



City of  
**Joondalup**

# **DRAFT AGENDA FOR BRIEFING SESSION**

to be held on  
**21 JUNE 2005**  
in Conference Room 1,  
Joondalup Civic Centre, Boas Avenue, Joondalup  
commencing at 6.30 pm

## **Public Question Time**

Members of the public are requested to lodge questions  
in writing by 4 pm on Monday 20 June 2005.  
Answers to those questions received within that timeframe will,  
where practicable, be provided in hard copy form  
at the Briefing Session.

**GARRY HUNT**  
Chief Executive Officer  
17 June 2005

## **BRIEFING SESSIONS**

The following procedures relating to the conduct of Briefing Sessions were adopted at the Council meeting held on 31 August 2004.

### **PURPOSE OF BRIEFING SESSIONS**

For the most effective decision-making, elected members/Commissioners must have the opportunity to gain maximum knowledge and understanding of any issue presented to the Council on which they must vote. It is reasonable for elected members/Commissioners to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary Council meetings. The complexity of many items means that elected members/commissioners may need to be given information additional to that in a staff report and/or they may need an opportunity to ask questions of relevant staff members. This is achieved by the elected members/commissioners meeting as a body to receive a briefing on issues listed for Council decision. It is considered Briefing Sessions are much more efficient and effective than elected members/Commissioners meeting staff on an individual basis for such a purpose, with the added benefit that all elected members/Commissioners hear the same questions and answers.

Briefing Sessions conducted by the City are open to the public with the exception of confidential items that are to be considered by Council behind closed doors. In addition to having the opportunity to receive detailed presentations from staff and consultants about matters that are to be on the Council Meeting Agenda for decision, Briefing Sessions are the forum used by the City to receive deputations from the public, ratepayer and other community groups, about matters of interest and due for consideration and decision of Council.

To protect the integrity of the decision-making process it is essential that Briefing Sessions be conducted in keeping with agreed procedures that are consistently applied.

### **PROCEDURES FOR BRIEFING SESSIONS**

- 1 Dates and times for sessions should be set well in advance where practical.
- 2 The CEO will ensure timely written notice and the agenda for each session is provided to all members.
- 3 Session papers should be distributed to members at least three days prior to the meeting. This does not preclude submission of late items where considered appropriate by the CEO.
- 4 The Mayor/Chairman of Commissioners or other designated member is to be the presiding member at all sessions.
- 5 Elected members/Commissioners, employees and consultants shall disclose their financial and conflicts of interest in matters to be discussed.
- 6 Interests are to be disclosed in accordance with the provisions of the Act as they apply to ordinary Council meetings. Persons disclosing a financial interest will not participate in that part of a session relating to their interest and shall leave the meeting room.

- 7 There is to be no opportunity for a person with an interest to request that they continue in the session.
- 8 A record should be kept of all sessions. As no decisions will be made, the record need only be a general record of items covered but should record disclosures of interest with appropriate departures/returns.
- 9 Elected members/Commissioners have the opportunity to request matters be included on the agenda for consideration at future Strategy or Briefing Sessions by:
  - (a) Request to the Mayor/Chairman;
  - (b) Request to the Chief Executive Officer; or
  - (c) Submitting a Notice of Motion to a Council meeting in keeping with Standing Orders.
- 10 An exception to point 7 above would be a situation where a consultant who has/declares a financial interest in the matter, is asked to attend a Strategy or Briefing Session to provide information only, on that matter being considered at the Session.
- 11 Briefing Sessions will be open to the public unless the session is being briefed on a matter for which a formal Council meeting may be closed.
- 12 Briefing Sessions will be the forum that ratepayer, community and other groups and members of the public can make a deputation on Council meeting agenda matters before the Council. Persons wanting to arrange deputations must do so in keeping with the procedures then applicable.
- 13 Items to be addressed will be limited to matters listed on the forthcoming agenda.
- 14 Briefings will only be given by staff or staff and consultants, for the purpose of ensuring that elected members and the public are more fully informed.
- 15 All questions and discussions will be directed through the chair. There will be no debate style discussion, as this needs to take place in the ordinary meeting of Council when the issue is set for decision.
- 16 A period for Public Questions be held at the commencement of Briefing Sessions that relate only to items on the agenda.

## **PUBLIC QUESTION TIME**

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

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

Questions raised at the Briefing Session must relate only to items on the agenda.

### **Prior to the Meeting/Briefing Session**

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

### **At the Meeting/Briefing Session**

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

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

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

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

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

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

The Mayor or presiding member shall decide to:

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

**The following rules apply to public question time:**

- *question time is not to be used by a member of the public to make a statement or express a personal opinion;*
- *questions should properly relate to Council business;*
- *question time shall not be used to require an Elected Member or an officer to make a personal explanation;*
- *questions should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Council employee;*
- *where a response has been provided to a question asked by a member of the public, and where that response, in the opinion of the presiding person, adequately deals with the question, there is no obligation to further justify the response;*
- *where an elected member is of the opinion that the question is not relevant to the business of the City of Joondalup or that a member of the public is making a statement, they may bring it to the attention of the meeting.*

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

### **Disclaimer**

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

## **DEPUTATION SESSIONS**

Council will conduct an informal session on the same day as the Briefing Session in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup, commencing at 6.30 pm where members of the public may present deputations by appointment only. (Please note that deputation requests are to be received by no later than 4.00 pm on the Monday prior to a Briefing Session.)

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

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

## **CITY OF JOONDALUP – BRIEFING SESSION**

to be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on TUESDAY, 21 June 2005 commencing at 6.30 pm

### **ORDER OF BUSINESS**

#### **1 OPEN AND WELCOME**

#### **2 DEPUTATIONS**

#### **3 PUBLIC QUESTION TIME**

**The following questions were submitted by Mr M Caiacob, Mullaloo to the Briefing Session held on 31 May 2005:**

Delegated Authority. DA04/0281 change of use (caretaker's residence) \$10,000.00 Approved South Coast. 12/05/2004 14 Leach Street Marmion WA 6020 1/04/2005. Owner: Marmion Estate Pty Ltd Applicant: Chappell & Lambert. Marmion Lot 61

*Q1 As the non-conforming land use reverts to its Reserved land use, what land use was changed to allow a caretaker's residence?*

*A1 It is believed that there are no non-conforming use rights that apply to this site. The approval of a caretaker's dwelling is not related to the existence or otherwise of non-conforming use rights. A caretaker's dwelling can be approved upon a local reserve. The application and approval constitutes an approval for a new land use on the site. The application was described as a *change of use – caretaker's dwelling* due to the standard terminology that is used within the Proclaim application tracking system. The previously approved use of the site was Marine Laboratory.*

*Q2 The existing buildings have been listed as derelict. What modifications and building works have been carried out to allow a caretaker's "Residence" in a non-residential building.*

*A2 The Council has not "listed the buildings as derelict". Parts of the development are known to be in a poor state. The Council has not received a Building Licence application for any works.*

*Q3 Was the application advertised to the general public?*

*A3 No, the development application was not advertised. The application was deemed not to be so substantial as to warrant advertising to the neighbours. The application facilitates the better supervision and maintenance of the land while its future is decided. The caretaker's dwelling is also akin to the residential land uses surrounding the land. The proposal has the potential to reduce anti-social behaviour on the site or further deterioration of the existing development of the bushland.*

*Q4 This DA was approved on 1/4/2005, prior to any determination by the Commissioners. Were comments and wishes of objectors taken into account by the delegated officer as required by clause 6.8?*

- A4 See A3 above. The development application process is independent of the rezoning process.
- Q5 *As the City is looking further into the "Non-Conforming" land use rights associated with this site, how can an approval be given for a Caretaker's residence, when the application was not advertised in accordance with clause 6.7.1. as required by clause 7.2.2 of the DPS?*
- A5 Clause 7.7.2 relates to applications for changes to non-conforming use developments and does not apply in this case. Clause 6.7.1 relates to advertising "A" and "D" land uses and does not apply in this case. Consideration of an application for a caretaker's residence did not depend on the existence of a non-conforming use.
- As referred to in A1 above, the previous use of the site for a marine laboratory does not constitute a non-conforming use under the provisions of the current DPS.
- Q6 *The initial D/A for a caretaker's residence was applied for prior to the Unreserving and zoning of the Local Reserve. Clause 2.3.4 requires clause 6.8 to be considered, were the comments or wishes of any objectors taken into consideration?*
- A6 The development application process is separate to the rezoning process. The consideration of development applications is required to occur in accordance with the provisions of the applicable parts of the DPS. The consideration of this application did occur in accordance with the objectives of the Scheme.
- Q7 *If no, what was the reason?*
- A7 The development application did not require advertising for the planning reasons set out in A3 above.

**The following questions were submitted by Mrs M Zakrevsky, Mullaloo to the Briefing Session held on 31 May 2005:**

- Q1 *Re: Item 2: The report states it is intended that guidelines will be adopted. What is the difference between a policy and a set of guidelines? If a policy is applicable to Councillors, employees and ratepayers, and guidelines are applicable to a person in a decision-making role, does this mean that the Chairman can ignore the guidelines totally?*
- A1 There is an over-riding statement of the intended proposal, and the guidelines would enable people to understand whatever is proposed under a policy. The City's advisory committees have been involved in a workshop and the next stage will involve the wider community, following which the Council will make a decision.
- Q2 *Re: Warrant of Payments. Payment 2503 to Turfmaster Facility Management for an amount of \$21,584.47 on 14 April 2005. Is this for fertiliser (as resolved under CJ090-04/05), weed control, or both?*
- A2 This payment is for weed control – spraying for pedestrian accessways.

**The following questions were submitted by Mr S Magyar, Heathridge to the Briefing Session held on 31 May 2005:**

- Q1 *Item 6. Why doesn't the recommendation make any reference to the CEO's duties and obligations under the Local Government Act?*
- A1 It is assumed that the contract provides that the CEO will carry out those duties.



Q2 *Warrant of Payments: What were the goods or services provided to the City for the following payments:*

- (a) *Payment 2712 to Select Australasia Pty Ltd for \$60,257.16.*
- (b) *Payment 71117 to Total Toro for \$129,561.50.*

A2 (a) Supply of temporary staff.  
(b) Purchase of mowers.

**The following questions were submitted by Mr S Kobelke, Sorrento to the Briefing Session held on 31 May 2005:**

Q1 *Outstanding Business Items – Application for funding for elected members and employees. Is it possible, in the Chairman’s address in the local media, that the ratepayers are advised of the cost to-date for the Inquiry?*

A1 A report is to be presented to Council on the current situation with the Inquiry, and an estimate of the cost to the City for time spent on Inquiry matters is being prepared

Q2 *Will you be issuing a press statement to the media?*

A2 A press statement will not be issued by the CEO. The matter will be considered by the Council.

Q3 *Will the Commissioners issue a press release so that the community is aware of the cost?*

A3 *Response by Cmr Clough:* The public will become aware of this through the Council process. I have no intention of making a press statement.

**The following questions were submitted by Mr V Cusack, Kingsley to the Briefing Session held on 31 May 2005:**

Q1 *Item 4: The recommendations of the Sustainability Advisory Committee on Page 29 of the report are not correct. Can this be corrected before the Council meeting?*

A1 This matter will be rectified.

## **4 APOLOGIES AND LEAVE OF ABSENCE**

### **Leave of Absence previously approved**

Cmr Smith            7 and 28 June 2005  
Cmr Paterson        2 – 27 June 2005

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

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**9 BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS**

**10 OUTSTANDING PETITIONS**

**11 REPORTS/PRESENTATIONS REQUESTED BY COMMISSIONER**

## **ITEM 1                      REVIEW OF THE CORPORATE DELEGATED AUTHORITY MANUAL - [07032]**

**WARD:** All

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

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### **PURPOSE**

For the Council to review and give consideration to the necessary changes to the Corporate Delegated Authority Manual.

### **EXECUTIVE SUMMARY**

The Local Government Act 1995 requires that, at least once each financial year the delegator reviews its delegations. The Council last reviewed its delegations on 29 June 2004 at met its legislative requirements (Item CJ135 - 06/04 refers).

At the same time it is prudent for Council to review its Town Planning delegations.

This report details the suggested changes to the Delegated Authority Manual, which require consideration by Council.

### **BACKGROUND**

The Local Government Act 1995 requires the delegator (in most cases either the Local Government or the Chief Executive Officer) to review each of its delegations at least once each financial year. The review of the Delegated Authority Manual for the last financial year was submitted to the Council meeting held on 29 June 2004 (Item CJ135 - 06/04 refers).

Following a lengthy review process, Council at its meeting held on 12 October 2004 adopted revised town planning delegations. The power derived for the town planning delegations is derived from the Town Planning and Development Act and the City's Planning Scheme.

### **DETAILS**

An annual review has been undertaken of the Corporate Delegated Authority Manual. An explanation of the proposed changes is provided on Attachment 1 hereto. The Manual, with the required revisions marked, forms Attachment 2 to this Report.

The Local Government Act 1995 assigns certain powers and duties directly to the Chief Executive Officer. Whilst powers and duties assigned directly to the Chief Executive Officer are included in the manual for ease of reference, the Council's approval is not sought in relation to these delegations. The Chief Executive Officer has undertaken a review of his powers and duties, which are as follows:

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Annual Review of Employees' performances	Page 28
Powers and Functions by the Chief Executive Officer	Pages 30-33
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Representing local government in Court	Page 65
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Payment of fees, allowances and expenses and the provision of facilities to the Mayor, Deputy Mayor and Councillors	Pages 97-98
Elected Members' advertising	Page 101
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Use of Council vehicles	Page 130
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Council reserves and parks	Page 133

### **Issues and Options considered:**

In reviewing the Corporate Delegated Authority Manual, consideration has been given to the recent amendments to the Local Government Act 1995 and the roles and responsibilities of officers required to exercise delegations.

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

4.3.3 Provide fair and transparent decision-making processes.

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

Section 5.42 of the Local Government Act 1995 provides that:

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in Section 5.43;

\* absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Section 5.43 of the Local Government Act 1995 provides that:

A local government cannot delegate to a CEO any of the following powers or duties:

- (a) any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under Sections 5.98, 5.98A, 5.99, 5.99A and 5.100 of the Act;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in Section 9.5;
- (h) any power or duty that requires the approval of the Minister or Governor; or
- (i) such other duties or powers that may be prescribed by the Act.

Section 5.44(1) of the Local Government Act 1995 provides that “a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than the power of delegation.”

Section 5.46(2) of the Local Government Act 1995 provides that “at least once every financial year, delegations made under this Division are to be reviewed by the delegator”.

The revised delegations include the recent amendments to the Local Government Act 1995.

**Risk Management considerations:**

The failure of the Council to review its delegations within the current financial year would result in non-compliance with its legislative responsibilities under the Local Government Act 1995.

**Financial/Budget Implications:**

Not Applicable.

**Policy implications:**

The power to delegate is derived from legislation and also from policies of the Council. For ease of reference, the manual provides details of related policies, where appropriate.

**Regional Significance:**

Not applicable.

**Sustainability implications:**

Not applicable.

**Consultation:**

Not applicable.

**COMMENT**

Throughout the review some of the delegations resulting from policies of Council may not be necessary. With the pending review of Council's policies, it is intended to review any subsequent obligations and make any necessary amendments.

The implementation of the revised Town Planning Delegations as resolved by Council on 12 October 2004, there has been some issues at a daily operation level. It is proposed that a further report relating to the Town Planning Delegations will be presented to Council at its 19 July 2005 meeting.

The Local Government Act 1995 requires each delegator to review its delegations at least once every financial year. As required by the Act, the Chief Executive Officer has reviewed his delegations and made the necessary amendments.

This review will ensure that the Council has a Delegated Authority Manual that reflects the focus of the Council. This manual will continue to be reviewed, with items submitted to the Council where necessary. An annual review will continue to occur.

**ATTACHMENTS**

Attachment 1	Explanation of proposed changes
Attachment 2	Required changes to Delegated Authority Manual

**VOTING REQUIREMENTS**

Absolute Majority

**RECOMMENDATION****That Council, BY AN ABSOLUTE MAJORITY:**

- 1 ENDORSES the review of the delegations in accordance with the Local Government Act 1995;**
- 2 AMENDS the Delegated Authority Manual as outlined on Attachment 2 to this Report.**

*Appendix 1 refers.*

To access this attachment on electronic document, click here: [Attach1brf210605.pdf](#)

## **ITEM 2                      COUNCIL MEETINGS AT ALTERNATIVE VENUES – 02154]**

**WARD:** All

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

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### **PURPOSE**

For Council to consider holding a Council Meeting at a suitable location other than the Council Chamber within the City of Joondalup.

### **EXECUTIVE SUMMARY**

It has been requested that a report on the costs associated with holding a Council Meeting at a suitable location within the City of Joondalup other than the Council Chamber be undertaken.

The approximate additional cost involved in this proposal is around \$3,500 per meeting. The investigation into the costs revealed that the logistics involved in holding a Council Meeting at a venue other than the Council Chambers are almost prohibitive to the proposal, whilst a survey of other Councils has revealed that the holding of a Council Meeting at an alternative venue does not necessarily increase attendance or create the positive community perception that would be expected.

Possible alternative options include holding a briefing session at an alternative venue rather than a Council Meeting or holding a Council Meeting at a local high school during school hours, possibly in conjunction with Local Government Week in August 2005.

### **BACKGROUND**

It has been requested that a report on the costs associated with holding a Council Meeting at a suitable location within the City of Joondalup other than the Council Chamber be undertaken.

Investigations have been completed as to the expected cost, feasibility and alternative venue suitability on the proposal.

### **DETAILS**

The proposal to hold a Council Meeting at a location other than the Council Chambers requires the consideration of many factors when determining the costs involved. Approximated costs associated with this proposal are detailed below:

- Hire of suitable audio equipment to allow for recording - \$1,750
- Increased costs associated with the provision of catering - \$500
- Increased staff costs for set up and clean up - \$500
- Facility Hire - \$250
- Miscellaneous Expenses (advertising etc) - \$500

The overall additional cost per meeting should be no more than \$3,500.



The City of Joondalup manages a number of venues that would be able to cater for the needs of a Council Meeting, however enquiries with Council's booking staff indicates that only Beaumaris Community Hall may be the only hall that is able to cater for 150+ patrons that is currently available on normal Council meeting days for the remainder of the year. The City owns two other halls capable of holding 150+ patrons, however both halls are booked on all normal Council Meeting dates for the remainder of the year.

**Issues and options considered:**

The main issues relating to the holding of Council Meetings at alternative venues revolve around the logistical realities of the proposal.

**Link to Strategic Plan:**

The proposal is consistent with the following Strategic Objectives as outlined in the City's Strategic Plan 2003-2008:

- 1.3 To continue to provide services that meet changing needs of a diverse and growing community; and
- 4.3 To ensure the City responds to and communicates with the City.

**Legislation – Statutory Provisions:**

Regulation 12 (2) of the Local Government (Administration) Regulations 1996 requires a local government to give local public notice of the of any change to the date, time and place of a meeting:

*"12. Public notice of council or committee meetings — s. 5.25(g)*

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
  - (a) the ordinary council meetings; and*
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.**
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1)."*

This is the only statutory provision to be adhered to when considering this proposal. The Council has previously resolved its meeting schedule for 2005, any change to this would require an amendment to the original decision and appropriate advertising.

**Risk Management considerations:**

Not Applicable

**Financial/Budget Implications:**

As previously stated it is anticipated that the additional costs incurred for holding a Council Meeting at a venue other than the Council Chambers is not expected to be more that \$3,500 per meeting.

No budget allocation has been made for this expenditure in the 2004/05 financial year or in any future financial years. But any costs associated with an alternative venue Council Meeting could be absorbed through normal operating accounts.

### **Policy implications:**

Policy 2.2.6 – Recording of Proceedings stipulates that all Council Meetings are to be recorded.

Policy 2.6.2 – Access to Council Services and Facilities for People with Disabilities, their Families and Carers requires that any alternative venue for a Council Meeting shall be accessible to people with disabilities.

### **Regional Significance:**

Not Applicable

### **Sustainability implications:**

Not Applicable

### **Consultation:**

Consultation was undertaken with all Western Australian Local Governments via an email survey to ascertain which, if any, local governments hold Council Meetings at alternative venues.

Further consultation was undertaken with the City of Wanneroo, being the only metropolitan local government that responded in the affirmative.

Consultation was also undertaken to ascertain if any Council owned facilities would be suitable and available for the holding a future Council Meeting.

### **COMMENT**

Whilst it is acknowledged that the costs associated with the proposal to hold a Council Meeting at a venue within the City of Joondalup other than the Council Chambers would be minimal, there are many other factors worthy of consideration.

The table below details the positives and negatives associated with this proposal.

<b>POSITIVES</b>	<b>NEGATIVES</b>
Creates goodwill within the Community	Decrease in professional appearance, i.e. poor lighting, acoustics, comfort
Enables closer and more convenient access for residents who reside some distance from the Chambers	Lack of access to required equipment, i.e. photocopier, Council's computer network, "live" minute taking on large screen
Takes Local Government to the Community	Logistically time consuming and difficult
Demonstrates leadership in involving the community in its processes	Does not generate additional attendance
Increases positive public perception of the City	May draw criticism from the public on additional expenditure given that there is a purpose built chamber

The positives and negatives of the proposal are relatively evenly matched, with the positive aspects focussing on the generation of a positive public reaction to the proposal, while the negative aspects focus more so on the logistical realities of the proposal.

A survey of all Western Australian Councils was undertaken by email requesting a yes/no answer as to whether or not other Councils within WA held Council Meetings at venues other than the Council Chambers.

70 Councils responded to the survey (17 Metropolitan Councils and 53 Country Councils). 21 of these indicated that they do hold Council Meetings at alternative venues, whilst 49 do not. Of the 21 that do, only one of these was located within the Metropolitan area (City of Wanneroo). The remaining 20 Councils that hold meetings at alternative venues were all Country Councils containing more than one town with considerable travelling distances from town to town.

The City of Wanneroo has been holding at least two Council Meetings per year at alternative venues, with one of those two usually being held in a retirement village.

Advice from the City of Wanneroo is that the average number of attendees at a regular City of Wanneroo Council Meeting is around 5 – 10 people. When meeting at a Community Centre away from the Chambers the average attendance is around 20 – 30 people, primarily from that specific area. When meeting at a Retirement Village the average attendance is around 80 – 90 people, with the vast majority of those attendances being residents of the village.

It is important to note that the City of Wanneroo Council will not hold a meeting at an alternative venue when there is a major or controversial issue relevant to the whole community on the agenda, and also take further care in ensuring that when they do meet at alternative venues, there is at least one item on the agenda that is directly relevant to the catchment area in which they are holding the meeting.

The Town of Bassendean advised that they used to hold meetings at alternative venues however they discontinued the practise as the area of the Town was not large enough to warrant its continuation and it did not increase attendances or necessarily generate an increase in positive public participation.

One of the motivating factors for holding a Council Meeting at an alternative venue is to allow easier access for residents that are some distance away from the Council Chambers. This would be the motivating factor for the City of Wanneroo, which has an area of 687km<sup>2</sup>. The City of Joondalup has an area of 96km<sup>2</sup>, with relatively short travelling distances for all residents to the Council Chambers.

The envisaged goodwill generated by making the decision making process more accessible to more residents may be offset by the less than professional appearance.

If Council was keen to show its leadership qualities and innovativeness in this area it may be prudent to examine other options which will result in the generation of goodwill while minimising the logistical burden.

One of these options may be to hold a Council Meeting at one of the High Schools within the City of Joondalup during school time, to allow a succession of classes to view the Council Meeting and become involved in the decision making process, thus gaining a greater knowledge and appreciation of the processes of Council. This option would require a change in time from the evening to the day, which may be difficult for some Council members and public. However, it would be an innovative and historic event that would more than likely be very well received by the wider community. The Council Meeting due to be held on 9 August may be appropriate as it falls within Local Government Week.

## **ATTACHMENTS**

Nil.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 NOT PROCEED with the proposal to hold a future Council Meeting at an alternative venue due to the relatively small area of the City of Joondalup;**
- 2 REQUESTS a further report on the possibility of holding the Council Meeting due to be held on Tuesday 9 August 2005 during Local Government Week 2005 at a local high school in order to increase the profile and importance of civic issues amongst local students, subject to a local high school agreeing to the proposal.**

### **ITEM 3**

## **REPORT FOR COUNCIL MEETING JUNE 28, 2005 PUBLIC PARTICIPATION STRATEGY – [75521]**

**WARD:** All

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

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### **PURPOSE**

To seek Council endorsement of the Public Participation Strategy.

### **EXECUTIVE SUMMARY**

This report provides information on the Public Participation Strategy that has been developed to meet the requirements of the Public Participation Policy 2.6.3 (the Policy) identified below as:

- Identification of issues requiring public participation;
- Inclusion in the annual budget process of funding for public participation activities;
- Increasing staff awareness and skills in public participation techniques;
- Information on how all sectors and groups within the community can have the opportunity to participate in the City's activities; and
- A community education program relating to public participation in the City's affairs.

To develop the Strategy, research both nationally and internationally was undertaken to identify practices that might usefully be adopted by the City, including the use of the WA State Government 'Consulting Citizens' Guidelines.' The research revealed that public participation exercises conducted by governments are rarely planned and resourced appropriately, not managed in ways that are transparent or endorsed by all participants and finally, not evaluated for effectiveness.

It was therefore important that the City's Strategy should incorporate capacity to plan, resource, manage and evaluate a public participation exercise. To this end, a Reference Group comprising staff with practical skills, knowledge and experience in community engagement, planning, service delivery, marketing, communications, program management and evaluation developed the Strategy in-house.

The Strategy can be found in Attachment A of this report and the toolkit with documentation to support implementation of Strategy can be found in Attachment B.

Estimated costs of conducting an individual public participation exercise can be found in Attachment C.

It is recommended that Council:

- 1 *ADOPTS the Public Participation Strategy forming Attachment A to this Report;*
- 2 *REQUESTS that the Chief Executive Officer to progress the Public Participation Strategy within adopted annual budget allocations.*

## BACKGROUND

This report provides information on the Public Participation Strategy that has been developed to meet the requirements of the Public Participation Policy 2.6.3. (the Policy). The table below provides information on the significant dates and actions undertaken.

Date	Action
February 2004	Council voted to retain the Public Participation Policy rather than replacing it with an alternative policy on consultation. Council also determined that the community consultation process for the Ocean Reef Road Extension should be evaluated using the guidelines contained in the WA State Government 'Consulting Citizens' Guidelines.'
June 2004	Program for developing a Public Participation Strategy commenced with extensive research into public participation best practice at State, National and International levels to identify best practice upon which the City's Strategy could be built.
August 2004	Formation of an in-house Reference Group made up of staff from across the organisation with skills and knowledge pertinent to community engagement, public relations, marketing, and communications and program management to develop the Strategy.
September 2004	Report on progress reviewed internally including information on a framework for conducting public participation exercises that had been developed and trialled by members of the Reference Group.
November 2004	Reference Group workshops to develop Strategy components.
December 2004	(a) Progress report internally on public participation process and the requirement for a skills/knowledge audit to identify organisational capacity for implementation of the process. (b) Report to Council on the utility of the WA State Government 'Consulting Citizens' Guidelines' for conducting the public participation process undertaken for Ocean Reef Road. (CJ303- 12/04 refers)
February 2005	(a) Presentation to Sustainability Advisory Committee (SAC) on public participation process. Recommendations received were incorporated into the guidelines. (b) The completed Strategy was presented internally on 18 February, 2005 and, where it was most appropriate, the Strategy was re-written to encompass their feedback.
April 2005	The Strategy was presented internally for consideration and any further amendments.
May 2005	The Strategy is presented at a Council Strategy session.

## DETAILS

The Public Participation Policy 2.6.3 identifies that the City will develop a Public Participation Strategy to address the following requirements:

- Identification of issues requiring public participation;
- Inclusion in the annual budget process of funding for public participation activities;
- Increasing staff awareness and skills in public participation techniques;
- Information on how all sectors and groups within the community can have the opportunity to participate in the City's activities; and
- A community education program relating to public participation in the City's affairs.

**Issues and options considered:**

Extensive research into methods for conducting public participation identified that current practice in most local governments - in Australia and overseas - is as follows:

- Consultation is commonly confused with participation
- Community consultation is limited to compliance with planning regulations
- Where guidelines on “how to consult” are provided, it is often in the form of a toolkit providing a range of options from which a selection can be made dependent on (a) the matter being addressed and (b) its level of significance. The underlying assumption is that an organisation has the necessary personnel skilled in implementing the options or the financial capacity to pay consultants to carry them out
- There is no process of quality control to determine whether public participation exercises, or even consultation processes, have achieved the objectives for which they were undertaken
- Processes for managing and then analysing information received through a public participation exercise are not in evidence
- Identification of who should undertake responsibility for conducting public participation exercises within a local government is unclear

Given this information it was important to develop a Public Participation Strategy that not only complied with the requirements of the Policy but also:

- Clarified the differences between participation and consultation
- Demonstrated a commitment to public participation above and beyond statutory requirements
- Provided a clear process for undertaking a public participation exercise from start to finish
- Built in quality control to determine whether the objectives of a public participation exercise have been met or otherwise
- Identified how information received would be managed, analysed and feedback to participants
- Identified when a public participation exercise was warranted and who should take responsibility for authorising it and for carrying out the necessary work.

The Strategy (Attachment A) addresses all of the above and contains the following information:

- An introduction to Public Participation
- The context for a public participation strategy
- Benefits
- Identification of the issues requiring public participation
- Inclusion in the annual budget process
- Increasing staff awareness and skills
- How all sectors can participate
- The outline for a community education program
- Differences between consultation and participation explained
- Public participation process outlined
- Evaluation

Attachment B contains the City’s own toolkit for conducting a public participation process from start to finish and provides a simple “how to” method for use by officers. The toolkit was developed internally by the in-house Reference Group and informed by practical experience in conducting public participation exercises and prior research. Further, templates of all the

processes and supporting documents are available for officers to download online on the City's Intranet.

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

The City's Strategic Plan 2003 – 2008 states that the decisions of Council will be guided by a number of underlying principles that have been developed to guide the City's decision making. Two of the Guiding Principles highlight Councils' commitment to public participation:

### **Community Focus**

*We will work in partnership with our community to build capacity, and develop community ownership and identity.*

### **Leadership through Partnerships and Networks**

- *We will develop partnerships and networks throughout the community*
- *We will develop a supportive and trusting relationship with our community*

Further, objective 4.3 of the Strategic Plan is "to ensure the City responds to and communicates with the community" and identifies the following strategies to meet this objective:

- *Provide effective and clear community consultation*
- *Provide accessible community information*
- *Provide fair and transparent decision-making processes*

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

Whilst the City is currently compliant with statutory provisions for consultation, the Strategy can be utilised to increase community involvement in the following areas:

- Policy development
- Strategic planning
- Major projects eg; Major Town Planning Scheme Reviews and associated studies\*
- Major Road Proposals (Ocean Reef Road extension)\*
- Major Reserve Development Proposals\*

*\*The extent of participation processes will in part be determined by any statutory obligations.*

### **Risk Management considerations:**

#### 1 Ethical Risks

Public participation processes that are not transparent and do not allow opportunities for community involvement in articulating and then identifying the issues are likely to be viewed with mistrust or scepticism. The Strategy has been developed as an authentic process that can deliver outcomes that are satisfactory for all concerned.

#### 2 Project Management Risks

Many of the tasks identified in each phase of a public participation process require skills and knowledge that are currently limited within the organisation. Therefore the quality of a public participation exercise could result in less than satisfactory outcomes if adequate training and development does not accompany implementation of the Strategy.



Further, whilst the Strategy is designed to encourage the wider community to participate, there is still the risk that relatively small numbers may take up the opportunity to get involved. To address this risk, a program of research is being undertaken to inform the City of the best ways of encouraging the proactive involvement of our community in public participation exercises.

### 3 Physical Risks

On occasion, community polarisation on contentious matters before Council has resulted in physical manifestations of anger. The Strategy has been developed to minimise risks of this nature through the promotion and management of effective participative processes.

As public participation exercises are usually conducted at community venues, project managers will need to ensure that occupational safety and health hazards are identified and safe work practices developed for the staff of the City conducting the public participation e.g. manual handling of heavy equipment for use at the venue. Further, public safety is a major factor and should not be compromised in any way e.g. layout of tables, chairs or displays should not obstruct emergency exits. Finally, the needs of people with disabilities for safe access and egress from the venue and the use of toilet facilities must be addressed.

### 4 Funding Risks

If adequate resourcing is not provided for implementing the Public Participation Strategy, the outcome of any processes undertaken are likely to be poor. This is because public participation involves high levels of skill in community engagement and the use of supporting technologies.

Further, if the City opts to invest in internal staff, adequate funding will be necessary to cover the costs of accredited training programs in public event planning, programming, implementation and evaluation are necessary, in addition to skills and knowledge in effective two-way communication processes, negotiation, mediation, facilitation and community development processes. Therefore, the services of external training consultants will be necessary.

Further, conducting effective public participation processes in-house provides a significant opportunity for staff of the City to not only acquire and practice a range of skills and knowledge in addition to their areas of expertise but also to build effective community relations with participants.

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

The costs associated with implementing an individual public participation process are outlined in Attachment C. Where the City elects to use the services of external consultants to carry out the tasks associated with public participation exercises, the scope of works should clearly state all requirements so that expressions of interest can be developed with all the associated costs. Consideration will need to be given to the number of public participation processes that can be completed within a financial year.

With respect to implementing the Strategy overall, investment in accredited staff training will increase the numbers of staff with the requisite skills, knowledge and ability for conducting public participation exercises.

#### **Policy implications:**

The Strategy is the outcome of the requirements of the Public Participation Policy 2.6.3.

**Sustainability implications:**

Implementation of the Public Participation Strategy has the potential to increase community involvement in, and awareness of, the need for sustainable development in the City.

Community Wellbeing

Through adopting the Strategy, the City will be able to address the diverse needs of the community. Further, by actively involving the community in Council's planning, development and service delivery activities, it is anticipated that the quality of those services and access to them will improve.

Caring for the Environment

Many initiatives for addressing environmental issues require the active support and collaboration of the community to achieve them. Through implementing the Strategy it will be possible to encourage community ownership of environmental issues and community action to address them.

City Development

Development of the City is dependent on partnerships with the local business community. By implementing the Strategy, there will be opportunities for businesses to engage effectively with the City in the areas of investment, creation and promotion of cultural tourist attractions, local employment and asset management.

Organisational Development

By implementing the Strategy it is anticipated that there will be greater community acceptance and support of Council and its initiatives. Further, that linkages between Council and community will increase significantly, with citizens playing a more active part in the governance of their City.

**Consultation:**

The Strategy was developed with reference to previous community based research into community expectations and requirements of consultative processes and with input provided across the organisation and the Sustainability Advisory Committee (SAC).

**COMMENT**

As previously referred to in this report, the research undertaken prior to developing the Strategy showed that whilst many local governments had either policies and/or procedures associated with community consultation and/or public participation, information on their practical application was not readily available. The public administration literature indicated that public participation exercises are:

- 1 Rarely planned and resourced appropriately
- 2 Not managed in ways that are transparent or endorsed by all participants
- 3 Not evaluated for effectiveness

It was therefore imperative that the City's Strategy should be practical and incorporate planning to identify matters, upon which public participation should be conducted, a transparent process for conducting a public participation exercise and the capacity for the community to evaluate the quality of the exercise upon its completion.

**ATTACHMENTS**

Attachment A	Public Participation Strategy
Attachment B	Toolkit
Attachment C	Costs of conducting Public Participation exercises

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

- 1 ADOPTS the Public Participation Strategy forming Attachment A to this Report;**
- 2 REQUESTS the Chief Executive Officer to progress the Public Participation Strategy within adopted annual budget allocations.**

*Appendix 2 refers.*

To access this attachment on electronic document, click here: [Attach2brf210605.pdf](#)

**ITEM 4                    2005/06 BUSINESS & COMMUNITY DIRECTORY -  
JOONDALUP BUSINESS ASSOCIATION - [03082]  
[00004]**

**WARD:**                    All

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

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**PURPOSE**

For the Council to give consideration to supporting the production of the 2005/06 Business & Community Directory with the Joondalup Business Association.

**EXECUTIVE SUMMARY**

The Joondalup Business Association (JBA) has advised the City that it has commenced the process for the publication of the 2005/06 Business & Community Directory. It has requested the City contribute \$50,000 plus GST to the project.

