider submissions and the Craigie Open Space Study and provide information in regard to reclassifying the site as an 'A' class reserve.

**EXECUTIVE SUMMARY**

Craigie Open Space is approximately 56.7 ha in area (Attachment 1 refers) and is reserved Parks and Recreation and Urban under the Metropolitan Region Scheme and Parks and Recreation and Local Reserve – Parks and Recreation under the City of Joondalup District Planning Scheme No 2.

The subject site is identified as site 303 in Bush Forever (formerly Bush Plan) a document that aims to fulfil the government's commitment to prepare a strategic plan for the conservation of bushland on the Swan Coastal Plain of the Perth Metropolitan Region. Bush Forever is a policy position of the government that aims to guide future decision-making and to protect and manage Bush Forever Sites through implementation mechanisms.

In conjunction with the development of the final recommendations of the Bush Plan, the Joint Commissioners in May 1999 resolved to investigate the future areas for use and conservation within the Craigie Open Space Reserve having regard to the existing uses and functions of the Reserve, its natural assets and the future needs of the community.

The City engaged Ecoscape to prepare a study for Craigie Open Space. The brief was prepared and the objective of the study was set as follows, "to investigate land use options taking into consideration economic, social and environmental issues". A copy of the report is available in the Councillor's reading room.

At the Council meeting of 13 November 2001 it was resolved to advertise the document for a period of 42 days. The comment period closed on 3 January 2002 however was extended for a further one (1) month. At the close of the advertising period 12 submissions were received. The majority of the submissions support Option D subject to there being no further clearing of the site.

The study recommends the strategy that combines Options C and D which retains the bushland as well as maintaining the opportunity to develop other land uses in the area. Due to the detailed comments received during the community consultation period and the preference for Option D subject to there being no further clearing it is recommended that the study be received but not adopted.

On balance and having considered the comments of submitters, it is also recommend that the Bush Care Group be invited to work with the City to develop strategies for bushland preservation and management to the Council's satisfaction and be involved in the exercise of delineating the interface between the bushland and Council's facilities.

## BACKGROUND

<b>Suburb:</b>	Craigie
<b>Owner:</b>	Crown Reserve - Vested in the City of Joondalup
<b>Zoning:</b>	DPS: Local Reserve – Parks and Recreation MRS: Parks and Recreation and Urban
<b>Strategic Plan:</b>	Strategy 2.6 – Pursue Local Agenda 21 Principles to Enhance Lifestyle Strategy 3.1 – Establish alliances with key stakeholders to identify opportunities to encourage and promote economic growth

The total area occupied by the bushland is approximately 56.7 ha and the reserve is vested in the City. The subject land is bounded by the Mitchell freeway to the east, recreation reserve Water Corporation lot and residential properties to the west, Whitfords Avenue to the south and the Beenyup Sewage Treatment plant to the north. The subject land is reserved Parks and Recreation and Urban under the Metropolitan Region Scheme and Local Reserve – Parks and Recreation under the City of Joondalup District Planning Scheme No.2.

In 1975 the subject land was vested in the City for “Recreation – Golf Course”. Since 1978 Council has been considering the use of Craigie Open Space for suitable recreation facilities. In 1982 the Department of Land Administration advised that it had no objection to this land being changed to “recreation” in order to accommodate other recreational facilities.

In 1994 Council received a number of proposals from private developers seeking approval to develop commercial recreational facilities. In view of the interest shown by these developers, Council at its meeting of 26 October 1994, resolved to seek ‘Registrations of Interest’ from interested parties to lease, establish and operate commercially based golf oriented or other public recreational facilities within a portion of the Reserve.

In July 1998 the Joint Commissioners resolved to defer consideration of utilising Craigie Open Space for further recreational uses pending further discussions to assess the possibility of vegetation retention for this project.

In conjunction with the development of the final recommendations of the Bush Plan, the Joint Commissioners in May 1999 resolved to investigate the future areas for use and conservation within the Craigie Open Space Reserve having regard to the existing uses and functions of the Reserve, its natural assets and the future needs of the community.

At the Council meeting of 13 November 2001 it was resolved to advertise the document for a period of 42 days. The comment period closed on 3 January 2002 however was extended for a further one (1) month.

## DETAILS

The City engaged Ecoscape to prepare a study for Craigie Open Space. The brief was prepared and the objective of the study was set as follows, “to investigate land use options taking into consideration economic, social and environmental issues”.

The Study identifies a number of opportunities and constraints and provides four land use options (A, B, C and D) and includes a recommended strategy. A summary of the report is provided below.

### Opportunities and Constraint

The opportunities and constraints associated with land-uses within Craigie Open Space were investigated.

The major environmental constraint to the type of activities that can be undertaken on the site is the inclusion of Craigie Open Space in Bush Forever site 303. Any proposal, which has an impact on the Bush Forever site would need to be negotiated with the Department for Planning and Infrastructure (DPI) and the Department of Environmental Protection (DEP). However, it is possible that a small ecotourism or environmental education facility could be developed in an area of degraded bushland close to the existing Leisure Centre or the upgrading of existing facilities may provide an additional source of income for bushland management. The study also indicates that any form or revenue raising associated with the Leisure Centre needs to remain affordable for the local community.

Inclusion of the Craigie Open Space in Bush Forever site 303 has advantages. It affords the site a high conservation value that can be used to the advantage of the City of Joondalup in funding applications. It also means that the site has a greater potential for development as an ecotourism venture, and more likely to be able to attract tourists. There is also the potential for the incorporation of the bushland area into the recreational centre. Further, the Craigie Leisure Centre itself is not included in future plans for expansion of infrastructure. With a large proportion of the local population being young families, there is an opportunity to provide bushland picnic areas close to the Leisure Centre and outdoor swimming areas, providing a more family oriented role in environmental education through encouragement of school groups, scout clubs etc. to participate in bushland care and maintenance (through such activities as weeding and planting days).

