



**MINUTES OF COUNCIL MEETING  
HELD ON 17 MAY 2005**

**TABLE OF CONTENTS**

<b>No:</b>	<b>Item</b>	<b>Page</b>
	<b>OPEN AND WELCOME</b>	1
	<b>ATTENDANCES</b>	1
	<b>PUBLIC QUESTION TIME</b>	2
	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	14
	<b>DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY</b>	14
	<b>CONFIRMATION OF MINUTES</b>	
C24-05/05	MINUTES OF COUNCIL MEETING, 26 APRIL 2005	15
	<b>ANNOUNCEMENTS BY THE DEPUTY CHAIRMAN WITHOUT DISCUSSION</b>	
	ABORIGINAL HERITAGE .....	15
	MILESTONE 4.....	16
	<b>PETITIONS</b>	
C25-05/05	PETITION IN RELATION TO TRAFFIC ISSUES, ARISTRIDE AVENUE, KALLAROO - [00489] .....	16
	PETITION REQUESTING ENHANCEMENT OF PUBLIC OPEN SPACE AREA, LAKESIDE DRIVE, JOONDALUP - [50165].....	16
	PETITION REQUESTING CONSTRUCTION OF A SKATE PARK, OCEAN REEF - [08096].....	17
	<b>REPORTS</b>	
CJ083 - 05/05	SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL [15876] .....	17
CJ084 - 05/05	REVIEW OF WARD BOUNDARIES AND ELECTED MEMBER REPRESENTATION – [16878].....	20
CJ085 - 05/05	QUARTERLY PROGRESS REPORT AGAINST ANNUAL PLAN 2004/05 – [20560].....	24
CJ086 - 05/05	STRATEGIC FINANCIAL PLAN 2005/06 - 2008/09 – [38432].....	27
CJ087 - 05/05	MINUTES OF THE STRATEGIC FINANCIAL MANAGEMENT COMMITTEE - [51567] [14528] [80566].....	31
CJ088 - 05/05	OCEAN REEF ROAD EXTENSION - REQUEST FOR REMOVAL OF EXISTING CARPARK – [07131].....	34
CJ089 - 05/05	DOLLIS WAY, KINGSLEY - TRAFFIC MANAGEMENT ASSESSMENT AND FOOTPATH REQUEST – [58107] .....	43

CJ090 - 05/05	TENDER NUMBER 043-04/05 SUPPLY AND APPLICATION OF BULK FERTILISER – [27570].....	48
CJ091 - 05/05	TENDER NUMBER 033-04/05 SUPPLY AND LAYING OF ASPHALT – [53568].....	52
CJ092 - 05/05	EDUCATIONAL ESTABLISHMENT - HEALTH & WELLNESS BUILDING (EDITH COWAN UNIVERSITY) ON LOT 50 (270) JOONDALUP DRIVE, JOONDALUP – [05802].....	57
CJ093 - 05/05	PUBLIC PURPOSES (SPECIAL USE) – TWO NEW 10 BED DORMITORIES, A LEADERS ACCOMMODATION BUILDING, A NEW MEETING HALL, A NEW GENERAL OFFICE BUILDING, ADDITIONS TO EXISTING BUILDINGS AND INFRASTRUCTURE ADDITIONS (ERN HALLIDAY RECREATION CAMP) ON RESERVE 23563 (140) WHITFORDS AVENUE, HILLARYS – [28414].....	71
CJ094 - 05/05	DELEGATED AUTHORITY REPORT FOR THE MONTH OF MARCH 2005 – [07032].....	79
CJ095 - 05/05	COMMUNITY FUNDING PROGRAM 2004-2005 GRANTS ALLOCATIONS - SECOND FUNDING ROUND – [74563] [75563].....	82
CJ096 - 05/05	MINUTES OF THE NORTH METROPOLITAN REGIONAL RECREATION ADVISORY COMMITTEE HELD ON THE 24 FEBRUARY 2005 – [15142].....	89
CJ097 - 05/05	MIDGE MANAGEMENT STRATEGY PARTNERSHIP AGREEMENT – [03171].....	94
CJ098 - 05/05	STATE ADMINISTRATIVE TRIBUNAL APPEAL NO 67 OF 2005: LEWIS TIMMS VS CITY OF JOONDALUP – MEDICAL CENTRE EXTENSION: LOT 715 (110) FLINDERS AVENUE, HILLARYS – [04412].....	100
	<b>REPORT OF THE CHIEF EXECUTIVE OFFICER</b>	
CJ099-05/05	SPECIAL MEETING OF ELECTORS HELD ON 2 MAY 2005 - [85558] [75029] [38221].....	101
	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	105
	<b>DATE OF NEXT MEETING</b> .....	105
	<b>CLOSURE</b> .....	106

# CITY OF JOONDALUP

## MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY, 17 MAY 2005

### OPEN AND WELCOME

The Chairman declared the meeting open at 1900 hrs.

### ATTENDANCES

CMR J PATERSON - Chairman  
CMR P CLOUGH – Deputy Chairman  
CMR M ANDERSON  
CMR S SMITH  
CMR A FOX

### Officers:

Chief Executive Officer	G HUNT
Director, Planning & Community Development:	C HIGHAM
Director, Corporate Services and Resource Management:	P SCHNEIDER
Director, Infrastructure & Operations: Manager, Marketing Communications & Council Support:	D DJULBIC
Manager, Approvals Planning and Environmental Services:	M SMITH
Manager Infrastructure Management and Ranger Services:	C TERELINCK
Media Advisor:	P PIKOR
Committee Clerk:	L BRENNAN
Minute Clerk:	J HARRISON
	L TAYLOR

There were 26 members of the Public and 1 member of the Press in attendance.

## PUBLIC QUESTION TIME

**The following questions, submitted by Ms M Macdonald, Mullaloo, were taken on notice at the Council meeting held on 26 April 2005:**

Re: *Change of use from Medical Centre to Residential Building in Connolly.*

- Q1 *Why do planners believe that temporary residence in a Residential building is the same use class requested by the developer indicated to be that of short stay overnight accommodation of 1 – 21 days and why is the developer being offered a stay limit of 3 months when he has presumably only requested a maximum of 21 days?*
- A1 One of the tasks of assessing the application is to prescribe the appropriate land use class. In this case the Residential Building land use class is the most appropriate one. In a recent development application that included a Residential Building - short stay, Council restricted the length of stay to three months. Council also imposed other special conditions concerning management of the apartments. The time restriction and special conditions proposed for the Glenelg Place development were recommended to enable a consistent approach to this type of development until a policy on Residential Buildings is formally adopted and implemented by Council.
- Q2 *Is the reason that residential building has been chosen as the most appropriate use class because residential building is allowed with discretion in a mixed use zone and other more accurate use classes such as motel, hotel or holiday resort are not permitted in a mixed use zone?*
- A2 The proposal is most properly described as a Residential Building and does not accord with the definition of the use classes listed above.
- Q3 *Does the fact that motel, hotel and holiday resort are not permitted in a mixed use zone indicate that whilst residential use is allowed in a mixed use zone, holiday accommodation is not?*
- A3 No. The land uses and their permissibility is clearly indicated in the DPS2 text
- Q4 *The City's DPS2 does not have the appropriate and necessary development and density requirements for residential buildings. If this development was assessed as a grouped dwelling and subject to the R Codes, what would be the residential density of this site and would it be allowed in this R20 codes area?*
- A4 The Joondalup DPS2 does not prescribe density requirements for portions of a Residential Building. If a grouped dwelling development was proposed a maximum of 4 dwellings could be built.

**The following questions, submitted by Ms M Moon, Greenwood, were taken on notice at the Council meeting held on 26 April 2005:**

Re: *3.5.1 DPS2 - The zoning will provide an intermediate stage between Residential and Commercial or Business Zone areas. A high level of pedestrian amenity should be provided.*

- Q1 *Is Lot 407 (3) Glenelg Place, Connolly zoned to be the intermediate stage between Residential and Commercial or Business Zone areas?*
- A1 Yes. Lot 407 is zoned Mixed Use Zone under DPS2.

The DPS2 Text states that:

The zoning will provide an intermediate stage between Residential and Commercial or Business Zone areas.

Q2 *As it is the zoning mixed use that provides the intermediate stage and this has occurred with the mixed use zoning being applied how is the use residential building meeting the:*

(a) *Intent: 3.5 The Mixed Use Zone*

*3.5.1 - The Mixed Use Zone is intended to accommodate a mixture of residential development with small businesses in a primarily residential scale environment. The predominant non-residential uses will be office, consulting, dining and limited retail uses occupying the street frontage of lots.*

A2 (a) The intent behind the Mixed Use Zone is set out in clause 3.5.1, however, Table 1 – the Zoning Table - also identifies indicative land uses that can be considered as being appropriate within this zone, without them being a combination of multiple uses.

The proposed use is considered to be a use that is commercial in nature, but providing a residential function on a short-term basis. Applications are determined by Council based on the merits of the application and which uses would be appropriate within the zone.

Q2 (b) *Objectives: The objectives of the Mixed Use Zone are to:*

- (i) *provide a diversity of landuse and housing types compatible with the maintenance of residential amenity; (what diversity is offered by this proposal)*
- (ii) *allow appropriate businesses to locate and develop in close proximity to residential areas; (holiday accommodation appropriate?)*
- (iii) *allow for services to be provided locally. (What services)*

A2 (b) See answer 2(a) above.

**The following questions, submitted by Mr T Thorp, Sorrento, were taken on notice at the Council meeting held on 26 April 2005:**

*Re: Rezoning of the CSIRO Site in Marmion*

Q1 *Please list six main objectives of the developer that the Commissioners were most influenced by to rezone the site to urban development and what list of six main objectives of the developer that Administration shows that influence them to support the rezoning from parks and recreation to urban development.*

A1 The Commissioners had access to all the relevant information on the matter. This information, together with the report to Council, provided the information to assist them in their decision-making.

Q2 *Were all the relevant questions asked by the Joondalup electors about rezoning of the CSIRO site answered in full before the Commissioners made their decision at the last Council meeting, if not, why not?*

A2 All questions that were submitted within the appropriate timeframes were responded to prior to Council making their decision.

**The following questions, submitted by Mr J Hollywood, Burns Beach, were taken on notice at the Council meeting held on 26 April 2005:**

- Q1 *At the last Council meeting I asked about the funding for the community centre at Currambine. I did not ask whether there was funding dollar for dollar from the City on that basis. Community Services had allowed \$800,000. Can I be assured that the City of Joondalup has in its Reserve Fund the \$800,000 for this community centre?*
- A1 The City has a budgeted amount in its Reserve Fund. The Department of Community Services has withdrawn its funding and is looking to place it in Craigie. In view of this change in funding from the Department of Community Services, further consideration of the needs and requirements for a community facility at Currambine will be required.
- Q2 *Can you please let me know the amount that is in the fund?*
- A2 The Community Facilities Reserve has been the intended Reserve from which the City would fund the construction of the Currambine Community facility. As at 31 March 2005, the Community Facilities Reserve had a balance of \$344,000. The 2004/05 budget anticipated expenditure of \$115,000 from the Reserve to fund the Currambine Community facility leaving a budgeted closing balance of \$229,000.

**The following question, submitted by Mr M Sideris, Mullaloo, was taken on notice at the Council meeting held on 26 April 2005:**

*Re: Item CJ75-04/05 Tender No. 042-04/05*

- Q1 *Can you please tell me why GST is not declared in the report, why there is no risk analysis declared in the report and why there is no total contract value declared in the report, which are State Supply Commission guidelines for good governance?*
- A1 The City is a registered business for GST purposes. The net effect of the price submitted by the successful tenderer is that the City pays GST but is able to claim an input tax credit for the amount of GST paid.

As all of Councils' budget figures are expressed GST exclusive, reports are also expressed in the same terms for comparative purposes.

A Dun & Bradstreet (D&B) report covering credit and risk analysis was carried out for the recommended tenderer, which stated that the Dynamic Risk Score was considered by D&B to be very low.

The report submitted to Council for approval contained the following contract value information.

Tendered Lump Sum Price	\$1,523,930.69 (ex GST)
COJ Contingency	<u>\$ 170,000.00</u> (ex GST)
Total Project Cost	<u>\$1,693,930.69</u> (ex GST)

**The following questions, submitted by Mr M Caiacob, Mullaloo, were taken on notice at the Council meeting held on 26 April 2005:**

Q1 *The Local Government Act was amended in 1995 with the intention (1.3(2)) of resulting in greater community participation in the decisions and affairs of the Local Government and greater accountability of Local Governments to their communities.*

*Could it please be explained how this proposed policy process will result in greater accountability to the Community and greater participation by the Community as intended by the Act and Council's policy 2.6.3 – Public Participation, when the City's policies are not open for consultation and will be formulated outside a democratic process?*

A1 That particular item only refers to Council policies as designated in the Report. All the other policies mentioned would still be referred to Council in accordance with the requirements of the legislation. The formation of the Policy Committee is for a new style approach to policy development. All of the policies that would have normally gone to Council will go via the normal process, which is submitted to a Briefing Session and then to full Council.

Q2 *Where is the CEO's power derived from to enable the preparation and adoption of local policies, contrary to the provisions of the Act and DPS2 which direct Council to perform these functions and when the Delegated Authority Manual does not currently provide for these powers?*

A2 Section 5.41 of the Local Government Act 1995 details the role of the CEO with one aspect being to be responsible for the day to day operations. The formation of the Policy Committee is for a new style approach to policy development. All policies of the Council will be submitted to the Council for consideration.

**The following questions, submitted by Mr K Zakrevsky, Mullaloo, were taken on notice at the Special Meeting of Electors held on 2 May 2005:**

Re: *CSIRO Site, Marmion:*

Q1 *Were signs put in a conspicuous spot, such as Cliff Street, West Coast Highway or Beach Road, which would be the absolute requirements for something as great a change as this?*

A1 It is believed that two signs were placed on site and following comments put to the City by community members these were moved on two occasions to place them in better locations.

Q2 *How conspicuous were these signs making the community well aware of the situation?*

A2 A single sign with a dimension of 1.8 metres x 0.9 metres was initially erected along the Cliff Street frontage. Information was received indicating that vegetation was obstructing the sign and a decision was made to move the existing sign and to provide a second sign on the site. The signs were then erected along the frontages of Ozone Road and Troy Avenue. A complaint was received relating to the conspicuousness of the signs being located on these roads. In response, the sign on Ozone Road was moved to the corner of Ozone Road and Cliff Street. It is noted that the signs erected on site formed one of four public notification methods, with newspaper advertisements, a web site notice, and letters to nearby residents also being used.

**The following questions, submitted by Mr S Hart, Mullaloo, were taken on notice at the Special Meeting of Electors held on 2 May 2005:**

Q1 *In response to my questions submitted in writing, in particular the response given for Question 2, which reads “the lawyers discussed the issues in relation to Council’s request for an investigation of any known encumbrances on the title”. Could I have an explanation of this please?*

A1 The issue raised was in relation to whether there was documentation identified on the title in relation to past ownerships. The suggestion was that there was information that the Council was not aware of and advice was sought from the lawyers in relation to the title issue.

The letter to McLeod, Solicitors seeking advice in relation to CSIRO site, Lot 61 Leach Street, Marmion was read to the meeting:

“I refer to the above in relation to proposed Amendment to the District Planning Scheme to rezone the land from Local Reserve Parks and Recreation to Urban Development that was considered by the Council at its Briefing session on 8 March 2005 - See Attachment 4, Location Plan.

The intention for the site is to sub-divide the land into 39 residential lots. The site was formerly owned in freehold title by the Commonwealth Scientific and the Industrial Research Organisation (CSIRO), who disposed of the land to Marmion Estate Pty Ltd in 2003 as surplus to its requirements. In view of the land originally being reserved for public purpose, clarification is sought regarding the legality of transferring the land for any other purpose and any possible encumbrances on the title of land to this effect. In this regard a copy of the Certificate of Title is attached.

Furthermore, at the Briefing session the Council was advised in a deputation that there may be some legal consequences of being party to allowing the use of the land for residential development.

Your urgent comments are therefore sought in this regard should the Council support the proposed amendment. As the Council wishes to consider these issues at its meeting on 15 March 2005, your urgent attention would be greatly appreciated. Please do not hesitate the abovementioned officer should you wish to discuss this matter.”

Q2 *Is this the only legal advice the City sought on the CSIRO site?*

A2 Advice was also sought from the Department for Planning and Infrastructure (Department of Land Information). However this advice related to obtaining confirmation with respect to no historical or current encumbrances being registered against the certificate of title for the subject land.

**The following questions, submitted by Mr T Thorp, Sorrento, were taken on notice at the Special Meeting of Electors held on 2 May 2005:**

Q1 *Since the Commissioners have been governing the City of Joondalup has any other planning issue had more objections, submissions etc than the CSIRO site?*

A1 No.



- Q2 *The Commissioners at the last Council meeting rejected the application at Lot 407 Glenelg Place, Connolly which was an approval from medical centre to residential because of the objections of the local community. What is the difference between this situation and the CSIRO site? Why aren't our objections being taken on board?*
- A2 Submissions assist the Council to reach a decision, however, the decision is required to be based on planning grounds and consideration under the terms of the District Planning Scheme and relevant policy.

**The following questions were submitted in writing prior to the Council Meeting and responses were tabled at the meeting.**

**Mr R de Gruchy, Sorrento:**

- Q1 *Could you please provide details of all properties/establishments/blocks of land etc within the City of Joondalup that are either exempt from, or do not pay Rates (as we know them) to the City of Joondalup?  
(Note: I believe that there are some "charitable organisations" plus some Government buildings that may fall within the parameters of this question).*
- A1 1430 properties are considered non rateable under Section 6.26 of the *Local Government Act 1995*.
- 90 properties are exempt by virtue of the land being used for religious, educational or charitable purposes
  - 1340 properties are considered non-rateable due to the ownership or nature of the property. This includes land owned by the City, Landcorp or State Government, and land used for padmounts, right of ways and public accessways.
- Q2 *Bearing in mind that a decision on the site of the proposed Works Depot was taken in December last year, would you please advise if the land at the end of the Freeway has been purchased, and if so, would you please advise the price paid for it. We would also appreciate information regarding the status of enquiries regarding the possibility of building a new Works Depot at the "Quarry site" in Edgewater – I refer to Lot 998 and Reserve 37210 on Treetop Avenue and not the actual quarry itself.*
- A2 The acquisition of the Hodges Drive site has not been finalised at this point in time.
- Since Council's December 2004 meeting, enquiries have been made in relation to the status of the land within the quarry site and adjacent land.

**Mrs M Macdonald, Mullaloo:**

*I refer to the decision of 13 August 2002 approving the Development Application for the Mullaloo Beach Village, made using discretion under DPS2.*

- Q1 *What did the report say about the number of patrons who would be allowed on the first floor of the development?*
- A1 The report did not project patronage numbers for the new building and did not compare licensed floor areas of the old development and new proposal. Plans were also attached to the report indicating floor plan layouts including bar, seating and standing areas.

Q2 *What did Councillors believe would be the number of patrons allowed on the first floor of the development?*

A2 This question could only be answered by the Councillors of the day.

Q3 *What were those ratepayers who asked told about the number of patrons allowed on the first floor of the development?*

A3 Plans of the proposal were made available so that interested parties could see what was proposed at that time.

Q4 *How important is the number of patrons allowed in a premises to the amenity of people living on site, adjacent to the premises or in the locality?*

A4 Patronage is one factor that defines the character of a land use and its nature, along with many other aspects of a proposal.

**Mr M Sideris, Mullaloo:**

*Re: Items CJ090-05/05 – Tender Number 043-04/05 – Supply and Application of Bulk Fertiliser – [27570] and CJ091-05/05 – Tender Number 033-04/05 – Supply and Laying of Asphalt – [53568], can you please advise:*

Q1 *What is the proposed life of contract term or period of these proposed contracts and why has this detail not been included in the recommendation to Council?*

A1 On both tenders the proposed contract period is 3 years in total from commencement. Initial Contract period is for 1 year with 2 x 1 year options to extend thereafter and will be subject to satisfactory performance of the Contractor in accordance with established KPI's. This information is to be included in the recommendations for the Council meeting on 17 May 2005.

Q2 *What is the Total Contract Value (potential total cost of contract), and GST component, based on the terms of the Request for Tender estimated quantities provider to tenderer's and why has this detail not been included in the recommendation to Council so that Council is fully aware of the financial impact of its decision?*

A2 Total estimated cost (based on indicative tonnage quantities as detailed in the specification) is calculated to be \$275,600 per year plus GST, for all fertiliser types and the application of such.

Estimated cost per year:	\$275,600
Goods and Services Tax:	\$ 27,560
	-----
Total per year:	\$303,160
	=====

Total estimated expenditure, inclusive of GST and based on indicative tonnage quantities for the 3-year Contract period would be \$909,480.

The price of fertiliser is subject to price variation in accordance with the manufacturers price list, while the labour content to apply the fertiliser is subject to variation in accordance with the 'All Groups CPI for the Perth Region as published by the Australian Bureau of Statistics for a period of the previous 12 months. The Contractor is to provide documentary evidence that it has actually incurred any cost increase and any such increase will be subject to the approval of the City.

Q3 *With regard to Attachment 7, there appears to be some handwritten amendments. Can you please advise why these have not been duly authorised or endorsed or even being related to the proposed recommended tenderer?*

A3 This relates to Tender Number 033 – 04/05 Supply and Laying of Asphalt.

Attachment 7 was for information purposes only and was provided to identify the price difference of the two options presented to the City by the recommended tenderer.

Re: CJ098-05/05 – State Administrative Tribunal Appeal No 67 of 2005:

Q4 *At the Briefing Session, Director Mr Higham made a number of statements regarding the SAT process, one of which referred to legal advice that when officers were representing the City as part of the mediation process, that they were not to give 'professional advice' as this may exclude them from being 'expert witnesses' at some later stage. Can you please advise how if the officers are professionally qualified people and employed for and in their professional technical expertise, can sit at a mediation session represent the City's interests can do so with being there in a professional capacity or make comment in the mediation process without it being of a specialist technical nature?*

A4 Officers at the mediation hearing can present the planning issues (the facts) that were considered when the decision was made on the application before the Tribunal.

The officer involved in the mediated hearing has the potential to be summonsed to appear on behalf of the applicant during the hearing to present their expert advice, which may be contrary to the opinion and position of the Council.

The limitation on officers providing professional advice in the mediation process has been recommended by the City's lawyers. This is to avoid the prospect of an officer appearing at a Tribunal hearing as a witness and giving evidence contrary to the Council's position.

Q5 *Which legal consultancy provided this advice?*

A5 Watts and Woodhouse.

Q6 *Please advise why the matter of the City of Joondalup 'Order to Comply' against the construction company Tolman Holdings for the Mullaloo Beach Hotel and now referred to SAT with the Matter Number CC33301 of 2005 and a notified hearing date of 31 May 2005 has not been put to Council for consideration?*

A6 The notice was served on the builder under delegated authority. The City's position has not changed and therefore there is no need for the matter to be put before Council. The application to SAT by Tolman Holdings will be opposed and SAT will be advised that the City will refuse to enter into mediation unless ordered to do so by the tribunal.

- Q7 *Will the Council support the various members of the local community who have requested to be a Joinder to the process and have an interest in this matter?*
- A7 It is not open for the Council to support various members of the local community to be joinders in this process. Section 38 of the Act allows the tribunal general powers to join a party. Members of the community who wish to be joinders must apply to SAT and show that its interests are affected by the outcome of the process and they will benefit by the tribunal's decision.
- Q8 *What are specific details of the 'Order to Comply' that the City officers have issued against the construction company Tolman Holdings?*
- A8 A notice was served on the builder for departing from the approved plans under section 401 of the Local Government (Miscellaneous Provisions) Act 1960, as this was a cause for objection.
- The departures included a variation to the basement substation, stairway, the stair, lift and lift maintenance room, pump room, storage tank, the addition of 2 additional tanks, a storeroom that was not constructed and another storeroom constructed contrary to the approved plans.
- Q9 *Has Tolman Holdings or any other representative of the developer had any discussions with City officers with a view to a private negotiation?*
- A9 No discussions have been entered into with a view to a "private negotiation" on the 401 Notice that was served.
- Q10 *Has the City made any attempt to seek details of the various changes granted to the Tavern trading as Mullaloo Beach Hotel by:*
- (a) *the Liquor Licensing Court in late 2004; and*
- (b) *the Director of Liquor Licensing in early 2005?*
- A10(a&b) Discussions have been held with a Council staff member and staff from Liquor Licensing.

**The following questions were submitted verbally at the meeting; a summary of each question and the response given is shown below:**

**Mr J McNamara, Sorrento:**

- Q1 *I refer to the Mullaloo issue and the response provided to Mr Thorp from Sorrento, his second question is: "The Commissioners at the last Council Meeting rejected the application at Lot 407 Glenelg Place, Connolly which was an approval from Medical Centre to residential because of the objections of the local community. What is the difference between the situation at the CSIRO site and why aren't our objections being taken on board?" The response to that question is: "Submissions assist the Council to reach a decision, however the decision is required to be based on planning grounds and consideration under the terms of the District Planning Scheme and relevant policy." Who requires this to be?*
- A1 Planning powers are delegated to Council and it is the requirement of Council to deal with planning matters under its planning scheme and other related policies of Council.