In 2000 the City produced its own Community Directory for the cost of \$32,000. In 2001 the Council resolved not to continue with the production of its own publication and contribute the funds towards the production of a business and community directory to be produced by the JBA.

The JBA has advised that for a financial contribution of \$50,000 the City would receive the following:

- Welcome page;
- 19 pages for listing Council services;
- 9 pages for Community listings;
- 10 pages for maps of the City; and
- Front and inside covers.

This years request for funding is an increase of \$10,000 that the City contributed to last years publication.

Market research conducted in late 2003, immediately following the distribution of that years directory revealed that the publication was a desired product for the community. However it appears that the number of businesses advertising in the directory has been declining since its inception in 2001.

The Council initially consider the request from the JBA in February 2005 where it resolved to defer the matter pending consultation with the JBA. Subsequent to that decision, a further report was presented to the Council on 15 March 2005 where it was resolved:

*That Council:*

- 1 *NOTES the offer from the Joondalup Business Association for the Council to take out advertising space in its 2005 Business Directory in an amount of \$55,000;*
- 2 *REQUESTS the Chief Executive Officer as a matter of urgency to undertake a strategic review of the way the City promotes its services and provides necessary information to the community;*
- 3 *REQUESTS the Chief Executive Officer to make any interim arrangements needed to provide this information, possibly through the website, disks in welcome packs, through libraries and customer service outlets.*

The JBA were subsequently advised of the resolution of the Council on 5 April 2005.

The JBA has again written to the City of Joondalup expressing its extreme disappointment with the decision of the Council of 15 March 2005. The JBA has requested that the Council reconsider its decision to support the production of the 2005/06 Business & Community Directory.

The City has a number of options available to it:

- Agree to support the directory to an amount of \$40,000 (as per last year) with certain conditions embracing the principles of previous decisions;
- Agree to an amount of \$20,000 with certain conditions as per above. This option is based on the fact that this will be the fifth year the directory has been produced and it could be assumed that the initial funding was to establish the product and now it should be self funding;
- Endorses the concept of the directory and advertise to an amount of \$10,000 and the City produces its own community directory;
- Underwrites any losses to the publication to an amount of \$40,000 but still be entitled to advertising space which will strengthen the product;
- Not support the business and community directory proposal and examine options for communicating the relevant community based information;
- Agree to the proposal as submitted by the JBA;
- Consider producing a combination of printing, producing and distributing its own services directory, take out some advertising in hard copy local business directories such as: the Yellow Pages Local Directory and JBA Directory and set up an online local business directory on the City's website (to include all registered businesses in City of Joondalup region) and continue to direct people to the City's website;
- That the City continues with the current agreement with the JBA, take out some advertising in hard copy local business directory Yellow Pages Local Directory, set up the online local business directory on the City's website and continue to direct people to the City's website;
- That the City continues with the current agreement with the JBA, take out some advertising in hard copy local business directory Yellow Pages Local Directory, set up the online local business directory on the City's website, continue to direct people to the City's website and produce a CD-Rom.

The publication has been running for a few years and it could be assumed that the publication should be making a profit for the JBA but indications from it is that is making a loss on the product.

It is therefore recommended that the City support the production of the 2005/06 Business & Community Directory to an amount of \$40,000 plus GST as per last year. However, the JBA

be advised that this is for the production of the 2005/06 directory only and is not a commitment to supporting the directory in future years.

## **BACKGROUND**

In October 2004, the Joondalup Business Association (JBA) advised that it had commenced the planning for the 2005/06 Business & Community directory and was seeking the support and the involvement of the City of Joondalup. The JBA requested the City subscribe for its community related advertising space for the amount of \$50,000 plus GST.

The JBA (when it was known as the North West Metro Association) produced a business directory in 1999, which included Council related information at no cost to the City. In 2000, the City produced its own sixteen (16) page Council Services Directory at a cost of \$32,000 and was distributed to every household.

In March 2001, the JBA approached the City to support a joint venture in producing a combined Business and Community directory. The City at that time agreed to subscribe to the directory to the value of \$32,000 to acquire sixteen (16) pages of Council-related information and agreed to no longer produce its own Council Services Directory.

The City has continued to support the publication since that time with further amounts of \$32,000 for the 2001/02 and 2002/03. The City initially agreed to subscribe to the directory for the 2003/04 to the amount of \$32,000, but further agreed to increase its contribution by \$6,500 to secure the cover and inside cover of the publication. For the current edition (2004/05) the City subscribed for the relevant advertising to the amount of \$40,000.

For the publication of the 2002/03 Business and Community Directory, the JBA agreed to the following conditions of the funding:

- 1 *Agrees to contribute an amount of \$32,000 (plus GST) to the Joondalup Business Association towards the production of the 2002/03 Business and Community Directory only;*
- 2 *Advises the Joondalup Business Association that the funding is subject to the City being granted the following for the 2002/03 edition and all future editions of the Business and Community Directory:*
  - (a) *allocation of appropriated free space for information pertaining to Council services (currently this would need to be approximately 16 full A4 pages);*
  - (b) *two representatives being included on the working party for the production of the Business and Community Directory;*
  - (c) *allocation of free editorial space for a joint City of Joondalup Mayoral Message at the front of the Directory.*

This commitment made by the JBA has been used as the basis of future subscriptions by the City to support the publication.

At the meeting of the Council held on 2 December 2003, it was resolved as follows:

*That Council AGREES to contribute an amount of \$40,000 (plus GST) to the Joondalup Business Association towards the production of the 2004/05 edition of the Joondalup Business and Community Directory with following terms and conditions:*

- 1 the City being allocated appropriate space for information pertaining to Council services (currently this is 16 full A4 pages) with the Community front and inside cover as per 2003/04;*
- 2 the City having two representatives on the working party for the production of the Directory;*
- 3 the City allocated editorial space and photograph for a joint message from the Mayor and JBA President at the front of both sides of the Directory;*
- 4 the JBA commit to continuing to develop and improve the directory's content and its appeal to a wider audience including identification of new markets and extended distribution channels within the community for the directory;*
- 5 the print-run of the Directory is suitably increased to allow for wider distribution, and for the City to be provided a minimum of 6,500 copies for use in new resident welcome & citizenship packs, libraries, recreation centres and customer service centres,*
- 6 continued inclusion of Community organisation/groups listings as supplied by the City.*

A report was presented to the Council at its meeting held on 22 February 2005 where it was resolved:

*That Council DEFERS consideration of a financial contribution to the Joondalup Business Association (JBA) for the production of the 2005/06 Business & Community Directory to the next meeting of Council to be held on 15 March 2005 to allow time for the JBA to be consulted on the various options listed in Report CJ003-02/05, in particular Option 5.*

Following the resolution of 22 February 2005, further information was sought from the JBA and a subsequent report was presented to the Council at its meeting held on 15 March 2005 where it was resolved as follows:

*That Council:*

- 1 NOTES the offer from the Joondalup Business Association for the Council to take out advertising space in its 2005 Business Directory in an amount of \$55,000;*
- 2 REQUESTS the Chief Executive Officer as a matter of urgency to undertake a strategic review of the way the City promotes its services and provides necessary information to the community;*
- 3 REQUESTS the Chief Executive Officer to make any interim arrangements needed to provide this information, possibly through the website, disks in welcome packs, through libraries and customer service outlets.*

The JBA were subsequently advised of the resolution of the Council on 5 April 2005.

The JBA has again written to the City of Joondalup expressing its extreme disappointment with the decision of the Council of 15 March 2005. The JBA has requested that the Council reconsider its decision to support the production of the 2005/06 Business & Community Directory.

## DETAILS

The JBA invited the City to continue its participation for the 2005/06 Business & Community Directory by subscribing for advertising space for an amount of \$50,000 plus GST. For this subscription, the JBA has indicated that the City will receive 39 full colour pages, which includes: -

- Welcome page;
- 19 pages for listing Council services;
- 9 pages for Community listings;
- 10 pages for maps of the City; and
- Front and inside covers.

The City has always only ever committed to the required number of pages necessary to communicate the relevant community related information relating to community services. It was never intended to be charged for the provision of maps and community listings, as it appears to indicate in the proposal. These inclusions have evolved at the request of the JBA to strengthen the publication.

The JBA have advised that at current costs that their proposal represents approximately \$80,000 worth of advertising. This would be based on the rate card distributed by the JBA at \$1990 per full-page advertisement. The JBA has indicated the following costings to produce 60,000 copies of the directory: -

### 2003/04 - Edition

#### Income

Sale of advertising	\$103,171
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#### Expenditure

Printing	\$89,366
Distribution	\$13,375
Salaries/wages/commission	\$17,699
Miscellaneous	\$3,873

<b>Total Profit (Loss)</b>	<b>(\$21,142)</b>
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### 2004/05 – Edition

#### Income

Sale of advertising	\$140,788
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#### Expenditure

Printing	\$118,029
Stationery	\$1,473
Bank Fees	\$193



Salaries/wages/commission	\$30,104
Advertising	\$33
Telemarketer	\$1,327
Reimbursements/Cancellations	\$1153
Miscellaneous	\$1421
<b>Total Profit (Loss)</b>	<b>(\$12,949)</b>

Upon examination of the publication it has been identified that there has been a dramatic decline in the number of businesses advertising in the directory. The initial directory of 2001/02 included 81 pages of business advertising, however the current directory has only 30 pages of business advertising. The following statistics for business advertising is as follows: -

- 2001 – 460 businesses (253 adverts & 207 line adverts)
- 2002 – 291 businesses (190 adverts & 101 line adverts)
- 2003 – 186 businesses (150 adverts & 36 line adverts)
- 2004 – 178 businesses (1693 adverts & 9 line adverts)

It is no longer possible for the JBA to include the A-Z of business within the region due to the fact that the information is too expensive to acquire and reproduce. With the inability of the directory to contain an A to Z listing of all businesses within the City means that only those businesses that decide to advertise within the publication are published. As a result of the decline in businesses advertising and the inability to reproduce the A-Z of businesses the publication mainly consists of community related information.

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

In the report presented to the Council at its 15 March 2005 meeting there were numerous options presented. These options are reproduced as follows with additional options following the decision of the Council of 15 March 2005.

#### **Option 1**

- 1 Provide a financial contribution to the Joondalup Business Association, in accordance with the City's budgeted amount of \$40,000 (plus GST), subject to the City:
- 2 the City being allocated appropriate space for information pertaining to Council services (currently this is 21 full A4 pages) with the Community front and inside cover as per 2004/05;
- 3 the City having two representatives on the working party for the production of the Directory;
- 4 the City allocated editorial space and photograph for a joint message from the Mayor and JBA President at the front of both sides of the Directory;
- 5 the JBA commit to continuing to develop and improve the directory's content and its appeal to a wider audience including identification of new markets and extended distribution channels within the community for the directory;
- 6 the print-run of the Directory is suitably increased to allow for wider distribution, and for the City to be provided a minimum of 6,500 copies for use in new resident welcome & citizenship packs, libraries, recreation centres and customer service centres, and

- 7 continued inclusion of Community organisation/groups listings as supplied by the City.

### **Option 2**

Provide a reduced financial contribution to the Joondalup Business Association under the above terms, say to the value of \$20,000. Given that this is the fifth year the Directory will be produced, the product has proven to be strong and should therefore be self-funding.

The City could then produce its own dedicated Council Services Directory.

### **Option 3**

The City to endorse the concept of the Directory and provide support in the form of purchasing advertising space in the Directory, for example to the value of \$10,000, to promote the City.

The City could then produce its own dedicated Council Services Directory.

### **Option 4**

Underwrite any potential losses to the value of \$40,000. This limits the financial risk for the JBA, if it fails to draw the revenue from the sales of advertisements. The Council would still not produce its own Directory to provide a stronger product for the JBA with which to sell advertisements and maximise the chances of success. In order to enhance the product the City would still request the necessary advertising space to promote the Council services.

### **Option 5**

That the City undertake the production of its own directory and extend an offer to the JBA to put the business listings in the Council Directory free of charge, so providing the JBA with additional benefits for members and as a tool for increasing membership.

### **Option 6**

That the City not agrees to support the Business & Community directory as proposed by the JBA and initiates its own dedicated Council Services directory.

### **Option 7**

That the City agrees to the request as proposed by the JBA.

As a result of the decision of the Council of 15 March 2005, a review of appropriate promotional channels that the City could utilise to promote its services and necessary information to the community. The additional options are presented.

### **Information on Yellow Pages Local & Online Business Directory**

Sensis produces many online and print publications such as the Perth White Pages, Yellow Pages and Yellow Pages Local. Currently in Western Australia, Sensis produces two Yellow Pages Local – Northern Suburbs and Kwinana/Rockingham/Mandurah.

Yellow Pages Local is a very popular cost-effective channel in the Eastern States for local governments to take out one or two pages to provide key contact points and phone numbers and summary information about the region and its attractions.

The Northern Suburbs edition is now in its second year and lists every business in the Northern Suburbs region (7,196 City of Joondalup businesses). All businesses are listed free of charge who possess a business telephone number. The City of Joondalup has been provided with one page at no charge and currently in negotiations to purchase an additional page to provide more information about the region. The 2005/06 edition of the Yellow Pages Local has already been distributed to households within the region. Submissions for the 2006/07 edition open in September 2005.

The Online local business directory is a cost-effective method to provide up-to-date local business listings, displayed on the City's website. As with the printed directory, all businesses in City of Joondalup will be displayed (7,196 businesses in City of Joondalup region). The key feature is that there is no City staff resources needed to keep the information update.

### **Option 8**

That the City prints, produces and distributes its own services directory, take out some advertising in hard copy local business directories such as: the Yellow Pages Local Directory and JBA Directory and set up an online local business directory on the City's website (to include all registered businesses in City of Joondalup region) and continue to direct people to the City's website.

<b>Item</b>	<b>Cost</b>	<b>Approx. Amounts</b>
The City to print, produce and distribute its own directory (60,000 hard copies)	Printing Costs Distribution Costs	\$25,000 \$4,000
Advertise in Yellow Pages Local – Northern Suburbs <i>Lists all 7,200 businesses in Joondalup region by category. 2 pages = \$4,000. Wider distribution, usability and credibility. Distributed to City of Joondalup, City of Swan, City of Stirling, City of Wanneroo</i>	Advertising Costs	\$4,000
Advertise in the JBA Directory <i>2 pages @ \$2,000 per page</i>	Advertising Costs	\$4,000
Online local business directory	Annual licence and maintenance fee	\$4,000
<b>ESTIMATED TOTAL COSTS</b>		<b>\$41,000</b>

### **Option 9**

That the City continues with the current agreement with the JBA, take out some advertising in hard copy local business directory Yellow Pages Local Directory, set up the online local business directory on the City's website and continue to direct people to the City's website.

<b>Item</b>	<b>Cost</b>	<b>Approx. Amounts</b>
JBA Directory contribution	Advertising Costs	\$40,000
Advertise in Yellow Pages Local – Northern Suburbs <i>Lists all 7,200 businesses in Joondalup region by category. 2 pages = \$4,000. Wider distribution, usability and credibility. Distributed to City of Joondalup, City of Swan, City of Stirling, City of Wanneroo</i>	Advertising Costs	\$4,000
Advertise in the JBA Directory	Advertising	\$4,000

<i>2 pages @ \$2,000 per page</i>	Costs	
Online local business directory	Annual licence and maintenance fee	\$4,000
<b>ESTIMATED TOTAL COSTS</b>		<b>\$52,000</b>

### **Option 10**

That the City continues with the current agreement with the JBA, take out some advertising in hard copy local business directory Yellow Pages Local Directory, set up the online local business directory on the City's website, continue to direct people to the City's website and produce a CD-Rom.

<b>Item</b>	<b>Cost</b>	<b>Approx. Amounts</b>
JBA Directory contribution	Advertising Costs	\$40,000
Advertise in Yellow Pages Local – Northern Suburbs <i>Lists all 7,200 businesses in Joondalup region by category. 2 pages = \$4,000. Wider distribution, usability and credibility. Distributed to City of Joondalup, City of Swan, City of Stirling, City of Wanneroo</i>	Advertising Costs	\$4,000
Advertise in the JBA Directory <i>2 pages @ \$2,000 per page</i>	Advertising Costs	\$4,000
Online local business directory	Annual licence and maintenance fee	\$4,000
CD –Rom Production Burn copies - \$2 per copy x 6,500	Production externally CD-Rom copies	\$6,500 \$13,000
<b>ESTIMATED TOTAL COSTS</b>		<b>\$71,500</b>

In addition to the previous financial contribution of \$40,000 to the JBA for previous directories, the City also provides the following in kind support for the production:

- Images for the front & back covers;
- Graphic design and layout of City pages and Community Groups information;
- Distribution of additional directories through City channels throughout the year, through Welcome Packs, attendees to Citizenship Ceremonies, and at various events such as Joondalup Festival, Little Feet Festival and Information Stands.

The in kind support provided by the City is staged over a four (4) to six (6) month period. Approximate financial value of the above would be:

<b>ITEM</b>	<b>DETAILS</b>	<b>RATE</b>	<b>COSTS</b>
Gathering Content, Editing, Follow up, Meetings, Project Management	Marketing Coordinator Equivalent of 6 weeks full-time work	Based on Level 7/8	\$6,540
Community Group Listings	Community Information Officer Equivalent of 2 weeks full-time work	Based on Level 5/6	\$1,886
Design & layout	Graphic Design Officer Equivalent of 4 weeks full-time work	Based on Level 5/6	\$3,772

Writing of service description data	All business units Equivalent of 5 weeks full-time work 2 days per BU x 12 BU's.	Based on Level 5/6	\$4,715
Sign off	All business units Equivalent of 3 weeks full-time work Approx. 1 day per BU x 12 BU's.	Based on Level 5/6	\$2,829
	<b>ESTIMATED TOTAL STAFF RESOURCES</b>		<b>\$19,742</b>
Distribution Costs	Postage of welcome packs	5,000 x \$0.70	\$3,500
Images	Market rate per image	\$50 x 10 images	\$500
	<b>ESTIMATE TOTAL OTHER</b>		<b>\$4,000</b>
	<b>TOTAL ESTIMATE</b>		<b>\$23,742</b>

**Link to Strategic Plan:**

Strategic Plan Outcome

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

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

1.3.3 *Provide support, information and resources.*

Strategic Plan Outcome

The City of Joondalup is recognised for investment and business development opportunities.

3.5 *To provide and maintain sustainable economic development.*

3.5.1 *Develop partnerships with stakeholders to foster business development opportunities.*

**Legislation – Statutory Provisions:**

Not Applicable

**Risk Management considerations:**

Not Applicable

**Financial/Budget Implications:**

**Account No:** 1 510 3720 0001 9999  
**Budget Item:** Governance Corporate  
 Costs, Printing  
**Budget Amount:** \$126,000  
**YTD Amount:** \$26,847  
**Actual Cost:** \$40,000 plus GST

**Policy implications:**

Not Applicable

**Regional Significance:**

The publishing of a Business & Community Directory outside the district of the City of Joondalup may increase the recognition of the City's services and those businesses that advertise within the publication.

Supporting other promotional channels of business and community information that are distributed outside the immediate district of the City through such publications as the Yellow Pages Local will also increase the awareness of businesses and services within the City of Joondalup.

**Sustainability implications:**

The production of a joint Business & Community directory will mean the need for only one publication to be produced and assist in providing valuable information to the community and businesses.

**Consultation:**

The 2004/05 directory was distributed by the JBA in September/October of 2003. In November 2003 the City undertook some research on the City's communications methods, which included some questions regarding the Business & Community directory. The results of the survey indicated a positive reaction to the directory.

- Awareness of the directory was 82% (extremely high)
- Readership/Usage of directory 49% (well above average)
- 56% rated directory as 'Very useful' (above average percentage)
- Feedback received from the Research undertaken by the City, including 300 telephone interviews, indicating that the directory in its new format has above average awareness, usage and satisfaction levels.
- All residents interviewed during in-depth interviews had retained the document in their homes with their mainstream White & Yellow Page books.
- The City received more queries with regards distribution of the 2003/04 Directory than in previous years, again highlighting an increased usage and demand of the directory.
- The City's participation enhances promotion of the Directory into the business sector, making the product as a whole more viable.

**COMMENT**

This would be the fifth year that the Business & Community directory has been produced. The research undertaken by the City has indicated that the product is strong and that there is a demand and expectation within the community for such a product.

While it is fully appreciated that the research depicts that the directory is a required product within the community, the research does not detail whether the directory is retained for purely community related information or business related information or indeed both. However it

would be fair to comment that given the degree of information contained within the directory, especially relating to community based organizations, the accuracy and currency of the information soon become out of date.

There is a concern that with what appears a decline in the amount of businesses willing to advertise in the directory and the inability to be able to list all businesses within the City and not just those who choose to advertise in the directory, that the publication is strongly orientated towards the community related information. There maybe more benefit for the City in producing its own community information related directory or investigating other methods or products to support that effectively communicate business and community related information.

A further concern is that the directory has been produced for the last four years and indications from the JBA is that it has never made a profit. It is known that other cases where the business association has undertaken such a venture it has managed to include the Council/Community related information free of charge. The entire project was funded by the sales of the advertising space.

When the Council agreed to fund the 2002/03 directory, it was anticipated that future editions of the publication would be done so at a profit for the JBA, therefore being able to include the Council related information at no cost to the City to be able to strengthen the recognition and creditability of the product.

The JBA have committed to the project by engaging the services of a full time employee to increase sales revenue from advertising for this year's directory. The JBA has advised that the salary for that employee contribute to 20% of the total project cost.

In the past the Council has agreed to fund the project in a way of assisting the JBA. It is a way of showing support for the business community, through the JBA, and as a local government is taking a leadership role in the economic vitality of the City. This is in addition to the many other grants provided to local business initiatives.

It is therefore recommended that at this stage it still appears to be most effective, from both cost and communications perspectives, to continue with this joint publication for one year. Especially given listings for the 2005/06 Yellow Pages Local has closed.

To maximise the benefit of this publication it is recommended that the City proceed with Option 1 as outlined in this report. However, the JBA be advised that this financial contribution will not be an ongoing commitment by the City.

The level of financial contribution in Option 1 ensures the professionalism of the Directory, in particular the Community component, being maintained to the current level with pages allocated for City Services / Facilities as well as Community Services in general.

## **ATTACHMENTS**

Not Applicable

## **VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That:**

- 1 Council PROVIDES a financial contribution to the Joondalup Business Association, in accordance with the City's budgeted amount of \$40,000 (plus GST), for the production of the 2005/06 Business & Community Directory subject to:**
  - (a) the City being allocated appropriate space for information pertaining to Council services (currently this is 21 full A4 pages) with the Community front and inside cover as per the 2004/05 publication;**
  - (b) the City having two representatives on the working party for the production of the Directory;**
  - (c) the City allocated editorial space and photograph for a joint message from the Mayor and JBA President at the front of both sides of the Directory;**
  - (d) the JBA commit to continuing to develop and improve the directory's content and its appeal to a wider audience including identification of new markets and extended distribution channels within the community for the directory;**
  - (e) the print-run of the Directory is suitably increased to allow for wider distribution, and for the City to be provided a minimum of 6,500 copies for use in new resident welcome & citizenship packs, libraries, recreation centres and customer service centres;**
  - (f) continued inclusion of Community organisation/groups listings and regional maps as supplied by the City at no cost to the City;**
- 2 Council ADVISES the Joondalup Business Association that the funding detailed in (1) above is for the production of the 2005/06 Business & Community Directory only and is not an ongoing financial commitment for future productions of the directory;**
- 3 Expenditure in (1) above be charged to Account No. 1 510 3720 0001 9999 – Governance Corporate Costs, Printing;**
- 4 Council CONTINUES to explore various appropriate promotional channels that would enable the City to communicate and promote relevant community based information to its residents, businesses and ratepayers.**



**ITEM 5                      WARRANT OF PAYMENTS 31 MAY 2005 – [09882]****WARD:** All**RESPONSIBLE DIRECTOR:** Mr Peter Schneider  
Director Corporate Services and Resource Management**PURPOSE**

The Warrant of Payments for the month ended 31 May 2005 is submitted to Council for approval.

**EXECUTIVE SUMMARY**

This report details the payments drawn on the funds during the month of May 2005, totalling \$15,628,163.90 and seeks approval by Council for the payments listed.

*It is recommended that Council APPROVES for payment the vouchers, as presented in the Warrant of Payments to 31 May 2005 certified by the Chairman of Commissioners and Director Corporate Services & Resource Management and totalling \$15,628,163.90.*

**BACKGROUND**

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with Local Government (Financial Management) Regulations 1996 a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

**DETAILS**

The table below details the payments drawn on the funds during the month of May 2005 and seeks approval by Council for the payments listed.

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Director Corporate Services & Resource Management Advance Account		Nil
Municipal Account	Cheques 71173 - 71536 EFT 2720 - 3000 59A – 65A	15,628,163.90
Trust Account		Nil
		<b>\$15,628,163.90</b>

The Director Corporate Services & Resource Management Advance Account is an imprest account. All future creditor payments will be made through the Municipal Account as the Director Corporate Services and Resource Management Advance account has been closed as approved by Council at its meeting of 14 December 2004 (CJ308-12/04).

The cheque and voucher registers are appended as Attachments A & B.

The total of all other outstanding accounts received but not paid at the close of May 2005 was \$1,238,373.84.

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

This warrant of payments to be passed for payment, covering vouchers numbered as indicated and totalling \$15,628,163.90 which is to be submitted to Council on 28 June 2005 has been checked, is fully supported by vouchers and invoices and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and the amounts shown were due for payment.

.....  
PETER SCHNEIDER  
Director Corporate Services & Resource Management

**CERTIFICATE OF CHAIRMAN OF COMMISSIONERS**

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$15,628,163.90 was submitted to Council on 28 June 2005.

.....  
JOHN PATERSON  
Chairman of Commissioners

**Issues and options considered:**

Not Applicable

**Link to Strategic Plan:**

Objective 4.1.1 – Ensure financial viability and alignment to plan.

**Legislation – Statutory Provisions:**

The Council has delegated to the CEO the exercise of its power to make payments from the Municipal and Trust Funds, therefore in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the CEO is prepared each month showing each account paid since the last list was prepared. In addition regulation 13 (4) requires that after the list of payments has been prepared for a month, the total of all other outstanding accounts is to be calculated and a statement of that amount is to be presented to the Council.

**Risk Management considerations:**

In accordance with section 6.8 of the Local Government Act 1995, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.

**Financial/Budget Implications:**

All expenditure from the municipal fund was included in either the 2004/05 Annual Budget, half year budget review, or approved in advance by Council.

**Policy implications:**

All expenditure included in the warrant of payments is drawn from the City's accounting records which are maintained in accordance with Policy 2.4.1.

**Regional Significance:**

Not Applicable

**Sustainability implications:**

Expenditure has been incurred in accordance with budget parameters which have been structured on financial viability and sustainability principles.

**Consultation:**

In accordance with Section 6.2 of the Local Government Act 1995, the annual budget was prepared having regard to the plan for principal activities which was advertised for a 42 day period with an invitation for submissions in relation to the plan.

**COMMENT**

All expenditure included in the warrant of payments is in accordance with the 2004/05 Annual Budget, 2004/05 Half Year Budget review or has been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment A            Warrant of Payments for Month of May 2005  
Attachment B            Municipal Fund Vouchers for Month of May 2005

**VOTING REQUIREMENTS**

Simple majority.

**RECOMMENDATION**

**That Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 31 May 2005 certified by the Chairman of Commissioners and Director Corporate Services & Resource Management and totalling \$15,628,163.90.**

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
<b>Director Corporate Services &amp; Resource Management Advance Account</b>		<b>Nil</b>
<b>Municipal Account</b>	<b>Cheques 71173 - 71536 EFT 2720 - 3000 59A – 65A</b>	<b>15,628,163.90</b>
<b>Trust Account</b>		<b>Nil</b>
		<b>\$15,628,163.90</b>

*Appendix 3 refers.*

To access this attachment on electronic document, click here: [Attach3brf210605.pdf](#)

## **ITEM 6                      FINANCIAL REPORT FOR THE PERIOD ENDING 31 MAY 2005 – [07882]**

**WARD:** All

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

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### **PURPOSE**

The May 2005 financial report is submitted to Council to be noted.

### **EXECUTIVE SUMMARY**

The May 2005 year to date report shows an overall variance (under spend) of \$21.7m when compared to the year to date revised budget approved by Council at its meeting of 15 March 2005 (CJ030-03/05).

This variance can be analysed as follows:

- The **Operating** position (Change in Net Assets Before Reserve Transfers) shows an actual surplus of \$8.1m compared to a budgeted surplus of \$3.9m at the end of May 2005. The \$4.2m variance is primarily due to favourable variances in income from rates instalment interest and charges, interest income, employee costs, consultancy costs, administration costs and utilities.
- **Capital Expenditure** is \$1.7m against the year to date budget of \$3.3m. The \$1.6m under spend is due to the deferral of heavy and light vehicle purchases and IT related projects.
- **Capital Works and Council Projects** expenditure is \$12.8m against the year to date budget of \$28.7m. This is a timing difference of which \$6.6m relates to normal Capital Works while \$9.3m relates to Capital Works classified as Council Projects. Total committed funds in relation to all Capital Works are \$10.7m.

*It is recommended that the Financial Report for the period ending 31 May 2005 be noted.*

### **BACKGROUND**

Not Applicable

### **DETAILS**

The financial report for the period ending 31 May 2005 is appended as Attachment A.

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

Not Applicable

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

Objective 4.1.1 – Ensure financial viability and alignment to plan.

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

In accordance with Section 6.4 of the Local Government Act 1995 a local government is to prepare an annual financial report for the preceding year and such other financial reports as

are prescribed. Regulation 34 of the Local Government (Financial Management) Regulations 1996 details those other financial reports which need to be prepared and states that they are to be presented to Council and recorded in the minutes of the meeting at which they are presented.

**Risk Management considerations:**

In accordance with section 6.8 of the Local Government Act 1995, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.

**Financial/Budget Implications:**

Refer attachment A.

**Policy implications:**

All expenditure included in the financial statements is drawn from the City's accounting records which are maintained in accordance with Policy 2.4.1.

**Regional Significance:**

Not Applicable

**Sustainability implications:**

Expenditure has been incurred in accordance with budget parameters which have been structured on financial viability and sustainability principles.

**Consultation:**

In accordance with Section 6.2 of the Local Government Act 1995, the annual budget was prepared having regard to the plan for principal activities which was advertised for a 42 day period with an invitation for submissions in relation to the plan.

**COMMENT**

All expenditure included in the financial statements is in accordance with the 2004/05 Annual Budget, 2004/05 Half Year Budget review or has been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment 1            Financial Report for the period ending 31 May 2005.

**VOTING REQUIREMENTS**

Simple majority.

**RECOMMENDATION**

**That the Financial Report for the period ending 31 May 2005 be NOTED.**

*Appendix 4 refers.*

To access this attachment on electronic document, click here: [Attach4brf210605.pdf](#)

## **ITEM 7 PUBLIC TOILET FACILITIES IN THE JOONDALUP CBD - COMMUNITY CONSULTATION – [53469]**

**WARD:** All

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

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### **PURPOSE**

To provide the outcomes of the community consultation for public toilet facilities in the Joondalup Central Business District (CBD), within the Joondalup City Centre.

### **EXECUTIVE SUMMARY**

It has been identified that the Joondalup CBD lacks public toilet facilities. An investigation has indicated that the installation of EXELOO automated toilets may be feasible. These facilities could be installed as a temporary installation on certain sections of the Central Walk access way that are under the care or control of the City of Joondalup.

A consultation process has been undertaken with the local businesses and the community on the preferred location and architectural design features. Based on this outcome, the preferred location is along Central Walk on the northern side of Reid Promenade. An enhanced screen feature design is also preferred.

*It is recommended that Council:*

- 1 *APPROVES the initial installation of an automated twin type toilet with an enhanced feature screen design in Central Walk north of Reid Promenade as shown on Attachment 6 to this Report;*
- 2 *LISTS for consideration as part of the 2005/06 budget considerations \$250,000 for the installation of automated twin type toilets.*

### **BACKGROUND**

**Suburb/Location:** Joondalup  
**Applicant:** City of Joondalup  
**Owner:** Crown Land - Pedestrian Access Way vested in the City  
**Zoning:** **DPS:** Centre  
**MRS:** Central City Area

Council, at its meeting on 14 December 2004, considered a report on the need for public toilets in the CBD of the City.

It has been identified that the Joondalup CBD lacks public toilet facilities. It has been reported that the public are regularly asking local businesses if they can use their private toilet facilities and it has been noted that on occasions the public are utilising the Lotteries House and the City of Joondalup Administration office toilets.

The City of Joondalup is also faced with the issue of needing to accommodate toilet facilities for the general public during scheduled events over the year such as the Summer Events calendar – incorporating twelve night markets and four summer concerts, the Extreme Youth Festival and the Joondalup Festival.

## **DETAILS**

### **Issues and Options considered:**

It is proposed to eventually integrate public toilet facilities into future carparks within the Central Business District.

As an interim solution, the temporary installation of the automated EXELOO type toilets is an option that can be considered.

It was identified that at this stage the preferred locations for the temporary toilets are along Central Walk at;

- 1 Southern side of Boas Avenue;
- 2 Northern side of Reid Promenade.

These locations are shown on Attachment 1.

The EXELOO type toilet is a proprietary brand that is automated with regard to cleaning and locking. The universal single toilet meets standards for access and facilities for people with disabilities. This brand toilet is recognised as providing a high quality finish to the internal/external structure and fixtures. An automated twin type toilet combining a universal access and ambulant cubicle is considered appropriate for the Central Business District.

At its 14 December 2004 meeting, Council resolved to

- 1 ARRANGE a program of consultation with local businesses and the community on the installation and design of automated twin type toilets in Central Walk at the:
  - 1 Southern side of Boas Avenue
  - 2 Northern side of Reid Promenade
- 2 LIST for consideration as a high priority in the 2005/06 Draft Five Year Capital Works Program funding of \$180,000 for the installation of automated twin type toilets.

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

This project fits into the Strategic Plan under the Key Focus Area of City Development and the objective to develop and maintain the City's infrastructure (3.1).

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

The toilets are proposed to be constructed in the Central Walk Pedestrian Access Way corners at Boas Avenue and Reid Promenade. The Pedestrian Access Way is under the care, control and management of the City of Joondalup and has been paved and drained. A planning application will have to be submitted to the Department for Planning and Infrastructure for the installation of the toilets.

### **Risk Management Considerations:**

The provision of public toilet facilities needs to consider the risks with

- Project funding
- Project management risks

**Financial/Budget Implications:**

The installation of public toilet facilities in the City Centre is currently listed for consideration as part of the City's 2005/06 Five Year Capital Works Program.

**Policy Implications:**

Not Applicable

**Regional Significance:**

The Joondalup CBD is planned as a regional centre for the northern suburbs. The provision of public toilet facilities in the Central Business District area is seen as addressing the community needs in City Centres.

**Sustainability Implications:**

The City recognises its responsibilities to work with its community towards a sustainable future. The provision of public toilet facilities will address:

- Community wellbeing
- Caring for the environment, and
- City development

**Consultation:**

A consultation package was developed which included plans of the two proposed locations and three design options for the proposed toilet.

The location options were as follows:

Location 1	Southern side of Boas Avenue
Location 2	Northern side of Reid Promenade

The design options were as follows:

Option 1	Standard automated twin toilet at an estimated cost of \$148,000
Option 2	Standard automated twin toilet with screening at an estimated cost of \$158,000
Option 3	Standard automated twin toilet with enhanced feature screen design at an estimated cost of \$178,000

These options are shown at Attachments 2 to 4 respectively.

This information package with a questionnaire was distributed to 371 addresses including:

- 1 all the businesses in Central Walk bounded by Grand Boulevard, Boas Avenue, Davidson Terrace and Shenton Avenue;
- 2 the Madison Gardens residential apartments in Grand Boulevard, and
- 3 through the Australind Developer to committed and prospective buyers of the "Joondalup Centro" apartments that are currently under construction at the corner of Grand Boulevard and Boas Avenue.

Two signs were also placed on the sites and a notice was placed in the local community newspaper.



A total of 78 responses have been received. Of these responses, 82% favoured the installation of the toilets.

