



NOTICE IS HEREBY GIVEN THAT THE NEXT  
**ORDINARY MEETING OF THE JOINT COMMISSIONERS  
OF THE CITY OF JOONDALUP**  
WILL BE HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP  
**ON TUESDAY, 18 MAY 2004 AT 7.00 pm**

**CLAYTON HIGHAM**  
**Chief Executive Officer (Acting)**  
**12 May 2004**

**PUBLIC QUESTION TIME**

*As adopted by Council on the 17 December 2002*

Public question time is provided at meetings of the Council or briefing sessions that are open to the public.

Public question time is not a public forum for debate or making public statements. The time is limited to asking of questions and receiving responses. This procedure is designed to assist the conduct of public question time and provide a fair and equitable opportunity for members of the public who wish to ask a question. Public question time is not to be used by elected members. Members of the Council are encouraged to use other opportunities to obtain information.

Questions must relate to the ordinary business of the City of Joondalup or the purpose of the special meeting.

**Prior to the Meeting/Briefing Session**

To enable prompt and detailed responses to questions, members of the public are encouraged to lodge questions in writing to the Committee Clerk by close of business on the Friday prior to the Council meeting or Briefing Session at which the answer is required. Answers to those questions received within that time frame, where practicable, will be provided in hard copy form at that meeting.

**At the Meeting/Briefing Session**

A register will be provided for those persons wanting to ask questions to enter their name, and the order of registration will be the order in which persons will be invited to ask their questions.

Public question time will be limited to the legislative minimum of fifteen (15) minutes and may be extended by resolution of the Council, but the extension of time is not to exceed ten (10) minutes in total. Public question time will be limited to two (2) questions per member of the public. When all people who wish to do so have asked their two (2) questions, the presiding member may, if time permits, provide an opportunity for those who have already asked their two (2) questions to ask further questions.

During public question time at the meeting, each member of the public wanting to ask questions will be required to provide a written form of their question(s) to a Council employee.

Where the number of required questions exceeds the number able to be asked, the member of the public may submit the unasked questions to the Council, where they would be 'taken on notice' and a written response provided.

The procedure to ask a public question during the meeting is as follows:

- persons are requested to come forward in the order they registered;
- give their name and address;
- read out their question;
- before or during the meeting each person is requested to provide a written form of their question to a designated Council employee;
- the person having used up their allowed number of questions or time is asked by the presiding member if they have more questions; if they do then the presiding member notes the request and places them at the end of the queue; the person resumes their seat in the gallery;
- the next person on the registration list is called;
- the original registration list is worked through until exhausted; after that the presiding member calls upon any other persons who did not register if they have a question (people may have arrived after the meeting opened);
- when such people have asked their questions the presiding member may, if time permits, provide an opportunity for those who have already asked a question to ask further questions;
- public question time is declared closed following the expiration of the allocated time period or where there are no further questions.

The Mayor or presiding member shall decide to:

- Accept or reject the question and his/her decision is final;
- Nominate a member of the Council and/or Council employee to respond to the question;
- Due to the complexity of the question, it be taken on notice with a written response provided as soon as possible, and included in the agenda of the next briefing session or Council meeting, whichever applicable.

**The following rules apply to public 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 in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Council employee;*
- *where a response has been provided to a question asked by a member of the public, and where that response, in the opinion of the presiding person, adequately deals with the question, there is no obligation to further justify the response;*
- *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.*

It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

### **Second Public Question Time**

Clause 3.2 of the Standing Orders Local Law allows the Council to alter its order of business, which may include a second period of public question time.

Where the Council resolves to include a second period of public question time, an additional period of 15 minutes will be allowed.

This time is allocated to permit members of the public to ask questions on decisions made at the meeting.

### **Disclaimer**

Responses to questions not put in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

## **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, 18 MAY 2004** commencing at **7.00 pm**.

CLAYTON HIGHAM  
Chief Executive Officer (Acting)  
12 May 2004

Joondalup  
Western Australia

## AGENDA

### 1 OPEN AND WELCOME

### 2 PUBLIC QUESTION TIME

**The following questions, submitted by Ms Macdonald, Mullaloo were taken on notice at the Meeting of Joint Commissioners held on 27 April 2004.**

*Re: The approval given under delegated authority on 22 January 2004 Lot 495, 165 Grand Boulevard.*

#### ***Residential Density***

*There have been 3 approvals given to this lot.*

*7/12/1999 Exercising discretion under s5.9 of City of Joondalup's TPS1 Commissioners gave approval to 'increase to the residential density from R100B to R136'.*

*25 & 29/10/2002 exercising discretion under s4.5 of City of Joondalup's DPS2 Councillors gave approval for 'a residential density of R129'.*

*2/12/2003 the agenda's recommendation made no determination on residential density it just granted approval to the development. However the report refers to R179 for the site as being appropriate as discretion had previously been given to allow other densities on the site and there were no specific residential density requirements in the general city area of the CBD. There was no mention of the section of the Scheme or structure plan which, allowed discretion to be used.*

*22/1/2004 exercising the ability to determine density under s 4.2.4 of the City of Joondalup's the Director of Planning and Community Development in consultation with the Chairman of Commissioners or his nominee gave approval to " that a higher density code in this instance R198 should apply to the general City component of the lot'.*

*The R code map within the DPS2 states that the density for this lot is as per Structure plan. Plan 3 of the structure plan states that the R density of the site is R60. An amendment to the Structure plan allows that R100B density can be applied to those sites, which are considered landmark sites.*

*Given the above please answer the following questions.*

*Q1 Explain the discrepancies in the approach of the three approvals?*

A1 The basis of each approval is clearly set out in each report on each of the particular developments.

*Q2 Explain how s4.5 of DPS2 could be used to vary density when Part 4 relates to general development requirements only and cannot be used for development in respect of which Residential Planning Codes apply?*

A2 Clause 4.5 of District Planning Scheme No 2 is not used to vary density.

*Q3 Explain how 4.5 can be used to vary a structure plan requirement?*

A3 The standards of a Structure Plan are given the same force and effect as if it were a provision or standard of the Scheme. Clause 4.5 can therefore potentially be used to vary the standard of a structure plan.

*Q4 Given that 100B is the maximum residential development allowed for the whole of the CBD on what basis did planners contemplate higher densities and R198 in particular?*

A4 It is incorrect to state that 100B is the maximum residential density allowed by the City Centre. The Mixed Use/Residential precinct allows up to 100B density while the JCCDPM does not specify a density for the General City use precinct.

*Q5 What is the residential density of the whole site given that planners state that there were two densities applying to the site and it is inappropriate to apply an R code to only part of the site? Multiple dwellings are determined by the total area of the lot divided by the number of dwellings.*

A5 Although uncommon, it is possible for a site to have split zonings or density codes. In this case, portion of the lot is within the General City use designation, while portion is within the Mixed Use/Residential designation.



- Q6 What effect will the overdevelopment of this site and other sites have on the supply of car parking in the CBD and how will it affect the overall strategy of the structure plan?*
- A6 The required supply of car bays for the residential portion of the development has been provided on-site. Cash in Lieu for seven car bays for the Commercial portion of the development will be accepted by the City. The intent of the Structure Plan is not affected by the approval.
- Q7 How can residential densities be varied without an amendment to the Scheme as the only discretion given to densities within the scheme is the ability to determine where no R code is designated under s 4.2.4?*
- A7 R-Code densities are not varied without a Scheme Amendment, unless permitted by Clause 4.2.4 of District Planning Scheme No 2 or the particular provisions of a Structure Plan.
- Q8 This site has an R Code R60 and in addition in two previous approvals an R code have been determined for it. Are we to believe that on this site R coding can be determined as many times as planners feel fit?*
- A8 The site is not coded R60.
- Q9 When an R code is determined for a site why hasn't the scheme or Structure plan been amended to have the determination take effect?*
- A9 See A7.
- Q10 The density for this site is R60. An Amendment allowed for landmark sites to have a density R100B. Where is the amendment that changed Plan 3 density Map to un-coded?*
- A10 The site is not coded R60. Scheme Amendment No 832 to TPS1 recoded the land included in the Joondalup City Centre Zone so that the land does not have a coding on the density map. The JCCDPM provides density provisions within the area, where it was considered appropriate.
- Q11 It appears that planners have determined that the Use class General City uses does not have a R Code density. Isn't it the land which is coded and is statutory and not the use class?*
- A11 The land within the General City uses precinct, as defined by the JCCDPM, does not have a density specified under the JCCDPM.

### ***Residential building***

- Q12 Why was the developer made to change the description of 7 units and call them short stay apartments, residential building when it was clearly against its wishes?*
- A12 The City has no power to make a developer change a development against their wishes.

*Q13 A residential building is to accommodate groups of unrelated people. What groups of people will be accommodated in this Residential Building and how many people will be allowed to stay there?*

A13 The definition of a Residential Building appears below, and that part of the development must be used in accordance with the definition.

*“A building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:*

- Temporarily by two or more persons; or*
- Permanently by seven or more persons,*

*who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.”*

The plans indicate that the residential building part of the development could accommodate approximately 16 people.

*Q14 As there is no definition of short stay apartments how long is short stay? Are they for holidays? For instance, at Sorrento the length of short stay was determined.*

A14 The definition of Residential Building uses the word ‘temporarily’, however this term is not defined by the Residential Design Codes or the District Planning Scheme No 2. In accordance with the DPS2, words not defined shall have their normal and common meanings. The Australian Oxford Dictionary meaning is - “lasting or meant to last only for a limited time.”

*Q15 How will this Building be regulated to ensure that these units are not used as permanent dwellings?*

A15 Any reported breaches of District Planning Scheme No 2 are investigated and dealt with accordingly.

*Q16 There was no mention of the residential building being registered as a lodging house. Why not? What local health laws will apply to them?*

A16 The report on the matter deals with Town Planning issues.

*The Health Act definition of a Lodging House specifically excludes any building comprising residential flats. Provisions of the Health Local Laws relating to dwelling houses apply, including Part 2 – Sanitation, & Part 3 – Housing General.*

*Q17 Were these units included in the calculation of residential density?*

A17 No.

*Q18 Is the City anticipating a scheme amendment as suggested by the Applicant, so that the short term units will be able to be used as permanent residences and if so why? What does the amendment consist of and will the community be afforded an opportunity to comment on it?*

A18 No amendment has been formulated at this stage, however, the provisions of JCCDPM will be reviewed to ensure that the JCCDPM reflects the growing maturity of the City as the second CBD, and objectives of providing a busy, vibrant, sustainable City. Any proposed amendment will be advertised for public comment.

*Q19 Normally a change of use would be a new development application. Why wasn't one provided in this instance? The Application was dated 10/9/03.*

A19 A development application can be amended prior to its determination.

### **Structure Plans**

*The obvious many variations to the Structure plan in the CBD highlights the uncertainty existing in the City of Joondalup for residents with respect to density and development standards.*

*Q20 What certainty is there for the residents surrounding the Cook Ave development that the Structure plan there will deliver the expected residential density?*

A20 Part 1 of the Cook Avenue Structure Plan sets out the allowable densities for each of the three precincts identified in the Structure Plan area. The subsequent subdivision of the site will have to show lot sizes that reflect the densities shown in the Structure Plan. Whilst it is noted that Part 2 of the Structure Plan currently shows the anticipated subdivision plan, this cannot be approved until the Structure Plan is approved.

*Q21 Does the City have the ability to vary a Structure Plan without an Amendment to the Structure plan being approved by WAPC.*

A21 A Structure Plan may be able to be varied in the course of evaluating a Development Application (depending on the detail contained in the Structure Plan in question). A Structure Plan is a statutory document that is approved by the WAPC and, therefore, any modifications to a Structure Plan require the approval of the WAPC

*Q22 What section of the JCCDPM allows variation to residential density and development standards laid down in the structure plan?*

A22 Densities designated under the JCCDPM are not varied unless specifically allowed for under the particular provisions of the Scheme plan. Variations to development standards may be able to be considered under Clause 4.5 of District Planning Scheme No 2, the Residential Design Codes, or the particular provisions of the structure plan.

*Q23 Why isn't this structure plan on the internet along with other structure plans.*

A23 JCCDPM is not on the Internet because it was formulated by Landcorp prior to the creation of the City of Joondalup and approved in 1995 as an Agreed Structure Plan. The City does not have the Structure Plan in electronic format for this purpose, however, this will be investigated.

### ***Delegated Authority***

*Q24 This approval of the development was before Council for determination. Why?*

A24 It was anticipated that the Commissioners may be interested in the scale and landmark nature of the development.

*Q25 Given that there needed to be a reason for the application to be put before the meeting how was that reason able to be negated?*

A25 The reason was not negated. The listing of the matter on the Agenda did raise the Council's awareness. The Joint Commissioners were also informed of the proposed development prior to determination.

*Q26 The delegated authority manual does not have a clause that allows an approval before Council to be taken back and dealt with under delegated authority. If this is incorrect statement indicate that clause of the delegated authority manual that allows this to occur?*

A26 No determination of the proposed development was given by Council.

*Q27 Whose decision was it to deal with this approval under delegated authority?*

A27 Director Planning and Community Development.

### ***Discretion***

*Q28 What determines whether discretion sought will be given?*

A28 This depends on the location of the proposed development, the nature and extent of the proposed discretion and the particular legislation that applies to the proposed development.

*Q29 Once having given discretion does that automatically set a precedent that any developer can rely on?*

A29 No.

*Q30 If discretion is given on haphazard fashion what value do development standards and R codes have?*

A30 Discretion is not utilised in a random fashion.

*Q31 What is the City getting in exchange for giving up its development standards and allowing high residential density at Boas Ave?*

A31 The City is not ‘giving up’ development standards. All standards have been met. The objective of the Joondalup City Centre becoming the second Perth CBD are clearly outlined in the JCCDPM. The City Centre is to develop as a vibrant, sustainable city centre, not dominated or reliant on large amounts of car parking. To achieve these goals, the City requires a high resident population. The development of the Boas Avenue apartments clearly fulfils the objectives of the JCCDPM in providing a landmark building, increasing the resident population, and assisting to achieve the goals of sustainability.

**The following questions, submitted by Mrs M Zakrevsky, Mullaloo were taken on notice at the Meeting of Joint Commissioners held on 27 April 2004.**

*Re: CJ075-04/04 - Reimbursement of Elected Members Expenses May 2003 - 5 December 2003 [27122]*

*Q1 Please provide details related to the first column in Appendix 3 – Conference/Training Expenses for each Councillor for the period May to December 2003:*

*(i) names of conferences, place, duration, dates and all associated costs such as accommodation;*

*(ii) training – name of courses, place, duration, dates and costs, and all associated costs such as accommodation, meals and travel if applicable and itemized;*

*Q2 Please provide details related to the fifth column in Appendix 3 – Travel Expenses for each Councillor for the period May of December 2003, itemizing how these costs have been arrived at, such as:*

*(i) Air travel;*

*(ii) Car hire;*

*(iii) Car kms and @ how much per km;*

*(iv) Fuel costs;*

*(v) Vehicle servicing/detailing costs.*

A1-2 A separate schedule has been prepared and provided to Mrs Zakrevsky.

**The following questions, submitted by Ms M Moon, Greenwood were taken on notice at the Meeting of Joint Commissioners held on 27 April 2004.**

*Q1 What is a residential/commercial unit?*

A1 There is no definition of a ‘residential/commercial unit’ under the Residential Design Codes or DPS2.

*Q2 What is a commercial/residential unit?*

A2 There is no definition of a ‘commercial/residential unit’ under the Residential Design Codes or DPS2.

*Q3 What is the planning definition for a commercial unit?*

A3 There is no definition of a ‘commercial unit’ under the DPS2.

*Q4 What is the planning definition for a residential unit?*

A4 There is no definition of a ‘residential unit’ under the Residential Design Codes. However, the terms, ‘dwelling’, ‘single dwelling’, ‘grouped dwelling’, and ‘multiple dwelling’ are defined under the Residential Design Codes.

*Q5 What is the planning definition for a unit? (A block of units?)*

A5 There is no definition of a ‘unit’ or ‘block of units’ under the Residential Planning Codes or DPS2.

*Q6 Is a residential building a residential use or commercial use or non-residential use?*

A6 A residential building means:

*“A building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto: such building being used or intended, adapted or designed to be used for the purpose of human habitation:*

- temporarily by two or more persons; or*
- permanently by seven or more persons*

*who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel, or a residential school.”*

*The use class is simply defined in that manner.*

*Q7 Are short stay or short term accommodations a residential use or commercial use or non-residential use?*

*Q8 Are medium stay or medium term accommodations a residential use or commercial use or non-residential use?*

*Q9 Are long stay or long term accommodations a residential use or commercial use or non-residential use?*

A7-9 As stated previously, there are no planning definitions to the terms used above and as such, it is impossible to provide a brief technical answer, that related directly to the DPS 2 or R-Codes.

The DPS and R Codes cover a range of definitions for land uses and it is those that guide classifications of land uses when applications are received.

The DPS and Codes are readily available and queries on the nature of the definitions and interpretation can be obtained from City staff, usually at short notice. Ms Moon is invited to contact staff should she require assistance in the interpretation the Codes or DPS2.

**The following questions, submitted by Mr W Cohen, Marmion were taken on notice at the Meeting of Joint Commissioners held on 27 April 2004.**

*Q1 Re: CSIRO site:*

*Does the City of Joondalup have any obligation under the Town Planning and Development Act 1928, the Metropolitan Scheme Text, the DPS2 or any other legislation or regulation to pay compensation to the land owners if rezoning is refused by Council?*

A1 The subject land is currently zoned 'local reserves 'parks & recreation' under the City's District Planning Scheme No 2. Preliminary verbal advice from senior officers of the Department of Planning and Infrastructure suggest that the landowner would not be entitled to claim compensation arising from a decision made by either the City of Joondalup or the Western Australian Planning Commission to not support a proposed rezoning (scheme amendment) application. The statement therefore appears reasonable, however, it is a question of land and planning law for which professional legal advice may need to be obtained from the City's solicitors should this hypothetical scenario eventuate.

