

# AGENDA

## Council Meeting City of Joondalup

NOTICE IS HEREBY GIVEN THAT THE NEXT  
**ORDINARY MEETING OF THE COUNCIL  
OF THE CITY OF JOONDALUP**  
WILL BE HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP

MEETING DATE



on  
**TUESDAY, 13 MAY 2008**  
commencing at 7.00 pm

PUBLIC QUESTION TIME



### Public Question Time

Members of the public are requested to lodge questions in writing by 9.00 am on Monday, 12 May 2008. Answers to those questions received within that timeframe will, where practicable, be provided in hard copy form at the Council meeting.



**GARRY HUNT**  
Chief Executive Officer  
9 May 2008



City of  
Joondalup

[www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au)

## PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time were adopted at the Council meeting held on 18 December 2007:

### Questions asked verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Questions asked at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two questions per member of the public.
- 5 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be limited to the legislative minimum of fifteen minutes and may be extended in intervals of up to ten minutes by resolution of the Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed thirty five (35) minutes in total. Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 8 Questions are to be directed to the Presiding Member and 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 City employee. The Presiding Member shall decide to:
  - Accept or reject any question and his/her decision is final;
  - Nominate a member of the Council and/or City employee to respond to the question;
  - Take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.
- 9 Where an elected member is of the opinion that a member of the public is:
  - asking a question at a Council meeting, that is not relevant to the operations of the City of Joondalup;
  - making a statement during public question time;they may bring it to the attention of the meeting.

- 10 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 11 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.

### **Questions in Writing**

- 1 Members of the public may submit questions to the City in writing.
- 2 Questions submitted to an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Questions submitted to a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 The City will accept a maximum of 5 written questions per member of the public. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by 9.00 am on the day immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Mayor will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Council meeting will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Council meeting.
- 8 A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the minutes of the Council meeting.

- 10 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 submitted in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

### **PROCEDURES FOR PUBLIC STATEMENT TIME**

The following procedures for the conduct of Public Statement Time were adopted at the Council meeting held on 18 December 2007:

- 1 Members of the public are invited to make statements, either verbally or in writing, at Council meetings.
- 2 Statements made at an ordinary Council meeting must relate to matters that affect the operations of the City of Joondalup. Statements made at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 4 Public statement time will be limited to two minutes per member of the public.
- 5 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 6 Public statement time will be limited to a maximum of 15 minutes. Public statement time is declared closed following the 15 minute allocated time period, or earlier than such time where there are no further statements.
- 7 Statements are to be directed to the Presiding Member and are to be made 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 City employee.
- 8 Where an Elected Member is of the opinion that a member of the public is making a statement at a Council meeting, that is not relevant to the operations of the City of Joondalup, they may bring it to the attention of the Presiding Member who will make a ruling.
- 9 A member of the public attending a Council meeting may present a written statement rather than making the Statement verbally if he or she so wishes.
- 10 Statements will be summarised and included in the minutes of the Council meeting.

## **CODE OF CONDUCT**

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

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

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

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

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

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**LATE ITEMS / ADDITIONAL INFORMATION**

In the event that further documentation becomes available prior to this Council meeting, the following hyperlink will become active:

[Additional Information.pdf](#)

# CITY OF JOONDALUP

Notice is hereby given that a Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 13 MAY 2008** commencing at **7.00 pm**.

GARRY HUNT  
Chief Executive Officer  
9 May 2008

Joondalup  
Western Australia

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## VISION

A sustainable City and Community that are recognised as innovative, unique and diverse.

## MISSION

Plan, develop and enhance a range of community lifestyles to meet community expectations.

## VALUES

### Vibrancy

- We will work with stakeholders to create a vibrant City Centre and community.
- We will be dynamic and flexible.

### Innovation

- We will provide innovative programs and services.
- We will have a strong team spirit to generate positive ideas.
- We will develop a culture of innovation and excellence.

### Responsiveness.

- We will respond to changing community needs.
- We will promote a sense of community spirit and ownership.

### Respect

- We will acknowledge community and individual opinions.
- We will respect community and individual contributions.

### Trust

- We will have an environment of openness and transparency.
- We will make information accessible.

### Safety

- We will work towards the development of a safe and secure environment.
- We will develop partnerships.

# AGENDA

Note: Members of the public are advised that prior to the opening of the Council meeting, Mayor Pickard will say a Prayer.

## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

## 2 PUBLIC QUESTION TIME

The following questions were taken on notice at the Council meeting held on 15 April 2008:

**Dr M Apthorpe, Ocean Reef:**

*Q1 Can the City give a list of all the planted species of trees and shrubs being removed from Beaumaris Reserve in Ocean Reef?*

A1 The following plant species are in the process of being removed from the reserve:

- *Acacia xanthina* (not local species)
- *Callitris preissii* (not local species)
- *Templetonia retusa* (not local form) \*
- *Casuarina equisetifolia* (not local species)
- *Calothamnus quadrifidus* (not local form)
- *Agonis flexuosa* (not local species)

\* *Templetonia retusa* is not from the Banksia woodland community at Beaumaris. The plants were not removed solely because of anti-social behaviour; whilst that was part of the reason, the main reason was that the *Acacia xanthina* are heavily seeding into the Banksia woodland. The City was allocating funds to remove them in stages over the next few years, but as a result of the request from the ratepayers' group it was brought forward due to the availability of the funds this financial year.

*Q2 As the City has removed these trees and shrubs to combat anti social behaviour, does it intend to remove planted trees and shrubs from other reserves to combat anti social behaviour?*

A2 The removal of vegetation from reserves is undertaken for a range of purposes. Examples are:

- The plants are weed species and threatening bio-diversity in a bushland reserve.
- Plants are dead, diseased or dying and need to be removed either for aesthetic or safety reasons.
- Vegetation has to be removed from fire breaks because legislation states that the City must have a clear fire break.
- Overgrown vegetation is sometimes removed from parkland because the vegetation is used by law breakers to mask their activities.

- Trees and shrubs are sometimes removed from light sources in parks and adjacent to pedestrian accessways to provide security to the users of these access ways.

Each request to remove vegetation from reserves is taken on a case by case basis, taking fully into account the circumstances of each case. The City views each case seriously, and each is judged on its own merit.

There is a distinct possibility that vegetation will be removed from reserves in the future for any of the reasons listed above.

**Mr A Bryant, Craigie:**

*Q1 I have raised the question/statement as to the delivery in the Craigie area of Community Newspapers twice weekly which is still not occurring in our area at all. As the City Council still advertises in these publications there is a significant group of ratepayers in my area who do not receive the papers. Can the City Council now tell me what the current position is?*

*A1* The City understands that the Community Newspaper contacted Mr Bryant directly after the question asked on 15 April 2008 and responded to his queries directly. The delivery zone which covers Mr Bryant's address has recently been filled for both the Tuesday and Thursday papers.

The City continues to use the Community Newspaper as a medium to communicate with its residents. The City has also established on-line versions of key corporate communications. Subsequent discussions with the community newspaper have indicated that it continues to monitor its distribution issues and is constantly implementing strategies to overcome shortfalls in its distribution channels.

**Mr S Kobelke, Sorrento:**

*Q1 Referring to page 16 of the Agenda - Item 8 - Policy 8.9 Review of Investments – can the City advise what impact the recent downturn in the financial markets has had on the City of Joondalup?*

*A1* The downturn in the financial markets has had some impact on the City of Joondalup from an investment perspective but not a significant one. While there has been a significant impact on the returns from managed funds which have been performing quite poorly for the last six months or so, the current level of Reserve Bank interest rates has had the opposite effect for term deposits and bank bills which are offering significant returns.

The City has responded to the changed environment and moved investments that were previously in managed funds into term deposits and bank bills. While there have been some poor returns during this transition period, the City still expects to exceed its original budgeted income estimate for returns on investments.

**The following questions were submitted prior to the Council meeting:****Mr J Jones, Lintonmarc Drive, Redcliffe:**

- Q1 *Does the CEO where he has previously appointed an independent consultant to investigate a separate code of conduct complaint against an officer due to a real or perceived conflict of interest consider it appropriate for him to investigate a complaint relating to the Mayor's conduct made by the same person that submitted the complaint in which the CEO previously considered himself conflicted and inappropriate to investigate the matter?*
- A1 Each Code of Conduct complaint is assessed to determine the most appropriate way to address it.
- Q2 *Does the CEO ensure that investigations into Code of Conduct complaints are dealt with in a timely manner?*
- A2 Complaints are viewed as priority projects and are assessed in accordance with this determination.
- Q3 *Does the CEO provide an indicative timeframe to members of the public that have lodged a Code of Conduct complaint relating to the conduct of the Mayor?*
- A3 The CEO determines how to respond to requests for contact.
- Q4 *Does the CEO when requested by a member of the public that has submitted a Code of Conduct complaint relating to the Mayor's conduct provide details such as the name of the person investigating the complaint, the process of the investigation and the likely timeframe of the investigation?*
- A4 See response to Question 3.
- Q5 *If not, why not?*
- A5 See response to Question 3.