Overall there was stronger support for location 2 and the enhanced design option 3. The survey response details are shown on Attachment 5. It is to be noted that the toilet installation at the northern side of Reid Promenade will incur an estimated extra cost of \$30,000 due to increased servicing lengths and requirements. Also the enhanced feature screen design is estimated to be an additional \$30,000. The total project costs including design fees is estimated to be \$250,000. The proposed site details of the toilet in the Pedestrian Access Way on the northern side of Reid Promenade is shown on Attachment 6.

## **COMMENT**

The Joondalup CBD currently lacks public toilet facilities. Whilst it is proposed in the future to provide toilets with public car parks, a temporary solution is an option. From a practical and technical aspect, a suitable location for a temporary or semi-permanent facility is on Central Walk northern side of Reid Promenade. This preferred location is convenient to existing activities with high pedestrian usage and allows for ease of installation. It is considered that taking into consideration the consultation response, community expectations for a civic place, security, the relative capital costs and operational aspects that reduce reliance on manual cleaning and locking, the twin automated toilet with the enhanced screen design is preferred.

It is to be noted that the installation of EXELOO toilets is common within the Cities of Perth, Fremantle and other major Cities and Towns across Australia.

Whilst formal planning approval would be needed for the toilets, there does not appear to be planning issues that preclude temporary toilets being installed at this location. Currently no funds have been allocated for public toilet facilities in the Central Business District. Public tenders would also be required for the supply and installation of these facilities. Therefore it is considered that funding of \$250,000 for the installation of twin type toilets can be listed in the 2005/06 draft Five Year Capital Works Program.

## **ATTACHMENTS:**

Attachment 1	Location Plan
Attachment 2	Option 1
Attachment 3	Option 2
Attachment 4	Option 3
Attachment 5	Survey results
Attachment 6	Site details Reid Promenade

## **VOTING REQUIREMENTS**

Simple majority.

## RECOMMENDATION

### That Council:

- 1 **APPROVES** the initial installation of an automated twin type toilet with an enhanced feature screen design in Central Walk north of Reid Promenade as shown on Attachment 6 to this Report;
- 2 **LISTS** for consideration as part of the 2005/06 budget considerations \$250,000 for the installation of automated twin type toilets.

*Appendix 5 refers.*

To access this attachment on electronic document, click here: [Attach5brf210605.pdf](#)

## **ITEM 8                    LOT 118 MINDARIE - BUSINESS PLAN FOR A MAJOR                    LAND                    TRANSACTION                    AND ESTABLISHMENT                    OF                    A                    REGIONAL (DEVELOPMENT) COUNCIL – [41196]**

**WARD:**                    All

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

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### **PURPOSE**

To advise the outcome of the public comment period on the Business Plan for land transactions affecting Lot 118 Mindarie, including the establishment of a Regional (Development) Council

### **EXECUTIVE SUMMARY**

Previous reports and presentations to the seven local Government owners of Lot 118 have indicated a potential urban development, which would include more than 2,000 lots and provide the owners with an ongoing positive cash flow.

As the WA Planning Commission (WAPC) will be paying compensation for Bush Forever land taken from Lot 118, there need not be any direct contribution to development funds from any of the owner Councils. The funding requirements for development can be totally contained within sales and compensation revenue derived from the land.

Lot 118 is a critical piece of land in the WAPC projections for urban land releases in the northern corridor. Development of the land will feed into the efficient utilisation of local infrastructure and the viability of local businesses.

Following the development of Burns Beach Lot 2 to the south (approximately 1,100 lots) and Somerly immediately adjacent to the north (approximately 1,400 lots remaining), Lot 118 is the one remaining large land parcel to be developed south of Neerabup Road.

Lot 118 is affected by MRS zoning and the Government's Bush Forever policy. MRS reservations and Bush Forever have effectively quarantined 280 hectares of the 432-hectare Lot 118 from urban development.

The State Government wants to settle land transfers to secure Bush Forever land. To this end it has instigated specific MRS zonings and has also proposed a Negotiated Planning Solution (NPS) with respect to Bush Forever sites 322 and 323, which affect Lot 118 Mindarie.

The Chief Executive Officers from the seven owner Councils of Lot 118 have been involved in ongoing negotiations that will lead to the following outcomes:

- A new proposed lease for the Mindarie Regional Council;
- The finalisation of Bush Forever negotiations with the Western Australian Planning Commission (WAPC);
- The development of the urban zoned land within Lot 118 for eventual sale for residential and mixed use purposes;

- The establishment of a Regional Council as the body to undertake the development of the land; and
- Preparation of a draft Business Plan suitable for advertising which covers the major land transaction issues relating to the development of the land and the establishment of a regional council.

The draft Business Plan has been advertised and closed on 20 May 2005. At the close of the public comment period the City of Joondalup did not receive any submissions. For the joint Councils to now proceed in accordance with that outlined in the draft Business Plan, the following resolutions are sought:

*It is recommended that Council, BY AN ABSOLUTE MAJORITY:*

- 1 *ADOPTS the Business Plan as advertised at Attachment 2 to this Report;*
- 2 *APPROVES the Deed of Variation of Lease between the owners of Lot 118 Mindarie and the Mindarie Regional Council as expressed at Attachment 3 to this Report;*
- 3 *APPROVES the Lease Amendment between the owners of Lot 118 Mindarie and the Mindarie Regional Council as depicted at Attachment 4 to this Report;*
- 4 *AUTHORISES the CEO to execute the necessary documents to give effect to the Lease Amendment document between the City and the Mindarie Regional Council;*
- 5 *APPROVES the negotiations for a Bush Forever settlement with the WA Planning Commission to proceed in accordance with the outline contained in the Lot 118 Mindarie Business Plan depicted at Attachment 2 to this Report;*
- 6 *SUBJECT to a resolution to proceed with the Establishment Agreement being passed by all of the other owner Councils, formally apply to the Hon. Minister for Local Government in accordance with Section 3.61 of the Local Government Act for the establishment of the Regional Council.*

## **BACKGROUND**

At its meeting held on 5 April 2005, the Council authorised advertising of a Business Plan for a major land transaction on Lot 118 Mindarie, and the establishment of a Regional (Development) Council.

The Council has a one sixth share interest in Lot 118 Mindarie, together with six other local authority owners. The total shareholding in Lot 118 is as follows:

<b>Council</b>	<b>Project Shareholding</b>
Town of Cambridge	1/12
City of Joondalup	2/12
City of Perth	1/12
City of Stirling	4/12
Town of Victoria Park	1/12
Town of Vincent	1/12
City of Wanneroo	2/12

The Business Plan was advertised as follows:

- In the West Australian newspaper on 9 April 2005 and 16 April 2005;
- The Wanneroo Times on 14 April 2005;
- The Cambridge Post on 15 April 2005; and
- The Southern Gazette on 12 April 2005.

Arrangements were made for copies of the Business Plan to appear on the web sites of all seven local authority owner Councils. In addition to the Business Plan, all of the related documents were advertised for public scrutiny i.e.

- The draft amendment to lease document
- The proposed Bush Forever settlement with WAPC
- The draft establishment agreement for the new Regional Council
- The Bush Forever policy (State Government)

The closing date for receipt of submissions was 20 May 2005. Submissions could be made to any of the local authority owners.

## **DETAILS**

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

At the close of the comment period the City of Joondalup did not receive any submissions.

The Business Plan was advertised to cover the following proposed transactions:

- a) An amendment to the lease of 252 hectares of land to the Mindarie Regional Council;
- b) A Bush Forever NPS involving transfer of land to the WAPC and payment by the Commission of compensation to the owners;
- c) Establishment of a Regional Council to develop about 165 hectares of Lot 118 and potentially receive a transfer of that land from the owners; and
- d) Development of part of Lot 118 with the eventual sale of residential land.

The Local Government Act (LGA) provides that before a Council may enter into an agreement in respect of items (a-d) above that it must advertise a Business Plan.

A number of formal resolutions relating to lease to the Mindarie Regional Council, Bush Forever and establishment of a new Regional Council to guide development of urban land in Lot 118 have been delayed until such time as the Business Plan advertising has been completed.

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

Development of Lot 118 will be consistent with each of the four key focus areas of the City's Strategic Plan as follows:

*Caring for the Environment:* Conservation of environmental assets through reservation of portions of the land containing regionally significant bushland; supporting efficient use of water, energy and other resources through incorporation of best practice urban design principles in the development (e.g. water sensitive design, transit oriented design).

*Community Wellbeing:* Providing a cohesive system of integrated land use planning through planning that balances built form and land use, community needs and the environment, and through supporting and encouraging the delivery and utilisation of a safe, effective transport network.

*City Development:* Encourage local employment and economic development through the urban design of the development (e.g. promote mixed use development and a business enterprise precinct).

*Organisational Development:* Manage the development to provide a maximum return on the investment to benefit the City's ratepayers and community.

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

The preparation of a Business Plan is required in respect to agreements and land transactions affecting Lot 118 Mindarie. The Business Plan has been prepared to meet the requirements of Section 3.59 of the Local Government Act.

### **Risk Management Considerations:**

The Regional Council, in performing its duties, will be required to work within the framework as set out within the establishment agreement, relevant statutory regulations and adopt necessary policies and procedures to achieve the Regional Council's objectives.

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

The planning and development of Lot 118 will involve financial implications for Council, although it should be noted that all costs and returns are shared amongst the seven owner Councils according to their ownership share of the land (this City's share is two-twelfths). It is noted that the City has listed for its consideration as part of the 2005/06 budget considerations \$40,000 as its owner's share in administrative and associated costs necessary to establish the new Regional Council and associated activities.

It is also emphasised that the compensation payable to the owners under the proposed Bush Forever NPS will provide seeding capital to cover or offset initial stages of subdivisional works. Cash flow analysis based on the owners' earlier structure plan was that the development could achieve positive cash flow returns within two years of commencement.

### **Policy Implications:**

Not Applicable

### **Regional Significance:**

Lot 118 is a critical piece of land in the WAPC projections for urban land releases in the northern corridor. Development of the land will feed into the efficient utilisation of local infrastructure and the viability of local businesses.

Following the development of Burns Beach Lot 2 to the south (approximately 1,100 lots) and Somerly immediately adjacent to the north (approximately 1,400 lots remaining), Lot 118 is the one remaining large land parcel to be developed south of Neerabup Road.

Following extensive research by the CEO Group and solicitors, it has become apparent that the logical vehicle for decision making and to provide legal status for transactions throughout a prolonged development period is a Regional Council established under the Local Government Act.

A Regional Council will require an Establishment Agreement setting out the way in which the Council operates. The form of the Agreement is set out in Local Government legislation. The Minister administering the Local Government Act must approve the Agreement.

**Sustainability Implications:**

Included within the objectives of the Regional (Development) Council is to balance economic, social and environmental considerations to produce a quality development demonstrating the best urban design and development practice.

**Consultation:**

Negotiations relating to Bush Forever outcomes, the establishment of a Regional Council and a new lease with the Mindarie Regional Council are included in a Business Plan which is discussed in the comments section of the report. This Business Plan was subject to a public comment period of 42 days.

At later stages there will be further consultation processes associated with the preparation of the Structure Plans for the future urban development.

**COMMENT**

Status of negotiations with Mindarie Regional Council in respect of the lease Amendment

- The lease amendments will provide:
  - A reduction in lease area from 252 hectares to 151.7 hectares;
  - Market rent instead of the current formula;
  - Good neighbour provisions;
  - A requirement for Mindarie Regional Council to remove all buffer requirements into the owners' urban land by 2011; and
  - Recognition of the Mindarie Regional Council's right of extension for 21 years to 2032.
- The Mindarie Regional Council, at its meeting dated 28 April 2005, resolved to endorse the lease Amendment for the purpose of advertising of a Business Plan.
- The Mindarie Regional Council has advertised the Business Plan on 7 May 2005. The advertising period expires on 23 June 2005.
- It is expected that the Mindarie Regional Council will formally resolve to proceed with the lease Amendment at the first available meeting following 23 June 2005. The scheduled Mindarie Regional Council meeting is 6 July 2005, however, Mindarie Regional Council administration have indicated it is likely a special meeting of the Regional Council could occur prior to 6 July 2005 to deal with budget and contract issues.

***Status of Negotiations with WAPC in respect of Bush Forever Settlement***

- A delineation survey has produced an agreed survey line identifying the residential land that will remain available to owners for development, west of Marmion Avenue.
- All other land parcels have been identified and quantified in terms of land area.
- The owners' valuations have been provided to and are being assessed by the WAPC.
- The WAPC is working to a timeline of 14 June 2005 to complete substantive negotiations on compensation payments to owners for Bush Forever land transferred as part of the NPS for Lot 118 Mindarie.
- The WAPC has advised that funding for compensation payments will be made available in 2005/06 to facilitate the Bush Forever settlement.
- The WAPC has agreed to prepare a draft agreement, including a Contract of Sale, to embody the total NPS. This will be available for perusal by owners one month from completion of negotiations for compensation payments.

### **Status of Establishment Agreement**

- All of the Councils that will be participants in the new Regional Council have resolved to proceed with the Establishment Agreement, subject to completion of the Business Plan and the passage of appropriate resolutions to request the Hon. Minister to approve the establishment of the new Regional Council.
- The CEO Group – representing owner-Councils have reviewed and approved the content of the Establishment Agreement subject to advertising the Business Plan.
- Solicitors Minter Ellison have worked with the CEO Group in preparation of the Establishment Agreement.
- The draft Establishment Agreement has been submitted to the Department of Local Government and Regional Development for perusal. The Department has acknowledged the Establishment Agreement is in a form suitable for consideration by the Hon. Minister.
- All of the stakeholders have been working to a date during June for passage of local authority resolution endorsing the Establishment Agreement.

### **ATTACHMENTS**

Attachment 1	Establishment Agreement
Attachment 2	Business Plan
Attachment 3	Deed of Variation of Lease
Attachment 4	Lease Amendment document (and included in Business Plan)

### **VOTING REQUIREMENTS**

Absolute Majority.

### **RECOMMENDATION**

#### **That Council, BY AN ABSOLUTE MAJORITY:**

- 1 ADOPTS the Business Plan as detailed in Attachment 2 to this Report;**
- 2 APPROVES the Deed of Variation of Lease between the owners of Lot 118 Mindarie and the Mindarie Regional Council as expressed at Attachment 3 to this Report;**
- 3 APPROVES the Lease Amendment between the owners of Lot 118 Mindarie and the Mindarie Regional Council as depicted at Attachment 4 to this Report;**
- 4 AUTHORISES the Chief Executive Officer to execute the necessary documents to give effect to the Lease Amendment document between the City and the Mindarie Regional Council;**
- 5 APPROVES the negotiations for a Bush Forever settlement with the WA Planning Commission to proceed in accordance with the outline contained in the Lot 118 Mindarie Business Plan depicted at Attachment 2 to this Report;**
- 6 SUBJECT to a resolution to proceed with the Establishment Agreement being passed by all of the other owner Councils, formally apply to the Hon. Minister for Local Government in accordance with Section 3.61 of the Local Government Act for the establishment of the Regional Council.**

*Appendix 6 refers.*

To access this attachment on electronic document, click here: [Attach6brf210605.pdf](#)



## **ITEM 9                      TENDER    006-01/02    KERBSIDE    RECYCLING COLLECTION EXTENSION OF CONTRACT PERIOD – [05090]**

**WARD:**                      All

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

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### **PURPOSE**

To seek the approval of Council to extend the contract period for 006-02/03 Kerbside Recycling Collection for a further period of one year from 1 January 2006 to 31 December 2006.

### **EXECUTIVE SUMMARY**

Council at its meeting on 23 October 2001 (CJ371 – 10/01) approved the acceptance of a tender by Cleansweep for the Kerbside Recycling Collection for a period of four years plus a fifth year subject to Council's approval.

Cleansweep has performed the service satisfactorily and it is recommended that the extended term be granted.

*It is recommended, in relation to Tender Number 006-01/02, that Council:*

*AUTHORISES the granting of the first and final extension to Cleansweep for Tender 006-01/02 Kerbside Recycling Collection for a further 12 month period from 1 January 2006 to 31 December 2006, for the Lump Sum Price of \$902,756 excluding GST, in accordance with the existing terms and conditions.*

### **BACKGROUND**

Council at its meeting on 23 October 2001 (CJ371 – 10/01) approved the acceptance of a tender by Cleansweep for the Kerbside Recycling Collection for a period of four years plus an extension for a fifth year on the proviso that a six month period of notice was given to the Contractor. The extension for the fifth year would be subject to Council's approval.

Council approved the acceptance of the tender and awarded the Contract to Cleansweep based on a quantity 50,001 to 52,000 drive-bys at a fixed rate of \$0.53 cents per drive-by. This Contract from inception would be subject to the possible increase in the number of drive-bys per year, and this possible increase in the quantity of drive-bys was reflected in the tender submitted by Cleansweep.

It should be noted that the cost of each drive-by has not increased from the initial tendered price of \$0.53 cents per drive-by for the previous four (4) years of this Contract, and this price will be held firm for the extension for the fifth year. The increase in expenditure is the subject of increased drive-bys only, and is driven by increased demand from the community of which the City has an obligation to meet.

The kerbside collection service was previously contracted to the City of Wanneroo under a Service Level Agreement (SLA). At the time of renewal it was decided to go to tender for the

service. Cleansweep won the tender for four years plus one option to extend for a further period of one (1) year.

## **DETAILS**

Acceptance of the fifth year option is dependent on the following conditions:

- (a) The Principal shall have served on the Service Provider notice of exercise of this option no later than 6 calendar months before the expiry of the Term;
- (b) At the expiry of the Term, there shall not be any existing material breach or non-observance of any of the Customer's obligations under this Agreement previously notified in writing by the Service Provider to the Customer;
- (c) The renewal, which the Principal may accept under this Clause, is for the renewal of this Agreement for the First Extended Term containing identical terms and conditions to those in this agreement (except this clause); and
- (d) The Principal through its ordinary meeting has resolved to accept such first option.

Condition (a) above will be met by issue of a letter to Cleansweep immediately following Council's approval of the recommendation in this report. This will include confirmation that the terms and conditions will be identical to the existing terms and conditions as required by condition (c) above.

Condition (b) above has been met to date.

Condition (d) above will be met by Councils approval of the recommendation in this report.

## **Issues and Options Considered:**

At the time of writing this report there has been only one issue communicated in writing to Cleansweep. This was rectified and there have been no issues since.

In the twelve (12) months period from April 2004 to March 2005, Cleansweep collection crews have completed approximately 1,400,000 drive-bys and collections.

There is an ongoing requirement for this work and the satisfactory performance of the Contractor has been taken into account in making the recommendation for an extension of this Contract.

The City is currently reviewing its waste management strategy and the extension of this contract is necessary in order to allow for the review and the public consultation phase. The contract will expire on 31 December 2006 and by this time the City will have determined the recycling collection format.

## **Link to Strategic Plan:**

Under the Key Focus Area 'To care for the Environment' the City has a strategy to effectively and efficiently manage the waste by:

- Further development and implementation of recycling strategies;
- Planning for the development of waste management.

The Strategic plan allows for the implementation of recycling strategies and the extension to this contract will facilitate these elements of the City's Strategic Plan and the review of the Waste Management Strategy.

### Legislation – Statutory Provisions:

If this extension option were not taken up, statewide public tender would be required 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 consideration for this contract extension is expected to exceed the Chief Executive Officer's Delegated Authority in relation to the acceptance of tenders to \$100,000.

### Risk Management Considerations:

There are no significant financial risks attached to the approval of this extension. The Contractor has performed satisfactorily and has undertaken its Occupational Safety and Health requirements within the existing Contract to a high standard.

### Financial/Budget Implications:

The expenditure for the Contract from commencement, per calendar year, is as depicted in the table below;

Period	Qty of Drive-By's	Expended Amount		
		\$ Exclusive of GST	\$ GST	\$ Inclusive of GST
January 2002 to December 2002	50,000 – 52,000	716,560	71,656	788,216
January 2003 to December 2003	52,001 – 54,000	773,884	77,388	851,272
January 2004 to December 2004	52,001 – 54,000	804,840	80,484	885,324
January 2005 to December 2005	54,001 – 56,000	868,035	86,804	954,839
<b>TOTAL</b>		<b>3,163,319</b>	<b>316,332</b>	<b>3,479,651</b>

Extension Period	Qty of Drive-By's	Expended Amount		
		\$ Exclusive of GST	\$ GST	\$ Inclusive of GST
January 2006 to December 2006	54,001 – 56,000	902,756	90,276	993,032
<b>TOTAL</b>		<b>4,066,075</b>	<b>406,608</b>	<b>4,472,683</b>

The value of the extension for the fifth year of \$902,756 is based on the quantity of drive-bys from 54,001 to 56,000 as approved in a variation already issued by the City in accordance with existing terms and conditions.

Expenditure will be in accordance with Waste Management and Environmental Services Annual Budget as authorised by Council.

The City of Joondalup is a registered business entity for GST purposes. The nett 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 was applied and incorporated into the selection criteria for the original tender. The Contractor's head office is not based in either the City or

the Region but the truck depot is based in Wangara and draws employees from the local area.

**Regional Significance:**

Cleansweep has a truck depot in the Wangara industrial area and draws employees from the regional area.

**Sustainability Implications:**

Kerbside recycling is a service provided by the City and meets sustainability objectives by diverting waste from landfill and recovering resources.

**Consultation:**

Not applicable

**COMMENT**

There is an ongoing requirement for the work and the performance of the Contractor has been satisfactory. It is therefore considered appropriate to take up the option of a fifth year extension to this Contract.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council, in relation to Tender Number 006-01/02 AUTHORISES the granting of the first and final extension to Cleansweep for Tender 006-01/02 Kerbside Recycling Collection for a further 12 month period from 1 January 2006 to 31 December 2006, for the Lump Sum Price of \$902,756 excluding GST, in accordance with the existing terms and conditions.**



In regard to the public consultation process, this report builds on previous surveys regarding service levels for kerbside recycling and outlines the public consultation process. The first phase is a public comment period to provide community wide input. The second, a two tier market survey to validate the results from the public comment phase. Market survey specialists will be engaged to advise on both phases and to do the necessary survey work.

Following the outcomes of the review, a City of Joondalup waste management strategy will be developed for adoption by Council.

*It is recommended that Council:*

- 1 *NOTES the Statement of Intent - 'Towards zero waste while providing a comprehensive and sustainable waste service';*
- 2 *NOTES the impact of the Resource Recovery Facility on future waste disposal costs;*
- 3 *NOTES the options and estimates for waste and recycling collection system;*
- 4 *ENDORSES the public consultation process outlined in the body of the report;*
- 5 *NOTES that the Sustainability Advisory Committee will be included in the consultation process;*
- 6 *NOTES a waste management strategy will be developed for adoption by Council following the outcomes of the review.*

## **BACKGROUND**

Council approved the Waste Management Strategy for the City on 11 July 2000. The Strategy recognised the Region's move to Resource Recovery and to address the community's expectation on an improved recycling collection format.

Several recommendations contained in the MRC Waste Management Plan were considered in the development of the City of Joondalup Waste Management Strategy. These included:

- Joint regionally based green waste shredding facilities;
- Support for the City of Stirling trial incorporating a "one bin" resource recovery encompassing waste separation technology at a secondary processing facility;
- Maximising the capacity of the Tamala Park landfill site;
- Review and optimisation of the operations at Tamala Park;
- MRC securing the future use of Tamala Park through negotiations with the owners of Lot 17;
- MRC resolving to implement secondary waste treatment as an alternative to sanitary landfill.

The RRF project is at a stage where it is now possible to provide Council with a range of projected costs associated with the Facility and a list of waste collection and recycling options. The City has engaged Cardno BSD Consultants to review the adopted Strategy and to recommend a public consultation process to provide community input into the strategy's review.

## **Bin options study**

A report on bin options study was completed in February 2004 to identify the optimal waste management and collection systems for the member councils following the introduction of the RRF. Technical Officers of the member councils endorsed the commissioning of the study to ascertain the advantages and disadvantages of various waste collection options.

The work was conducted in two parts:

- A technical analysis of the various bin collection systems resulted in a conclusion that no one system is with clear advantage over the others; and
- A community survey to ascertain the public's perception on waste management, the RRF and collection systems.

Attachment A is the summary report. The study commissioned a survey of 600 (100 household in each of the member Councils except the City of Stirling). The survey's bin collection system question indicated that a high value was placed on environmental issues as well as the practical aspects of bin capacity. Residents were willing to pay to recover recyclables in conjunction with resource recovery, 60% favoured additional cost. When asked about a traditional two bin system, 70% indicated they preferred the system. Only 10% of the residents surveyed indicated preference for a single bin system even though it would be less expensive, and still divert 65% from landfill.

It needs to be acknowledged that only 33% of the residents in the City of Joondalup were aware of the RRF project at the time of the survey. Therefore the depth of knowledge and the implication the RRF will have on the waste stream is not understood.

The MRC considered the recommendations of the bin options study on 1 July 2004 and resolved the following:

- A unified waste collection service is not a requirement for the proposed RRF;
- Member councils should continue to provide separate collection service for recycling packaging, and sorting for this material should continue to be undertaken by parties other than the MRC;
- A separate materials recovery will not be provided in the RRF stage 1;
- Flexibility to process a variable waste stream and recover recyclable packaging material will be a key tender requirement in the RRF.

## **The City of Stirling 'Single Bin Recycling' System**

A special mention needs to be made of the City of Stirling's Single bin recycling system. The Atlas Group has developed the system and are contract to the City for disposal of the domestic waste stream. The system is proclaimed as 'single bin recycling'. It is a unique sorting technology that chases the organics with limited retrieval of the traditional recyclables. The system does have full retrieval of cans and aluminium but plastics and other residues are baled and sent to landfill. Paper and cardboard are used in the composting of the organics. Composting is done aerobically in open windrows on an Atlas owned farm in Calingari.

City of Stirling and Atlas Group are acknowledged as one of the leaders in the field and has achieved 65% diversion rate of the domestic waste stream from landfill. The City of Stirling residents have accepted the system although there was some scepticism when the system was introduced. Criticism of the system have included as being nothing more than above ground landfill to achieving landfill reduction targets and producing soil improvements and improved crop production.

## **DETAILS**

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

The review of the City's Waste Management Strategy has the following details:

### **Statement of Intent**

Consistent with the State Government's vision 'Towards Zero Waste in Western Australia', the Consultant's have recommended the City adopt a similar visioning stating 'Towards zero waste while providing a comprehensive and sustainable waste service'. The Statement provides the direction for the City to minimise waste to landfill and recover resources from the waste stream. It also means that the goal does not need to be achieved in any particular time frame. It should be seen as stepping path and as technology improves and the public become more aware of waste issues and environmental impacts of waste disposal, any implementation of improved services will be served by the Statement of Intent.

### **Resource Recovery Facility (RRF)**

The implementation plan for the RRF is currently at the tender stage. This is the last stage before the contract is signed and construction commences.

The RRF will have three stages, the first stage will be a 100,000 tonne processing capacity with a biological treatment process. The second stage will cater for the rest of the member Councils' waste and some of the commercial waste stream. Details of the capacity and the technology for the second stage has not been decided. The third stage will be built when the City of Stirling's contract with the Atlas Group expires and this City's waste streams becomes available to the Mindarie Regional Council (MRC) for processing.

A pricing structure has been developed by the MRC to address the fate of member councils' waste due to the shortfall in processing capacity in the first stage. Waste available for processing will be charged at the processable rate and waste that cannot be processed will be charged at the non processable rate. This means members will not be charged the actual gate fee at the RRF or the cost of tipping at the landfill for the waste they deliver, rather the processable and non processable rates will be an averaged cost for each facility. This report uses the costings based on the Deloitte's model developed to provide member councils an estimate of the costs associated with the project. At the time drafting the report the model predicted a non processable waste cost of approximately \$38 and a processable waste cost of \$73.

The RRF will mean a significant rise in the refuse rate to the City's ratepayers. Current waste management costs for the 2004/2005 year are in the order of \$131 per household. The introduction of the RRF stage 1, with the same level of service will be in the order of \$175 to 180 per household. The City's diversion rate from landfill will lift from its current 14% to over 50%.

The RRF will be designed to recover packaging material at the front end of the process, the retrieval efficiency of such systems will not be known until the technology is chosen bedded down.

Attachment B, details a number of considered options with estimates, for Council's consideration. Please note the current rubbish rate is \$128 per household and provides the following service:

- Weekly domestic rubbish collection and disposal;



- Fortnightly recycling bag or a voluntary recycling cart service with sorting and marketing;
- Nine monthly bulk collection service consisting of one greenwaste collection and shredding and bulk rubbish, disposal to Tamala Park; and
- Four entry vouchers per year to the Green Waste Facility, Wangara.

### **Discussion on options**

In view of the MRC's resolution of 1 July 2004, the following options have been developed.

To assist Council in the analysis and understanding of the issues, Council Officers have provided the following commentary is provided:

#### **Option A - Status Quo**

Option A is a benchmark figure based on a 2003/2004 budgeted cost of tipping at \$20.45 per tonne to Tamala Park and the same level of service as detailed above.

#### **Option A1 Status Quo (with revised tipping rate for 2004 2005 financial year)**

Option A1 is a benchmark figure based on a more realistic cost of tipping at \$30.00 per tonne to Tamala Park and the same level of service as detailed above.

#### **Option B – Benchmark RRF disposal with current level of service**

Option B is calculated as the benchmark for the RRF disposal, stage 1, with the same level of service as detailed above.

Please note that all the following options, as with Option B, are calculated at the processable waste cost into the RRF for domestic waste cost at \$73 and non-processable waste costs for the tipping at Tamala Park at \$38.

#### **Option C – retain bags and abolish voluntary recycling bins**

Option C is to retain the bag recycling service and abolish the recycling mobile garbage bin (MGB) service. This is seen as the low cost option with minimum recovery of recyclables. The bags are generally unpopular and not considered user friendly. The system only attracts a 33% participation rate. The main source of complaint is the bags are hard to use and they blow away in the wind. However, it needs to be recognised that the bags naturally control the level of contamination because of their size.

#### **Option D – voluntary recycling bins (absorb costs into rubbish rate)**

Option D is to abolish the recycling bag service and retain the voluntary recycling MGB service but this option differs significantly from the current voluntary recycling MGB service. In this option the costs that are currently externalised with the voluntary recycling MGB service will be internalised into the rubbish rate. Those residents/owners who volunteer for an MGB will receive one. This option is seen to be fairer than the previous voluntary system as it transfer the cost burden from the residents willing to help the environment by recycling to spreading the cost burden to all rate payers. The option assumes a take up of around 50% although this could be greater once the residents realise they are paying for the MGB whether they use it or not. In the case of a 40% take up for the MGBs, the collection vehicle will drive past 4 in 10 residents which means they will have to drive past most residential premises. A logical argument is then raised as to the practicalities of the voluntary system as compared to a compulsory MGB service i.e.

issue all residents with an MGB. If the uptake is greater than 40% then the argument for a compulsory service becomes stronger.

In operational terms, the voluntary service is much more difficult to operate considering bin collections and deliveries for residents opting in and out of the service and administering the charges associated with this option. A variation to this option is to charge the resident an establishment fee that includes the delivery costs and the administration costs.

### **Option E - voluntary recycling bins/biannual bulk collection**

Option E is the same as option D but for an increase in the bulk collection service from 9 months to 6 month collection regime. This provides a step further along the path to achieving the Statement of Intent and is seen as providing an improved service for those residents without access to trailers and or vehicles, however there is limited or no increase in diversion rates and this raises the issue of value for money.

### **Option F – compulsory recycling bins**

Option F is for the introduction of the compulsory recycling MGB. In terms of the proposed Statement of Intent, this perhaps provides the best path. Recyclables are separated and collected at the kerbside ensuring maximum recovery rates and the best use of the recyclables. For example old newspapers and paper products will be reused for paper, a far better use of the product than using it as a carbon source in composting. It also provides the most convenient service to residents and invites everyone to participate.

### **Option G – compulsory recycling bins/biannual collection bulk collection**

Option G is the same as option F except with a 6 monthly collection for bulk. This provides a step further along the path to achieving the Statement of Intent and is seen as providing an improved service for those residents without access to trailers and or vehicles, however there is limited or no increase in diversion rates and this raises the issue of value for money.

### **Option H – RRF stage 1 and 2/compulsory recycling bin**

Option H shows the overall impact for all processable waste generated in the City of Joondalup being treated by the RRF, stage 1 and 2 with the compulsory MGB recycling service.

### **Option I - RRF stage 1 and 2/compulsory recycling bin/biannual bulk collection**

Option I is the same as Option H but with a 6 monthly bulk collection service. This provides a step further along the path to achieving the Statement of Intent and is seen as providing an improved service for those residents without access to trailers and or vehicles, however there is limited or no increase in diversion rates and again this raises the issue of value for money.

### **Option J – RRF stage 1/Single bin recycling**

Option J shows overall impact for the processable waste available for stage 1 and includes the City of Stirling's 'Single Bin Recycling'. This option relies on the RRF to retrieve recyclables from front end of the sorting facility. Paper products would not be recovered. A major issue with this option is seen as bin capacity.

### **Option K – RRF stage 1/Single bin recycling/biannual bulk collection**

Option K is the same as option J except with a six monthly bulk collection service. This also provides a step further along the path to achieve the Statement of Intent, however there is limited increase in diversion rates and this raises the issue of value for money. As the same with the previous options, the residents may see it as an improved service and save on tip trips or trips to the Wangara Greens Recycling Facility. Another issue for this option is bin capacity as there would be no recycling service.

### **Kerbside Recycling and impact on diversion rates (Attachment B)**

Attachment B, shows the limited impact kerbside recycling has on the diversion rates from landfill. By way of explanation, recyclables in the overall waste stream amount to about 15% with approximately 7% lost to the domestic bin. This 7% of the 76000 tonne per year waste stream equates to approximately 5300 tonnes recycled.

However, the consultant's report does state that there is a potential to recover 40% of the domestic waste stream. The types of materials recovered such as aluminium and some types of plastics are significant when discussing avoided emissions from power generation, resource recovery and savings from greenhouse gas and energy.

The MRF also has a beneficial effect on the local economy employing up to 15 staff at times.

### **MRF costs vs RRF costs**

From the figures quoted in the report, the cost to process waste through the RRF will be more than the cost of processing recyclables through the MRF. Table 5.26 of the consultant's report shows this relationship. Where 20% of the recyclables are recovered from the domestic waste stream through an enhanced kerbside recycling service the total waste disposal costs compared to the benchmark option B (current service level for the City) reduces by \$264,700. As the retrieval increases to a 30% waste disposal costs reduce by \$550,700.

If the City chooses one of the kerbside recycling options, the option that diverts as much waste as possible from the RRF is worthwhile in terms of recurring costs.

### **Incentives Schemes for Recyclers**

An issue has been raised that the residents who wish to recycle and do the right thing for the environment should be given an incentive. The options that have been canvassed in the Consultant's report acknowledges that the current system penalises the residents who does more for recycling when they purchase a recycling bin. The voluntary option D and E dispenses with the concept of user pays as all residents will be charged for the service irrespective of whether they use it. The compulsory bin option does the same.

Part of the education and communication information that will be provided to the community would include waste diversion rates and tonnes recycled in interpretive numbers such as numbers of trees saved or tonnes of Carbon Dioxide avoided. This information would provide an added incentive to an already motivated community.

In terms of a monetary incentive scheme the only way to ensure the integrity of the system is to weigh the bins which would need to be converted into monetary savings. The bin weighing issue has been discussed by the waste management industry for some time but as far as the City officers are aware there is no system in place that is accredited and a reliable way of weighing bins and to audit the contents of the bins. The infrastructure costs and the administration burden would be considerable.

The bins would also need a locking mechanism in order to prevent residents from either minimising their waste or increasing their recycling weight with the help of their neighbours. This format may lead to a significant increase in contamination levels. Any locking mechanism on the bins may see a considerable reduction in the bin lift rate of approximately 1100 per day.

### **Contractual Implications**

In order to provide a continuation of the current service until the introduction of one of the options the Cleansweep recycling collection contract will need to be extended to 31/12/06. After this time a tender for the collection service will be required. Cleansweep have performed the required service standards and provide a cost effective service. Difficulties have been encountered in servicing the bags system, however, City officers have been working through the issues with the Contractor. The extension to the contract will be the subject of a separate report.

In the event the City introduces an enhanced voluntary kerbside recycling or a compulsory service, the MRF will need infrastructure improvements. These have not been costed at this stage, however improved feed system will be needed and additional storage space for down time. The City would need to show its best endeavours to ensure it can cope with the increase in volumes and provide a contingency measure in case of downtime at the MRF.