*Q2 Sir Charles Court has told us that details of the conditions applied by the then government at the time of the handover of Lot 61 Leach Street, Marmion to the CSIRO should be 'readily available'. Can the City of Joondalup find out what these conditions were?*

A2 The City will endeavour (subject to the availability of State and/or Federal Government archival records) to identify and report upon all issues, including historical land transfer details, that are pertinent to this particular matter.

**The following questions, submitted by Mr M Sideris, President of Mullaloo Progress Association were taken on notice at the Meeting of Joint Commissioners held on 27 April 2004.**

*Q1 On 17 and 24 June 2004 Council passed a resolution that:*

- “1 All dealings between the City of Joondalup and Rennet Pty Ltd are suspended forthwith until final determinations are concluded in proceedings which relate in any manner to the site at 10 Oceanside Promenade, Mullaloo and/or which are before the Town Planning Appeals Tribunal and/or the Inquiry by the Minister for Planning and Infrastructure under the provisions of Section 18.2 of the Town Planning and Development Act 1928 and/or the Supreme Court of Western Australia Matter CIV 1285 of 2003 and/or any actions or other proceedings relating to the said site; and*
- 2 the suspension includes dealings by the Elected Members and employees of the City of Joondalup; and*
- 3 this determination by the Council be communicated to Rennet Pty Ltd’s solicitors by Council’s solicitors Watts and Woodhouse; and*
- 4 while the suspension as Stay of Proceedings is in place, nothing shall prevent Rennet’s solicitors communicating with Watts and Woodhouse while Watts and Woodhouse are acting on instructions for and on behalf of the City of Joondalup in regard to the current proposed development on the aforementioned site and/or any new development or building application that Rennet Pty Ltd or any other persons may propose for the site.”*

*Can you please advise me why Administration has ignored such direction as well as to how they can use some level of delegated authority to approve and to further amend the requirements of a development approval dealing with such matters as car parking provisions, dual direction car parking ramps, acoustic reports and nett lettable area?*

**A1** The Administration took legal advice to ensure that it took into account:

- (a) the resolution quoted above, and
- (b) the Council statutory obligations to process applications and provide services.

When a new application was received for a Building Licence, legal advice was sought on how the City should deal with the application. A summary of this advice was provided to the elected members on 28 October 2003. The advice concluded that Council officers should deal with the new Building Licence Application.

The matters listed in the question did not substantially alter the built form of the proposed development, the approved bulk or scale of the development or its planning function and relationship to the surrounding land. Accordingly a new development application was not required. Of note, the retail nett lettable



area, which was approved, is not greater than 500m<sup>2</sup> as suggested in the question.

**The following questions, submitted by Mr N Gannon, Sorrento were taken on notice at the Meeting of Joint Commissioners held on 27 April 2004.**

*Re: CSIRO site in Marmion*

*Q1 In particular did the previous CEO leave behind any file notes or other material which could be examined in connection to this matter?*

A1 The administration is not aware of any file notes or other similar material that the previous CEO may have made/possessed with respect to this matter.

*Q2 In answer to my question asked on 30 March 2004 it was stated the only meeting held with the Satterley Group regarding this site was on 9 December 2003 which incidentally was behind closed doors. Before the date of that meeting the Satterley Group had already been party to the purchase of the land despite the current zoning of Local Reserve Parks and Gardens. Would it be reasonable to state that under the principle of caveat emptor (let the buyer beware) the Satterley Group or associates would have no reason to claim redress from the City of Joondalup if a rezoning of this site to residential did not take place?*

A2 The subject land is currently zoned 'Local Reserves 'Parks and Recreation' under the City's District Planning Scheme No 2. Verbal advice from senior officers of the Department of Planning and Infrastructure suggest that the landowner would not be entitled to claim compensation arising from a decision made by either the City of Joondalup or the Western Australian Planning Commission to not support a proposed rezoning (scheme amendment) application. The statement therefore appears reasonable, however, it is a question of land and planning law for which professional legal advice may need to be obtained from the City's solicitors should this hypothetical scenario eventuate.

Note also, that upon further checking the owners did approach individual members of staff as part of its own investigation, leading to the purchase of the land and although the issues discussed were generic in nature, the advice given was common to that provided to all potential purchasers.

**The following questions, submitted by Mr M Caiacob, Mullaloo were taken on notice at the Meeting of Joint Commissioners held on 27 April 2004.**

*Re: Item CJ089-04/04:*

*The campus district structure plan states in clause 3 Plot Ratio is to be in accordance with R-60 residential density.*

*and*

*The new clause added into the report (following the same question at the briefing session ) does not clarify the situation.*

*Q1(a) How is it possible after structure plan endorsement and subdivisional approval, that a density of R-60 is not be compatible with the stated Maximum plot ration of 0.65 and 0.70 as noted in the report, as these **are** the requirements of table 1 of the R-Codes ?*

A1(a) The R60 density provisions contained within Table 1 of the Residential Design Codes (R Codes) allow maximum plot ratios of 0.65 for grouped dwellings and 0.70 for multiple dwellings. Under the R60 density code, the R Codes also stipulate a maximum site coverage requirement of 45% for grouped dwellings and 50% for multiple dwellings. However, the JCCDPM permits a maximum site coverage of 70% for residential dwellings which is not consistent with the R Code provisions as outlined above. The extent of the upper level of a building is however inhibited by the plot ratio provisions and the resultant form and scale of dwellings that would result is inconsistent with the Centre zoning of District within the JCCDPM.

*Q1(b) What plot ratio are developments achieving in the campus district presently?*

A1(b) Residential developments in the Campus District are currently achieving a plot ratio over the allowable plot ratios of 0.65 for grouped dwellings and 0.70 for multiple dwellings, and range between 1.0 to 1.4. These plot ratios are being achieved because of the maximum site coverage of 70% allowable for these lots within the JCCDPM.

**Re: Item CJ089-04/04:**

*Q2(a) Why does the proposed plot ratio definition only refer to residential/commercial uses and does not refer to **DWELLINGS**?*

A2(a) The proposed plot ration definition is worded to refer to residential and/or commercial uses and therefore does relate to dwellings.

*Q2(b) Does this mean there will be no plot ratio for Dwellings ?*

A2(b) It is intended that residential (dwellings) floorspace not be calculated as part of the plot ratio floor area.

***One purpose of the R-Codes is to ensure that new developments incorporate adequate standards of amenity and the DPS-2 defines amenity as being "all those factors which combine to form the character of the area to residents and passers by and shall include the present and likely future amenity."***

*Q3(a) Why is the City of Joondalup removing the minimum assurance of basic existing and future amenity by voiding the R-Codes from new developments within new and existing residential areas and developments therein?*

A3(a) The report does not propose the removal of the provisions contained within the Residential Planning Codes of WA 2002, other than in relation to plot ratio requirements for residential developments.

*Q3(b) What assessment criteria is the City of Joondalup's planning department using to assure existing and future amenity when the R-Code are being dispensed with on new residential development ?*

*The R-Codes note that*

*"Some dwelling types - notably those characterised as residential buildings in town planning schemes - will probably require separate development provisions in a scheme."*

A3(b) As stated in the response to Q3(a) above, the current Residential Design Codes are used, and will continue to be used, to ensure that every development application of a residential nature complies with all the requirements, including those relating to amenity, that are contained within the Residential Design Codes, with the exception of plot ratio requirements only.

*The R-Codes note that;*

*"Some dwelling types - notably those characterised as residential buildings in town planning schemes - will probably require separate development provisions in a scheme."*

*Q4 When will the existing residents and ratepayers of this Municipality be afforded the protection of their existing and future amenity and certainty by the introduction of development provisions for residential development characterised as residential buildings as well as multiple dwellings below R-35?*

A4 The Recommendation is to update the reference within the JCCDPM to the old Residential Planning Codes and replace it with reference to the provisions of the new Residential Design Codes, with the exception of plot ratio requirements only. Since the new Residential Design Codes address more amenity type issues than the old Residential Planning Codes did, such as privacy, overlooking and overshadowing, these development provisions will provide greater certainty in relation to the protection and enhancement of residential amenity.

*The R-Codes state in clause 1.1.1 Purpose of the Codes, that "the Codes are approved by the Governor and gazetted ." "As such they (new R-Codes) will require all residential development to conform to the Codes.*

*Q5 Why is the stated purpose of the R-codes not adhered to by the City , having no developmental provisions for such residential development as:*

- *Multiple dwellings in R30 or less.*
- *Grouped dwellings not situated on the ground.*
- *Serviced apartments.*
- *Short stay apartments.*
- *Medium stay apartments.*
- *Long stay apartments.*
- *Extended stay residential.*
- *Residential buildings.*
- *commercial / residential development*

A5 The JCCDPM was formulated in 1995 by Landcorp as the previous owners of the land in the City Centre. The City therefore had limited input into the content of this Structure Plan. This report to Council is part of a review of all Agreed Structure Plans in an attempt to address problems encountered during the application of the provisions, as well as any inconsistencies and omissions. The report includes reference to the provisions of the Residential Planning Codes applying in the absence of other development criteria set out in the JCCDPM.

Q6 *Does the City have:*

- (a) *A local housing policy.*
- (b) *A local commercial policy.*
- (c) *A local conservation strategy.*

*as complementary documents to the DPS-2 forming the Local Planning Framework for decision making on land use and development?*

A6 The City does not currently have an adopted local housing strategy. This is largely because Agreed Structure Plans over various portions of the City, including the City Centre, are there to guide residential development. The City has an adopted Centres Strategy (Policy 3.2.8) that directs the distribution, size and nature of commercial (retail) centres in the City of Joondalup. This policy is due for review in 2004. The City has an Environmental, Social and Economic Policy 2.6.4 that guides the future of the City in an environmentally, socially and economically sustainable manner.

Q7 *Why is there no delegated authority item listings in this agenda, considering that Delegated Authority is exercised monthly and it has been more than one month since the previous listing of February 2004 in CJ070-03/03, leaving one month for the reporting process?*

*When will those listings be available for viewing by the public?*

A7 Due to internal agenda deadlines, it is not always possible to include a particular month's Delegated Authority list on the next Council agenda. The Delegated Authority report for March 2004 will be presented on the agenda for the meeting of 18 May 2004 and the report for April 2004 will be presented on the agenda for the meeting of 8 June 2004.

Q8(a) *Re: CJ089-04/04 – The Campus District – What plot ratio are developments currently achieving in the Campus District?*

A8(a) Plot ratios of approximately 1-1.3 have been achieved in some instances.

Q8(b) *What assessment criteria is the City of Joondalup using to assure existing and future amenity when the R-Codes are not applicable on new residential development?*

A8(b) All development is assessed in accordance with the relevant development controls under the Joondalup City Centre Development Plan and Manual. The aim of the amendment is to ensure that development controls are clear and consistent within the precincts of the City Centre.

**The following question, submitted by Ms S Hart, Greenwood was taken on notice at the Meeting of Joint Commissioners held on 27 April 2004.**

*Q1 The land opposite in Ellersdale Road is being redeveloped, what is the zoning and also for the vacant block next door between that redevelopment and Centrelink. Has the City had any application for either of those lots?*

A1 There are many parcels of land opposite the area covered by the Warwick Structure Plan. The zoning of these parcels of land is commercial. An application for a Child Care Centre has been received for the former Bank West building. An application for a Child Care Centre for the vacant land adjoining the Centrelink building was received in 2003, however, the applicant has not progressed the application.

**The following questions were submitted by Mrs C Mackintosh, Kallaroo:**

*Q1 When is it proposed to make information contained within the City Of Joondalup's Governance Review, public?*

A1 The City has not yet received a copy of the finalised Governance Review Report. Once the report has been received the Joint Commissioners will need to determine whether or not to make the report available to members of the public.

*Q2 May the community have any input into possible changes/suggestions for City's Code of Conduct policy?*

A2 This document is on the City's website. Any comments from members of the public would be appreciated.

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

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

Comr Smith stated her intention to declare an interest that may affect her impartiality in Item CJ097-05/04 – Date of Future Biennial Local Government Elections as she works on a contract basis with the WA Local Government Association.

Comr Smith stated her intention to declare an interest that may affect her impartiality in Item CJ098-05/04 –Local Government Act – Proposed Amendments to Electoral Provisions as she works on a contract basis with the WA Local Government Association.

Comr Fox stated her intention to declare an interest that may affect her impartiality in Item CJ111-05/04 – Bahama Close, Sorrento – Upgrade to Drainage Infrastructure as her daughter attends Sacred Heart College.

**5 CONFIRMATION OF MINUTES**

MINUTES OF MEETING OF JOINT COMMISSIONERS, 27 APRIL 2004

**RECOMMENDATION**

**That the Minutes of the Meeting of Joint Commissioners held on 27 April 2004 be confirmed as a true and correct record.**

MINUTES OF SPECIAL COUNCIL MEETING, 11 MAY 2004

**RECOMMENDATION**

**That the Minutes of the Special Council Meeting held on 11 May 2004 be confirmed as a true and correct record.**

**6 ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION**

**7 PETITIONS**

PETITION IN RELATION TO THE CONSULTATION PROCESS FOR THE EXTENSION OF OCEAN REEF ROAD – [07131] [02154]

A 264-signature petition has been received from residents of the City of Joondalup requesting a consultation process which includes the option of dedicating the land as a Community Recreational Reserve - as a community and tourist passive recreational amenity; as parkland with walkways; and the restoration and regeneration of the original natural environment.

This petition will be referred to Strategic and Sustainable Development for action.

**8 REPORTS**

## **CJ096 - 05/04 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 means of affixing the Common Seal for noting by Joint Commissioners.

Document:	DPS Amendment
Parties:	City of Joondalup
Description:	Amendment No 20 to DPS – Lot 124 Cook Avenue, Hillarys
Date:	06.04.04
Document:	Easement
Parties:	City of Joondalup, Roman Catholic Archbishop and Davidson P/L
Description:	Easement to allow ‘easement of support’ for retaining walls – Iluka Stage 156
Date:	08.04.04
Document:	Restrictive Covenant
Parties:	City of Joondalup, Roman Catholic Archbishop and Davidson P/L
Description:	Restrictive Covenant to restrict vehicle access to a number of lots on Deposited Plan – Iluka Stage 156
Date:	08.04.04
Document:	Deed
Parties:	City of Joondalup, High Speed Electric Nominees and Suncourt Pty Ltd
Description:	Deed of Novation – Contract No 005-02/03 – from High Speed Electrics to Sun Court P/L
Date:	08.04.04
Document:	Copyright
Parties:	City of Joondalup and Bill and Betty Park
Description:	Recording of historical importance
Date:	20.04.04
Document:	Copyright
Parties:	City of Joondalup and Alexis Hawley
Description:	Recording of historical importance
Date:	20.04.04
Document:	Contract
Parties:	City of Joondalup and Wild West Hyundai
Description:	Execution of Contract No 029-03/04 – Supply of fleet servicing

Date: 20.04.04

Document: Agreement

Parties: City of Joondalup and Foodland Properties P/L

Description: Legal Agreement to facilitate Amendment No 1 to DPS 2 – Lot 3 (5)  
Trappers Drive, Woodvale

Date: 27.04.04

Document: Caveat

Parties: City of Joondalup

Description: Withdrawal of Caveat to transfer land from LandCorp to the City of  
Joondalup – Lot 9 (91) McLarty Avenue

Date: 27.04.04

## **ATTACHMENTS**

Nil.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

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



Comr Smith stated her intention to declare an interest that may affect her impartiality in Item CJ097-05/04 – Date of Future Biennial Local Government Elections as she works on a contract basis with the WA Local Government Association.

## **CJ097 - 05/04      DATE      OF      FUTURE      BIENNIAL      LOCAL GOVERNMENT ELECTIONS – [03011]**

**WARD - All**

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### **PURPOSE**

To determine the level of support by the Joint Commissioners for the proposed change of date for holding the biennial local government elections, from May to September/ October.

### **EXECUTIVE SUMMARY**

Following requests from several zones, the Western Australian Local Government Association (WALGA) resolved to survey member councils to determine the level of support for a change of date for holding the biennial local government elections, from May to September/ October.

At the November 2003 meeting of the North Metropolitan Zone Committee of WALGA, that comprises the Cities of Joondalup, Stirling and Wanneroo, it was resolved to request WALGA to survey member Councils to determine if there was general support for the suggested change in date for the biennial local government elections, from May to October. It was considered this change would enable elected members to be better informed before having to vote on the adoption of the local governments' annual budget.

It is recommended that the Joint Commissioners in principle, support the propose change in biennial election date from May to September or October.

### **BACKGROUND**

The timing of local government ordinary biennial elections has been raised as a concern for newly elected members in relation to the timetable for adoption of their Council's annual budget.

Some of the comments and concerns expressed were that new members:

- often did not have a detailed knowledge and understanding of the budget process;
- had little opportunity to participate in any budget course or appropriate training;

- had little opportunity to influence the funding of new projects that they may have included in their election campaigns;
- found it frustrating that the budget for the next financial year had been largely predetermined,

before having to vote on its adoption by their Council.

The above comments sum up the current position applied by most local governments in their budget planning process. It is also appreciated that several pre determined documents and plans influence Council budgets and are required support documentation. In most instances newly elected members would not have had the opportunity to have input and influence those documents. The documents include:

- A Strategic Plan
- Principal Activities Plans
- Capital Works Program
- Grants Funding

## **DETAILS**

### **Statutory Provision:**

Section 4.7 of the Local Government Act 1995, titled “Ordinary elections day usually the first Saturday in May”, outlines the date on which ordinary elections are to be held. Any change in the election date would require an amendment to section 4.7.

### **Financial Implications:**

Under the current arrangements with the State Electoral Commission those Councils that opt to use the State Electoral Commission to manage their May biennial elections with postal voting, may split the cost of the election across successive budgets. With a change to September or October, Councils may have to make an adjustment to the budget provisions to split the cost or choose to meet the cost from one budget.