There is also an opportunity to achieve higher visitation rates at Craigie Leisure Centre than that seen currently by providing an enhanced recreational and bushland experience, increasing the gymnasium area and upgrading the swimming facilities (particularly the outdoor areas). The conservation value of the site also lends itself to exploration of ecotourism ventures, which capitalise on the proximity of the existing tourist facilities and resorts.

### Land Use Options

Four options for land-use within Craigie Open Space were explored.

#### Option A

This involves the clearing of up to 30% of the remnant vegetation to provide for the development of active open space and to create a regional sports facility. The area outlined for such a development would be sufficient to cater for a number of different sports, including a golf driving range, a football and cricket oval and/or tennis courts and all access could be provided from the existing access road off Whitfords Avenue to the Leisure Centre.

### Option B

This is similar to Option A except that only about 10% of the native vegetation would require clearing, and a smaller area would be available for active open space.

### Option C

This proposes the use of approximately 1% of the bushland area for the development of an ecotourism centre or environmental educational facility. This option provides an opportunity to link the recreation centre and the bushland.

### Option D

This has a focus on bushland retention and expansion of existing facilities within the footprint of the Craigie Leisure Centre. This option provides an opportunity to increase the value of the bushland asset through long-term management of its use.

### Consultant's Recommended Strategy

The consultant's recommended strategy is a combination of Options C and Option D, where 99% of the remnant bushland is retained within a reserve and managed by the City of Joondalup. The bushland remains accessible to the region's residents as "passive" open space. The option recognises the environmental significance of the vegetation and seeks to preserve it. The preferred approach also maintains the opportunity to develop other land-uses in the area. In particular immediately north of the leisure centre, a small area of degraded vegetation north west of the existing recreational facilities. At the same time, this option focuses on land-uses that are complimentary and compatible with the bushland area.

The consultant's suggest the following further actions to guide implementation of Option D should the City of Joondalup adopt this option.

### Ecotourism Recommendations

- Undertake market research to determine the demand for ecotourism ventures.
- Explore opportunities for collaborative ventures with other regional operators.
- Examine the potential for the development of an ecotourism facility, environmental education and connectivity between existing recreational facilities and the bushland areas.
- Take advantage of the vistas available and the natural bushland setting for walking trails by constructing a path network which connects the bushland with the top of the Quindalup Dunes with access to the vista from both Craigie Open Space as well as the residential areas. This allows for community use as well as tourist use.

### Craigie Leisure Centre

- Consider providing a better facility with more scope for raising revenue for bushland management.
- Seek further advice from appropriate authorities regarding possibility of partially clearing vegetation within the existing Craigie Open Space providing a family picnic area.

- Future expansion to be contained in the already disturbed area.
- The possibility of including bushland walking trails as part of a fitness circuit should be explored.
- Future proposals to upgrade the gymnasium facilities could consider relocating it to the northern side of the swim area to provide both a bushland and water focus for its users.
- Opportunities for more activities with a family focus should be explored, based on the demographics of the area.
- Expanding kiosk area to provide a focus on the bushland setting and outdoor picnic area.
- Opportunity to provide community access to the bushland should be encouraged.
- Skate Park facility should either be moved to an active open space reserve within the vicinity or be relocated within Craigie Open Space. If relocated within Craigie Open Space it needs to be in a location visible from the leisure centre and Whitfords Avenue, thereby discouraging anti-social behaviour and uncontrolled access over the sensitive dune environment.

#### Community facilities

- Funding opportunities for the development of a community resource centre should be explored. This could include, for example, an environment resource room, a meeting area (although this could occur in the Leisure centre) a bushland plants reference Herbarium, and educational activities for visiting school groups.
- Any development such as that outlined above should remain in the existing disturbed area, adjacent to and connected with the Leisure Centre.
- The above recommendation should be explored in combination with the proposal to develop an ecotourism centre north west of the existing Leisure Centre.

#### Craigie Open Space Bushland Management

- Existing management of bushland areas should be continued and expanded to ensure environmental values are protected.

#### 'A' Class Reserve Re-Classification

This class affords the greatest degree of protection for reserved lands, requiring an Act of Parliament to amend the purpose or area, or to cancel the reserve.

The City currently has a management order over the land. In regards to daily management of the land this would not differ in any way if the land is to be classified as an 'A' Class reserve. However, it does inhibit management given the lengthy administrative processes, due to requiring an Act of Parliament, if any amendments are necessary.

The City and the Water Corporation are presently negotiating with regard to weed invasion from Reserve 28971 into Craigie Open Space. Again, reclassifying Craigie Open Space to an 'A' Class reserve would not give the City any extra powers with regard to issues of this nature and have no bearing on the City's handling of them. Attachment 3 is a list of other 'A' class reserves in the City.

Part 4 of the Land Administration Act (1997) deals with classification and management of reserves. To reclassify Craigie Open Space as an 'A' Class reserve, a submission justifying the request is made to DOLA. DOLA then considers the matter and if in agreement requests the Minister for Lands to approve the reclassification. If DOLA opposes the proposal or disagrees with some particular element it will liaise with the City accordingly.

The Minister for Lands may by order amend Class 'A' reserves under the following circumstances:

- to add Crown land;
- to amend unsurveyed boundaries, if the reserve's area is reduced by no more than 5%;
- to excise 5% or one hectare (whichever is less), for public utility services;
- to re-describe the subject land (without change to the area); and
- to amalgamate reserves having a similar purpose.

However, where the Minister proposes to cancel the reserve or its 'A' classification, to change its purpose, to excise land for a road, or to reduce the area by more than the 5% permitted in circumstances specified above, the Minister must:

- advertise the intention in a State newspaper; and
- no sooner than 30 days later, table the proposal before Parliament, with an explanation.