All other contracts can be maintained and will be able to cope with the variations proposed in the collection systems.

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

Review and further development of the City's waste Management Strategy is consistent with the Strategic Plan. Under the Key Focus Area 'To care for the Environment' the City has a strategy to effectively and efficiently manage the waste by:

- Further develop and implement recycling strategies;
- Plan for the development of waste management.

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

Any one of the options can be introduced without impact on the statutory provisions.

### **Risk Management considerations:**

Not Applicable

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

The report contains the costings to provide Council with the implications of the introduction of the RRF for both stages and the various options.

### **Policy Implications:**

There are no policy implications regarding the introduction of the options in this report.

### **Sustainability Implications:**

Adoption of the suggested options and the City's waste being processed through the RRF will meet sustainability goals.

**Consultation:**

The City of Joondalup has previously undertaken a survey of community attitudes regarding their recycling service. Research Solutions undertook the research on behalf of the City in January 2003.

Some of the key findings of this study were:

- More than 80% of respondents believed that a recycling MGB would improve the Council's recycling service. Less than 3% believe the service would be worse.
- Over 90% of respondents consider a recycling MGB a valuable service which they would probably or definitely use if there was no extra cost.
- Among the 10% of residents who would not use the MGB recycling service or are undecided, the majority are concerned about the cost of the service.
- 65.6% indicated that they are prepared to pay extra in rates for the recycling service using a MGB, but for half of these it would depend on how much extra the annual fee was. Most residents indicated that they would be prepared to pay an additional \$20 to \$30. Over 30% of residents indicated that they would be prepared to pay more than \$30 per annum.

The MRC ran a survey across the region for the preferred bin service. The survey covered 614 respondents in the region, 104 from the City of Joondalup.

For information on the awareness of the RRF, 33% of City of Joondalup respondents reported that they were aware that the Resource Recovery Facility was to be built. The average awareness across the MRC was 29%.

Bin system preference question showed 67% would prefer the "2 bin System".

In conclusion, the results indicate that the City of Joondalup residents have a preference for a second bin for recycling. The introduction of a second bin for recycling is perceived by the community to have environmental benefits and will deliver better environmental outcomes. Residents are also prepared to pay additional costs for the service.

The results also indicate however, that only a minority of residents are aware of the plans to introduce resource recovery. The survey results indicate that principles behind waste diversion and incurring higher costs to achieve this are accepted. However, residents associate waste diversion and doing the right thing for the environment with kerbside recycling and not resource recovery through a RRF.

**Proposed Public Consultation Strategy for the Review****Public Comment period**

It is proposed to allow the widest community input into the consultation process. A consultation package will be developed with a market research professional and be made available to the public by advertising the availability of the package in the local newspapers, allow online website access and direct mail outs.

A 42 day public comment period is proposed to provide community wide input.

The information will be analysed and the information will be used in the development of the review.

## **Market survey phase**

The information received from the public comment period will be validated by a two tier market survey:

- Residents in the City of Joondalup will be contacted by telephone regarding their preparedness to answer some questions regarding waste management services. The participants should be randomly selected, and a statistically significant number of residents should be signed up to undertake the survey.
- If they agree to participate, they are sent the information package regarding resource recovery. The information would indicate the environmental benefits of resource recovery and the future directions of waste management. The outcomes of resource recovery would be highlighted including the diversion of recyclable materials from the RRF. The cost of resource recovery would also be indicated.
- The second part of the survey would provide information on introducing a second bin for recycling. The environmental benefits and likely cost of introducing a second bin would be provided. Once the residents had information about resource recovery and its cost implications, they would then be asked whether they are prepared to pay extra for a second bin for recycling.
- The survey should also ask some preliminary questions regarding resident's awareness of the Resource Recovery Facility and also whether they agree with the proposed waste management Statement of Intent for the City of Joondalup.

Information on the costs and benefits of resource recovery and recycling would need to be provided to a market research company who would then undertake the survey. The market research company will also need to provide advice on the level of detail that should be sent to residents.

## **COMMENT**

The review of the Strategy has been based on the most practicable options that are consistent with the proposed Statement of Intent. The estimates for the options are based on the Deloitte's model as this is the best information available at the time of drafting the report. The actual costs will not be known until the tender assessment is complete and this tender figure can be calculated for the processable and non processable waste cost. It is therefore recommended that the consultation phase of the review should contain a range of costs that will incorporate future RRF costs.

## **ATTACHMENTS**

Attachment A	Bin Collection Summary Report (MRC)
Attachment B	Simplified table of listed options, estimates, retrieval and diversion rates
Attachment C	Cardno BSD report 'Review of the City of Joondalup Waste Management Strategy'

## **VOTING REQUIREMENTS**

Simple majority.

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

- 1 NOTES the Statement of Intent - 'Towards zero waste while providing a comprehensive and sustainable waste service';**
- 2 NOTES the impact of the Resource Recovery Facility on future waste disposal costs;**
- 3 NOTES the options and estimates for waste and recycling collection system;**
- 4 ENDORSES the public consultation process outlined in this Report;**
- 5 NOTES that the Sustainability Advisory Committee will be included in the consultation process;**
- 6 NOTES a waste management strategy will be developed for adoption by Council following the outcomes of the review.**

*Appendix 7 refers.*

*To access this attachment on electronic document, click here: [Attach7brf210605.pdf](#)*

## **ITEM 11                    MINUTES OF 25 MAY 2005 MEETING OF THE CONSERVATION ADVISORY COMMITTEE – [12168]**

**WARD:** All

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

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### **PURPOSE**

To submit the unconfirmed minutes of the Conservation Advisory Committee Meeting held on 25 May 2005 for endorsement by Council.

### **EXECUTIVE SUMMARY**

The intention of this report is to inform Council of the proceedings of the meeting of the Conservation Advisory Committee meeting that was held on 25 May 2005.

There was one item of business on the May agenda, the Burns Beach Foreshore Management Plan.

Consultants Cardno BSD Pty Ltd have developed the Burns Beach Foreshore Management Plan for the Burns Property Trust. The plan forms part of the Structure Plan for the proposed Burns Beach Subdivision. The proposed subdivision will be located on land north of Burns Beach Road and west of Marmion Avenue.

The Environmental Manager of Cardno BSD Pty Ltd, provided a presentation and answered questions from Committee Members on aspects of the plan, in particular the botanical accuracy of the vegetation mapping contained in the plan. Mr Hicks invited Committee Members to visit the site to ground truth botanical information contained within the plan.

The following motion was put and carried:

*The Conservation Advisory Committee appreciates and accepts the offer from Mr Jason Hicks Cardno BSD Pty Ltd to allow Committee Members to jointly view the foreshore reserve at Burns Beach to ground truth botanical information contained within the Burns Beach Foreshore Management Plan.*

The Executive Summary from a series of strategic planning workshops that were held to map a future direction for the Conservation Advisory Committee was also tabled.

*It is recommended that Council NOTES the unconfirmed Minutes of the Conservation Advisory Committee held on 25 May 2005 forming Attachment 1 to this Report.*

### **BACKGROUND**

The Conservation Advisory Committee is a Council Committee that advises on issues relating to biodiversity and the management of natural areas within the City of Joondalup. The Committee meets on a monthly basis.

Committee membership comprises of a representative from each of the City's Bushland Friends Groups and community members with specialist knowledge of biodiversity issues.



## **DETAILS**

### **Issues and Options**

The purpose of the Burns Beach Foreshore Management Plan is to address the management issues associated with the foreshore reserve adjoining the proposed subdivision. Mr Jason Hicks Environmental Manager Cardno Bsd answered questions from committee members on many aspects of the plan. Committee members raised concern that some of the vegetation mapping information contained within the plan lacked accuracy. It was decided that a number of committee members, a botanist from Cardno BSD Pty Ltd and the City's Conservation Officer should visit the site within two weeks to examine aspects of the botanical information contained in the report.

The route of the proposed dual use path within the foreshore reserve was also discussed, including the possible negative environmental impacts associated with the path construction. A suggestion was made that the proposed path route be revisited by the consultants and that the possibility of constructing the dual use path adjacent to the proposed coastal road be examined. Mr Jason Hicks said he would discuss this proposal with the project management team and inform the City of the outcome.

The Executive Summary from a series of strategic planning workshops held for the future direction of the Conservation Advisory Committee was tabled as shown at Attachment 2. These workshops were facilitated by Helen Hardcastle from Learning Horizons.

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

### **Key Focus Area**

Caring for the Environment

### **Outcomes**

The City of Joondalup is environmentally responsible in its activities.

### **Objectives**

To plan and manage our natural resources to ensure environmental sustainability.

### **Strategies**

- 2.1.1 Maintain and protect natural assets to retain biodiversity.
- 2.1.2 Further develop environmentally effective and energy-efficient programs.
- 2.1.3 Develop a coordinated environmental framework, including community education.

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

The Local Government Act 1995 allows a council to establish committees to assist a Council to exercise the powers and discharge duties that can be delegated to a committee.

### **Risk Management considerations:**

Not Applicable

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

Not Applicable

**Policy implications:**

Not Applicable

**Regional Significance:**

Not Applicable

**Sustainability implications:**Environmental

Conservation Advisory Committee objective “ To make recommendations to Council for the Conservation of the City of Joondalup’s natural biodiversity”.

Social

To promote partnerships between Council and the Community to protect the City of Joondalup’s natural biodiversity as contained within its various natural areas (bushland, wetlands and the coastal environment).

**Consultation:**

The Conservation Advisory Committee provides a forum for community consultation and engagement on natural areas.

**COMMENT**

An opportunity has been provided for the Conservation Advisory Committee to consider and provide feedback on the Burns Beach Foreshore Management Plan. This process provides the City with the expertise of the Committee members in its deliberations of this plan.

It is recommended that Council notes the minutes of 25 May 2005 meeting of the Conservation Advisory Committee.

**ATTACHMENTS**

- |              |  |
|--------------|--|
| Attachment 1 | Minutes of 25 May 2005 meeting of the Conservation Advisory Committee                                  |
| Attachment 2 | The Executive Summary of the Strategic Planning Workshops held by the Conservation Advisory Committee. |

**VOTING REQUIREMENTS**

Simple majority

**RECOMMENDATION**

**That Council NOTES the unconfirmed Minutes of the Conservation Advisory Committee held on 25 May 2005 forming Attachment 1 to this Report.**

*Appendix 8 refers.*

*To access this attachment on electronic document, click here: [Attach8brf210605.pdf](#)*

## **ITEM 12                    MIXED USE COMMERCIAL AND MULTIPLE DWELLING DEVELOPMENT: LOT 510 (69) GRAND BOULEVARD, JOONDALUP – [19436]**

**WARD:** Lakeside

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Planning & Community Development

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### **PURPOSE**

To request the Council's determination of a revised application for a mixed use development in the City North precinct of the City Centre at Lot 510 (69) Grand Boulevard, Joondalup.

### **EXECUTIVE SUMMARY**

An application for a mixed use development of one office/commercial unit and six multiple dwellings was approved by Council at its meeting held on 22 February 2005 (CJ017-02/05 refers). Discretion was sought under the City's District Planning Scheme 2 (DPS2) for a plot ratio variation, increased density of development and variation to the requirements for on-site parking. The conditions, as shown on the planning approval, included the following:

- (a) *The provision of 9 car bays to be provided on site;*
- (b) *The applicant is to submit an amended plan demonstrating compliance with the maximum plot ratio of 1.0 for the residential portion of the development. The amended plan is to be submitted for approved by the Manager Approvals, Planning & Environmental Services prior to the lodging of a building licence.*

The applicant has submitted amended plans dated 12 May 2005, in accordance with condition (b) that now demonstrates compliance with the maximum permitted residential plot ratio of 1.0.

In doing so, the applicant has modified the development by reducing the number of multiple dwellings from 6 to 5. The reduction in the number of residential units now brings the parking requirement for the development to 8 parking bays, which now accords with the number of car parking spaces provided on-site. Condition (a) of the original planning approval is now redundant and to facilitate a reconsideration of this condition the applicant was asked to submit a new application. The applicant submitted a new planning application on the 13 June 2005.

The application still requires Councils discretion under the City's District Planning Scheme 2 (DPS2) for a plot ratio of 1.177 in lieu of 1.0 (previously granted) and a Residential density of R-92 (reduced density of development from R111). Given that the development will contribute to the desired character of the Joondalup City Centre and is compatible with existing developments in the area, and is a modified form of a previously approved development, the application is recommended for approval.

### **BACKGROUND**

**Suburb/Location:** Joondalup  
**Applicant:** Meynert & Associates Architects  
**Owner:** Equimex Pty Ltd  
**Zoning:**            **DPS:** Centre  
                         **MRS:** Urban

Lot 510 (69) Grand Boulevard Joondalup is currently vacant and falls within the City North area of the Joondalup City Centre, where it is designated for General City Use. The preferred uses are residential, retail, office, accommodation, residential, leisure and entertainment, cultural facilities, community facilities and medical suites.

For General City Use, the Joondalup City Centre Development Planning Manual (JCCDPM) requires that the development have a maximum plot ratio of 1.0 or 542m<sup>2</sup>. There is no provision under the JCCDPM to vary the plot ratio requirement for the residential units, but the overall plot ratio where there is a commercial unit can be altered where the total plot ratio for residential does not exceed 1.0.

An application for this site was determined by Council at the meeting of 22 February 2005. It was determined that a total plot ratio of 1.177 for a mixed-use residential and commercial development at Lot 510 (69) Grand Boulevard was considered appropriate and it was a condition of the planning that the area of the residential units be reduced to comply with an overall plot ratio of 1.177.

The applicant submitted amended plans to comply with the condition of planning approval and to achieve the required plot ratio, the number of residential units have been reduced from 6 to 5 units. This has in turn reduced the required number of parking bays for the site.

Given the degree of changes to the proposed development, it was considered that a new planning application should be lodged. Council's delegated authority powers do not permit the officers to deal with the revised development application and as such, the application is referred to Council for determination.

**Strategic Plan:**

Not Applicable

**History of Application**

19/08/2004	Application received
24/08/2004	Additional information regarding ventilation to undercroft car park requested
01/09/2004	Additional information received
28/10/2004	Amended plans demonstrating changes to residential plot ration requested
25/11/2004	Amended plans received
22/02/2005	Application approved by Council with conditions
12/05/2005	Amended plans complying with condition (a) of planning approval
13/06/2005	New planning application submitted

**DETAILS**

Changes to satisfy a condition of planning approval issued by Council on the 22 February 2005 has resulted in other changes to the development. These changes now require the approval of Council as there are no delegated powers for staff to approve the revised plans.

**Issues and options considered:**

Not Applicable

**Link to Strategic Plan:**

Not Applicable

## Legislation – Statutory Provisions:

The provisions of District Planning Scheme No 2 (DPS2), the Joondalup City Centre Development Plan and Manual (JCCDPM) and the R-Codes control development within this area.

### District Planning Scheme No 2

The site is zoned Centre under DPS2 and is subject to the Joondalup City Centre Development Plan and Manual.

When determining this application Clauses 4.2.4, 4.5 and 6.8 of the DPS2 apply:

- 4.2.4 *Subject to clause 4.2.5, the Residential Planning Code density applicable to land within the Scheme Area shall be determined by reference to the legend shown on the Residential Density Codes maps which form part of this Scheme. Unless otherwise specified on the map, the R-20 density code applies unless the Council determines that a higher code should apply.*
- 4.5 *Variations to Site and Development Standards and Requirements.*
- 4.5.1 *Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*
- 4.5.2 *In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*
- (c) consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1; and*
  - (d) have regard to any expressed views prior to making its decision to grant the variation.*
- 4.5.3 *The power conferred by this clause may only be exercised if the Council is satisfied that:*
- (a) approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
  - (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

## 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

#### **Regional Significance:**

Not Applicable

#### **Sustainability implications:**

Not Applicable

#### **Consultation:**

Was not required as part of the original application.

## COMMENT

### Land Use

As the proposal provides for both residential dwellings and office space, the proposed uses comply with the General City land use for which the lot has been earmarked under the JCCDPM. The proposal provides one (1) office or commercial tenancy. In this form, the space is flexible enough in the future to accommodate the permitted uses under the JCCDPM, including retail, entertainment and restaurant/café. The residential accommodation ranges from one (1) to three (3) bedroom units and therefore, also contributes to the range of housing stock available in the City

### Residential Density

There are no specific residential density requirements in the 'general city' precinct of City North. Clause 4.2.4 of the DPS2 specifies that unless otherwise specified on the map the R-20 density applies unless Council determines that a higher code should apply. The proposal has an equivalent density of R-92, whereas the approved density for the previous project was R111. This density is consistent with other approved developments within the City Centre.

The organisation will be reviewing the JCCDPM and this is scheduled to occur in the current financial year.

It is recommended that the Council determine that the proposed density at R-92 is considered to be appropriate given that the site is in a prominent location within the City, where higher densities are appropriate and encouraged.

### Plot Ratio

For General City Use the JCCDPM requires that the development have a maximum plot ratio of 1.0 or 542m<sup>2</sup>. The plot ratio for the residential component is 1.0 being a floor area of 542m<sup>2</sup> and plot ratio for the commercial component is 0.177 or 96m<sup>2</sup>. The overall plot ratio for the development is 1.177.

It is considered that the required plot ratio of 1.0 is counter-productive to the development of an appropriate style and bask of building that achieves the form expected and desirable (for example, a 3 storey building) within the City Centre. There is no provision under the JCCDPM to vary the plot ratio requirement for the residential units but the overall plot ratio where there is a commercial unit can be altered where the total plot ration for residential does not exceed 1.0.

The plot ratio of the office development is considered to be appropriate as it will integrate with other existing developments in the area and will generally add value to the City Centre by having quality commercial space and creating employment opportunities. The commercial premises may in the future accommodate other permitted uses under the JCCDPM including office, entertainment, and/or café.

It is therefore recommended that, in accordance with clause 4.5 of DPS2 and having regard to the criteria of clause 6.8, the Council determine that:

- The proposed plot ratio for the office space is appropriate as the built form integrates with the surrounding areas and will not have an adverse affect upon the occupiers of the development or on the locality.

- The plot ratio for the residential units, which includes the area of storerooms exclusively for the use of the residential units, be reduced to the required plot ratio of 1.0.
- A total plot ratio of 1.177 for a mixed-use residential and commercial development at Lot 510 (69) Grand Boulevard in considered appropriate in this instance.

It is recommended that the Council resolve to support the development

### Car Parking

It was a requirement of the original approval for this site to reduce the residential plot ratio for the proposed development. The applicant has lodged a new planning approval dated 13/06/2005 that now complies with a residential plot ratio of 1.0. In so doing, the required number of parking bays has been reduced from 9 bays to 8 bays.

The JCCDPM specifies the following car parking standards:

Use	Parking Provision	No of Bays Required - Previous Plans	No of Bays Required - Revised Plans	No of Bays Provided
Commercial	1 bay per 30m <sup>2</sup>	3	3	3
Residential	1 bay per residential unit	6	5	5
Total		9	8	8

The parking for the proposed development now complies with the requirements of clause 4.8 of DPS2 and the parking requirements under the JCCDPM.

### **Conclusion**

The revised proposed development will be a positive addition to the City Centre. It will provide accommodation and office facilities to meet the future demands of the growing City Centre. There will be the creation of an urban area that is compatible with the overall City Centre environment. Therefore the residential density, and plot ratio are considered appropriate in this instance.

It is therefore recommended that the revised development application be approved, subject to appropriate conditions.

### **ATTACHMENTS**

Attachment 1	Location Plan
Attachment 2	Aerial photo
Attachment 3	Development plans

### **VOTING REQUIREMENTS**

Simple Majority



## RECOMMENDATION

### That Council:

- 1 **EXERCISES** discretion under clauses 4.2.4 and 4.5, of District Planning Scheme No 2 and determines that:
  - (a) The proposed plot ratio for the development of 1.177 in lieu of 1.0;
  - (b) The equivalent development density of R-92 in lieu of R-20;
- 2 **APPROVES** the application dated 13 June 2005 submitted by Meynert & Associates Architects for a mixed use development comprising one office and five residential units on the proposed Lot 510 (69) Grand Boulevard, Joondalup subject to the following conditions:
  - (a) The gradient between the disabled parking bay and the building entrance at rear to be a maximum of 5%;
  - (b) Provision must be made for disabled access, parking and facilities in accordance with the Australian Standards for Design for Access and Mobility (AS 1428.1);
  - (c) The rear parking area to be open to the public at all times and two parking bays, which includes one disabled parking bay, to be marked and permanently available for the use of the commercial unit;
  - (d) The parking bays, driveways and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890). Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the City prior to the development first being occupied. These works to be done as part of the building programme;
  - (e) An onsite stormwater drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;
  - (f) A separate application being made to the City for Approval to Commence Development and sign licence prior to the installation of any advertising signage;
  - (g) With reference to condition (a) design levels of the proposed development must ensure a smooth transition between the development and the adjoining pavement within the road reserve to the satisfaction of the City;
  - (h) Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from or beyond the boundaries of the development site;

- (i) The ground floor level of the building should be at the finished pedestrian paving level;
- (j) Roof where pitched shall be greater than twenty-five degrees otherwise parapets shall be provided to flat roofs;
- (k) The glazed area of the east west facades should not exceed 50% with the exception of the ground floor;
- (l) Ground floor glazing for the commercial unit should be maximized. At least 50% of the area of the commercial unit shall be glazed and the horizontal dimension of the glazing shall comprise 75% of the frontage;
- (m) Obscured or reflective glazing shall not be used at the ground level;
- (n) Pedestrian shelter shall be provided to the commercial ground floor unit in accordance with the Joondalup City Centre Plan and Manual;
- (o) Any advertising signage shall be subject to an application for Planning Approval.

**Footnote:**

- 1 A separate application is to be made to the City for Approval to Commence Development and sign licence prior to the installation of any advertising signage;
- 2 It is advised that the City will not support the erection of telecommunications infrastructure on any part of the proposed building.
- 3 The applicant is advised that the Council EXERCISES discretion under clauses 4.2.4, 4.5, 4.8.1 of District Planning Scheme No 2 and determines that:
  - (a) The proposed plot ratio for the development of 1.227 in Lieu of 1.0;
  - (b) The equivalent development density of R-81 in lieu of R-20.

*Appendix 9 refers.*

To access this attachment on electronic document, click here: [Attach9brf210605.pdf](#)

## **ITEM 13                    PROPOSED ADDITIONAL MODIFICATIONS TO THE JOONDALUP CITY CENTRE DEVELOPMENT PLAN AND MANUAL - NEW DEVELOPMENT PROVISIONS FOR THE SOUTHERN BUSINESS DISTRICT – [00152] [47504]**

**WARD:**                    Lakeside

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

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### **PURPOSE**

This report is for the Council to consider submissions received as a result of public advertising of the proposed Southern Business District Structure Plan and to consider modifications to the draft Structure Plan.

### **EXECUTIVE SUMMARY**

The subject lots are located between Joondalup Drive, Hodges Drive, the Mitchell Freeway and Eddystone Avenue. The lots are zoned 'Centre Zone' and are located within the Joondalup City Centre, comprising a total area of 35 hectares.

The site is very prominent due to its key location adjoining the Joondalup City Centre, and as such, the site acts as a southern gateway to the City Centre.

The Joondalup City Centre Development Plan and Manual (JCCDPM) is an Agreed Structure Plan under the City's District Planning Scheme No 2 (DPS2) and applies to the 'Centre Zone' which includes the subject site. The subject site comprises the area defined in the JCCDPM as the Southern Business District. A background data statement regarding this District is included in the JCCDPM. No objectives, permitted uses or development provisions are currently provided in the JCCDPM for this District. The JCCDPM therefore needs to be modified to incorporate these details and the modified version of the draft Southern Business District Structure Plan seeks to achieve this aim.

Council at its meeting on 23 November 2004 (CJ293–11/04 refers) resolved to facilitate public advertising of the proposed draft Southern Business District Structure Plan by making it available for public comment for a period of 28 days.

Upon closure of the advertising period, 10 submissions had been received and the landowner sought modifications to the draft document. These modifications primarily relate to providing additional flexibility for land use and development of the precinct currently titled 'depot site'. Other modifications are also proposed to the Structure Plan in order to clarify and improve the land use and development standards within all precincts.

It is considered appropriate that the additional modifications proposed to the document are required to be readvertised for public comment for a period of 21 days.

It is recommended that Council:

- 1 *NOTES the submissions received and advises the submitters of the Council's decision;*
- 2 *NOTES the amendments proposed to the draft Structure Plan;*
- 3 *Pursuant to clause 9.6 of the City of Joondalup's District Planning Scheme No 2, ADOPTS for the purposes of public advertising the modification to the Joondalup City Centre Development Plan and Manual to include objectives, permitted uses and development provisions for the Southern Business District, as per Attachment 2 and make it available for public comment for a period of 21 days.*

## **BACKGROUND**

<b>Suburb/Location:</b>	Lots 10, 11, 13, 902, Reserve 41707 and Pt Location 7898 Honeybush Drive, Joondalup Drive and Hodges Drive
<b>Applicant:</b>	Masterplan Consultants WA Pty Ltd
<b>Owner:</b>	Landcorp
<b>Zoning:</b>	<b>DPS:</b> Centre Zone
	<b>MRS:</b> Central City Area
<b>Coding:</b>	N/A

The JCCDPM is an Agreed Structure Plan adopted under the DPS2 and applies to the 'Centre Zone' which includes the subject site. The JCCDPM is divided into seven districts of different characters that are distinguished by land use activities, densities and building form. Not all districts however, have planning controls or guidelines to provide development standards. The Southern Business District, the subject of this report, is one of these districts that has only been provided with background data, stating that this district is to have "an emphasis on mixed business and technology development".

The City of Joondalup is currently negotiating the purchase of a 4 hectare portion of the 5.42 hectares of Lot 902 Hodges Drive to accommodate a future City works depot.

### Location

Lots 10,11,13 and Reserve 41707 Honeybush Drive, Pt Location 7898 Joondalup Drive and Lot 902 Hodges Drive are located between Joondalup Drive, Hodges Drive, the Mitchell Freeway and Eddystone Avenue (Attachment 1). The railway reserve for the Perth City to Currambine rail line dissects the site between the Mitchell Freeway at the junction of Joondalup Drive and Hodges Drive. The subject lots are zoned Centre Zone and are located within the Joondalup City Centre. The site comprises a total area of 35 hectares.

The site is very prominent due to its key location at the junction of the Mitchell Freeway and Hodges Drive. The site is also significantly elevated on the northern portion of the site. The site is also prominent by virtue of being effectively isolated by roads from the rest of the City Centre, Edith Cowan University Campus located on the opposite side of Joondalup Drive to the east of the site and the Joondalup Gate business area located to the south.

### History

Landcorp has been involved in extensive discussions with the City regarding the future development of the subject site for several years. A draft Structure Plan for the site was submitted previously in 2000, however, vehicular access to the site was a major obstacle to progressing the proposal. Lot 902 has since been identified and included in this new draft Structure Plan as the site for the City's new works depot.

The future depot would be located on a 4 hectare portion of the 5.42 hectares of Lot 902. The Western Australian Planning Commission (WAPC) has approved the subdivision of Lot 902. The subdivision of Lot 902 includes the construction of a bridge over the railway reserve from Joondalup Drive that will enable vehicular access to all lots in the Structure Plan area, including the future depot site.

## **DETAILS**

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

#### Proposed Southern Business District Structure Plan

It is proposed that the Southern Business District Structure Plan be provided as a new component within the JCCDPM. The same approach was taken with the Campus District Structure Plan within the JCCDPM.

In this instance, Part 1 (Attachment 2) of the proposed Structure Plan addresses the following issues:

- Structure Plan Precincts, being the following:
  - Bulk Retail/Showroom Precinct
  - Bulk Retail/Showroom and/or Technology Park Precinct
  - Service Industry Precinct
  - Bulk Retail/Showroom/Service Industry Precinct (*formerly the Depot Site Precinct*)
  - Drainage Precinct
- Interpretations
- Future Subdivision (further to subdivision of a portion of the land previously approved)
- Objectives, Permitted Uses and Development Provisions for each Precinct

The second component, Part 2, is the explanatory report providing the background and supporting documentation to Part 1 and includes the following:

- Land Analysis, Services/Infrastructure and Access/Road Network for the subject site;
- Town Planning Context (zoning and strategic planning background);
- Market Demand.

#### Modification to the JCCDPM

Only a background data statement regarding the Southern Business District is included in the JCCDPM. No objectives, permitted uses or development provisions are provided for within this District. The JCCDPM needs therefore to be modified to incorporate these details.

The landowner (Landcorp) has sought further modification to the draft structure plan document. In summary, the proposed modifications are as follows;

- Rename the 'Depot Precinct' to Bulk Retail/Showroom/Service Industry Precinct to allow for additional land use and development flexibility,
- Modification and rewording of several provisions contained within the document relating to land use and development of land within all precincts covered in the Structure Plan.

In consultation with the City, the Department of Planning and Infrastructure have reviewed the Draft Structure Plan, and it is considered appropriate to clarify a number of clauses.

All proposed modifications are outlined below in italics and within Attachment 4, however the following clarification details are provided;

*Remove references to 'retail warehouse' as this is not a term that is defined in DPS2 or the structure plan.*

This modification was suggested by the DPI and is required as there is no definition of the word 'retail warehouse' within either the structure plan or the City's DPS2.

*Plan 1 - location of vehicle cross-easements shown on all lots fronting Joondalup Drive.*

This modification was required in order to diagrammatically show the location of future car parking areas associated with developments fronting Joondalup Drive that are required to be linked with one another.

### Clauses

*6.2 Permitted uses modified to exclude lunch bars and caretakers residence.*

The modification relating to caretakers residence was suggested by the DPI and is required as it is inconsistent with the Commission's Planning Bulletin No. 70 – Caretakers dwellings in industrial areas. The DPI also suggested that a lunch bar would be more appropriately located in the Service Industry Precinct, rather than the Bulk Retail/Showroom Precinct, and this is supported.

*6.3.1 Modify setback provision to clarify that min/max setbacks apply to 70% of the front facade*

This modification seeks to provide further clarity with respect to development controls to be applied to future development within the structure plan area.

*6.3.2 Clause on building orientation added*

This clause is to ensure that future development upon the land addresses the road in which it fronts.

*6.3.7 Clause added prohibiting reflective glazing*

This clause was added to prohibit reflective glazing being used to ensure adverse no light reflection issues occur.

*6.3.8 Maximum fence height of 1.8m added*

This clause was included at the suggestion of the DPI to ensure sufficient controls are in place for any fencing associated with future developments within the structure plan area.

*7.2 Deleted Educational Establishment (repeated from previous clause)*

The educational establishment land use reference is provided within Clause 6.2 and as such, there is no need to reiterate this within Clause 7.2 as it states that land uses permitted within Clause 6.2 are also permitted in the Bulk Retail/Showroom and/or Technology Park Precinct.

**8.2** *Amended the permitted uses to include Light Industry and Lunch Bar as a permitted use.*

The purpose of this modification is to address the modification of Clause 6.2 above to allow Light Industry and Lunch Bar land uses within the Service Industry Precinct.

**9.0** *Precinct title change to 'Bulk Retail/Showroom/Light Industry*

This modification was sought by the landowner to ensure that there is sufficient flexibility to develop this precinct in the future for alternative purposes should the City be unsuccessful in acquiring the site for its depot.

**9.2** *Land uses expanded to include the uses permitted in the Bulk retail/showroom/Service Industry precincts. Depot retained as a permitted use.*

This modification is required to align land uses within this precinct to other precincts proposed within the structure plan area.

**9.3** *Clauses modified to expand permitted land uses and modify development provisions as appropriate*

This modification is required to align land uses within this precinct to other precincts proposed within the structure plan area and to ensure development provisions are consistent across all precincts within the structure plan.

**9.3.5** *Height requirements modified to be consistent with other precincts.*

This modification is required to align building height within this precinct to other precincts proposed within the structure plan area.

**9.3.6 iii)** Clause added prohibiting reflective glazing

This clause (and clause 6.3.7 outlined above) were added to prohibit reflective glazing being used to ensure adverse no light reflection issues occur.

**9.3.7** *Boundary fencing clause modified to be consistent with other precincts*

**6.3.8** *Maximum fence height of 1.8m added*

This clause (and clause 6.3.8 outlined above) were included at the suggestion of the DPI to ensure sufficient controls are in place for any fencing associated with future developments within the structure plan area.

**Link to Strategic Plan:**

The proposed Structure Plan will support the City's Strategic Plan of promoting and maintaining sustainable economic development (objective 3.5) by facilitating opportunities for the commercial development of a significant portion of land within the City Centre.

**Legislation – Statutory Provisions:**

Structure Plans may be required under Part 9 of the City's DPS2 in order for Council to support a rezoning of land, an application for subdivision or amalgamation of lots, or in consideration of a development application. A Structure Plan normally sets out the particular development provisions for a site.

A Structure Plan consists of two parts, the first being Part 1, the statutory planning section that sets out the objectives and criteria that determine the overall detailed land uses for development upon each lot, and development provisions. The extent of detail in Part 1 will depend upon the nature of the Structure Plan area (residential as opposed to commercial or industrial) and the intent and objectives of the Structure Plan. Part 2 provides the background to the formulation of the statutory provisions.

Clause 9.1 of DPS2 states that Council may require the preparation of a Structure Plan as a prerequisite to the Council's support for a proposal to rezone or reclassify land in the District.

Clause 9.7 of DPS2 enables Council to amend/modify an Agreed Structure Plan subject to the approval of the Western Australian Planning Commission (WAPC). Should Council determine the amendment/modification to the Structure Plan is satisfactory, the proposal is required to be advertised in accordance with clause 9.7.

Clause 9.5 of DPS2 requires Structure Plan proposals to be advertised, in accordance with clause 6.7 of DPS2. It is recommended that the modification to the JCCDPM to include objectives, permitted uses and development provisions be advertised again for a period of 21 days, with advertising consisting of all adjoining landowners being notified in writing, signs erected on site and a notice placed in the Joondalup Community newspaper.

#### **Regional Significance:**

The proposed modifications to the JCCDPM relating to the Southern Business District is regionally significant as it seeks to facilitate the future commercial growth of the greater Joondalup Central Business District in order for it to achieve the overarching intent of being the largest satellite CBD outside of the Perth CBD.

#### **Sustainability implications:**

The proposed Structure Plan will facilitate the future subdivision of the 35 hectare site for the purpose intended, as noted in the JCCDPM. In so doing, it will assist in achieving economic sustainability for the City Centre.

#### **Consultation:**

The Draft Structure Plan was advertised by way of signs erected on site, adjoining and affected landowners, stakeholders and service authorities being notified in writing, an advertisement placed in The Joondalup Community Newspaper on 3 February 2005 and a notice placed on the Council website. Advertising of the proposal commenced on 3 February 2005 and closed on 3 March 2005 and a total of 10 submissions were received.

Copies of all submissions were placed in the Commissioner's reading room for perusal. A summary of the submissions received and the evaluating comments are shown in attachment 3.

#### **COMMENT**

The key issues (in italics) and a brief summary of the evaluating comments to each issue arising from public advertising are as follows;

- *Concern that the existing zoning requirements for the bulk Retail/Showroom precinct (bulky goods retailing type developments) are not properly being enforced and there is an uncompetitive commercial location advantage as a result.*



The provisions of the Structure Plan will be enforced through the development application process.

- *The Structure Plan should outline more development requirements relating to vegetation protection, sustainability and energy efficiency.*

The draft structure plan contains provisions relating to vegetation protection at the future subdivision stage. The structure plan also contains provisions relating to future landscaping of developments and requires that native species be predominantly used. The energy efficiency/sustainability provisions contained within the draft structure plan are broad to allow for sufficient design flexibility. The Building Code of Australia will contain provisions relating to energy efficiency of buildings and is to be applied to the assessment of building licence applications.

- *Provision of a park and picnic facilities within the Structure Plan area.*

The WAPC does not require public open space (POS) to be provided at the subdivision stage on land to be developed for commercial and service industrial purposes. Therefore, POS does not need to be accommodated in the proposed Structure Plan.

- *To retain the area as natural bushland and to protect the area from any future development.*

Existing vegetation found on the site is not considered to be of sufficient value to be acquired and retained as either a local reserve or through the State Government's 'bush forever' policy.