## **COMMENT**

### **Proposed Legislation Changes**

While the comments and concerns outlined above are highly relevant to the current timing of biennial elections, two proposed changes in legislation outlined below have the potential to worsen the situation and add weight to the reasons for a suggested change in the election date from May to September or October.

## **State Government Elections**

The State Government has recently announced its intention to fix the State Government Terms of office to four (4) years and hold the State elections on the third Saturday of February. Clearly this would present the State Electoral Department with a significant challenge on those years when both State and local government elections were to be held as the election process for both elections would overlap if local government elections remained in May.

It is therefore highly likely that the State Electoral Department would support a change in local government biennial elections from May to September or October.

## **Local Government Act**

It is understood that the proposed amendments to the Local Government Act include the provision that local governments can have their annual budgets for the next financial year adopted in June. That being the case, those local governments that choose to adopt their budgets in June will almost certainly exclude newly elected members from having any input into the budget that they would be required to vote on within weeks of being elected in May.

While the adoption of budgets in June of the previous financial year may bring economic advantages by having rates levied and collected earlier in the new financial year, the pressure will greatly increase on elected members new to local government, to be properly informed and fully understand what they are voting on.

This needs to be acknowledged as a significant task for new elected members who in many instances would be on a very steep learning curve to adjust to their role and responsibilities of elected members representing their community.

It was suggested that if the local government biennial elections were held in September or October rather than May, newly elected members of Councils would have more time to settle into their role, undertake training and be better prepared and knowledgeable in what is required of their office and better able to understand and have input into the budget process.

## **Election Timetable Comparison**

To assist in identifying the impact a change in the biennial election date from May to September or October would have, a comparison election timetable showing the dates of the key events in the election process that would have applied for both May and October 2003 has been prepared and is attached.

## **Some Considerations**

Any change in legislation such as that proposed, will affect all local governments through out the State. Each local government will assess the likely impact from their own perspective. In reviewing the election timetable comparison, each instance has a period of school holidays in close proximity to election day. A consideration for country councils may be the Agricultural Society State Royal Show held in the September/October school holidays. The month of May could involve the seeding period for the wheat belt local governments, whereas September or October could impact on the harvesting of crops.

### **Former Elected Members**

This matter was raised by former elected members of the City and supported at the North Metropolitan Zone Committee.

### **ATTACHMENTS**

Attachment 1            Election Timetable Comparison

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That the Joint Commissioners SUPPORT in principle a change in the date for holding of biennial local government elections from May to September/October.**

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf110504.pdf](#)*

Cmr Smith stated her intention to declare an interest that may affect her impartiality in Item CJ098-05/04 –Local Government Act – Proposed Amendments to Electoral Provisions as she works on a contract basis with the WA Local Government Association.

## **CJ098 - 05/04 LOCAL GOVERNMENT ACT - PROPOSED AMENDMENTS TO ELECTORAL PROVISIONS – [00561] [71542]**

**WARD - All**

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### **PURPOSE**

To provide the Western Australian Local Government Association (WALGA) with comment on proposed changes to the Local Government Act 1995 (Election) Regulations and the Electoral Act 1907.

### **EXECUTIVE SUMMARY**

WALGA has sought comments from member Councils on proposals to amend the Local Government Act 1995 (Election) Regulations and the Electoral Act 1907 as proposed by the Western Australian Electoral Commissioner.

The proposed amendments to the Election Regulations provide for inclusion of a postal address on the electoral roll where a residential address is not provided and for any queries about the election to be directed to the Electoral Commission rather than the Returning Officer. Both these amendments are aimed at improving postal elections. It is recommended that these amendments be supported.

The proposed amendment to the Electoral Act 1907 relates to privacy of information on electoral rolls. The State Government has agreed to amend the Electoral Act to limit the number of circumstances that information on electoral rolls would be available for inspection. This would remove the right for that information to be sold or used for inappropriate purposes. For rating purposes, the City maintains its own database of the names and addresses of property owners within the district. As the property owner information is available for inspection by the public, the City may sell that information in accordance with Section 5.96 of the Local Government Act 1995. The property owner information is prepared in “Street Lists” and is available for sale on request. It is recommended that the amendment be supported.

### **BACKGROUND**

The Western Australian Electoral Commissioner has sought the support of the Department of Local Government and Regional Development (The Department) for changes to the Local Government Act Electoral Provisions and the Electoral Act 1907. The Department has sought comment on the proposed amendments from WALGA which in turn has invited comment from member Councils to establish a formal response to the Department.

## DETAILS

WALGA has provided the following information relating to the changes sought by the WA Electoral Commissioner.

- Regulation 20(1) be amended to provide for the inclusion of a postal address on the residents roll. Where a postal address is not provided by the elector, then the residential address would be included in lieu. The Department has indicated its support for this proposal.
- Amending Form 13 of Schedule 1 of the Regulations, so that any questions from electors about the election could in the first instance be directed to the Electoral Commission, rather than the Returning Officer. This form, which relates only to postal voting instructions currently requires all questions about the postal voting package to be referred to the Returning Officer. The WAEC has indicated this change would enable them to establish a call centre to handle enquires and allow one standard form to be printed saving cost on the printing process.
- This change relates to planned amendments to the *Electoral Act 1907* to deal with privacy in relation to the electoral roll. Apparently the State Government has agreed to amend the Electoral Act to make electoral rolls provided under that Act available for inspection only in a limited number of circumstances which would remove the right for it to be sold or used or inappropriate purposes. As these electoral rolls form the basis of the residents roll that is passed to Local Government for the conduct of Local Government Elections, it is necessary to consider some restrictions on their access by the general public. S5.96 of the Local Government Act provides that if information can be inspected it can be sold. The availability in this way would tend to contradict the desire to achieve some level of restriction on the use of the information.

## COMMENT

### **Proposed amendment - Regulation 20(1)**

To assist in determining what is proposed with the amendment to Regulation 20(1), subregulations (1) and (2) of the Local Government Act 1995 (Election) Regulations are outlined as follows:

#### **“Elector’s details on the roll – s. 4.38(2)**

- 20 (1) Subject to subregulation (2), the residents roll is to contain the following details in respect of each elector included on it –
- (a) family name;
  - (b) other names;
  - (c) residential address.

- (2) Subregulation (1) (c) does not apply if under section 51B of the Electoral Act 1907, the elector's residence is not to be included in the particulars that are entered in a roll under that Act."

It is considered that the proposed amendment to include a postal address where a residential address is not provided is quite acceptable, as it would assist with postal vote elections and would have little to no effect on the City. It is noted that the Department has indicated its support for the proposal.

It is recommended that the City support the proposed amendment.

### **Proposed amendment to Form 13 of Schedule 1**

The proposed amendment to Form 13 of Schedule 1 of the Regulations of the Electoral Provisions, provides for any initial questions from electors about the election to be directed to the Electoral Commission, rather than the Returning Officer.

It is considered this amendment could enhance customer service by having initial election queries answered from one area established for the purpose. As well, it is claimed that the costs of postal elections would be reduced.

It is recommended that the proposed amendment to Form 13 be supported.

### **Proposed amendment to the Electoral Act 1907**

The proposed amendment to the Electoral Act 1907, seeks to limit the availability for inspection of information on the electoral roll and prevent the sale of such information to the public. In accordance with Section 5.96 of the Local Government Act 1995, the City has street lists of owners available for inspection and therefore may sell that information. Whilst the proposed amendment would limit the sale of information obtained from the Electoral Commission, it would be necessary to amend the Local Government Act to prevent the sale of street lists.

### **Availability of information – Sale of Electoral Rolls**

The Privacy Act 1988 only applies to the Commonwealth Government. It is understood that a State Privacy Act is currently being prepared and this may also apply to local government. The proposed amendment to the Electoral Act 1907 relates to privacy of information on electoral rolls. The State Government has agreed to amend the Electoral Act to restrict the availability for inspection of the information contained in electoral rolls. This would remove the right for that information to be sold or used for inappropriate purposes. An inappropriate purpose is considered to be any purpose other than that for which the information was primarily obtained or is permitted to be used for under another Act or for a purpose agreed by the State Electoral Commissioner. The enrolments under section 51(B) of the Electoral Act will still be protected. Section 51(B) of the Electoral Act enables a person to not have their address on the electoral roll where their personal safety may be at risk. The elector information held by the State Electoral Commission forms the basis of the electoral rolls used in local government elections. If the elector information provided by the State Electoral Commission is not to be sold, then the electoral rolls used by local governments for their elections would also not be available for sale.

## Street Lists

The City like many other local governments maintains its own database of the names and addresses of property owners within the district for rating purposes. As the property owner information is available for inspection by the public, the City may sell that information in accordance with Section 5.96 of the Local Government Act 1995. The information is provided in “Street Lists” which are sold for \$66.00 per ward including GST and \$346.50 for all wards including GST. Since 2001/2002 the City has sold between 22-38 street lists each financial year, which amounts to between \$2,981.00 - \$7,690.00. The main purchasers of the street lists are real estate agents and marketing companies.

It is recommended that the amendment be supported.

## ATTACHMENTS

Nil.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That the City advises Western Australian Local Government Association that it SUPPORTS:**

- 1 the proposed amendment to Regulation 20(1) of the Local Government Act 1995 (Election) Regulations to include a postal address where a residential address is not provided;**
- 2 the proposed amendment to Form 13 of the Local Government Act 1995 (Election) Regulations to direct any initial queries electors have about the elections to the Electoral Commission rather than the Returning Officer;**
- 3 the proposed amendment to the Electoral Act 1907 to limit the availability of electoral rolls for inspection and sale.**



**CJ099 - 05/04 MINUTES OF CBD ENHANCEMENT PROJECT  
STEERING COMMITTEE MEETING 7 APRIL 2004 –  
[53469]**

**WARD** - Lakeside

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**PURPOSE**

The unconfirmed minutes of the CBD Enhancement Project Steering Committee meeting held on 7 April 2004 are submitted for noting by Council.

**EXECUTIVE SUMMARY**

The CBD Enhancement Project Steering Committee met on Wednesday 7 April 2004.

The main issues of discussion were updates on projects being undertaken as part of the CBD Enhancement Project including the ECU Research Proposal for the Joondalup CBD, Joondalup Night Markets and 2004 Joondalup Festival. Also discussed were the proposal for a swap mart in the Joondalup CBD and the related issue concerning public toilet facilities.

A brief update was provided on the business outstanding from previous minutes, which included the Inner City Public Transport item. This item will remain on the business outstanding list for regular updates to the Committee until further notice.

*This report recommends that the Joint Commissioners NOTE the unconfirmed minutes of the CBD Enhancement Project Steering Committee meeting held on 7 April 2004, shown at Attachment 1 to this Report.*

**DETAILS**

The minutes of the CBD Enhancement Project Steering Committee meeting held on Wednesday 7 April 2004 are provided at Attachment 1.

**Financial Implications:** Nil.

**Strategic Implications:** Nil.

**Sustainability Implications:** Nil.

**COMMENT**

The minutes of the last meeting of this Committee (25 February 2004) were sent to the meeting of Joint Commissioners on 30 March 2004. At this meeting the recommendation from this Committee regarding the ECU Research Proposal for the Joondalup CBD was deferred pending further investigation.

ECU was notified of this decision in order to discuss the issues raised by Council. ECU has since advised the City that the scope of the proposal could easily be modified without losing representative validity and reduced in order to accommodate budget considerations.

A new proposal was received from ECU on Friday 2 April 2004 and is currently being considered by City of Joondalup administration. Further information will be provided to the Committee at the next meeting. A recommendation will then be made to Council.

## ATTACHMENTS

Attachment 1                      Unconfirmed minutes – CBD Enhancement Project Steering Committee meeting held on 7 April 2004.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That the Joint Commissioners NOTE the unconfirmed minutes of the CBD Enhancement Project Steering Committee meeting held on 7 April 2004, shown at Attachment 1 to Report CJ099-05/04.**

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf110504.pdf](#)*

## **CJ100 - 05/04 MINUTES OF SUSTAINABILITY ADVISORY COMMITTEE - 29 APRIL 2004 – [00906]**

**WARD - All**

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### **PURPOSE**

The unconfirmed minutes of the Sustainability Advisory Committee meeting held on 29 April 2004 are submitted for adoption by Council.

Council notes the recommendations carried by the Sustainability Advisory Committee as outlined in the minutes of the Sustainability Advisory Committee, 29 April 2004.

### **EXECUTIVE SUMMARY**

The main focus of the meeting was to advise the committee of recent information regarding sustainability issues significant to the City of Joondalup and to validate the key outcomes of the planning workshop designed to develop a strategic direction for Sustainability Advisory Committee.

*This report recommends that the Joint Commissioners NOTE the unconfirmed minutes of the Sustainability Advisory Committee meeting held on 29 April 2004, shown at Attachment 1 to this Report.*

### **DETAILS**

The minutes of the Sustainability Advisory Committee meeting held on Thursday 29 April 2004 are provided at Attachment 1 to this Report.

#### **Financial Implications:**

Nil

#### **Strategic Implications:**

The Sustainability Advisory Committee planning workshop aimed to identify a clear role, the implications and strategic direction for the committee in line with the City's Strategic Plan. These implications will be presented in the final Sustainability Advisory Committee planning workshop report to Council.

The Swan Region Strategy for Natural Resource Management will have implications for the City of Joondalup the plan provides a strategic direction for the protection of natural assets and potential. Federal funding opportunities for future initiatives under this Strategy

## COMMENT

### 1.0 Workshop Outcomes

The workshop process helped to identify a strategic direction for the committee in line with the time frame and four Key Focus Areas of the City's Strategic Plan.

Workshop participants discussed of the four Key Focus Areas of the City's Strategic Plan and associated impacts as follows:

- Community Well-being (social impacts);
- Caring for the Environment (environmental impacts);
- City Development (economic impacts); and
- Organizational Development (governance).

The Sustainability Advisory Committee validated these outcomes and priority areas and a decision was made to conduct a further workshop to operationalise the workshop outcomes, identify set objectives and establish Key Performance Indicators for relevant outcomes.

### 2.0 Swan Region Strategy

The Swan Region Strategy for Natural Resource Management has been released for public comment. The Strategy has significant implications to Natural Resource Management within the City due to the fact that the Swan Region is primarily the City of Joondalup and the City of Wanneroo. The City of Joondalup is currently preparing a submission that will be forwarded to Council for endorsement.

Due to the closing date for comment (19 May 2004), the City was unable to provide the submission for Council meeting (18 May 2004). Consequently a submission will be provided at Council meeting scheduled for the 8 June 2004.

## ATTACHMENTS

Attachment 1                      Unconfirmed Sustainability Advisory Committee minutes – 29 April 2004.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That the Joint Commissioners NOTE the unconfirmed minutes of the Sustainability Advisory Committee meeting held on 29 April 2004, shown at Attachment 1 to Report CJ100-05/04.**

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf110504.pdf](#)*

**CJ101-05/04      COMMUNITY CONSULTATION PROCESS ON THE  
PROPOSED EXTENSION OF OCEAN REEF ROAD –  
STATUS REPORT - [07131] [02154]**

**WARD - Marina**

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**PURPOSE**

To provide information to the Commissioners on a request from the Ocean Reef Coastal Stakeholders (ORCS) to include consideration of a Community Recreation Amenity purpose as part of the community consultation process on the proposed extension of Ocean Reef Road.

**EXECUTIVE SUMMARY**

The Joint Commissioners resolved on 17 February 2004 to undertake community consultation on the detailed design of the extension of Ocean Reef Road. (*CJ009-02/04 refers*).

The City has recently received a letter dated 20 April 2004 from the Ocean Reef Coastal Stakeholders (ORCS) requesting the Joint Commissioners revisit their earlier decision on the consultation process and include consideration of a Community Recreation Amenity purpose for the land.

In considering the issues raised by this report the Joint Commissioners may wish to expand the existing consultation process to enable the ORCS request be accommodated within existing parameters of the previous resolution. This is not determined by the City to be a substantial departure from the previous resolution.

**It is recommended that the Joint Commissioners APPROVE an expansion to the consultation process endorsed by Council at its meeting on 17 February 2004 in relation to the proposed extension of Ocean Reef Road, to take consideration of recreational, environmental and amenity issues along this corridor.**

**BACKGROUND**

Council received and supported a report in September 2003 to construct the final section of Ocean Reef Road between Hodges Drive and Shenton Avenue. (*CJ218-09/03 refers*)

On 11 November 2003 Council rescinded its previous resolution to enable full community consultation to occur on all aspects of the proposed road extension.

In February 2004 the Joint Commissioners received the Report CJ-009-02/04 that outlined and recommended a consultation approach be developed in partnership with the ORCS and in accordance with Council resolution of 11 November 2003.

The Joint Commissioners rescinded the previous motion of 11 November 2003 and resolved at its meeting on 17 February 2004 to:

- 1 *APPROVE a programme of consultation to be undertaken with key stakeholders on the detailed design of the extension of Ocean Reef Road from Hodges Drive through to Shenton Avenue being the model outlined in the 'Consulting Citizens' material;*
- 2 *NOTE that the consultation costs shall not exceed \$14,000 for external consultants;*
- 3 *NOTE that the key stakeholder group shall include representation from residents whose property abuts that section of Ocean Reef Road to be constructed, and equal representation from the Ocean Reef Stakeholders Group and the Ocean Reef Action Group;*
- 4 *LIST this project for consideration in the 2004/05 Five Year Capital Works Program.*

## **DETAILS**

The following timeline describes the events that have occurred since Council's resolution on 17 February 2004.

February 2004	Council adopts resolution to consult on detailed design of the road
March 2004	City develops brief and process to appoint an independent facilitator
April 2004	City appoints a facilitator
April 2004	City and facilitator meets with Premier & Cabinet officers
April 16 2004	Meeting to outline process methodology with ORCS convened
April 20 2004	Letter received from ORCS requesting expanded consultation process and a meeting with Commissioners
May 4 2004	Meeting to outline process methodology with Ocean Reef Action Group (ORAG) convened
May 11 2004	Report to Council on progress to date and issues arising

The ORCS, during their meeting on April 16, 2004, have requested that the consultation process be extended from detailed road design only, to consideration of an alternative option - that the land be used for community recreation and amenity purpose. They also requested that a meeting be convened between their group and the Commissioners. The ORCS have since made this request formally in a letter to the City received on April 20, 2004.