Either House of Parliament then has 14 sitting days to pass a notice of disallowance. Any amendments to Class 'A' reserves would undergo investigations by the City, however, once the proposal is submitted to DOLA it will conduct its own research.

The City for its part would:

- conduct internal investigations;
- contact the service authorities to ascertain if any service plant would be affected by the proposal;
- request the Department for Planning and Infrastructure's comments;
- consider advertising the proposal locally prior to the proposal being advanced (especially as under the Land Administration Act the advertisement inviting public comment is required to go into a State newspaper); and
- obtain a Council resolution of support.

### Management Plan

A draft Management Plan was prepared for Craigie Open Space in November 1999. Whilst the Plan was endorsed in principal, the City determined to seek further advice, particularly in relation to future planning issues, before adopting the recommendations of the report. On the whole, the draft Management Plan offers sound recommendations applicable to bushland management.

### **Consultation:**

The study was initially advertised for a period of 42 days, closing on the 3 January 2002. The period was then extended for a further one (1) month. At the close of the advertising period twelve (12) submissions were received. A summary of the submissions is provided for in Attachment 2 to this Report.



In summary eight (8) of the submissions support option D subject to no further clearing being undertaken and any development being contained within the existing footprint of the Craigie Leisure Centre. Three (3) of the submissions request that no further development be undertaken and the area remain as is. One (1) submission raises the issue of the consultation being undertaken over the Christmas period.

### **Financial Implications:**

Account No:	11.60.72.721.1412.0001
Budget Item:	Craigie Open Space Maintenance
Budget Amount:	\$19 140.00
YTD Amount:	\$9 570.00
Actual Cost:	\$9 450.00

### **Strategic Implications:**

The Strategic objectives are as follows:

- 2.6 – Pursue Local Agenda 21 Principles to Enhance Lifestyle
- 3.1 – Establish alliances with key stakeholders to identify opportunities to encourage and promote economic growth

The study achieves this by:

- Collectively pursuing new opportunities to attract specific development;
- Promoting local employment opportunities;
- Exploring incentives to attract new business.

### **COMMENT**

#### Craigie Open Space Study

The subject site is identified as site 303 in Bush Forever a document that aims to fulfil the government's commitment to prepare a strategic plan for the conservation of bushland on the Swan Coastal Plain of the Perth Metropolitan Region. Bush Forever is a policy position of the government that aims to guide future decision-making and to protect and manage Bush Forever Sites through implementation mechanisms.

The land has been formally assessed and listed in Bush Forever, recognising its major value as an area which forms part of a northern bush and heath land corridor comprising Hepburn Heights, Pinnaroo, Craigie and Woodvale. Craigie Open Space contains areas of Tuart-Jarrah-Banksia woodland not present in many conservation reserves, but also a Quindalup dune system.

The majority of the submissions (8) support option D, subject to there being no further clearing of the site and the other three submissions object to any development of the site. Option D provides for some clearing of the site to accommodate the possible development of either an educational facility or ecotourism facility or both, including the development of other land uses within the leisure centre footprint.

Bush Forever states that the boundaries of the areas to be protected may require further on site verification and confirmation. Subsequent formal proposals will be considered through the normal decision making process.

In response to the issue raised relating to the advertising period occurring during the Christmas period, the period was extended by a further one (1) month in recognition of this.

#### Class 'A' Reserve Re-Classification

Bush Forever states that in regards to site 303 the existing care, control and management intent of the reserve is endorsed however suggests that the purpose of the reserve should be amended to include conservation and appropriate mechanisms to be applied in consultation with the City. Pursuing the re-classification of the reserve has benefits in regards to providing the highest order of protection for the land, however it has no bearing on the management practices for the land but can inhibit management due to any amendments requiring an Act of Parliament.

### **CONCLUSION**

It is considered that the study investigates the future areas for use and conservation within Craigie Open Space having regard to the existing uses and functions of the reserve, its natural assets and the future needs of the community including meeting the objectives of the study.

The recommended strategy being a combination of options C and D which allows for the retention and management for conservation purposes of the regionally significant vegetation of Craigie Open Space, while allowing for the development of a facility which has low impacts on the environment, provides a link between the existing recreation area and the bushland, and can potentially provide a source of revenue for ongoing bushland management activities is supported.

However, due to the detailed comments received during the community consultation period and the preference for Option D subject to there being no further clearing it is recommended that the study be received but not adopted.

In addition, due to further comments received from the submitters in relation to the delineation of the area between the bushland and Council's facilities, bushland preservation and management it is recommended that the Bush Care Group be invited to be involved and assist with these matter.

### **VOTING REQUIREMENTS**

Simple majority

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

- 1 RECEIVES, but does not adopt the Ecoscape Craigie Open Space Study;**
- 2 RECEIVES the information provided in regard to reclassifying Craigie Open Space as an 'A' class reserve and resolves to pursue bush preservation by appropriate management strategies as at first priority;**
- 3 ACKNOWLEDGES and thanks the submitters for their submissions and ADVISES the submitters accordingly;**
- 4 ADOPTS the Craigie Open Space Management Plan prepared by the Friends of Craigie Bushland;**
- 5 INVITES the Friends of Craigie Bushland to work with the City to:**
  - (a) develop strategies for bushland preservation and management to the Council's satisfaction;**
  - (b) delineate the interface between the bushland and Council's facilities;**
- 6 CONSIDERS removing the leisure centres from the Management Plan area, upon receipt of the group's recommendations on the location of a boundary between the natural and built environment on this site.**

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf060802.pdf](#)*

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**CJ204 - 08/02      PROPOSED MULLALOO BEACH VILLAGE MIXED  
USE DEVELOPMENT: LOT 100 (NO 10) OCEANSIDE  
PROMENADE, MULLALOO – [02089]****WARD - Whitfords**

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**PURPOSE**

To report on the outcomes of public advertising for the proposed redevelopment and the assessment of the Development Application for the proposed Mullaloo Beach Village – Lot 100 (No.10) Oceanside Promenade, Mullaloo.