- *Provision of a small neighbourhood shopping Centre within the Structure Plan area.*

The subject land is to be developed to provide for service commercial type land uses, not retail type land uses as suggested. The Joondalup Regional Centre located a few kilometres to the north of the site provides this retail function. If another shopping centre were to be permitted within the structure plan area, this will directly compete with and undermine the growth of the Joondalup Regional Centre, and the viability of the local shopping centre in Edgewater.

- *Not to allow any more bulky goods/furniture retailing type businesses to locate in the Structure Plan area.*

The exact land uses within the precinct are not known at this stage. The structure plan provides flexibility in this regard.

- *Concerns raised by the JBA and its members relating to possible conflict of interest, maximisation of financial return and perceived inconsistency/fairness with respect to zoning and land use permissibility between the Western Business precinct and the Southern Business precinct.*

While Council determines whether the structure plan is supported or not, the final decision rests with the Western Australian Planning Commission. The structure plan is considered on planning related grounds only. Issues relating to financial return is not a relevant town planning consideration with respect to the draft structure plan. The draft structure plan is proposed to be modified in the currently named 'Depot Precinct'. Land uses and development expected in the service industry area within the southern business district will be virtually identical to that which currently exists in the Western Business district. While these comments are acknowledged, the issues raised are separate from the current consideration of the draft structure plan. The majority of the Southern Business District could notionally be developed with uses akin to the Joondalup Gate development to the south.

- *Concern raised by ECU with respect to the technology precinct and the need to ensure that a technology park can and will be provided within the Joondalup CBD in the future.*

The wording of the draft structure plan allows sufficient flexibility for the land to be developed for both land uses in the future. This matter is at the discretion of the landowner and any future purchaser of land within this precinct and not the City. Market forces drive this and it is therefore outside of the City's control. The supporting report for the structure plan notes that considerable support from the Government and university sectors is required for a viable technology park, and notes that demand is limited. While the City would encourage such, it appears that demand is limited for a park, and a flexible land use arrangement must be considered.

- *Vehicular and pedestrian access issues and safety/security type issues.*

No vehicular access will be permitted from Mitchell Freeway onramp. The structure plan states that a left in/left out vehicle movement may be permitted from Hodges Drive, however this can only occur if Main Roads WA approve the access. Lakeside Drive is proposed to be extended into the structure plan area. This intersection is signalised and should provide safe access into the area. This is not considered necessary as security issues relating to the car parking area associated with the possible future depot site or any future development will be carefully considered at the future development approval stage.

### **Proposed Land Uses**

The proposed permitted land uses for the Bulk Retail/Showroom Precinct have been generally based on the permitted uses for 'Business' zoned land in the City, which is the zoning applicable to Joondalup Gate development. The development provisions for the Bulk Retail/Showroom/Service Industry Precinct (formerly the Depot Site Precinct) are based on those applied to other precincts and include a potential mix of land uses.

Car parking provisions for all Precincts have been based on the DPS2 provisions for the particular land uses, varying only for the Depot Site Precinct since there is no specific car parking requirement for a works depot in DPS2, and in the Bulk Retail/Showroom and Bulk Retail/Showroom and/or Technology Park Precincts where no Scheme provision applies.

Comment has been made on the potential loss of the structure plan area as a technology park. While it is proposed that the precinct have a mix of uses, the potential technology based function of the precinct is still exists.

The 'Bulk Retail/Showroom/Technology Park' precinct is approximately 6ha in area, and a firm subdivision plan has not been established at this stage. As such, the precinct could be developed and used exclusively as a 'technology park', or it could be subdivided into smaller parcels that would allow for research or other associated uses to be mixed throughout the precinct. It is not considered necessary that the precinct be earmarked exclusively for a 'technology park'. The mix of uses may in fact lead to complimentary uses and business links being established within the precinct, which may not occur if the precinct was exclusively a technology park.

### **Proposed Modifications**

The proposed modifications do not change the intent of the draft Structure Plan. The main proposed modification is the expansion of the permitted land uses in the Depot Precinct, which has been modified to the 'Bulk Retail/Showroom/Service Industry' precinct, allowing a range of land uses to be developed. Previously, the only permitted use was a municipal depot.

The other proposed modifications to the draft structure plan are considered to be enhancements to the intent of the structure plan. Notwithstanding, it is considered that the revised draft document should be re-advertised for a period of 21 days.

## ATTACHMENTS

Attachment 1	Location plan
Attachment 2	Draft Structure Plan (Modified version of Part 1)
Attachment 3	Schedule of Submissions
Attachment 4	Schedule of modifications to draft Structure Plan

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

### That Council:

- 1 NOTES the submissions received and advises the submitters of the Council's decision;**
- 2 NOTES the amendments proposed to the draft Structure Plan;**
- 3 Pursuant to clause 9.6 of the City of Joondalup's District Planning Scheme No 2, ADOPTS for the purposes of public advertising the modification to the Joondalup City Centre Development Plan and Manual to include objectives, permitted uses and development provisions for the Southern Business District, as per Attachment 2 and make it available for public comment for a period of 21 days.**

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf210605.pdf](#)*

## **ITEM 14                    PROPOSED EXTENSION TO THE EXISTING BOTTLE SHOP COOLROOM AND CONSTRUCTION OF A SECOND COURTYARD FOR THE WOODVALE TAVERN: 149 TRAPPERS DRIVE, WOODVALE – [09147]**

**WARD:** Lakeside

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

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### **PURPOSE**

The purpose of this report is to consider an application for planning consent for minor additions to the Woodvale Tavern, 149 Trappers Drive, Woodvale.

### **EXECUTIVE SUMMARY**

The existing commercial centre located at the corner of Trappers Drive/Chichester Drive /Timberlane Drive Woodvale consists of various non-residential uses, including the existing tavern (Moon and Sixpence) and adjoining reception centre.

The following land uses surround the commercial centre:

- Woodvale Primary School (located to the south of the development site);
- residential properties (fronting Trappers Drive) are located to the west;
- a medical centre (north–east corner Trappers and Timberlane Drive) is located to the north of the commercial node, with single houses located to the east of Medical Centre;
- a medical centre (north-east boundary of the Woodvale Shopping Centre site) is located to the north-east of the commercial node; and
- residential properties located along the eastern boundary of the commercial node.

The development site, which is the subject of the development application, is located on the northeast corner of the intersection of Trappers Drive and Chichester Drive. The site consists of a Tavern with drive through bottle shop and adjoining reception centre.

The applicant is proposing to expand the existing bottle shop coolroom and create an additional courtyard area between the northern entrance of the tavern and the entrance to the function centre. The applicant is seeking Council support for a variation to the DPS2, by proposing a reduction in the number of existing on-site car parking spaces by 5, whilst not providing the required 21 additional parking spaces for the proposed courtyard.

A reciprocal parking arrangement is in place and is lodged on the Certificate of Title of both sites, being the tavern and the shopping centre sites. A calculation of available parking on both sites and an assessment of required parking for both sites (including the proposed additions) has identified a shortfall in the total bays required of 25.47% over the two sites based on the requirements of DPS2.

The reciprocal agreement facilitates adequate parking based on differing trading hours and maximum rates of occupancy for both sites. It is estimated that the shopping centre is busier by day as most retail shops and offices cease trade by 6pm and the supermarket by 8pm, whilst the tavern is busier by night. Some food outlets within the shopping centre also trade

into the evening. It is anticipated that the shortfall of bays will not result in an overflow of parking from the Woodvale Tavern or the Woodvale Shopping Centre into the adjoining streets. However, to ensure that the surrounding locality is not adversely affected by the proposed additions, it is recommended that the existing capacity of the Tavern remain unchanged.

In addition, it is considered that the extension of the courtyard and coolroom will enhance the amenity of the tavern and the adjacent shopping centre and it is expected that the location of the proposed courtyard area will not have an impact on the amenity of the surrounding locality. Therefore, it is recommended that the application be approved.

## BACKGROUND

**Suburb/Location:** Woodvale  
**Applicant:** Oldfield Knott Architects Pty Ltd  
**Owner:** Kapinkoff Nominees Pty Ltd  
**Zoning:** **DPS:** Commercial  
**MRS:** Urban

### Site Location

Located at the corners of Trappers Drive/Chichester Drive /Timberlane Drive (refer to attachment 3 - aerial map), the tavern is part of a commercial zone that consists of:

- (i) a disused service station site that has been fenced off;
- (ii) an existing shopping centre (Woodvale Shopping Centre);
- (ii) an office building; and
- (iii) the existing tavern and reception centre.

The lot subject to the development application is located on the south-east corner of the site adjacent to Chichester Drive.

The following land uses are located in the immediate vicinity of the commercial centre:

- Woodvale Primary School (south of Chichester Drive);
- residential properties fronting Trappers Drive to the west;
- a medical centre (north-east corner Trappers Drive and Chichester Drive intersection);
- a medical centre (north-east boundary of the Woodvale Shopping Centre site; and
- residential properties located along the remaining eastern boundary of the commercial centre.

The closest residential property is approximately 60m away to the east of the proposed courtyard.

### Previous approvals:

DA01/0537 Extension of the existing courtyard area

The planning assessment of this application on 22/11/2001 included the following statement:

*'The peak time of the tavern differ from the peak times of the shopping centre except for Thursday night. The total number of carbays provided by the shopping centre and the tavern is considered adequate. The proposed courtyard extensions are considered minor and supported.'*

The application was approved under Delegated Authority on 10/12/2001.

DA02/0811 Storeroom additions

The Council assessment of this application on 19/02/2003 included the following statement:

*'The height and scale of the store is considered not to affect the amenity or privacy of the adjoining lots. The proposal is supported on the above basis subject to the store being compatible with the existing building.'*

The application was approved under Delegated Authority on 20/02/2003.

DA04/0215 Application for the erection of additional signage

This application for Planning Consent has yet to be determined.

### **Reciprocal Parking Agreement**

There is currently a legal agreement in place between the Local Authority and the owners of the Woodvale Shopping Centre and the tavern site, that allows for reciprocal parking arrangements.

The original agreement was stamped and dated 06 January 1989 and was made between the [former] City of Wanneroo and Rosinita Nominees Pty Ltd and the Owners of the Woodvale Shopping Centre Strata Plan 16710 and relates to Lot 1 and 2 Trappers Drive, Woodvale.

The agreement in place is to provide parking rights for bona fide users of either lot to use the other, and to covenant that neither owner shall erect a fence between the two lots and that the terms of the agreement shall be binding on successors of either title and that notice shall be given to the local authority should either owner seek to sell or transfer the lots in question. The agreement also covenants that the parking areas shall be adequately maintained.

Rosinita Nominees Pty Ltd subsequently sold the Woodvale Tavern to Kapinkoff Nominees Pty Ltd and on 16 September 1996, a deed was signed by the [former] City of Wanneroo and Kapinkoff Nominees Pty Ltd and the owners of Woodvale Shopping Centre Strata Plan 16710 to covenant that both owners acknowledge their continuing obligation to abide by the Original Deed.

### **DETAILS**

The applicant proposes:

- (a) to develop a second courtyard to the north of the existing tavern building (which faces the Woodvale Shopping Centre car parking area);
- (b) an extension to the existing drive-through bottle shop coolroom. The courtyard is proposed in materials and design to complement the existing courtyard.

The proposed courtyard extensions require an increase in parking of 21 bays, whilst the application proposes a reduction in the number of existing parking bays within the Woodvale Tavern site of 4 bays. There is no requirement for additional parking for the coolroom addition as this is storage area.

The Council requires a further bay to be set aside for a vehicle protection island to the north eastern corner of the lot, reducing the number of existing bays by 1, and resulting in the total number of existing bays being reduced by 5.

The parking required for the site is measured having regard to the reciprocal right of parking agreement between the [former] City of Wanneroo, Kapinkoff Nominees Pty Ltd and the owners of Woodvale Shopping Centre.

The Woodvale Shopping Centre site has a maximum Net Lettable Area (NLA) under the City of Joondalup DPS2 of 4000m<sup>2</sup>. Therefore, the carparking requirements of the scheme in this regard are 7 bays per 100m<sup>2</sup> NLA.

#### Parking Calculation

Site	Required	Provided	Shortfall
Woodvale Shopping Centre (entire lot)	280	267	13
Woodvale Tavern Site (existing)	182	98	84
Proposed Tavern additions	21	-5	26
Total Shortfall			123

The total shortfall of parking on both sites is 123 bays, equating to 25.47%.

The existing service station site has ceased operation and has been fenced off. At this stage, there have been no proposals received to re-develop this site. This site may have the potential to provide future additional car parking spaces as part of a reciprocal arrangement, based on difference in hours of operation. However, this can only be considered if and when an application for planning consent is submitted.

The existing reciprocal parking agreement has been established to provide adequate parking for both sites, based on differing trading hours and maximum rates of occupancy. It is expected, due to opening hours, that the shopping centre is busier by day as most retail shops and offices cease trade by 6pm, and the supermarket by 8pm. In contrast, the peak times for patronage of the tavern is in the evening, particularly on the weekend.

The applicant has provided the following as justification:

*'The Shopping Centre generally operates during the normal "retail" business hours and as such there currently does not appear to be a clash with the Tavern peak trading hours which are predominantly from 6:00pm onwards. During normal "retail" business hours, the Tavern is hardly ever patronised by more than 50% of its capacity.'*

*'In conclusion, we believe that there is adequate existing carparking provided.'*

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

Not Applicable

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

The proposal will contribute to the Key Focus Area Outcome of Community Wellbeing:

The City of Joondalup provides social opportunities that meet community needs. Specifically, the proposal will contribute to Strategy 1.3.1 – Provide leisure and recreational activities aligned to community expectations, incorporating innovative opportunities for today's environment.

**Legislation – Statutory Provisions:**

- Metropolitan Region Scheme
- City of Joondalup District Planning Scheme No 2

The following clauses are relevant under the existing District Planning Scheme No. 2:

**4.5 Variations to Site and Development Standards and Requirements**

*4.5.1 Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*

*4.5.2 In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*

- (a) consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1 and*
- (b) have regard to any expressed views prior to making its decision to grant the variation.*

*4.5.3 The power conferred by this clause may only be exercised if the Council is satisfied that:*

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

**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

**Regional Significance:**

Not Applicable

**Sustainability Implications:**

Not Applicable

**Consultation:**

Comments from the owners of the Woodvale Shopping Centre were sought as the proposal affects parking over both sites. Plans and a formal letter regarding the proposal were provided to facilitate this consultation. A telephone conversation with the managing agent for the owners indicated no objection to the proposal.

The proposal was not otherwise advertised as the proposed extensions occur adjacent to the main car parking area for the Woodvale Shopping Centre and Tavern. Further, the proposal will not directly impact on any adjoining residential property. The closest residential property is located approximately 60m away from the proposed courtyard and is separated from that courtyard by an existing car parking area.

In addition, a check of Council's records system for complaints relating to parking problems, anti-social behaviour or noise associated with the Tavern in the last five years has shown that there have been:

- (i) no complaints received from surrounding property owners in relation to parking problems in the vicinity of the shopping centre and tavern;
- (ii) no complaints from adjoining residents concerning noise emanating from the existing tavern courtyard area; and
- (iii) three complaints concerning antisocial behaviour in or near the Tavern (March 2001, January 2003 and June 2003); and
- (iv) one complaint concerning the operation of the tavern (music from reception centre, noise from compressors, use of bins in the early hours of the morning and a beer bottle being thrown over the fence – November 2001)

## COMMENT

It is considered that due to the different peak trading hours of the Woodvale Shopping Centre and the Woodvale Tavern, demand for parking will at most times, be at different hours. The use of the outdoor courtyard, similar to the existing courtyard, will be at its greatest when weather conditions are at their best for outdoor use.

### Car parking

Site inspections have been carried out on different days (including weekends) and during different periods of time. During those times, it was seen that there was heavy use of the main car parking area located in the centre of the site during late afternoon and early evenings. However, there was still spare capacity on the site for additional cars to park. These spare bays were generally located to the south of the tavern building and the car parking area to the north of the shopping centre.

Further, it has been observed that the underground parking area has not been open for use by the general public as there is a roller door blocking the entrance. This prevents access to the 23 bays located beneath the building. It is considered that the owners should be required to keep this area unlocked and accessible for public parking at all times when the tavern is open to the public.

If there is a parking overflow, it is anticipated that the drivers of those vehicles would park either in 12 kerbside car parking spaces in Chichester Drive, the sites verges or within the school car parking area, which has its access off Chichester Drive.

It is considered that the existing reciprocal parking arrangement in place effectively provides for sufficient parking on both sites and it is anticipated that the available parking will adequately provide for the increase in floor area of the coolroom to the tavern.

However, to ensure that there are no adverse impacts on the surrounding locality, it is recommended that the capacity of the Tavern remain the same. Therefore, it is recommended that Council not support any request to the Department for Racing, Gaming and Liquor for an increase in the capacity of the Tavern for the licensing of the proposed outdoor courtyard area.

### Noise from the proposed courtyard

The courtyard is an outdoor area that will be used primarily in fair weather conditions. To-date, there has been no complaints formally recorded to indicate that this is a problem.

The application has been assessed and there have been no special conditions requested for the outdoor area in relation to noise. Compliance with the Environmental Noise Regulations should address any noise problems if they arise.

However, in order to pre-empt any potential problems, it is recommended that a condition should be added that prohibits any amplified music or sound to the proposed courtyard.

### **Proposed Coolroom extension**

An additional coolroom area for storage in the drive-through bottle shop is also proposed. This additional area will allow for more products to be stored. It is considered that the expansion of the coolroom will reduce the impact of deliveries to the tavern site.

The proposed coolroom expansion is located within the site and will not impact on the current use of the site or surrounding residential properties.

### **Conclusion**

Council is required to be satisfied in relation to those matters identified under 4.5.3(b) of the Scheme Text, when considering this development.

The proposed additions will create a demand for 21 additional cars, with a loss of 5 existing car parking spaces. by restricting the capacity of the tavern to the existing numbers, there will only be a nett shortfall of the loss of the 5 existing car parking spaces.

The proposed courtyard development is considered to improve the accessibility of the development by providing a second outdoor seating area, an improved façade of the tavern as it addresses the shopping centre site, and generally improving the amenity of the development.

The proposal will improve the amenity of the Woodvale Tavern site and the adjacent Woodvale Shopping Centre site. Having regard to the location of land uses around the development site and the nature of the proposed additions, it is considered that the proposed development will not adversely affect the amenity of those surrounding properties.

It is considered that a parking overflow will not occur from approval of the proposal as it is recommended that approval be granted for the parking discretion for the coolroom addition provided that the:

- underground parking area is accessible during all tavern trading hours;
- proposed courtyard does not have any amplified music or sound; and
- capacity of the tavern is not increased by the addition of the external courtyard.

### **ATTACHMENTS**

Attachment 1	Location Plan
Attachment 2	Development Plans
Attachment 3	Aerial Photograph
Attachment 4	Photographs

### **VOTING REQUIREMENTS**

Simple majority

## RECOMMENDATION

### That Council:

- 1 **APPROVES** the application for planning consent dated 23 December 2004 submitted by Oldfield Knott Architects Pty Ltd, the applicant, on behalf of the owner(s), Kapinoff Nominees Pty Ltd for courtyard extension, coolroom extension and alteration of parking bays on Lot 2 (149) Trappers Drive, Woodvale, subject to the:
  - (a) protection island marked in RED on the approved plans being retained and no parking bays being located within this area;
  - (b) existing capacity of the Tavern remaining unchanged;
  - (c) there being no amplified music or sound to the proposed courtyard;
- 2 **ADVISES** the owner of Lot 2 (149) Trappers Drive, Woodvale that:
  - (a) the basement parking area, as shown on the approved plans, is to be kept open for public parking at all times when the tavern is open to the public;
  - (b) it will not support any request to the Office of Racing, Gaming and Liquor for an increase in the capacity of the Tavern, through the licensing of the proposed external courtyard.

### Footnotes:

- 1 The Council exercises discretion under clause 4.5.1 of the City of Joondalup District Planning Scheme No 2 and determines that Clause 4.8.2 of the City of Joondalup District Planning Scheme No 2 has been addressed and that 110 bays in lieu of 203 bays is appropriate in this instance;
- 2 Modification of any existing car parking spaces shall ensure that those spaces comply with AS/NZS 2890.1 – 2004;
- 3 The owner of the site is to ensure that the development complies with the Health (Food and Hygiene) Regulations 1993 and the Environmental Protection (Noise) Regulations 1997.

*Appendix 11 refers.*

To access this attachment on electronic document, click here: [Attach11brf210605.pdf](#)

## **ITEM 15                    CHANGE OF USE FROM WAREHOUSE TO PET GROOMING SALON AND PET BOARDING FACILITY: LOT 31 (6A) LAGO PLACE, JOONDALUP – [07709]**

**WARD:** Lakeside

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Planning & Community Development

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### **PURPOSE**

To request the Council to determine the land use class for a proposal to operate a pet grooming salon and pet boarding facility from an existing warehouse development within the Winton Road Service Industrial area.

### **EXECUTIVE SUMMARY**

The applicant is proposing to locate a pet grooming salon and pet boarding facility within the Winton Road Service Industrial Area at the above address. The use for such an activity is not listed under District Planning Scheme No 2 (DPS2). The Council may determine that the use is consistent with the objectives and purposes of the Service Industrial Zone and is therefore permitted.

The Service Industrial Zone is intended to provide for a wide range of business, industrial and recreational developments which the Council may consider would be inappropriate in Commercial and Business Zones. The zone is distinct from other industrial areas within the Perth Metropolitan Region. Factory and manufacturing uses are almost non-existent and the range of land uses present includes showrooms, places of worship, showrooms and recreation centres. Permitted uses within the zone that are comparable with the proposed use include veterinary hospital or veterinary consulting rooms.

It is considered that the proposed land use adds to the diversity of land-uses already existing within the zone and is appropriate as it satisfies the objectives of clause 3.10.

### **BACKGROUND**

**Suburb/Location:** Joondalup  
**Applicant:** Julie Jamieson  
**Owner:** Pesage Pty Ltd  
**Zoning:**       **DPS:** Service Industrial  
                  **MRS:** Urban

The pet grooming salon and pet boarding facility is proposed to be located at one of two strata units at 6 Lago Place, Joondalup. The development fronts the Royce Court public parking area of the Winton Road Service Industrial area. Commercial vehicle access and staff parking is via Lago Place.

The applicant currently operates a pet grooming salon from the Western Business District of the Joondalup City Centre - shop 3/7 Wise St Joondalup, which was approved in 1992. An application for a pet boarding facility was also applied for at Wise St but this application was refused. It was considered that a pet boarding facility was not appropriate in the City Centre.

## DETAILS

The business will provide a pet grooming service and pet accommodation for small animals including rabbits, birds, cats, dogs, rats & guinea pigs. It is proposed to employ 5 staff in the operation of the business.

The proposed maximum trading hours for the use will be:

7.30am – 7.00pm Monday to Friday

8.30am – 4.30pm Saturday & Sunday

### Issues and options considered:

In determining an application for a use not listed under the Scheme, the City may determine that the use is consistent with the objectives and purposes of the Service Industrial Zone and is therefore permitted. If the City determines the unlisted use may be consistent, then it has to follow the procedures set down for an 'A' use in clause 6.6.3 in considering the application for planning approval. Lastly, the City may determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.

Permitted uses within the zoning that can be considered consistent with a pet grooming salon and pet accommodation facility include veterinary consulting rooms or a veterinary hospital. Definitions within the DPS2 state:

*veterinary consulting rooms: means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients. No animal undergoing treatment may remain on the premises overnight.*

*veterinary hospital: means the use of any land or buildings for the treatment of minor or major ailments of animals, and includes the accommodation of animals undergoing treatment.*

The proposed use will not treat the ailments of domestic animals but it will provide a service to domestic animals and have similar amenity issues consistent with those of a veterinary hospital.

The objectives of the Service Industrial Zone are to:

- (a) *accommodate a range of light industries, showrooms and warehouses, entertainment and recreational activities, and complementary business services which, by their nature, would not detrimentally affect the amenity of surrounding areas;*

It is considered that the proposed use of a pet grooming salon and pet boarding facility is consistent with other permitted uses and meets the objectives of the Service Industrial Zone.

### Car parking

Council Policy 3.1.12 – Cash in Lieu of Car Parking, which applies to all lots that abut Royce Court, Lot 65 Winton Road, Joondalup states that:

*The public parking provided in Royce Court is considered adequate for development up to 0.70 plot ratio on the surrounding lots.*

The subject existing development approved in 1992 has a plot ratio no greater than 0.70. Therefore the proposed change of use application complies with the parking requirements in Council Policy 3.1.12.

**Link to Strategic Plan:**

The proposed pet grooming salon and pet boarding facility is considered consistent with the City's Strategic Plan 2003 – 2008 by contributing to the provision of local services and well as fostering business development opportunities for the local service industry.

**Legislation – Statutory Provisions:**

When determining this application Clauses 3.2,3.3, 4.8 and 6.8 of the DPS2 apply.

Clause 3.2 indicates, subject to the provisions of the Scheme, the permissibility of use classes within the various zones. However, the nature of the proposed development does fall within any of the definitions provided under Schedule 1. Therefore, the Council is required to make a determination under clause 3.3 of DPS2. That clause and other relevant clauses are shown below:

**3.3 Unlisted Uses**

*If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:*

- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or*
- (b) determine that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the procedures set down for an 'A' use in clause 6.6.3 in considering an application for planning approval; or*
- (c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.*

**3.10 The Service Industrial Zone**

*3.10.1 The Service Industrial Zone is intended to provide for a wide range of business, industrial and recreational developments which the Council may consider would be inappropriate in Commercial and Business Zones and which are capable of being conducted in a manner which will prevent them being obtrusive, or detrimental to the local amenity.*

*The objectives of the Service Industrial Zone are to:*

- (a) accommodate a range of light industries, showrooms and warehouses, entertainment and recreational activities, and complementary business services which, by their nature, would not detrimentally affect the amenity of surrounding areas;*
- (b) ensure that development within this zone creates an attractive façade to the street for the visual amenity of surrounding areas.*

3.10.2 *Development in the Service Industrial Zone shall conform, among other things, with the general provisions set out below.*

- (a) *Buildings shall be set back a minimum of 6 metres from the street boundary. Setbacks to side and rear boundaries shall comply with the Building Code of Australia;*
- (b) *Where a lot has a boundary with more than one street, the Council shall designate one such boundary as the frontage and may approve buildings up to a minimum distance of 3 metres from the other street boundaries;*
- (c) *That portion of a lot within 3 metres of its boundary with a road reserve shall only be used for:*
  - (i) *an approved means of access;*
  - (ii) *landscaping;*
  - (iii) *an approved Trade Display*

*and that portion of a lot between 3 metres of its boundary with a road reserve and the building line setback shall only be used for the parking, loading or unloading of vehicles and for landscaping.*

- (a) *With the exception of lots around which authorised screen walls have been erected, landscaping to the satisfaction of Council shall be planted and maintained by the owners on all portions of the property not covered by approved buildings, storage areas, accessways or parking areas (notwithstanding that shade trees shall be planted and maintained by the owners in car parking areas to the Council's satisfaction). Owners shall plant and maintain landscaping to Council's satisfaction on adjacent street verges.*
- (b) *Screen walls 1.8 metres high to a specification approved by and to the satisfaction of the Council shall be provided to screen the rear areas of all lots where necessary to protect the amenity of any adjoining residential lots.*
- (c) *Provisions relating to Building Construction:*
  - (i) *every building shall have a façade of brick, plate glass or other approved material to all street frontages;*
  - (ii) *where under the Building Code of Australia, metal clad walls are permitted, they must have a factory applied painted finish to the satisfaction of the City Building Surveyor.*

## 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.*

6.8.2 *In addition to the matters referred to in the preceding subclause of this clause, the Council, when considering whether or not to approve a “D” or “A” use application, shall have due regard to the following (whether or not by implication or otherwise they might have required consideration under the preceding subclauses of this clause):*

- (a) *the nature of the proposed use and its relationship to the use of other land within the locality;*
- (b) *the size, shape and character of the parcel of land to which the application relates and the nature and siting of any proposed building;*
- (c) *the nature of the roads giving access to the subject land;*
- (d) *requirements for parking, arising from the proposed development;*
- (e) *any relevant submissions or objections received by the Council; and*
- (f) *such other matters as the Council considers relevant, whether of g) the same nature as the foregoing or otherwise.*

**Risk Management considerations:**

Not Applicable

**Financial/Budget Implications:**

Not Applicable

**Policy Implications:**

Council Policy 3.1.12 – Cash-In-Lieu of Car Parking

**Regional Significance:**

There are two designated Service Industrial areas within the City of Joondalup, being:

- The Canham Way (Service) Industrial Estate; and
- Joondalup (Service) Industrial Business.

It is considered that the proposed pet grooming salon and pet boarding facility is ideally located within the Service Industrial Zoning. Locating a pet grooming salon and pet boarding facility within the Joondalup Service Industrial Zone provides a service industry to residents in the northern corridor.

**Sustainability Implications:**

Not Applicable

**Consultation:**

The proposed development was advertised to the adjoining strata owner at 4B Lago Place. The owner submitted an objection to the proposed use. The objection is as follows:

*Due to the fact that we are an outboard engine repairer, when we run engines after repairs we feel that the noise would greatly disturb the animals and they would almost continually bark. Workshop noise can be quite loud and disturbing.*

It is considered that issues relating to noise are a public health issue that is regulated via the Environmental Protection Act (Noise Regulations). If the City received a complaint in relation to noise, the offending business would be monitored and noise levels measured to ascertain if the noise meets with the health regulations.

It is noted that the marine engine repair workshop is an existing business and, providing noise levels meet with health regulations, it will be the responsibility of the applicant or proprietor of the pet grooming/boarding facility to affectively resolve any issues that may arise.

**COMMENT**

The Service Industrial Zone is intended to provide for a wide range of business, industrial and recreational developments which the Council may consider would be inappropriate in Commercial and Business Zones and which are capable of being conducted in a manner which will prevent them being obtrusive, or detrimental to the local amenity. The zone is distinct from other industrial areas within the Perth Metropolitan Region. Factory and manufacturing uses are almost non-existent and the range of land uses present include places of worship, showrooms and recreation centres. It is considered that the proposed land use adds to the diversity of land uses already existing within the Zone and is appropriate as it satisfies the objectives of clause 3.10.

**ATTACHMENTS**

Attachment 1	Location Plan
Attachment 2	Aerial Photo
Attachment 3	Development Plans

**VOTING REQUIREMENTS**

Simple majority

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

- 1 DETERMINES under clause 3.3(a) of District Planning Scheme No.2 that:**
  - (a) a pet grooming salon and pet accommodation facility is deemed to be a use class not listed;**
  - (b) the proposed use meets the objectives and purpose of the Service Industrial Zone, and therefore, is a permitted land use;**
- 2 APPROVES conditional of point 1 above, the application dated 14 April 2004, submitted by Julie Jamieson on behalf of the owner, Harewood Pty Ltd, for a pet grooming salon and pet boarding facility at 6A Lago Street, Joondalup.**

**Footnotes:**

- a) Animal and all other waste products to be disposed to the satisfaction of the City and in accordance with the City's Local Laws;**
- b) The applicant minimising the emission of noise and odours to reduce the impact on the adjoining units in accordance with the Environmental Protection Act.**

*Appendix 12 refers.*

*To access this attachment on electronic document, click here: [Attach12brf210605.pdf](#)*

## **ITEM 16                    SUBDIVISION REFERRALS PROCESSED 1 AND 31 MAY 2005 – [05961]**

**WARD:**                                Lakeside, North Coastal, South, South Coastal, Whitfords

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

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### **PURPOSE**

This report is to advise the Council of subdivision referrals received by the City for processing in the period 1-31 May 2005.

### **EXECUTIVE SUMMARY**

Attachment 1 is a schedule of the Subdivision Referrals processed from 1–31 May 2005. Applications were dealt with in terms of the delegation adopted by the Council in October 2004.

### **BACKGROUND**

**Suburb/Location:**    Refer Attachment 1  
**Applicant:**                Refer Attachment 1  
**Owner:**                    Refer Attachment 1  
**Zoning:**                **DPS:** Various  
   **MRS:** Various

### **DETAILS**

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

Nine subdivision referrals were processed within the period. The average time taken to provide a response to the Western Australian Planning Commission was 24 days, which compares with the statutory timeframe of 30 working days. The subdivision applications processed enabled the potential creation of twenty eight (28) residential lots and three (3) strata residential lots. Three applications were not supported and one application was deferred. These applications are as follows:

#### **Ref: SU1863-04.01 – 123 Marine Terrace, Sorrento**

This application was not supported for the following reasons:

- 1        Ford Street is a non-gazetted road and the provision of services and access from the existing Right of Way is not desirable;
- 2        Approval to the strata title application would set an undesirable precedent for the further subdivision of surrounding lots in an ad hoc manner.

**Ref: SU307-05 – 10 Buckie Court, Warwick**

This application was not supported for the following reasons:

- 1 Proposal does not conform to the requirements of the Residential Design Codes with respect to minimum and average lots sizes;
- 2 The width of the access to the proposed rear lot would not allow for a sufficient and safe vehicular access;
- 3 The proposed survey strata subdivision does not comply with the Commission's Policy No DC 2.2 (Residential Subdivision) by reason of provision of a required 4.24 metre truncation at the point where the access leg joins the effective area of the rear lot;
- 4 Insufficient information is available to complete an adequate assessment of the required retaining along the northern common boundary.

**Ref: SU416-05 – 36 Korella Street, Mullaloo**

This application was deferred as the applicant is required to submit a development application demonstrating compliance with the Residential Design Codes pertaining to grouped housing development to the satisfaction of the City of Joondalup including the provision and construction of two car bays, location of court yard areas and the provision of 50% POS.

**Ref: SU535-05 – 9 Hammersmith Court, Joondalup**

This application was not supported as the application does not comply with the minimum sizes (lot 2) as required under the Residential Design Codes.

**Link to Strategic Plan:**

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

**Legislation – Statutory Provisions:**

All proposals were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

**Risk Management considerations:**

The delegation process includes details practices on reporting, assessment, and checking to ensure recommendations are appropriate and consistent.

**Financial/Budget Implications:**

Not Applicable

**Policy implications:**

Not Applicable

**Sustainability implications:**

Not Applicable

**Consultation:**

No applications were advertised for public comment for this month, as either the proposals complied with the relevant requirements, or were recommended for refusal due to non-compliance.

**COMMENT**

Not Applicable

**ATTACHMENTS**

Attachment 1            Schedule of Subdivision Referrals

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the action taken by the subdivision control unit in relation to the applications described in this report for the month of May 2005.**

*Appendix 13 refers.*

*To access this attachment on electronic document, click here: [Attach13brf210605.pdf](#)*

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**ITEM 17                    PLANNING                    APPLICATION                    SEEKING  
RETROSPECTIVE APPROVAL FOR A TEMPORARY  
SALES/MARKETING OFFICE ON LOT 2259 (1)  
SUNLANDER DRIVE, CURRAMBINE – [51510]**

**WARD:**                    North Coastal

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

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**PURPOSE**

To give consideration to an application for planning consent for a temporary sales/marketing office on 1 Sunlander Drive (corner Burns Beach Road), Currambine.

**EXECUTIVE SUMMARY**

The sales office is to market the development of 94 residential apartments that was given planning consent in January 2005. Construction of this development has not commenced to date.

The sales/marketing office is a transportable building, which has already been located on the site. As the sales office is already operating from the site, the application is now for retrospective approval.

**BACKGROUND**

Application History

17/05/2005:    Application received  
20/05/2005:    Sales office was moved onto the subject property

**Suburb/Location:**    Lot 2259 (1) Sunlander Drive, Currambine  
**Applicant:**            Victorian Colonial Homes  
**Owner:**                Goldzen Holdings Pty Ltd  
**Zoning:**                **DPS:** Residential R80  
                                  **MRS:** Urban

Approval has recently been granted for a sign advertising the proposed apartment development and the sign has been erected on the property. The landowner proposes to pre-sell the residential apartments from the temporary sales office prior to undertaking construction. The land on which the sales office is located will ultimately contain part of the apartment complex and therefore the sales office (which is a demountable building) will be removed when the units are sold and the development is under construction.

**DETAILS**

**Issues and options considered:**

There are two steps in this process to make a determination on the application for retrospective approval.