**Mr J Spack, Mary Street, Como:**

- Q1 *Is it appropriate for a person conducting a Code of Conduct investigation to obtain information by lying?*
- A1 No.
- Q2 *What action would the City take if it was determined that a person undertaking an investigation on behalf of the City had engaged in unethical conduct?*
- A2 This question is hypothetical.
- Q3 *If it was determined that the person undertaking a code of conduct investigation had themselves engaged in unethical conduct what credibility could be given to any report they may have produced?*
- A3 See Response to Question 2.

Q4 *What criteria does Mr Hunt use to determine whether questions can be asked administratively or need to be submitted to Council?*

A4 The way a person asks a question determines the way a response is given.

Q5 *Why given Mr Robinson's preference for questions to be dealt with administratively can't responses be provided without the necessity for questions being submitted to Council?*

A5 The City deals with questions in the manner requested by Mr Robinson.

**Mr Woodhouse, North Perth:**

Q1 *What criteria does Mr Hunt use to determine whether questions can be asked administratively or need to be submitted to Council?*

A1 The way a person asks a question determines the way a response is given.

Q2 *Why given Mr Robinson's preference for questions to be dealt with administratively can't responses be provided without the necessity for questions being submitted to Council?*

A2 The City deals with questions in the manner requested by Mr Robinson.

**Mr K Robinson, Como:**

Q1 *Is Mr Hunt concerned that the documents requested may demonstrate that Mr Hunt has acted inappropriately?*

A1 No.

Q2 *Has Mr Hunt had the necessary training in order to be able to prepare responses to FOI requests?*

A2 There are many Acts of Parliament that govern the operations of local government which the CEO has responsibility to administer.

Q3 *Where was this training undertaken?*

A3 See A2 above.

Q4 *When was this training undertaken?*

A4 See A2 above.

Q5 *When was the last occasion Mr Hunt determined an initial FOI request?*

A5 When he determined a recent request from Mr Robinson.

**Mr Wade Dunn, Wembley Downs:**

*Q1 Does the Code of Conduct require the CEO to conduct an appropriate investigation into complaints that relate to the Mayor?*

A1 The Code requires the CEO to investigate complaints against the Mayor.

*Q2 What in the CEO's opinion would constitute the minimum level of investigation to constitute an appropriate investigation?*

A2 This depends on the allegation.

*Q3 Does the Code of Conduct enable the CEO to refuse to investigate complaints?*

A3 There is no specific provision relating to refusal.

*Q4 If yes, on what basis can the CEO decide not to investigate complaints made pursuant to the Code of Conduct?*

A4 Not applicable.

*Q5 Has the CEO refused to investigate any Code of Conduct complaints made in relation to the Mayor?*

A5 No.

**Ms F Chard-Walker:**

*Q1 Does the Code of Conduct require the Mayor as the appointed leader of the community of Joondalup to demonstrate the highest level of civic conscience, impartiality and personal conduct?*

A1 The former Code required this of the Mayor. The Local Government Act 1995 also determines the role of the Mayor.

*Q2 Does the CEO consider comments by the Mayor such as "I am not interested in your opinion", "I request that you refrain from utilising e-mail to communicate with me", "you have now demonstrated the kind of person you really are" and "Any future request to meet with me .. will be declined" as being in keeping with the Mayor's obligations under the Code of Conduct?*

A2 This issue was addressed in a Code of Conduct complaint.

*Q3 Does the Code of Conduct require the Mayor to refrain from making any allegation which are improper or derogatory and any form of conduct in the performance of their official or professional duties which may cause or is likely to cause any reasonable person unwarranted offence or embarrassment?*

A3 Section 3.4(e) of the current Code requires this of all Elected Members.

*Q4 Does the CEO consider comments made by the Mayor as outlined in Q2 in keeping with the Code of Conduct's obligations regarding personal behaviour?*

A4 See response to Question 2.

Q5 *Does the Code of Conduct exempt the Mayor from adhering to the Code of Conduct provisions relating to Civic Leadership and Personal Behaviour?*

A5 All elected members are required to comply with the Code of Conduct.