Q2 *Surely the opinion of the ratepayers as well as the relevant policy should be taken into account when making decisions on such an issue?*

A2 Council, when it considers any matter, takes into account a wide range of issues, those that relate to the statutory process, those matters that relate to policies of Council and those submissions that come from various interested parties both for and against. A very large number of submissions were considered by Council in relation to the CSIRO site. The Commissioners gave very detailed consideration to those matters that were raised.

**Mr R Dallas, Ocean Reef:**

*My two questions tonight were forwarded by email prior, I did get a response from Commissioner Anderson, but the questions were as I read out now:*

Q1 *Re: Item CJ088-05/05 Ocean Reef Road Extension – Removal of Existing Carpark – Did the Commissioners and Mr Garry Hunt see the email sent by myself on Tuesday, 10 May 2005 prior to the last Briefing Session? I ask that it be received as correspondence and be read out, it did not even receive a mention. Could I please have a verbal reply at tonight's meeting or a written one that I may put on file regarding the Ocean Reef Road correspondence?*

A1 Yes this email was received, Council will provide a written response.

Q2 *Are the Commissioners also aware that by removing the planned carpark that they may unintentionally be doing the surfing community in that area a bad service? The walkway adjacent to the proposed carpark leads to a very popular surfing spot called Big Rock. This would be a great facility for the surfers and families to access that part of the beach.*

A2 Council has acknowledged in previous responses that the link through to the dual use park and the coast is important for the community. That is recognised by Council and the information has been passed on to Commissioners.

**Mr I Self, Ocean Reef:**

Q1 *Re: Removal of Ocean Reef Carpark at northern end of the Ocean Reef Road extension – We have been given a figure of approximately \$36,000 to put a bulldozer through a perfectly sound Council asset. What is the cost of building a new carpark? It would be needed immediately as the carpark built to the north of Shenton Avenue was completely full and this carpark in question was 60% full on Sunday, 8 May 2005 at approximately 3.15 pm. As well as the cost of rebuilding this carpark could we also be told where the new carpark will be located as you state they must be built to the west for safety reasons?*

A1 The cost to provide a new carpark would be in excess of \$36,000, subject to the number of bays, location and geography.

Q2 *If the request to remove this carpark is approved where would Council stand on the issue of community consultation? Would it be scraped or would we continue with it even if it has been discredited, as all the input from the public would be completed ignored? If this is the case should the ratepayers be warned of this before taking part in any future consultation process?*

- A2 One of the risks in relation to removing the existing carpark is that Council would have to begin the consultation process again. There are two further proposed carparks in that design, if the existing one were removed it would affect the design.

**Mr A Shams, Ocean Reef:**

- Q1 *I live in Constellation Drive, my bedroom is about 6 to 7 metres from the road. We have approximately 6,000 cars a day passing through Constellation Drive. The noise is terrible, the speeds are high and I cannot sleep. We need an immediate solution for this road. We need Council to visit us, measure the noise, emissions, gases, put sensors in.*
- A1 The proposal that is before Council tonight will hopefully go some way to addressing some of the issues that you have raised.

**Mr B Talevski, Ocean Reef:**

- Q1 *How long is the issue of the Ocean Reef Road going to take, this has taken 18 years to reach this stage? When is Council going to take action and put the Ocean Reef Road extension through?*
- A1 The issues raised have been covered in the information provided to the Commissioners and it is a decision for Council to make.

**Ms S Hart, Greenwood:**

- Q1 *Re: Ocean Reef Road Extension – Should this consultation that Council is seeking not have been dealt with when the other detailed consultation took place? I am talking about the request from seven residents living in Mabena Place and Rambler Green, Ocean Reef.*
- A1 The petition was lodged after the completion of the formal public consultation process. One of the petitioners was on the working party as part of the consultation process. This matter is now being considered separately.

**Ms M Macdonald, Mullaloo:**

- Q1 *Re: Answers to questions on tonight's agenda regarding the patron numbers at the Mullaloo Tavern. Were Councillors informed by officers at any time during the process of approval about the probable increase from 175 to 600 patron numbers on the Tavern floor alone?*
- A1 The report that led to the Council's determinations being reviewed was prepared in August 2002 and at that time Council issued its approval for the development application. In the report it was mentioned that the floorspace of the new building was comparable with that of the old building in terms of the licence floor space and the parking demands was also calculated on the basis of likely occupancy. They are the only two references to the patronage that were made at that time.
- Q2 *During the process of approval, officers asked the developer how many people would be on the tavern floor and in the restaurant and they were given an answer by the developer. Why was this information not detailed in the report?*
- A2 There are a number of processes involved in the approval of the building. It was only the planning application process that was the subject of a report to Council. There are other processes related to the licensing of spaces within the building, which relate to health requirements and to building code issues, where details on patronage are

required for the officers to make the appropriate technical assessment on issues such as the number of toilet pans, exit doors etc. Although those matters were discussed they were not matters that needed to be brought before the Council for a decision.

Q3 *Didn't Councillors need to know that Council was going from 175 to 600 on the tavern floor alone and that there would be probably 900 people in this building as part of their process to satisfy themselves that there would be no adverse effect on the locality?*

A3 The figures of the overall patronage quoted by Ms Macdonald will be taken on notice.

**Mr M Sideris, Mullaloo:**

Q1 *In accordance with Council policy I submitted questions prior to 5 o'clock on Friday. Question 2 dealing with fertilizer has not been answered and I would like an answer tonight because it relates to an item before Council tonight.*

A1 This question will be taken on notice.

Q2 *Re: the answer given to question 7 - My understanding of the process is the person wanting to be a joinders makes an application to the tribunal, the tribunal refers to both the first party and then the second party to see if they wish to allow that person to be a joinders without objection. Has that process changed and if not, then how can Council give that answer?*

A2 A response has been provided.

Q3 *Re: Details of the SAT process. What are the specific details associated with each aspect of that order to comply?*

A3 This question will be taken on notice.

**Mr M Caiacob, Mullaloo:**

Q1 *Re: Special Electors' Meeting minutes – In response to Mrs Macdonald's question number 2 in the Special Electors' minutes it is stated the CSIRO invited Councillors and staff to the site to be appraised of their intention to dispose of the land. No decisions or follow up actions were required and no records were kept of that visit. As there was a non-conforming land use right in place, who was responsible for and made the decision that no follow up actions were required?*

A1 It would have been the Director Planning and Community Development's decision and as was stated at the Special Electors' Meeting Council needs to look further into whether there was a non-conforming use issue with that site.

Q2 *Re: Special Electors' Meeting minutes – I am aware that motions and resolutions raised by the public at a Special Electors' Meeting are not binding upon the Council. When Council then considers those motions and raises motions and resolutions whether the same, similar or otherwise, do those motions of Council then become lawful and binding?*

A2 Once the Council formally resolves to carry resolutions, the same or similar, then they become formal decisions of the Council for action.

**Mr S Magyar, Heathridge:**

Q1 *Re: Strategic Financial Plan. Have the staff had an opportunity to look at changes that occurred to the Local Government Act and the recent amendments and will they be presenting a report to Council or the Commissioners to inform them of any significant changes that they need to be made aware of?*

A1 There are a number of adjustments that are part of the legislation and once all of the details are available reports will be presented to Council. A number of the proposed amendments that were in the legislation have not been proclaimed.

**Mr J Hollywood, Burns Beach** *(representing the Burns Beach Ratepayers Association)*

Q1 *Can Council provide a sign at the Burns Beach roundabout telling visitors using the dual use path where the showers and toilet block are as the proprietor of the café has problems with visitors using his facilities?*

A1 Council will provide directional signage to the public facility and will notify the proprietor of the Burns Beach café.

**APOLOGIES AND LEAVE OF ABSENCE****Leave of Absence previously approved**

Commissioner Smith                      7 and 28 June 2005

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

Commissioner Fox declared an interest that may affect her impartiality in Item CJ084-05/05 – Review of Ward Boundaries and Elected Member Representation as Cmr Fox resides in one of the wards referred to.

Commissioner Smith declared an interest that may affect her impartiality in Item CJ087-05/05 – Minutes of the Strategic Financial Management Committee as the Currambine Community Centre is specifically mentioned and Commissioner Smith's daughter resides in the suburb of Currambine.

Commissioner Smith declared an interest that may affect her impartiality in Item CJ088-05/05 Ocean Reef Road Extension - Request For Removal of Existing Carpark as her daughter resides in the suburb of Currambine.



Commissioner Anderson declared an interest that may affect his impartiality in Item CJ093-05/05 Public Purposes (Special Use) – Two New 10 Bed Dormitories, A Leaders Accommodation Building, A New Meeting Hall, A New General Office Building, Additions To Existing Buildings And Infrastructure Additions (Ern Halliday Recreation Camp) On Reserve 23563 (140) Whitfords Avenue, Hillarys as he deals with a number of clubs that use the Ern Halliday Recreation Centre.

Commissioner Clough declared a financial interest in Item CJ095-05/05 - Community Funding Program 2004-2005 Grants Allocations - Second Funding Round as his son plays football. Commissioner Clough also advised that he provides consultancy services to the WA Football Commission.

Commissioner Smith declared an interest that may affect her impartiality in Item CJ095-05/05 Community Funding Program 2004-2005 Grants Allocations - Second Funding Round as her grandson plays soccer and one of the soccer clubs has received a recommendation for funding.

Director Infrastructure and Operations, Mr David Djulbic declared an interest that may affect his impartiality in Item CJ095-05/05 Community Funding Program 2004-2005 Grants Allocations - Second Funding Round, as he is a Committee member of the Kingsley Junior Football Club.

Manager, Approvals Planning & Environmental Services, Mr Chris Terelinck, declared an interest that may affect his impartiality in Confidential Item CJ098-05/05 – State Administrative Tribunal Appeal No 67 of 2005: Lewis Timms vs City of Joondalup – Medical Centre Extension: Lot 715 (110) Flinders Avenue, Hillarys as one of the Doctors at the practice is a personal acquaintance.

## **CONFIRMATION OF MINUTES**

### **C24-05/05                    MINUTES OF COUNCIL MEETING, 26 APRIL 2005**

**MOVED Cmr Smith, SECONDED Cmr Clough that the Minutes of the Council Meeting held on 26 April 2005 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

## **ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION**

### **ABORIGINAL HERITAGE**

Last week I had the pleasure of hosting a function in our library, which I believe is the beginning of stronger links with our aboriginal heritage.

Many senior aborigines attended the launch of the brochure titled “Mooro Boodjar” – people of the country.

Mooro means Nyoongar people who lived between Fremantle and Moore River, including Joondalup.

Boodjar means land or country.

Senior aborigine Cedric Jacobs, myself and others spoke of the importance of the relationship between the City of Joondalup and its aboriginal history that dates back as far as 40,000 years.

“It is time to come together”, said Mr Jacobs, “we are all in it together”.

I could not agree more and it was fitting that I met up with relatives of people who I played football with as a young man in Katanning.

The aim of the brochure is to raise the community’s awareness of aboriginal history.

The brochure launch can be seen as a precursor to the City’s celebrations of NAIDOC week in July 2005.

#### **MILESTONE 4**

The City of Joondalup has just reached Milestone 4 in its target of reducing greenhouse gas emissions by 20 percent.

Cities for Climate Protection, involving 203 Councils nationwide, has congratulated Joondalup for reducing its impact on global warming.

Milestone 4 requires a reduction in greenhouse gas emissions of over 230 tonnes.

The City achieved this through lighting upgrades, recycling, and other energy efficiency measures.

Congratulations to City staff for their efforts and we hope more and more residents become involved.

#### **PETITIONS**

**C25-05/05**

#### **PETITIONS SUBMITTED TO THE COUNCIL MEETING – 17 MAY 2005**

1 **PETITION IN RELATION TO TRAFFIC ISSUES, ARISTRIDE AVENUE, KALLAROO – [00489]**

A 24-signature petition has been received from Kallaroo residents requesting the City of Joondalup to take action to permanently address traffic issues in Aristride Avenue, between Mullaloo Drive and Henderson Drive in Kallaroo.

The petitioners state high traffic volumes and excessive speed in the vicinity of Aristride Park as areas of concern.

This petition will be referred to Infrastructure and Operations for action.

2 **PETITION REQUESTING ENHANCEMENT OF PUBLIC OPEN SPACE AREA, LAKESIDE DRIVE, JOONDALUP – [50165]**

A 15-signature petition has been received from Edgewater residents requesting the enhancement of the open space area on Lakeside Drive, with walk through into Hindmarsh Way.

This petition will be referred to Infrastructure and Operations for action.

3 PETITION REQUESTING CONSTRUCTION OF A SKATE PARK, OCEAN REEF – [08096]

A 329-signature petition has been received from residents of the City of Joondalup requesting the City to fund and develop a skateboarding park in the suburb of Ocean Reef for the benefit of the children.

The petitioners advise that currently the nearest skateboarding park is situated in Kinross, which requires two bus trips.

This petition will be referred to Planning and Community Development for action.

**MOVED Cmr Anderson, SECONDED Cmr Fox that the petitions requesting the:**

- 1 **City of Joondalup to take action to permanently address traffic issues in Aristride Avenue, between Mullaloo Drive and Henderson Drive in Kallaroo;**
- 2 **enhancement of the open space area on Lakeside Drive, with walk through into Hindmarsh Way;**
- 3 **requesting the City to fund and develop a skateboarding park in the suburb of Ocean Reef for the benefit of the children.**

**be RECEIVED and referred to the appropriate Business Units for action.**

The Motion was Put and

**CARRIED UNANIMOUSLY (5/0)**

**CJ083 - 05/05 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL [15876]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Garry Hunt  
Chief Executive Officer

---

CJ050510\_BRF.DOC:ITEM 1

**PURPOSE**

To provide a listing of those documents executed by means of affixing the Common Seal for noting by the Council for the period 9 March 2005 to 19 April 2005.

**EXECUTIVE SUMMARY**

The City of Joondalup enters various agreements by affixing its Common Seal. The Local Government Act 1995 states that the City is a body corporate with perpetual succession and a common seal. Those documents that are executed by affixing the Common Seal are reported to the Council for information on a regular basis.

**BACKGROUND**

Not Applicable

**DETAILS**

- Document: S70A  
Parties: City of Joondalup and James and William Motherway  
Description: S70A Application for Ancillary Accommodation, Lot 765 (176) Camberwarra Drive, Craigie  
Date: 09.03.05
- Document: Amendment  
Parties: City of Joondalup and WA Planning Commission  
Description: Final Adoption of Amendment 27 to DPS 2 – Lots 1, 7, 8, 9 and 10 Whitfords Avenue, Woodvale  
Date: 09.03.05
- Document: Deed  
Parties: City of Joondalup and State of Western Australia  
Description: Deed of Indemnity to utilise part of the Joondalup Court House for the City's Festival 2005  
Date: 17.03.05
- Document: Caveat  
Parties: City of Joondalup and Poklen Investments  
Description: Withdrawal of Caveat – cash-in-lieu of parking – 167 Grand Boulevard, Joondalup  
Date: 30.03.05
- Document: Deed  
Parties: City of Joondalup and Corner Crews  
Description: Deed of Agreement to satisfy outstanding WAPC Conditions of subdivision over 17 Parker Avenue, Sorrento  
Date: 30.03.05
- Document: Transfer  
Parties: City of Joondalup and R and P Hannan  
Description: Transfer of Land document for Lot 5 (10) Pomeina Mews, Kingsley  
Date: 30.03.05
- Document: Caveat  
Parties: City of Joondalup and Edith Cowan University (ECU)  
Description: Withdrawal of Caveat – 38 Collier Pass, Joondalup to allow for registration of easement  
Date: 19.04.05
- Document: Contract  
Parties: City of Joondalup and Glenbourne Nominees P/L  
Description: Execution of Contract 029-04/05 – Library alterations at Whitfords, Duncraig, Woodvale and Joondalup  
Date: 19.04.05
- Document: Amendment  
Parties: City of Joondalup  
Description: Final approval of Scheme Amendment No 28 – 16 Fernwood Square, Padbury  
Date: 19.04.05

Document: Lease  
Parties: City of Joondalup and Vodafone Network  
Description: Extension of Lease – 15 Burlos Court, Joondalup (for telecommunication facility)  
Date: 19.04.05

**Issues and options considered:**

Not Applicable

**Link to Strategic Plan:**

Some of the documents executed by affixing the common seal may have a link to the Strategic Plan on an individual basis.

**Legislation – Statutory Provisions:**

Sub-sections (2) and (3) of section 2.5 of the Local Government Act 1995 states:

- (2) The local government is a body corporate with perpetual succession and a common seal.
- (3) The local government has the legal capacity of a natural person.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Some of the documents executed by the City may have financial and budget implications.

**Policy implications:**

Policy 2.3.3 titled Use of Common Seal and the Signatories for Contract Execution has the following objective:

*To provide a policy for the use of the common seal and signatories for the execution of agreements.*

**Sustainability implications:**

Not Applicable

**Consultation:**

Not Applicable

**COMMENT**

The various documents have been executed by affixing the Common Seal of the City of Joondalup and are submitted to the Council for information.

**ATTACHMENTS**

Nil

## VOTING REQUIREMENTS

Simple Majority

**MOVED** Cmr Anderson, **SECONDED** Cmr Clough that the schedule of documents executed by means of affixing the Common Seal for the period 9 March 2005 to 19 April 2005 be **NOTED**.

The Motion was Put and

**CARRIED UNANIMOUSLY (5/0)**

Commissioner Fox declared an interest that may affect her impartiality in Item CJ084-05/05 – Review of Ward Boundaries and Elected Member Representation as Cmr Fox resides in one of the wards referred to.

## **CJ084 - 05/05 REVIEW OF WARD BOUNDARIES AND ELECTED MEMBER REPRESENTATION – [16878]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Garry Hunt  
Chief Executive Officer

---

CJ050510\_BRF.DOC:ITEM 2

### **PURPOSE**

To brief the Council on the process involved for the review of ward boundaries and elected member representation.

### **EXECUTIVE SUMMARY**

The Local Government Act 1995 requires every local government to review its ward boundaries and elected member representation every eight years.

With the City of Joondalup being established on 1 July 1998 and adopting its preferred ward structure and elected member representation model on 27 August 1999, the Council is required to undertake its review by 26 August 2007. The review could take the City six to twelve months to complete and submit it to the Local Government Advisory Board for consideration. Initial comment from the Board is that it would take six to eight weeks to assess the submission. It is suggested that the review commence early-mid 2005.

The review involves the preparation of a discussion paper and consultation with the community prior to the Council agreeing on a preferred option and submitting it to the Local Government Advisory Board.

The intent of this report is to make the Council aware of the pending review and agree to the preparation of a discussion paper.

## BACKGROUND

The City of Joondalup was established by virtue of the Joondalup and Wanneroo Order 1998 which came into operation as of 1 July 1998. The Order created two new local governments, the City of Joondalup and the Shire (now) City of Wanneroo.

The Local Government Act 1995 came into operation on 1 July 1996 and places a legislative requirement of all local governments to review its ward boundaries and elected member representation every eight (8) years.

At the creation of the City of Joondalup, there was a requirement to establish its ward boundaries and elected member representation. This review was carried out in accordance with the legislation and on 27 August 1999 the District of Joondalup (Ward Boundaries, Representations and Elections) 1999 was gazetted.

Following this Order, the City of Joondalup is required to complete its review by 26 August 2007. Given the process to be followed it is anticipated that the review may take some time to complete prior to submitting it to the Local Government Advisory Board for consideration. It is suggested that the review commence early to mid 2005.

## DETAILS

### Issues and options considered:

There are no options canvassed at this stage. Any options will be included as part of the discussion paper to be prepared and through consultation further options and issues will probably be raised.

### Link to Strategic Plan:

Objective 1.3 To continue to provide services that meet changing needs of a diverse and growing community.

Objective 3.3 To continue to meet changing demographic needs.

Objective 4.3 To ensure the City responds to and communicates with the community.

Strategy 4.3.3

Provide fair and transparent decision-making processes

### Legislation – Statutory Provisions:

Schedule 2.2 Clause 6 of the Local Government Act 1995 requires a local government to carry out a review of its ward boundaries and number of offices of Councillor for each ward at least once every eight (8) years:

*“Schedule 2.2*

*6 A local government the district of which is divided into wards is to carry out reviews of:*

*(a) its ward boundaries; and*

*(b) the number of offices of councillor for each ward,*

*from time to time so that not more than 8 years elapse between successive reviews.”*

Section 2.10 of the Local Government Act 1995 states the role of a councillor is:

*“A councillor:*

- (a) represents the interests of electors, ratepayers and residents of the district;*
- (b) provides leadership and guidance to the community in the district;*
- (c) facilitates communication between the community and the council;*
- (d) participates in the local government’s decision-making processes at council and committee meetings; and*
- (e) performs such functions as are given to a councillor by this Act or any other written law.”*

#### **Risk Management considerations:**

The associated risk with not undertaking the review of ward boundaries and elected member representation is that the Council would not be complying with its legislative requirements. Recent amendments to the Local Government Act 1995 allows the Local Government Advisory Board to request a local government to carry out a review of its representation at anytime.

#### **Financial/Budget Implications:**

There are no specific funds available to undertake the review but it will be absorbed as part of normal operations.

#### **Policy implications:**

Not Applicable.

#### **Sustainability implications:**

The review of ward boundaries and elected member representation across the City of Joondalup will:

- Attempt to provide a fair and equitable representation for the electors of the district;
- Ensure that the correct level of representation will assist individual members performing their role under section 2.10 of the Local Government Act, and;
- Aid in the ability of the Council to provide good government to the people of its district.

#### **Consultation:**

The level of community consultation for the review has not been developed but the Local Government Act 1995 and the Local Government Advisory Board detail the required minimum. The level of community consultation will be determined at the time the Council considers a discussion paper relating to the conduct of the review.

The review process involves a number of steps: -

- Council resolves to undertake the review
- Public submission period opens
- Information provided to the community for discussion



- Public submission period closes
- The Council considers all submissions and relevant factors and makes a decision
- The Council submits a report to the Local Government Advisory Board (the Board) for its consideration; and
- (If any change is proposed) the Board submits a recommendation to the Minister for Local Government and Regional Development (the Minister).

Any changes approved by the Minister, where possible, will be in place for the next ordinary election.

The advice from the Local Government Advisory Board is not to contain any preferred option of the Council in the discussion paper that is circulated for public feedback.

## COMMENT

The purpose of the review is to evaluate the current arrangements and consider other options to find the system of representation that best reflects the characteristics of the district and its people. Any of the following may be considered:

- Creating new wards in a district already divided into wards;
- Changing the boundaries of a ward;
- Abolishing any or all the wards into which the district is divided;
- Changing the name of a district or ward;
- Changing the number of offices of councillor on a council; and
- Specifying or changing the number of offices of councillor for a ward.

The Board considers that the ratio of councillors to electors is always significant. It is expected that each local government will have similar ratios of councillors to electors across the wards of the district.

The Minister for Local Government and Regional Development has indicated that he will not consider changes to ward boundaries and representation that result in councillor/elector ratios that are greater than plus/minus 10% of the average councillor/elector ratio for the local government. Given that guideline, the current average ratio of Councillors to Electors across the wards is one Councillor to every 7290 Electors. Only the Lakeside and Whitfords Wards fall within the plus/minus 10% guideline. Based on the current ward structure and population projections to 2011 only the North Coastal Ward would satisfy that guideline.

## ATTACHMENTS

- |              |   |
|--------------|---|
| Attachment 1 | Processes associated with reviewing ward boundaries and representation – Local Government Advisory Board; |
| Attachment 2 | Information relating to current ward structure and future projections.                                    |

## VOTING REQUIREMENTS

Simple Majority

**OFFICER'S RECOMMENDATION:** That Council:

- 1 AGREES to undertake a review of the City of Joondalup ward boundaries and representation in accordance with Schedule 2.2 of the Local Government Act 1995;
- 2 REQUESTS the Chief Executive Officer to prepare a discussion paper regarding the review of ward boundaries and elected member representation to be presented to the Council for further consideration.

**MOVED Cmr Smith, SECONDED Cmr Anderson that Council:**

- 1 AGREES to undertake a review of the City of Joondalup ward boundaries and representation in accordance with Schedule 2.2 of the Local Government Act 1995;**
- 2 REQUESTS the Chief Executive Officer to prepare a discussion paper regarding the review of ward boundaries and elected member representation to be presented to the Council for further consideration;**
- 3 STATES that the intention of this resolution is to progress the process and that it is also the intention that an elected Council will decide Ward boundaries at the appropriate time.**

Discussion ensued.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf100505.pdf](#)*

## **CJ085 - 05/05 QUARTERLY PROGRESS REPORT AGAINST ANNUAL PLAN 2004/05 – [20560]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Garry Hunt  
Chief Executive Officer

---

CJ050510\_BRF.DOC:ITEM 3

### **PURPOSE**

To present the Quarterly Progress Report against the City of Joondalup's Annual Plan 2004/05 for the period 1 January 2005 to 31 March 2005.