**EXECUTIVE SUMMARY**

During 2001, the tavern was sold and new owners sought to redevelop the site. Dialogue with Perrine and Birch Architects commenced shortly thereafter, and plans for redevelopment, including a mix of commercial and tavern uses, with residential apartments above, was developed.

The proposal has been the subject of public advertising. Awareness is very high among nearby landowners and local community groups. During the public submission period, individual submissions and two petitions containing a total of 131 signatures were received objecting to the development, including concerns about the height and bulk of the development, impact upon views, and the adequacy of proposed parking arrangements.

The architect has revisited the proposal in recognition of the concerns and has developed amendments to the parking layout in an attempt to mitigate those concerns. The parking layout has been amended, and one level of decked parking has been removed, with a new below ground basement introduced. Floorspace has also been reduced to lower parking demand.

A petition (in favour of the proposal) has been lodged by the proponents (containing 1775 signatures).

The proposal represents an opportunity to provide an increased range of services, in a new contemporary styled building for residents and visitors. The plan capitalises on the location of the site, and its ability to link with recreational uses on the adjacent Tom Simpson Park.

The proposal has been assessed against the provisions of District Planning Scheme 2 (DPS2) and draft amendment 10 to the DPS (which deals with the desired form of local centres). It is recommended that the proposal be approved.

**BACKGROUND**

**Suburb/Location:** Lot 100 Oceanside Promenade Mullaloo  
**Applicant:** Perrine and Birch Architects  
**Owner:** Rennet Pty Ltd  
**Zoning:**      **DPS:** Commercial  
                  **MRS:** Urban

## Strategic Plan:

The City's Strategic Plan has a Vision, as follows:

“... create local neighbourhood precincts which have;

- Their own distinctive character, identity and community spirit
- Easy access to high quality local services
- Neighbourhood design that encourages walking, cycling jogging – where its easy to get around and enjoy a healthy lifestyle”

## Existing Tavern

The subject lot was heavily earthworked, and was cut to facilitate the tavern development. Retaining walls of up to 9m in height at the rear of the site support the residential lots to the east. The existing building is approximately 12 metres in height taken from Oceanside Promenade. Function rooms are located within to the Tavern. Car parking is currently provided in a two storey decked arrangement on the North side of the tavern building, with the lower level at Oceanside Promenade level and the upper level at the tavern floor level.

Thirty four (34) car bays are located directly opposite the tavern on public land. These car bays were funded by the owners of the tavern site. Although the bays were privately funded, the bays are available for use by the general public and tavern users. These bays are included in the calculation of the overall provision of car parking for the redevelopment.

## DETAILS

### Statutory Provisions

The provisions of DPS2 apply. In addition, draft amendment 10 to the DPS is also relevant and is discussed under the comment section of this report.

### Zoning permissible uses and floor space provision

The proposal incorporates the following land uses and floor space allocation. Note that revised figures are provided to show changes made in recognition of resident concerns regarding the scale of the activities (and the demand for car parking).

Use Class	permissibility	Jan 2002 Devt Appn.	July 2002 amendments
Tavern (1125 m <sup>2</sup> existing)	D	560m <sup>2</sup> standing/seated	553.7m <sup>2</sup> standing/seated
Retail	P	100m <sup>2</sup>	100m <sup>2</sup>
Retail-bottle shop/ convenience store	P	215m <sup>2</sup>	215m <sup>2</sup>
Restaurant	P	166.5m <sup>2</sup>	100m <sup>2</sup>
Restaurant-kitchen	“	71.4m <sup>2</sup>	80m <sup>2</sup>
Restaurant-store	“	47m <sup>2</sup>	n/a
Office	P	126.5m <sup>2</sup>	85m <sup>2</sup>
Residential Building (short stay apartments)	D	10 units	10 units (901m <sup>2</sup> )
Multiple dwellings	D	5 units	5 units (706m <sup>2</sup> )

(Note 'D' refers to a Discretionary Use, being a use that is not permitted but to which Council may grant its approval, while 'P' refers to a Permitted Use)

### **Applicant's Submission**

The applicant lodged a Development Application for the redevelopment on 20 December 2001. The proposal is to demolish the existing tavern and to create a new 5 storey development when viewed from Oceanside Promenade, plus basement. Three levels of carparking are proposed at the rear of the site. This proposal entails cutting into the site with the nett effect that a total height will be equivalent to the existing 2 storey homes on Oceanside Promenade which are to the north of the development site, and built at the natural ground level.

The proposal consists of the following elements:

- Office, restaurant and retail at street level.
- Tavern on first floor.
- Five (5) multiple dwellings above tavern level.
- Ten (10) residential (short stay apartments) above tavern.
- The current tavern has a floor area of 1125 m<sup>2</sup> with a licenced area of 972 m<sup>2</sup>
- The new tavern would have a licenced area of 983m<sup>2</sup>.
- Apartments will be managed in-house by the tavern operators or may involve a specific apartment operator.
- The external walls are to be either rendered brick or pre cast concrete, which will be painted.
- An additional basement has been provided for carparking.
- Total of 155 carbays provided made up of 121 on site & 34 on the opposite side of road.
- To determine parking requirements for this development, Sinclair Knight Merz and Perrine & Birch have applied the City of Joondalup "Land Use Probable Occupancy Matrix" (attached). The matrix demonstrates that there are 4 times in the week where the parking deficit is between 1.2% and 23.8% and these periods fall in the evening when the adjacent public facilities and car parks are in very low usage.
- The maximum height of the building above Oceanside Promenade is 16.8m. The height of the building above the highest fence at the rear is approximately 6.3m.
- New stairs are being provided for the access to the residential uses and basement car park. Pedestrian access will be secure to specific uses, particularly the residential parts of the development.