Firstly, Council is required to determine whether or not the proposed land use is a listed land use class under District Planning Scheme No 2 (the Scheme). If Council determines it to be a listed use class, the application must be determined in accordance with the permissibility of that use in a Residential zone under the zoning Table. However, if it is considered that the proposed use is a use class not listed, Council then needs to determine whether the proposal meets the objectives and purpose of the Residential zone and therefore, the proposed use:

- (i) is a permitted land use;
- (ii) may be consistent with the objectives and intent of the zone, and advertising of the proposal is required before can be made on the development application; or
- (iii) is a prohibited land use.

Secondly, having determined the land use classification, Council is then required to make a determination on the application for Planning Consent. In this situation, the issues to be considered include:

- retrospective approval for the completed works;
- setbacks; and
- carparking.

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

The Strategic plan includes a strategy to recognise the changing demographic needs of the community. The proposed development for which the sales office is marketing, is 94 apartments/multiple dwellings, located adjacent to the Currambine Railway Station.

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

In regard to the sales office being a use class not listed, clause 3.3 of the Scheme states:

*If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:*

- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or*
- (b) determine that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the procedures set down for an 'A' use in Clause 6.6.3 in considering an application for planning approval; or*
- (c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.*

Clause 6.12 relates to approval of existing developments. Specifically clause 6.12.1 reads:

*6.12.1 The Council may give planning approval to a development already commenced or carried out regardless of when it was commenced or carried out. Such approval shall have the same effect for all purposes as if it had been given prior to the commencement or carrying out of the development, but provided that the development complies with the provisions of the Scheme as to all matters other than the provisions requiring Council's approval prior to the commencement of development.*



**Risk Management considerations:**

Not applicable

**Financial/Budget Implications:**

Not applicable

**Policy implications:**

Not applicable

**Regional Significance:**

Not applicable

**Sustainability implications:**

Not applicable

**Consultation:**

The site office is considered to be a temporary use and the office is located on the Sunlander Drive frontage, opposite to a service station. The closest residential land use is on the opposite side of Burns Beach Road and it is considered that the residential lots are sufficiently removed that the use would not create an adverse impact on those lots. Therefore consultation was not required in this instance.

**COMMENT****Determination of land use**

The use, being a temporary sales office, must be considered under the Scheme. There is not a listed land use under the zoning table for a sales/marketing office. If this were considered to be an office, then this use is an "X" use or a use not permitted under the Zoning Table of the Scheme.

In most other development areas, the land is subject to a structure plan and under the structure plan provisions can be made such that sales/marketing offices can be incorporated into the specific structure plan. However this land is zoned Residential and therefore the provisions of the Scheme apply.

Research into other sales offices, reveals that many sales offices (such as those in Beaumaris, Iluka and Harbour Rise, Hillarys) are now located within display homes, which are usually assessed as single dwellings. However in this case, the sales office is a transportable building and a temporary structure and is therefore being considered as a use class not listed.

In this context, it is considered that the sales office is a use class not listed and therefore subject to the provisions of clause 3.3 of the Scheme. The town planning delegation notice does not give delegated authority to the Director Planning and Community Development or any other delegate, to determine an application for a use class not listed.

Under clause 3.3, it is necessary to determine whether:

- (i) the application meets the objectives of the Residential zone and is therefore permitted;
- (ii) the proposed use may be consistent with the objectives and purpose of the Residential zone and advertise in accordance with clause 6.7; or
- (iii) the use is not consistent with the objectives and therefore refuse the application.

In regard to meeting the objectives and purposes of the Residential zone, the sales office is a temporary use in order to sell the land for the multiple dwellings, which have been given planning consent. It is considered that the temporary land sales office is consistent with the objectives and purposes of the Residential zone, as this use is a step in order to achieve the desired outcome of the land being used to accommodate residential dwellings.

In summary, the proposal is considered to be a use class not listed which is consistent with the objectives and purposes of the Residential zone and therefore has been in accordance with clause 3.3(a) of the Scheme.

### **Assessment of the application**

The sales office building has a nil setback on the Sunlander Drive Boulevard. Clause 4.7.1 of the Scheme states that non-residential buildings shall be setback 9 metres from the street boundary. Notwithstanding, clause 4.5.1 gives Council the ability to vary this requirement providing that, amongst other factors, it will not have any adverse affect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality. Given the sales office is a temporary structure and the area surrounding the sales office is vacant, the nil setback does not adversely affect the streetscape or any nearby residential property. On this basis, the reduced setback is supported.

In regard to parking, at present there is no formalised parking area provided. Visitors to the office park their vehicles on the footpath or the graded sand area adjacent to the sales office. Similarly, as usually requested with display homes, it is recommended that a parking area with provision for 5 parking bays and an adequate turning area be provided on site and that such an area be paved or covered with loose bitumen in order to reduce any potential for wind blown dust.

It is recommended that approval be granted for the temporary sales office, with the sales office being required to be removed within 2 years or prior to completion of the apartment development, whichever ever occurs first.

### **ATTACHMENTS**

Attachment 1	Aerial view
Attachment 2	Site plan

### **VOTING REQUIREMENTS**

Simple majority

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

- 1 DETERMINES under Clause 3.3(a) of District Planning Scheme No 2 that:**
  - (a) a temporary sales/marketing office is deemed to be a use class not listed;**
  - (b) the proposed use meets the objectives and purpose of the Residential zone, and therefore, is a permitted land use.**
  
- 2 APPROVES conditional of point 1 above, the application for planning approval received 17 May 2005, submitted by Victoria Colonial Homes (WA) Pty Ltd on behalf of the owners Goldzen Holdings Pty Ltd for retrospective approval for a temporary sales/marketing office on Lot 2259 (1) Sunlander Drive, Currambine, subject to the following conditions:**
  - (a) The temporary sales office shall be removed within 2 years of the date of this decision or at practical completion of the apartment complex, whichever occurs first;**
  - (b) A car parking area with a minimum of 5 parking bays and adequate turning area shall be provided within the property boundaries. Details of the parking location, layout and the materials to be used shall be submitted and approved by the Manager Approvals, Planning and Environmental Services within 60 days of the date of this decision. The parking area shall be constructed to the satisfaction of Manager Approvals, Planning and Environmental Services within 90 days of the date of this decision.**

*Appendix 14 refers.*

*To access this attachment on electronic document, click here: [Attach14brf210605.pdf](#)*

## **ITEM 18                      TURF CRICKET WICKET MAINTENANCE – [28189] [08032]**

**WARD:** All

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

### **PURPOSE**

For the Council to consider financial assistance to Cricket Clubs within the City of Joondalup who maintain turf cricket wicket facilities.

### **EXECUTIVE SUMMARY**

The City of Joondalup has three (3) turf cricket wicket facilities, which are maintained by three (3) individual clubs, each with varying agreements managing the maintenance of the facilities. This report recommends funding to maintain these facilities in a manner that is fair and equitable for all clubs involved, as opposed to the diversity of arrangements, which are presently in place.

It is recommended that Council:

- 1        *AGREES to provide financial assistance to the following cricket clubs to maintain the City's turf cricket wicket facilities commencing from 2005/06 for a five (5) year period:*
  - *Joondalup District Cricket Club to a maximum of                      \$25,000*
  - *Whitford & Districts Senior Cricket Club to a maximum of            \$12,500*
  - *Ocean Ridge Cricket Club to a maximum of                                \$ 7,500*
  
- 2        *DEVELOPS Agreements for periods of five (5) years with the Joondalup District Cricket Club, Whitford & Districts Senior Cricket Club and the Ocean Ridge Cricket Club regarding the maintenance of the City's turf cricket wicket facilities commencing from 2005/2006;*
  
- 3        *NOTES that any requests for additional turf cricket wickets in the future must comply with the 1) West Australian Cricket Association's Strategic Facilities Plan, 2) Guidelines from the North Metropolitan Regional Recreation Advisory Committee, and would be submitted to Council for endorsement.*

### **BACKGROUND**

#### City of Joondalup Turf Cricket Wickets

*The City of Joondalup has three (3) turf cricket wicket facilities utilised by the following community sporting groups:*

- *Joondalup Districts Cricket Club - Iluka District Open Space, Iluka.  
2 centre wicket blocks each with 5 cricket pitches, plus 16 practice wickets.*
  
- *Whitford & Districts Senior Cricket Club - MacDonald Reserve, Padbury.  
1 centre wicket block with 5 cricket pitches, plus 5 practice wickets.*

- *Ocean Ridge Cricket Club - Flinders Park, Hillarys.  
1 centre wicket block with 3 cricket pitches.*

*The following agreements are presently in place regarding the management and maintenance of turf cricket wickets within the City of Joondalup:*

*Joondalup & Districts Cricket Club*

*The club is presently responsible for all maintenance of the turf cricket wickets and practice wickets at the Iluka District Open Space as was agreed to when the club relocated to Joondalup in 1999. The City does not provide the club with any financial assistance towards the maintenance of the turf cricket wickets, but does maintain the ovals and surrounds.*

*Whitford & Districts Senior Cricket Club*

*The Whitford & Districts Senior Cricket Club is in the last year of its second five (5) year agreement for the maintenance of Turf Cricket Wicket Facilities at MacDonald Park Padbury. The club is responsible for the “management, maintenance and preparation, in accordance with WACA Turf Management Guidelines, inclusive of off-season works, of the wicket and turf practice facilities for all scheduled, special matches and practice which may be booked”.*

*In return, the City provided \$25,000 per annum in 2000/2001, reducing to \$21,000 for the 2004/2005 season with plant and equipment including, rollers, a mower and a trailer being permanently transferred to the club for the maintenance and preparation of the turf wicket and turf practice facilities. The City maintains the oval and surrounds.*

*Ocean Ridge Cricket Club*

*The club has a five (5) year Management Agreement with the City, but no financial contribution towards maintenance of the turf cricket wickets is made. The agreement provides them with responsibility for the “management, maintenance and preparation for all scheduled, special matches and practice which may be booked. The agreement is also inclusive of off-season works of the turf cricket wicket facility at Flinders Park Hillarys in accordance with City standards.” Similar to the arrangements with the Whitford & Districts Senior Cricket Club and Joondalup & Districts Cricket Club, the City maintains the oval and surrounds.*

*The turf wicket block at Flinders Park was installed by the Whitford & Districts Senior Cricket Club on the agreement that all maintenance costs would be the club’s responsibility. The Ocean Ridge Cricket Club took over management and maintenance of the Flinders Park turf facilities from the Whitford & Districts Senior Cricket Club in 2003.*

*According to information provided by the three (3) turf cricket clubs within the City of Joondalup, the following amounts are spent on turf cricket wicket maintenance per annum:*

*Joondalup District Cricket Club*

<i>Wages (Including Curator)</i>	<i>\$18,200</i>
<i>Fertilizer &amp; Sprays</i>	<i>\$ 2,500</i>
<i>Machinery Maintenance</i>	<i>\$ 1,500</i>
<i>Wicket Maintenance (Replacement Clay/Turf)</i>	<i>\$ 2,000</i>
<i>Sundries/ Fuel</i>	<i>\$ 1,400</i>
<i>Total</i>	<i><u>\$25,600</u></i>

Whitford & Districts Cricket Club

Wages (Including Curator)	\$10,000
Ground Costs (Replacement Clay/Turf)	\$ 6,500
General Costs (Fertilizer, Fuel, Servicing)	\$ 1,600
Total	<u>\$18,100</u>

Ocean Ridge Cricket Club

Wages (Provided in-kind by club member) (8hrs/week, 25 weeks @ \$20/hr)	\$ 4,000
Ground Costs (Replacement Clay/Turf) & General Costs (Fertilizer, Fuel, Servicing)	\$ 3,500
Total	<u>\$ 7,500</u>

In accordance with the City's Schedule of Fees and Charges, the City charges the senior cricket clubs the standard rate for outdoor grassed sports. This charge does not relate to the use of turf cricket wickets. In 2004/05 the rate is \$271.05 per senior team. For the three (3) clubs, the following charges will be levied this year:

Joondalup & Districts Cricket Club	5 Senior Teams	\$1,355.25
Whitfords & Districts Senior Cricket Club	7 Senior Teams	\$1,897.35
Ocean Ridge Cricket Club	5 Senior Teams	\$1,355.25

Other Turf Cricket Wicket Agreements

The WACA competition is WA's premier club cricket competition, which is contested between 16 District Clubs, while the WASTCA is a metropolitan based turf cricket competition for affiliated suburban clubs. No other cricket competitions are played on turf wickets.

More than ten (10) years ago, the former City of Wanneroo made a decision to vest control of turf cricket wicket maintenance to the individual clubs using the facilities. Many other Local Government Authorities also selected this option and in return for maintaining the turf facilities, clubs were paid a subsidy or grant to offset the costs incurred.

A comprehensive table has been compiled detailing the current arrangements that exist between municipal Councils and cricket clubs that utilise turf cricket wicket facilities.

**Table 1: Cost Comparisons**

Local Council	Cricket Club	Maintenance Costs Incurred by Councils		Other Assistance Provided by Councils to Cricket Clubs		Club Responsibilities		
		Paid to Cricket Clubs	Internal / Contract Costs	Curator	Turf Equipment	Centre Wickets	Practice Wickets	Outfields
City of Wanneroo	Wanneroo Cricket Club	\$49,000	-	-	Yes	Yes	Yes	No
City of Stirling	Scarborough Cricket Club	\$35,000	-	-	Yes	Yes	Yes	No
	Mt Lawley Cricket Club	\$41,000	-	-	Yes	Yes	Yes	No
	Nollamara Cricket Club	\$15,000	-	-	-	Yes	Yes	No
	Balcatta Cricket Club	\$10,000	-	-	-	Yes	Yes	No
	Hammersley/Carine Cricket Club	\$10,000	-	-	-	Yes	Yes	No
Town of Cambridge	Subiaco/Floreat Cricket Club	-	\$45,000	Yes	Yes	No	No	No

<p>The Town of Cambridge maintains the centre wickets, the turf practice facilities and the grounds for the Subiaco/Floreat Cricket Club. This cost equals \$45,000 per annum. Cost of salaries not clearly defined.</p>								
City of Gosnells	Gosnells Cricket Club	-	\$24,945	-	-	No	No	No
<p>The Gosnells Cricket Club utilise turf cricket facilities at Sutherlands Reserve. The two (2) centre block areas and the practice wickets are maintained by the City of Gosnells at an annual cost of \$24,945. In addition, the City maintains the outfield with these costs included in the annual parks budget. Cost of salaries not clearly defined.</p>								
City of Canning	Willetton Cricket Club	\$4,173.50	-	-	-	Yes	Yes	No
City of Rockingham	Rockingham Mandurah Cricket Club	-	\$105,000	Yes	Yes	No	No	No
<p>The Rockingham Mandurah Cricket Club utilise turf cricket facilities at Stan Twight Reserve and Settlers Hill Reserve. The City of Rockingham meets all costs associated with the maintenance of the Stan Twight Reserve through a tendered contract including the two centre wicket blocks, 12 turf practise wickets and broad-acre mowing. The reserve is shared in winter by the district hockey club and the overall annual maintenance cost is \$105,000. Council receives approx \$7,500 in fees from the Cricket Club and about \$5,000 from the Hockey Club.</p> <p>The cricket club maintains the centre wicket block at Settlers Hill Reserve without any additional financial support from the City of Rockingham. The turf cricket facilities at this reserve were established by the developers.</p>								
City of Swan	Midland Guildford Cricket Club	-	\$200,000	Yes	Yes	No	No	No
<p>The Midland Guildford Cricket Club utilise facilities at Lilac Hill. The area consists of three playing fields (including turf cricket wickets and turf practice wickets) and public open space adjacent to the river. The City of Swan employ and pay for an experienced external contractor to maintain the entire Lilac Hill area including the turf cricket facilities at a cost of \$200,000 per annum. The Cricket Club does not contribute towards turf wicket or ground maintenance.</p>								
Town of Victoria Park	Perth Cricket Club	\$95,000	-	-	-	Yes	Yes	Yes
<p>The Perth Cricket Club is fully responsible for all aspects of the maintenance of Fletcher Park. This includes the maintenance of the turf wicket blocks, turf practice wickets and the playing fields. The Perth Cricket Club is also responsible for maintaining the grounds for the park's winter user group, the Victoria Park Hockey Club.</p>								
Town of Claremont	Claremont/Nedlands Cricket Club	\$55,000	-	-	-	Yes	Yes	Yes
City of Melville	Melville Cricket Club	-	-	-	-	Yes	Yes	No
<p>The Melville Cricket Club received funding form the City of Melville for the past 10 years, but is now considered self-sufficient. The City maintains the ovals and its surrounds and all costs associated with the reticulation.</p>								
City of Fremantle	Fremantle Cricket Club	\$45,000	-	-	-	Yes	Yes	Yes
City of Bayswater	Bayswater Morley Cricket Club	-	\$90,000	Yes	Yes	No	No	No

The City of Bayswater provides a greenkeeper to maintain the turf cricket wickets, turf practice facilities and the grounds (outfields) at Hillcrest Reserve. \$90,000 per year is spent on maintaining the turf cricket wicket facilities and playing grounds.

Town of Bassendean	Bassendean Cricket Club	\$23,100	-	-	Yes	Yes	Yes	No
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*Note: The University Cricket Club has not been included as the maintenance of their turf wickets and grounds are not associated with a Local Government Authority.*

## DETAILS

As a result of correspondence received from the Joondalup Districts Cricket Club, the expiry of its agreement with the Whitfords & Districts Cricket Club and the emergence of the Ocean Ridge Cricket Club as a turf cricket wicket user, the City of Joondalup has the opportunity to assess its options regarding the future management and maintenance of its turf cricket wicket facilities.

### Issues and options considered:

Three (3) alternatives exist for the City of Joondalup to consider:

- (a) To provide funding assistance to cricket clubs that use turf cricket wickets through the development of a model, which is equitable to each;
- (b) Renew the management and maintenance agreement with the Whitford & Districts Cricket Club, whilst continuing not to provide financial assistance to the Joondalup Districts Cricket Club and Ocean Ridge Cricket Club; or
- (c) Resolve not to provide financial assistance to any club using turf cricket wickets, making all management and maintenance the responsibilities of the individual clubs.

### Option A

“To provide funding assistance to cricket clubs that use turf cricket wickets through the development of a model, which is equitable to each.”

In the development of a model, the primary goal is to create equality between the 3 clubs concerned. The structure of the new agreements is proposed to see the City assist clubs in the preparation of the centre wicket blocks with a sum of \$2,500 being provided per cricket pitch.

If the City supports cricket clubs maintaining turf cricket wickets, it is recommended that the formula in Table 2 be applied:

Table 2: Turf Cricket Wicket Maintenance Payment Formula

Name of Facility	Number of Centre Wicket Blocks	Number of Pitches in Centre Wicket Block	Rate per Cricket Pitch (\$2,500)	Total
Iluka District Open Space	2	5 in each Total = 10	\$2,500	\$25,000
MacDonald Reserve	1	5	\$2,500	\$12,500
Flinders Park	1	3	\$2,500	\$ 7,500
<b>Total</b>				<b>\$45,000</b>



In negotiating with the clubs involved to prepare Agreements managing the maintenance of these facilities, the distribution of incomes generated from the use of the turf wickets by parties other than the three clubs mentioned in this report will also be considered. The Agreements will also clarify issues regarding:

- Bookings for turf cricket wicket usage;
- Who can use the turf cricket wickets;
- Frequency of use of turf cricket wickets; and
- Changes to the competition grades in which individual cricket clubs participate.

Agreements would be submitted to Council for endorsement.

All future requests for additional turf cricket wickets within the City of Joondalup must comply with:

- 1 Western Australian Cricket Association's (WACA) Strategic Facilities Plan, initiated by the Department of Sport and Recreation and the WACA (currently in progress);
- 2 Guidelines from the North Metropolitan Regional Recreation Advisory Committee (currently in progress); and
- 3 Would be submitted to Council for endorsement.

The North Metropolitan Regional Recreation Advisory Committee (NMRRAC) was formed approximately 10 years ago as an advisory group where member Councils discuss issues and share information relating to 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 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. NMRRAC will be working towards endorsing some guidelines regarding Leases, Licenses and Agreements over the next 12 months.

#### Option B

“Renew the management and maintenance agreement with the Whitford & Districts Cricket Club, whilst continuing not to provide financial assistance to the Joondalup Districts Cricket Club and Ocean Ridge Cricket Club.”

The following information provides the Council with the detail around a decision to pursue this option.

Through its previous management agreements with the Whitford & Districts Cricket Club, the City of Joondalup has provided financial assistance towards the maintenance of the club's turf cricket wickets for 10 years. This arrangement was entered into with the former City of Wanneroo, due to the high level of expenditure that the Council was outlaying to maintain the facilities itself.

As part of the initial agreement that allowed the North Perth Cricket Club to relocate to Joondalup, the City clearly indicated that all costs associated with the development and future maintenance of turf cricket wickets would be the sole responsibility of the club. On two (2) previous occasions, the club has sought financial assistance to help offset the costs of maintaining these facilities. In September 2000, after agreeing to a one-off grant of \$15,000, the City resolved that “this would represent Council's final contribution to the establishment of the turf wickets and that any ongoing maintenance shall be the responsibility of the Joondalup Districts Cricket Club”.

When the Ocean Ridge Cricket Club requested approval to use the turf cricket wickets at Flinders Park, the City indicated that all associated costs would be the responsibility of the club. The club agreed to assume all responsibility for the management and maintenance of the facility and entered into an agreement based on this arrangement.

As indicated in Table 1: Cost Comparisons, the research conducted into the financial support provided by Local Governments to cricket clubs using turf cricket wickets illustrates that few clubs show any signs of self-sufficiency. The cost implications of re-engaging a future contract for the maintenance of turf cricket wickets with the Whitford & Districts Senior Cricket Club would be \$18,100. This figure has been taken from the club's own breakdown of current maintenance costs, however negotiations would be required.

### Option C

“Resolve not to provide financial assistance to any club using turf cricket wickets making all management and maintenance the responsibilities of the individual clubs”.

With the expiration of the Whitford & Districts Cricket Club turf wicket agreement, the City has the opportunity to cease contributing to turf wicket maintenance and the financial burdens associated. Enforcing the three clubs who utilise turf cricket wickets to be solely responsible for management and maintenance would save the City \$20,000 per annum in lieu of payments previously made to the Whitford & Districts Cricket Club.

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

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

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

Strategies: 1.3.1 Provide leisure and recreational activities aligned to community expectations, incorporating innovative opportunities for today's environment.

1.3.3 Provide support, information and resources.

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

Not Applicable

### **Risk Management considerations:**

The City has received applications in the past two (2) years through the Community Sport & Recreation Facilities Fund (CSRFF) from the Ocean Ridge Cricket Club, for the development of turf cricket facilities at Heathridge Park. The applications included the installation of a centre block of turf cricket wickets and the construction of turf practice wickets. For this project to occur, a considerable re-development of Heathridge Park would be necessary. Both submissions have been unsuccessful in gaining Council support, however the possibility of facilities at this location needs to be considered.

The current costs to maintain turf cricket wickets will increase over time. If funding is allocated to the three (3) cricket clubs concerned, the negotiation of future agreements may involve an increase in the levels of funding provided.

**Financial/Budget Implications:**

<b>Account No:</b>	
<b>Budget Item:</b>	
<b>Budget Amount:</b>	\$ Nil
<b>YTD Amount:</b>	\$ Nil
<b>Actual Cost:</b>	\$225,000 (over a 5 year period)

**Policy implications:**

Not Applicable

**Regional Significance:**

Detailed Table 1: Cost Comparison.

**Sustainability implications:**

The following sustainability implications apply:

- The proposal enhances the amenity of public space.
- The proposal will improve the quality of services available to the community.

**Consultation:**

The three (3) cricket clubs concerned were consulted in the development of this report through a club survey that focused on the current costs involved in the maintenance of turf cricket wickets.

In addition, all Councils with WACA based cricket clubs were consulted in compiling Table 1: Cost Comparison.

**COMMENT**

Local Governments have varying approaches in providing assistance to cricket clubs who use turf cricket wickets. The levels of support provided vary from the supply of specialised equipment to the provision of financial contributions. From the municipalities researched, the average amount contributed to cricket clubs for turf wicket maintenance was \$49,836.

It is recommended that the City adopt Option A, creating equality between the three (3) cricket clubs that utilise turf cricket wicket facilities within the City of Joondalup. It is evident from Table 1: Cost Comparisons, that a majority of Local Governments provide financial assistance to cricket clubs for the maintenance of turf wickets. This illustrates that the maintenance of turf cricket wickets is a major factor impacting on the operations of cricket clubs who play on turf facilities and their self-sufficiency.

The Joondalup District Cricket Club and the Whitfords & Districts Senior Cricket Club, each have turf 'practice' wickets that are utilised for training. It is recommended that the maintenance of turf 'practice' wickets remains the responsibility of the individual cricket clubs and that the City does not contribute additional funds to these facilities. Although undesirable, it is possible for clubs competing in the WACA and WASTCA competitions to train or practice on synthetic cricket wickets and still play matches on the turf wickets.

It can be argued that no sport other than cricket receives additional funding for the maintenance of turf facilities, however for those clubs that compete in the WACA or WASTCA competitions, well maintained turf cricket wicket facilities are considered essential.

Clubs competing in the WACA competition must have turf cricket wickets to participate, with captains and umpires conducting pitch ratings after each match to report on facility standards. WASTCA clubs must have one (1) playing field for every two (2) teams it has in the competition, but they do not necessarily have to have a turf-playing wicket. Almost all clubs participating in this competition do have turf wickets and those who do not, are forced to play all matches as away fixtures, or hire neutral grounds paying the relevant facility hire rate and a cost which is levied to prepare the turf wicket.

The cost to maintain turf cricket wicket facilities is the same regardless of the competition that clubs are participating in and as a result, the set amount detailed in Option A has been recommended based on the number of pitches that clubs maintain within the centre wicket block(s). This approach is fair for all turf cricket clubs and will alleviate future problems regarding equitable funding provision.

In recommending Option A, the City would need to allocate \$45,000 in the 2005/2006 draft operational budget for the maintenance of the City's turf cricket wicket facilities. All future requests for additional turf cricket wickets within the City of Joondalup must comply with;

- 1 Western Australian Cricket Association's (WACA) Strategic Facilities Plan, initiated by the Department of Sport and Recreation and the WACA (currently in progress);
- 2 Guidelines from the North Metropolitan Regional Recreation Advisory Committee (currently in progress);
- 3 Would be submitted to Council for endorsement.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 AGREES to provide financial assistance to the following cricket clubs to maintain the City's turf cricket wicket facilities commencing from 2005/06 for a five (5) year period;**
  - Joondalup District Cricket Club to a maximum of \$25,000**
  - Whitford & Districts Senior Cricket Club to a maximum of \$12,500**
  - Ocean Ridge Cricket Club to a maximum of \$ 7,500**
- 2 DEVELOPS Agreements for periods of five (5) years with the Joondalup District Cricket Club, Whitford & Districts Senior Cricket Club and the Ocean Ridge Cricket Club regarding the maintenance of the City's turf cricket wicket facilities commencing from 2005/2006;**
- 3 NOTES that any requests for additional turf cricket wickets in the future must comply with the 1) West Australian Cricket Association's Strategic Facilities Plan, 2) Guidelines from the North Metropolitan Regional Recreation Advisory Committee, and would be submitted to Council for endorsement.**

## **ITEM 19                    MINUTES OF THE SENIORS INTERESTS ADVISORY COMMITTEE HELD ON WEDNESDAY 20 APRIL 2005 AND 18 MAY 2005 – [55511]**

**WARD:**                    All

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

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### **PURPOSE**

To note the confirmed minutes of the Seniors Interests Advisory Committee meeting held Wednesday 20 April 2005 and the unconfirmed minutes of the Seniors Interests Advisory Committee meeting held Wednesday 18 May 2005.

### **EXECUTIVE SUMMARY**

Meetings of the Seniors Interests Advisory Committee were held on Wednesday 20 April 2005 and on Wednesday 18 May 2005.

The confirmed minutes of the meeting held on 20 April 2005 and the unconfirmed minutes of the meeting held on 18 May 2005 are submitted for noting by Council.

### **BACKGROUND**

Not Applicable

### **DETAILS**

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

Not Applicable

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

The Seniors Interests Advisory Committee is linked to the Strategic Plan through the following objectives:

- 1.1.1 By developing, providing and promoting a diverse range of lifelong learning opportunities.
- 1.2 By continuing to provide services that meet changing needs of a diverse and growing community.
- 1.3 By working with the community to enhance safety and security in a healthy environment.

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

Not Applicable

**Risk Management considerations:**

Not Applicable

**Financial/Budget Implications:**

Not Applicable

**Policy implications:**

Not Applicable

**Regional Significance:**

Not Applicable

**Sustainability implications:**

The Seniors Interests Advisory Committee enables seniors the opportunity to actively participate and provide input into the development of a healthy and equitable community that considers their needs.

**Consultation:**

Not Applicable

**COMMENT**

The Seniors Interests Advisory Committee discussed the planned seniors seminar to be called “Living Now: A Seminar for Seniors.” Presentations will be coordinated to reflect the seminar theme, which are positive ageing, social/emotional health and wellbeing and living and celebrating life “here and now.” The seminar will be held at the end of June at the Joondalup Reception Centre. Several suggestions were offered and accepted regarding the seminar. These included extending the lunch hour and including a short presentation by the Seniors Recreation Council. Members of the Seniors Interests Advisory Committee have been involved in a working group exploring ideas related to the seminar.

The Committee discussed the election process for the new Seniors Interests Advisory Committee. An advertisement will be placed in the Community Newspaper on the 26 May 2005. In addition, flyers about the elections will be widely distributed to a range of seniors groups and agencies representing seniors.

The committee discussed the Live Life Festival. The City will contact the City of Stirling to ascertain plans for the future.

**ATTACHMENTS**

- |              |  |
|--------------|--|
| Attachment 1 | Minutes of the Seniors Interests Advisory Committee meeting held on 20 April 2005. |
| Attachment 2 | Minutes of the Seniors Interests Advisory Committee meeting held on 18 May 2005.   |

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the confirmed minutes of the Seniors Interests Advisory Committee meeting held on Wednesday 20 April 2005 forming Attachment 1 to this Report and the unconfirmed minutes of the Seniors Interests Advisory Committee meeting held on Wednesday 18 May 2005 forming Attachment 2 to this Report.**

*Appendix 16 refers.*

*To access this attachment on electronic document, click here: [Attach16brf210605.pdf](#)*

## **ITEM 20 SENIORS AND CONCESSION CARD HOLDER DISCOUNTS AT THE JOONDALUP LEISURE CENTRES – [09050] [03034] [04185]**

**WARD:** All

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

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### **PURPOSE**

To propose for Council endorsement a 20% discount on memberships, lifestyle courses, single pool entries and the crèche, to seniors, concession cardholders and full-time students at the Joondalup Leisure Centres.

### **EXECUTIVE SUMMARY**

At its meeting of 24 June 2003 (CJ100-06/03 refers), Council resolved to introduce a 10% discount on “memberships and lifestyle courses at the Craigie Leisure Centre to all new or renewing members of the community who are a resident of the City of Joondalup and are in possession of a State or Commonwealth seniors or pension card”. The discount was introduced as an interim measure whilst the City considered all fees and charges for Leisure Centre Programs. The interim nature of the discount was intended to enable consideration to be given to the Leisure Plan process and the development of a Leisure Centre Business Plan.

In developing a position regarding discounting, consideration has been given to discounts offered throughout government and commercial operations. It is recommended through this report that a 20% discount is offered to seniors, concession cardholders and full-time students.

In order that the cost of providing discounts to a specific segment of the community can be clearly identified, an expenditure of \$75,300 (based on initial estimations) is recommended. By identifying the cost of providing discounted services to this segment of the community, the City will be able to report on the level of concession that is being offered. Accounting for discounted fees and charges as a subsidy against a reimbursement account will enable the financial performance of the Leisure Centres to be more truly measured.

It is recommended that Council:

- 1 *ENDORSES a 20% discount on Memberships, Lifestyle Programs, Single Aquatic Entry and Crèche to seniors, concession card holders and full-time students at the City of Joondalup Leisure Centres;*
- 2 *AGREES that a budget amount of \$75,300 be listed for consideration in the 2005/2006 Draft Budget to account for the 20% discount to seniors, concession card holders and full-time students at the City of Joondalup Leisure Centres;*
- 3 *ENDORSES the seniors, concession card holders and full-time students discount guidelines at the City of Joondalup Leisure Centres being that:*



- *Discounting is offered to persons with any concession card issued by either the State or Commonwealth Government. These cards include the Seniors Card, Centrelink Commonwealth Seniors Health Card, Veterans' Affairs Commonwealth Seniors Health Card, Centrelink Pensioner Concession Card, Veterans' Affairs Pensioner Concession Card, State Concession Card and Valid Transperth Student Card;*
- *Full-time Students are recognised by a valid Transperth endorsed Student Card;*
- *People receiving the discounts are residents or ratepayers of the City of Joondalup;*
- *People seeking the discount are able to present a card, identifying their eligibility at the time of paying for a service;*
- *People would be entitled to a 20% discount for the following services at the City of Joondalup Leisure Centres:*
  - 1 *Membership*
  - 2 *Lifestyle Programmes*
  - 3 *Single Aquatic Entry*
  - 4 *Crèche Entry*

## **BACKGROUND**

In May 2003 (CJ054-03/03 refers) Council considered a new range of fees and charges for memberships and associated programs at the leisure centres. There had been no increase in the Leisure Centre fees and charges for three years prior to this time. The new memberships were intended to align Craigie Leisure Centre with contemporary management of leisure and health facilities. As part of the restructure, off peak memberships were deleted as a membership category.

The list of memberships prior to March 2003 were:

- Off-peak - Swimming, gym and group fitness (limited hours)
- Group fitness – Swimming, gym and group fitness
- Full membership – Swimming, gym and group fitness

The new categories of membership introduced were:

- Membership – Access to gym
- Group fitness membership – Access to aerobics
- Combination membership – Access to gym and aerobics

In the period since the 2003 changes to memberships, there has been improvement in membership numbers, as the centre's management rebuilds from 960 members in March 2003 to 1257 members in May 2005. The change of focus from discounting has not had an impact on the growth of membership numbers as members are now making an informed decision about the facility's features, opening hours, supervision levels, additional services and price when purchasing a membership.

At its 24 June 2003 meeting, Council introduced a 10% discount on memberships and lifestyle courses at the Craigie Leisure Centre to:

*"All new or renewing members of the community who are a resident of the City of Joondalup and in possession of a State or Commonwealth seniors or pension card (Attachment 1)".*

The discount introduced was intended to be an interim measure whilst the City considered all fees and charges for Leisure Centre Programs. The consideration of the fees and charges was to be formed from outcomes of the Leisure Plan and the Leisure Centres' Business Plan. Strong community desire for an earlier decision on this matter has meant that it is not possible to incorporate these two previously identifiable documents in the decision making process.

Current information available does not provide clear indication as to the numbers who could potentially take advantage of these specific discounts at the Joondalup Leisure Centres. The Leisure Centres have a total membership base of 1257, comprising of 94 members aged 60 years and over, the numbers of concession cardholders and full-time students is not known. The 94 members aged 60 years and over comprise of 45 aerobics, 37 gym and 12 combination members. This equates to 7.48% of the Leisure Centres total membership base.

The ABS Census of Housing and Population 2001 states that 8.8% of the City of Joondalup population is over the age of 60. On current estimates this could reach 22% in 2010.

## DETAILS

In order to establish a clear perspective on the types of discounts that might be offered to seniors and concession cardholders, information has been sought from:

- 1 Commercial leisure operation
- 2 Other Local Government Authorities leisure facilities
- 3 Other operations within the City of Joondalup

**Table 1 - Discounts for Seniors and Concession Card Holders at Commercial Facilities**

<b>Program / Service</b>	<b>Discount</b>
Kelmscott Tenpin Bowl	12.5% discount for seniors and concession card holders
Superbowl Warwick	No discount
AMF Morley (Tenpin Bowling)	Seniors receive a 20% discount Students receive an 8% discount
Greater Union	Seniors receive a 32.5% discount Students receive a 22% discount
Grand Cinemas	Seniors receive a 32.5% discount Students receive a 22% discount
Hoyts Cinemas	Seniors receive a 49% discount Students receive a 23% discount
Transperth	Seniors and concession card holders receive over 50% discount on services

A comparison of discounts with local government authorities has been made on memberships, life style courses, aquatic entry and crèche. The level of discounts offered by other local authorities is outlined in table 2 below.