### **3 PUBLIC STATEMENT TIME**

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

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

Cr R Fishwick                      24 May 2008 - 1 June 2008 inclusive  
1 September 2008 – 19 October 2008

Cr M Norman                      25 April 2008 – 18 May 2008 inclusive

Cr T McLean                      10 May 2008 – 12 June 2008 inclusive

Cr M Macdonald                      16 – 24 May 2008 inclusive

### **5 CONFIRMATION OF MINUTES**

#### **MINUTES OF COUNCIL MEETING, 15 APRIL 2008**

#### **RECOMMENDATION**

**That the Minutes of the Council Meeting held on 15 April 2008 be confirmed as a true and correct record.**

### **6 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

### **7 DECLARATIONS OF INTEREST**

#### **Disclosure of Financial Interests**

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

#### **Disclosure of interest affecting impartiality**

Elected members and staff are required under the Code of Conduct, in addition to declaring any financial interest, to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected member/employee is also encouraged to disclose the nature of the interest.



Name/Position	<b>Mayor Troy Pickard</b>
Item No/Subject	CJ081-05/08 – Sacred Heart College, Sorrento – Auditorium and Classroom Additions Including Canteen: Lot 16 (15) Hocking Parade, Sorrento
Nature of interest	Interest that may affect impartiality
Extent of Interest	Mayor Pickard's father-in-law is an employee of Sacred Heart College

Name/Position	<b>Cr Albert Jacob</b>
Item No/Subject	CJ082-05/08 – Proposed Auditorium Addition to Place of Worship at Lot 28 (67) Woodvale Drive, Woodvale
Nature of interest	Interest that may affect impartiality
Extent of Interest	Cr Jacob was previously a member of the Church

Name/Position	<b>Cr Tom McLean</b>
Item No/Subject	CJ087-05/08 – Close of Advertising of Proposed Renaming of Public Open Space (Reserve 44914) – Medinah Mews, Connolly
Nature of interest	Interest that may affect impartiality
Extent of Interest	Cr McLean is a member of the Connolly Residents Association

## 8 IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

## 9 PETITIONS

### 1 PETITION OBJECTING TO ONE HOUR PARKING RESTRICTIONS IN CULLODEN ROAD, DUNCRAIG - [46273]

A 70-signature petition has been received from employees of Glengarry Hospital objecting to the one hour parking restriction in Culloden Road, Duncraig for the following reasons:

- Culloden Road is wide enough to accommodate parking on both sides, as well as allowing traffic to flow safely;
- Hospital staff only request to park on the southern side of Culloden Road, opposite the residents houses.
- Parking bays available to hospital staff at the end of Culloden Road are considered unsafe due to the isolation and surrounding bushes.
- Glengarry Tavern has rejected a request by the hospital administration to allow hospital staff to use the tavern carpark.

### 2 PETITION IN RELATION TO DANGEROUS DRIVING – NEAR OTAGO PARK, CAMBERWARRA DRIVE, CRAIGIE – [815682] [56534]

A 7-signature petition has been received from residents of Camberwarra Drive, Craigie in relation to traffic issues near Otago Park, Camberwarra Drive, Craigie. The petitioners suggest the installation of speed control devices as a means of slowing down speeding traffic.

3     PETITION IN RELATION TO PROPOSED CHANGES TO LIGHT TOWERS –  
REAR CAR PARK, WOODVALE BOULEVARD SHOPPING CENTRE –  
[05132]

A 7-signature petition has been received from residents of Goldfinch Loop, Woodvale in relation to the proposed changes to light towers – rear car park, Woodvale Boulevard Shopping Centre.

**RECOMMENDATION**

**That the following Petitions be RECEIVED, referred to the CEO and a subsequent report presented to Council for information:**

- 1     Petition objecting to the one hour parking restriction in Culloden Road, Duncraig;**
- 2     Petition in relation to dangerous driving near Otago Park, Camberwarra Drive, Craigie;**
- 3     Petition in relation to proposed changes to light towers – rear car park, Woodvale Boulevard Shopping Centre.**

**10     REPORTS**

**CJ067-05/08      EXECUTION OF DOCUMENTS - [15876]**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Mr Garry Hunt  
Office of CEO

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**PURPOSE**

To provide a listing of those documents recently executed by means of affixing the Common Seal for noting by the Council for the period 8 April 2008 to 15 April 2008.