An acoustic noise report, traffic and safety report, carparking survey and waste management report have been provided. The applicant has also provided information on the car parking Policy of the Town of Vincent for information on how another Council assesses the provision of parking for mixed use developments.

**Public Consultation:**

The strategy undertaken in respect to consultation was as follows:

- The original plans (submitted on 20 December 2001) were advertised for public comment and aspects of the design were altered in response. Modified plans dated 17 May, 5 June, 25 June, 3 July and 19 July 2002 have been submitted. The modified plans indicate an additional basement level for 60 cars, reduction in floor space for various uses and reduction in height to the top most car deck. The proposed alfresco component on the street verge has been completely deleted. It is to be noted that the revised plans were not further advertised, however they have been made available for public viewing contrary to newspaper report by individuals that the City was not allowing anyone to view the revised plans.
- Adjoining and affected landowners were contact in writing, two signs were placed on site and newspaper advertisements were placed in the local community newspaper (The Joondalup Times). The advertising period was initially for a period of 21 days. This was further extended by another 14 days to a total of 35 days.
- There were also numerous onsite meetings held at various times between members of the community, individual landowners, ratepayer representatives, the Elected Members and staff.
- The tavern owners and architects have also had open dialogue with members of the community and landowners in respect of the above proposal.

The following numbers of submissions were received:

- 1 petition and 32 individual submissions in support of the proposal (The petition and 27 individual submissions were lodged by the proponent)
- 2 petitions and 444 individual submissions objecting to the proposal.

The main reasons submitted by supporters are as follows:

- the development will enhance the area and will attract new level of clientele
- at the moment the current set up attracts anti-social behaviour
- the development will improve lifestyle
- the existing building is an eyesore
- the development is a positive outcome for suburb and local community
- the proposal is aesthetically designed
- prolonged development of Mullaloo foreshore is overdue and new development is seen as a step forward to regeneration of Mullaloo area while respecting and reinforcing the family oriented nature of the area.

The issues and concerns raised in the objections are as follows:

**Bulk and scale**

- Proposal is out of scale with existing development in the Mullaloo area. Style and nature inconsistent with community expectations. The proposal, which is 5 storeys tall, is not supported on beachfront area.

Carparking deficiency.

- Carparking has not been provided in accordance with District Planning Scheme No2. Requirements. Shortfall of 136 carbays. Carparking relies on public parking indicating lack of site area of the proposal.
- The claim that beach goers parking in the tavern carpark and vice versa is misleading.

Setback discretions.

- The proposal does not comply with the required building setbacks from adjoining property boundaries and will cause a negative and adverse impact on neighbouring residents.
- Landscaping of front verge not possible.
- The proposal relies on discretionary powers for approval.

Safety and security.

- There will be danger to pedestrians having to walk past an outdoor dining area.
- The proposal will be a possible health and safety hazard to neighbours and the public in relation to noise, privacy, carparking, traffic, fire, and rubbish cooking odours.
- The security of the area is compromised.
- There will be overlooking into adjoining lots.

Loss of views.

- There will be loss of views due to the height of the buildings. Residents living at the back of the tavern would have to face a carpark and the associated noise, carbon monoxide and unpleasant smells associated with a multi storey carpark.

Amenity.

- The proposal would affect privacy of adjoining residential lots.
- The site is surrounded by residential development and the proposal is detrimental to the area.
- The location of the bottle shop and opening facing bedroom of on the adjoining lot and the associated vehicular traffic. Balconies or opening facing the adjoining lots to be screened off.

Others

- Change to mixed use development and residential not acceptable.
- Non compliance with Building Code of Australia requirements.
- Introduction of short stay apartment convenience store, dwellings will cause a decline to locally established business.
- Loss of land values.
- Would cast a shadow on adjoining lots due to height of proposal



## **Applicant's Comments**

The following summarised information and justification has been provided in relation to the concerns raised in the objections:

*“Bulk and scale: The references are not in context to the commercial zoning of the site. The site is steep and creates an opportunity for a terraced style development. It is to be noted that a three storey level could have been constructed at the upper level of site.*

*Car Parking: The car parking surveys and the reciprocity matrix submitted justifies car parking provided for development.*

*Safety and Security: Most comments are generalised. All aspect of noise, odours, traffic, and privacy would be complied in respect to statutory requirements. Security would be enhanced rather than compromised as suggested.*

*Loss of Views: Views are an issue relating to a few affected parties. The development site has no height restrictions. The highest level of carpark is at natural ground level of the site.*

*Amenity: The design has taken into consideration overlooking and the issue of amenity has been addressed. The site has been historically zoned for commercial use.*

*Others: The statements of non-compliance with Building Code of Australia requirements reflect arbitrary and misleading statements. The BCA forms part of the building licence assessment. It is considered that land values will be enhanced.*

*Petition of Support: The Marina and Whitfords Ward had 3926 & 4224 people vote respectively in the last local government election. In the petitions submitted in support of the proposal, 933 of the signatures were from people in Mullaloo, Kallaroo and Ocean Reef represents 23.8 % and 22.1% of the ratepayers who voted in the last local election in each ward.*

*The project is a sound redevelopment of landuse for which the land is zoned that reflects the overwhelming majority of community support. It is acknowledged that carparking was clearly the most important factor, which has been fully investigated. Additional carparking has been provided whilst concurrently reducing floor space. The development is within the guidelines of the City and reflects the tavern owners' genuine commitment to the facility. It is requested that the City approve the development on the above basis.”*