### **EXECUTIVE SUMMARY**

At the meeting of 14 December 2004, Council endorsed the new *Corporate Reporting Framework* including that regular progress reports against the then Corporate Plan be provided to Council and the community. (*Item CJ307-12/04 refers*)

The Corporate Plan has been renamed the Annual Plan to better reflect the purpose of the Plan which is to detail the annual priorities for the City in order to achieve the Strategic Plan.

Council received the first Progress Report covering the period 1 July 2004 to 31 December 2004 on 15 March 2005 (*Item CJ029 - 03/05 refers*).

The 'Quarterly Progress Report January – March 2005' forms Attachment 1 to this report. It provides information on whether the targets set within the Annual Plan 2004/05 have been met for the period 1 January 2005 to 31 March 2005.

*It is recommended that Council ACCEPTS the Quarterly Progress Report for the period 1 January 2005 to 31 March 2005 against the milestones outlined within the City's Annual Plan 2004/05.*

## **BACKGROUND**

Following a review of the City's Corporate Planning and Reporting System, a report was presented to Council on 14 December 2004 proposing a new *Corporate Reporting Framework* incorporating the development of Key Performance Indicators for the Strategic Plan 2003-2008, the development of a Corporate Plan 2004/05, and the provision of regular progress reports on these to Council. (Item CJ307-12/04 refers)

Council endorsed the following recommendations at its 14 December 2004 meeting:

That Council:

- 1 *ENDORSES the Strategic Plan Key Performance Indicators shown as Attachment 1 to Report CJ307-12/7;*
- 2 *ENDORSES the Corporate Plan 2004/05 shown as Attachment 3 in Report CJ307-12/04;*
- 3 *ENDORSES the Corporate Reporting Framework whereby the Joint Commissioners receive annual reports against the Strategic Plan Key Performance Indicators, annual reports against the key performance indicators for the principal activities of Council as outlined in the Principal Activities Plan, and Quarterly Progress Reports against the Corporate Plan.*

The Corporate Plan has been renamed the Annual Plan to better reflect the purpose of the Plan which is to detail the annual priorities for the City in order to achieve the Strategic Plan.

## **DETAILS**

The Annual Plan 2004/05 highlights the annual priorities for the organisation to achieve the Strategic Plan. It includes milestones against Council Projects and other annual priorities (project, programs and services).

Council received the first progress report for the period 1 July 2004 – 31 December 2004 on 15 March 2005 (Item CJ029 - 03/05 refers)

### **Link to Strategic Plan:**

This item links to the Strategic Plan through Key Focus Area 4- Organisational Development.

*Outcome - The City of Joondalup is a sustainable and accountable business*

*Objective 4.1 - To manage the business in a responsible and accountable manner*

*Strategy 4.1.2 - Develop a corporate reporting framework based on sustainable indicators*

**Legislation – Statutory Provisions:**

Not Applicable

**Risk Management considerations:**

Council has made a commitment to provide the community with information about council's functions, actions and performance and to make that information accessible and useful.

**Policy implications:**

Council's Public Participation Policy 2.6.3 has a stated objective to enhance the capacity of the community to actively participate in decision-making and strategic direction setting.

**Sustainability implications:**

The Annual Plan aligns with the strategic directions established by Council and outlined in the Strategic Plan 2003 – 2008. Council's vision is to be '*A sustainable City and community that are recognised as innovative, unique and diverse*'. Reports against the Annual Plan 2004/05 provide regular assessments against the progress of the City's key projects, programs and services and, therefore, the City's achievement of the Strategic Plan.

**Consultation:**

Not Applicable.

**COMMENT**

The progress report is a valuable tool for Council to:

- Measure the performance of the City particularly in relation to its achievement of pre-determined outcomes and objectives, and;
- Capture the results of performance measurement and feed them back into the planning processes that then guide the organisation to make the necessary changes to its activities and operations and (if necessary) make changes to its strategic outcomes and objectives.

The report is also a mechanism to provide information to the community thus meeting the City's commitment to be open and transparent in its activities.

**ATTACHMENTS**

Attachment 1            Quarterly Progress Report – January 2005 – March 2005

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cmr Anderson, SECONDED Cmr Fox that Council ACCEPTS the Quarterly Progress Report for the period 1 January 2005 to 31 March 2005 against the milestones outlined within the City's Annual Plan 2004/05.**

Discussion ensued.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf100505.pdf](#)*

**CJ086 - 05/05 STRATEGIC FINANCIAL PLAN 2005/06 - 2008/09 – [38432]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Peter Schneider  
Director Corporate Services and Resource Management

---

CJ050510\_BRF.DOC:ITEM 4

**PURPOSE**

To seek Council approval to advertise the Strategic Financial Plan 2005/06 to 2008/09 for public comment for a period of 30 days, 21 May to 20 June 2005 inclusive.

**EXECUTIVE SUMMARY**

The City has prepared a Strategic Financial Plan for the period 2005/06 – 2008/09. The main objective of the plan is to provide the community with information about the Council's proposed major activities and give them an opportunity to comment on these prior to formal adoption of the 2005/06 budget.

The Strategic Financial Plan replaces the former Principal Activities Plan that Council was required to produce each year. The *Local Government Act 1995* has been recently amended and the requirement for the Principal Activities Plan has been deleted. Councils will, instead, be required to 'plan for the future' and to consult with the community during the development of that plan for the future. The new regulations do not apply to the 2005/06 planning and budget cycle however the City of Joondalup has produced the Strategic Financial Plan 2005/06 - 2008/09 (formerly Principal Activities Plan) in order to provide the community with an opportunity to provide comment on the City's proposed activities.

It is proposed that the draft Strategic Financial Plan 2005/06 to 2008/09 be made available for public review and comment for a period of 30 days (21 May 2005 to 20 June 2005). Members of the community will be invited to make submissions. Once all submissions have been considered, the Strategic Financial Plan 2005/06 to 2008/09 will be adopted with or without modification and will then be made available to the public.

*That Council ADVERTISES the Draft Strategic Financial Plan 2005/06 – 2008/09 forming Attachment 1 to Report CJ086-05/05 for the purpose of seeking public comment on the proposals contained in the plan for a period of 30 days, 21 May to 20 June 2005 inclusive.*

**BACKGROUND**

The Local Government Act 1995 has, in the past, required all local governments to produce a Principal Activities Plan annually and accordingly the City has done so since 1999.

In 2003 the State Department of Local Government and Regional Development undertook a major review of the *Local Government Act 1995* and associated regulations. This was the first comprehensive review since 1996.

On 5 April 2005 a report was presented to Council which provided information on proposed amendments to the Local Government Act 1995 in relation to the Principal Activities Plan and to seek Council endorsement, upon proclamation of such amendments, for a 30-day public comment period for the Strategic Financial Plan (formerly Principal Activities Plan). Council approved a 30-day public comment period following proclamation of the Local Government Amendment Act 2004. (*Item CJ045 – 04/05 refers*) The Local Government Amendment Act 2004 was proclaimed on 31 March 2005.

## DETAILS

The Local Government Amendment Act 1994 requires Councils to 'plan for the future' and to consult with the community during the development of that plan. The new regulations do not apply to the 2005/06 planning and budget cycle however Council has produced a Strategic Financial Plan 2005/06 to 2008/09 in order to provide the community with an opportunity to provide comment on the City's proposed activities for the duration of the Plan.

The Strategic Financial Plan 2005/06 to 2008/09 replaces the former Principal Activities Plan that Council was previously required to produce. The draft Strategic Financial Plan 2005/06 to 2008/09 provides a broad strategic overview of the major activities that Council proposes to undertake over the next 4 years, links the City's financial capacity with the strategic direction detailed in the City's Strategic Plan 2003 to 2008, and allocates indicative sums of money to potential projects to ascertain whether the City has the capacity to fund them when required. The Plan also details the performance indicators that will be used to measure the City's success in delivering these services to the community in an efficient and effective manner.

It is proposed that the draft Strategic Financial Plan 2005/06 – 2008/09 be made available for public inspection and comment for thirty (30) days in order to enable the community to present submissions in relation to the activities specified within this document. The comment period will commence on 21 May 2005 and close on 20 June 2005.

A further report will then be presented to Council following the public comment period requesting that Council considers all submissions and adopts the Strategic Financial Plan 2005/06 to 2008/09 with or without modification.

For the purposes of this Plan the following criteria have been used to define a major activity:

- A program or activity which is likely to cost a significant amount of the total annual expenditure; and
- A service or project considered to be of significant interest to the community.

The Major Activities chosen for the City of Joondalup, in accordance with these criteria are:

- Ocean Reef Boat Harbour Development
- Joondalup Works Depot
- Currabine Community Centre
- Mullaloo Development
- Sorrento Beach Development
- Cultural Facilities
- Craigie Leisure Centre
- Approvals, Planning and Environmental Services
- Library and Information Services
- Community Development Services
- Infrastructure Management and Ranger Services
- Environmental Waste Management Services
- Operations Services

**Link to Strategic Plan:**

Key Focus Area 4 – Organisational Development

- 4.1 To manage the business in a responsible and accountable manner
- 4.1.1 Ensure financial viability and alignment to plan

**Legislation – Statutory Provisions:**

The Local Government Amendment Act 1994 was proclaimed on 31 March 2005. Section 42 amends the Act to remove the current detailed requirements for principal activity planning. Sections 5.56, 5.57 and 5.58 are repealed and in their place, a new section 5.56 is included which provides a more general obligation to “plan for the future”.

The regulations do not require the development of a plan for the financial year commencing 1 July 2005. The contents for a plan for the future for the 2005/06 financial year has been left for individual local governments to determine. It can be the continuation of a principal activity plan or such other plan as may be developed. The Local Government Amendment Act 2004 (Clause 42) does not stipulate a public comment period but does require councils to consult with the electors and ratepayers in the development of the ‘plan for the future’.

For 2005/06 Council has taken a decision to proceed with the production of a Principal Activities Plan for the 2005/06 financial year although the Plan has been renamed the “*Strategic Financial Plan*” to better reflect the function the Plan has in linking the City’s financial capacity with the strategic directions set by Council.

**Risk Management considerations:**

There is no longer a statutory requirement for the Strategic Financial Plan to be made available to the public for comment. It is, however, prudent to make the Plan available for public comment to provide the community with an opportunity to participate in the future direction of the City.

**Financial/Budget Implications:**

The draft Strategic Financial Plan 2005/06 provides four-year financial details and source/s of funding for the significant projects and activities of Council for the next four years. The income and expenditure detailed in the Plan are indicative. It should not be interpreted that amounts contained within the Plan will be allocated to these major activities in the final budgets. The dollar amounts included in this Plan may vary according to priorities established by Council for each particular year during the annual budget process.

**Policy implications:**

Council’s general policy directions are guided by six principles: community focus, sustainability, best value, leadership through partnerships and networks, flexibility in service delivery, and people management. These principles commit Council to the development of a well-informed community that is able to participate in the democratic processes.

Council’s Public Participation Policy 2.6.3 has a stated objective to enhance the capacity of the community to actively participate in decision-making and strategic direction setting.

**Sustainability implications:**

The City of Joondalup has a responsibility to serve the community by endeavouring to meet the needs of the present generation while respecting the ability of future generations to meet their needs and aspirations.

The goal of sustainability therefore underpins all Council's decisions and activities, particularly those that define, or have an impact on, the City's future. This involves making decisions about protecting and enhancing the well-being and quality of life of its citizens, the health of the environment, and the capacity of the economy to support the community.

The development of a Strategic Financial Plan will establish a sustainable financial plan for the future through the provision of sufficient funds to allow capital projects and new initiatives to be implemented, ensure the City's infrastructure is maintained, and ensure Council has the financial flexibility to respond to community needs now and into the future.

**Consultation:**

The draft Strategic Financial Plan 2005/06 to 2008/09 will be made available through the City's libraries, at the City's Customer Service Centres, on the City's web site, and upon request for a period of 30 days (21 May 2005 to 20 June 2005). The community will be invited to make submissions. Once all submissions have been considered, the Strategic Financial Plan 2005/06 to 2008/09 will be adopted with or without modification and will then be made available to the community.

**COMMENT**

The new regulations (for the Local Government Amendment Act 1994) do not apply until the 2006/07 financial year. Council has determined that it will proceed with the development of the draft Strategic Financial Plan 2005/06 – 2008/09, which replaces the Principal Activities Plan.

The draft Plan provides an overview of the major activities, and funding options that may be considered by Council over the period of the Plan and will provide the community with opportunities to provide comment on the major projects and activities the City intends to undertake for the period of the Plan, and the performance indicators, which will measure the City's success in delivering these services.

The City offers a range of opportunities for public consultation. Public advertising of the Strategic Financial Plan 2005/06 to 2008/09 prior to formal adoption is one of the methods by which the City provides the community with an opportunity to influence the future planning and direction of the City.

**ATTACHMENTS**

Attachment 1            Draft Strategic Financial Plan 2005/06 – 2008/09

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION:** That Council ADVERTISES the Draft Strategic Financial Plan 2005/06 – 2008/09 forming Attachment 1 to Report CJ086-05/05 for the purpose of seeking public comment on the proposals contained in the plan for a period of 30 days, 21 May to 20 June 2005 inclusive.



**MOVED Cmr Smith, SECONDED Cmr Anderson that Council:**

- 1 ADVERTISES the Draft Strategic Financial Plan 2005/06 – 2008/09 forming Attachment 1 to Report CJ086-05/05 for the purpose of seeking public comment on the proposals contained in the plan for a period of 30 days, 21 May to 20 June 2005 inclusive;**
- 2 NOTES that a more lengthy and comprehensive process of public participation will occur towards the end of the year so that the community can be involved in the formulation of a 20 year financial plan for the City.**

Discussion ensued.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf100505.pdf](#)*

Commissioner Smith declared an interest that may affect her impartiality in Item CJ087-05/05 – Minutes of the Strategic Financial Management Committee as the Currambine Community Centre is specifically mentioned and Commissioner Smith's daughter resides in the suburb of Currambine.

## **CJ087 - 05/05 MINUTES OF THE STRATEGIC FINANCIAL MANAGEMENT COMMITTEE - [51567] [14528] [80566]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Peter Schneider  
Director Corporate Services and Resource Management

---

CJ050510\_BRF.DOC:ITEM 5

### **PURPOSE**

To submit the Minutes of the Strategic Financial Management Committee (SFMC) to Council for noting.

### **EXECUTIVE SUMMARY**

Meetings of the Strategic Financial Management Committee were held on:

- 8 and 22 February 2005;
- 1 March 2005;
- 22 March 2005;
- 5 April 2005.

The minutes of these committee meetings are attached for noting – Attachment 1 refers.

## BACKGROUND

At its meeting held on 2 November 2004 (Item CJ249-11/04 refers) Council established the Strategic Financial Management Committee (SFMC), comprising the Joint Commissioners, with the following terms of reference:

- (a) Promote and advocate sound financial management within the City and provide advice to the council on strategic financial management issues;
- (b) In particular advise Council on –
  - (i) How funding can be achieved for any major capital works project before the council makes a commitment to a project;
  - (ii) Levels of service;
  - (iii) Preparation of the Principal Activities Plan with high priority being given to ensure that the Plan is achievable in the long term;
  - (iv) Alignment of the Principal Activities Plan to the Council's Strategic Plan;
  - (v) Consideration of public submissions to the Principal Activities Plan;
  - (vi) Final acceptance of the Principal Activities Plan.
- (c) Policy development and review of policies with financial implications for the City;

## DETAILS

Meetings of the SFMC were held on:

- 8 and 22 February 2005;
- 1 March 2005;
- 22 March 2005;
- 5 April 2005.

The minutes of these committee meetings are attached for noting – Attachment 1 refers.

### Issues and options considered:

As contained within the minutes of the SFMC.

### Link to Strategic Plan:

Key Focus Area 4 - Organisational Development

- 4.1 To manage the business in a responsible and accountable manner;
- 4.1.1 Ensure financial viability and alignment to plan.

### Legislation – Statutory Provisions:

In accordance with Section 2.7 of the Local Government Act 1995, included in the role of the Council is the responsibility to oversee the allocation of the local government's finances and resources.

Section 5.8 of the Local Government Act 1995 provides for a local government to establish a committee to assist the Council.

**Risk Management considerations:**

The main risk considerations related to the SFMC are of an economic nature and pertain principally to issues of sustainability.

**Financial/Budget Implications:**

The terms of reference of the SFMC include promoting and advocating sound financial advice to the Council on strategic financial management issues.

**Policy implications:**

Links with Policy 2.4.5 – Budget Timetable by assisting in achieving a transparent, planned and co-ordinated budget linking to the Strategic Financial Plan (formerly Principal Activities Plan).

**Sustainability implications:**

The terms of reference of the SFMC are consistent with establishing a sustainable financial plan for the future by advising Council on funding for capital works projects, levels of service and preparation of the Strategic Financial Plan.

**Consultation:**

Consultation is achieved through advertising and consideration of public comments associated with the Strategic Financial Plan.

**COMMENT**

The minutes of the Strategic Financial Management Committee are provided to Council for noting.

**ATTACHMENTS**

Attachment 1 Minutes of the Strategic Financial Committee Meetings held on:

- 8 and 22 February 2005;
- 1 March 2005;
- 22 March 2005;
- 5 April 2005.

**VOTING REQUIREMENTS**

Simple Majority

**MOVED** Cmr Smith, **SECONDED** Cmr Clough that Council **NOTES** the following confirmed minutes of the Strategic Financial Management Committee, forming Attachment 1 to Report CJ087-05/05:

- 1** 8 and 22 February 2005;
- 2** 1 March 2005;

**3 22 March 2005;**

**4 5 April 2005.**

Comr Anderson spoke to the Motion.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf100505.pdf](#)*

Commissioner Smith declared an interest that may affect her impartiality in Item CJ088-05/05 Ocean Reef Road Extension - Request For Removal Of Existing Carpark as her daughter resides in the suburb of Currambine.

## **CJ088 - 05/05 OCEAN REEF ROAD EXTENSION - REQUEST FOR REMOVAL OF EXISTING CARPARK – [07131]**

**WARD:** Marina

**RESPONSIBLE DIRECTOR:** Mr Garry Hunt  
Chief Executive Officer

---

CJ050510\_BRF.DOC:ITEM 6

### **PURPOSE**

To provide Council with details of a request from seven (7) residents living in Mabena Place and Rambler Green in Ocean Reef to remove an existing car park located at the northern end of the proposed Ocean Reef Road extension.

### **EXECUTIVE SUMMARY**

The City has received a request from seven residents, that has generated a number of emails and letters from other Ocean Reef residents, who maintain that the detailed design for the construction of the Ocean Reef Road extension shown as option one on the plan (Refer Attachment B) be redrafted to remove a car park situated on the western side of the existing single carriageway of Ocean Reef Road south of Shenton Avenue. (Refer Attachment A)

The residents have made this request on the understanding that it would result in the road being realigned a further eight (8) metres from their homes and address their concerns about pollution, noise, anti-social behaviour whilst still maintaining the community requirements for the design that were the outcomes of a comprehensive consultation process.

Detailed designs were developed based on the following information received through broad community consultation:

- As the existing car parks meet the needs of local residents and provide safe access to the beaches along established pathways there was no current need for additional car parking

- Community concerns that additional car parks might lead to environmental degradation, increased pollution and anti-social behaviour
- To avoid pedestrians having to cross the road to get to the pathways, car parks must remain to the west of the road
- To enhance local amenity, the road should be built to a boulevard standard
- To reduce the speed of traffic through the area the road should meander along its length
- To avoid visual and physical pollution for local residents, the road should be constructed as far west from existing residences as possible.

The detailed design was presented at the final meeting of the Ocean Reef Working Party at their meeting of 17 November 2004 and subsequently endorsed by them. It should be noted that one of the Working Party members is a signatory to this request for a change in design.

*This report recommends that Council taking into consideration the extensive community wide consultation process undertaken whereby existing and future car parking provision was considered, REAFFIRMS its previous decision to approve a single lane boulevard design standard fully kerbed and drained with roundabouts at Hodges Drive and Resolute Way as shown on Attachment B to Report CJ088-05/05 for the construction of Ocean Reef Road from Hodges Drive to Shenton Avenue, Joondalup.*

## BACKGROUND

**Suburb/Location:** Ocean Reef (Refer Location Plan shown as Attachment A)

<b>Applicant:</b>	Silvia Genoni	4 Mabena Place	Ocean Reef
	Ralph Benitah	4 Mabena Place	Ocean Reef
	Christine Bestall	7 Mabena Place	Ocean Reef
	Lee Bestall	7 Mabena Place	Ocean Reef
	Geoff Knight	8 Mabena Place	Ocean Reef
	Patricia Morrigan	1 Rambler Green	Ocean Reef
	Martin Taylor	1 Rambler Green	Ocean Reef

**Owner:** Same as per applicant details

**Zoning:** Dedicated as public road reserve

The Ocean Reef Road extension project has been the subject of previous consideration by Council.

Since the initial resolution of Council in September 2003 to construct the road to a rural standard and minimum cost, the local community mobilised to form two key stakeholder groups with strongly divergent views on the road matter. Council resolved to establish a working party to guide the consultation process on the proposed extension of Ocean Reef Road. Based on the outcomes of the consultation process the Working Party made detailed design recommendations to Council. These were accepted and endorsed by Council as follows:

*ENDORSES the Working Party recommendations to:*

- (a) *ACCEPTS the design for the construction of the Ocean Reef Road extension shown as option one on the plan;*

- (b) *NOTES that the estimated cost of construction will be \$1.7 million and will include full kerbing and drainage and minimum street lighting;*
- (c) *REQUESTS that a Re-vegetation Plan is developed with community input into the design and planting processes associated with the plan;*
- (d) *REQUESTS that a communication strategy is endorsed for the construction phase of the Ocean Reef Road extension to include:*
- (i) *Working party to receive details of all key events leading up to the construction phase by post;*
  - (ii) *Community members that attended the workshops to receive all key events leading up to the construction phase by post;*
  - (iii) *Community in general will be advised of key events though advertisements placed in the local newspaper and updates on the City's website;*
  - (iv) *A contact person is appointed by the City to handle all enquiries leading up to and during the construction phase.*
- (e) *NOTES the successful outcomes of the consultation process and the validation report received from the Premier and Cabinet Civics and Citizens Unit;*
- (f) *CONGRATULATES AND THANKS the working party members for their input and time into the project;*
- (g) *APPROVES a single lane boulevard design standard fully kerbed and drained with roundabouts at Hodges Drive and Resolute Way as shown on ATTACHMENT B for the construction of Ocean Reef Road from Hodges Drive to Shenton Avenue;*
- (h) *APPROVES the reallocation of funds of \$196,000 from the Hodges Drive Drainage Reserve to Ocean Reef Road subject to section 6.11 of the Local Government Act 1995;*
- (i) *SEEKS a contribution of up to \$236,000 from the Ocean Reef subdivision landowners being the Roman Catholic Archbishop of Perth together with Davidson Pty Ltd for the construction of a single lane boulevard for Ocean Reef Road;*
- (j) *LISTS for consideration in the 2004/05 half year Budget review any outstanding balance of funding for the construction of a single lane boulevard for Ocean Reef Road;*
- (k) *AUTHORISES the Acting CEO to arrange for the finalisation of the design and preparation of tender documents for the Ocean Reef Road extension.*

Furthermore it should be noted that following the abovementioned decision Council awarded a tender at it's meeting on 26 April 2005. (CJ075-04/05 refers). The tender was based on the detailed design endorsed by Council on 14 December 2004.

## **DETAILS**

A comprehensive process of community consultation was undertaken following a resolution of Council on 29 June 2004 (CJ146-06/04 refers). To guide the process a working party was formed, comprising of local residents and other stakeholders.

The working party met on nine occasions between July 2004 and November 2004 and their role was as follows:

- Utilise and evaluate the Premier and Cabinets – Consulting Citizens Guide
- Develop the processes and agree on the design of the program for wider consultation
- Develop and agree on a selection process to involve broader community
- Formulate and agree upon the key criteria for broader community consultation
- To validate the feedback from community from the first workshop held on 30 September 2004 and again from the second workshop held on 21 October 2004
- To develop and agree on recommendations in relation to the road design taking into consideration the outcomes of the second community workshop held on 21 October 2004

The outcome of the consultation process was a set of requirements that were addressed in the final design of the proposed road:

- As the existing car parks meet the needs of local residents and provide safe access to the beaches along established pathways there was no current need for additional car parking
- Community concerns that additional car parks might lead to environmental degradation, increased pollution and anti-social behaviour
- To avoid pedestrians having to cross the road to get to the foreshore pathways, car parks must remain to the west of the road
- To enhance local amenity, the road should be built to a boulevard standard
- To reduce the speed of traffic through the area the road should meander along its length
- To avoid visual and physical pollution for local residents, the road should be constructed as far west from existing residences as possible

It is to be noted that the adopted design of the Ocean Reef Road Boulevard also meanders close to residences at two other locations along the proposed extension as it was agreed by community that there may be need to provide for two possible future car parks.