The current resolution of Council enabling the consultation process does not allow for consideration of any issues other than the detailed design of the road. It is considered that the request being proposed by the ORCS can be included into the existing process to the extent that the issues around community recreation and amenity are canvassed and assessed during the process.

### **Proposed Outline of the Consultation Process**

The proposed consultation methodology developed to date makes reference to the State Government's "Consulting Citizens" guides. The process in summary will involve forming a working group from the 4 key stakeholder groups being (1) the City of Joondalup, (2) the ORCS, (3) the ORAG and (4) other groups or community individuals. The working group would have a maximum representation of 3 from each group.

The Working Group would be required to formulate and agree a final process that would be implemented through a broader community workshop process. The workshop(s) would consist of a maximum of 50 participants that would be drawn through an equal representation process formulated by the Working Group from the 4 key stakeholder groups.

It is envisaged within the existing financial constraints that a maximum of two workshops can be accommodated. The first workshop would:

- Seek to provide information and gather feedback from community regarding issues surrounding the corridor including recreational, environmental and amenity issues that may be raised
- Collect requirements for detailed design options to be produced.

The data collected from the workshop would be provided to the City's design engineers who will provide various concept designs for the road extension based on community views, which have been integrated into the technical aspects and requirements.

The second workshop would:

- Exhibit the design options for the construction of the road
- Present the issues surrounding recreational, environmental and amenity aspects on this corridor.

The purpose of the workshop would be to seek final agreement on which options should be presented to the entire community and all other stakeholders for comment.

### **Risk Assessment**

There are several risks now associated with the process that need to be highlighted.

1. The process may be disbanded if the two key stakeholder groups ORCS and ORAG do not agree to participate in the process or cannot agree on a process that includes accepting the clear objectives, adhering to agreed ground rules and to use representative samples from the community.
2. The broadening of the process as requested by the ORCS has been accommodated in the recommendation of this report within the existing set financial parameters. However it is possible that if broader community representation is demanded this would lengthen the process and require further resources which would be the subject of a further report to Council.

3. The broadening of the consultation may increase community expectations that may not be realisable.
4. The broadening of the process may be viewed by others as delaying the process and in particular, may not be acceptable to ORAG who have indicated their opposition to any further delays.

These risks need thorough consideration before any changes are made to the current situation.

### **Financial Implications**

If Council accepts the proposal to broaden the ability to consider the area from a community recreation and amenity perspective and the stakeholder groups agree to the process being put forward then the costs can be contained within the existing financial parameters.

If this is not the case and broad community input is required then more resources will be needed to facilitate increased numbers.

### **COMMENT**

The Ocean Reef Road extension has been the subject of a number of Council motions and rescission motions. There is significant community interest about the issue and an increasing degree of polarisation between the two main stakeholder groups, the Ocean Reef Stakeholders Group and the Ocean Reef Action Group.

Given the issues raised in this report it is necessary for Council to thoroughly consider the position that currently exists surrounding the Ocean Reef Road consultation process and the associated risks.

From a planning perspective the purpose of the land was always for that of a road. The City received a letter from the Department of Planning and Infrastructure on December 23 2003 stating, *“There has always been an expectation that this section of the planned Ocean Reef Road will eventually be constructed to serve both local and recreational traffic needs.”*

Given community interest and views around the matter it may be useful for Council to consider expanding the consultation process to take into account the recreational, environmental and amenity issues along this corridor.

### **ATTACHMENTS**

Nil.

### **VOTING REQUIREMENTS**

Simple Majority



## **RECOMMENDATION**

**That the Joint Commissioners APPROVE an expansion to the consultation process endorsed by Council at its meeting on 17 February 2004 in relation to the proposed extension of Ocean Reef Road, to take consideration of recreational, environmental and amenity issues along this corridor.**

**CJ102- 05/04      TENDER NUMBER 035-03/04 SUPPLY OF ORACLE  
DATABASE AND UNIX ADMINISTRATION  
SUPPORT – [77577]**

**WARD - All**

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**PURPOSE**

To seek the approval of the Joint Commissioners to accept the tender submitted by ASG (Asia Pacific) Pty Ltd for the Supply of Oracle Database and Unix Administration Support in accordance with the Price Schedule for Year 1, Year 2 and Year 3 (as outlined in Attachment 1) for Tender number 035-03/04, for an initial period of twelve (12) months with the option to extend subject to satisfactory performance reviews for a maximum period of three years.

**EXECUTIVE SUMMARY**

Tenders were advertised on Wednesday 10 March 2004 through statewide public tender for the Supply of Oracle Database and Unix Administration Support. Tenders closed on Thursday 25 March 2004. Two submissions were received from: ASG (Asia Pacific) Pty Ltd and DMR Consulting Pty Ltd trading as DMR Consulting.

*It is recommended that the Joint Commissioners ACCEPT the Tender Number 035-03/04 from ASG (Asia Pacific) Pty Ltd for the Supply of Oracle Database and Unix Administration Support, in accordance with the Price Schedule for Year 1, Year 2 and Year 3 (as outlined in Attachment 1) for an initial period of twelve (12) months commencing on 31 May 2004 to 30 May 2005, with the option to extend, subject to satisfactory annual performance reviews. The total duration of the contract shall not exceed three years.*

**BACKGROUND**

Two (2) of the City of Joondalup's corporate information systems, Oracle Applications and the Records Management System (RMS), store their data within Oracle databases that reside on computers running the Unix operating system. These databases contain the City's vital financial and operational information as well as corporate documents and correspondence. To ensure that these corporate systems continue to operate effectively, ongoing monitoring and maintenance of those underlying databases is required.

As well as the ongoing monitoring and preventative maintenance, there is also a need from time to time for ad-hoc services such as applying maintenance fixes, assisting in troubleshooting the computer applications that use the databases, and other system support tasks.

This requires appropriately qualified technical resources. The City does not have the resources or the expertise internally to perform this work to the required level and seeks an appropriate external service provider.

## **DETAILS**

Under the City's Contract Management Framework, the tenders were assessed by the Evaluation Team using a weighted multi-criterion assessment system and AS 4120-1994 'Code of tendering'.

Each member of the Evaluation Team assessed the Tender submissions individually against the selection criteria using the weightings determined during the tender planning phase. The Evaluation Team convened to submit and discuss their assessments.

The Selection Criteria for this tender was as follows:

### **Performance and Experience of Tenderer in providing similar services:**

- Relevant Industry Experience, including details of providing similar work undertaken. Tenderers shall submit a Detailed Schedule of previous experience on similar and/or relevant projects. Details of previous projects should include but not necessarily limited to description, location, contract amounts, dates, duration, client, role on project:
- Past Record of Performance and Achievement with a local government.
- Level of Understanding of tender documents and work required.
- References from past and present clients.

### **Capability/Competence of Tenderer to perform the work required:**

- Company Structure.
- Qualifications, Skills and Experience of Key Personnel including resumes.
- Equipment and Staff Resources available.
- Percentage of Operational Capacity represented by this work.
- Financial Capacity.
- Compliance with tender requirements – insurances, licenses etc.
- Quality Systems.
- Extent of Local Support.
- Service Management Processes.
- Post Contract Services offered.

### **Beneficial Effects of Tender/Local Content:**

- The Potential Social and Economic Effect of the tender on the City of Joondalup community.
- The Potential Social and Economic Effect of the tender on the West Australian community.
- Infrastructure/Office/Staff/Suppliers/Subcontractors within the City of Joondalup.

### **Tendered Price/s:**

- Schedule of Rates for the specified goods or services.
- Schedule of Rates for additional goods or services, variations and disbursements.
- Discount settlement terms.

DMR Consulting Pty Ltd trading as DMR Consulting offered qualifications if selected as the preferred tenderer.

Under the terms of the Conditions of Tendering it states: ‘An Alternative Tender shall be accompanied by a conforming tender, an Alternative Tender is a tender that offers qualifications, conditions, terms, specification, materials, workmanship or any other thing not conforming to the tender requirements’.

DMR Consulting Pty Ltd trading as DMR Consulting was deemed as an alternative tender. The Alternative tender submitted by DMR Consulting Pty Ltd trading as DMR Consulting was not accompanied by a conforming tender, therefore the tender submitted by DMR Consulting Pty Ltd trading as DMR Consulting was deemed non-conforming.

The tender submitted by ASG (Asia Pacific) Pty Ltd was extremely competitive in both quality and price. ASG (Asia Pacific) Pty Ltd fully demonstrated that they have the capability of delivering the service required by the City and the ability to provide best value for money based on the selection criteria and their price schedule for Year 1, Year 2 and Year 3 and as such are the recommended tenderer.

### **Statutory Provision:**

The statewide public tender was advertised, opened and evaluated in accordance with the *Local Government (F&G) Regulation 1996*. Advertising this tender also ensures compliance with the *Local Government (F&G) Regulation 1996*, where tenders are required to be publicly invited if the consideration under a contract is expected to be or worth more than \$50,000. The expected consideration for this contract will exceed the Acting Chief Executive Officer’s Delegated Authority limit of \$100,000 for the acceptance of tenders.

### **Policy 2.5.7 Purchasing Goods and Services**

The City’s Policy on purchasing goods and services encourages local business in the purchasing and tendering process; none of the tenders received are located in Joondalup.

### **Financial Implications:**

<b>Account No:</b>	1.3830.3320.0001.9999
<b>Budget Item:</b>	Contract / Agency Labour
<b>Budget Remaining FY03/04:</b>	\$ 11,885
<b>Budget Item FY 04/05:</b>	\$ 97,000
<b>Estimated Cost (May 04–May 05):</b>	\$ 96,840

### **COMMENT**

As a part of contract management processes, the City will regularly review/monitor the Contractor’s performance and service quality to ensure services meet the City’s standards.

Subject to Council approval, the Contract will commence from 31 May 2004 to 30 May 2005 for an initial period of twelve (12) months with the option to extend. The contract extension will be subject to annual performance reviews to ensure that the requirements of the Contract have been met. The duration of the contract will not exceed three (3) years. Subject to a satisfactory outcome of each review an extension in increments of twelve-month periods will be made within the three-year term.

ASG (Asia Pacific) Pty Ltd fully demonstrated that it has the ability to provide best value for money based on the selection criteria and the outcome of the tender evaluation.

## ATTACHMENTS

Attachment 1            Price Schedule – Year 1, Year 2 and Year 3

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That the Joint Commissioners ACCEPT the Tender Number 035-03/04 from ASG (Asia Pacific) Pty Ltd for the Supply of Oracle Database and Unix Administration Support, in accordance with the Price Schedule for Year 1, Year 2 and Year 3 as outlined in Attachment 1 to Report CJ102-05/04 for an initial period of twelve (12) months commencing on 31 May 2004 to 30 May 2005, with the option to extend, subject to satisfactory annual performance reviews. The total duration of the contract shall not exceed three years.**

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf110504.pdf](#)*

**CJ103 - 05/04      LOT 5 (10) POIMENA MEWS, KINGSLEY -  
RECOMMENDED DISPOSAL – [01051]****WARD -** South**PURPOSE**

The purpose of this report is to request Joint Commissioners to rescind a resolution made by Council dated 29 July 2003, with regard to Lot 5 (10) Poimena Mews, Kingsley, in light of additional information that has been obtained and detailed in this report.

**EXECUTIVE SUMMARY**

Lot 5 (formerly used as Yagan Pre-School) is situated in a cul-de-sac location and includes a purpose built kindergarten that was operating under a lease arrangement until 31 December 2002. The City remains liable for maintenance, insurance and security costs against a nil return and the building's current condition is dilapidated and unusable. Major renovations will be necessary if reuse of the existing building is to be considered.

Council resolved on 29 July 2003 (CJ179-07/03 refers) to call for submissions from community groups for the reuse of the premises. Since this resolution, a building inspection report and a Quantity Surveyors report have been obtained. The renovation cost is estimated to be approximately \$250,000.00, which is greatly in excess of that originally suggested to Council.

Planning advice has since been obtained and it appears that the types of use that can be considered in respect to the zoning of Lot 5 under District Planning Scheme No. 2 (DPS2) may not now be conducive to a quiet cul-de-sac location.

Consideration needs to be given to the additional information provided and particularly to the viability of the City outlaying approximately \$250,000.00 on the upgrade of an early 1970's building that will provide the City with limited social and financial return.

Based on the foregoing, it is requested that the Joint Commissioners rescind by absolute majority, Council's decision of 29 July 2003 and recommend that Lot 5 (10) Poimena Mews, Kingsley be demolished and then sold, with the proceeds being set aside in the Community Facilities Reserve account for improvement of the City's community buildings.

It is recommended that the Joint Commissioners:

- 1      RESCIND by ABSOLUTE MAJORITY Council's decision of 29 July 2003 viz;

*THAT COUNCIL does not dispose of Lot 5 (10) Poimena Mews, Kingsley subject to calling for submissions from local community groups for the re-use of this facility.*

*The submissions shall address:*

- *Funding required to recommission the building to meet current building and health standards;*
  - *Ongoing management and operations of the facility;*
  - *Benefit to the community;*
  - *Sustainability of the proposed use;*
  - *Proposed use and supporting needs analysis;*
  - *Suitability of the premises for the proposed purposes.*
- 2     *SUPPORT the demolition of the buildings on Lot 5 (10) Poimena Mews, Kingsley;*
- 3     *APPROVE the sale of the site with the proceeds being set aside in the Community Facilities Reserve account.*

## **BACKGROUND**

<b>Suburb/Location:</b>	Lot 5 (10) Poimena Mews, Kingsley
<b>Owner:</b>	City of Joondalup
<b>Tenure:</b>	Owned by the City - freehold
<b>Zoned:</b>	Residential
<b>Density Code:</b>	R20
<b>Strategic Plan:</b>	Strategy 3.1- to develop and maintain the City's assets and built environment Strategy 4.1- to manage the business in a responsible and accountable manner

Lot 5 has a land area of 1201m<sup>2</sup>, and is situated in a cul-de-sac in the older residential area of Kingsley. The purpose built kindergarten was leased to the Education Department until 31 December 2002. The Education Department did not renew its lease due to dwindling attendance numbers and moved the pre-school during 2001 to an on-site facility at Goollelal Primary School. Since vacating the building, the City has become solely liable for maintenance, insurance and security costs for the property.

In Item CJ179-07/03 of 29 July 2003, it was recommended that Lot 5 be disposed of in an 'as is, where is' condition, however, Council resolved to call for submissions from community groups for the re-use of the facility. The submissions were to address:

- funding required to recommission the building to meet current building and health standards;
- ongoing management and operations of the facility;
- benefit to the community;
- sustainability of the proposed use;
- proposed use and supporting needs analysis; and
- suitability of the premises for the proposed purposes.

## **DETAILS**

### **Additional Information**

It was stated in Item CJ179-07/03 that:

*“Should the building be proposed to be put back into service as a community facility owned and operated by the City, considerable works would be required to meet public building design standards. No detailed estimates or plans have been developed but expenditure would be anticipated to be in excess of \$100,000.00”*

Since advising Council of the estimated \$100,000.00 for the renovation, a building inspection has identified more accurately the work required to bring the building to a satisfactory standard. On receipt of the inspection report completed by the City’s Principal Building Surveyor, an independent Quantity Surveyor’s report was obtained that has estimated the proposed upgrade of the property to be in the region of \$250,000.00.

### **Planning Considerations**

Although Lot 5 was used previously as a pre-school, any proposed community type use would now have to be approved by the Joint Commissioners and as part of that approval, advertised for public comment. Under DPS2, a Kindergarten Use (as per the previous use of the land) and a Civic Building Use, (which may accommodate certain community type operations) are non-permitted uses that can be approved at Joint Commissioners’ discretion. Consideration would need to be given to car parking requirements for any non-residential proposed use of the site, and the affect the use may have on the residential amenity. The site only accommodates limited car parking bays.

In the first point of Council’s resolution of 29 July 2003, it states that when expressing an interest in the re-use of the facility, community groups need to address *“funding required to recommission the building to meet current building and health standards.”* Some representatives from community groups have already inspected Lot 5 and have indicated that they wish to formally express their interest when the time arises. These groups and any other community groups are unlikely to be aware of the true condition of the property and level of cost necessary for its upgrade.

### **Compliance**

Significant issues were identified during the building inspection in August 2003 with regard to the City’s compliance under the Occupational Health and Safety Act 1984.

Any change in use will require the City to substantially modify the building to meet the requirements of the Disability Discrimination Act 1992.

### **Statutory Provisions:**

To dispose of Lot 5, the City will need to comply with Sections 3.58(1) and (2) of the *Local Government Act 1995* whereby local governments are required to invite public tenders or dispose of property to the highest bidder at public auction. The disposal strategy will be



determined in consultation with real estate professionals operating in the area to ensure that maximum value is obtained for the site (i.e. Auction, Tender etc). A business plan is not required to be developed in accordance with the Local Government Act 1995 Section 3.59 as the value of the land is less than the \$500,000 that designates a 'Major Trading Undertaking' or a 'Major Land Transaction'.

### **Financial Implications:**

An estimated outlay of \$250,000.00 has been suggested to recommission the facility on Lot 5. Funding for the complete renovation of the property is not listed in the 2003/2004 budget.

### **Strategic Implications:**

An important feature of any asset management plan is its maintenance and upgrade programme, however, there comes a time during an asset's economic life that disposal is the most responsible option. It is considered that this is now the case with Lot 5 and this course of action accords with 4.1 of the City's Strategic Plan. The proceeds from the sale of the property would be placed in the Community Facilities Reserve account, which accords with 3.1 of the Strategic Plan. Any additional requirements for community buildings in this location could most likely be accommodated in other facilities.