## District Planning Scheme 2 Development Standards

		DPS No 2 Requirement	Provided	Comments	Complies
<b>Setbacks</b>	Front	9m	Nil	The retaining wall for the current tavern has a "nil" setback.	Variation considered acceptable
	Rear setback-retaining wall to carpark	6m	Nil	The carparks decks are to be cut into rear of the site below neighbours' ground level.	Variation considered acceptable
	Rear setback-retaining wall to upper deck carpark	6m	13.5m	Setback to nearest building structure	Yes
	Side (left)	3m	3m		Yes
	Side	3m	3.9m		Yes
<b>Landscaping</b>					
	Strips	3m	Nil	No landscaping currently provided as building and retaining wall is built up to the front boundary.	Variation considered acceptable
	Trees per Car bays	1 per 4 carbays	Nil	Mostly concrete car decks	No
Total		8% of site equivalent to 190m <sup>2</sup> of landscaping	200m <sup>2</sup> of landscaping		Yes

## Parking demand and provision

LAND USE	AREA/UNITS	CARPARKING STANDARD	PROPOSED number of carbays
Multiple units	5 units	1 per unit	5
Residential Building (Service apartments)	10 units	1 per unit	10
Office	85m <sup>2</sup>	1 per 30m <sup>2</sup>	2.8
Restaurant	100m <sup>2</sup>	1 per 5m <sup>2</sup> dining area	20
Tavern	293.7m <sup>2</sup>	1 per 3m <sup>2</sup> drinking area.	97.9
	260m <sup>2</sup>	1 per 5m <sup>2</sup> of seating area	52
Retail (1)	100m <sup>2</sup>	7 per 100m <sup>2</sup>	7
Retail (2)	215m <sup>2</sup>	7 per 100m <sup>2</sup>	15.1
Parking required under DPS2.			209.8

(The provision of car parking for the multiple dwellings and short stay accommodation has been based on the standard for mixed use developments within the City Centre). The above table does not address the issue of reciprocal parking between uses.

A total of 126 carbays (includes 5 'drive thru' bays) has been provided on site. A further 34 carbays paid and constructed by the tavern have previously been provided on the opposite of the road. As such the total number of carbays provided is 160 carbays.

Given the close availability of other car parking areas, there is potential for consideration of the use of this carpark as overflow parking. This nearby car parking (not on the subject site) can be considered to 'top up' parking for the tavern development. Assessment of this potential is addressed in detail under the Comment section of this report.

There is a shortfall of 50 carbays under the DPS2 standards (without the consideration of reciprocal parking between activities).

## **COMMENT**

### **Town Planning Scheme Amendment No 10**

The City resolved to adopt the above Amendment 10 to the DPS2 on 13 November 2001. The proposed amendment sought to provide parameters to guide the distribution of appropriate land uses within centres and improve the process for the expansion and redevelopment of these centres. The changes also reflected the Centres Strategy recommendations for Retail Net Lettable Area (NLA) and re-affirm the role of each commercial centre in the hierarchy.

However, in response to community concerns, Council at its meeting held on 23 July 2002 resolved to recommend to the Minister for Planning and Infrastructure that Amendment 10 be modified to delete reference to the Centres Strategy, and includes deletion of clauses relating to development standards and principles.

As a result, the development proposal has been assessed in accordance with the current provisions of DPS2 on its merits. The discretions sought are within the scope of DPS2, although the parking supply issue requires careful evaluation, as discussed below.

### **Car parking**

Assessment in accordance with DPS2 core standards indicates that there is a 50 bay deficit in the provision of car parking, representing an approximate 23.81% undersupply of on-site bays. The proposal relies on the principle of reciprocity of car parking for land uses within the site, where it has been assessed that some of the uses would have peak operations at different times, thereby spreading demand. This principle is legitimate and is a common assessment tool in mixed-use developments. In this case the approach has been evaluated by Sinclair Knight Mertz Traffic Engineers (SKM), and has been compared with contemporary standards in the Town of Vincent Planning Scheme to provide context for the development proposal. The Vincent Town Planning Scheme contains a sophisticated table to calculate reciprocity when mixed use developments are proposed. The approach has proven to be very successful in terms of developments.

In the original (December 2001) proposal the applicant proposed a shortfall of car parking of 146 car bays. The shortfall in car parking has been now significantly reduced to 50 carbays as a result of negotiations with the applicants, changes to the proposal, and the consideration of comments raised by the public during the advertising period.

The applicant has assessed the proposed land uses on the tavern site in accordance with a matrix previously prepared by the City to assess parking demand for the mix of uses at Mindarie Boat Harbour. Under this matrix scenario, parking deficits occur on 2 occasions over the week, with the highest deficit on Saturday evening (35.4 bays), with the next highest deficit being on a Sunday evening (24.9 bays) (see attachment).

At such times the beach carparks are under-utilised, patrons would take up the 34 bays on the beach side of Oceanside Promenade. In the bays originally funded by the old Tavern, it is also likely that patrons would park in some of the remaining bays, with that additional demand accounting for between 25 and 35 bays.

Therefore, the tavern would be seeking to supplement parking supply on these occasions whereby it is accepted that the adjoining beach car park will be utilised by tavern users.

A car parking survey of the beach public car parking undertaken by Sinclair Knight Mertz on the 9/2/2002 from 9am to 6pm indicated the following:

- Car park opposite tavern (94 car bays). An average of 88 (93%) car bays were used resulting in a spare capacity of 6 bays during the above period.
- Car park north of tavern -Tom Simpson Park-190 car bays). An average of 53 (28%) car bays were used resulting in 137 spare bays.