#### **Issues and options considered:**

The final meeting of the working party was held on 17 November 2004. The minutes of this meeting is shown as Attachment C.

At this meeting the working party examined the final detailed design for the Ocean Reef Road extension and unanimously made the following recommendation:

*“Accept the design for the construction of the Ocean Reef Road extension shown as option one on the plan.”*

The option one plan presented at the working party meeting is shown as Attachment B.

The construction drawings that form part of the recently awarded contract for Ocean Reef Road fully reflects the option one plan previously considered by the working party at its meeting on 17 November 2004.

The residents making the initial request are:

Silvia Genoni	4 Mabena Place	Ocean Reef
Ralph Benitah	4 Mabena Place	Ocean Reef
Christine Bestall	7 Mabena Place	Ocean Reef
Lee Bestall	7 Mabena Place	Ocean Reef
Geoff Knight	8 Mabena Place	Ocean Reef
Patricia Morigan	1 Rambler Green	Ocean Reef
Martin Taylor	1 Rambler Green	Ocean Reef

The location of these residents' homes are shown as Attachment A.

To date the City has received nine (9) emails from other residents supporting the request of the seven residents to remove the existing car park.

The residents consider that by removing the car park, the proposed road could be realigned eight (8) metres to the west and therefore address their concerns about the proximity of the approved road design to their homes and the subsequent noise, pollution levels and anti-social behaviour.

Further they maintain the following:

- 1 The measurements on the proposed design of the road were not stated and therefore did not give a true indication of the outcome for local residents
- 2 There is no real 'buffer' zone
- 3 Safety would be enhanced at a narrow point in the road
- 4 Their preference is to negotiate the changes quickly and not hold up the process
- 5 The intent of the community consultation process to keep car parking at three points along the road will still be maintained
- 6 That there is another car park nearby north of Shenton Ave popular with families

The outcome of the community consultation process was considerable support for a meandering, boulevard style road. Effectively, this was a substantive change from the original design for the road, which was a single carriageway. To incorporate a boulevard standard this section of existing Ocean Reef Road carriageway is required to be modified and the additional width of carriageway will be partially constructed through utilising the brick paved verge area of the existing car park.

The final design presented to and accepted by the working party provided this detail and it could be seen from the plans that a boulevard style would be in closer proximity to the homes. It should be noted that this would also be the outcome at two other locations north of Resolute Way where the design of the Ocean Reef Road Boulevard also meanders close to residences.

Whilst there are several options available to Council in its decision-making capacity on this matter, Council must take into consideration the risks and issues as detailed in this report.

### **Link to Strategic Plan:**

This project aligns to several key objectives and strategies of the City's Strategic Plan. These include:

- 3.1 *To develop and maintain the City of Joondalup's assets and built environment*
  - 3.1.1 *Plan the timely design, development, upgrade and maintenance of the City's infrastructure*



- 3.1.2 *Facilitate the safe design, construction and approval of all buildings and facilities within the City of Joondalup*
- 4.3 *To ensure the City responds to an communicates with the community*
  - 4.3.1 *Provide effective and clear community consultation*
  - 4.3.2 *Provide accessible community information*
  - 4.3.3 *Provide fair and transparent decision-making processes*

**Legislation – Statutory Provisions:**

Not Applicable

**Risk Management considerations:**Ethical Risk

- Removal of the car park by Council may not be in keeping with the spirit of the community consultation and broader community view and serve to undermine trust in the consultation process
- Removal of this car park may set a precedent for the removal of two future proposed car parks near Resolute Way which may lead to a total redesign and further community wide consultation.

Project Risk

A contract has been awarded for the extension of Ocean Reef Road. Whilst removal of the existing car park can be considered as a minor variation any other changes on the same basis to the road alignment near Resolute Way will require major redesign and variations including delays to the project.

Physical Risk

The locality of Ocean Reef will experience a loss of 15 car parks and there is the potential to lose a further 30 car parks if the two future designated car parks are also requested to be removed by residents living in close proximity to them.

Funding Risk

The City will need to incur additional costs estimated to be \$36,000 to remove the car park. Additional costs over and above the \$36,000 may be incurred if the two future designated car parks are removed as the detailed design work will need to be revisited at extra cost to Council.

**Financial/Budget Implications:**

Not Applicable

**Financial Implications**

The cost of removal of the car park has been estimated at \$36,000.

At the Council meeting on 26 April 2005 it was resolved to award a tender for the construction of Ocean Reef Road for the sum of \$1,693,930.69. The budget allocation was \$1,700,000.00.

This represents a budgeted surplus of \$6,000.

Funding the removal of the existing car park only, could be funded from the budget savings and the contingency amount that is within the budget allocation and the contract, if so determined by Council.

**Policy implications:**

Council has a Public Participation Policy 2.6.3 with the primary objective of actively involving the community in Council's planning, development and service delivery activities. The Ocean Reef Road consultation project was developed in alignment with this policy.

**Sustainability implications:**Community Wellbeing

The residents making the request to remove the car park believe their amenity will be enhanced. This view should be considered together with broader community requirements.

Caring for the Environment

The residents making the request believe that pollution will be reduced if the road is moved eight metres west. There is no evidence available to substantiate this claim.

The road reserve was cleared and earth works completed in previous years. An independent environmental survey indicated that there was a limited negative impact on the environment within the road reserve.

City Development

The City, in most circumstances, acts to protect its assets. An existing car park is considered to be an asset from which broader community can obtain service. The Ocean Reef Road extension will eventually service the proposed Ocean Reef Boat Harbour development.

Organisational Development

The City is required to manage its business in a responsible and accountable manner to ensure financial viability in the achievement of its strategic plan. The cost of removal of the car park would incur additional costs estimated to be \$36,000.

**Consultation:**

An extensive consultation process was undertaken and CJ303-12/04 refers.

**COMMENT**

In consideration of the request to remove the existing car park the following should be noted:

- As part of the subdivisional development of Iluka in the mid 1990's approximately 160 metres of a single carriageway of Ocean Reef Road and dual use path on the eastern side was constructed south of Shenton Avenue. In addition at this time a 15 bay car park was also constructed on the western side of this existing carriageway together with a western dual use path that extends from Shenton Avenue to provide access to the foreshore beach.

- The initial proposal for the extension of Ocean Reef Road between Hodges Drive and Shenton Avenue was for a single carriageway. Through the extensive consultation process undertaken in 2004, the community recommended and Council adopted that the design be of a single lane boulevard. (Effectively two carriageways with a median)
- To incorporate this boulevard standard this section of existing Ocean Reef Road carriageway is required to be modified and the additional width of carriageway will be partially constructed through utilising the brick paved verge area of the existing car park.
- The abovementioned design principle is in keeping with the values of the consultation process to locate the road to the west where practical. The existing car park provides a constraint for locating the boulevard further to the west. During the consultation process the car park in question was considered as a “given”. This information was presented to the community at its workshop on 21 October 2004. No issues with regard to the removal of this car park were raised at the workshop or at any of the prior meetings of the working party. It was accepted by community that this car park provided sufficient car parking which actually underpinned the view that there was enough car parking in the area and that space would be allowed for two future car parks if the need arises. (Refer Attachment D)
- It is to be noted that the adopted design of the Ocean Reef Road Boulevard also meanders close to residences at two other locations north of Resolute Way to provide for two possible future car parks
- With regard to quick negotiations – community developed the concept design and the detailed design was recommended by the community working party to Council for endorsement in December 2004. Changes to the endorsed plan can only be changed by a rescission of Council.
- A tender process has been completed and the contract awarded by Council on 26 April 2005. Any change to the detailed plan involving the removal of the existing car park would result in a contract variation to the City estimated \$36,000, plus the risk for increased costs associated with project delays should they occur.

There are a number of implications arising from removal of the existing car park, which are also to be noted by Council:

- 1 Council has endorsed a design plan, which was recommended by community. This presents a risk for Council that broader community may not support the removal of the car park and may lose trust in the process they have undertaken.
- 2 The car park is established and has existed for a number of years. There is no evidence to adequately show that removal of the car park will not cause parking difficulty and these studies would be needed.
- 3 The car park currently has an access way directly to the beach. The access way would not be closed off but would require a pathway leading to it if the car park was removed.

- 4 The community, through its consultation process, expressed a view to minimise the number of car parks in order to have a meandering road that was as far west as possible. Community also agreed that future car parks may be required and sufficient areas were to left on the plan for such developments. On balance the residents opposite those future car parks may also wish to have these car parks removed from the plan and the road moved west at these points. The end result would be that the design would need major redrafting and would incur a higher cost with time delays.
- 5 As a consequence of point 4 above, the meandering road would then become a west aligned road and this would be against the intent of the community consultation outcomes.

In light of the issues and risks associated with Council accepting the request from the 7 residents it would seem appropriate that to maintain the integrity of the process, that Council does not support the request for removal of this car park.

### ATTACHMENTS

Attachment A	Location Plan showing car park and proximity to resident homes
Attachment B	Detailed Design endorsed by Council December 2004
Attachment C	Minutes of Working Party meeting 17 November 2004
Attachment D	Workbook excerpt from community workshop 21 October 2004

### VOTING REQUIREMENTS

Simple majority

**OFFICER'S RECOMMENDATION:** That Council taking into consideration the extensive community wide consultation process undertaken whereby existing and future car parking provision was considered, REAFFIRMS its previous decision to approve a single lane boulevard design standard fully kerbed and drained with roundabouts at Hodges Drive and Resolute Way as shown on Attachment B to Report CJ088-05/05 for the construction of Ocean Reef Road from Hodges Drive to Shenton Avenue, Joondalup.

**MOVED Cmr Clough, SECONDED Cmr Smith that Council taking into consideration the extensive community wide consultation process undertaken whereby existing and future car parking provision was considered, REAFFIRMS its previous decision to approve a single lane boulevard design standard fully kerbed and drained with roundabouts at Hodges Drive and Resolute Way as shown on Attachment B to Report CJ088-05/05 for the construction of Ocean Reef Road from Hodges Drive to Shenton Avenue, Joondalup, and will therefore retain the existing car park;**

Cmr Clough spoke to the Motion.

**AMENDMENT MOVED Cmr Anderson, SECONDED Cmr Fox that an additional Point 2 be added to the Motion as follows:**

**“2 *THANKS the community members who provided input or participated in the consultation process for the development of the plan for Ocean Reef Road.*”**

The Amendment was Put and

**CARRIED UNANIMOUSLY (5/0)**

The Original Motion as amended, being:

That Council:

- 1 taking into consideration the extensive community wide consultation process undertaken whereby existing and future car parking provision was considered, REAFFIRMS its previous decision to approve a single lane boulevard design standard fully kerbed and drained with roundabouts at Hodges Drive and Resolute Way as shown on Attachment B to Report CJ088-05/05 for the construction of Ocean Reef Road from Hodges Drive to Shenton Avenue, Joondalup, and will therefore retain the existing car park;
- 2 THANKS the community members who provided input or participated in the consultation process for the development of the plan for Ocean Reef Road.

Discussion ensued.

was Put and

CARRIED UNANIMOUSLY (5/0)

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf100505.pdf](#)

**CJ089 - 05/05 DOLLIS WAY, KINGSLEY - TRAFFIC MANAGEMENT ASSESSMENT AND FOOTPATH REQUEST – [58107]**

**WARD:** South

**RESPONSIBLE DIRECTOR:** Mr David Djulbic  
Director Infrastructure and Operations

---

CJ050510\_BRF.DOC:ITEM 7

**PURPOSE**

The purpose of this report is to present a traffic assessment carried out in Dollis Way, Kingsley and also to recommend the inclusion of a section of footpath in the Draft 2005-2006 Capital Works Program.

**EXECUTIVE SUMMARY**

In February 2005, the City received a 50-signature petition from residents of Dollis Way in Kingsley requesting the installation of traffic calming devices to reduce excessive vehicle speeds and antisocial driver behaviour on Dollis Way.

Also, the City received a 150-signature petition from residents of Dollis Way in Kingsley requesting the construction of a section of footpath on Whitfords Avenue, adjacent the northern section of Dollis Way to complete a link to the existing path network.

On the basis of the traffic assessment, traffic calming devices such as roundabouts, slow points or speed humps on this road are not recommended at this stage, however some advanced warning signs and centreline pavement markings may be appropriate subject to Main Roads Western Australia's approval. The physical traffic treatment of Dollis Way has a lower priority in comparison with other roads already listed for treatment as part of the City's Five Year Capital Works Program.

On the basis of the traffic assessment, minor traffic treatment of this road is therefore recommended.

Following an assessment of the current footpath network at this location, it is recommended that the request for the footpath link be supported.

*Therefore this report recommends that Council:*

- 1 *REQUESTS Main Roads Western Australia to consider installing appropriate advanced warning signs and centreline pavement markings to the bends in Dollis Way, Kingsley;*
- 2 *REQUESTS Local Police to carry out speed enforcement and enforcement of the Anti-Hoon Law on Dollis Way;*
- 3 *CONTINUES to support the targeting of excessive speed and antisocial driver behaviour through community involvement in the 'Community Speed Watch' Program;*
- 4 *LISTS for consideration in the Draft 2005-2006 Capital Works Program under the Shared Paths programme, the inclusion of a section of path on Whitfords Avenue adjacent to Dollis Way, Kingsley;*
- 5 *ADVISES the respective petitioners accordingly.*

## **BACKGROUND**

In February 2005, the City received a 50-signature petition from residents of Dollis Way in Kingsley requesting the installation of traffic calming devices to reduce excessive vehicle speeds and antisocial driver behaviour on Dollis Way.

Also, the City received a 150-signature petition from residents of Dollis Way in Kingsley requesting the construction of a section of footpath on Whitfords Avenue, adjacent the northern section of Dollis Way to complete a link to the existing path network.

### **Traffic Assessment**

Dollis Way is a 7.4m wide local access road linking Moolanda Boulevard and Barridale Drive, Kingsley and provides access to approximately 80 residential properties. As such, a road of this type may reasonably be expected to carry between 1500 to 2000 vehicles per day. The speed limit was reduced to 50km/hr as part of the standard speed limit for built up areas in 2001.

The petitioners are concerned that motorists are travelling at excessive speed, antisocial driver behaviour i.e burn outs, vehicles cutting the corners and Dollis Way being used as a short cut.

In view of this, a comprehensive survey and assessment of traffic flow data was carried out on Dollis Way.

## **Footpath Request**

Currently the existing footpath on the southern side of Whitfords Avenue is discontinuous along the northern section of Dollis Way. It is expected that footpath users utilise the carriageway of Dollis Way for extending their east – west route along Whitfords Avenue.

## **DETAILS**

### **Issues and options considered:**

#### **Traffic Assessment**

##### Traffic Volumes

A detailed assessment of the survey of traffic data collected over a 7-day period in April 2005 indicates that the current volume of traffic using Dollis Way is around 430 vehicles per day (mid-week). In comparison Moolanda Boulevard carries approximately 6,500 vehicles per day and Barridale Drive carries approximately 5,500 vehicles per day.

Given the low traffic volumes, it is not evident that a significant number of vehicles use Dollis Way as a short cut between Barridale and Moolanda Drives.

##### Vehicle Speed

The survey data indicated that the 85<sup>th</sup> percentile speed (the speed at which 85% of the traffic on a particular road is travelling) of vehicles recorded on Dollis Way over a 24-hour period is 55km/h.

While some incidences of excessive speed were recorded during the survey, generally at night and at non-peak times, the majority of vehicles travel at or below 55 km/h. A graph showing individual vehicle speeds over a 24-hour period is shown on Attachment 2.

##### Crash History

In the five-year period to December 2004, there have been two (2) crashes recorded on Dollis Way. These were recorded at mid block locations along Dollis Way, both property damage only.

##### Road Geometry

An onsite inspection of the road indicated that whilst there were no vehicles observed cutting the bends in Dollis Way, it may however be appropriate to install a continuous double white line with raised reflective pavement markers to delineate the centre of the road. This should reduce the incidence of corner cutting and to assist motorists to safely negotiate the bend. Prior to installation, this type of treatment would require a formal request to Main Roads Western Australia (as the signing and line marking authority) for its approval.

The effect of the Anti-Hoon law, which came into effect in September 2004, is yet to be proven. However, indications from Queensland where the law has been in effect for over a year are that there is a significant decrease in speed and antisocial driver behaviour over twelve months.

In view of this, it is considered to review the situation on Dollis Way in twelve months time.

Whilst excessive speed remains a concern, overall the available data suggests that Dollis Way is generally functioning as a normal local access road.

**Footpath Request**

The extent of the discontinuous footpath link in Dollis Way is eighty-five (85) metres. Although the traffic volumes on Dollis Way are low as the footpath is a major pedestrian/cyclist route, it is considered appropriate to have a separate path facility for these users. Therefore the request from the residents is supported.

**Link to Strategic Plan:**

The recommendations in this report are supported by the strategic objectives:

- 1.4 "To work with the community to enhance safety and security in a healthy environment"
- 3.1 "To develop and maintain the City of Joondalup's assets and built environment"
- 4.3 "To ensure the City responds to and communicates with the community"

**Legislation – Statutory Provisions:**

N/A

**Risk Management considerations:**

N/A

**Financial/Budget Implications:**

Should Main Roads Western Australia approve the minor improvement works of line marking and signage to the bends in Dollis Way, this would not require funds from the City. The signing, supply and installation is fully funded by Main Roads Western Australia.

The footpath link of eighty-five (85) metres will cost approximately \$10,000 and can be listed for consideration in the Draft 2005-2006 Capital Works Program.

**Policy implications:**

N/A

**Sustainability implications:**

The proposed minor traffic treatment and path connection facilitates an improvement in access. The proposal will also enhance the safety of the public environment.

**Consultation:**

Following approval in the Capital Works Program, consultation will be undertaken with the residents prior to installation of the path works. The future review of the traffic situation will involve input from the street residents.

**COMMENT**

Generally, the City's focus is to treat the roads that have higher traffic volumes, vehicle speed and a high crash recorded history.

The City's Five Year Capital Works Program reflects this strategy by endeavouring to treat these roads on a progressive basis into the future.



However, the City does recognise that local streets with low traffic volumes, generally lower vehicle speeds and low crash recorded history have site specific problems that need to be addressed, therefore they are recommended to be treated with cost effective solutions and reviewed periodically.

The assessment of the traffic data collected on Dollis Way suggests that while some isolated instances of excessive speed may occur, the majority of motorists drive in accordance with the existing low speed, local road environment.

In addition, the current volume of traffic and crash rate may also be considered reasonable given the function of the road.

Generally the use of pavement markings and signage is a cost effective treatment to increase safety at bends in roads however is subject to Main Roads Western Australia's approval. In this instance the City will forward a this request to Main Roads Western Australia for its consideration and will conduct a review in twelve months time to consider any further treatments that may be required.

Ideally incidents of excessive speed and antisocial driver behaviour should be reported directly to the Police for action, however the City together with RoadWise and Local Police have developed a program 'Community Speed Watch' to help the community identify motorists who continue to travel in a inappropriate manner on local roads.

Council has previously supported this strategy as a way of targeting excessive speed and antisocial driver behaviour on local roads.

In view of this a brochure detailing the 'Community Speed Watch' Program can be distributed to local residents for information.

## **ATTACHMENTS**

Attachment 1	Locality Plan
Attachment 2	Individual Vehicle Speed Graph

## **VOTING REQUIREMENTS**

Simple Majority

**MOVED Cmr Anderson, SECONDED Cmr Fox that Council:**

- 1 REQUESTS Main Roads Western Australia to consider installing appropriate advanced warning signs and centreline pavement markings to the bends in Dollis Way, Kingsley;**
- 2 REQUESTS Local Police to carry out speed enforcement and enforcement of the Anti-Hoon Law on Dollis Way;**
- 3 CONTINUES to support the targeting of excessive speed and antisocial driver behaviour through community involvement in the 'Community Speed Watch' Program;**

- 4 **LISTS for consideration in the Draft 2005-2006 Capital Works Program under the Shared Paths programme, the inclusion of a section of path on Whitfords Avenue adjacent to Dollis Way, Kingsley;**
- 5 **ADVISES the respective petitioners accordingly.**

The Motion was Put and

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf100505.pdf](#)

## **CJ090 - 05/05 TENDER NUMBER 043-04/05 SUPPLY AND APPLICATION OF BULK FERTILISER – [27570]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr David Djulbic  
Director Infrastructure and Operations

---

CJ050510\_BRF.DOC:ITEM 8

### **PURPOSE**

To seek the approval of Council to choose Trustee for Gorey Unit Trust T/As Turfmaster Facility Management as the successful tenderer for the supply and application of bulk fertiliser.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 30 March 2005 through statewide public notice for the Supply and Application of Bulk Fertiliser. Tenders closed on 14 April 2005. Two submissions were received, namely: AKC Pty Ltd T/As Baileys Fertilisers and Trustee for Gorey Unit Trust T/As Turfmaster Facility Management.

It is recommended that in relation to tender number 043-04/05 Council:

- 1 *DEEMS the tender submitted by AKC Pty Ltd T/As Baileys Fertilisers as non-conforming in accordance with Regulation 18(2) of the Local Government (Functions and General) Regulations 1996 because they failed to fully comply with the essential requirements specified in the request for tender;*
- 2 *CHOOSES Trustee for Gorey Unit Trust T/As Turfmaster Facility Management as the successful tenderer for the Supply and Application of Bulk Fertiliser in accordance with the schedule of rates as provided in Attachment 1 to Report CJ090-05/05;*
- 3 *AUTHORISES the Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Trustee for Gorey Unit Trust T/As Turfmaster Facility Management in accordance with their submitted tender, subject to any minor variations that may be agreed between the CEO and Trustee for Gorey Unit Trust T/As Turfmaster Facility Management.*

## BACKGROUND

Supply and application of fertiliser has proved to be the most cost effective process for broad acre fertilising. The current contractor for supply and application of bulk fertiliser to Council parks and road reserves is Turfmaster Facility Management, who have satisfactorily undertaken the works in accordance with Council requirements.

## DETAILS

Two submissions were received, namely: AKC Pty Ltd T/As Baileys Fertilisers and Trustee for Gorey Unit Trust T/As Turfmaster Facility Management.

The first part of the tender evaluation process is the conformance to the Compliance Criteria. The purpose of this meeting is to ensure that all essential requirements have been met. Tenders not meeting all the essential requirements are deemed to be non-conforming and are eliminated from further consideration. The tender submitted by AKC Pty Ltd T/As Baileys Fertilisers did not meet a significant proportion of the essential requirements. Accordingly it is recommended that their tender be deemed non-conforming.

The tender submitted by Trustee for Gorey Unit Trust T/As Turfmaster Facility Management met all the essential requirements and was submitted for further consideration.

The second part of the evaluation process involves an independent assessment of the qualitative and quantitative criteria by each member of the Evaluation Panel. Each member of the Evaluation Panel assessed the tender submissions individually against the selection criteria using the weightings determined during the tender planning phase. The Evaluation Panel then convened to submit and discuss their assessments, leading to a ranking of each submission in order of merit.

Under the City's Contract Management Framework, the tenders were assessed by the Evaluation Panel using a weighted multi-criterion assessment system and AS 4120-1994 'Code of Tendering', ensuring compliance with *Regulation 18(4)* of the *Local Government (Functions and General) Regulations 1996*.

### Selection Criteria

The Selection Criteria for Tender Number 043-04/05 are as follows:

#### Performance and experience of Tenderer in completing similar projects

- Relevant industry experience, including details of similar work undertaken. Details of previous projects should include, but not necessarily be limited to, description, location, construction amounts, date, duration, client etc
- Past record of performance and achievement with a local government
- Past record of performance and achievement with other clients
- References from past and present clients

#### Capability and competence of Tenderer to perform the work required

- Company structure
- Qualifications, skills and experience of key personnel
- Equipment and staff resources available
- Compliance with Tender requirements – insurances, licences etc
- Quality systems
- Occupational Safety and Health management system and track record

#### 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 Regional community
- Value added items offered by Tenderer
- Sustainability/efficiency/environmental

#### Tendered Price/s

- The Price to supply the specified goods or services
- Schedules of Rates for additional goods or services, variations and disbursements
- Discounts, settlement terms

#### **Issues and options considered:**

Not Applicable

#### **Link to Strategic Plan:**

This contract supports objective 3.1 of the City's Strategic Plan, which states:

"To develop and maintain the City of Joondalup's assets and built environment."

#### **Legislation – Statutory Provisions:**

The statewide public tender was advertised, opened and evaluated in accordance with the *Local Government (Functions & General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is expected to be or is 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.

#### **Risk Management considerations:**

As part of the risk management strategy, the contract specifies that the contractor is to ensure fertiliser is not dispersed directly into lakes, streams and waterways.