**EXECUTIVE SUMMARY**

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

**BACKGROUND**

Not Applicable.

**DETAILS**

The following documents have been executed by affixing the Common Seal.

<b>Document:</b>	Deed of Restrictive Covenant
<b>Parties:</b>	City of Joondalup, C J C Connor, P N Connor, P S Gunzberg, H J Gunzberg, P G and F C Grove, S R S McAlpine and A W Spencer
<b>Description:</b>	Restrictive Covenant to limit the location of vehicular access to Lots 1 and 2 (1 and 3) Alice Drive, Mullaloo on Deposited Plan 57497
<b>Date:</b>	08.04.08
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Deed of Licence
<b>Parties:</b>	City of Joondalup and the State Government of Western Australia
<b>Description:</b>	Deed of Licence for use of Joondalup Courthouse lawn area for 2008 Joondalup Festival activities
<b>Date:</b>	09.04.08
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Amendment to Structure Plan No 1
<b>Parties:</b>	City of Joondalup and W A Planning Commission
<b>Description:</b>	Amendment to Joondalup City Centre Development Plan and Manual Structure Plan No 1 to enable new developments on Residential/Mixed Use sites in the Central Business District to be consistent with the requirements of General City Use sites
<b>Date:</b>	15.04.08
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Withdrawal of Caveats
<b>Parties:</b>	City of Joondalup and Mr Cornel John Crews
<b>Description:</b>	Withdrawal of Caveat J469386 and Caveat J341216 from Lot 502 (17B) and Lot 503 (17A) Parker Avenue, Sorrento – permanently – as all obligations set out under the Deed dated 31 March 2005 have been satisfied (demolition of existing residential dwelling and construction of a 4 metre wide battle Caveat J469386 (Lot 502) Caveat J341216 (Lot 503)
<b>Date:</b>	15.04.08
<b>Signed/Sealed:</b>	Sealed

**Issues and options considered:**

Not Applicable.

**Link to Strategic Plan:**

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

**Legislation – Statutory Provisions:**

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

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

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

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

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

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

**ATTACHMENTS**

Nil.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the schedule of documents covering the period 8 April 2008 to 15 April 2008 executed by means of affixing the common seal.**

## **CJ068-05/08      ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JANUARY – 30 MARCH 2008 – [20560]**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Mr Ian Cowie  
Governance and Strategy

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### **PURPOSE**

To present the Annual Plan 2007-2008 Quarterly Progress Report for the period 1 January – 30 March 2008.

### **EXECUTIVE SUMMARY**

The Annual Plan details the priorities for the 2007-2008 financial year, and the Quarterly Progress Report provides information on the progress of projects and programs completed within the January to March quarter of the Annual Plan.

*It is recommended that Council RECEIVES the Annual Plan 2007-2008 Quarterly Progress Report for the period 1 January – 30 March 2008, forming Attachment 1 to Report CJ068-05/08.*

### **BACKGROUND**

The City's Corporate Reporting Framework, endorsed by Council at its meeting of 14 December 2004, requires the development of an Annual Plan and the provision of reports against the Annual Plan on a quarterly basis. (Item CJ307-12/04 refers)

### **DETAILS**

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

The Annual Plan contains a brief description of the key projects and programs that the City intends to deliver in the 2007-2008 financial year. Milestones are set for the key projects and programs to be delivered in each quarter.

The Quarterly Progress Report provides information on progress against the milestones and a commentary is provided against each milestone to provide further information on progress, or to provide an explanation where the milestone has not been achieved.

The milestones being reported this quarter are the shaded sections of Attachment 1.

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

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

Outcome:	The City is a sustainable and accountable business.
Objective 4.1	To manage the business in a responsible and accountable manner.
Strategy 4.1.2	Develop a corporate reporting framework based on sustainable indicators.

Please note that the Annual Plan Progress Report is aligned to the current Strategic Plan.

**Legislation – Statutory Provisions:**

The Local Government Act 1995 provides a framework for the operations of Local Governments in Western Australia. Section 1.3 (2) states:

*This Act is intended to result in:*

- (a) Better decision making by local governments;*
- (b) Greater community participation in the decisions and affairs of local governments;*
- (c) Greater accountability of local governments to their communities; and*
- (d) More efficient and effective government.*

**Risk Management considerations:**

The quarterly reports against the Annual Plan provide a mechanism for tracking progress against milestones for major projects and programs.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

In accordance with Policy 8-6, Communications, the Council recognises and acknowledges the importance of consistent, clear communications and access to information for its stakeholders.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

Elected Members receive regular reports against the Capital Works Program which supplement the information contained in the Annual Plan Quarterly Progress Report.