### **COMMENT**

Notwithstanding any use that can be accommodated on Lot 5, the building either has to undergo major renovations or be demolished completely. It is not considered viable to expend the amount estimated (\$250,000.00) on the upgrade of an old building. The viability perspective aside, the type of uses that can be considered for the land under DPS2 may no longer be conducive to a quiet cul-de-sac location.

It is also considered that due to the building condition and planning constraints that demolition is the responsible course of action for the City to undertake. In conjunction with demolition, the City will undertake to rezone the site to either two single residential lots or one grouped dwelling lot.

The building inspection report has assisted in providing information for a more accurate estimate of the renovation work necessary, and this far exceeds that quoted in CJ179-07/03, "*No detailed estimates or plans have been developed but expenditure would be anticipated to be in excess of \$100,000.00.*" It appears from the Quantity Surveyors report that it is likely to be more than double that originally advised to Council.

It is therefore recommended that the Joint Commissioners rescind Council's decision of 29 July 2003 by absolute majority and approve the demolition of the buildings on Lot 5 (10 Poimena Mews, Kingsley and thereafter disposal of the land. The proceeds of the sale to be set aside in the Community Facilities Reserve account for capital improvement and/or replacement of the City's community buildings.

## ATTACHMENTS

Attachment 1            Location Plan of Lot 5 (10) Poimena Mews, Kingsley

## VOTING REQUIREMENTS

Absolute Majority

## RECOMMENDATION

**That the Joint Commissioners:**

**1        RESCIND BY AN ABSOLUTE MAJORITY Council’s decision (CJ179-07/03) of 29 July 2003 viz:**

*“That Council does not dispose of Lot 5 (10) Poimena Mews, Kingsley subject to calling for submissions from local community groups for the re-use of this facility.*

*The submissions shall address:*

- *Funding required to recommission the building to meet current building and health standards;*
- *Ongoing management and operations of the facility;*
- *Benefit to the community;*
- *Sustainability of the proposed use;*
- *Proposed use and supporting needs analysis;*
- *Suitability of the premises for the proposed purposes.”*

**2        SUPPORT the demolition of the buildings on Lot 5 (10) Poimena Mews, Kingsley;**

**3        APPROVE the sale of the site with the proceeds being set aside in the Community Facilities Reserve account.**

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf110504.pdf](#)*

## **CJ104 - 05/04 FINANCIAL REPORT FOR THE PERIOD ENDING 31 MARCH 2004 – [07882]**

**WARD - All**

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### **PURPOSE**

The March 2004 financial report is submitted to Council to be noted.

### **EXECUTIVE SUMMARY**

The March 2004 year to date report shows an overall variance (under spend) of \$10.0m when compared to the year to date revised budget.

This variance can be analysed as follows:

- The **Operating** position (Change in Net Assets Before Reserve Transfers) shows an actual surplus of \$11.3m compared to a budgeted surplus of \$11.0m at the end of March 2004. The \$0.3m variance represents a net under spend driven primarily by the timing of consultancy costs relating to proposals and of electricity expenses.
- **Capital Expenditure** is \$2.1m compared to a budget of \$2.3m at the end of March 2004. The \$0.2m under spend is due primarily to the timing of computer network upgrades and equipment and mobile plant purchases.
- **Capital Works and Corporate Projects** expenditure is \$6.3m against a budget of \$15.8m, an under spend of \$9.5m at the end of March 2004. This is a timing difference of which \$3.7m relates to normal Capital Works while \$5.8m relates to Capital Works classified as Corporate Projects. Total committed funds in relation to all Capital Works are \$4.3m.

### **DETAILS**

The financial report for the period ending 31 March 2004 is appended as Attachment A.

### **ATTACHMENTS**

Attachment 1 Financial Report for the period ending 31 March 2004.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That the Financial Report for the period ending 31 March 2004 be NOTED.**

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf110504.pdf](#)*

**CJ105 - 05/04      WARRANT OF PAYMENTS 30 APRIL 2004 – [09882]****WARD - All****PURPOSE**

The Warrant of Payments as at 30 April 2004 is submitted to the Joint Commissioners for approval.

**EXECUTIVE SUMMARY**

This report details the cheques drawn on the funds during the month of April 2004. It seeks approval by the Joint Commissioners for the payment of the April 2004 accounts.

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Director Corporate Services & Resource Management Advance Account	63272 – 64016 & EFT 92 -142	\$ 6,187,671.69
Municipal	000485-000492      & 4A -6A	\$ 6,210,410.09
Trust Account	Nil	\$ Nil
	<b>TOTAL</b>	<b>\$ 12,398,081.78</b>

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

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to the Joint Commissioners. At the close of April 2004, the amount was **\$480,417.62**. The cheque register is appended as Attachments A & B.

**CERTIFICATE OF THE DIRECTOR OF CORPORATE SERVICES & RESOURCE MANAGEMENT**

This warrant of payments to be passed for payment, covering vouchers numbered as indicated and totalling **\$12,398,081.78** which is to be submitted to the Joint Commissioners on 18 May 2004 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and the amounts shown are due for payment.

PETER SCHNEIDER  
Director Corporate Services & Resource Management

**CERTIFICATE OF CHAIRMAN OF COMMISSIONERS**

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling **\$12,398,081.78** was submitted to the Joint Commissioners on 18 May 2004.

.....  
JOHN PATERSON  
Chairman of Commissioners

**ATTACHMENTS**

Attachment A           Warrant of Payments for Month of April 2004  
Attachment B           Municipal Fund Vouchers for Month of April 2004

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That the Joint Commissioners APPROVE for payment the following vouchers, as presented in the Warrant of Payments to 30 April 2004, certified by the Chairman of Commissioners and Director Corporate Services & Resource Management and totalling \$12,398,081.78.**

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
<b>Director Corporate Services &amp; Resource Management Advance Account</b>	<b>63272 – 64016 &amp; EFT 92 -142</b>	<b>\$ 6,187,671.69</b>
<b>Municipal</b>	<b>000485-000492 &amp; 4A -6A</b>	<b>\$ 6,210,410.09</b>
<b>Trust Account</b>	<b>Nil</b>	<b>\$ Nil</b>
	<b>TOTAL</b>	<b>\$ 12,398,081.78</b>

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf110504.pdf](#)

**CJ106 - 05/04 PROPOSED EXCISION OF TWO PORTIONS OF RESERVE 46280 (6) MIAMI BEACH PROMENADE, ILUKA (ILUKA DISTRICT OPEN SPACE) FOR CLUBROOMS AND BOWLING GREENS – [02046]**

**WARD** - North Coastal

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**PURPOSE**

The purpose of this report is to request the Joint Commissioners approve the excision of two portions of Swan Location 13560, Reserve 46280 (6) Miami Beach Promenade, Iluka as detailed on Attachment 1 and subject to the WAPC approving the proposal, request the Department of Land Information (DLI) to proceed with the excision and request the Minister for Lands to grant power to lease.

**EXECUTIVE SUMMARY**

Reserve 46280 was vested in the Crown under Section 20A of the Town Planning and Development Act 1928 as a reserve for ‘Public Recreation’ on 5 October 1999 and supports park facilities and sports clubrooms that were constructed in 1999. The Beaumaris Sports Association (BSA) currently manages the sports clubrooms and bowling greens.

Since Reserve 46280 was created, the DLI as administrators of Crown land has sought to vest the reserve under the management of the City of Joondalup. The DLI will not allow power to lease on Section 20A public recreation reserves and therefore to enable the City to examine various forms of management/lease arrangements for the clubroom and bowling green sites, two new reserves need to be created for their specific purpose and power to lease on these reserves requested from the Minister for Lands.

The proposal was advertised for public comment for thirty days during which time a request was received from the BSA to expand the proposed excision area. The BSA requested the inclusion of the paved terrace and verandah levels, the disabled ramp and entry steps and the loading bay and hot water system. These additions are considered minor (*approximately 371m<sup>2</sup>*) and therefore have been included and shown on Attachment 1. The BSA also requested a land area of approximately 725m<sup>2</sup> including the BBQ area between the clubrooms and the bowling greens which has not been supported due to fact that its location would impede public access in respect of Reserve 46280 (see Attachment 2).

It is recommended that the Joint Commissioners:

- 1 *APPROVE the proposed excision of Swan Location 13560, Reserve 46280 (6) Miami Beach Promenade, Iluka in accordance with Attachment 1;*
- 2 *SUBJECT to the Western Australian Planning Commission granting approval for the excision, REQUEST the Department for Land Information to proceed with the excision in accordance with Attachment 1; and*
- 3 *NOTIFY the Beaumaris Sports Association of the decision.*

## BACKGROUND

<b>Suburb/Location:</b>	Iluka
<b>Applicant:</b>	City of Joondalup
<b>Owner:</b>	Crown Land with a Management Order in favour of the City
<b>Zoning:</b>	<b>DPS:</b> Residential
	<b>MRS:</b> Urban
<b>Strategic Plan:</b>	Not specified under the Strategic Plan

Reserve 46280 was vested in the Crown under Section 20A of the Town Planning and Development Act 1928 on 5 October 1999. Reserve 46280 is reserved for 'Public Recreation', in accordance with the conditionally approved subdivision issued by the WAPC (WAPC No.106779) on 3 July 1998.

The reserve is approximately 8.406 hectares in area and supports active sporting fields, passive park areas and clubroom facilities. The clubroom facilities (managed by the BSA) and the sporting fields (administered by the City of Joondalup) were established after funding was obtained from a number of sources including the developers of Beaumaris Beach Estate, the Community Sports & Recreation Facilities Fund, and the former City of Wanneroo. The facilities have since expanded to include a machinery shed, bowling greens and practice cricket nets.

Since Reserve 46280 was created, the DLI has sought to vest the reserve under the management of the City of Joondalup. On 21 January 2004, the DLI advised the City that a management order for Reserve 46280 had been registered on the 5 January 2004 in favour of the City for the purpose of 'Public Recreation'.

## DETAILS

### Power to Lease

The City is currently examining overall the way it manages its community buildings including its lease, licence and building management systems. It wishes to develop a strategy to ensure transparency, efficiency and consistency in the application of the agreements. Power to lease on the proposed new reserves will enable the City to organise the most appropriate arrangements.

Therefore it is recommended that a two stage approach be adopted, ie excision followed by a review of community building tenure and building management systems. The City will then undertake to negotiate future tenure and management arrangements for the Beaumaris complex. During this process, the City will be required to give consideration to the Local Government Act (1995) sections 3.58 'Disposing of Property' and 3.59 'Major Trading Undertaking'. Depending on the type of tenure and management arrangements the City negotiates with prospective tenants will determine the requirements for how and if the City will need to address these sections of the Act.

## **Excision Process**

The DLI through its publication ‘*Guidelines for the Administration of Section 20A ‘Public Recreation’ Reserves*’ sets out the necessary procedures in respect of the excision process for reserves created under Section 20A of the Town Planning and Development Act 1928. Within the Guidelines it states:

*“As power to lease cannot be given over public recreation reserves, small excisions may be agreed which would provide reserved sites complementary to the use of the reserve, these to be vested in the local government with power to lease. Such sites may primarily be used for club buildings needing to be adjacent to large playing fields, but may not be provided for uses of a general nature not needing such a relationship.”*

As part of the process, any excision from a Section 20A reserve requires the WAPC’s approval. The proposal is also referred to the service authorities to ascertain if there is any service infrastructure that may be affected as if plant is affected, any modification costs and/or conditions imposed by the service authorities need to be met by the applicant. Once approval has been received from the WAPC and the service authorities has provided their comments, it is necessary to advertise the proposal for public comment.

The service authorities of Western Power, Water Corporation, AlintaGas and Telstra advised the City that the proposed excision would not affect the services located in the subject areas.

The WAPC advised that it has no objection to the proposed excision as per Attachment 3 as it allows for uninhibited public access to the reserve, whilst meeting the immediate requirements of the BSA.

## **Public Consultation**

On receipt of the necessary information from the WAPC and the service authorities, the proposed excision was advertised for public comment for thirty days. With regard to the subject proposal, the City erected two signs on site and placed an advertisement in the local newspaper. Letters were also forwarded to residents adjoining Iluka District Open Space and the Beaumaris Residents Association. At the conclusion of the advertising period on 19 July 2003, the City received one submission from the BSA.

## **Beaumaris Sports Association**

The current operator of the clubrooms and bowling greens is the BSA. This Association consists of three member clubs namely, Joondalup District Cricket Club, Edith Cowan University Joondalup Hockey Club and the Beaumaris Bowling Club, with soccer, rugby and other community groups also utilising the facility.

When negotiations originally commenced between the City and the BSA, the latter was seeking to lease a portion of land with an approximate area of 17,000m<sup>2</sup>, which consisted of the existing clubrooms, four bowling greens, practice turf nets and an area designated for the potential growth of the facilities (see Attachment 4).



The City raised a number of concerns with regard to the size of the area sought for the excision as it would potentially reduce public access to facilities such as the cricket nets, and would prevent pedestrian access from one end of the car park directly to the reserve itself. Access issues were also raised by the WAPC. Accordingly, the City responded to these concerns by scaling back the excise area to the clubhouse site and the bowling greens only. The clubhouse area is approximately 1053m<sup>2</sup> and the bowling green area is approximately 9881m<sup>2</sup> (Attachment 3 refers).

The submission received from the BSA during the advertising period requested the excision area be increased to that detailed in Attachment 2, and to include the following areas that total an extra 1096m<sup>2</sup>.

- paved terrace and verandah levels (277m<sup>2</sup>);
- disabled ramp and entry steps at the front door, plus at the oval door (38m<sup>2</sup>);
- loading bay and hot water system areas to the left of the front door (56m<sup>2</sup>); and
- the BBQ area between the sports centre and the bowling greens (725m<sup>2</sup>).

It is considered that the inclusion of the paved terrace, verandah levels, disabled ramp, entry steps, loading bay and hot water system areas are acceptable as their inclusion relates to the function of the clubrooms (371m<sup>2</sup> approximately) and would appear not to impede or affect the community's enjoyment of the reserve. The inclusion of the BBQ area (725m<sup>2</sup> approximately) that is located between the clubrooms and the bowling greens raises issues restricting public access in respect of Reserve 46280 and therefore is not considered acceptable (see Attachment 2).

The WAPC is required to approve of the additional areas totalling approximately 371m<sup>2</sup> before the excision can be examined by DLI.

## COMMENT

In accordance with DLI's Section 20A Guidelines, the required areas need to be excised and created as separate reserves for their specific purpose and power to lease granted by the Minister before a lease agreement or management arrangements can be put in place. It has not yet been determined what the most appropriate arrangements will be in respect of the clubrooms and bowling greens.

The proposed minor additions of the paved terrace and verandah levels, the disabled ramp and entry steps and the loading bay and hot water system areas are incidental to the running of the clubrooms and do not affect community use of the reserve. Given that the additions are minor, it is considered that the need for further public consultation is not required. The area between the clubrooms and the bowling greens (725m<sup>2</sup> approximately) would impede public access to the reserve at that location and therefore is not supported.

Accordingly, it is recommended that the Joint Commissioners support the proposed excision as detailed on Attachment 1, and subject to the WAPC approving the proposal, request the DLI to proceed with the excision of the bowling greens and request the Minister for Lands to grant power to lease.

## ATTACHMENTS

Attachment 1	Proposed excision showing the clubrooms (1424m <sup>2</sup> ) and bowling greens (9881m <sup>2</sup> )
Attachment 2	Proposed excision showing the clubrooms and BBQ area (2149m <sup>2</sup> ) and bowling greens (9881m <sup>2</sup> )
Attachment 3	Proposed excision showing the clubrooms (1053m <sup>2</sup> ) and bowling greens (9881m <sup>2</sup> )
Attachment 4	Proposed excision showing the clubrooms, bowling greens and cricket practice nets and potential growth area being an area of 17,000sqm collectively.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That the Joint Commissioners:**

- 1 APPROVE the proposed excision of Swan Location 13560, Reserve 46280 (6) Miami Beach Promenade, Iluka in accordance with Attachment 1 to Report CJ106-05/04;**
- 2 SUBJECT to the Western Australian Planning Commission granting approval for the excision, REQUEST the Department for Land Information to proceed with the excision in accordance with Attachment 1 to Report CJ106-05/04;**
- 3 NOTIFY the Beaumaris Sports Association of the decision.**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf110504.pdf](#)*

## **CJ107 - 05/04      NEGOTIATIONS OF TENANCY - FUNCTION CENTRE – [41510] [05180]**

**WARD - Lakeside**

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### **PURPOSE**

- To advise the Joint Commissioners of the current tenant being given one calendar month to vacate the City of Joondalup Civic Function Centre; and
- For the Joint Commissioners to note that the Administration is preparing a licence agreement between the City and R & R Food by Design for the operation of the Civic Function Centre for a period of 12 months.

### **EXECUTIVE SUMMARY**

Spices Catering (previously Fawn Holdings) has been operating the City of Joondalup Function Centre since 1 July 1997. The original lease expired in 30 June 2002, following which time two public tender processes have been conducted in accordance with the Local Government Act to determine further lease arrangements on the City's Civic Function Centre. After both tender processes were unsuccessful the Chief Executive Officer on 8 July 2003, endorsed the City to authorise negotiations with potential operators.

Following a detailed analysis it is recommended to the Joint Commissioners that the City:

- Note the termination of the current lease by giving Spices Catering one calendar month's notice to vacate the premises;
- Note that the Administration is preparing a licence agreement between the City and R & R Food by Design to operate the Civic Function Centre for a period of 12 months.

### **BACKGROUND**

A lease between the City of Joondalup and Spices Catering (previously Fawn Holdings Pty Ltd) for the Function Centre located within the Council's Civic Centre commenced on the 1 July 1997 and expired on the 30 June 2002.