The weather on the survey day was fine and hot with the maximum temperatures in the mid thirties. This was considered to represent a typical peak summers day.

From this survey it can be ascertained that during peak demand, an average of 59 car bays may be under-utilised within the public car park.

Parking demand for the tavern site will be predominately created by the tavern and to a much lesser extent the restaurant. Peak trading times for the tavern and restaurant is likely to be Friday – Sunday evenings. Conversely, peak demand for beach access is Saturday and Sunday morning and afternoons in summer.

Sinclair Knight Mertz also conducted interviews with current tavern patrons, which indicated that of a survey of 112 people, 18% did not travel to the site by car. A survey also indicated that 21% of the tavern interviewees also visited that beach. A survey of people using the beach car park indicated that 83% of those people were only visiting the beach.

The above survey results indicate that people do use alternative methods other than a car to travel to the tavern, and some reciprocity between beach and tavern does occur. This cross flow of usage is likely to increase with the redevelopment of the tavern given the expanded level of facilities and services that are envisaged.

It is noted that the Town of Vincent has formalised consideration of parking for mixed use developments by allowing for a percentage reduction in carparking based on proximity to rail stations, bus stops, existing public car parks. The individual adjustment factors vary between 5% to 20% reduction of the required carparking for a particular use, up to a maximum reduction of 63% if a combination of factors is used. In the case of this application, the adjustment factor that would apply is 38.8% or a car parking requirement of 129 bays.

Given the likely excess of car parking in the existing beach car parks, cross utilisation of land uses, and differences in peak demand of the various land uses, the provision of 160 bays for

the tavern development is considered adequate for the majority of the time, although on 2 occasions per week, demand will exceed supply.

DPS2 allows Council to accept a cash payment in lieu of the provision of car parking subject to being satisfied that there is adequate provision, or a reasonable expectation in the immediate future that there will be adequate provision, of car parking in proximity of the proposed development.

The Town of Vincent applies a cash in lieu payment requirement to the difference between the actual provision of on site car bays, and the number of car bays required after the application of the adjustment factor. Using this as a guide, and applying the appropriate adjustment factors to the proposed development, no cash in lieu payment would be required.

As indicated previously, the proposed development would only require overflow parking within the adjoining public car park on two occasions during the week. In addition, analysing this development proposal against the standards of the Town of Vincent requirements indicates that a cash in lieu payment would not be required.

In this instance, the payment of cash in lieu is not considered necessary.

### **Traffic and safety**

A traffic study for the development has been prepared by Sinclair Knight Mertz.

The traffic and safety report submitted is considered acceptable in terms of promoting safe vehicle circulation within the immediate area of the development site. Although the traffic flow to and from the tavern site is expected to increase, the separation of entry and exit movements will ensure that they operate safely. The additional traffic volumes are well within the design capacity of Oceanside Promenade.

### **Setbacks & Height and Scale**

The City does not have height restrictions affecting the above site. The setback and landscape standards are the only development requirements applying to the site (apart from car parking), these can be varied by the Council based on the merit of the individual application.

The Western Australian Planning Commission Coastal Policy indicates that development within 500 metres of the coast should not exceed 12 metres in height when measured from the mean natural ground level of the site. A plan has been submitted indicating that the development does not exceed 12 metres in height at the mean natural ground level.

The window openings shown on the upper floors on the northern and southern elevation are to be obscure windows. An acoustic screen wall is proposed between the exit driveway and the 'drive thru' lane for the bottle shop to further ameliorate noise from vehicles. A new fence is also proposed along part of the south boundary. No balconies are proposed on either the south or north walls of the development. As such it is considered that there is no additional impacts on the privacy of the adjoining lots.

The fourth floor of the proposed development generally accords with the current height of the tavern. The top (fifth) level of the proposal is approximately 3.8 metres higher than the current tavern. This height occurs in the centre of the new building development.

The subject site is adjoined by residential development, which includes one, two and three storey developments. The residential properties to the north and south of the subject lot have their respective driveways adjoining the subject site. The proposed development is 'stepped' whereby the upper floors are setback further from the side boundaries than the lower floors. This has the effect of reducing the impact of building bulk on these adjoining properties.

The proposed development will affect the views of the properties located directly behind the subject site. It must be recognised, however, that the current tavern has been positioned to one side of the site, and redevelopment of the tavern at this current height would also have the potential to interfere with existing views, and increase the bulk of the building.

The proposal has been substantially modified to reduce the impact of the rear car park deck on the adjoining rear landowners. The deck is positioned below the level of adjoining properties and therefore will not present building bulk to these properties.

The proposal does represent a larger scale building than the existing tavern. The applicant has significantly reduced the impact on adjoining properties by reducing the height of the parking deck (as was shown in the December 2001 plans). Overall, the scale is considered acceptable in the context of the surrounding area, given the reduction of the deck by one storey in height.

### **Waste management**

A waste management plan has also been submitted with the above proposal. The internal layout space is designed to accommodate waste removal vehicles. The applicant have advised that management of refuse in terms of vehicles used, bin types, size, collection issues will further detailed in the waste management plan. All details associated with the waste management is required be submitted with the building licence application.

### **Acoustic Requirements**

The applicants have submitted an acoustics report prepared by Herring Storer Acoustics. The report does address noise from patrons in the car park, music, and dining in the front balcony. Noise from these areas should be controlled with a well-managed noise management plan which clearly identifies these areas. These noise sources should be addressed prior to the issue of a building license approval. As a result of the changes proposed to the licensed floor areas, a management plan will be sought through that process the tavern owners will be required to make application to the Licensing Court for a liquor licence.