**Table 2 - Seniors and Concession Discounts at Leisure Centre Facilities**

<b>Venue</b>	<b>Memberships</b>	<b>Lifestyle Programmes</b>	<b>Aquatic Entry</b>	<b>Crèche</b>
<b>City of Melville</b>	20% discount for full-time students and pension card holders	10% discount for full-time students and pension card holders	10% discount for full-time students and pension card holders	10% discount for full-time students and pension card holders
<b>City of Stirling</b>	No discount	No discount	30-40% discount for seniors  15-25% discount for concession card holders	No discount
<b>City of Mandurah</b>	Offer a cheaper off peak membership (available to everyone) – seniors receive a 10% discount off this membership	No discount	25% discount for seniors and concession card holders	No discount
<b>City of Rockingham</b>	15% discount off all memberships and casual fitness passes for pension card holders, full-time students, seniors card holders and health care card holders	No discount	25% discount on general pool entry for pension card holders, full-time students, seniors card holders and health care card holders 15% entry on sauna/spa for pension card holders, full-time students, seniors card holders and health care card holders	No discount
<b>City of Belmont</b>	32.5% discount to seniors only on full centre memberships	No discount	25% discount for seniors for general entry to aquatic facilities  12% discount for concession card holders for general entry to aquatic facilities	No discount

<b>Venue</b>	<b>Memberships</b>	<b>Lifestyle Programmes</b>	<b>Aquatic Entry</b>	<b>Crèche</b>
			30% discount for seniors for spa/sauna	
<b>City of Swan</b>	12% discount for concession card holders and students	No discount	20% discount for concession card holders and students	No discount
<b>City of Bayswater</b>	4-17% discount to seniors for one to twelve month membership	No discount	24% discount for seniors for general entry to aquatic facilities  24% discount for students for general entry to aquatic facilities	No discount
<b>Town of Vincent</b>	No discount Off peak packages available	-	26% discount for students 29% discount for concession card holders  26% discount for students for spa/sauna 29% discount for seniors for spa/sauna	No discount
<b>Town of Cambridge</b>	-	-	13% discount for students 30% discount for seniors 20% discount for health care card holders	No discount
<b>City of Canning</b>	14-20% discount for seniors/disability card holders	-		No discount
<b>City of Gosnells</b>	10% discount for seniors/pension card/health care card holders	No discount	12% discount for seniors/pension card/health care card holders	No discount
<b>Arena Joondalup</b>	No discount for gym only entry	No discount	24% discount for pension/ concession card holders and students	No discount

*(NB Fees and charges for sporting competitions are not discounted at any facility.)*

## Senior and Concession Card Discounts available to City of Joondalup Ratepayers

The City of Joondalup presently offers a number of discounted fees and charges to seniors and concession cardholders:

### Dog Registration Fees

The City provides a 50% discount for seniors for all dog registration fees.

### Personal Computing

This service, offered by the City's libraries, attracts a 40% reduction in fees.

### Program Subsidies

Through the establishment and ongoing development of the GOLD programme, the City has shown a commitment to providing reduced cost leisure activities to seniors in our community. The City currently subsidises the GOLD programme at the Joondalup Leisure Centres at a cost of \$8000 per annum.

### Subsidised Use

The City provides free use of its community facilities for senior citizen groups who are ratepayers of the City of Joondalup. This amount is accounted for in the budget and is calculated as a \$485,409 subsidy in the 2003/04 budget.

### Senior Citizens Centres

The City subsidises telephones and hairdressing services for seniors and people with a disability at various City owned buildings.

The information highlighted above indicates that there is no clear direction with regard to discount levels for seniors, concession cardholders and full-time students. Both Local Government Authorities and commercial leisure providers vary greatly in the level and way they offer any discounts. It is also clear that no other local authority considers seniors, concession cardholders and full-time student's in the same manner. Based on this information, a discount of 20% is proposed as an equitable figure, which could be met by the City and is sustainable.

The 20% discounts offered by the City are intended to be on the following services;

- **Membership** - the City offers a range of membership options, group fitness membership and combination membership. Each of these options are available in three, six and twelve month increments.

Single entry gym access is not eligible for a discounted rate

- **Lifestyle Courses** - through the Leisure Centres the City offers a wide range of lifestyle courses on a term basis. Each term is based on the school terms and are 10 weeks in duration. Courses include a wide variety of interest areas such as painting, yoga or literacy. The courses are offered at all three of the City's Leisure Centres.
- **Single pool entry** - access to the swimming pool at the Craigie Leisure Centre is a popular fitness activity. The offer to make available single entry discounts to seniors, concession card holders and full-time students is seen as being one way of enabling enhanced levels of health and fitness in the community.

The City offers multiple entry access to users of the aquatic facility, the purchaser is able to buy multiple entries of 10, 20 or 40 at a reduced rate. There will be no further discount on this type of entry.

- **Crèche Discounts** - In considering the fees and charges architecture for this report, crèche discounts have been considered as seniors may be grandparents with care giving responsibilities and people with concession cards may have children.

### Impact of discounted Leisure Centre fees and charges

The information available at this time does not provide an exact understanding of the likely numbers of people who may access a discounted fee at the leisure centres. The estimation of potential attendances may increase as a result of:

- 1 An awareness of discounts within the community.
- 2 The opening of the new facilities at Craigie Leisure Centre could see greatly enhanced numbers accessing the facility.

In order to provide Council with some indication of what varying levels of discount would cost the City in real terms, an estimation has been made that 15% of the leisure centres market could rightfully access a discounted entry. Table 3 has been developed to highlight the potential cost of varying levels of discounting.

**Table 3 - Estimated Cost of Discounts to City of Joondalup at the Joondalup Leisure Centres**

	10% Discount	15% Discount	20% Discount
Memberships (300 members @ \$625)	\$18,750	\$28,125	\$37,500
Crèche (830 participants @ \$3.00)	\$ 249	\$ 374	\$ 498
Lifestyle Program (613 enrolments @ \$90)	\$ 5,517	\$ 8,276	\$11,034
Single Aquatic Entries (37 500 entries @ \$3.50)	\$13,125	\$19,686	\$ 26,250
<b>TOTAL DISCOUNT</b>	<b>\$37,641</b>	<b>\$56,461</b>	<b>\$75,282</b>

(A 20% discount on a \$625 combination membership would represent a saving of \$125 to the customer)

### Suggested guidelines for discounting to seniors and concession cardholders

In order to develop a sustainable process that offers discounts to residents who are users of the Joondalup Leisure Centres, it is important that clear guidelines be established. The proposed guidelines are outlined below:

- Discounting is offered to persons with any concession card issued by either the State or Commonwealth Government. These cards include the Seniors Card, Centrelink

Commonwealth Seniors Health Card, Veterans' Affairs Commonwealth Seniors Health Card, Centrelink Pensioner Concession Card, Veterans' Affairs Pensioner Concession Card, State Concession Card and Valid Transperth Student Card.

- Full-time Students are recognised by a valid Transperth endorsed Student Card.
- People receiving the discounts are residents or ratepayers of the City of Joondalup.
- People seeking the discount are able to present a card, identifying their eligibility at the time of paying for a service.
- People would be entitled to a 20% discount for the following services at the City of Joondalup Leisure Centres.

- 1 Membership
- 2 Lifestyle Programmes
- 3 Single Aquatic Entry
- 4 Crèche Entry

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

Outcome	The City of Joondalup provides social opportunities that meet community needs.
Objective 1.3	To continue to provide services that meet changing needs of a diverse and growing community.
Strategy 1.3.1	Provide leisure and recreational activities aligned to community expectations, incorporating innovative opportunities for today's environment.
Strategy 1.3.2	Provide quality-of-life opportunities for all community members

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

Not Applicable

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

Current research indicates the City has an ageing population, and with the “Baby Boomer” age group now approaching 45 and above, the major risk associated with offering a discount to seniors is that in future years the cost to the City could increase considerably. The uncertainty of the types of numbers who might take advantage of the offer of a discounted entry fee at the City's leisure centres makes it difficult to budget for the level of discounts in the first instance.

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

<b>Account No:</b>	TBA
<b>Budget Item:</b>	Internal Charges Discounted access to leisure centres (new account)
<b>Budget Amount:</b>	\$
<b>YTD Amount:</b>	\$
<b>Actual Cost:</b>	\$75,300 (estimate)

The City operates and evaluates the leisure centres in a highly accountable manner. The financial performance of the facilities is the primary indicator as to the success or otherwise

of the operation of the facilities. The cost of discounts if borne by the leisure centres would impact on the financial performance of the facilities.

It is therefore sought that the cost of discounts is identified by the City as a social cost with the discount being reimbursed to the Leisure Centre Operations. In order to achieve this outcome it would be necessary for the City to budget expenditure for discounted use of the leisure centres.

**Policy implications:**

Not Applicable

**Regional Significance:**

The provision of a discount to seniors, concession card holders and full-time students is not particularly significant in a regional sense as most local authorities offer some sort of discount to identified segments of their communities. What is considered important is that the City has undertaken a thorough review of the options that might be available and developed a well considered and appropriate direction with regard to the discounts that it proposes to make available.

**Sustainability implications:**

The proposal to offer a 20% discount on selected leisure centre services to seniors, concession card holders and full-time students will:

- address the diverse needs of all sectors of the community;
- have a positive effect on the development of a healthy, equitable, active and involved community;
- have a positive affect on the community access to leisure and recreational services;
- increase the number and /or variety of services available to the community.

By offering a fair discount with clear guidelines and direction, the City is ensuring the sustainability of the concession.

**Consultation:**

As detailed earlier in the report, research has been undertaken within the City of Joondalup, local government authorities and commercial businesses in order to assess the current market with regard to discounts. Community consultation has not been undertaken as it is perceived that they would have a vested interest in maximising the level of discount offered.

**COMMENT**

The issue of discounting access to leisure facilities has always been supported if the programme correctly targets those in the community who need assistance. The provision of a 20% discount to seniors, concession cardholders and full-time students is seen as being advantageous to this section of the community. Whilst not statutory, the provision of discounted service by leisure centres is seen as being beneficial to the development of a healthy, equitable, active and involved community.

The determination to offer a 20% discount is based on comparative information from other local authorities and commercial operations and services. The information provided through the research indicated that there is a diverse range of discounts offered. It was seen as advantageous to offer a common percentage point across the range of services on which a discount may be offered.



In proposing a discounting strategy for selected leisure centre programmes, it is seen as essential that the discounted amount be represented as a social investment by the City. The cost should not contribute to the operational deficit of the leisure centres. Consequently it is proposed that a separate expenditure amount be identified outside of the leisure centres budget in order to meet the cost of discounting the nominated services at the leisure centres.

By proposing a seemingly equitable level of discount, the City is likely to achieve a number of objectives. This would have a positive affect on the community access to leisure and recreational services and increase the number and/or variety of services available to the community. The level of the proposed discount is also sustainable in that it provides a reasonable reduction to the purchaser (a 20% discount on a \$625 combination membership would represent a saving of \$125 to the customer) and based on the expected numbers of community who might take advantage of the option, not overly burden the City's expenditure.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 ENDORSES a 20% discount on Memberships, Lifestyle Programs, Single Aquatic Entry and Crèche to seniors, concession card holders and full-time students at the City of Joondalup Leisure Centres;**
- 2 AGREES that a budget amount of \$75,300 be listed for consideration in the 2005/2006 Draft Budget to account for the 20% discount to seniors, concession card holders and full-time students at the City of Joondalup Leisure Centres;**
- 3 ENDORSES the seniors, concession card holders and full-time students discount guidelines at the City of Joondalup Leisure Centres being that:**
  - Discounting is offered to persons with any concession card issued by either the State or Commonwealth Government. These cards include the Seniors Card, Centrelink Commonwealth Seniors Health Card, Veterans' Affairs Commonwealth Seniors Health Card, Centrelink Pensioner Concession Card, Veterans' Affairs Pensioner Concession Card, State Concession Card and Valid Transperth Student Card.**
  - Full-time Students are recognised by a valid Transperth endorsed Student Card.**
  - People receiving the discounts are residents or ratepayers of the City of Joondalup.**
  - People seeking the discount are able to present a card, identifying their eligibility at the time of paying for a service.**
  - People would be entitled to a 20% discount for the following services at the City of Joondalup Leisure Centres.**
    - 1 Membership**
    - 2 Lifestyle Programmes**
    - 3 Single Aquatic Entry**
    - 4 Crèche Entry**

## **ITEM 21                      RESPONSE TO PROPOSED STATE LAND REDEVELOPMENT AND RENEWAL AUTHORITY**

**WARD:** All

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

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### **PURPOSE**

To advise the Council of the Minister's proposals for a State Land Redevelopment and Renewal Authority provide comments on the proposal as requested by the Minister.

### **EXECUTIVE SUMMARY**

The Minister for Planning and Infrastructure proposes that a single Land Redevelopment and Renewal Authority be established to undertake specific regional or urban projects in Western Australia. The Minister has outlined two models for the establishment of the new authority and has presented these in a consultation paper. The Western Australian Local Government Association (WALGA) have been briefed on these models as presented by the Minister and have formed a CEO Reference Group consisting of a number of local governments. WALGA has also prepared a discussion paper highlighting a range of issues for consideration.

The Minister's preferred approach is model one which incorporates LandCorp. The proposed Land Redevelopment and Renewal Authority has the potential to have some impact on the City, however, the information provided at this stage is limited. In view of this, it is recommended that the Minister be advised of the City's conditional support for the concept, subject to a number of issues being given further extensive consultation by local governments. The Minister is seeking a response to these proposals by 30 June 2005.

### **BACKGROUND**

The Minister for Planning and Infrastructure proposes that a single land redevelopment and renewal authority be established to undertake specific regional or urban projects in Western Australia.

The Minister has invited input from individual Local Governments and Western Australia Local Government Association (WALGA) on the establishment of the proposed authority. The Minister's intention is to have an agreement on the establishment of the authority, endorsed by Cabinet by 30 June 2005 and the necessary legislation through Parliament in December 2005. A Consultation Paper (Attachment 1 refers) has been prepared by the Minister's office briefly outlining the proposed models.

The Minister has indicated that she is pursuing an iterative process that will allow an optimum model to be developed through on-going dialogue with stakeholders. The two models are being considered as the basis for discussion and submission. It is now understood that the Minister is seeking responses to these proposals by 30 June 2005. To assist in this process, WALGA have prepared a discussion paper (Attachment 2 refers), which highlights a range of issues for consideration. While the discussion paper prepared by WALGA does not suggest the position that Local Government should take on this matter, it does conclude that the establishment of a Land Redevelopment and Renewal Authority is considered to be worthy of "in principle" support. At its recent meeting, WALGA State Council resolved to advise the Minister of its concern over the lack of consultation with Local

Government and its endorsement of the issues paper referred to above for submission to the Minister. It also resolved to indicate its preparedness to continue working on the establishment of such a authority subject to the issues identified in WALGA's issues paper being addressed and WALGA seeking to engage the Minister during the development of the authority concept to ensure that identified issues are resolved to the satisfaction of Local Government.

The complete wording of the WALGA State Council Resolution is included in Attachment 3.

## **DETAILS**

The Minister has outlined two models for the establishment of the new authority. Copies of the models are included as Attachment 4. Both models involve the creation of a "Global Board", and "Individual Project Boards". The East Perth Redevelopment Authority (EPRA) and the Subiaco Redevelopment Authority (SRA) would be incorporated into this new authority, whilst the Midland Redevelopment Authority and the Armadale Redevelopment Authority would remain as separate authorities under the Minister's proposal. The difference between the two models is that Model 1 incorporates LandCorp into the authority and creates an "Urban Renewal Division", whilst Model 2 retains LandCorp as a separate agency. Model 1 is the Minister's preferred model.

The reasons given by the Minister for establishing the authority include:

- creating a single pool of expertise resulting in better use of personal and resources;
- provision of a pool of staff that could provide advice to stakeholders on urban renewal;
- possible use of redevelopment authorities to undertake other urban renewal projects; and
- creation of urban renewal division focusing on brown filled development and infill projects.

In briefings to Local Government representatives, arranged by WALGA, the Minister acknowledged that there had not been a substantial amount of analysis undertaken to support proposed models and that she welcomed advice and input on improvements to the proposed arrangement. The discussion paper prepared by WALGA (Attachment 2 refers) provides a brief outline of the current arrangements with LandCorp and a number of redevelopment authorities.

The following is a brief overview of the major aspects of the proposed Authority.

### **The Global Board**

Both models presented by the Minister have a Global Board. This Board would be selected to incorporate skills set seen on the existing redevelopment authority boards and the board of LandCorp. Those skills sets relate to business, urban planning, sustainability, finance, property development, housing and community affairs.

The governing board will be responsible for :

- strategic governance
- business planning
- finance – including business cases and feasibility studies

- undertaking, promoting and coordinating the redevelopment of land in the redevelopment areas

All statutory planning however would rest with the Individual Project Boards.

The size of the global board is yet to be determined. Membership will be by Ministerial appointment and consideration is being given to a 7 or 9 member board, with at least one member also being a member of the WA Planning Commission. This board will report to the Minister of Planning and Infrastructure. It is unclear if the membership of the board proposed by the Minister includes representation of Local Government.

### **Urban Renewal Division**

Model 1 as proposed establishes an Urban Renewal Division. This division would allow for planning powers over legislative precincts. The Minister has indicated in her briefing that the legislation for establishing the authority would provide for the creation of more redevelopment authorities through enabling regulations, which would be subject to parliamentary review. At this stage however, the proposed model would only include the two-redevelopment authorities being East Perth and Subiaco.

The Urban Renewal Division would be responsible for servicing the Project Boards. The division would employ the staff engaged in project planning and implementation and is proposed to exercise planning powers within a declared project area, as well as being the developer.

### **Individual Project Board**

Individual Project Boards will be established under the Urban Renewal Division. When a project area has been declared, a Project Board will be established. The Board is to have a membership of:

- two local Councillors
- two Board Members of WA land redevelopment and land authority (new agency)
- one other member

### **LandCorp Division**

The Minister's preferred Model 1 includes LandCorp as a division of the authority. LandCorp would be a separate business unit within the model and not have planning powers. Its staff however will be engaged by the larger entity and available to work on projects.

The preferred proposed model, being LandCorp has a division, is seen as the Minister as having significant additional benefits in terms of :

- benefits of projects boards being able to access the combined and skills and expertise of existing Landcorp and EPRA staff;
- the expected improvement in staff morale and retention due to the increased security of employment and enhanced career opportunities.

**Financial Arrangements**

The Minister proposes that where a Local Government has an interest in a redevelopment area, whether as a land owner or a contributor of funds to the redevelopment, the financial arrangements will be the subject of a legally binding agreement between the State and the Local Government. Such an agreement would cover detailed arrangements including timeframes for releasing dividends.

**Site Selection**

The Minister's Consultation Paper makes reference to the Government's intention to not have more than 3 or 4 new precincts under way at any one time. The paper refers to the issues that would be considered relevant to site selection and they include:

- presence of large public land holdings;
- boarder strategic significance of the site – especially in relation to transport subs and corridors;
- contamination and remediation responsibilities;
- impacts beyond the Local Government area.

**Link to Strategic Plan:**

The proposed models do not indicate how they would be linked to the Strategic Plans of each local government.

**Legislation – Statutory Provisions:**

The implementation of such a proposal would result in new legislation. It is not clear how the new Authority, as proposed, would like to existing legislation.

**Risk Management considerations:**

A major risk for the City will be the loss of control over the development of its land assets.

**Financial/Budget Implications:**

Not Applicable

**Policy implications:**

Not Applicable

**Regional Significance:**

The implementation of such an Authority is likely to have a regional impact.

**Sustainability implications:**

The sustainability implications of the proposed models are unclear from the information provided.

**Consultation:**

The Minister has consulted with all local Governments and WALGA . The timeframe has been short and the information provided has been limited.

## COMMENT

The proposal to establish a Western Australian Land Redevelopment and Renewal Authority could have some merit, although the reasons put forward for its establishment and the supporting information is limited. There are numerous issues which need to be considered and a clear position on those issues established before it is possible to give complete support to such an authority.

The discussion paper prepared by WALGA (Attachment 2 refers) highlighted numerous issues which need to be considered. These issues range from whether the model put forward is appropriate, and whether there are other models which could be considered to a number of operational concerns of the model proposed and development authorities in general.

A matrix of issues has been prepared as a result of the CEO Reference Group meetings and the responses prepared by various local governments. A copy of the matrix is attached (Attachment 5 refers).

From the City's perspective, there are a number of issues that are considered important, particularly as such authority has the potential to become involved in land owned, or currently controlled by the City. These issues are:

1 Purpose of authority

There is a need to clarify the role of such of the authority and when and where the powers are to be used.

2 Representation of Local Government

It is important that Local Government be cast in a partnership role within the various elements of the authority. The Local Government should be able to choose its representatives on the various project boards and consideration needs to be given as to how the representatives can report the proceedings back to the Council.

3 Operations of the Authority and Individual Project Boards

This issue deals with the extent of authority of each of the elements of the proposed models. The potential for conflict exists where the Urban Renewal Division and Individual Project Boards, as proposed, have both development and planning powers. Greater clarity also needs to be given to the extent of community involvement in the processes of both the Urban Renewal Division and the Individual Project Boards. It is not clear how Individual Project Boards will have regard to the Local Government's Strategic Plan and Planning Scheme. These matters need to be addressed in any charter establishing the Authority and its component parts.

4 Life of Individual Project Boards

Individual Project Boards should have a finite life after which time the project is handed back to the local government. The dissolution agreement and/or normalisation agreement needs to be in place and very clear at the inception of the project.

5 Funding Arrangements

Its not considered appropriate that the authorities establish an Individual Project Boards over land owned by the local government without its consent. Any funding arrangements coming out of an agreement to proceed with a local Project Board

should be comprehensive and with the agreement of all parties including the landowner.

6 Involvement of Local Government and State Government Agencies in the Processes of Individual Project Boards

Greater clarity is needed in terms of how the local government will be engaged in the process of the Urban Renewal Division and Individual Project Boards. Of equal concern is the potential for duplication of the work of the WA Planning Commission and other agencies such as the Environmental Protection Authority.

### Conclusion

There are numerous issues, which need to be carefully considered before it is possible to fully endorse the proposed concept of the State Land Redevelopment Renewal Authority. The issues listed above only represent a small part of what needs to be considered to develop an authority and its component parts in a way that will provide confidence and value to local government and its community.

It is therefore recommended that the Council advises the Minister Planning and Infrastructure of its conditional support for the concept of a Land Redevelopment Renewal Authority subject to the matters raised in this report being given serious consideration and resolution.

### ATTACHMENTS

Attachment 1	Consultation Paper – Outline of Proposed Redevelopment Agency
Attachment 2	Discussion Paper – Ministerial Proposal to Establish a WA Redevelopment and Renewal Authority
Attachment 3	WALGA State Council Resolution
Attachment 4	Model One and Model Two
Attachment 5	Matrix of Issues identified in the WALGA Issues Paper and additional issues submitted by Local Government

### VOTING REQUIREMENTS

Simple Majority

### RECOMMENDATION

**That Council ADVISES the Minister Planning and Infrastructure:**

- 1 of its conditional support for the concept of a land redevelopment renewal authority subject to the matters raised in this report being given serious consideration and resolution prior to the establishment of such an Authority;**
- 2 of the need for further extensive consultations with Local Government to ensure that the Authority is established in a way that can add value to the development process and the community.**

*Appendix 17 refers.*

To access this attachment on electronic document, click here: [Attach17brf210605.pdf](#)

**ITEM 22                    ACID SULPHATE SOILS – [21105]****WARD:**                    All**RESPONSIBLE**            Mr Clayton Higham  
**DIRECTOR:**              Director Planning and Community Development

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**PURPOSE**

To present Council with the final recommendations and findings into the City's investigation into Acid Sulphate Soils, and request endorsement of these recommendations.

**EXECUTIVE SUMMARY**

In light of growing community concern, and in response to the Council resolution of the meeting of 22 February 2005, research into management of Acid Sulphate Soils (ASS) for developments in the City of Joondalup was initiated. A series of reports have been presented to Council providing interim advice on the results of investigation by the project officer on ASS.

Following a period of comment and consultation three (3) recommendations have been added to those contained within the interim report for consideration by the Council.

Whilst ultimately managing the risk associated with ASS rests with the owner/developer of land, along with the financial and legal responsibility for any harm, the City must ensure it has sufficient processes in place to ensure that development is managed in such a way as to ensure the environmental, social, economic and public health implications of disturbing ASS are protected. The recommendations made in this report assist in achieving this end, however as ASS is an issue involving many stakeholders and crossing traditional State government departmental boundaries and needs awareness and response on an industry wide basis. The issues raised in the ASS series of reports cannot be solved by this local government in isolation and as such will be elevated to the Western Australian Local Government Association (WALGA) to lobby for change at a state level.

The final recommendations are as follows:

- 1        That the Council raise the issue as a priority for consideration by the WALGA State Council. The report is to include the need for WALGA to lobby for the endorsement of a statewide, whole-of-government approach to the responsible use and management of acid sulphate soils and to encourage coordination and collaboration between state and local government authorities, industry and the community
- 2        That, the COJ work with the DoE to develop a local planning policy. This policy will have the objectives of ensuring that development on land suspected to contain ASS is planned and managed to avoid potential adverse effects on the natural and built environment. This policy will include a more rigorous self-assessment tool, and will include the need for development involving excavation in areas deemed at risk by the City to undertake a soil assessment process.
- 3        That the Council request the relevant regional stakeholders including City of Wanneroo, Department of Conservation and Land Management, Yellagonga Catchment Group, Swan Catchment Council and the Friends of Yellagonga, to formally request the DoE to determine the extent to which wetlands on Gnangara



- mound are underlain by ASS and the depth at which pyrite occurs as a matter of urgency and the Environmental Water Provisions for the wetlands adjusted to protect the environmental values of the wetlands within the region.
- 4 That the Council request the State government to develop guidelines for managing the location and use of domestic garden bores in areas potentially underlain by ASS to prevent groundwater acidification and contamination.
  - 5 That the Council work in conjunction with the Department of Health in developing education material for the public about the risks of using untreated groundwater and to promote the regular testing of privately owned bores for acidity, arsenic and heavy metals.
  - 6 That the Council request the DoE to provide ongoing professional development training to officers of the City of Joondalup in the identification, assessment and best practice management of ASS.
  - 7 That the Council recognises its role as a developer of public land e.g. roads, infrastructure etc, and develops procedures to ensure development of land containing acid sulphate soils is planned and managed to avoid potential adverse effects on the natural and built environment and ensure protection of human health.
  - 8 To identify the City of Wanneroo as an important partner due to the sharing of the lakes system and that the Council raise the issue as a priority for consideration by the City of Wanneroo.
  - 9 That the Council requests the DoE and other relevant state government agencies to pursue the disclosure of ASS risk areas on future title deed transferrals.

## **BACKGROUND**

Community concern in relation to Acid Sulphate Soils was triggered as a result of recent consideration by Council for a development on a site adjacent to the Yellagonga Regional Park. In particular concern was raised in relation to the process of assessment for ASS for the proposed development, in relation to the Western Australian Planning Commission (WAPC) Planning Bulletin 64 – ASS, self assessment form and the perceived rigour and appropriateness of this process.

The Sustainability Advisory Committee (SAC) at its meeting of the 10 February 2005 discussed this issue and deemed that a transparent and independent process was necessary.

The minutes of this meeting were considered by Council at its meeting of the 22 February 2005. It was resolved at this meeting that Council:

- “2 *REQUESTS the CEO to submit a further report to the ordinary meeting of the Council held on the 15 March 2005 addressing the concerns raised by the Sustainability Advisory Committee pertaining to acid sulphate soils; and*
- 3 *INITIATES appropriate research into the matter of Acid Sulphate Soils considering the issues raised by the SAC and seeks input from the Western Australian Local Government Association, Department of Planning and Infrastructure and other relevant state government agencies.”*

On 15 March 2005, CJ13-03/05 was presented to Council advising of action undertaken to that time in relation to concerns raised by the SAC. The report served to provide an indication of the issues that will be addressed and the consideration and data collection that needed to occur. At this meeting it was resolved that:

*“MOVED Cmr Anderson, SECONDED CMR Fox that Council NOTES the interim report on Acid Sulphate Soils and the intention of the Chief Executive Officer to submit a further report to the 5 April meeting of Council.”*

At the meeting 5 April 2005, report CJ062 – 04/05 Acid Sulphate Soils – Interim Report 2 was submitted to Council. The report served to provide Council with interim advice and preliminary recommendations regarding investigations into Acid Sulphate Soils. Investigation revealed bigger challenges faced not only by the City of Joondalup but other Western Australian Local Government Authorities in relation to Acid Sulphate Soils, further to the applicant self assessment process which was the original focus of the required investigation.

The report served to advise on the preliminary recommendations identified as a result of this investigation with the various stakeholders (Department of Planning & Infrastructure, Department of Environment, Western Australian Local Government Association, other Local Government Authorities and the Swan Catchment Council) consulted as a result of the council resolution. The preliminary recommendations presented in the report were as follows:

- (i) That the City raise the issue with WALGA to lobby for the endorsement of a state-wide, whole-of-government approach to the responsible use and management of acid sulphate soils and to encourage coordination and collaboration between State and local government authorities, industry and the community;
- (ii) That, given the ASS risk maps do not provide with certainty the location of ASS, until detailed soil mapping has been undertaken the DoE and a comprehensive policy response to acid sulphate soils is prepared and released by the WAPC, the COJ work with the DoE to develop a local planning policy. This policy will ensure that development on land suspected to contain ASS is planned and managed to avoid potential adverse effects on the natural and built environment. This policy will include a more rigorous self assessment tool, and will include the need for development involving excavation in areas deemed at risk by the City to undertake a soil assessment process;
- (iii) That the City engage partners City of Wanneroo, Department of Conservation and Land Management, Yellagonga Catchment Group, and Friends of Yellagonga Regional Park to lobby the DoE to determine the extent to which wetlands on Gnangara mound are underlain by ASS and the depth at which pyrite occurs as a matter of urgency and the Environmental Water Provisions for the wetlands adjusted to protect the environmental values of the wetlands within the region;
- (iv) That the City lobby the State government to develop guidelines for managing the location and use of domestic garden bores in areas potentially underlain by ASS to prevent groundwater acidification and contamination;
- (v) That the City of Joondalup work in conjunction with the DoE in developing education material for the public about the risks of using untreated groundwater and to promote the regular testing of privately owned bores for acidity, arsenic and heavy metals;

- (vi) That the City engage the DoE to provide ongoing professional development training to officers of the City of Joondalup in the identification, assessment and best practice management of ASS.

At this meeting it was resolved that:

*“MOVED Cmr Anderson, SECONDED Cmr Clough that Council:*

- 1 NOTES the contents of this interim report CJ062 –04/05;*
- 2 NOTES a final report will be presented to Council following comment from the appropriate stakeholders within the City of Joondalup, including the Sustainability Advisory Committee, concluding the final recommendations and findings of the City’s investigation into Acid sulphate soils.”*

## **DETAILS**

### Activity in relation to ASS since previous Council Meetings:

Shortly following the Council Meeting of the 15 March, Dr Steve Appleyard of the Department of Environment presented to the Sustainability Advisory Committee on ASS. The presentation aimed to better inform Committee members, staff and the local community group representatives on this issue.

Further developments since the Council meeting of the 5 April include the issue of acid sulphate soils becoming an industry issue as distinct from a Joondalup specific issue. This is evidenced by the ASS - interim report prepared by the City being released by the Western Australian Local Government Association as an example of a Council perspective on ASS, in an effort to generate comment from other Local Government authorities on the Department of Environment’s Proposed Framework for managing ASS in WA. As the management implications of the draft framework for local government, as well as the consequences of ASS disturbance are significant, the DOE have extended the submission deadline on the proposed framework so that WALGA can provide local government with further opportunity to comment. The previous comment period on the paper received little feedback from Local Government.

The City has also obtained the current Acid Sulphate Soils risk maps in a digital format data from the Department of Environment to enable more accurate identification of sites that may be of a potential ASS risk. The data can be used to overlay digital photography, cadastral boundaries and topography layers to assist on identification of sites at risk in the absence of definitive soil testing. This will enable alerts to be placed against properties so that when planning applications are received these matters are identified immediately.

### Outcomes from Comment and Consultation period

Subsequent to the resolution of the Council Meeting of the 5 April the ASS Interim Report 2 was released for comment for a period of 28 days from 11 April – 11 May 2005. The report was forwarded to:

- City of Joondalup Sustainability Advisory Committee
- City of Wanneroo
- Western Australian Local Government Association
- Department of Conservation and Land Management
- Swan Catchment Council
- Friends of Yellagonga
- Southward Ratepayers and Electors Association

- Yellagonga Catchment Group
- Urban Bushland Council (through Friends of Yellagonga)

The report was also placed on council website inviting public comment. Four (4) submissions were received.

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

Upon consideration of the interim report the following issues were identified as requiring further action in regard to ASS. These are listed as follows:

- 1 The City needs to be identified as a developer of public land eg roads, infrastructure etc, and must ensure internal process to prevent disturbance of land in potential or actual ASS areas.
- 2 If there are any potential/or real ASS issues within the City of Wanneroo, Joondalup will be affected due to the flow of groundwater. The need to identify the City of Wanneroo as an important partner due to the sharing of the lakes system is required and that the City will need to raise the issue as a priority for consideration by the City of Wanneroo.
- 3 Recommendation ii – Need to research and map the potential affected ASS areas to more accurately determine those properties at risk.
- 4 Recommendation iv – Suggest development of baseline data to establish baseline levels. Need to seek input from DOE to ascertain who will do it, establishment of a budget for testing and monitoring.
- 5 Recommendation v – COJ should work with Department of Health not DOE in developing public health related material.

Results of external consultation are contained within attachment 1 – schedule of submissions, and are discussed in the comment section of this report.

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

Aligns with the City's Key Focus Areas of Community Wellbeing and Caring for the Environment

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

Western Australian Planning Commission – Planning Bulletin 64 – Acid Sulphate Soils  
Town Planning & Development Act 1928  
Environmental Protection Act 1986  
Health Act 1911

#### **Risk Management Considerations:**

As with the activity of all public authorities, the Council may be challenged at any time about the manner in which it provides services to the community. The recommendations made in this report assist in developing best practice (as far as is possible) to minimise the risk of challenge to the Council. As ASS is a multi-dimensional issue involving many stakeholders and crossing traditional state government departmental boundaries, it needs coordination and lobbying at a state level. Many of the issues raised in the ASS series of reports cannot be solved by this local government in isolation and as such will be elevated to WALGA to lobby for change at a state level.

Economic ramifications of disturbing acid sulphate soils include liabilities in relation to clean up of lands vested in the City in relation to the draft Contaminated Sites Act, costs associated with corrosion of concrete and steel infrastructure by acidic soil and water. Other potential financial implications include loss of land values in areas affected by ASS.

It should be noted that the Department of Environment advise that the cost of ASS disturbance for the City of Stirling has been twenty five (25) million dollars thus far. In comparison however is the relative ease and comparatively smaller costs involved in carrying out the specific testing for determining the presence of acid sulphate soils in the first instance. The DPI have however cautioned against broad scale testing requirements by the development industry due to anticipated high costs.

**Financial/Budget Implications:**

The majority of action required as a result of these suggested recommendations will be in human resource usage with little or no budget implications.

**Policy implications:**

With respect to preliminary recommendation (ii), it is noted that this recommendation will have policy implications given the recommendation that the City will work with the Department of Environment to develop a local planning policy to ensure that development on land containing acid sulphate soils is planned and managed to avoid potential adverse effects on the natural and built environment.

A proposed method of community engagement for a new local policy on ASS needs to be developed and will be subject of a subsequent report to the Council.

**Regional Significance:**

The management of acid sulphate soils has regional significance due to the natural systems that it may impact upon such as wetland hydrology, biological systems and abiotic conditions (soils etc). These natural systems require a regional approach to the management of acid sulphate soils because they are not confined to local government boundaries.

The City of Joondalup and the City of Wanneroo have proposed a process to develop an Integrated Catchment Plan (ICM) for the Yellagonga Catchment. The ICM will provide a regional approach to manage issues such as acid sulphate soils with the aim of improving the health of the wetlands in Yellagonga Regional Park.

**Sustainability implications:**

The potential public health, environmental, financial and social implications of disturbing ASS is listed as follows.

Potential public health implications include:

- High concentrations of arsenic in groundwater pose a health risk for garden bore users.
- Acidification of surface water bodies commonly increases mosquito breeding, leading to possible outbreaks of mosquito borne disease.