#### **Financial Implications:**

In accordance with Council's adopted maintenance and capital works budget.

The City of Joondalup is a registered business entity for GST purposes. The net effect on the price submitted by the successful tenderer is that the City pays GST but is able to claim an input tax credit for the amount of GST paid.

#### **Policy Implications:**

The City's Policy 2.5.7 Purchasing Goods and Services encourages local business in the purchasing and tendering process and has been applied and incorporated into the selection criteria. Neither tenderer is located within either the City or the Region.

#### **Sustainability Implications:**

The broad acre application of fertilisers is necessary to maintain the City's Parks and Recreation areas to a community acceptable standard.

**Consultation:**

Not Applicable

**COMMENT**

The evaluation process identified Trustee for Gorey Unit Trust T/As Turfmaster Facility Management as the highest ranked tenderer and the Evaluation Panel considered that they have the capability and resources to carry out the work on a value for money basis.

The Evaluation Panel therefore recommend Trustee for Gorey Unit Trust T/As Turfmaster Facility Management as the preferred tenderer.

**ATTACHMENTS**

Attachment 1            Schedule of Rates

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION:** That in relation to Tender Number 043-04/05 Council:

- 1 DEEMS the tender submitted by AKC Pty Ltd T/As Baileys Fertilisers as non-conforming in accordance with Regulation 18(2) of the Local Government (Functions and General) Regulations 1996 because they failed to fully comply with the essential requirements specified in the request for tender;
- 2 CHOOSES Trustee for Gorey Unit Trust T/As Turfmaster Facility Management as the successful tenderer for the Supply and Application of Bulk Fertiliser in accordance with the schedule of rates as provided in Attachment 1 to Report CJ090-05/05;
- 3 AUTHORISES the Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Trustee for Gorey Unit Trust T/As Turfmaster Facility Management in accordance with their submitted tender, subject to any minor variations that may be agreed between the CEO and Trustee for Gorey Unit Trust T/As Turfmaster Facility Management.

**ADDITIONAL INFORMATION**

Recommendation Number 4 was omitted from this report, as follows:

- “4 DETERMINES that the contract is to be for an initial period of 12 months with an option to extend, subject to satisfactory performance reviews, for a further maximum period of 24 months, in 12 month increments, with the total term of the contract not to exceed 3 years.”

**MOVED Cmr Anderson, SECONDED Cmr Fox that in relation to Tender Number 043-04/05 Council:**

- 1 DEEMS the tender submitted by AKC Pty Ltd T/As Baileys Fertilisers as non-conforming in accordance with Regulation 18(2) of the Local Government (Functions and General) Regulations 1996 because they failed to fully comply with the essential requirements specified in the request for tender;

- 2 **CHOOSES** Trustee for Gorey Unit Trust T/As Turfmaster Facility Management as the successful tenderer for the Supply and Application of Bulk Fertiliser in accordance with the schedule of rates as provided in Attachment 1 to Report CJ090-05/05;
- 3 **AUTHORISES** the Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Trustee for Gorey Unit Trust T/As Turfmaster Facility Management in accordance with their submitted tender, subject to any minor variations that may be agreed between the CEO and Trustee for Gorey Unit Trust T/As Turfmaster Facility Management;
- 4 **DETERMINES** that the contract is to be for an initial period of 12 months with an option to extend, subject to satisfactory performance reviews, for a further maximum period of 24 months, in 12 month increments, with the total term of the contract not to exceed 3 years.

The Motion was Put and

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf100505.pdf](#)

## **CJ091 - 05/05 TENDER NUMBER 033-04/05 SUPPLY AND LAYING OF ASPHALT – [53568]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr David Djulbic  
Director Infrastructure and Operations

---

CJ050510\_BRF.DOC:ITEM 9

### **PURPOSE**

To seek the approval of Council to choose Asphaltech as the successful tenderer for the supply and laying of asphalt.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 9 February 2005 through statewide public notice for the supply and laying of asphalt. Tenders closed on 24 February 2005. Seven submissions were received, namely: Boral Resources (WA) Limited, BGC Asphalt, Asphalt Surfaces Pty Ltd, Asphaltech, Roads 2000, Hot Mix and Pioneer Road Services Pty Ltd.

It is recommended that in relation to tender number 033-04/05 Council:

- 1 *DEEMS* the tender submitted by BGC Asphalt to be non-conforming in accordance with Regulation 18(2) of the Local Government (Functions and General) Regulations 1996 because it failed to fully comply with the essential requirements specified in the request for tender;

- 2 *CHOOSES Asphalttech as the successful tenderer for the Supply and Laying of Asphalt in accordance with the schedule of rates as provided in Attachment 1 to Report CJ091-05/05;*
- 3 *AUTHORISES the Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Asphalttech for the Supply and Laying of Asphalt, in accordance with their submitted tender, subject to any minor variations that may be agreed between the CEO and Asphalttech.*

## **BACKGROUND**

The major use of asphalt is for Council's Road Preservation and Resurfacing programme. The systematic and timely application of a new surface overlay can maintain pavement integrity, leading to the reduction of expensive reconstruction and maintenance costs. Other uses of asphalt are for Council's Major and Minor Construction Works, Traffic Management Programme and Dual Use Path construction.

The main asphalt mixes used for local roads are 5mm stone mastic asphalt and 7mm fine gap-graded mix. As currently there is a short supply of diorite aggregate in the Perth Metropolitan area and there is no guarantee of availability of diorite asphalt mix, Council generally uses granite mix for all its asphalting works

## **DETAILS**

Seven submissions were received, namely: Boral Resources (WA) Limited, BGC Asphalt, Asphalt Surfaces Pty Ltd, Asphalttech, Roads 2000, Hot Mix and Pioneer Road Services Pty Ltd.

The first part of the tender evaluation process is to check conformance to the Compliance Criteria, in order to ensure that all essential requirements have been met. Tenders not meeting all the essential requirements are deemed to be non-conforming and are eliminated from further consideration. The tender submitted by BGC Asphalt did not meet a significant proportion of the essential requirements and therefore their tender was deemed to be non-conforming and excluded from further evaluation.

The tenders submitted by Boral Resources (WA) Limited, Asphalt Surfaces Pty Ltd, Asphalttech, Roads 2000, Hot Mix and Pioneer Road Services Pty Ltd met all the essential requirements and were submitted for further evaluation.

The second part of the evaluation process involves an independent assessment of the qualitative and quantitative criteria by each member of the Evaluation Panel. Each member of the Evaluation Panel assessed the tender submissions individually against the selection criteria using the weightings determined during the tender planning phase. The Evaluation Panel then convened to submit and discuss their assessments, leading to a ranking of each submission in order of merit.

Under the City's Contract Management Framework, the tenders were assessed by the Evaluation Panel using a weighted multi-criterion assessment system and AS 4120-1994 'Code of Tendering', ensuring compliance with *Regulation 18(4)* of the *Local Government (Functions and General) Regulations 1996*.

## **Selection Criteria**

The Selection Criteria for Tender Number 033-04/05 are as follows:

Performance and experience of Tenderer in completing similar projects

- Relevant industry experience, including details of similar work undertaken. Details of previous projects should include, but not necessarily be limited to, description, location, construction amounts, date, duration, client etc.
- 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
- Written references from past and present clients

#### Capability and 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
- Financial capacity
- Risk assessment
- Compliance with Tender requirements – insurances, licences etc
- Quality systems
- Occupational Safety and Health management system and track record

#### 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 Regional community
- Value added items offered by Tenderer

#### Methodology

- Detail the procedures and process they intend to use to achieve the requirements of the Specification

#### Tendered Price/s

- The Schedule of Rates to supply the specified goods or services
- Schedules of Rates for labour, day works and plant hire
- Discounts, settlement terms

#### **Issues and options considered:**

Not applicable

#### **Link to Strategic Plan:**

This contract supports objective 3.1 of the City's Strategic Plan, which states:

“To develop and maintain the City of Joondalup's assets and built environment.”

#### **Legislation – Statutory Provisions:**

The statewide public tender was advertised, opened and evaluated in accordance with the *Local Government (Functions & General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is expected to be or is 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.



**Risk Management considerations:**

This contract improves public safety aspects associated with road condition and related functionality of the local road network, eg improved skid resistance.

**Financial Implications:**

In accordance with Operation Services' Annual Maintenance and Capital Works Budgets as authorised by Council.

The City of Joondalup is a registered business entity for GST Purposes. The net effect of the price submitted by the successful tenderer is that the City pay GST but is able to claim an input credit for the amount of GST charged.

**Policy Implications:**

The City's Policy 2.5.7 Purchasing Goods and Services encourages local business in the purchasing and tendering process and has been applied and incorporated into the selection criteria. None of the tenderers are located in either the City or the Region.

**Sustainability Implications:**

This contract is an integral part of the City's asset management approach to preserving and refurbishing the City's local road network and associated infrastructure. These works also contribute towards making the City's road network safer through improving road condition and skid resistance, enhancing the value of the City's assets and reducing ongoing maintenance costs.

**Consultation:**

Not applicable

**COMMENT**

The evaluation process identified all conforming tenderers as having the capability and resources to carry out the work. The evaluation therefore proceeded on the basis of identifying a tenderer or tenderers, which represented the best value for money.

Asphaltech submitted a covering letter with their tender, which stated that their submitted rates for stone mastic asphalt were for a proprietary material referred to as "Real SMA". They also offered alternative lower prices for a standard stone mastic asphalt complying with Council's Specification. A Clarification #1 was issued to, and confirmed by, Asphaltech to the effect that the lower rates for the Council Specification constitute their conforming tender and the rates for "Real SMA" constitute an alternative tender.

Taking Clarification #1 into account, Asphaltech submitted the lowest prices for almost all supply and lay items, and those items for which they did not submit the lowest prices are expected to have minimal usage, including the supply and delivery only items. It is therefore considered appropriate to appoint Asphaltech as the sole contractor to supply all the City's requirements.

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

Subject to Council approval, the Contract term will be for an initial period of twelve (12) months. There will be an option to extend the Contract for a further twenty four (24) months which will be subject to annual performance reviews and satisfactory performance of the Contractor. Subject to a satisfactory outcome of each review an extension, in increments of twelve-month periods, will be granted. The duration of the Contract will not exceed three (3) years.

The Evaluation Panel therefore recommends Asphaltech as the preferred tenderer.

## **ATTACHMENTS**

Attachment 1            Schedule of Rates

## **VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION:** In relation to Tender Number 033-04/05, that Council:

- 1        DEEMS the tender submitted by BGC Asphalt to be non-conforming in accordance with Regulation 18(2) of the Local Government (Functions and General) Regulations 1996 because it failed to fully comply with the essential requirements specified in the request for tender;
- 2        CHOOSES Asphaltech as the successful tenderer for the Supply and Laying of Asphalt in accordance with the schedule of rates as provided in Attachment 1 to Report CJ091-05/05;
- 3        AUTHORISES the Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Asphaltech for the Supply and Laying of Asphalt, in accordance with their submitted tender, subject to any minor variations that may be agreed between the CEO and Asphaltech.

## **ADDITIONAL INFORMATION**

Recommendation Number 4 was omitted from this report, as follows:

*"4        DETERMINES that the contract is to be for an initial period of 12 months with an option to extend, subject to satisfactory performance reviews, for a further maximum period of 24 months, in 12 month increments, with the total term of the contract not to exceed 3 years."*

**MOVED Cmr Anderson, SECONDED Cmr Smith in relation to Tender Number 033-04/05, that Council:**

- 1        **DEEMS the tender submitted by BGC Asphalt to be non-conforming in accordance with Regulation 18(2) of the Local Government (Functions and General) Regulations 1996 because it failed to fully comply with the essential requirements specified in the request for tender;**
- 2        **CHOOSES Asphaltech as the successful tenderer for the Supply and Laying of Asphalt in accordance with the schedule of rates as provided in Attachment 1 to Report CJ091-05/05;**

- 3 **AUTHORISES** the Chief Executive Officer (CEO), on behalf of the City, to enter into a contract with Asphalttech for the Supply and Laying of Asphalt, in accordance with their submitted tender, subject to any minor variations that may be agreed between the CEO and Asphalttech;
- 4 **DETERMINES** that the contract is to be for an initial period of 12 months with an option to extend, subject to satisfactory performance reviews, for a further maximum period of 24 months, in 12 month increments, with the total term of the contract not to exceed 3 years.

Discussion ensued.

The Motion was Put and

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf100505.pdf](#)

**CJ092 - 05/05 EDUCATIONAL ESTABLISHMENT - HEALTH & WELLNESS BUILDING (EDITH COWAN UNIVERSITY) ON LOT 50 (270) JOONDALUP DRIVE, JOONDALUP – [05802]**

**WARD:** Lakeside

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Director Planning and Community Development

---

CJ050510\_BRF.DOC:ITEM 10

**PURPOSE**

For Council to give consideration on the application for planning consent for a new Health & Wellness building within the Edith Cowan University (ECU) site located at Lot 50 (270) Joondalup Drive, Joondalup.

**EXECUTIVE SUMMARY**

The Edith Cowan University's (ECU) Strategic Plan identifies a campus rationalisation strategy that involves the sale of the Churchlands Campus and the relocation of academic activities from Churchlands to the Mt Lawley and Joondalup Campuses. An element of this strategy is the provision of improved and expanded student and staff services on the Joondalup Campus to accommodate the increased campus student and staff load.

The application for planning consent is to develop a new five-storey Health & Wellness building at a cost of \$29 million to the east of the Campus site. This development is to allow the provision of new accommodation on the Campus, relocating the existing Nursing and Health programme from the Churchlands Campus. The building is proposed to house the following sectors:

- The Vario Institute (previously known as the Australasian Health and Wellness Institute);
- School of Nursing and Public Health;
- School of Computing and Information Science;
- Provision for General Teaching.

The proposed development will cover over 9,600m<sup>2</sup> of site area, extending over an existing in-ground services corridor and sub-station, existing vegetation as well as some existing car parking areas. The building has been sited and designed in a way which matches the existing contours of the land with the five-storey section of the building being located at the lower point of the land (west), whilst the single storey portion of the building is located on the highest point of the land (east).

Council has recently received a separate application for planning consent to develop 600 new car bays on an adjacent lot to the west of the Campus site between the railway line, Collier Pass and Grand Boulevard. The applicant has requested that this proposal be considered when assessing this subject development.

Furthermore, a Structure Plan for the ECU site has been received by the City for its consideration and approval. This Structure Plan provides a comprehensive framework for the future development of the ECU Joondalup City Campus for the consideration and approval of future development proposals by Council. This Structure Plan has an anticipated lifespan of over 20 years. Future development form and timing will be affected by commercial feasibility and growth of the university student population during that period of time.

It is recommended that the subject proposal be approved, subject to conditions with particular reference to the future parking needs of the campus.

## **BACKGROUND**

### **Application History**

- |            |   |
|------------|---|
| 14/03/2005 | Application received.   |
| 13/04/2005 | Meeting to discuss the proposed development and future development for ECU, including parking provisions and a Structure Plan for the site. This meeting was held between City staff and the applicant, ECU Manager Project Services. |
| 19/04/2005 | Further information requested from the applicant to clarify the parking numbers (existing and proposed).  |
| 21/04/2005 | Requested parking information received.   |

Planning approval was given on 24 December 2004 for a new library building (DA04/0670) on the ECU Joondalup Campus at a cost of \$29 million to replace the existing library building. The new library facility is to be a four-storey development to accommodate a Library, IT Services, Student Amenities, Coffee Shop/Café (including internet services), Book Shop and the Campus Security Office.

It was noted as part of this planning approval, that there was a loss of parking bays for the campus site as a result of the library proposal. To ameliorate any further loss of parking bays through development, a condition was incorporated into the approval, which stated the following:

- 1) *The applicant/owner is advised that the proposed development will result in a net loss of 159 standard car parking bays. Therefore the applicant/owner is made aware that any future development, within the site, may not be approved until such time that this parking has been reinstated along with any additional parking as may be required by any proposed development to the satisfaction of the City.*

**Suburb/Location:** Lot 50 (270) Joondalup Drive, Joondalup  
**Applicant:** Ron Hewitt, Manager Project Services (ECU)  
**Owner:** WA College of Advanced Education  
**Zoning:** **DPS:** Centre R20 (Joondalup City Centre)  
**MRS:** Central City Area

## DETAILS

### Issues and options considered:

#### Siting, Design and Materials

The new five-storey Health & Wellness building is to be located to the east of the Campus site, approximately 23 metres to the south of existing Building 19, as shown on Attachment 2. The proposed development site comprises of 9,600m<sup>2</sup> of land, which is to replace some existing car parking area, existing vegetation and an in-ground services corridor and sub-station. It is noted that the existing sub-station is proposed to remain in the existing position.

The subject site rises 6.1 metres along its length from the western edge to the eastern car park area. As a result, ground level entry points have been provided at the three lower levels of the development. The ground level of Building 19 in comparison to Level 1 of the proposed structure is 1.6 metres in difference, with the new structure being higher. Paved ramps will connect the two buildings at this level. The new structure will also be linked to Building 19 at level 2 by means of a pedestrian bridge.

The proposed building will comprise of five levels with the five-storey section of the building being located at the lower point of the land (west), whilst the single storey portion of the building is located on the highest point of the land (east).

The building has been orientated to maximise the northerly orientation and minimise east/west facing glazing.

The materials to be used are predominantly rendered and painted with select areas of precast concrete and stone facing. An external sun shading system is proposed to provide access and façade maintenance, as well as protection from solar heat loads.

Internally the building includes general teaching space on the lower levels with student common rooms overlooking the central green area to the north with an external balcony on level 2. Office space and research rooms have been located on the upper floors with offices accessible to students located on the lower levels immediately above the general teaching areas.

To the west of the subject development is an area set aside for possible future expansion. Whilst to the east of the subject development, the existing car park will be modified and dedicated bays will be provided for use by visitors to the Vario Institute.

### Landscaping and Pathways

Outdoor landscaping and functional passive recreation spaces are to be provided around the building. Any existing significant planting is to be retained wherever possible, with particular reference to the existing bushland area located to the southeast corner of the building. Planting of predominantly indigenous Western Australian natives is to be used throughout with non Western Australian planting limited to locations such as feature courtyard areas. The applicant states that this will create a contrast to the surrounding indigenous theme.

Other external design features are to include:

- A formal entry to the building from the north, which is to serve as an orientation point;
- Creation of path linkages to adjoining buildings and facilities to further integrate the building and its overall landscape setting;
- Creation of private and collective spaces – to foster interaction between students and staff, and to provide areas of seclusion;
- Use of tree planting to ameliorate the summer sun and wind, as well as winter storms;
- Introduction of raised planter beds that dual function as seating walls for students;
- Provision of lawn terraces that are accessible from various levels to encourage student use.

### Car Parking and Student/Staff Population Growth

The applicant has advised that the new structure will cause the loss of some car parking bays. This is in addition to the parking bays, which will be lost as a result of the recent planning approval for a new Library Building (DA04/0670). The figures given are as follows:

<b>Projected Requirement</b>	<b>No of Carbays</b>
Number of bays available on campus 2005	2,017
Projected number of bays required 2005	2,249
Projected number of bays required 2006	2,400
Projected numbers of bays required 2007	2,908
<b>Shortfall</b>	<b>232</b> (Semester 1, 2005) <b>383</b> (Semester 1, 2006) <b>891</b> (Semester 1, 2007)

ECU has planned car parking based on the provision of one bay for every 5.36 students and one bay for every 1.12 staff along with the provision of visitor (paid) bays, disabled persons bays, service bays and motorcycle bays on a need basis. Furthermore, ECU states that it is recognised that the Campus is in a unique position in relation to alternate means of transportation (public transport) and has set car parking ratios in response to this situation.

The applicant states that a car parking audit is completed on the site on a yearly basis during the first six weeks of Semester 1, which is the peak period for the year. A further audit is carried out in the middle of Semester 1 in which the applicant explains that car parking is at a level, which is largely indicative of the rest of the year. Independent traffic consultants monitoring the parking availability from 0800hrs to 1800hrs carry out these audits. ECU uses these figures as a guide to ascertain the demand for parking on the site and the variations from year to year. Furthermore, ECU has advised that these audits will continue every year so as to monitor the growth trends of the university and whether car parking is satisfactory.

Additionally, during the peak periods of the year, ECU opens up the existing oval to cater for any overflow of parking that may be necessary.

The use of alternative transport is also monitored and examined by ECU. The aim is to provide different options for staff and students to access the Campus. The strategies, which are currently in place include:

- Engagement of a fulltime Travel Smart Officer.
- Provision of a shuttle bus service between the Joondalup Train Station and the Campus (weekly patronage is currently 7,500).
- Improved bike facilities on Campus.
- Regular liaison with Transperth to improve public transport links.

Furthermore, ECU in conjunction with the City of Joondalup and Perth Transport Authority will be implementing a CAT bus facility in the near future.

Apart from natural growth, the applicant states that the Health & Wellness Building is the only project, which relocates population from another Campus (Churchlands). The expected population growth as a result of the Health & Wellness building during 2006 and 2007 is 1425 persons. The applicant reiterates that the population growths are subject to review and are based on demand.

A separate application (DA05/0239) for planning consent to develop a new 600 bay car park has been submitted to the City. This is to be located on the western side of Grand Boulevard, which is to link through Kendrew Crescent. The design of the car park is proposed along the railway edge of the campus site. If the new car parking area is approved, the applicant is proposing to begin construction in 2005 to allow for completion of the works for Semester 1, 2006. This provision is proposed to be staged with the initial number of bays provided being 400. The proposed completion of the Health & Wellness building is set for Semester 1, 2007.

It has been requested by ECU that the application for the new 600 bay car parking area be considered as part of the application for the new Health & Wellness building.

#### Structure Plan

Furthermore, the applicant has also submitted a Structure Plan for Council's consideration. The Structure Plan provides a comprehensive framework for the future development of the Edith Cowan University (ECU) Joondalup City Campus for the consideration and approval of future development proposals by the Council. This Structure Plan has an anticipated lifespan of over 20 years in which future development will be dependant on commercial feasibility and growth of the university student population.

#### Conclusion

Overall the applicant states that; "the Health and Wellness Building will be open, welcoming and community orientated to communicate the University's commitment to public health professions, serving as a visual representation of the University's claim to being a progressive and technologically cutting-edge institution."

#### **Link to Strategic Plan:**

The Strategic Plan states that the development of Joondalup as a Learning City is a key strategy, including planning for student growth and creating learning opportunities.

#### **Legislation – Statutory Provisions:**

The City of Joondalup District Planning Scheme No 2 (DPS2) and the Joondalup City Centre Development Plan and Manual (JCCDPM) are relevant statutory documents.

When considering an application for Planning Approval, the following clauses of District Planning Scheme No 2 are specifically relevant to this application:

*Table 2 (Clause 4.8) – Car Parking Standards*

*Tertiary College – 1 bay per 3 Students*

**6.8** *Matters to be considered by Council*

**6.8.1** *The Council when considering an application for Planning Approval shall have due regard to the following:*

- (a) interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) any relevant submissions by the applicant;*
- (c) any Agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
- (d) any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) any other matter which under the provisions of the Scheme, the Council is required to have due regard;*
- (f) any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*
- (g) any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) the comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) the comments or wishes of any objectors to or supporters of the application;*
- (j) any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) any other matter which in the opinion of the Council is relevant.*

**Risk Management considerations:**

Not Applicable

**Financial/Budget Implications:**

Not Applicable

**Policy implications:**

Not Applicable

**Sustainability implications:**

Education is a key service within the City of Joondalup. It is considered that this proposal will offer a more diverse level of education within the City of Joondalup, thus providing a higher level of service to the community.

Additionally, the proposal will increase the number of students within the ECU Campus, which will have an impact on spending within the City, which in turn will be of benefit to business owners within the City and towards the encouragement of economic growth.



**Consultation:**

The application was not advertised to adjoining landowners, as the siting and scale of the proposed development was not considered to impact on the surrounding area and is in keeping with the type of development foreshadowed within the Campus District.

**COMMENT**

Edith Cowan University is a major focal point of the Joondalup City Centre area. Therefore it is important that development within the campus site enhances the character through design, built form and use reinforcing the image of the City as a vibrant place to be.

It is considered that the development proposal on a design and structural scale is one that complements the existing style and form of that which currently exists at the campus site. The building itself is seen as one that provides some visual impact at a scale and character, which is comparable to the existing campus building sizes, material types and colours.

The building has been sited and designed in a way which complements the existing contours of the land with the five-storey section of the building being located at the lower point of the land (west), whilst the single storey portion of the building is located on the highest point of the land (east). This design assists in providing a strong connection between the subject building and the existing Building 19 to the north, through the use of ramps and bridges at various levels.

The provision of new landscaped areas with particular reference to the area north of the proposed development between Building 19 will provide a collective space that encourages interaction between students as well as providing private areas. It is recommended that the City be given the opportunity to comment on the proposed plant species types and design, with the retention of as much existing vegetation being taken into account.