**ATTACHMENTS**

Attachment 1	Annual Plan Quarterly Progress Report for the period 1 January – 30 March 2008.
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## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That Council RECEIVES the Annual Plan Quarterly Progress Report for the period 1 January – 30 March 2008 as shown in Attachment 1 to Report CJ068-05/08.**

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf060508.pdf](#)*



**CJ069-05/08 APPOINTMENT OF MEMBER TO THE POLICY COMMITTEE - [26176]**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Mr Ian Cowie  
Governance and Strategy

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**PURPOSE/EXECUTIVE SUMMARY**

To give consideration to the appointment of a South-East Ward member to the vacant position on the Policy Committee.

**BACKGROUND**

At the Special Meeting of Council held on 6 November 2007 the Policy Committee was established, consisting of the Mayor and one representative per ward. The following members were appointed to the Policy Committee:

North Ward	Mayor Troy Pickard
North-Central Ward	Cr Kerry Hollywood
Central Ward	Cr Trona Young
South-West Ward	Cr Marie Macdonald
South-East Ward	Cr Mike Norman
South Ward	Vacant
	Cr Fiona Diaz

**DETAILS**

A vacancy exists for South-East Ward Member on the Policy Committee. Cr Sue Hart has submitted a nomination for this position.

**Issues and options considered:**

Not Applicable.

**Link to Strategic Plan:**

- 1.3 Objective: To lead and manage the City effectively
- 1.3.1 The City develops and implements comprehensive and clear policies which are reviewed regularly.

**Legislation – Statutory Provisions:**

The requirements of the Local Government Act 1995 are as follows:

Establishment of committees

- 5.8 A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

\* Absolute majority required.

### Types of committees

5.9 (1) In this section:

“other person” means a person who is not a council member or an employee.

(2) A committee is to comprise:

- (a) council members only;
- (b) council members and employees;
- (c) council members, employees and other persons;
- (d) council members and other persons;
- (e) employees and other persons; or
- (f) other persons only.

### Appointment of committee members

5.10 (1) A committee is to have as its members:

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

\* Absolute majority required.

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish:
  - (a) to be a member of the committee; or
  - (b) that a representative of the CEO be a member of the committee,the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

Tenure of committee membership

5.11 (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until:

- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
  - (b) the person resigns from membership of the committee;
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,
- whichever happens first.

*(Note: the next ordinary election for the City of Joondalup is scheduled to be held in May 2007, unless the Local Government Act 1995 is amended).*

(2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until:

- (a) the term of the person's appointment as a committee member expires;
  - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,
- whichever happens first.

Clause 51(2) of the Standing Orders Local Law 2005 states: -

A nomination to any position is not required to be seconded.

**Risk Management considerations:**

Appointment of committees is essentially to assist the Council in performing some of its legislative responsibilities.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

A vacancy exists for a representative from the South-East Ward to serve on the Policy Committee.

**ATTACHMENTS**

Nil.

**VOTING REQUIREMENTS**

Absolute Majority.

**RECOMMENDATION**

**That Council BY AN ABSOLUTE MAJORITY, APPOINTS Cr Sue Hart as South-East Ward Member to the Policy Committee.**

## **CJ070-05/08    WALGA'S SYSTEMIC SUSTAINABILITY STUDY - DRAFT REPORT – [00033]**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Mr Ian Cowie  
Governance and Strategy

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### **PURPOSE/EXECUTIVE SUMMARY**

To enable Council to consider WALGA's Systemic Sustainability Study Draft Report entitled 'The Journey: Sustainability into the Future' and provide feedback to WALGA.

### **BACKGROUND**

The first page of the Executive Summary to the draft report provides both a background to the study and to the drafting of the report. The Executive Summary is included in full as Attachment 1 to the report. The background information is located on page xi.

### **DETAILS**

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

The Executive Summary (included as Attachment 1) summarises the key findings of the report. Because of its size, the full report is not reproduced as an attachment but can be accessed through the WALGA website at [www.walga.asn.au](http://www.walga.asn.au)

The report makes 61 recommendations (Attachment 2). These recommendations range from those which are major and highly significant to some which are more low level and operational.

Key recommendations would appear to include the following. Officer comments follow these recommendations.