Following a request from the Lessee for the renewal of the lease agreement, Council approved the development of a tender specification (CJ 177-06/01 refers) to enable the calling of tenders in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

At Council meeting 18 December 2001, (CJ431-12/01 refers) it was resolved that Council award Tender 012-01/02 to Fawn Holdings Pty Ltd. However, following protracted discussions on increased signage and variations to the conditions of tendering, Fawn Holdings withdrew its tender by letter on the 13 of December 2002. Subsequently, at its meeting on 18 February 2003 Council resolved to:

- 1 RESCIND BY AN ABSOLUTE MAJORITY the awarding of Tender 012-01/02 to Fawn Holdings Pty Ltd trading as Spices Catering for the occupancy of 835 square metres of the Civic Centre presently used for functions and catering;
- 2 AUTHORISES the current lease agreement on a month-to-month basis until the new tender is awarded.

A second statewide public tender process commenced with tenders advertised on 3 May 2003 for the Lease of the Function Centre and Gallery located within the City's Civic Centre. Tenders closed on 21 May 2003, four submissions were received. Two submissions from B & G Chambers Pty Ltd trading as Caters for Taste (including one alternative tender) and two submissions from Klemap Pty Ltd as Trustee for the Klemap Trust trading as Spices Catering (including one alternative tender). The tender submissions were identical in every respect except the details of the tenderer.

The evaluation panel for the submission process was made up of the City's Manager Assets and Commissioning, Contracts Administrator and an independent property consultant. The evaluation panel determined that the two alternative tenders were non-conforming and would not be assessed. The tender submitted by B & G Chambers Pty Ltd was also deemed to be non-conforming as their bid required the City to enter into a contract with Spices Catering and not with B & G Chambers Pty Ltd.

On 8 July 2003, the Chief Executive Officer endorsed the following:

- 1 *Rejects all tenders received for the Lease of the Function Centre and Gallery Located within the City's Civic Centre under Part 4 Clause 18(5) of the Local Government (F&G) Regulations 1996; and*
- 2 *Authorises negotiation with potential lessees, including the two that submitted tenders, in accordance with Part 4 Clause 11 (2) of the Local Government (F&G) Regulations 1996.*
- 3 *Authorises the terms of the offer to be the same terms and conditions that were tendered the rent being 12.5% of turnover with the minimum base rent payable being \$25,000 per annum.*
- 4 *Authorises the current lessee, Fawn Holdings Pty Ltd, to be given one months notice to vacate the premises.*

### **Strategic Plan:**

The project aligns with a number of objectives within the Strategic Plan 2003-2005 particularly *Objective 3.5 To provide and maintain sustainable economic development* which includes the following strategies:

- Develop partnerships with stakeholders to foster business development opportunities.
- Assist the facilitation of local employment opportunities.

Also, *Objective 3.1 To develop and maintain the City of Joondalup's assets and built environment* is an objective to be acknowledged.

## DETAILS

Following two unsuccessful public tender processes, a property consultant was commissioned by the City of Joondalup in August 2003 to assist the City determine future tenancy arrangements for the Joondalup Function Centre.

Following detailed inspections and analysis, an information booklet was developed and provided to 17 potential operators. Interested parties were required to make submissions by 3 November 2003. This period was extended due to additional information requested by City of Joondalup.

Four submissions were received from:

- R & R Food by Design;
- Dee Catering and Logistics Services;
- Spices Catering; and
- Heyder Shears.

Recommendations were made to the City by the Property Consultant for the City to consider entering into a licence with R & R Food by Design for the management of functions in the Civic Function Centre for a period of 12 months. A further review by the Assets and Commissioning business unit has endorsed these recommendations.

The following table provides details of the four prospective parties. It includes their conditions of offer, and the comments provided by the property consultant.

<b>Interested Party</b>	<b>Conditions of Offer</b>	<b>Comments by Property Consultant</b>
<b>R &amp; R Food by Design</b>	COJ to oversee all the bookings and transactions connected with the Function Centre. Management agreement (for 12 months) Pay Council 20% management fee (of turnover) equates to approx. \$35,000 of projections provided to prospective operators. City responsible for all outgoings including rates, land tax, water etc. COJ provide signage erected in front of the Centre. Council provide all front of house equipment. Cost of advertising the facility be shared. No catering jobs without Council prior knowledge. Opening hours in line with working hours of the Council.	The management fee proposed is considered favourable to City. City would incur cost of all front of house equipment. (Estimated by applicant at \$5,000.)

Interested Party	Conditions of Offer	Comments by Property Consultant
<b>Dee Catering and Logistics Services</b>	Lease fee after the first year be 7.5% of the profit for the year. Numerous changes to Clauses in the Management Agreement Rates and taxes to be paid by the City. Service costs payable by the City except telephone. City responsible for maintenance.	Offer not favourable to City. Would appear to be very experienced applicant. Applicant required too many amendments to the lease.
<b>Spices Catering</b>	Two options for a lease agreement to be signed. <b>Option 1 –</b> Based on exclusive use of the kitchen, function centre and gallery in Year 1. Percentage rent = 13% of turnover. Less outgoings. <b>Option 2 -</b> Exclusive kitchen with first rights for function centre and gallery Year 1. Fixed kitchen – including outgoings. Percentage rent = 8% of turnover. Kitchen outgoings.	The lease proposal put by the applicant is on the same basis as the applicant now operates as a tenant in occupation. This proposal does not overcome the problem of accurately determining turnover figures.
<b>Heyder Shears</b>	Accept a management agreement. A fee of \$15k payable by the City with all agreed direct costs being met by the COJ ( <b><i>up to a turnover of \$150k</i></b> ). Any surplus in excess of this preferred payment to the City and the management fee payable to Heyder & Shears would be distributed equally to COJ and the catering operator.	Applicant is very experienced. Offer of management agreement not favourable to City.

### Proposed Management Structure

The management structure proposed involves the owner of R & R Food by Design organising the operational day-to-day duties at the function centre. The owner will be required to liaise with the City of Joondalup staff for two main purposes being:

- Licensing obligations; and
- Marketing.

The Licensee will be required to:

- meet all obligations stipulated in the Management Licence including R & R Food by Design providing the City a fee of 20% of turnover or an annual fee of \$25,000 per annum, whichever is the greater.

**Current Lessee**

On 8 July 2003, the CEO authorised the City's position to provide one month's notice to the lessee to vacate the premises subject to satisfactory alternative arrangements being made.

Written advice sought from the City's solicitors in October 2003, reads "As stated in Clause 2.31 of the Lease *'It shall so remain as a tenant from month to month at a monthly rental equal to the amount of monthly payments on account of rent hereby reserved....'*" In the solicitor's view, by virtue of Clause 2.31, Spices Catering (previously Fawn Holdings Pty Ltd) is a monthly tenant and that the tenancy may be terminated by the City giving written notice to terminate. The written notice would need to be at least 1 clear month's duration.

In view of the management licence being recommended in this report, the current tenant will now be issued with the previously authorised period of notice.

**Policy 2.5.7. Purchasing Goods and Services**

The City's Policy on purchasing goods and services encourages local business in the purchasing and tendering process. R & R Food by Design is a locally registered business.

**Statutory Provision:**

When tendered previously the state-wide public tender was advertised, re-advertised, opened and evaluated in accordance with the *Local Government (F&G) Regulation 1996*. This process resulted in a report to the Chief Executive Officer to reject all tenders for the lease of the Function Centre due to a number of non-conforming tenders, and the request for further negotiations with potential lessees using an alternative arrangement.

**Financial Implications:**

Under the recommended arrangements the City will be required to complete certain works and a partial fit-out in the Function Centre including shelving, and replacement of certain fixtures, crockery, cutlery and install an industrial microwave. An amount of \$20,000 has been allocated for this purpose and is included within the 2003/04 revised budget.

**COMMENT**

A number of Clauses which need to be included in the Management License are:

- The rent will be a minimum 20% of turnover or an annual fee of \$25,000, whichever is the greater.
- The Licensee will accept function and event bookings in accordance with the categories agreed in the License and report to the City on a monthly basis.
- The Licensee will be able to conduct external catering, however, will be required to pay commercial rates for the use of the area when doing so.
- The Licensee will not be permitted to sublet the premises to a third party without Council knowledge and Council written authorization.

## **ATTACHMENTS**

Nil.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That the Joint Commissioners:**

- 1 NOTE the termination of the current lease by giving Spices Catering one calendar month's notice to vacate the premises;**
- 2 NOTE that the Administration is preparing a licence agreement between the City and R & R Food by Design to operate the Civic Function Centre for a period of 12 months.**



## **CJ108 - 05/04 CITY OF JOONDALUP, DRAFT EMERGENCY MANAGEMENT PLAN - MARCH 2004 – [33514]**

**WARD - All**

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### **PURPOSE**

The Draft Operational Emergency Management Plan is submitted to the Joint Commissioners for consideration and endorsement in order that the adopted document can be referred to the District Emergency Management Committee for endorsement in accordance with the requirements of the Emergency Management Policy Statement No: 7.

### **EXECUTIVE SUMMARY**

The Executive Management Team in November 2002 authorised a review of the initial Operational Emergency Management Plan. The Officers have completed the initial review and updating of the plan. The Draft document was forwarded to Local Emergency Management Committee (LEMC) for its meeting of 24 February 2004. The report now requires formal adoption by the Joint Commissioners.

*It is recommended that the Joint Commissioners ADOPT the Draft Operational Emergency Management Plan, March 2004 and refer the document to the District Emergency Management Committee.*

### **BACKGROUND**

At the ordinary meeting of Council in July 1999, the Joint Commissioners received a Report CJ262–07/99 Local Emergency Management Advisory Committee. The Report provided an overview of the City's responsibility in relation to Emergency Management arrangements within Policy Statement No. 7 and the requirement to prepare Local Emergency Plans for the community.

The initial Emergency Management Plan for the Cities of Joondalup and Wanneroo was prepared by the Western Australian Police in conjunction with the City's representatives and remained in draft form.

The Executive Management Team, at its meeting of 15 November 2002, endorsed a review of the Draft document, this review has been completed 'in house' over an extended period.

### **DETAILS**

Following the endorsement of Manager, Operation Services as the Representative to District Emergency Management Committee (DEMC) and the Coordinator Ranger Services for LEMC, officers have progressed to increase the City's profile in Emergency Management. Key officers in various business units have attended introductory training, both locally and interstate, funded by FESA.

Review of the City of Joondalup Draft Operational Emergency Management Plan (Attachment 1 refers) has provided the City with current contact information, a list of resources and a basic Recovery Plan for use should an emergency occur within its boundaries. The Emergency Management Plans require bi-annual review to ensure contact details remain appropriate.

Parallel to this review, the City of Wanneroo's Operational Emergency Management Plan has been updated to provide the equivalent information. Following adoption of the Operational Emergency Management Plan, it is proposed that officers progress with preparation of the Local Recovery Plan for the City of Joondalup in accordance with Emergency Management Policy Statement No. 7.

Emergency Management Plans are required for all major events and identified hazards. An inventory has been compiled of Emergency Management Plans held by the City. This information will continue to be researched and developed to improve the City's responsiveness to an emergency incident (Attachment 2 refers).

## ATTACHMENTS

- |              |  |
|--------------|--|
| Attachment 1 | Draft Operational Emergency Management Plan 2004 |
| Attachment 2 | Emergency Management Plans - Inventory           |

## VOTING REQUIREMENTS

Simply Majority

## RECOMMENDATION

**That the Joint Commissioners ADOPT the Draft Operational Emergency Management Plan, March 2004 forming Attachment 1 to Report CJ108-05/04 and refer the document to the District Emergency Management Committee.**

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf110504.pdf](#)*

**CJ109 - 05/04 TENDER NUMBER 030-03/04 JOONDALUP  
ADMINISTRATION CENTRE BUILDING –  
LIGHTING UPGRADE – [78555]**

**WARD** - Lakeside

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**PURPOSE**

To seek Council approval to decline to accept all tenders submitted for the Joondalup Administration Centre Building – Lighting Upgrade Tender Number 030-03/04.

**EXECUTIVE SUMMARY**

Tenders were advertised on 18 February 2004 through statewide public tender for the Joondalup Administration Centre Building – Lighting Upgrade. Tenders closed on 4 March 2004. Three submissions were received from: Exabit Pty Ltd Trading as Total Cabling Solutions, Maxilight Industries (WA) Pty Ltd and Suncourt Pty Ltd Trading as High Speed Electrics.

It is recommended that the Joint Commissioners:

- 1 *DECLINE to accept any tender received for the Joondalup Administration Centre Building – Lighting Upgrade Tender Number 030-03/04 under Part 4 Clause 18(5) of the Local Government (F&G) Regulations 1996;*
- 2 *RECALL tenders for the Joondalup Administration Centre Building – Lighting Upgrade.*

**BACKGROUND**

Over the past two years, the City has completed major project upgrades to the Administration Building to improve building occupancy conditions and reduce power consumption.

As part of this management strategy, an energy audit was undertaken by Consultants, Lincolne Scott, for the Administration Building, Library and Civic Chambers to identify potential energy savings.

This identified that the replacement of the existing light fittings within the Administration Building with high efficiency lights and reflections would generate savings of \$17,000 and a reduction in greenhouse gases.

With regard to the replacement of the existing lights with a more efficient fitting, funding of \$135,000 for this work was listed in the 2003/04 Capital Works Program.

## **DETAILS**

Under the City's Contract Management Framework, the tenders were assessed by the Evaluation Team using a weighted multi-criterion assessment system and AS 4121-1994 'code of ethics and procedures for the selection of consultants'.

Each member of the Evaluation Team assessed the Tender submissions individually against the selection criteria using the weightings determined during the tender planning phase. The Evaluation Team convened to submit and discuss their assessments, leading to a ranking of each submission in an order of merit.

The Selection Criteria for this tender was as follows:

### **Performance and Experience of Tenderer in providing similar services:**

- Relevant Industry Experience, including details of similar work undertaken. Tenderers shall submit a Detailed Schedule of Previous Experience on similar and/or relevant projects.
- Past Record of Performance and Achievement with a local government
- Past Record of Performance and Achievement with other clients
- Level of Understanding of tender documents and work required
- References from past and present clients

### **Levels of Service as determined by the Capability/Competence of Tenderer to perform the work required:**

- Company Structure
- Qualifications, Skills and Experience of Key Personnel
- Equipment and Staff Resources available
- Percentage of Operational Capacity represented by this work
- Compliance with tender requirements, insurances, licenses, site inspections etc
- Quality Systems
- Occupational Health and Safety Management System and Track Record
- Time required to Deliver/Complete contract
- Management Methodology
- Post Contract Services offered

### **Methodology:**

- Detail the procedures and process they intend to use to achieve the requirements of the Specification
- Provide an outline of the provisional works program Clear support for the consumer/administrator relationship

### **Beneficial Effects of Tender/Local Content:**

- The Potential Social and Economic Effect of the tender on the City of Joondalup community
- The Potential Social and Economic Effect of the tender on the West Australian community

- Infrastructure/Office/Staff/Suppliers/Sub-Contractors within the City of Joondalup
- Value Added items offered by tenderer
- Sustainability/Efficiency/Environmental

**Tendered Price/s:**

- The price to supply the specified goods or services, licensing, training
- Schedule of rates for additional goods or services, variations and disbursements
- Discounts, settlement terms

Clarification was sought from all tenderers to assist in the tender assessment process. Based on the clarification received from tenderers it was evident that none of the tenderers included all requirements in their lump sum prices. All three tenderers nominated the same supplier of the light fittings (Maxilight Industries (WA) Pty Ltd).

The tender called for a lump sum price to undertake the works but also required the tenderers to advise the number of light fittings included in their lump sum price. The number of light fittings included by tenderers was 765, 825 and 980. The tenderers were required to assess the number of light fittings required. A count of light fitting undertaken after the tender assessment revealed the actual number of light fittings required is 741.

In reviewing submissions a number of other minor anomalies with the technical specification were also revealed making a balanced assessment of the tenders difficult to achieve.

The technical specification will now be revised to include the number of light fittings and confirm requirements. Tenders will then be recalled.

**Statutory Provision:**

The statewide public tender was advertised, opened and evaluated in accordance with the *Local Government (F&G) Regulation 1996*. Advertising this tender also ensures compliance with the *Local Government (F&G) Regulation 1996*, where tenders are required to be publicly invited if the consideration under a contract is expected to be or worth more than \$50,000. The expected consideration for this contract is expected to exceed the Chief Executive Officer's Delegated Authority in relation to the acceptance of tenders to \$100,000.

**Policy 2.5.7 Purchasing Goods and Services**

The City's Policy on purchasing goods and services encourages local business in the purchasing and tendering process; of the tenders received, none of the Tenderers were located in Joondalup.

**Financial Implications:**

<b>Account No:</b>	Project 4176
<b>Budget Item:</b>	Joondalup Administration Centre Building - Lighting Upgrade
<b>Budget Amount:</b>	\$135,000

**COMMENT**

All tenders were assessed in accordance with *Regulation 18(4)* of the *Local Government (Functions & General) 1996*. As a balanced assessment was difficult to achieve and that the technical specification contained a number of anomalies it is recommended that all tenders be rejected. The technical specification will be revised and tenders recalled.

**ATTACHMENTS**

Nil.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That the Joint Commissioners:**

- 1      DECLINE to accept any tender received for the Joondalup Administration Centre Building – Lighting Upgrade Tender Number 030-03/04 under Part 4 Clause 18(5) of the Local Government (F&G) Regulations 1996;**
- 2      RECALL tenders for the Joondalup Administration Centre Building – Lighting Upgrade.**

**CJ110 - 05/04      BENBULLEN BOULEVARD, KINGSLEY – PETITION  
CONCERNING      EXCESSIVE      SPEED      AND  
ANTISOCIAL DRIVER BEHAVIOUR – [48457]**

**WARD -**    South

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**PURPOSE**

The purpose is to address the petitioners' concerns in relation to excessive speed and antisocial driver behaviour in Benbullen Boulevard, Kingsley.

**EXECUTIVE SUMMARY**

In July 29 2003 (C155-08/03 refers), a 55 signature petition from residents of Kingsley was presented to Council for consideration. The petitioners have requested that consideration be given to reducing antisocial behaviour and excessive vehicle speed along Benbullen Boulevard, Kingsley, thereby increasing the level of safety for all road users and improve the local amenity of the area.