**Parking**

The number of existing car bays which will be lost as a result of this development is proposed to be 177 bays. A recent planning approval given to ECU for the new Library on the campus indicated to the applicant that there was concern over the loss of parking bays for the subject site. It further mentioned that any future development within the site, may not be approved until such time as the lost parking has been reinstated, along with the provision of any additional parking required by the proposed development to the satisfaction of the City. The loss of these parking bays needs to be taken into account with the proposed new car parking bays, required as part of this development proposal.

The Joondalup City Centre Development Plan and Manual does not specify a parking standard for an Educational Establishment or University. Therefore, it would be reasonable for Council to use the parking standards as specified in DPS2.

Table 2 (Clause 4.8) of DPS2 does not specify the number of car bays required for an Educational Establishment or University. However, in this case it is deemed that the parking rate provided, under DPS2, for a "Tertiary College" would be most alike with the rate required for an Educational Establishment such as a University. DPS2 states that the number of on-site parking bays required for a Tertiary College is 1 car bay per 3 students.

The number of persons proposed to use the subject building, based on the ratios given by the applicant, is for a maximum of 868 students. Given the ratio provided in DPS2 for Tertiary College, this would require the provision of 289 car bays.

The parking figures provided by the applicant, based on the number of persons proposed to use the subject building for a maximum of 868 students (1 bay per 5.36 students) and 198 staff members (1 bay per 1.12 staff members), would be 342 car bays.

If the overall parking figures for students expected at the site by Semester 1 2007 (7,832 students) are taken into account under DPS2 and the ECU figures, the total number of car bays required would be 2,611 under DPS2 compared to 2,731 as per the ECU figures. This is a difference of 120 car bays. Therefore the parking provision provided by the applicant is considered to be higher than that required by DPS2.

Using the figures above as per DPS2, based on the projected number of students that will be attending ECU by Semester 1, 2007 (7,832 students) there would be an existing deficiency of 594 car bays (current number of parking bays at 2,017).

The applicant has also submitted a new application for the provision of a new car parking area (DA05/0239). The new car parking development proposes 600 new car parking bays on the ECU Campus site. This is proposed to be located on the adjacent land to the west of the main Campus site on Lot 502 Grand Boulevard, Joondalup which is bounded by Collier Pass to the north, Grand Boulevard to the east and the railway reserve to the west. This car parking area is proposed to be accessed via Grand Boulevard. The provision of this parking is proposed to be staged, with 400 car bays being provided for Semester 1, 2006. The City is currently assessing this proposal.

ECU has requested that this development proposal for 600 new car parking bays be considered as part of this subject proposal. Furthermore, the applicant has requested this be considered as part of this subject proposal so the subject development will be able to meet the timelines for opening in Semester 1, 2007.

In this instance it would seem reasonable to include the proposal for 600 new car bays as part of this development proposal. The applicant has shown intent by submitting the application for planning consent and has provided adequate written information to illustrate the future direction of development and planning of the ECU Campus site. The ECU's intent has been further strengthened by the submission of a new Structure Plan for the site, which will be provided for Council's consideration in the near future.

### Structure Plan

Edith Cowan is a university, which is currently looking toward a period of rapid growth over the next 5 years. Therefore a Structure Plan is considered imperative to provide a comprehensive planning framework for the future development of the ECU campus for consideration and approval of development proposals over the next twenty years.

Future development of the ECU campus will include the large portion of land (Lot 502 Grand Boulevard – 8.4872ha) to the west of the current site which is bounded by Collier Pass to the north, Grand Boulevard to the east and the railway reserve to the west. Development in this area is proposed to be staged and will include the provision of car parking bays, as included above.

It should be noted that the Structure Plan also covers areas, which will include the future of public transport, pedestrian & cycle networks and future road networks, which adds further options to students and staff using the campus.

If the Structure Plan receives final endorsement by Council and the Western Australian Planning Commission, it will provide a framework for the University to make informed decisions regarding appropriate future expansion and within which the City of Joondalup can assess development proposals.

Furthermore, ECU has shown that they are committed to examining the parking trends of the University by conducting an annual “Independent Car Parking Audit”. This information will benefit the University and the City of Joondalup in analysing any future development in relation to parking supply and demands.

### Conclusion

Having regard to the submission of a development application for 600 new car bays, a new Structure Plan which will provide a new planning framework for the site over the next twenty years and ECU’s on-going car parking audits, it is considered that the parking provision for the new Health & Wellness Building is acceptable.

It is therefore considered that the proposal for a new Health & Wellness building at the ECU Campus site will provide further services and opportunity on a regional scale with particular reference to those who live in the City of Joondalup. The ECU Campus is considered one of the main focuses for the City of Joondalup and the provision of this new facility is considered to enhance the City’s identity as hub of educational opportunity.

The application is therefore recommended for approval, subject to conditions.

### **ATTACHMENTS**

Attachment 1            Location Plan  
Attachment 2            Development Plan

### **VOTING REQUIREMENTS**

Simple Majority

### **ADDITIONAL INFORMATION**

In reference to Item No CJ092-05/05, the table on page 44 of the agenda in relation to number of car parking bays was expanded to allow further clarification.

### **PROJECTED STUDENT/ PARKING FIGURES – ECU CAMPUS SITE (2005 – 2007)**

#### **PROJECTED STUDENT NUMBERS**

<b>Number of Students:</b> Semester 1, 2005	6,257
<b>Number of Students:</b> Semester 1, 2006	6,684
<b>Number of Students:</b> Semester 1, 2007	7,832

#### **ECU - PARKING FIGURES**

<b>Year</b>	<b>No of Carbays Provided</b>	<b>No of Carbays Required</b>	<b>Difference</b>
Projected number of bays required 2005	2,017	2,249	- 232
Projected number of bays required 2006	2,417	2,400	+ 17
Projected numbers of bays required 2007	2,617	2,731	- 114

**CITY OF JOONDALUP - (DPS2) PARKING FIGURES**

Year	No of Carbays Provided	No of Carbays Required	Difference
Projected number of bays required 2005	2,017	2,085	+ 68
Projected number of bays required 2006	2,417	2,228	+ 189
Projected numbers of bays required 2007	2,617	2,611	+ 6

Provision of disabled carparking bays

To a query raised at the Briefing Session held on 10 May 2005 in relation to carparking bays for the disabled, the calculated provision of parking bays for disabled access is appropriate and does confirm to the Building Codes requirements.

Opening of Building

The building is due to be opened in Semester 1, 2007. The expected population growth as a result of the Health & Wellness building for its projected opening in Semester 1, 2007 is 1425 persons.

**OFFICER'S RECOMMENDATION:** That Council:

- 1 APPROVES the application for planning consent dated 14 March 2005, submitted by Ron Hewitt on behalf of the owners, Edith Cowan University for a Health & Wellness Building at Lot 50 (270) Joondalup Drive, Joondalup, subject to the following conditions:
  - (a) The applicant is to provide a minimum of 594 on-site car bays, prior to occupation of the Health & Wellness Building, to the satisfaction of the Manager Approvals, Planning & Environmental Services;
  - (b) Provision of details for the proposed disposal of medical waste to be provided to the City prior to occupation;
  - (c) The lodging of detailed landscaping plans, to the satisfaction of the Manager Approvals, Planning & Environmental Services, for the development site with the Building Licence application;
  - (d) Landscaping and reticulation to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning & Environmental Services;
  - (e) The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Off-street Car parking (AS2890) unless otherwise specified by this approval. Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the Manager Approvals, Planning & Environmental Services prior to the development first being occupied;

- (f) Provision of a minimum two (2) disabled bays located convenient to the building entrance to the satisfaction of the Manager Approvals, Planning & Environmental Services;
- (g) A bulk bin storage area suitably screened is to be provided for the development prior to occupation, to the satisfaction of the Manager Approvals, Planning & Environmental Services;
- (h) Installation of lighting in the car parking areas and the surrounds to deter theft and anti-social behaviour, to the satisfaction of the Manager Approvals, Planning & Environmental Services;
- (i) Any floodlighting being designed in accordance with Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be where possible internally directed to not overspill into nearby lots;
- (j) Any roof mounted or freestanding plant equipment, such as air conditioning units, to be located and/ or screened so as not to be visible from beyond the boundaries of the development site to the satisfaction of the Manager Approvals, Planning & Environmental Services;
- (k) The materials, colours and finishes of the proposed additions shall match that of the surrounding area, where practicable, to the satisfaction of the Manager Approvals, Planning & Environmental Services;
- (l) Any blank wall of the development, including any retaining walls shall be coated with a non-sacrificial anti-graffiti coating, to the satisfaction of the Manager Approvals, Planning & Environmental Services;
- (m) The pedestrian pathways, landscaping areas, parking areas and/ or associated accessways shall not be used for storage (temporary or permanent) and/ or display and/ or be obstructed in any way at any time, without prior approval of the Manager Approvals, Planning & Environmental Services;
- (n) Any signage associated within the development is to be the subject of a separate Planning Approval;
- (o) An on-site drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning & Environmental Services. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;
- (p) The submission of a Construction Management Plan at the submission of a Building Licence Application for the proposal detailing how it is proposed to manage:
  - (i) the delivery of materials and equipment to the site;
  - (ii) the storage of materials and equipment;
  - (iii) the parking arrangements for the contractors and subcontractors;
  - (iv) impact on traffic movement;
  - (iv) operation times including delivery of materials;
  - (v) other matters likely to impact on surrounding residents;

to the satisfaction of the Manager Approvals, Planning & Environmental Services;

- 2 ADVISES the applicant/owner that the proposed development will result in a net loss of 177 car bays. Therefore the applicant/owner is made aware that any future development within the site may not be approved until such time as this parking has been reinstated along with any additional parking as may be required by any proposed development;

Footnotes:

- (a) This is a planning approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- (b) Development to comply with the Health (Public Buildings) Regulations 1992.
- (c) Development shall comply with the Sewerage (Lighting, Ventilation and Construction) Regulations 1971.
- (d) Development shall comply with the City of Joondalup Health Local Laws 1999.
- (e) Applicant/owner is advised that, there is an obligation to design and construct the premises in compliance with the requirements of the Environmental Act 1986.

**MOVED Cmr Anderson, SECONDED Cmr Fox that Council:**

- 1 **APPROVES** the application for planning consent dated 14 March 2005, submitted by Ron Hewitt on behalf of the owners, Edith Cowan University for a Health & Wellness Building at Lot 50 (270) Joondalup Drive, Joondalup, subject to the following conditions:
- (a) **The applicant is to provide a minimum of 594 on-site car bays within the University grounds prior to the occupation of the Health & Wellness Building. These car parking bays and any future car parking bays will be considered by Council in the context of the Structure Plan for Edith Cowan University;**
  - (b) **Provision of details for the proposed disposal of medical waste to be provided to the City prior to occupation;**
  - (c) **The lodging of detailed landscaping plans, to the satisfaction of the Manager Approvals, Planning & Environmental Services, for the development site with the Building Licence application;**
  - (d) **Landscaping and reticulation to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning & Environmental Services;**
  - (e) **The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Off-street Car parking (AS2890) unless otherwise specified by this approval. Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the Manager Approvals, Planning & Environmental Services prior to the development first being occupied;**

- (f) **Provision of a minimum two (2) disabled bays located convenient to the building entrance to the satisfaction of the Manager Approvals, Planning & Environmental Services;**
- (g) **A bulk bin storage area suitably screened is to be provided for the development prior to occupation, to the satisfaction of the Manager Approvals, Planning & Environmental Services;**
- (h) **Installation of lighting in the car parking areas and the surrounds to deter theft and anti-social behaviour, to the satisfaction of the Manager Approvals, Planning & Environmental Services;**
- (i) **Any floodlighting being designed in accordance with Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be where possible internally directed to not overspill into nearby lots;**
- (j) **Any roof mounted or freestanding plant equipment, such as air conditioning units, to be located and/ or screened so as not to be visible from beyond the boundaries of the development site to the satisfaction of the Manager Approvals, Planning & Environmental Services;**
- (k) **The materials, colours and finishes of the proposed additions shall match that of the surrounding area, where practicable, to the satisfaction of the Manager Approvals, Planning & Environmental Services;**
- (l) **Any blank wall of the development, including any retaining walls shall be coated with a non-sacrificial anti-graffiti coating, to the satisfaction of the Manager Approvals, Planning & Environmental Services;**
- (m) **The pedestrian pathways, landscaping areas, parking areas and/ or associated accessways shall not be used for storage (temporary or permanent) and/ or display and/ or be obstructed in any way at any time, without prior approval of the Manager Approvals, Planning & Environmental Services;**
- (n) **Any signage associated within the development is to be the subject of a separate Planning Approval;**
- (o) **An on-site drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning & Environmental Services. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;**

- (p) The submission of a Construction Management Plan at the submission of a Building Licence Application for the proposal detailing how it is proposed to manage:
- (i) the delivery of materials and equipment to the site;
  - (ii) the storage of materials and equipment;
  - (iii) the parking arrangements for the contractors and subcontractors;
  - (iv) impact on traffic movement;
  - (iv) operation times including delivery of materials;
  - (v) other matters likely to impact on surrounding residents;

to the satisfaction of the Manager Approvals, Planning & Environmental Services;

- 2 ADVISES the applicant/owner that the proposed development will result in a net loss of 177 car bays. Therefore the applicant/owner is made aware that any future development within the site may not be approved until such time as this parking has been reinstated along with any additional parking as may be required by any proposed development;

**Footnotes:**

- (a) This is a planning approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- (b) Development to comply with the Health (Public Buildings) Regulations 1992.
- (c) Development shall comply with the Sewerage (Lighting, Ventilation and Construction) Regulations 1971.
- (d) Development shall comply with the City of Joondalup Health Local Laws 1999.
- (e) Applicant/owner is advised that, there is an obligation to design and construct the premises in compliance with the requirements of the Environmental Act 1986.

Cmr Anderson spoke to the Motion.

The Motion was Put and

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8brf100505.pdf](#)

Commissioner Anderson declared an interest that may affect his impartiality in Item CJ093-05/05 - Public Purposes (Special Use) – Two New 10 Bed Dormitories, A Leaders Accommodation Building, A New Meeting Hall, A New General Office Building, Additions To Existing Buildings And Infrastructure Additions (Ern Halliday Recreation Camp) On Reserve 23563 (140) Whitfords Avenue, Hillarys as he deals with a number of clubs that use the Ern Halliday Recreation Centre.



**CJ093 - 05/05 PUBLIC PURPOSES (SPECIAL USE) – TWO NEW 10 BED DORMITORIES, A LEADERS ACCOMMODATION BUILDING, A NEW MEETING HALL, A NEW GENERAL OFFICE BUILDING, ADDITIONS TO EXISTING BUILDINGS AND INFRASTRUCTURE ADDITIONS (ERN HALLIDAY RECREATION CAMP) ON RESERVE 23563 (140) WHITFORDS AVENUE, HILLARYS – [28414]**

**WARD:** Whitford

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Director Planning and Community Development

---

CJ050510\_BRF.DOC:ITEM 11

**PURPOSE**

For Council to provide comments for referral to the WAPC on the application for two new accommodation buildings, general office building and infrastructure additions within the Ern Halliday Recreational Camp (EHRC) site on Reserve 23563 (140) Whitfords Avenue, Hillarys.

**EXECUTIVE SUMMARY**

The subject site is classified as a Reserve (Special Use) under the Metropolitan Region Scheme (MRS) in which the determination of the application for Approval to Commence Development will rest with the WAPC.

It is noted that a building licence is not required for this subject application, as this is an application by the State Government located on Crown Land, which is exempt from requiring a Building Licence approval. However referral to the City of Joondalup is required for approval to commence development under the Metropolitan Region Scheme (MRS). The City of Joondalup is required to forward a recommendation of support or non-support for the development to the WAPC.

The application for approval to commence development incorporates new accommodation building and general office building and infrastructure additions at a cost of \$3.4 million, to various parts of the site.

The development works include a new administration office and entry statement, new meeting hall, new leader's accommodation, demolition of one existing dwelling and refurbishment of another existing dwelling, two new 10-bed dormitories, upgrade of Spinnaker Camp Kitchen, removal of asbestos cement sheeting from gymnasium and replacing with new cladding, new ablutions for gymnasium, upgrading and adding disabled ablutions to the existing Day Area toilet block, upgrading the existing Commodore Dormitories, upgrading the existing Commodore kitchen and dining facilities and addition of a new dining room.

The proposed development will not have any detrimental impacts on the surrounding area or adjoining landowners due to the siting and nature of the new development, additions and upgrades. Therefore it is recommended that Council advise the Western Australian Planning Commission (WAPC) that the application for approval to commence development is supported, subject to conditions.

## BACKGROUND

The existing Ern Halliday Recreation Camp provides facilities, equipment and program options for schools, sporting clubs, environmental, social, church, youth, business, family or any type of group. Activities programs include beach volleyball, cricket, beach walks, coastal and marine education, swimming, abseiling, flying fox, indoor and outdoor rock climbing, orienteering, bushcraft, camp fire cooking and team games. Accommodation provided on site includes dormitory accommodation and two tent sites. All facilities are available on a booking basis.

### Application History

04/02/2005	Application received
11/03/2005	Application referred to the Western Australian Planning Commission
15/03/2005	Referred to internal departments for comment
12/04/2005	Referred to Environmental Health (plans misplaced)
12/04/2005	Referred to Landscape Architect
19/04/2005	All comments received

<b>Suburb/Location:</b>	Reserve 26563 (140) Whitfords Avenue, Hillarys
<b>Applicant:</b>	Sandover Pinder Architects
<b>Owner:</b>	Crown Land
<b>Zoning:</b>	<b>DPS:</b> Public Purposes - Special Uses
	<b>MRS:</b> Public Purposes - Special Uses

## DETAILS

The applicant is proposing a number of additions to the subject site including new buildings, civil works, infrastructure works, landscaping works and reticulation. These additions and improvements are proposed in various areas of the site.

The new buildings, civil works, infrastructure works, landscaping works are to include the following:

### New Administration Office (EH1)

Is to be located along the northwestern side of the entry road. The new single storey office is proposed to house the Camp Manger's office and an open plan office for up to six (6) staff. The new building includes a reception area, storeroom, tea preparation area and ablutions. The building will be linked with a bus lay-off area via a brick paved footpath leading to a ramped access to the reception area. A paved courtyard area, with a shade sail, is proposed at the rear for staff.

### New Meeting Hall (EH2)

A new meeting hall is proposed to be located along the southern roadway of the subject site. The structure is single storey in nature, including highlight windows. The building, fitted with a stage, is proposed to cater for up to 120 people. The hall is to be provided with a kitchen capable of serving parts of the hall. Toilets and an outdoor paved areas are also to be provided.

#### New Leader's Accommodation (EH4)

The subject single storey building is located centrally on the lot, to the east side of the sports activities area. The location of the accommodation avoids the need to cut into the nearby hill to the east. The accommodation is proposed to contain two, 2-bedroom dormitories with en-suite ablutions, lounge area and a verandah overlooking the sports activities area.

#### Existing Residences

There are two existing single storey residences on the subject property, located in close proximity (east) of the proposed new Meeting Hall. The residences both require significant maintenance in which only one is required for the operation of the camp.

It is proposed that the existing residence located closest to the proposed Meeting Hall is to be demolished along with the adjacent toilets (east) and the existing sheds (west). The residence, which is to be retained, will be the subject of internal and external restoration.

#### Two new 10-Bed Dormitories (EH6)

There are two new single storey dormitories proposed towards the southeastern end of the southern roadway. Each dormitory is proposed to contain 10-beds as well as leader's accommodation and ablutions. A paved area is to be built in between the two dormitories, which is to include a shade sail.

The existing southern road will terminate adjacent these new dormitories, which is to include a new six bay car parking area. This road will also offer pedestrian access to a new-grassed area to the north of the proposed dormitories.

#### Spinnaker Kitchen

The existing Spinnaker Kitchen to the northeast of the subject site is to be retained. Its function is to be changed, with the kitchen to function similar to the dining facilities of the Commodore Kitchen. This upgrade will include the demolition of the loft and the roofline reinstated. The kitchen will be upgraded with new equipment and servery including other fit-out requirements.

#### Gymnasium (EH8)

The building is to have existing asbestos cement wall, roof cladding and rainwater goods removed and replaced with colourbond finished materials. The existing roller doors, which open out to the north, are to be replaced with doors that open to the south onto a paved open space overlooking the central outdoor activity space.

A new single storey male/ female ablution and storeroom block is proposed to the east of the existing gymnasium.

A new vehicular access to the gym is proposed via a western road extension from the Day Area ablutions to the north west of the site.

#### Day Area 1 Toilet Block (EH11)

This is an existing toilet facility located to the northwest corner of the site, which is to be upgraded to include a new unisex disabled shower/ toilet facility and a secured screened entrance courtyard. Provision has also been made to provide a shade sails over this courtyard area.

### Commodore Dormitories (EH13)

There are presently six dormitory blocks within the Commodore Camp area to the mid-south of the subject site. Each block is to have general maintenance carried out with the ablution blocks to be provided with an additional shower cubical and ceramic tiling.

### Commodore Kitchen/ Dining (EH14/ EH15)

This is an existing single storey building in which a new dining facility is to be added to the northeast side of the existing building. The extension is approximately half the capacity of the existing dining facility. The additions incorporate new ablution facilities. Other internal changes are also proposed with this existing facility.

### Civil Works

It is proposed to realign and resurface existing roads, including a new bus turnaround and roundabout, with bitumen roads to terminate at the new dormitories. The construction of a new road is proposed, which is to link the existing northern car park to a new parking area adjacent to the gymnasium.

### Landscaping

Upgrading of existing soft landscaping in specific areas and the provision of a new turf oval adjacent the new dormitories.

### **Issues and options considered:**

The application is to be determined by the WAPC and therefore, the Western Australian Planning Commission may not agree to Council's position on the application nor to the conditions recommended.

The proposed works are to be located within a site that has a substantial land area. The proposed works will not impact on the surrounding residential properties due to their location, height and size of the buildings.

The increased capacity of the site is not likely to impact on the surrounding locality. Any additional traffic movements, which are considered minor, would only impact on the existing traffic entrance point to Whitfords Avenue.

### **Link to Strategic Plan:**

The Strategic Plan includes a theme of providing services that meet the changing needs of a diverse and growing community

### **Legislation – Statutory Provisions:**

The subject land is Reserved for Public Purposes - Special Uses, under the Metropolitan Region Scheme (MRS) in which the development is required to be referred to the Western Australian Planning Commission for its determination. The subject area is "Crown Land" in which ownership of the land is the Department Of Land Information (DOLI).

When considering an application for Planning Approval the following statutory requirements of clause 6.8.1 of District Planning Scheme No. 2 is specifically relevant to this application:

**6.8 Matters to be considered by Council**

**6.8.1 The Council when considering an application for Planning Approval shall have due regard to the following:**

- (a) *interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) *any relevant submissions by the applicant;*
- (c) *any Agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
- (d) *any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) *any other matter which under the provisions of the Scheme, the Council is required to have due regard;*
- (f) *any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*
- (g) *any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) *the comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) *the comments or wishes of any objectors to or supporters of the application;*
- (j) *any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) *any other matter which in the opinion of the Council is relevant.*

**Risk Management considerations:**

Not Applicable

**Financial/Budget Implications:**

Not Applicable

**Policy implications:**

Not Applicable

**Sustainability implications:**

Although the additional development will see an increase in the maximum number of people that could use the site, it is considered that the development is of a minor nature, in which the benefits will see the upgrading and improvement of the site, without adversely affecting adjoining landowners and surrounding vegetation.

**Consultation:**

The application was not advertised to adjoining landowners, as the siting and scale of the proposed development was not considered to impact on the surrounding area and is in keeping with the existing development of the area.

**COMMENT**

The application for the Western Australian Planning Commission's approval to commence development will incorporate new leaders accommodation, two new 10-bed dormitories, new administration office, new meeting hall and general building and infrastructure additions within the Ern Halliday Recreational Camp (EHRC) site. The subject site is set within a largely vegetated area, in which its main function incorporates recreational camping, picnics and dormitory accommodation. Maintaining this site as a recreational facility whilst protecting the existing vegetation and the amenity of the surrounding landowners is considered imperative.

The City of Joondalup is an advisory body in relation to the final determination of the application. There is no requirement for a Building Licence to be obtained from the City. Therefore all relevant conditions and recommendations as would be required by the City's internal departments should be taken into account at this stage in addition to normal planning requirements.

Engineering Requirements

Any feature such as an entry statement that is proposed within the road reserve of this development will require the approval of Council prior to construction.

Health Requirements

The proposed removal of asbestos cement walls from the gymnasium upgrade will be required to be disposed of in accordance with the requirements of the Health (Asbestos Regulations) 1992.

The development will also be required to comply with the requirements of the Sewerage (Lighting, Ventilation & Construction) Regulations 1971, Health (Public Buildings) Regulations 1992, City of Joondalup Health Local Law 1999 (in particular Part 7, 7.1 to 7.24), Health (Food Hygiene) Regulations 1993 and Environmental Protection (Noise) Regulations 1997.