#### *Recommendation 17*

*A system of revaluation of assets such as buildings and infrastructure on a five yearly basis to be incorporated into the annual financial accounts prepared by a Local Government.*

#### *Officer's comment*

The concept of revaluation of assets is appropriate and the City is currently finalising an assessment of its building assets at present. The City will maintain information on both the value and condition of these assets into the future. However, it is questionable whether additional legislation should be written to require asset revaluation. This weakens local government autonomy to address this matter in new and innovative ways and runs counter to Recommendation 38 (e).

#### *Recommendation 18*

*That WALGA continue investigation of the possible creation of a Local Government Finance Authority.*

#### Officer's comment

It is proposed that this body fund local government infrastructure maintenance and renewal. The Finance Authority would effectively 'be an investment and borrowing facility equivalent to a bank' according to the draft report. Continuing investigation would appear reasonable and a final decision in this regard should be made once detailed financial modelling is available to assess the costs and benefits of this approach.

#### *Recommendation 27*

*That WALGA continue supporting ALGA in their push for Financial Assistance Grants to be allocated based upon a percentage of Commonwealth Taxation as the most effective way of increasing financial assistance to WA.*

#### Officer's comment

The principle of this recommendation is commendable.

#### *Recommendation 28*

*WALGA and LGMA seek approval to present a joint submission to State Government focusing on the benefits gained from the \$3m investment and seeking to expand the scope of the fund, as set out in this report, to cover sustainability issues and increase the amount of the financial allocation to an indicative \$6m per annum for 5 years.*

#### Officer's comment

This recommendation seeks an increase in the State Government's funding of local government initiatives to \$6 million per annum. This would be a very positive outcome for the sector if achieved. However, this funding has principally been used to support regional local governments. Large metropolitan local governments should not be excluded from funding in the future. The recommendation's introductory words appear strange. Rather than 'seeking approval', local government representative bodies should just present their case.

#### *Recommendation 32*

*This recommendation proposes that local governments be able to form corporate entities. It suggests appropriate clauses for legislation to enable this to occur.*

#### Officer's comment

This recommendation is significantly different to other recommendations because it contains excessive detail. It is questioned whether this approach is necessary as local governments can currently delegate property management decisions to committees of experts (as long as an officer or elected member is involved). The recommended approach involves ministerial approval which weakens local government autonomy and requires a board of experts to run the business.

#### *Recommendation 33*

*That WALGA seek to establish a Local Government Independent Assistance Commission for the purposes outlined in this discussion and seeks funding from the nominated sources to achieve this task.*

#### Officer's comment

The draft report proposes that the Independent Assistance Commission would undertake independent assessments of local government finances, make recommendations for improvement and encourage consistency in the areas of financial reporting and asset management. It would also administer a best practice fund designed to encourage resource sharing, efficiencies and standardised processes within the sector.

This recommendation is likely to be particularly relevant and beneficial to smaller and regional local governments. It is likely to be of less relevance to larger local governments like Joondalup where consistency could limit autonomy and initiative in adopting new approaches.

#### *Recommendation 38 (e)*

##### *Local Government Act*

**Issue:** Principle of LGA is supposed to be 'general competence'. The level of prescription in the Act and regulations limits the degree of flexibility to a level which is more like *ultra vires*.

**Proposal:** Review or evaluation of the Act in relation to 'general competence' powers.

#### Officer's comment

This proposal is supported in theory. However, there is no clear indication of which sections are overly prescriptive and other recommendations in the draft report propose further prescription.

#### *Recommendation 38 (h)*

*This recommendation proposes a range of amendments to tender regulations including varying tender thresholds based on organisational size and turnover.*

#### Officer's comment

This is supported from a City perspective as it recognises Joondalup's capacity in contrast to some smaller local governments.

#### *Recommendation 47*

*That WALGA request the State Government to amend the Local Government Act (1995) to require Councillors to undertake training within their first term.*

#### Officer's comment

Compulsory training is a matter for Elected Members to consider. It should be noted that the recommendation refers to Councillors rather than Elected Members. It is presumed that a Mayor elected at large is captured by the spirit of the recommendation, if not the actual wording.

#### *Recommendation 51*

*That WALGA implement information sessions for prospective candidates and non-mandatory networking for new Councillors. These events to be delivered on a regional/WALGA Zone basis.*

**Officer's comment**

This recommendation is supported in principle. However, the City of Joondalup has provided candidate information sessions for the past few elections.