Over the period 12 November 2003 to 31 March 2004 a total of five meetings were held with a residents working group to define the issues and then consider possible remedial treatments.

All residents in Benbullen Boulevard and the affected residents in the adjacent side streets were given a copy of the proposed traffic management concept and requested to comment.

There was strong support for the concept with some minor modifications which have now been incorporated and endorsed by the residents working group.

Accordingly this report recommends that the Joint Commissioners:

- 1      *LIST as part of the 2004/2005 budgetary considerations, the inclusion of the proposed traffic management treatment for Benbullen Boulevard (Attachment 2) into the Five Year Capital Works Program – Traffic Management – Local Road Traffic Management;*
- 2      *ADVISE the petitioners accordingly.*

**BACKGROUND**

On 29 July 2003 a 55 signature petition was presented to Council regarding traffic concerns in Benbullen Boulevard, Kingsley. At the Council Meeting of 9 September 2003 it was resolved that:

*“In response to the petition submitted to Council on 29 July 2003 regarding traffic concerns in Benbullen Boulevard, Kingsley, that the City of Joondalup as pilot project, consults with the residents of Benbullen Boulevard regarding suitable options to traffic manage this street. The City to include representatives from Main Roads WA and the WA Police Service in the consultation process.”*

The Motion was Put and Carried (7/6).

Subsequently a working group was formed, being drawn from residents in Benbullen Boulevard. A total of five meetings were held between 12 November 2003 and 31 March 2004. Representatives from the WA Police Service and Main Roads WA were requested to participate in the working group meetings. A representative from Main Roads WA attended the first meeting and the WA Police Service was unable to provide a representative due to other commitments.

The residents agreed on a concept traffic management via the following motion: *“That the working Group recommend for Benbullen Boulevard, the Traffic Treatment scheme Option 6 amended with the deletion of the traffic island west of Wandearah Way and the relocation of the traffic island east of Wandearah Way one metre westwards.”*

## DETAILS

Benbullen Boulevard is classified as an Access Road in the City’s Functional Road Hierarchy and it is approximately 700 metres in length running in an east – west orientation between Moolanda Boulevard and Goollelal Drive in the suburb of Kingsley. The annual average daily traffic volumes and 85 percentile vehicle speeds on Benbullen Boulevard are as follows:

LOCATION	Sept 2003		June 1991	
	Daily Volumes	85 <sup>th</sup> percentile speed	Daily Volumes	85 <sup>th</sup> percentile speed
East of Karamarra Pl	909	51km/hr		
West of Mooltunya Ct	782	55km/hr		
West of Nanda Cl			703	55km/hr

During the period 1 January 1999 to 31 December 2003 there was one reported crash associated with Benbullen Boulevard which occurred on Thursday 29 June 2000. This was at the intersection of Benbullen Boulevard and Moolanda Drive and was the result of a tyre blowout.

Following the decision of Council to undertake public consultation with the residents of Benbullen Boulevard, all the residents and landowners of Benbullen Boulevard were contacted in writing to seeking nominations to participate in a working group to review the issues, the available data and to consider the most appropriate course of action.

A total of 9 residents indicated a willingness to participate and the first meeting was held on Wednesday 12 November 2003 at 7:30PM. This first meeting included representatives from MRWA and City of Joondalup, in addition to the 9 residents. The WA Police Service were unable to attend due to other commitments



Following discussion at this meeting, the City of Joondalup undertook to prepare concept sketches of possible traffic management treatments to address the issues raised and to document the advantages and disadvantages of each.

These were considered at a further meeting where it was decided to refine one of the concepts as well as marking the location of the traffic management islands and kerb widening on the roadway for the residents to view and consider. In addition the concept plan, together with a questionnaire was distributed to all residents in Benbullen Boulevard as well as the affected residents in the side roads of Moolanda Boulevard, Wandearah Way, Nanda Close, Mooltunya Court and Goollelal Drive.

A total of 45 questionnaires were distributed, 21 replies were received (47% response) and a summary of the responses are shown at Attachment 1.

There was a clear indication of residents support for the concept as drawn. However, two issues were raised by residents for consideration. These were the reduction of the road widening at the intersections to reduce the impact on the adjacent verges and the relocation of the traffic island in Benbullen Boulevard closer to the eastern side of Wandearah Way, rather than being half way between Wandearah Way and Nanda Close, to better control traffic turning left out of Wandearah Way. These issues were considered by the residents' working group and it was agreed to include these changes.

The residents agreed on the traffic management concept plan via the following motion: *"That the working Group recommend for Benbullen Boulevard, the Traffic Treatment scheme Option 6 amended with the deletion of the traffic island west of Wandearah Way and the relocation of the traffic island east of Wandearah Way one metre westwards."* A copy of the agreed traffic management concept is shown at Attachment 2.

### **Financial Implications:**

The project budget is estimated at \$50,000 and can be listed for consideration as part of the 2004/2005 budget deliberations.

### **Consultation:**

A residents' working group was formed to develop and consider the traffic management concept and a total of 5 meetings were held.

All residents in Benbullen Boulevard and those impacted in the adjacent side streets were given a copy of the traffic management concept plan and were requested to complete a questionnaire indicating their support or concerns regarding the concept.

A series of on site meetings with individual residents was undertaken to discuss issues and concerns.

### **COMMENT**

The final traffic management scheme outcome for Benbullen Boulevard are based on being acceptable to the local community, while also satisfying the criteria of improving safety of all road users and improving amenity for local residents.

## ATTACHMENTS

Attachment 1	Questionnaire Response Summary
Attachment 2	Traffic Management Concept Plan.

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

### That the Joint Commissioners:

- 1 LIST as part of the 2004/2005 budgetary considerations, the inclusion of the proposed traffic management treatment for Benbullen Boulevard shown as Attachment 2 to Report CJ110-05/04 into the Five Year Capital Works Program – Traffic Management – Local Road Traffic Management;**
- 2 ADVISE the petitioners accordingly.**

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf110504.pdf](#)*

*V:\DD\04reports\may18\Benbullen Boulevard, Kingsley - Petition Concerning Excessive Speed and Antisocial Driver Behaviour.doc*

Cmr Fox stated her intention to declare an interest that may affect her impartiality in Item CJ111-05/04 – Bahama Close, Sorrento – Upgrade to Drainage Infrastructure as her daughter attends Sacred Heart College.

## **CJ111 - 05/04      BAHAMA CLOSE, SORRENTO - UPGRADE TO DRAINAGE INFRASTRUCTURE – [06044] [14132]**

**WARD -** South Coastal

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### **PURPOSE**

To obtain approval to enter into an agreement with Sacred Heart College for the construction of a drainage pipe through its property, to approve payment of compensation to Sacred Heart College for this, and to approve the use of funds from Project 6564 - Yellagonga Regional Park Stormwater Drainage Outfall Upgrade to expedite the required drainage modifications in Bahama Close, Sorrento.

### **EXECUTIVE SUMMARY**

After a significant storm in June 2003 the stone pitched embankment at the end of Bahama Close, Sorrento was damaged by stormwater overflowing from the road, over the embankment and into the adjacent Sacred Heart College property. The existing pipe system was unable to cope with the intensity of the storm.

The existing drainage pipe is located within an easement along the southern boundary of 12 Bahama Close and discharges into a drainage sump at the rear of the property. Due to the proximity of the house and a retaining wall situated along the southern boundary of the property, it would be extremely difficult to upgrade the existing pipe without risking damage to the house. As an alternative, it is proposed to realign the pipe through the adjacent Sacred Heart College.

The City's Officers have negotiated a preferred solution with Sacred Heart College that would allow the City to construct a new pipe through its property provided reasonable compensation was paid for the required drainage easement. The value of the land required for the easement was recently determined by the Valuer General's Office to be \$10,000, an amount found acceptable to Sacred Heart College.

With the impending winter rains it is considered a matter of urgency that the drainage modifications be undertaken as soon as possible to avoid further damage to the stone pitched embankment and reduce the City's exposure to any further public liability risks.

*It is recommended that the Joint Commissioners BY AN ABSOLUTE MAJORITY*

- 1      APPROVE the use of funds in Project 6564 – Yellagonga Regional Park Drainage Outfall Upgrade to expedite the construction of drainage modifications in Bahama Close, Sorrento as part of the 2003/04 Capital Works Program;*

- 2 *LIST as a high priority for the 2004/05 Budget an additional amount of \$120,000 in order that the deferred works associated with Project 6564 – Yellagonga Regional Park Drainage Outfall Upgrade can be undertaken;*
- 3 *APPROVE the payment of \$10,000 to Sacred Heart College as compensation for the proposed drainage easement.*

## **BACKGROUND**

In June 2003 a significant storm was experienced in Perth that resulted in the capacity of the drainage system in Bahama Close being exceeded and causing damage to the stone pitched embankment located within Sacred Heart College. The stone pitched embankment was damaged by stormwater overflowing from the road, over the embankment and into the adjacent Sacred Heart College property. The existing pipe system was unable to cope with the intensity of the storm.

The existing drainage pipe is located within an easement along the southern boundary of 12 Bahama Close and discharges into a drainage sump at the rear of the property. This is shown in Attachment 1. Due to the proximity of the house and the retaining wall situated along the southern boundary of the property, it was considered too difficult to upgrade the existing pipe on its current alignment without risking damage to the house. As an alternative, it is proposed to realign the pipe through the adjacent Sacred Heart College.

Whilst a proposal to realign the pipe through Sacred Heart College was previously rejected by the College's Board, the recent damage to the embankment, and the realisation that the City had limited options available to resolve the matter, prompted the Board to review its position.

Since June 2003 the City's Officers have been liaising with Sacred Heart College in order to negotiate a mutually acceptable resolution. As a result of these negotiations, and subject to the approval of the Commissioners, it is proposed that:

- (a) the cost of relocating the pipe be borne by the City;
- (b) the City compensate Sacred Heart College for the required easement based on an independent valuation;
- (c) the City repair that part of the embankment affected by the construction of the new pipe, with the balance being the responsibility of Sacred Heart College.

A value of \$10,000 was recently determined by the Valuer General's Office as reasonable compensation for the drainage easement, based on its determination of the diminution in the utility of the land. In correspondence dated 20 April 2004 Sacred Heart College granted approval for the City to enter its land to undertake the works and advised that the compensation offered was acceptable.

**Timing of works:**

With the impending winter rains it is considered a matter of urgency that the drainage modifications be undertaken as soon as possible to avoid further damage to the stone pitched embankment and reduce the City's exposure to any further public liability risk.

The nature of the works will require that it be outsourced, necessitating a tender process and the consequent delays associated with this. It would therefore be advantageous if funds could be accessed from the current Budget to allow the tender process to proceed as soon as possible and lead to an earlier commencement of construction.

**Statutory Provision:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

An item has been included in the Draft 2004/05 Capital Works Budget for the required drainage works in Bahama Close, however, in view of the urgency in completing the works in Bahama Close it is proposed that it be funded from Project 6564 - Yellagonga Regional Park Stormwater Drainage Outfall Upgrade, currently listed in the 2003/04 Capital Works Program. It is considered that the outfall upgrade works could be deferred until the 2004/05 Budget.

It is estimated that the drainage works will cost in the order \$100,000, however, the actual cost will be subject to the tender process.

<b>Account No:</b>	6564
<b>Budget Item:</b>	Yellagonga Regional Park – Stormwater Drainage Outfall Upgrade
<b>Budget Amount:</b>	\$ 120,000
<b>YTD Amount:</b>	\$ Nil
<b>Actual Cost:</b>	\$

**Strategic Implications:**

Nil

**Sustainability Implications:**

Nil

**ATTACHMENTS**

Attachment 1 Bahama Close, Sorrento Proposed Drainage Modifications

## VOTING REQUIREMENTS

Absolute Majority

## RECOMMENDATION

**That the Joint Commissioners BY AN ABSOLUTE MAJORITY:**

- 1 APPROVE the use of funds in Project 6564 – Yellagonga Regional Park Drainage Outfall Upgrade to expedite the construction of drainage modifications in Bahama Close, Sorrento as part of the 2003/04 Capital Works Program;**
- 2 LIST as a high priority for the 2004/05 Budget an additional amount of \$120,000 in order that the deferred works associated with Project 6564 – Yellagonga Regional Park Drainage Outfall Upgrade can be undertaken;**
- 3 APPROVE the payment of \$10,000 to Sacred Heart College as compensation for the proposed drainage easement.**

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf110504.pdf](#)*

*V:\DD\04reports\may18\Bahama Close, Sorrento - Upgrade to Drainage.doc*

**CJ112 - 05/04 DELEGATED AUTHORITY REPORT FOR THE MONTH OF MARCH 2004 – [07032]****WARD - All**

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**EXECUTIVE SUMMARY**

This report provides a resumé of the Development Applications processed by Delegated Authority during March 2004 (see Attachments 1).

The total number of Development Applications determined (including Council and delegated decisions) is as follows:

<b>Month</b>	<b>No</b>	<b>Value (\$)</b>
March 2004	67	7,110,213

The total number of Development Approvals received for March was 61, an increase from 52 for February 2004.

**ATTACHMENTS**

Attachment 1          March Approvals

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That the Joint Commissioners NOTE the determinations made under Delegated Authority in relation to the applications described in Report CJ112-05/04.**

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf110504.pdf](#)*

## CJ113 - 05/04 APPOINTMENT OF MEMBERS TO THE JOONDALUP YOUTH ADVISORY COUNCIL – [[38245]]

WARD - All

### PURPOSE

The purpose of this report is to present the proposed membership of the Joondalup Youth Advisory Council (YAC) for endorsement by the Commissioners of the City of Joondalup.

### EXECUTIVE SUMMARY

This report is intended to complete the selection process for the Joondalup Youth Advisory Council in 2004. Report CJ 337 –12/02 on 17 December 2002 recommended that the membership of the Joondalup Youth Advisory Council be twenty young people. This report presents eighteen young representatives from throughout the City for appointment by Commissioners. This is two less than required. It is envisaged that the remaining two places on the Youth Advisory Council will be filled in the near future.

These representatives have been selected following a nomination process. The details of this selection process are outlined later in this report. The recommendation presented for the consideration of the Commissioners of the City of Joondalup is:

*It is recommended that the Joint Commissioners:*

- 1 *BY AN ABSOLUTE MAJORITY, APPOINT the following nominees as members of the Joondalup Youth Advisory Council:*

<i>Existing Members</i>	<i>New Members</i>
1 <i>Enid Chua</i>	7 <i>Dearne Kinsella</i>
2 <i>Jessica Harlond-Kenny</i>	8 <i>Silke Losch</i>
3 <i>Lauren Hicks</i>	9 <i>Blade Shaw</i>
4 <i>Siobhan Daly</i>	10 <i>Nour Huneidi</i>
5 <i>Kate Maasen</i>	11 <i>Katriese Dalgety</i>
6 <i>Astrid Lee</i>	12 <i>Rowan Ziegler</i>
	13 <i>Amy Kauler</i>
	14 <i>Claire Hand</i>
	15 <i>Jakara Enders</i>
	16 <i>Ryan Hinds</i>
	17 <i>Lauren Carr</i>
	18 <i>Sarah Flatters</i>
	19 <i>Vacant</i>
	20 <i>Vacant</i>

- 2 *Appropriately ACKNOWLEDGE all nominees who nominated for membership of the 2004 Joondalup Youth Advisory Council.*



## **BACKGROUND**

The Youth Advisory Council program began in 1999 with the formation of two Youth Advisory Councils. This arrangement continued until 2002.

During the course of 2002, significant discussion arose within the Youth Advisory Councils regarding the feasibility of amalgamating the two Youth Advisory Councils. This discussion was formalised at the joint meeting of the two Youth Advisory Councils held on Wednesday 20 November 2002, where the proposal was supported in principle. A similar supportive recommendation from the Youth Affairs Advisory Committee followed on 6 November 2002. A report was written and presented to Council on 17 December 2002.

At the meeting of 17 December 2002, the elected members of the City of Joondalup moved BY AN ABSOLUTE MAJORITY that the City of Joondalup:

- 1 DISBANDS the Youth Advisory Council – Joondalup North;
- 2 DISBANDS the Youth Advisory Council – Joondalup South;
- 3 ESTABLISHES the Joondalup Youth Advisory Council to advise Council on any issues of importance to the youth population of the City of Joondalup;
- 4 CALLS for nominations for twenty (20) positions on the Joondalup Youth Advisory Council;
- 5 SETS the quorum of the Joondalup Youth Advisory Council at 10 members;
- 6 ENDORSES the revised Terms of Reference for the Joondalup Youth Advisory Council that forms Attachment 1 to Report CJ337-12/02.

Following this decision, a nomination and selection process was completed and a full complement of twenty young representatives was selected. These representatives were presented in Report CJ022 – 02/03 for appointment by the elected members of the City of Joondalup at their meeting on the 18 February 2003.

Following their appointment, members attended an Orientation Weekend and met formally for the first time on the 2 April 2003.

Following this meeting and due to a number of factors, the attendance at Youth Advisory Council meetings steadily diminished during the course of 2003. While a core group of enthusiastic and committed young people persisted through this situation, it resulted in a failure to meet quorum in the majority of Youth Advisory Council meetings in 2003. Despite this situation, informal meetings were conducted that were very productive for the remaining core group of members. In an effort to replenish the membership of the Youth Advisory Council, nominations were requested in February 2004.

### **Recruitment Process**

The advertising period occurred between 16 February and 18 March 2004 and involved the promotion and distribution of information in the following places:

- Local High schools
- Universities and TAFEs
- Local Youth focused organisations
- Advertisements in local paper.

Nominations closed on 18 March 2004 at which point, thirteen applications were received. The tenure of the current membership was examined and it was determined that fourteen vacancies were available on the Youth Advisory Council in 2004.