### **Summary**

It is recognised that the proposed redevelopment of the Mullaloo tavern represents a larger scale development than the existing 1970's tavern. The Mullaloo site is one of the few coastal sites in the City which can provide facilities and amenities conducive to its location. The proposal is not only a development of the particular site but is also considered to provide the community with improved and expanded facilities beyond the existing tavern which currently has limited attraction for families and beach/recreation users. On balance, approval is recommended.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That Council:**

- 1 EXERCISES discretion in relation to Clauses 4.5 and 4.8 of District Planning Scheme No 2 and determines that:**
  - (a) the variation for the provision of 160 carbays in-lieu-of 210 carbays;**
  - (b) the front setback of nil in lieu of 9 metres; and**
  - (c) a rear setback of nil in lieu of 6 metres;**

**are appropriate in this instance;**
  
- 2 APPROVES the application received on 20 December 2001 and revised plans dated 17 May, 5 June, and 19 July 2002 submitted by Perrine & Birch Architecture and Design on behalf of the owners Rennet Pty Ltd for a Mixed Use development (tavern, shop, residential buildings (serviced apartments), multiple dwellings, bottleshop, restaurant and office) at Lot 100 (10) Oceanside Promenade, Mullaloo, subject to the following conditions:**
  - (a) the parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890). Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the City prior to the development first being occupied. These works are to be done as part of the building programme;**
  - (b) carparking bays are to be 5.4 metres long and a minimum of 2.5 metres wide. End bays are to be 2.8 metres wide and end bays in a blind aisle are to be 3.5 metres wide;**
  - (c) one (1) disabled carparking bay located convenient to the building entrance and with a minimum width of 3.2 metres, to be provided to the satisfaction of the City. Provision must also be made for disabled access and facilities in accordance with the Australian Standard for Design for Access and Mobility (AS 1428.1);**
  - (d) an onsite stormwater drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;**

- (e) the driveway/s and crossover/s to be designed and constructed to the satisfaction of the City before occupation of development;**
- (f) the crossover/s to be a minimum of 1.0 metre from the side property boundary;**
- (g) the proposed crossovers are to be constructed in concrete to the satisfaction of the City;**
- (h) car bay grades are generally not to exceed 6% and disabled car bay/s are to have a maximum grade of 2.5%;**
- (i) development to be connected to sewer;**
- (j) the submission of an acoustic consultant's report demonstrating to the satisfaction of the City that the proposed development is capable of containing all noise emissions in accordance with the Environmental Protection Act;**
- (k) submission of a noise management plans addressing noise from patrons in the carpark and noise from music played on the premises;**
- (l) submission of a Construction Management Plan detailing phasing of construction, access, storage of materials, protection of pedestrians, footpaths and other infrastructure;**
- (m) construction times to be between the hours of 7am to 7pm Monday to Saturday. No construction work is permitted on Sundays and Public holidays;**
- (n) the applicant minimising the emission of noise and odours to reduce the impact on the adjoining residential lots in accordance with the Environmental Protection Act;**
- (o) landscaping and reticulation to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the City;**
- (p) all waste generated by the development is to be collected, stored and disposed of in a manner to the satisfaction of the City. Details of waste management to be submitted prior to issue of building licence;**
- (q) the existing crossover(s), not required as part of this development, being closed, the kerblines reinstated and the verge graded, stabilised and landscaped to the satisfaction of the City prior to the development first being occupied; and**



- (r) the lodging of detailed landscape plans, to the satisfaction of the City, for the development site and the adjoining road verge(s) with the Building Licence Application:**
- (i) for the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100 and show the following:**
- A the location and type of existing and proposed trees and shrubs within the carpark area;**
- B any lawns to be established;**
- C any natural landscape areas to be retained; and those areas to be reticulated or irrigated.**

**Footnotes:**

- (i) You are advised that plans submitted for a Building Licence must show the full width of the verge and any street furniture, traffic islands, statutory services, road gullies and crossovers on the opposite side of the road.**
- (ii) Compliance with the Building Code of Australia provisions for access and facilities for people with disabilities may not discharge an owner's or developer's liability under the Commonwealth Disability Discrimination Act (DDA). The Human Rights and Equal Opportunities Commission has developed guidelines to assist owners and developers in designing developments which may satisfy the requirements of the DDA. Copies of the guidelines may be obtained from the Disabilities Services Commission, 53 Ord Street, West Perth, telephone 9426 9200.**
- (iii) A separate application being made to the City for approval to commence development and sign licence prior to the installation of any advertising signage.**
- (iv) Noise generated by machinery motors, vehicles and in general is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997.**
- (v) All exhaust vents for a kitchen extraction system must be located at a distance of 6.0 meters from any property boundary and any air intake vent.**
- (vi) The residential building (short stay apartments) would have to be registered as a lodging house with the City's under the provisions of the Health Act and the City's Local Laws.**
- (vii) Adequate change rooms and sanitary facilities must be provided for food handling staff.**
- (viii) Provision of rear access for proposed food tenancies.**
- (ix) A Mechanical Services Plan, signed by a suitably qualified Mechanical Services Engineer or Air Conditioning Contractor to certify that any mechanical ventilation complies with AS1668.2 & AS3666**

- (x) Retaining walls are to be provided where the angle of natural repose of the soil cannot be maintained. Drawn details, signed by a practising Structural Engineer, must be submitted for approval.**
- (xi) The applicant is requested to liaise with, and give notice to, the adjoining property owners prior to commencing any earthworks or construction.**

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf060802.pdf](#)*

*V:\devserv\reports2002\080203rr*

**9 REPORT OF THE CHIEF EXECUTIVE OFFICER**

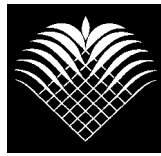
**10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11 DATE OF NEXT MEETING**

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 3 SEPTEMBER 2002** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

**12 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](#)

**9 REPORT OF THE CHIEF EXECUTIVE OFFICER.....64**