Potential environmental implications include:

- Fish kills;
- Loss of biodiversity in wetlands; and
- Contamination of surface water and groundwater resources.

Potential financial implications include:

- Loss of land values in areas affected;
- Costs associated with corrosion to concrete and steel infrastructure by acidic soil and water and ongoing maintenance costs; and
- Potential legal costs either directly to the city or to developers and residents wishing to purchase land that is affected.

Potential social implications include:

- Loss of aesthetic amenity;
- Duty of care for the city to its residents to be aware and restrict development of affected land; and
- Purchase of land/property without knowledge of acid sulphate soil risk and the need to ensure future title deed transferrals require disclosure of the acid sulphate soil risk.

The recommendations contained within this report will assist in ensuring these sustainability implications of development of land containing acid sulphate soils is planned and managed to avoid potential adverse effects on the natural and built environment and ensure protection of human health.

### **Consultation:**

The report was open for comment for a period of 28 days. The report was forwarded to:

- City of Joondalup Sustainability Advisory Committee
- City of Wanneroo
- Western Australian Local Government Association
- Department of Conservation and Land Management
- Swan Catchment Council
- Friends of Yellagonga
- Southward Ratepayers and Electors Association
- Yellagonga Catchment Group
- Urban Bushland Council (through Friends of Yellagonga)

The report was also placed on Council website inviting public comment. The submissions received are contained in attachment 1.

The Sustainability Advisory Committee provides a significant forum for community consultation and engagement. All members of the Committee are from the City of Joondalup community and are active in the field of sustainability. This provides a unique resource for the City to utilise for the provision of information and expertise to Council on matters relating to sustainability within the scope of the Committee's terms of reference.

### **COMMENT**

All of the submissions received were supportive of the intent of the City to manage ASS effectively with in the City.

The research and important contribution of the Southward Ratepayers and Electors' (SWREA) Association on this issue is also recognised.

It is noted that the SAC consider planning and future developments particularly important and it was agreed by the committee that Council must ensure, wherever possible that sufficient planning processes are in place. The development of a local planning policy specifically for the City will assist in achieving this end.

Of concern, however, is the lack of response from some key stakeholders in the issue. Given the east–west groundwater flows with Yellagonga Regional Park, there are potential implications of ASS generating activities occurring in neighbouring local governments and affecting the City of Joondalup. As a result a further recommendation has been added to identify the City of Wanneroo as an important partner due to the sharing of the lakes system and that the issue is raised as a priority for consideration by the City of Wanneroo.

A number of further issues raised during the consultation period are acknowledged and as such have resulted in further recommendations added for Council endorsement. These are discussed below:

- 1 The need to identify the City and its contractors as a developer of public land and as such it must be ensured that there are adequate processes in place to prevent the disturbance of land in potential or actual ASS areas. To this end, a further recommendation has been added specifying investigation and documentation in this area.
- 2 The SAC identified the need to ensure that any purchase of private or public land/property with a possible ASS risk is disclosed on title deed transfers. This issue is supported and forms a new recommendation.
- 3 The need for an assessment/health check of the wetlands in their current state. It is suggested that ground water testing is undertaken to ascertain the current extent of the acidification issue arising from drainage into the lake systems, and from increasing groundwater abstraction. This will establish levels and give some indication of hotspots and/or baseline levels, which will provide information on possible threats to environmental sensitivity, biodiversity and public health.
- 4 The need to work with the Department of Health in relation to development of education materials in regard to the risk of using untreated groundwater, as this is a public health issue. It is noted that the referral to DOE in the preliminary recommendations was in fact an error, and should have been the Department of Health. To this end, the final recommendations have been amended to reflect this intent.

With regard to point 3 above, it is recognised that given the low level of awareness of ASS there is likely to be some vulnerable areas already disturbed and causing environmental problems yet to be recognised. There is the possibility of health, environmental and infrastructure problems unless these areas are identified and rehabilitated. The City of Joondalup and the City of Wanneroo have proposed a process to develop an Integrated Catchment Plan (ICM) for the Yellagonga Catchment. The ICM will provide a regional approach to manage issues such as acid sulphate soils with the aim of improving the health of the wetlands in Yellagonga Regional Park and includes the requirement for an assessment as to the current status of the wetlands.

Whilst ultimately managing the risk associated with ASS rests with the owner/developer of land, along with the financial and legal responsibility for any harm, the City must have sufficient processes in place to ensure that development is managed in such a way as to avoid any environmental, social, economic or public health implications of disturbing ASS.

The recommendations made in this report assist in achieving this end, however as ASS is a multi-dimensional issue involving many stakeholders and crossing traditional state government departmental boundaries, it needs coordination and lobbying at a state level. Many of the issues raised in the ASS series reports cannot be solved by this local government in isolation and as such will be elevated to WALGA to lobby for change at a state level.

## **ATTACHMENTS**

Attachment 1            Schedule of Submissions

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That Council ENDORSES the final recommendations and findings of the City's investigation into Acid Sulphate Soils. The recommendations are as follows:**

- 1        Council raises the issue as a priority for consideration by the Western Australian Local Government Association State Council. The report is to include the need for WALGA to lobby for the endorsement of a statewide, whole-of-government approach to the responsible use and management of acid sulphate soils and to encourage coordination and collaboration between state and local government authorities, industry and the community;**
- 2        the City of Joondalup work with the Department of Environment to develop a local planning policy. This policy will have the objective of ensuring that development on land suspected to contain ASS is planned and managed to avoid potential adverse effects on the natural and built environment. This policy will include a more rigorous self-assessment tool and will include the need for development involving excavation in areas deemed at risk by the City to undertake a soil assessment process;**
- 3        Council request the relevant regional stakeholders including City of Wanneroo, Department of Conservation and Land Management, Yellagonga Catchment Group, Swan Catchment Council and the Friends of Yellagonga, to formally request the Department of Environment to determine the extent to which wetlands on Gnangara mound are underlain by ASS and the depth at which pyrite occurs as a matter of urgency and the Environmental Water Provisions for the wetlands adjusted to protect the environmental values of the wetlands within the region;**
- 4        Council request the state government to develop guidelines for managing the location and use of domestic garden bores in areas potentially underlain by ASS to prevent groundwater acidification and contamination;**
- 5        Council work in conjunction with the Department of Health in developing education material for the public about the risks of using untreated groundwater and to promote the regular testing of privately owned bores for acidity, arsenic and heavy metals;**
- 6        Council request the Department of Environment to provide ongoing professional development training to officers of the City of Joondalup in the identification, assessment and best practice management of ASS;**



- 7 Council recognises its role as a developer of public land eg roads, infrastructure etc, and develops procedures to ensure development of land containing acid sulphate soils is planned and managed to avoid potential adverse effects on the natural and built environment and ensure protection of human health;**
- 8 to identify the City of Wanneroo as an important partner due to the sharing of the lakes system and that the Council raise the issue as a priority for consideration by the City of Wanneroo;**
- 9 Council requests the Department of Environment and other relevant state government agencies to pursue the disclosure of ASS risk areas on future title deed transferrals.**

*Appendix 18 refers.*

*To access this attachment on electronic document, click here: [Attach18brf210605.pdf](#)*

- 7 REPORT OF THE CHIEF EXECUTIVE OFFICER**
  
- 8 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
  
- 9 BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS**
  
- 10 OUTSTANDING PETITIONS**
  
- 11 REPORTS/PRESENTATIONS REQUESTED BY COMMISSIONERS**

## BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS

### AMENDMENT TO CITY'S STANDING ORDERS LOCAL LAW (ex CJ307-12/02 – ANNUAL GENERAL MEETING OF ELECTORS)

- 2(a) Motion 1 (*requesting Council to make the various changes to public question time*) be considered as part of the further review of the City's Standing Orders Local Law:

#### COUNCIL'S MEETING CYCLE – ex CJ195-08/04

- “4 during the next review of the City's Standing Orders Local Law REQUEST a report be provided to the Council on whether Briefing and Strategy Sessions can be formally recognised in the Standing Orders Local Law but with flexibility as to the procedures that would apply.”

**Status: A further review of the Standing Orders Local Law is being undertaken. A draft version of the Standing Orders Local Law 2005 was submitted to the City's solicitors. A draft of the Standing Orders has been circulated to the Commissioners for information.**

**A report was to be presented to the Strategy Session that was scheduled to be held on 14 June 2005, but the session was cancelled. A report will be presented to the Strategy Session on 5 July 2005. It is anticipated that the local law will be circulated for public comment during August/September 2005. A report will then be presented to Council for final adoption.**

### MEETING OF THE POLICY MANUAL REVIEW COMMITTEE HELD ON 18 SEPTEMBER 2003 – ex CJ213-09/03

- “3 DEFERS consideration of:
- (a) Policy 2.5.1 Commercial Usage of Beachfront and Beach Reserves – as detailed in Attachment 2 to Report CJ213-09/03 pending a further report being presented to the Policy Manual Review Committee incorporating additional recommendations;
  - (c) Policy 2.6.4 – Environmental Sustainability – as detailed in Attachment 2 to Report CJ213-09/03 pending referral to the Environmental and Sustainability Committee for consideration;”

**Status: Reports will be submitted to the Policy Committee. It is anticipated that the Policy Committee will meet on an on-going basis.**

**An internal review of the existing policies of the Council has commenced in accordance with the decision of Council dated 26 April 2005. It is anticipated that this review will be completed by the end of June 2005, with a report to be presented to the Policy Committee during the month of July 2005.**

**REVIEW OF THE POLICY MANUAL (ex Briefing Session 11 May 2004)**

Comr Smith requested that the following comment, from the Minutes of the Sustainability Advisory Committee meeting held on 29 April 2004, be taken into consideration within the proposed review of the Policy Manual:

*“General Business - Mr Carstairs indicated that it was important to ensure that sustainability issues are embedded into Council policy during the next 12 months to ensure ongoing sustainable outcomes in the City. Mr Carstairs believes that it is important to identify targets, outcomes and timeframes to implement these to ensure the best sustainability outcomes in the future.”*

**Status: These matters will be referred to the newly formed Policy Committee. It is anticipated that the Policy Committee will meet on an on-going basis.**

**An internal review of the existing policies of the Council has commenced in accordance with the decision of Council dated 26 April 2005. It is anticipated that this review will be completed by the end of June 2005, with a report to be presented to the Policy Committee during the month of July 2005.**

**POLICY REVIEW - ex CJ064-04/05**

“4 ADOPTS a new policy to replace Policy 2.3.1, based on the Council policy framework in Attachment 1 to Report CJ064-04/05, and that policy to include reference to the Policy Committee and its terms of reference;”

**Status: These matters will be referred to the newly formed Policy Committee. It is anticipated that the Policy Committee will meet on an on-going basis.**

**An internal review of the existing policies of the Council has commenced in accordance with the decision of Council dated 26 April 2005. It is anticipated that this review will be completed by the end of June 2005, with a report to be presented to the Policy Committee during the month of July 2005.**

**MAYOR D CARLOS (SUSPENDED) – REQUEST FOR PAYMENT OF MAYORAL ALLOWANCE – ex CJ118-06/04**

“that no determination is made on this matter at this time and the item be DEFERRED until the McIntyre Inquiry completes its deliberations and issues a Report.”

**Status: A report will be submitted following the completion of the McIntyre Inquiry.**

LANDSCAPING PLANS FOR JOONDALUP REGIONAL CULTURAL FACILITY AND REDESIGN OPTIONS OF COUNCIL CHAMBER (ex CJ248-11/04 – JOONDALUP REGIONAL CULTURAL FACILITY SITE ACQUISITION)

- “3 REQUIRE that a report detailing forward landscaping plans for the site be prepared for consideration of Council taking into account the cultural and performing arts needs of the community, which will be assessed through a collaborative consultation process involving educational institutions, performing arts groups, arts consultants and other stakeholders;
- 5 REQUIRE an urgent review be conducted and interim report prepared and presented at the December 2004 Council meeting with regard to the costs and options of redesigning the Council Chamber to meet the provisions of the Governance Review and allow for greater availability and usage for performing arts and other community events.”

**Status: In relation to Point 3, consultation will take place as soon as is practicable following the finalisation of the purchase of the site which requires the lot to be formally subdivided. It is envisaged that a report will be submitted to Council once the purchase has been finalised.**

**In relation to Point 5, a meeting has been held with architects to discuss possible project plan options. Concept plans and costings are being finalised to present to the Council. It is anticipated that these designs will be finalised and presented during the month of July 2005.**

**RELEASE OF REPORT OF THE FORENSIC AUDITOR – ex C70-11/04**

“That due to questions and motions raised at the Annual Meeting of Electors held on 22 November 2004, the Joint Commissioners CONSIDER releasing, at the Council meeting immediately following receipt of the information outlined below, the report of the Forensic Auditor into the employment contract of the former Chief Executive Officer that is currently marked confidential subject to:

The Acting CEO being requested to contact the following for comment on this proposed course of action, asking them to provide any information they consider should be taken into account by the Council when it makes its decision:

- Deloitte Touché Tohmatsu, the Forensic Auditor
- Mr McIntyre, who is conducting the current Inquiry into the City of Joondalup
- Fiocco’s Lawyers”

**Status: Correspondence was forwarded to the relevant parties following the Annual General Meeting.**

**Fiocco Lawyers had no objection; Mr McIntyre had no position, however, Deloitte Touche Tohmatsu objected to the release of information on the basis that, without full understanding of the scope and context of the audit, it may not be correctly interpreted in the public arena. On that basis, it is not proposed to release the information at this time.**

This document was admitted as evidence into the McIntyre Inquiry into the City of Joondalup. Advice has been sought from McLeod’s Lawyers relating to the ability of members of the public gaining access to this document. The McIntyre Inquiry is currently anticipated to conclude at the end of July 2005.

**REVIEW OF DOCUMENTS (ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004)**

In relation to Motion 1 of the Annual General Meeting of Electors held on 22 November 2004, the Joint Commissioners:

- 2 (c) NOTE their decision of 23 November 2004 (Item CJ276-11/04 refers) and AGREE to undertake a review of the:
- (i) guidelines relating to public question time;
  - (ii) protocols and procedures relating to strategy and briefing sessions;
  - (iii) City's Standing Orders Local Law;
  - (iv) City's Code of Conduct;
  - (v) electronic controls within the Council Chamber;
  - (vi) Induction program for Mayors and Councillors/Commissioners;

**Status: Reviews of the relevant governance documents have commenced and will be presented to the Council on an as-required basis.**

**In relation to (i), a workshop was held with members of the Council's advisory committees on 23 May 2005. A final report detailing the outcomes of the workshop being presented to the 19 July 2005 Council meeting.**

**ESTABLISHMENT OF PROTOCOLS (ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004)**

In relation to Motion 1 of the Annual General Meeting of Electors held on 22 November 2004, the Joint Commissioners:

- 2 (d) ESTABLISH clear protocols relating to:
- (i) the attendance of invited guests or specialist advisors to Council meetings;
  - (ii) the working relationship between the Mayor and CEO that complements the relevant sections of the Local Government Act 1995;
  - (iii) elected members requiring access to information and requests for action;
  - (iv) necessary requirements for proposing amendments and changes to recommendations at Council meetings.

**Status: Reviews of the relevant governance documents have commenced and will be presented to the Council on an as-required basis.**

**The drafting of a good governance guide has commenced and will be presented to the Council in July 2005.**

CONSIDERATION OF PUBLIC STATEMENT TIME AT COUNCIL MEETINGS AND BRIEFING SESSIONS (ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004)

In relation to Motion 11 of the Annual General Meeting of Electors held on 22 November 2004, the Joint Commissioners:

- (b) AGREE to give consideration to the inclusion of a public statement time when reviewing the guidelines relating to public question time;
- (c) AGREE to the community being involved in developing protocols for public question time and statement time within the constraints imposed by the Local Government Act 1995 and the need for Council meetings to progress the ordinary business of the Council.

**Status: A workshop was held with members of the Council's advisory committees on 23 May 2005. A final report detailing the outcomes of the workshop being presented to the 19 July 2005 Council meeting.**

PROPOSED CONSULTATION PROCESS - PROTOCOLS FOR PUBLIC QUESTION AND STATEMENT TIME - ex CJ065-04/05

"2 a report on the findings of the workshops be PRESENTED to Council in June 2005."

**Status: A workshop was held with members of the Council's advisory committees on 23 May 2005. A final report detailing the outcomes of the workshop being presented to the 19 July 2005 Council meeting.**

REVIEW OF CODE OF CONDUCT – NON-VILIFICATION OF RATEPAYERS (ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004)

In relation to Motion 12 of the Annual General Meeting of Electors held on 22 November 2004, NOTE that recommendation No 25 referred to in the motion is a recommendation of the Governance Review Panel and cannot be altered by the City, however, the issue on non-vilification of ratepayers will be considered as part of the review of the Code of Conduct.

**Status: This will be taken into consideration when reviewing the Council's Code of Conduct.**

**A review of the Code has commenced and will be submitted to the Council in July 2005.**

REVIEW OF GUIDELINES RELATING TO PUBLIC QUESTION TIME (ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004)

In relation to Motion 13 of the Annual General Meeting of Electors held on 22 November 2004 NOTE that issues relating to the conduct at public question time will be taken into consideration when reviewing the guidelines relating to public question time.

**Status: A workshop was held with members of the Council's advisory committees on 23 May 2005. A final report detailing the outcomes of the workshop being presented to the 19 July 2005 Council meeting.**



**OCEAN REEF BOAT HARBOUR DEVELOPMENT PROJECT (ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004)**

In relation to Motion 18 of the Annual General Meeting of Electors held on 22 November 2004, REQUEST a detailed report be submitted for consideration by the Joint Commissioners addressing the issue of community consultation and coastal management in relation to the Ocean Reef Boat Harbour Development project.

**Status:** The Ocean Reef Boat Harbour Development Project Control Group, comprising representatives from the City, Department of Planning and Infrastructure, LandCorp and Clifton Coney Group, is finalising a study program, consultant briefs and costs estimates and it is proposed to present a report to Council in early 2005.

**A presentation was provided to Commissioners at the Strategy Session held on 25 May 2005. It is proposed that a report will be submitted for Commissioners' consideration during July/August 2005.**

**REQUEST FOR FUNDING ASSISTANCE PURSUANT TO POLICY 2.2.8 - LEGAL REPRESENTATION FOR ELECTED MEMBERS AND EMPLOYEES – ACTING CHIEF EXECUTIVE OFFICER AND MANAGER AUDIT & EXECUTIVE SERVICES – ex C74-12/04**

“4 REQUEST the Director Corporate Services and Resource Management to provide a report to the next meeting of Council on:

- (a) the management of legal advice to the City in relation to the Inquiry;
- (b) any possible conflict in relation to the engagement of Mr McLeod by Mr Clayton Higham.”

**Status:** On 24 December 2004 the Director Corporate Services and Resource Management was subpoenaed to the Inquiry. The CEO is directly responsible for pursuing matters identified in this Item.

**It is anticipated a report will be presented to the July 2005 Council meeting.**

**APPLICATION FOR FUNDING – MR MICHAEL SMITH – ex CJ025-02/05 - REQUEST FOR FUNDING ASSISTANCE PURSUANT TO POLICY 2.2.8 – LEGAL REPRESENTATION FOR ELECTED MEMBERS AND EMPLOYEES – ELECTED MEMBER (SUSPENDED) AND MANAGER MARKETING COMMUNICATIONS AND COUNCIL SUPPORT**

“4 DEFERS the application from Mr Michael Smith to allow the Chief Executive Officer to:

- (a) provide advice to the Commissioners on how access to this policy impacts on officers' access to the City's legal representative;
- (b) check that the application provided is complete in all respects.”

**Status:** The City's Internal Inquiry Officer is researching information for the Chief Executive Officer in this regard.

**It is anticipated a report will be presented to the July 2005 Council meeting.**

REQUEST FOR FURTHER FUNDING ASSISTANCE PURSUANT TO POLICY 2.2.8 – LEGAL REPRESENTATION FOR ELECTED MEMBERS AND EMPLOYEES – ELECTED MEMBERS (SUSPENDED) – ex CJ026-02/05

“That Council DEFERS the matter relating to the request for funding assistance pursuant to Policy 2.2.8 – Legal Representation for Elected Members and Employees – Elected Members (Suspended being O’Brien, Mackintosh and Kimber) to a Special Meeting of Council with the purpose of the meeting to consider the following specific matters:

- 1 the provision of a form of security for any further funding provided to suspended elected members by the Council;
- 2 an indication from suspended elected members pertaining to the City’s Insurance Policy including:
  - (a) the level of access currently existing under the policy;
  - (b) the dates the insurance policy was accessed;
  - (c) any process undertaken to seek or approval being granted for retrospective approval for the payment of legal costs incurred;
- 3 an indication as to whether or not Council should set a limit on the amount of funding to be provided to suspended elected members, pending the finalisation of the Inquiry.”

**Status: The City’s Internal Inquiry Officer is researching information for the Chief Executive Officer in this regard.**

**It is anticipated a report will be presented to the July 2005 Council meeting.**

REVIEW OF WARD BOUNDARIES AND ELECTED MEMBER REPRESENTATION - ex CJ084-05/05

- “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;”

**Status: A discussion paper will be prepared with a report to be presented to the Council in August 2005.**

DEVELOPMENT OF A COUNTRY TOWN RELATIONSHIP - ex CJ278-11/02

“that Council DEFERS any decision to enter into a city-country sister City relationship until further analysis can be undertaken.”

**Status: This item has been determined as a low priority for Council in 2005 and will be reconsidered in 2006.**

**OPTIONS FOR PURCHASE OF CORPORATE VEHICLES - ex CJ230-10/04**

4 request the Sustainability Advisory Committee to investigate and report to the Council on options (including hybrid vehicles) relating to the operating of corporate vehicles that adhere to best practice sustainability principles.

**Status: The Sustainability Advisory Committee has formed a working group of three members to work with Council Officers to look at this matter.**

**DEVELOPMENT OF A STATEMENT OF PRINCIPLES COMMITTING POLICIES OF COUNCIL TO SUSTAINABILITY OBJECTIVES – ex CJ064-04/05 – POLICY REVIEW**

5 REFERS to the newly formed Policy Committee for attention the resolution of the Sustainability Advisory Committee dated 14 October 2004 concerning development of a statement of principles that commits all policies of Council to sustainability objectives.

**Status: This will be referred to the first meeting of the Policy Committee.**

**An internal review of the existing policies of the Council has commenced in accordance with the decision of Council dated 26 April 2005. It is anticipated that this review will be completed by the end of June 2005, with a report to be presented to the Policy Committee during the month of July 2005.**

**NOTIFICATION OF VISITS BETWEEN JOONDALUP AND JINAN SISTER CITIES DURING 2005 - ex CJ066-04/05**

“3 REQUESTS the Chief Executive Officer to commence arrangements for the hosting of the delegation and to provide a report back to Council in the near future outlining the details of the itinerary as well as a promotion and education program for business and community to be appropriately involved in the forthcoming visit in August 2005;

4 DEFERS the decision to accept the invitation from Mayor Bao Zhiqiang of the Municipal People’s Government of Jinan for the Chairman of Commissioners to lead a delegation to Jinan to attend the International Tourism Fair from 21-23 October 2005 until the draft Relationship Plan is presented to Council in May;”

**Status: In relation to Point 3, a draft itinerary has been prepared and is awaiting approval.**

**In relation to Point 4, a draft policy and plan has been prepared and is awaiting approval.**

CREDIT CARD PAYMENT DETAILS (ex CJ009-02/05 - WARRANT OF PAYMENTS – 31 DECEMBER 2004)

“2 REQUESTS the Chief Executive Officer to provide a report to Council in due course on the detail to be provided in the Warrant of Payments in relation to credit card payments, such report to outline:

- the role of the Council;
- processes used by other local governments;
- advice from the Department of Local Government;
- legal requirements;
- recommendations of the City’s Auditors;
- any other information considered appropriate by the CEO;”

**Status: A report will be submitted to Council in September 2005.**

TENDER REGULATIONS – (ex CJ043-03/05 2004 COMPLIANCE AUDIT RETURN)

“3 EXPRESSES its concern that the Tender Regulations have not been followed and advises the Department of Local Government and Regional Development that the Council has requested that a report on this matter be submitted to the Audit Committee;”

**Status: The matter has been referred to Stanton Partners to review the issue of non-compliance with the Tender Regulations. Once the review has been undertaken, a report will be provided to the Audit Committee for consideration.**

LOT 1 OCEANSIDE PROMENADE, MULLALOO (ex C83-05/03 NOTICE OF MOTION NO 4 – CR M CAIACOB)

“that Council AGREES and RESOLVES to incorporate Lot 1 Oceanside Promenade, Mullaloo into Tom Simpson Park reserve proper and makes any and all necessary changes to the status and zoning of the land as per the Council Officers recommendation in CJ118-05/02.”

“that consideration of the Notice of Motion - Cr M Caiacob – Lot 1 Oceanside Promenade, Mullaloo be DEFERRED pending submission of a report.”

**Status: A report will be presented to Council following a review of the City’s asset portfolio. Funding for the Strategic Asset Management Plan is listed for consideration in the 2005/06 Draft Budget.**

TOM SIMPSON PARK AND TEN LOTS IN MERRIFIELD PLACE, MULLALOO (ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004)

In relation to Motion 16 of the Annual General Meeting of Electors held on 22 November 2004 NOTE that a report will be presented to the Joint Commissioners in early 2005 on the matter of including Lot 1 Oceanside Promenade and the grassed road reserve adjacent to Tom Simpson Park into Tom Simpson Park, and the reservation of 10 lots in Merrifield Place, Mullaloo;

**Status: A report will be presented to Council following a review of the City’s asset portfolio. Funding for the Strategic Asset Management Plan is listed for consideration in the 2005/06 Draft Budget.**

PROPOSED MODIFICATIONS TO CURRAMBINE STRUCTURE PLAN NO 14 – DELETION OF THE RESIDENTIAL MIXED USE PRECINCT AND REPLACEMENT WITH A SMALL LOT RESIDENTIAL PRECINCT AND MINOR MODIFICATIONS TO THE DEVELOPMENT PROVISIONS – ex CJ088-04/04

“3 a separate report giving further consideration to the provision of retail land uses for the Currambine locality in relation to the City’s POLICY 3.2.8 – Centres Strategy, and retail floorspace allocations across the City, as noted in Schedule 3 of DPS2, be prepared;”

**Status: Partially addressed in Report to Council 27 April 2004. Remainder to be reported as part of the Centres Strategy review which is intended to be undertaken as soon as possible. It should be noted that review initiation is dependent on data release from the WAPC, and is anticipated to occur before December 2005.**

ISSUES IN RELATION TO ACID SULPHATE SOILS – (ex CJ024-02/05 - MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE MEETING, 10 FEBRUARY 2005)

3 INITIATES appropriate research into the matter of Acid Sulphate soils considering the issues raised by the Sustainability Advisory Committee and seeks input from the Western Australian Local Government Association, Department of Planning and Infrastructure and other relevant State government agencies.”

**Status: Investigation is currently under way.**

STATE ADMINISTRATIVE TRIBUNAL APPEAL NO 67 OF 2005: LEWIS TIMMS VS CITY OF JOONDALUP – MEDICAL CENTRE EXTENSION: LOT 715 (110) FLINDERS AVENUE, HILLARYS – ex CJ098-05/05

- 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.

**Status: The applicant has agreed to Council's request to carry out a consultation process with neighbours, and this process is underway.**

**It is anticipated a report will be presented to the July 2005 Council meeting.**

PROPOSED NEW STRUCTURES FOR CRIME PREVENTION IN WESTERN AUSTRALIA – ex CJ338-12/02

“4 NOTES that Council will be advised as the matter progresses both through Desk of the CEO reports and a further report to Council.”

**Status: A report was presented to Executive Management on 11 October 2004, with a further report outlining the City's requirements to be decided at a future Executive meeting. The City's decision was forwarded for consideration at the WALGA North Zone meeting on 25 November 2004.**

**At the WALGA North Zone meeting held on 25 November 2004 it was agreed that the item regarding the proposed Community Safety and Crime Prevention partnership be deferred to allow member Councils to provide their responses to the City of Stirling.**

**Chief Executive Officer to meet with officers of the Crime Prevention Unit.**

**SORRENTO DUNCRAIG AND OCEAN RIDGE LEISURE CENTRES OPERATIONS AND MANAGEMENT REVIEW RECOMMENDATIONS – ex CJ093-04/04**

“3 NOTE that this arrangement be reviewed as part of the proposed Leisure Plan to be developed by the City.”

**Status: Funding for development of the Leisure Plan was approved in the 2004/05 budget and worked commenced in November 2004. The development of the Leisure Plan will take approximately six months. The Leisure Plan is underway at this time and on time for September 2005 finalisation.**

**LOCATION OF 50 METRE POOL AT CRAIGIE LEISURE CENTRE OR AN ALTERNATIVE LOCATION – (ex JSC29-08/04 – MINUTES OF 2004/05 BUDGET COMMITTEE MEETINGS)**

“2 REQUEST that a report be submitted to Council as to whether a 50 metre pool should be located at Craigie Leisure Centre or at an alternative location;”

**Status: The City has committed in September 2004 to a refurbishment project to the aquatic facilities at the Craigie Leisure Centre. Further development of the City’s aquatic facilities, i.e. a 50 metre pool, would only occur as a result of:**

- (1) Detailed analysis of the performance of the Craigie Leisure Centre once the refurbishment has been completed.
- (2) Detailed market research that considers all market segments.

**The Craigie Leisure Centre redevelopment project is inclusive of a geothermal water heating system which could cater for a further 50 metre water space.**

**ABORIGINAL ISSUES IN THE CITY OF JOONDALUP – (ex JSC29-08/04 – MINUTES OF 2004/05 BUDGET COMMITTEE MEETINGS)**

“4 REQUEST that a report be submitted to Council on raising the profile of Aboriginal issues in the City of Joondalup as a significant part of the Cultural Plan.”

**Status: The forthcoming Cultural plan for the City will address raising both the profile of Aboriginal issues and the level of community exposure to local programs presenting Aboriginal artistic endeavour and culture. A comprehensive strategy addressing issues relating to the presentation of Aboriginal cultural activities, the participation of Aboriginal people in civic life in the city, and the consequential raising of community awareness of Aboriginal issues will be available for consideration as part of the draft cultural plan.**

**POLICY POSITION – YOUTH CURFEW** (ex CJ334 – 12/04 - Minutes of the Youth Advisory Council Meeting – 22 September 2004)

- 2 the recommended policy position that the City of Joondalup actively resists any course of action such as a youth curfew that limits the right of young people to move freely within the public domain until adequate and direct consultation has occurred with young people and other stakeholders and all other proactive approaches have been explored, and that a detailed report regarding this recommendation be provided to Council;

**Status:** The Youth Advisory Committee has failed to achieve a quorum for the three meetings held in 2005. This has meant that this issue has not progressed and cannot be reported to Council by the proposed date of April 2005. The matter will be discussed by the Youth Advisory Committee at the first possible opportunity. A subsequent report will be forwarded to Council.

**A report has been drafted for Council regarding the membership component of the Youth Advisory Council. An evaluation of the Youth Advisory Council is being conducted commencing with a Focus Group discussion on 29 June 2005.**

**STRATEGIC PLAN FOR CITY'S ART COLLECTION** – (ex CJ014-02/05 - ART COLLECTION PURCHASES)

- “3 REQUESTS that a strategic plan be developed for the art collection that takes into account an acquisition and disposal plan, and contains a strategy for the display of art works throughout the City's offices and appropriate buildings within the City of Joondalup, such as Edith Cowan University.”

**Status:** The Request to develop a strategy on the Art Collection will need to be developed in consultation with ECU and should include the incoming Visual Arts Project Officer (position currently filled only on part time temporary basis). The development of a strategic plan for the City's Art Collection is considered an important step in progressing the management of the artwork owned by the City. Guidelines for the strategy will be developed as a result of the Cultural Plan. The relevant documents have been drafted and were forwarded to the Director Planning and Community Development on 10 June 2005 for discussion with the Executive Management Team.

**It is anticipated a report will be presented to the July 2005 Council meeting.**

**FIRE BREAKS AND PEDESTRIAN ACCESS TO BEACHES IN OCEAN REEF** (ex CJ004-02/04 – ANNUAL GENERAL MEETING OF ELECTORS HELD ON MONDAY 17 NOVEMBER 2003)

in relation to Motion 4 of the Annual General Meeting of Electors held on 17 November 2003:

- (c) REQUEST the CEO to provide Council with a report and suitable recommendations once investigations concerning the second fire break have been completed;

**Status:** As part of future staged development of Iluka, the developers intend submitting to the City design solutions for either a raised boardwalk or pathway linking the coastal dual use path to the north-western portion of the Iluka subdivision. It is at that time that consideration to the second firebreak can be given by the City.



**PROPOSED PARKING RESTRICTIONS – HAWKER AVENUE, FARNE CLOSE AND SANDAY PLACE, WARWICK (ex CJ260-11/04)**

- 4 *REQUEST the Acting Chief Executive Officer to conduct a further parking survey within relevant localities that are affected by patrons utilising the Warwick Rail Station and the Greenwood Station following a six month period after the commissioning of the Greenwood Rail Station.*

**Status: A further parking survey will be conducted in June/July 2005.**

**TENDER NO 014-04/05 PROVISION OF SECURITY AND PATROL SERVICES IN THE CITY OF JOONDALUP – CITY WATCH (ex CJ272-11/04)**

- 5 REQUEST a report be submitted to Council for consideration prior to the extension of the contract beyond two years.

**Status: The requested report will be provided to Council in November 2006.**

**EDGEWATER QUARRY SITE - (ex CJ300 - 12/04 - Site Acquisition - Works Depot)**

REQUEST the City's officers in acknowledgement of public submissions received to the Business Plan and in the interests of the long-term strategic planning for the City, undertake a needs and opportunities analysis of the Edgewater Quarry site and report back to Council.

**Status: This project is currently on hold until a determination is made on the acquisition of the Hodges Drive Depot site.**

### OUTSTANDING PETITIONS

<p>A 55-signature petition has been received from residents of the City of Joondalup strongly urging the City to reconsider the decision to increase fees for the Movements for Healthy Bodies and Teen Aerobics classes presented at Sorrento Duncraig Leisure Centre.</p> <p><b>Comment: All submissions will be taken into consideration as part of the Fees and Charges Review, which is scheduled for 2005.</b></p>	<p>12 October 2004</p> <p>Planning and Community Development</p>
<p>A 57-signature petition has been submitted on behalf of Greenwood residents requesting the Council to investigate ways of curbing unruly traffic behaviour in Sherington Road, Greenwood.</p> <p><b>Comment: This Petition will be considered as part of the 2005/06 Draft Budget deliberations.</b></p>	<p>23 November 2004</p> <p>Infrastructure and Operations</p>
<p>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.</p> <p><b>Comment: All signatories to the petition will be invited to a meeting on 27 June 2005, to advise them that their comments have been taken into consideration and outline the Council process that would need to be implemented for a Skate Park to be built.</b></p>	<p>17 May 2005</p> <p>Planning and Community Development</p>
<p>A 21-signature petition has been received from teenagers attending the Youth Outreach Program requesting that Council increases the hours allocated to this program.</p> <p><b>Comment: A proposal for additional hours for the program has been put forward for the 2005/06 budget deliberations. This issue will be resolved when Council adopts the 2005/06 budget.</b></p> <p><b>The initiators of the petition will be informed of this situation in writing.</b></p>	<p>7 June 2005</p> <p>Planning and Community Development</p>

**REPORTS/PRESENTATIONS REQUESTED BY COMMISSIONERS**

	<b>DATE OF REQUEST - REFERRED TO -</b>
<p><b>Use of the Council Chamber</b></p> <p>Discussion ensued on the ability to make the chamber available for hire, on a cost-recovery basis, for certain formal occasions. It was requested that guidelines be prepared to assist the Mayor/Chairman in approving use of the Council Chamber.</p> <p><b>Comment: A report will be presented to a Strategy Session in August 2005.</b></p>	<p>9 November 2004</p> <p>Office of the CEO</p>
<p><b>Council Meetings</b></p> <p>Cmr Anderson requested a report on the costs associated with holding a Council meeting at a suitable location besides the Council Chamber within the City of Joondalup.</p> <p><b>Comment: Research of appropriate venues is currently being undertaken along with examination of the legislative requirements. A report will be presented to Council in July 2005.</b></p>	<p>26 October 2004</p> <p>Office of the CEO</p>