Due to the fact that, despite extensive promotions, insufficient nominations to fill the Youth Advisory Council were received, a selection process was not conducted. As a result all applicants were offered positions unopposed (pending formal appointment by the Commissioners of the City of Joondalup) assuming that they met the age and residency criteria. This was not the case for one applicant who is of primary school age and was therefore discounted due to his age.

It is intended that council officers will actively seek to fill the existing vacancies on the Youth Advisory Council and to develop a waiting list to fill any vacancies that may arise in the course of 2004.

This list of nominees was added to the current membership of the Youth Advisory Council and submitted for appointment by Council. Further details of the proposed composition of the Youth Advisory Council are listed under the “Details” subheading of this report.

In previous years, new members have attended an orientation weekend at the beginning of their term. This program has been met with a positive response from the young people on the Youth Advisory Council in previous years. This program is, however resource intensive and it is felt that this resource may be used more effectively as a Training/ Planning Camp for the Youth Advisory Council midway through year. At that point, the members will have a clearer picture of their role on the Youth Advisory Council and the weekend should prove more effective. It will also provide a valuable incentive to members

An Orientation Day will be conducted with the members in May and their first formal meeting is scheduled for 19 May 2004.

## DETAILS

The proposed membership of the Joondalup Youth Advisory Council is listed in Table 1 below.

**Table 1**

<b>Existing Members</b>		<b>New Members</b>	
1	Enid Chua	7	Dearne Kinsella
2	Jessica Harlond-Kenny	8	Silke Losch
3	Lauren Hicks	9	Blade Shaw
4	Siobhan Daly	10	Nour Huneidi
5	Kate Maasen	11	Katriese Dalgety
6	Astrid Lee	12	Rowan Ziegler
		13	Amy Kauler
		14	Claire Hand
		15	Jakara Enders
		16	Ryan Hinds
		17	Lauren Carr
		18	Sarah Flatters
		19	Vacant
		20	Vacant

### Suburb of Residence

Member	Suburb of Residence	Expiry of Term
Astrid Lee	KINGSLEY	2005
Lauren Hicks	CURRAMBINE	2005
Enid Chua	KINGSLEY	2005
Jessica Harlond Kenny	SORRENTO	2005
Kate Maassen	KALLAROO	2005
Siobhan Daly	CURRAMBINE	2005
Dearne Kinsella	MULLALOO	2006
Silke Losch	OCEAN REEF	2006
Blade Shaw	DUNCRAIG	2006
Nour Huneidi	KINROSS	2006
Katriese Dalgety	KINGSLEY	2006
Rowan Ziegler	KINGSLEY	2006
Amy Kauler	EDGEWATER	2006
Claire Hand	JOONDALUP	2006
Jakara Enders	WOODVALE	2006
Ryan Hinds	GREENWOOD	2006
Lauren Carr	PADBURY	2006
Sarah Flatters	CONNOLLY	2006

### Tenure

In keeping with the Terms of Reference endorsed by Council on 17 December 2002 as a part of Report CJ 337 –12/02, all current members will serve the remaining (1) one year of their two-year term. The tenure of the new members will be (2) two years in accordance with the Youth Advisory Council's Terms of Reference. All members will have the option to apply for a second two-year term on the Youth Advisory Council when their terms have expired.

### COMMENT

The past twelve months have represented a frustrating year for the Youth Advisory Council. Following the promotional campaign resulting in an oversupply of applications, an ideal selection process and an excellent orientation weekend, attendance at YAC meetings began falling away immediately. The reasons for this occurrence were difficult to explain and led to an inability to reach quorum in many meetings. This inhibited the committees' ability to make group decisions and act in an advisory capacity to the City of Joondalup.

It is important to note however, that despite the declining attendance during the previous year, a core group of YAC members has remained committed to the Youth Advisory Council and have worked diligently in their role. The majority of this group will remain as Youth Advisory Councillors for this year and will provide valuable guidance, experience and support to new members. In addition, a number of ex-members have expressed a wish to remain involved in the YAC in a supportive "mentoring" capacity, which will be very valuable.

This report presents a number of new candidates for appointment to the Youth Advisory Council. As a group they represent a mix of suburbs, gender, ages and cultural backgrounds and their involvement should ensure a higher level of attendance at meetings in the future. There are many exciting and important opportunities that the YAC can contribute to within the City at the moment. As a result, it is hoped that a cohesive, enthusiastic and committed council can be developed that will fulfill its role as an advisory body to the Council on matters of importance to the young people of the City of Joondalup.

## ATTACHMENTS

Nil

## VOTING REQUIREMENTS

Absolute Majority

## RECOMMENDATION

**That the Joint Commissioners:**

- 1 BY AN ABSOLUTE MAJORITY, APPOINT the following nominees as members of the Joondalup Youth Advisory Council:**

<b>Existing Members</b>	<b>New Members</b>
<b>1 Enid Chua</b>	<b>7 Dearne Kinsella</b>
<b>2 Jessica Harlond-Kenny</b>	<b>8 Silke Losch</b>
<b>3 Lauren Hicks</b>	<b>9 Blade Shaw</b>
<b>4 Siobhan Daly</b>	<b>10 Nour Huneidi</b>
<b>5 Kate Maasen</b>	<b>11 Katriese Dalgety</b>
<b>6 Astrid Lee</b>	<b>12 Rowan Ziegler</b>
	<b>13 Amy Kauler</b>
	<b>14 Claire Hand</b>
	<b>15 Jakara Enders</b>
	<b>16 Ryan Hinds</b>
	<b>17 Lauren Carr</b>
	<b>18 Sarah Flatters</b>
	<b>19 Vacant</b>
	<b>20 Vacant</b>

- 2 appropriately ACKNOWLEDGE all nominees who nominated for membership of the Joondalup Youth Advisory Council.**

## **CJ114 - 05/04 COMMUNITY FUNDING PROGRAM 2003-2004 GRANTS ALLOCATIONS - SECOND FUNDING ROUND – [23542] [24542]**

**WARD - All**

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### **PURPOSE**

The purpose of this report is to provide information and make recommendations on the provision of Community Funding Program grants for the 2003/2004 financial year in accordance with the Community Funding Program's policy and guidelines.

### **EXECUTIVE SUMMARY**

The City's Community Funding Program came into operation on 1 July 1999. The Program has been developed to provide financial assistance to not-for-profit and other eligible organisations. It is intended that support be offered to a range of community development initiatives consistent with the City's strategic objectives.

Funding of \$22,000 is available annually in each of the Sport and Recreation Development, Community Services and Cultural and the Arts Developments Funds, and \$30,000 in the Sustainable Development Fund.

Funds will assist organisations and community groups to conduct projects, events and activities in the areas of community services provision, sport and recreation development, sustainable development and culture and the arts development.

This is the fifth consecutive financial year in which the Community Funding Program has been administered. The Program was first introduced in July 1999. If the recommendations in this report are adopted by Council this would mean that, to date, Council has allocated a total of 243 grants through the Program to organisations and community groups in the City of Joondalup to the value of \$489,164.

*It is recommended that the Joint Commissioners:*

- 1 APPROVE the grants recommended for approval under the City of Joondalup's Community Funding Program's second funding round for the financial year 2003/2004 as outlined in Attachment 1 to this report;*
- 2 BY AN ABSOLUTE MAJORITY APPROVE the reallocation of \$1,170.18 from the Culture and the Arts Development Fund (1.4430.4402.0001.A011) and \$8,365.27 from the Sport and Recreation Development Fund (1.4530.4420.0001.9999) to the Community Services Fund (1.4410.4402.0001.9999)*
- 3 ACKNOWLEDGE and thank those members of the community who participated on the assessment panels.*

## BACKGROUND

The overall objective of the Community Funding Program is to provide a framework for the provision of targeted funding, which meets Council's strategic objectives in facilitating community development, in partnership with the community. Overall, the Community Funding Program aims to support the strategic objectives of the City in the areas of sport and recreation development, culture and arts development, economic development, environment development and provision of community services.

Eligible projects, events and activities include:

- Capital projects and items;
- One-off projects, activities or events;
- Seeding grants for projects, activities or events that can demonstrate independent viability after an appropriate period;
- Projects, activities or events where all other potential sources of funding have been exhausted or are not available.

Council will not fund the following:

- Deficit funding – for organisations which are experiencing a shortfall in cash revenue or anticipated revenue;
- Recurrent salaries and recurrent operational costs;
- Proposals where alternative sources of funding are available;
- More than one request for funding in any financial year;
- Individuals, unless they are sponsored by an eligible organisation and are residents of the City;
- Government or quasi-government agencies, with the exception of schools;
- Projects considered part of a school's normal curriculum;
- For profit organisations.

The program has four major fund categories as follows:

- Community Services Fund
- Culture and the Arts Development Fund (*applications not sought in the second round 2003/04 due to majority of funds being allocated in the first round 2003/04*)
- Sustainable Development Fund
- Sport and Recreation Development Fund

Each of these fund categories has its own specific strategic objectives. In accordance with the Community Funding Policy, guidelines specific to each fund have been developed for the current financial year.

The program provides the framework for various common funding guidelines, eligibility criteria and accountability requirements that have been applied across the organisation to assess all applications for funding under the program. Applications are assessed against the following criteria:

- All eligibility criteria for funding are met;
- The application supports the mission statement, values and strategic direction of Council;
- The application addresses the funding objectives and identified priorities of the relevant fund category;
- Value for money;
- Demonstrated need;
- Community support either in cash or kind;
- Appropriate accountability processes being in place;
- Inclusion of all relevant documentation; and
- Compliance with Council's Community Funding Program Policy and Guidelines.

The Community Funding Program Guidelines for 2003/2004 and Policy 4.1.1 - Community Funding are included as Attachments 2 and 3. The objectives and funding priorities for each fund category for the 2003/2004 financial year are detailed in these attachments.

## **DETAILS**

The Community Funding Program was advertised locally on 29 January and 5 February 2004 in the local newspapers. The closing date for applications was 18 March 2004.

An information package, which contained the Community Funding Program guidelines and application forms, was posted or emailed to organisations and community groups on request. The information package was also available electronically via the City's Website.

A Community Funding Program workshop was conducted on 3 March 2004. A number of one to one meetings were also held between Council officers and representatives from various organisations and community groups who had expressed an interest in receiving assistance to complete the application forms or obtain additional information about the program.

Each application received was assessed against the generic eligibility and assessment criteria together with the specific funding objectives and priorities for the 2003/2004 financial year, as contained in the Community Funding Program guidelines.

The assessment process for the various funds is undertaken by panels which include community representatives who have the skills and knowledge to represent the interests of a range of community groups. For the second round of funding the Sport and Recreation and Community Services panel were amalgamated.

### **Community Services Fund and Sport and Recreation Fund Assessment Panel**

Alistair Edwards	Department of Sport and Recreation
Barry Gibson	Edith Cowan University
Andrew Hall	Executive Director Joondalup Youth Support Services
Lucy Morris	Executive Director Community Vision Inc
Julie Eaton	Coordinator Community Services
Kristy Strange	Recreation Officer
Yvette Peterson	Community Development Officer

### Sustainable Development Fund Assessment Panel

Will Carstairs	Sustainability Advisory Committee
Vincent Cusack	Sustainability Advisory Committee
Sandi Evans	Team Leader, Sustainable Development
Keith Armstrong	Conservation Officer

Applications from the following 17 organisations have been recommended for funding:

Australian Asian Association	Sacred Heart College
Joondalup Kinross Junior Football Club	St Vincent de Paul Society
Joondalup Netball Association	Te Rangatahi Maori Club
Lions Club of Ocean Reef	Whitfords Little Athletics Club
Malubillai Wildlife Carers Network Inc	Whitfords Senior Citizens Club
Mullaloo Heights Primary School	Women's Healthworks
Mullaloo Surf Life Saving Club	Woodvale Junior Hockey Club
Padbury Primary School	Woodvale Senior High School
Rotary Club of Whitfords	

The following chart provides a profile of the number of applications processed:

	Applications Received	Applications Received for Funding ≤\$2,500	Applications Received for Funding >\$2,500	Applications Recommended for Full or Partial Funding
Community Services Fund	22	13	9	8
Sport & Recreation Development Fund	17	12	5	6
Sustainable Development Fund	3	1	2	3
<b>TOTAL</b>	<b>42</b>	<b>26</b>	<b>16</b>	<b>17</b>

### Financial Implications:

In the first round of funding in the 2003/2004 financial year a total of \$63,097.25 was distributed to 26 community organisations. There is a total of \$38,399.14 available for distribution in the second funding round.

Each year the Joondalup Festival coincides with the second funding round of the Community Funding Program. Due to the considerable strain the Festival places on staffing resources within the Cultural Development Unit, a decision was made not to seek applications for the Culture and the Arts Development Fund in the second round in 2003/04. Consequently, the majority of budgeted funds for the Culture and the Arts Development Fund were allocated in the first funding round of 2003/2004.



Attachment 1 to this report includes a full listing of all applications received and applications recommended for full or partial funding. A number of applications have been recommended for approval subject to the applicants agreeing to meet certain conditions of funding.

The total funding recommended for the second funding round is:

	<u>Including GST</u>	<u>Excluding GST</u>
Community Services	\$12,090.00	\$11,399.09
Sport and Recreation	\$7,800.00	\$7,536.36
Sustainable Development	<u>\$10,989.36</u>	<u>\$9,990.33</u>
	\$30,879.36	\$28,925.78

To ensure funds are allocated from the appropriate funding category accounts, approval is sought to reallocate \$1,170.18 from the Culture and the Arts Development Fund (1.4430.4402.0001.A011) and \$8,365.27 from the Sport and Recreation Development Fund (1.4530.4420.0001.9999) to the Community Services Fund (1.4410.4402.0001.9999).

All funds recommended for allocation are inclusive of GST. Attachment 1 to this report also includes a column for the amount of funding recommended exclusive of GST. The inclusion of this column reflects the true cost to the City, as the GST component of grants awarded to organisations which are registered for GST with the Australian Taxation Office (ATO) are able to be reclaimed from the ATO by the City.

The following chart shows a profile of the funding arrangements for each fund category:

	<b>Balance of Funds available in 2003/2004 Financial Year</b>	<b>Funding Requested Including GST</b>	<b>Funding Recommended Including GST (Excluding GST)</b>	<b>Balance of Funds Remaining</b>
Community Services Fund 1 4410 4420 0001 9999	\$1,863.64	\$86,870.00	\$12,090.00 (\$11,399.09)	-\$9,535.45
Culture & the Arts Development Fund 1 4430 4420 0001 A011	\$1,170.18	\$0	\$0	\$1,170.18
Sport & Recreation Development Fund 1 4530 4420 0001 9999	\$15,907.05	\$47,411.00	\$7,800.00 (\$7,536.36)	\$8,370.69
Sustainable Development Fund 1 2130 4420 0001 9999	\$19,457.27	\$10,989.36	\$10,989.36 (\$9990.33)	\$9,466.94
	<b>\$38,399.14</b>	<b>\$145,270.36</b>	<b>\$30,879.36 (\$28,925.78)</b>	<b>\$9,472.36</b>

**NB:** *The balance of remaining funds has occurred as a result of money not being expended by the Sustainable Development Fund. The Culture and Arts Development, Community Services and Sport and Recreation Development funds were expended within \$6.00.*

## COMMENT

In accordance with the provisions of the Community Funding Policy and Guidelines, all applicants will be advised as to the outcomes of their applications. Successful applicants will be required to enter into contractual agreements with the City for funds allocated under the Community Funding Program and the City will register the grants allocated. Successful applicants are also required to suitably acknowledge the financial support provided by the City. The nature of such acknowledgement will be negotiated with each successful applicant as part of the process of drafting the required funding agreements.

The Community Funding Policy provides that decisions regarding funding applications are final and will not be reconsidered during the financial year in which the application is made.

Should the recommendations in this report be adopted by Council, it will mean that since the introduction of the City's Community Funding Program a total of 243 grants have been allocated by the City under this program to organisations and community groups with a total value of \$489,164 as follows:

1999/2000	41 organisations	\$62,638
2000/2001	61 organisations	\$130,876
2001/2002	53 organisations	\$92,806
2002/2003	45 organisations	\$108,868
2003/2004	43 organisations	\$93,976

The assistance and advice provided by members of the community who voluntarily participated on the various assessment panels has been invaluable. It is recommended that their contributions be acknowledged by Council.

## ATTACHMENTS

Attachment 1	Assessment Panel Recommendations
Attachment 2	Community Funding Program Guidelines 2 <sup>nd</sup> Round 2003/04
Attachment 3	Policy 4.1.1 - Community Funding

## VOTING REQUIREMENTS

Absolute Majority

**RECOMMENDATION****That the Joint Commissioners:**

- 1 APPROVE the grants recommended for approval under the City of Joondalup's Community Funding Program's second funding round for the financial year 2003/2004 as outlined in Attachment 1 to Report CJ114-05/04;**
- 2 BY AN ABSOLUTE MAJORITY APPROVE the reallocation of \$1,170.18 from the Culture and the Arts Development Fund (1.4430.4402.0001.A011) and \$8,365.27 from the Sport and Recreation Development Fund (1.4530.4420.0001.9999) to the Community Services Fund (1.4410.4402.0001.9999);**
- 3 ACKNOWLEDGE and THANK those members of the community who participated on the assessment panels.**

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf110504.pdf](#)*

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**9 REPORT OF THE ACTING 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, 8 JUNE 2004** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

**12 CLOSURE**

**DECLARATION OF INTEREST FORM, CLICK HERE: [dec interest march 2004.pdf](#)**



**QUESTION TO BRIEFING SESSION/ COUNCIL MEETING**

**NAME** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

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**QUESTIONS**

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Please submit this form at the meeting or post to:

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

**NOTE:** Questions must relate to the ordinary business of the City of Joondalup or the purpose of the special meeting.

**FOR SEATING PLAN OF THE COUNCIL CHAMBER, CLICK HERE: [seatplan cmrs 2004.pdf](#)**

**9 REPORT OF THE ACTING CHIEF EXECUTIVE OFFICER ..... 72**