Additionally any area used for food preparation should have separate toilet facilities provided for the exclusive use of kitchen staff.

Landscaping & Vegetation

In relation to the proposed new vegetation and retention of vegetation on the site, all new buildings; roads; parking and paving; storage of building materials should be located within the already cleared bushland areas. Furthermore, the final location of buildings should acknowledge existing vegetation including man-planted shade trees, which should not result in the clearing of vegetation. (A survey for mature Tuart Trees and other shade trees marked for retention is also requested)

It will be requested that the only endemic species be predominantly planted with the use of introduced species avoided. Removal of exotic species regarded as noxious weeds is highly recommended. It is further recommended that bush revegetation be undertaken in degraded areas.

Prior to construction of works, it will be recommended that a detailed landscaping plan be submitted. Additionally a Development and Management Plan should be required to ensure that the continued value of the bushland is retained.

### Parking Requirements

There is parking requirement prescribed for this use under the City's District Planning Scheme No. 2. The applicant has proposed that 17 new car bays be provided on-site. It is considered that much of the clientele for the recreation camp will not drive to the site, other than staff members. Most of the clientele would arrive by being dropped-off and would also be picked-up at the end of their stay. Additionally, the size of the subject site would also allow for any further parking to be provided as required. Therefore, it is considered the proposed additional parking is acceptable in this instance.

### Design and Materials

The materials proposed to be used by any new additions and/ or development is requested to be in the same or similar materials to that which exists.

### Conclusion

Most of the proposed new structures are located to the south of the existing site. This new development is proposed to be single storey in nature and largely sheltered and out-of-view from adjoining properties, being located within the lower portions of the site, between the undulating landscape.

The additions and alterations to the existing Day Area 1 Toilet Block, Gymnasium and Commodore Kitchen/ Dining facilities are considered to be of a minor nature with the additions all being single storey in nature and directly associated with these existing structures with particular reference to use and function.

The proposed civil works are not considered to have any impact on the adjoining landowners. The proposal to realign and resurface existing roads, including a new bus turnaround and roundabout, with bitumen roads to terminate at the new dormitories and a new road to link the existing northern car park to a new parking area adjacent to the gymnasium are considered to be an improvement for the site.

Although the additional development will see an increase in the maximum number of people that could use the site, it is considered that the development is of a minor nature, in which the benefits will see the upgrading and improvement of the site, without adversely affecting adjoining landowners and surrounding vegetation.

It is therefore recommended that the Western Australian Planning Commission (WAPC) be advised that the City of Joondalup supports the subject application, subject to conditions.

## **ATTACHMENTS**

Attachment 1	Location Plan
Attachment 2	Site plans, floor plans & elevations (original plans and new plans)

## **VOTING REQUIREMENTS**

Simple Majority

**MOVED** Cmr Fox, **SECONDED** Cmr Clough that Council **ADVISES** the Western Australian Planning Commission that the application for Approval to commence **DEVELOPMENT** dated 4 February 2005 submitted by Sandover Pinder, the applicant on behalf of the owner(s), Recreation Camps & Reserves Board for two new 10-bed dormitories, a leaders accommodation building, a new meeting hall, a new general office building, additions to existing buildings and infrastructure additions on Lot Res 23563 (140) Whitfords Avenue, Hillarys is supported, subject to the following conditions:

- 1 All colours and materials of the proposed additions shall complement the existing area and structures where practicable;**
- 2 All new buildings, roads, parking and paving, storage of building materials shall be located in already cleared bush;**
- 3 The provision of detailed landscaping plans for all upgrade works;**
- 4 Development shall comply with the City of Joondalup Health Local Law 1999;**
- 5 Development shall comply with the requirements of Sewerage (Lighting, Ventilation & Construction) Regulation 1971;**
- 6 Development shall comply with the Health (Public Buildings) Regulations 1992;**
- 7 Development shall comply with the Health (Asbestos) Regulations 1992;**
- 8 Food preparation and food storage areas to comply with the requirements of the Health (Food Hygiene) Regulations 1993;**
- 9 Development to comply with the Environmental Protection (Noise) Regulations 1997.**
- 10 Separate toilet facilities are to be provided for the exclusive use of kitchen staff.**

### **Footnotes**

- (a) The Development of a Management Plan is encouraged to ensure the continued value of the bushland is retained;**
- (b) The final location of new buildings shall acknowledge existing vegetation including man-planted shade trees and should not result in the clearing of vegetation;**
- (c) A survey should be conducted to mark existing Tuart Trees for retention;**
- (d) Bush revegetation should be undertaken in all existing degraded areas;**



- (e) All areas to be landscaped as a result of the upgraded works should be planted predominantly with local endemic species. The use of introduced species should be avoided and is generally not supported;
- (f) Removal of exotic species regarded as noxious weeds is highly recommended;
- (g) Unless a new application for Approval to Commence Development is submitted and additional facilities are provided, the Health Act would restrict the capacity of the following buildings:
  - (i) the sports arena is to accommodate a maximum of 60 persons at any one time. In order to permit more than 60 persons in the arena, additional facilities are required to be provided in the area, i.e. showers and hand basins;
  - (ii) The new dining hall is to accommodate a maximum of 100 persons at any one time. In order to permit more than 100 persons in the dining hall, additional facilities are required to be provided in the area, i.e. additional toilet facilities;
  - (iii) The new meeting hall is to accommodate a maximum of 100 persons at any one time. In order to permit more than 100 persons in the meeting hall, there would need to be an increase in the number of sanitary facilities.

The Motion was Put and

CARRIED UNANIMOUSLY (5/0)

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf100505.pdf](#)*

## **CJ094 - 05/05 DELEGATED AUTHORITY REPORT FOR THE MONTH OF MARCH 2005 – [07032]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Director Planning and Community Development

---

CJ050510\_BRF.DOC:ITEM 12

### **PURPOSE**

To submit items of Delegated Authority to Council for noting.

### **EXECUTIVE SUMMARY**

This report provides a resume of the Development Applications processed by Delegated Authority during March 2005 (see attachment 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 2005	80	8,917,312

The number of DAs **received** in March 2005 was 72.

## **BACKGROUND**

<b>Suburb/Location:</b>	All
<b>Applicant:</b>	Various – see attachment
<b>Owner:</b>	Various –see attachment
<b>Zoning:</b>	<b>DPS:</b> Various
	<b>MRS:</b> Various
<b>Strategic Plan:</b>	See below

## **DETAILS**

### **Issues and options considered:**

The attached applications were considered under the terms of the City's District Planning Scheme, relevant policies and standards, and in accordance with the Delegation of Authority notice issued by the Council in October 2004.

### **Link to Strategic Plan:**

City Development is a key focus area of the City's Strategic Plan. The proposals considered during the months relate closely to the objectives of providing for a growing and dynamic community.

The Council adopted the Delegation of Authority instrument after detailed consideration, in accordance with the Strategic Plan objective of providing a sustainable and accountable business.

The delegation is necessary due to the large volume of business encountered in the development within the City. It is a key instrument in providing a range of services that are proactive, innovative, and using best practice to meet organisational needs. This is also a strategy of the City's Strategic Plan.

### **Legislation – Statutory Provisions:**

All proposals were assessed, checked, reported and crosschecked in accordance with relevant standards and codes.

### **Risk Management considerations:**

The delegation process includes detailed practices on reporting, checking and cross checking, supported by peer review in an effort to ensure decisions taken are lawful, proper and consistent.

### **Financial/Budget Implications:**

Not Applicable

**Policy implications:**

Various policies are relevant to individual applications, dependent upon the nature of each application.

**Sustainability implications:**

Not Applicable

**Consultation:**

Of the 80 applications determined during the report summary period 28 were required by Council to be referred to interested/affected parties by Council.

**COMMENT**

It is noteworthy that more applications were determined than were received, indicating that demand was met during the period in review.

**ATTACHMENTS**

Attachment 1            March 2005 Approvals

**VOTING REQUIREMENTS**

Simple Majority

**MOVED** Cmr Anderson, **SECONDED** Cmr Clough that Council **NOTES** the determinations made under Delegated Authority in relation to the applications described in Report CJ094-05/05 for the month of March 2005.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf100505.pdf](#)*

Commissioner Clough declared a financial interest Item CJ095-05/05 - Community Funding Program 2004-2005 Grants Allocations - Second Funding Round as his son plays football. Commissioner Clough also advised that he provides consultancy services to the WA Football Commission.

Commissioner Smith declared an interest that may affect her impartiality in Item CJ095-05/05 Community Funding Program 2004-2005 Grants Allocations - Second Funding Round as her grandson plays soccer.

Director Infrastructure and Operations declared an interest that may affect his impartiality in Item CJ095-05/05 Community Funding Program 2004-2005 Grants Allocations - Second Funding Round, as he is a Committee member of the Kingsley Junior Football Club.

*Cmr Clough left the Chamber, the time being 2009 hrs.*

---

**CJ095 - 05/05 COMMUNITY FUNDING PROGRAM 2004-2005  
GRANTS ALLOCATIONS - SECOND FUNDING  
ROUND – [74563] [75563]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Director Planning and Community Development

---

CJ050510\_BRF.DOC:ITEM 14

**PURPOSE**

The purpose of this report is to provide information and for Council to give consideration on the provision of Community Funding Program grants over \$2,500 for the 2004/2005 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 in 2004-2005 in each of the Sport and Recreation Development, Community Services and Cultural and the Arts Developments Funds, and \$40,000 in the Sustainable Development Fund.

In the first round of funding for the 2004/2005 financial year a total of \$58,558.76 was distributed to 20 community organisations. There was a total of \$47,441.24 available for distribution in the second funding round.

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 sixth consecutive financial year in which the Community Funding Program has been administered. If the recommendations in this report are adopted by the Joint Commissioners, the number of grants made by the Council will total 285 grants to organisations and community groups in the City of Joondalup, with a value of \$586,702.

*It is recommended that Council APPROVES the large grants recommended for approval under the City of Joondalup's Community Funding Program's second funding round for the financial year 2004/2005 to:*

- *Kingsley Park Play Group - \$4,900.00*
- *Heathridge Soccer Club - \$3,580.00*
- *Joondalup Brothers Rugby Union Football Club - \$2,800.00*

*as outlined in Attachment 1 to Report CJ095-05/05;*

## 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;
- Retrospective funding – expenses incurred prior to the application closing date;
- 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 core activities;
- Development or improvement of school facilities and equipment
- For profit organisations.

The program has four major fund categories as follows:

- Community Services Fund
- Culture and the Arts Development Fund
- Sustainable Development Fund
- Sport and Recreation Development Fund

Each of these fund categories have 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 objectives and funding priorities for each fund category for the 2004/2005 financial year are detailed in Attachment 2. Policy 4.1.1 - Community Funding is included as Attachment 3.

Two funding rounds are conducted each year primarily to cater for organisations and community groups that operate on a calendar year or seasonal cycles. These would include events/programs arranged by schools and playgroups, which may be directly linked to the age group of the children involved. Sporting groups also need special consideration as many sports are played in either the cooler or warmer months and these groups may be disadvantaged if funding was only available annually.

Provision is made in the Program for delegation of responsibility to the Chief Executive Officer for the assessment and approval of applications for small grants up to \$2,500.

## **DETAILS**

The Community Funding Program was advertised in the local newspapers on 27 January and 3 February 2005. The closing date for applications was 17 March 2005.

An information package, containing 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 number of one to one meetings were 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 2004/2005 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.

### **Community Services Fund Assessment Panel**

Robert Kinloch	Seniors Interests Advisory Committee
Rhonda Adamson	Granny Spiers Community Centre
Bob O'Sullivan	NW Metropolitan Community Policing
Julie Eaton	Coordinator Community Services
Lanie Pianta	Community Development Officer

### **Culture and the Arts Fund Assessment Panel**

Ms Paula Hart	Community artist and practitioner, has worked with numerous Joondalup schools and community groups, and has worked on the Little Feet Festival and Joondalup Festivals.
Mrs Fay Muir	Eisteddfod Committee member, teacher – Ocean Reef Primary School.
Gabriella Filippi	Arts Project Officer

**Sport and Recreation Fund Assessment Panel**

Mr Arthur Chappell	Kingsley Amateur Football Club
Mrs Natalie Sharman	Joondalup Kinross Junior Football Club
Miss Laura Kolomyjec	Recreation Officer
Miss Yvette Peterson	Recreation Services Coordinator

**Sustainable Development Fund Assessment Panel**

Mr Steve Magyar	Community member
Nicole Roach	Yellagonga Catchment Group Coordinator
Ms Gabrielle Fillipi	Arts Project Officer
Ben Reay	Sustainable Development Officer (Facilitator)

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	6	5	1	5
Culture and the Arts Fund	4	3	1	1
Sport & Recreation Development Fund	19	16	3	14
Sustainable Development Fund	2	2	0	2
<b>TOTAL</b>	<b>31</b>	<b>26</b>	<b>5</b>	<b>22</b>

Applications from the following 3 organisations for grants over \$2,500 have been recommended to Council for funding, the details of which are outlined in Attachment 1:

- Kingsley Park Play Group
- Joondalup Brothers Rugby Union Football Club
- Heathridge Soccer Club

The Chief Executive Officer has approved grants up to the value of \$2,500 to the following 19 organisations:

Organisation	Project	Funds approved
1st Kinross Scout Group	Volunteer training	\$2,396.00
Carine Junior Football Club	25 <sup>th</sup> Celebration Community Football Day	\$500.00
Craigie Little Athletics Inc	First Aid Training and Coaching courses for new Volunteers	\$1,226.00
ECU Joondalup Lakers Hockey Club	Coaching education courses for junior coaches	\$1,080.00
Friends of Korella Park Bushland (Auspiced by Joondalup Coast Care Forum Inc)	Supply, installation and monitoring of nesting boxes for Boobook owls.	\$1,545.00

ECU School of Nursing, Midwifery & Postgraduate Medicine	Take Care be Safety Aware in Joondalup	\$2,000.00
Greenwood Warwick Senior Citizens Club	Bright Yellow Bowls	\$780.00
Joondalup and Districts Domestic Violence Group Inc (Auspiced by Women's Healthworks)	Banners to raise awareness of Domestic and Family Violence	\$2,500.00
Joondalup and Districts Rugby League Club	First Aid Supplies	\$170.50
Joondalup Lakers Basketball Club	Provision of safety training and skills for volunteers	\$1,440.00
Kingsley Junior Football Club	Guest speakers for two development programs	\$1,000.00
North Coast Triathlon	Cycling transition racks and event advertising	\$1,450.00
Osborne Division of General Practice	Behaviour change workshops for parents and children	\$1,000.00
Rotary Club of Whitfords	Seniors Picnic at Yanchep National Park	\$700.00
Sorrento and Districts Little Athletics	Deliver WA Little Athletics coaching courses for volunteers	\$700.00
Sorrento Croquet Club	Accredited coaching for members and costs of refereeing courses for learners	\$340.00
The City Entertainers Community Concert Group	New Piano for an Annual Community Concert	\$1,000.00
Whitford Hockey Club	Safety, 1 <sup>st</sup> aid and protective equipment	\$1,194.00
Young Achievement Australia	Conduct of YAA Business Skills Program at Prendiville Catholic College	\$1,815.00
	<b>TOTAL</b>	<b>\$22,836.50</b>

**Issues and options considered:**

Not Applicable

**Link to Strategic Plan:**

Community Well-Being:

The City of Joondalup provides social opportunities that meet community needs.

- 1.3.1: Provide leisure and recreational activities aligned to community expectations, incorporating innovative opportunities for today's environment.
- 1.3.2: Provide quality-of-life opportunities for all community members.
- 1.3.3: Provide support, information and resources.



**Legislation – Statutory Provisions:**

Not Applicable

**Risk Management considerations:**

Not Applicable

**Financial/Budget Implications:**

In the first round of funding for the 2004/2005 financial year a total of \$58,558.76 was distributed to 20 community organisations. There was a total of \$47,441.24 available for distribution in the second funding round.

Attachments 1 and 2 to this report include 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. Two applications received under the Sports Development Program were referred to the Community Funding Program as the applications fit more appropriately within the objectives of the Sport and Recreation Development Fund of the Community Funding Program.

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

	<b>Balance of Funds available in 2004/2005 Financial Year</b>	<b>Funding Requested Including GST</b>	<b>Funding Recommended Including GST (Cost to City Ex GST) *</b>	<b>Balance of Funds Remaining</b>
Community Services Fund 1 4410 4420 0001 9999	\$14,036.36	\$12,765.00	\$10,880.00 (\$10,407.27)	\$3,629.09
Culture & the Arts Development Fund 1 4430 4420 0001 A011	\$12,378.25	\$26,000.00	\$1,000.00 (\$1,000.00)	\$11,378.25
Sport & Recreation Development Fund 1 4530 4420 0001 9999	\$17,086.63	\$42,703.90	\$18,876.50 (\$18,521.40)	- \$1,434.77
Sustainable Development Fund 1 2130 4420 0001 9999	\$3,940.00	\$3,360.00	\$3,360.00 (\$3,054.55)	\$885.45
	<b>\$47,441.24</b>	<b>\$84,828.90</b>	<b>\$34,116.50</b> <b>(\$32,983.22)</b>	<b>\$14,458.02</b>

\* All funds recommended for allocation include GST where applicable. The ex GST amounts reflect 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) is reclaimed from the ATO by the City. The balance of funds remaining column represents the actual unused portion of the budget taking into account GST considerations.

The grants recommended for approval in the Sport and Recreation Development Fund exceed the funds available. However, given the quality of applications and the surplus of funds in both the Community Services and Culture and the Arts Development Funds, it is considered appropriate to overspend in the Sport and Recreation Development Fund.

### **Policy implications:**

Delegated Authority: Assessment – Community Funding  
Authority to approve community funding submissions, not exceeding an amount of \$2,500 is delegated to the Chief Executive Officer.

### **Sustainability implications:**

Not Applicable

### **Consultation:**

Not Applicable

### **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 285 grants have been allocated by the City under this program to organisations and community groups with a total value of \$586,702 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
2004/2005	42 organisations	\$97,538

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 – Large Grants
Attachment 2	Objectives and Funding Priorities 2004/2005
Attachment 3	Policy 4.1.1 - Community Funding

### **VOTING REQUIREMENTS**

Simple Majority

**MOVED** Cmr Anderson, **SECONDED** Cmr Fox that Council **APPROVES** the large grants recommended for approval under the City of Joondalup's Community Funding Program's second funding round for the financial year 2004/2005 to:

- Kingsley Park Play Group - \$4,900.00
- Heathridge Soccer Club - \$3,580.00
- Joondalup Brothers Rugby Union Football Club - \$2,800.00

as outlined in Attachment 1 to Report CJ095-05/05.

The Motion was Put and

**CARRIED UNANIMOUSLY (4/0)**

*Appendix 12 refers*

To access this attachment on electronic document, click here: [Attach12brf100505.pdf](#)

**CJ096 - 05/05 MINUTES OF THE NORTH METROPOLITAN REGIONAL RECREATION ADVISORY COMMITTEE HELD ON THE 24 FEBRUARY 2005 – [15142]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Director Planning and Community Development

---

CJ050510\_BRF.DOC:ITEM 15

**PURPOSE**

To note the unconfirmed minutes of the North Metropolitan Regional Recreation Advisory Committee meeting held Thursday 28 February 2005.

**EXECUTIVE SUMMARY**

The North Metropolitan Regional Recreation Advisory Committee (NMRRAC) was established in the late 1980's as an initiative of the Department of Sport and Recreation. NMRRAC is an elected member committee currently comprising delegates from the City of Wanneroo, City of Stirling, Town of Vincent, Town of Bassendean, City of Swan, City of Bayswater, Shire of Mundaring and the City of Joondalup. The committee also includes the Department of Sport and Recreation, West Australian Sports Federation and Edith Cowan University along with other industry stakeholders to be ex officio members and observers when appropriate.

The primary objective of this committee is to foster improvement in the planning and coordination of community facilities and to comment on regionally significant facility projects and grant applications.

A meeting of the North Metropolitan Regional Recreation Advisory Committee was held on Thursday 28 February 2005. The unconfirmed minutes of this meeting are submitted for noting by Council.

The North Metropolitan Regional Recreation Advisory Committee resolved to:

- Seek the concurrence of constituent Local Governments to an amendment to its Terms of Reference. This amendment will accommodate the situation where Commissioners have been appointed and they determine not to attend meetings. The Commissioners can nominate an Officer to represent the full powers of the elected member,
- In accordance with the provision of its Terms of Reference extended an invitation to the Town of Cambridge to join the committee,
- Request each of its constituent Local Governments to make available the sum of one thousand dollars per annum which will be committed to provide professional development to the North Metropolitan Regional Recreation Advisory Committee Leisure and Recreation staff.

*It is recommended that Council:*

- 1 *NOTES the unconfirmed minutes of the North Metropolitan Regional Recreation Advisory Committee meeting held Thursday 28 February 2005 forming Attachment 1 to Report CJ096-05/05;*
- 2 *ENDORSES the amended Terms of Reference for the North Metropolitan Recreation Advisory Committee, forming Attachment 2 to Report CJ096-05/05;*
- 3 *NOMINATES the Manager Community Development Services as the City of Joondalup representative to the North Metropolitan Regional Recreation Advisory Committee, until such time as an elected member is nominated to attend.*

## **BACKGROUND**

The North Metropolitan Regional Recreation Advisory Committee like the South East Regional Recreation Advisory Committee and the South West Regional Recreation Advisory Committee was established in the late 1980's as an initiative of the Department of Sport and Recreation.

The reasons for establishing these geographical committees was to:

- encourage planning across boundaries for sport and recreation facilities;
- educate and inform decision makers; and
- provide a forum for professional officers working in the areas of sport and recreation in geographical regions.

The groupings of the local governments were more straightforward in the southern suburbs. The northern Councils involved in the North Metropolitan Regional Recreation Advisory Committee was loosely based on:

- common or affiliated boundaries which meant that groups may need to associate;
- involvement by local authorities with common issues; and
- the size of the local authority.

The initial partners in the North Metropolitan Regional Recreation Advisory Committee were Stirling, Perth, former City of Wanneroo, Bassendean and Bayswater.

The grouping for each of these groups was purposely not rigidly set. The predisposition towards flexibility was intended to ensure that all willing participants were able to be a part of the process. This intended course of action related back to the primary and probably principal objective of encouraging the planning process across boundaries.

There is and never was any specific or deliberate allegiance to the regional Council or any other local government related regional body. The North Metropolitan Regional Recreation Advisory Committee is an elected member committee currently comprising delegates from the City of Wanneroo, City of Stirling, Town of Vincent, Town of Bassendean, City of Swan, City of Bayswater, Shire of Mundaring and the City of Joondalup. The committee also includes the Department of Sport and Recreation, West Australian Sports Federation and Edith Cowan University along with other industry stakeholders to be ex officio members and observers when appropriate.

The primary objective of this committee is to foster improvement in the planning and coordination of community facilities and to comment on regionally significant facility projects and grant applications.

Each local government authority nominates one (1) elected member delegate, and one (1) staff member to the committee. An elected member has represented the City of Joondalup previously, however the Commissioners have chosen not to nominate for this committee. The City is currently being represented at North Metropolitan Regional Recreation Advisory Committee meetings by the Manager Community Development Services.

Considerable time has been spent seeking historical detail as to how the City initially became involved with the North Metropolitan Regional Recreation Advisory Committee. No evidence can be identified other than to note that elected members were representing the former City of Wanneroo as far back as 1995. Following the election of a new Council the elected members will give consideration at that time to appointing representatives to all internal and external committees.

## **DETAILS**

The unconfirmed minutes of the meeting of the North Metropolitan Regional Recreation Advisory Committee held on Wednesday, 16 June 2004 are included as Attachment 1.

### Terms of Reference

The North Metropolitan Regional Recreation Advisory Committee resolved to seek the concurrence of constituent Local Governments to an amendment to its Terms of Reference. This amendment will accommodate the situation where Commissioners have been appointed and they determine not to attend meetings. The Commissioners can nominate an Officer to represent the full powers of an elected member.

The amended Clause within the Terms of Reference is set out below:

### **3 MEMBERSHIP**

- 3.1 The member shall be the local authorities as listed and others as agreed from time to time by the Advisory Committee – Bassendean, Bayswater, Joondalup, Mundaring, Stirling, Swan, Vincent, Wanneroo. Each local authority shall be entitled to nominate one delegate who shall be an elected member and a deputy who is likewise to be an elected member. *Where Commissioners have been appointed to administer a local authority then they may nominate, in writing, an officer to assume the powers of an elected member as a delegate (refer to Attachment 2).*

### Professional Development

One of the key objectives of the North Metropolitan Regional Recreation Advisory Committee is to provide professional development to leisure and recreation staff within its constituent Local Governments.

The North Metropolitan Regional Recreation Advisory Committee has adopted an innovative program over the last two years, which has been well appreciated by staff and elected members alike.

The programme has only been able to be undertaken due to the generous sponsorship of various Local Governments who have either paid for the speakers involved and have met all costs associated with catering and facility provision.

In order to facilitate the programming of future professional development forums the North Metropolitan Regional Recreation Advisory Committee resolved to request each of its constituent Local Governments to make available the sum of one thousand dollars per annum, which will be committed to professional development. The funds will be administered by the Secretariat for the time being of the Committee, and will be expended on authority of the Committee.

The City of Joondalup has hosted professional development events on behalf of the North Metropolitan Regional Recreation Advisory Committee as well as attended events at other member Local Government Authorities. The officers are appreciative of the training benefits from these programmes. The amount of \$1000 has been budgeted for in the 2005/06 draft budget and will be dealt with as an operational matter.

### Invitation to Town of Cambridge

The North Metropolitan Regional Recreation Advisory Committee recently in accordance with the provision of its Terms of Reference, extended an invitation to the Town of Cambridge to join the Committee.

#### **Issues and options considered:**

Not Applicable

#### **Link to Strategic Plan:**

Not Applicable

#### **Legislation – Statutory Provisions:**

Not Applicable

#### **Risk Management considerations:**

Not Applicable

#### **Financial/Budget Implications:**

Not Applicable

#### **Policy implications:**

Not Applicable

**Sustainability implications:**

Not Applicable

**Consultation:**

Not Applicable

**COMMENT**

The North Metropolitan Regional Recreation Advisory Committee provides member Councils with a valuable support network and opportunities to communicate and share information. The committee enables local governments to make educated decisions and focus on a comprehensive approach to sport and recreation facility and service provision within the north metropolitan region.

By endorsing the Manager Community Development as a voting member of the North Metropolitan Regional Recreation Advisory Committee the City will have the opportunity to influence decisions made by the Committee.

A pooling of funds by each member Local Government Authority (LGA) of \$1000 will allow the North Metropolitan Regional Recreation Advisory Committee to attract training and development that each individual LGA may not be able to attract as an individual LGA. It will also provide the opportunity for targeted training and development that may be of interest to the North Metropolitan region.

As the North Metropolitan Regional Recreation Advisory Committee is comprised of elected members, revising the Terms of Reference requires endorsement from all member Councils.

**ATTACHMENTS**

Attachment 1            Minutes of the North Metropolitan Regional Recreation Advisory Committee meeting held Thursday 28 February 2005.

Attachment 2            Amended Terms of Reference

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cmr Smith, SECONDED Cmr Fox that Council:**

- 1        NOTES the unconfirmed minutes of the North Metropolitan Regional Recreation Advisory Committee meeting held Thursday 28 February 2005 forming Attachment 1 to Report CJ096-05/05;**
- 2        ENDORSES the amended Terms of Reference for the North Metropolitan Recreation Advisory Committee forming Attachment 2 to Report CJ096-05/05;**

- 3 NOMINATES the Manager Community Development Services as the City of Joondalup representative to the North Metropolitan Regional Recreation Advisory Committee, until such time as an elected member is nominated to attend.**

*Cmr Clough entered the Chamber, the time being 2010 hrs.*

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf100505.pdf](#)*

**CJ097 - 05/05 MIDGE MANAGEMENT STRATEGY PARTNERSHIP AGREEMENT – [03171]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Director Planning and Community Development

---

CJ050510\_BRF.DOC:ITEM 16

**PURPOSE**

To advise Council as to the impending completion of the five (5) year Midge Management Strategy for Lake Joondalup and seek endorsement for the renewal of the Midge Management Strategy Partnership with the City of Wanneroo and the Department of Conservation and Land Management for a further period of five (5) years.

**EXECUTIVE SUMMARY**

The current five (5) year Midge Management Strategy Partnership Agreement for Lake Joondalup comes to completion in July 2005.

This partnership strategy is for the control and management of midge in Lake Joondalup and funds midge larval monitoring, nuisance reduction using pesticide application when required, and research projects in an effort to control and better understand the factors contributing to the seasonal midge plagues within Lake Joondalup.

The City of Joondalup, together with the City of Wanneroo and the Department of Conservation and Land Management (CALM), have shared responsibilities for the management of the Yellagonga Regional Park wetlands and surrounding catchments.

At present there is a cost sharing arrangement between the Cities of Joondalup and Wanneroo, which each contribute 25% and CALM which contributes 50%.



Appreciating the pending completion of the Midge Management Strategy Partnership Agreement, the City of Wanneroo Council at its meeting of 23 November 2004 resolved the following:

- 1 SUPPORTS the City's Administration formally advising the partners, City of Joondalup, Department of Conservation and Land Management and the Water & Rivers Commission of the completion of the first five (5) year strategy in July 2005;
- 2 AGREES to the City participating as a member of the Midge Management Strategy for a further five (5) years, subject to a commitment from the other financial members of this committee agreeing to participating and providing the necessary funding for an equivalent term;
- 3 REQUIRES that the Midge Management Steering Committee roles be reviewed and formalised to ensure accountability to relevant stakeholders;

Subsequently, the City of Wanneroo has written to the City of Joondalup requesting the continuation of the Midge Management Strategy for a further five (5) years, subject to all members of the strategy agreeing to participate and provide the necessary funding.

## **BACKGROUND**

### Midge:

Midge swarming becomes a nuisance to residents living in close proximity to wetlands. Dense populations of midge at Lake Joondalup are representative of a more significant problem within the Lake, that being a degraded and polluted wetland. The water quality of the wetlands in the Yellagonga Regional Park is poor and based on nutrient levels the lake has been assessed as eutrophic.

A eutrophic wetland is where the nutrients in the lake promote a proliferation of plant life, especially algae, which creates conditions that interfere with the health and diversity of indigenous plant, fish and other animal populations. These conditions make it difficult for organisms to survive, and can lead to the death of the water body.

Nutrients can come from many sources and are mostly attributed to human activities in the surrounding catchment. Nutrient sources in the wetlands of the Yellagonga Regional Park can be attributed to removal of fringing vegetations, contamination of groundwater by septic tank effluent, agriculture, industry and other land uses, and stormwater drainage from residential and industrial areas.

The option most desirable to address the underlying causes of midge breeding is the improvement of water quality through the prevention and minimisation of nutrients entering the lake system, which will lead to conditions less favourable to midge, resulting in the reduction of nuisance problems caused by midge in the long term.

However, due to the extreme numbers of midge experienced in previous years, the community have required a short-term solution to the nuisance midge problem. This was achieved through the application of chemical to the lake to control midge numbers. This treatment is not an ideal solution, as the chemical in turn further contributes to the eutrophication of the wetland. The City has also undertaken upgrades to stormwater outfalls to minimise nutrient loading to the lakes via stormwater drainage. Local catchment groups have also been active in this area carrying out 'grass roots' activities, such as wetland rehabilitation and water quality monitoring.

It is important to note that these initiatives address the problem at the tail end and not the cause of the problem. The development of an Integrated Catchment Management (ICM) Plan can provide a strategic, holistic and long-term management focus.

#### History to the strategy:

In 1998 and 1999 the residents located in close proximity to Lake Joondalup suffered plague proportions of adult midge. Residents expressed their concerns to their local authorities, the local Members of Parliament, the media and the Minister for the Environment and Labour Relations.

At the meeting of the Council of the City of Joondalup on 11 May 1999 a report (CJ154-05/99 refers) was considered which advised of the severe midge problems that were being experienced by residents living in the vicinity of Lake Joondalup and Lake Goollelal. At that meeting, Council:

- Endorsed the midge strategy and action plan for Lake Joondalup and Lake Goollelal outlined in the report;
- Approved \$21,000 to be listed for consideration as a new initiative in the 1999/2000 annual budget as a high priority. (This amount was subsequently approved for research to be undertaken by Edith Cowan University);
- Encouraged the Midge Control Group to establish an ICM for the management of natural resources at the local and regional level.

A further report to Council on 28 November 2000 outlined the progress of the Midge Control Group, now known as the Yellagonga Catchment Group, towards establishing an integrated catchment program for the management of natural resources at the local and regional level. The report also advised of the findings of an Edith Cowan University study of the midge problem and presented a draft Management Strategy to control midge in Lake Joondalup.

The Council resolved to:

- Endorse the work of the Yellagonga Catchment Group and continue to support the broader catchment management role of this group;
- Note the findings of the research prepared by Edith Cowan University into the study of the midge problem associated with Lake Joondalup and Lake Goollelal;
- Adopt the Draft Midge Management Strategy for Lake Joondalup as presented by the Department of Conservation of Land Management subject to:
  - (a) a commitment being given from the Minister for Conservation and Land Management, ensuring fifty percent of the funding being provided for the implementation of the strategy over at least 5 years;
  - (b) listing for consideration in the City's 2001/2002 draft budget an amount of \$46,250.00 to implement the CALM Midge Management Strategy for Lake Joondalup;
  - (c) a commitment from the City of Wanneroo to contribute twenty five percent of the cost of the strategy.

The Midge Management Strategy Partnership Agreement was initiated in writing by the Minister for the Environment and Labour Relations in 2000, advising that the State Government was prepared to fund 50 percent of the strategy (via CALM) on the condition that the other half of the funding was shared amongst the two Cities. It was estimated that the total cost of the proposed strategy was \$185,000 per annum.

The City of Joondalup together with the City of Wanneroo and the CALM endorsed this proposal, which established the Midge Management Strategy for Lake Joondalup.

## **DETAILS**

The Midge Management Strategy five (5) year agreement is due to expire in July 2005. The City of Wanneroo has requested that the City of Joondalup commit to another five (5) year Midge Management Strategy Partnership agreement subject all parties showing a willingness to maintain the current financial cost sharing arrangements.

At present, there is a cost sharing arrangement between the City of Joondalup and the City of Wanneroo, which both contribute 25 percent each and CALM contributes the remaining 50 percent.

The City of Wanneroo have advised that once all partners have advised of their intention to support a further partnership agreement, a meeting of all parties will be arranged to formalise funding arrangements, amount of funding required and roles of the partners concerned. The existing budget consists of an annual budget of \$185 000 per annum, comprising of the following:

1     Nuisance Reduction

Funding for chemical treatment of Lake Joondalup to a maximum of four (4) treatments per year.

Total budget - \$100,000 per annum.

2     Midge Monitoring:

Funding to support a larval monitoring program to provide quantitative data to predict when treatments are required and when they will be most effective. This program also involves a water monitoring program to provide information on the physical and chemical characteristics of the lake water and to determine the influence of land uses within the lake's catchment.

Total budget - \$30,000 per annum

3     Ongoing Midge Research:

Funding for research projects that will provide for a better understanding of the factors contributing to the seasonal midge plagues within Lake Joondalup, evaluating alternate intervention strategies for control of midge such as phosphorus and light reduction techniques, and an understanding of the nutrient contributors within the catchment.

Total budget - \$50 000

4     Incidental Costs, Maintenance and Repair:

Total budget - \$5,000 per annum

**Issues and options considered:**

The Council could resolve not to participate in the program. Under those circumstances, the management strategy would likely lapse.

**Link to Strategic Plan:**

Not Applicable

**Legislation – Statutory Provisions:**

Midges are not considered a threat to public health and are therefore not subject to control under Public health legislation.

**Risk Management considerations:**

From a community perspective, there is a high expectation that the Midge treatment strategy will continue.

**Financial/Budget Implications:****Account No:**

**Budget Item:** Proposed cost is  
\$51,250 pa

**Budget Amount:** \$

**YTD Amount:** \$

**Actual Cost:** \$

Should the Midge Management Strategy continue in its current form for a further five (5) years, the total cost involved would be approximately \$205,000 per annum to cater for CPI and price increases on chemicals and helicopter hire. This apports to the City's contribution of approximately \$51 250 per annum.

The current Midge Management Strategy (2000–2005) has been costed in the 5-year budget forecast until 2008/2009.

**Policy implications:**

The Yellagonga Regional Park Management Plan 2003–2013, identifies strategies and priorities with responsibilities across various stakeholders, including the City of Joondalup and the City of Wanneroo for management of the park. Objective 19 of the document is “to minimise the negative effects of mosquito and midge populations in a manner that has minimal environmental and social impacts”.

Key strategies under this objective are:

- 1 *‘Implement the Midge Management Strategy for Lake Joondalup (2001)’*  
(Responsibility - CJ,CW, CALM) Priority – High
- 7 *‘Continue to seek alternatives to chemical pest control that are compatible with the ecological values of the Park’.*  
(Responsibility - CJ,CW, CALM) Priority -High

**Sustainability implications:**

The application of chemical to the water body does not assist in providing for the long-term environmental sustainability of the Yellagonga wetlands. At this time however, chemical application is the only option available to local governments to provide relief for residents during episodes of emergence of large numbers of nuisance midge.

**Consultation:**

The City liaises with the Yellagonga Catchment Group Inc on issues relating to the midge and water quality of Lake Joondalup. A community forum is held each year at the City of Wanneroo for community members to discuss issues relating to Midge management with the partners to the Midge Management Strategy.

**Strategic Implications**

The proposed initiative would support objective 2.1 of the City's Strategic Plan, which states, "To plan and manage our natural resources to ensure environmental sustainability".

**COMMENT**

Midge continue to present a problem to residents around the lake. Those residents on the North Eastern side of the lake in the suburb of Wanneroo are predominately affected by the problem. There is a community expectation of those residents surrounding Lake Joondalup that the Midge Management Strategy should continue.

As midge are not considered a public health risk and are of nuisance value only, the City does not have any statutory obligation to contribute or act on the midge problem. However, given that the land use activity within the whole of the Yellagonga catchment (both within City of Joondalup and Wanneroo) has contributed to the eutrophication of Lake Joondalup and its resultant Midge problem, and the City's strategic focus of sustainability (focusing on improving the quality of life for current and future residents) and community well being, it is considered appropriate to continue to contribute to the Midge Management Strategy.

There is an opportunity to revisit the amounts currently contributed to the program. Small cost savings may be enabled through reducing the amount of funding to particular areas of the strategy. This cost savings could be redirected to provide funding support for the development of an Integrated Catchment Management (ICM) Plan. However, funding amounts will need to be negotiated and approved by all parties to the agreement.

Both the Cities of Joondalup and Wanneroo together with DCLM have shared responsibilities for managing the water quality within the Yellagonga Regional Park. This incurs significant costs and currently Council funds are being directed at end of pipe solutions such as aerial pesticide treatment and stormwater management. While these are vitally important in addressing seasonal midge swarms, the development of an ICM will provide for a long-term strategic focus to enable a targeted and holistic approach to catchment management. With a long-term focus in mind, it is anticipated that funds directed via this approach will result in long term cost savings.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cmr Anderson, SECONDED Cmr Smith that Council:**

- 1 AGREES to the City of Joondalup advising the City of Wanneroo of its in principle support to continue as a member of the Midge Management Strategy for a further five (5) years, subject to a commitment from the other financial members of this committee agreeing to participate and provide funding for an equivalent term;**
- 2 AGREES to formalise its role as a partner to the agreement subject to presentation and subsequent adoption of a new Midge Management Strategy (2005–2010) specifying actions, responsibility, funding arrangements and amounts;**
- 3 APPROVES the review and formalisation of the roles of the relevant stakeholders of the Midge Management Strategy Partnership;**
- 4 LISTS for consideration an amount of up to \$51 250 per year for the next 5 years to fund the Midge Management partnership agreement, subject to appropriate funding from City of Wanneroo and Department of Conservation and Land Management.**

Cmr Anderson spoke to the Motion.

**The Motion was Put and**

**CARRIED UNANIMOUSLY (5/0)**

Manager, Approvals Planning & Environmental Services declared an interest that may affect his impartiality in Confidential Item CJ098-05/05 – State Administrative Tribunal Appeal No 67 of 2005: Lewis Timms vs City of Joondalup – Medical Centre Extension: Lot 715 (110) Flinders Avenue, Hillarys as one of the doctors at the practice is a personal acquaintance.

**CJ098 - 05/05 STATE ADMINISTRATIVE TRIBUNAL APPEAL NO 67 OF 2005: LEWIS TIMMS VS CITY OF JOONDALUP – MEDICAL CENTRE EXTENSION: LOT 715 (110) FLINDERS AVENUE, HILLARYS – [04412]**

**WARD:** Whitford

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Director Planning and Community Development

---

CJ050510\_BRF.DOC:ITEM 17

This Item Is Confidential - Not For Publication

A full report was provided to Joint Commissioners under separate cover.

**OFFICER'S RECOMMENDATION:** That Council AGREES to the recommendation contained within the Confidential Report relating to Council's refusal for a Medical Centre Extension on Lot 715 (110) Flinders Avenue, Hillarys.

To comments raised by Cmr Smith, Chief Executive Officer referred to the decision of the Commissioners not to sit behind closed doors unless absolutely necessary. The CEO advised that it was his duty to protect the legal rights of the City at all times and whilst it is in order for Commissioners to stay in open session, they should be mindful of the need not to put the legal responsibilities of the City at risk.

**MOVED Cmr Smith, SECONDED Cmr Anderson that Council:**

- 1 DEFERS consideration of this matter and that the State Administrative Tribunal and the applicant:**
  - (a) be advised that Council believes that as the original application for planning consent was determined having regard to the submissions received from the surrounding property owners, any revised application should be referred to them for further comment;**
  - (b) be REQUESTED to give sympathetic consideration to this request from Council and support an extension of time to permit consultation with the adjoining property owners on the revised plans before a decision is made by Council on the revised plans that have been submitted as part of the mediation process;**
- 2 in the public interest ADOPTS a policy that in cases of the review being considered by the State Administrative Tribunal that involves the City of Joondalup, that the State Administrative Tribunal be requested to remove the requirement that mediation is to be a private matter;**
- 3 DELEGATES authority to the Chief Executive Officer to waive this policy in special cases.**

Discussion ensued.

The Motion was Put and

**CARRIED UNANIMOUSLY (5/0)**

**REPORT OF THE CHIEF EXECUTIVE OFFICER**

**CJ099-05/05 SPECIAL MEETING OF ELECTORS HELD ON 2 MAY 2005 - [85558] [75029] [38221]**

**WARD:** All

**RESPONSIBLE DIRECTOR** Mr Garry Hunt  
Chief Executive Officer

---

**PURPOSE**

For the Council to note the Minutes of the Special Meeting of Electors held on Monday 2 May 2005 and to give consideration to the resolutions passed at that electors meeting at the Council meeting schedule to be held on 7 June 2005.

## EXECUTIVE SUMMARY

As requested by the electors of the City of Joondalup, a special meeting of electors was held on 2 May 2005 to discuss issues relating to the CSIRO site at Lot 61 Leach Street, Marmion.

The Minutes have been prepared and are submitted to Council. Given the number and complexity of the resolutions carried at the Special Electors' Meeting it was not practicable to provide detailed responses and comments for the meeting of Council to be held on 17 May 2005. A further report will be prepared and submitted to Council at its meeting on 7 June 2005.

In accordance with the Local Government Act 1995, any decisions made at a special meeting of electors are required to be considered by the Council at either an ordinary or special meeting of the Council.

## BACKGROUND

A Special Meeting of Electors was convened following receipt of a 129-signature petition from electors of the City of Joondalup.

The purpose of the meeting was to discuss the following:

- 1 Lot 61 Leach Street, Marmion – The CSIRO Site – Zoning Application:
  - The inadequacy of public open space (POS) in the suburb of Marmion and the City's inconsistency in its understanding of the 10% POS allocation for Marmion.
  - How the best interests of the Marmion community are served by the City approving the CSIRO site for a commercial benefit.
  - Why the City and the applicant have not sought dialogue with the Marmion community on the future of the CSIRO site.
  - Approval of zoning will result in the destruction of the last remnant coastal vegetation in Marmion contrary to the City's policy on biodiversity protection.
  - The precedent set by the community in protecting the POS in two previously failed rezoning attempts.
  - The use of the CSIRO site and its facilities for an Indian Ocean Tsunami warning centre.
- 2 Community Facilities in Marmion
  - The lack of community facilities in Marmion.
  - The future provision of community facilities in Marmion.
  - The degradation of the coastal foreshore reserve by fishermen during the abalone season.
- 3 Any other business arising from the floor



**Suburb/Location:** Lot 61 (14) Leach Street, Marmion  
**Applicant:** Chappell and Lambert Pty Ltd  
**Owner:** Marmion Estate Pty Ltd  
**Zoning:** **DPS:** Local Reserves "Parks and Recreation"  
**MRS:** Urban

## DETAILS

In accordance with the provisions of the Local Government Act 1995, a Special Meeting of Electors was held on 2 May 2005 to the CSIRO site at Lot 61 Leach Street, Marmion.

There were 86 members of the public in attendance. The minutes of the meeting are attached - Appendix 1 refers.

### Issues and options considered:

The Council is required by legislation to consider the resolutions carried at the electors meeting. Given the number and complexity of the resolutions carried, it was not practicable to provide detailed responses and comment on each of the resolutions in time for the Council meeting to be held on 17 May 2005. It is therefore proposed that the minutes are presented to the 17 May 2005 meeting, with the detailed responses and comments to be presented to the ordinary meeting of Council to be held on 7 June 2005.

### Link to Strategic Plan:

Outcome                      The City of Joondalup is an interactive community.  
Objective 4.3                To ensure the City responds to and communicates with the community.  
Strategy 4.3.3              Provide fair and transparent decision-making processes.

### Legislation – Statutory Provisions:

Decisions made by electors at an Electors' Meeting are the recommendations of those electors present, on the matters discussed and considered at the meeting. As with recommendations made at Council committee meetings, they are not binding on the Council. However, the Council must consider them.

Section 5.33 of the Local Government Act 1995 detailed below covers this matter:

#### Decisions made at Electors' Meetings

- 5.33 (1) All decisions made at an Electors' Meeting are to be considered by the Council at the next ordinary council meeting or, if this is not practicable –
- (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose,
- whichever happens first.

- (2) If at a meeting of the Council a local government makes a decision in response to a decision made at an Electors' Meeting, the reasons for the decision are to be recorded in the minutes of the Council Meeting.

The minutes of the Special Electors' meeting have been recorded in accordance with the Local Government Act 1995. In accordance with normal practice the Minutes have recorded each motion moved and its outcome and those electors who spoke during the meeting summarising key points raised. The minutes are not recorded verbatim.

**Risk Management considerations:**

Not applicable

**Financial/Budget Implications:**

Not applicable

**Policy implications:**

Not applicable

**Sustainability implications:**

Not applicable

**Consultation:**

The Special Meeting of Electors was held in accordance with the Local Government Act 1995. Local public notice was provided of the meeting, which notified the electors of the City and afforded them the opportunity to attend.

**COMMENT**

As a result of the number and complexity of the resolutions carried at the Special Meeting of Electors, it is recommended that a further report be presented to the Council at its meeting to be held on 7 June 2005 which will include detailed comments.

**ATTACHMENTS**

Attachment 1                      Minutes of the Special Meeting of Electors held on 2 May 2005

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cmr Anderson, SECONDED Cmr Clough that Council:**

- 1        **NOTES** the minutes of the Special Meeting of Electors held on 2 May 2005, forming Attachment 1 to Report CJ099-05/05;
- 2        **REQUESTS** a report to be submitted to the meeting of Council to be held on 7 June 2005 giving consideration to the resolutions carried at the Special Meeting of Electors held on 2 May 2005.

Cmr Smith spoke to the Motion.

Chief Executive Officer advised that a letter has been issued to the WA Planning Commission outlining the general intent of the Special Meeting of Electors. It has been conveyed to the Commission that a number of the resolutions related to rescission. Advice has been sought in relation to these matters and a number of the resolutions are currently being progressed.

**AMENDMENT MOVED Cmr Smith SECONDED Cmr Anderson that an additional Point 3 be added to the Motion as follows:**

**“3 NOTES that the WA Planning Commission has been advised of the general tone and tenor of the Special Meeting of Electors meeting.”**

**The Amendment was Put and CARRIED UNANIMOUSLY (5/0)**

The original motion as amended, being:

That Council:

- 1 NOTES the minutes of the Special Meeting of Electors held on 2 May 2005, forming Attachment 1 to Report CJ099-05/05;**
- 2 REQUESTS a report to be submitted to the meeting of Council to be held on 7 June 2005 giving consideration to the resolutions carried at the Special Meeting of Electors held on 2 May 2005;**
- 3 NOTES that the WA Planning Commission has been advised of the general tone and tenor of the Special Meeting of Electors meeting.**

Chief Executive Officer gave an explanation of the processes in relation to the resolutions from the Special Meeting of Electors being presented to Council.

**was Put and CARRIED UNANIMOUSLY (5/0)**

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15agn170505.pdf](#)*

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

Nil.

## **DATE OF NEXT MEETING**

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 7 JUNE 2005** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

## **CLOSURE**

There being no further business, the Chairman declared the Meeting closed at 2025 hrs; the following Commissioners being present at that time:

CMR J PATERSON  
CMR P CLOUGH  
CMR M ANDERSON  
CMR S SMITH  
CMR A FOX