**Recommendation 53**

*That WALGA request the State Government to amend the Local Government Act 1995 to require Councillors to undertake 'refresher training' every four years after initial training to ensure that Councillors are familiar with any changes in compliance requirements and best practice models.*

**Officer's comment**

This is a matter for Elected Members to consider. Again, it makes no reference to Mayors elected at large.

**Recommendation 57**

*That WALGA immediately develop a discussion paper on the creation of an Industry Training Council focused on the needs of Local Government.*

**Officer's comment**

This is considered a valuable initiative. An Industry and Employment Training Council used to operate within the local government sector.

**Link to Strategic Plan:**

This item has a general connection to the Strategic Plan.

**Legislation – Statutory Provisions:**

The draft report makes reference to the Local Government Act and the associated regulations.

**Risk Management considerations:**

Providing comment on the strategy in the manner recommended will involve no risk.

**Financial/Budget implications:**

Not Applicable.

**Policy implications:**

Not Applicable.

**Regional Significance:**

The Systemic Sustainability Study focuses on regional arrangements.

**Sustainability implications:**

The Systemic Sustainability Study relates to the sustainability of the local government sector.



**Consultation:**

Not appropriate.

**COMMENT**

Provided under detail.

**ATTACHMENTS**

Attachment 1	Draft Report Executive Summary
Attachment 2	Draft Report Recommendations

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council SUPPORTS a response to WALGA on the Systemic Sustainability Study's Draft Report in line with the Officer's comments provided in Report CJ070-05/08.**

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf060508.pdf](#)*

## **CJ071-05/08 LIST OF PAYMENTS MADE DURING THE MONTH OF MARCH 2008 – [09882]**

**WARD:** All

**RESPONSIBLE:** Mr Mike Tidy  
**DIRECTOR** Corporate Services

### **PURPOSE**

To present to Council the list of accounts paid under the Chief Executive Officer's delegated authority during the month of March 2008 to note.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of March 2008 totalling \$10,178,044.12.

*It is recommended that Council NOTES the CEO's list of accounts for March 2008 paid under delegated authority in accordance with regulation 13 (1) of the Local Government (Financial Management) Regulations in Attachments A, B and C to Report CJ071-05/08, totalling \$10,178,044.12.*

### **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 Regulation 13 of the 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 summarises the payments drawn on the funds during the month of March 2008. Lists detailing the payments made are appended as Attachments A and B. The vouchers for the month are appended as Attachment C.

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Municipal Account	<b>Cheques</b> 80962 - 81143 and EFT 115429 - 15818 Net of cancelled payments	\$7,859,224.82
	<b>Vouchers</b> 378A-380A & 382A - 386A,	\$2,287,641.80
Trust Account	<b>Cheques</b> 201977 - 202051 Net of cancelled payments	\$31,177.50
<b>Total</b>		\$10,178,044.12

**Issues and Options Considered:**

Not Applicable.

**Link to Strategic Plan:**

Strategy 4.1.1 – Ensure financial viability and alignment to plan.

**Legislation – Statutory Provisions:**

The Council has delegated to the CEO the exercise of its authority 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.

**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 the 2007/8 Annual Budget as adopted by Council at its meeting of 3 July 2007 or approved in advance by Council.

**Policy Implications:**

All expenditure included in the list of payments is drawn from the City's accounting records.

**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 Strategic Financial Plan 2006/07-2009/10 which was available for public comment from 29 April 2006 to 29 June 2006 with an invitation for submissions in relation to the plan.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is in accordance with the 2007/8 Annual Budget as adopted by Council at its meeting of 3 July 2007 or has been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment A	CEO's Delegated Municipal Payment List for the month of March 2008
Attachment B	CEO's Delegated Trust Payment List for the month of March 2008
Attachment C	Municipal and Trust Fund Vouchers for the month of March 2008

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the CEO's list of accounts for March 2008 paid under delegated authority in accordance with regulation 13 (1) of the Local Government (Financial Management) Regulations 1996 forming Attachments A, B and C to Report CJ071-05/08, totalling \$10,178,044.12.**

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf060508.pdf](#)*

## **CJ072-05/08      FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MARCH 2008 – [07882]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Mike Tidy  
Corporate Services

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### **PURPOSE**

The March 2008 Financial Activity Statement is submitted to Council to be noted.

### **EXECUTIVE SUMMARY**

The March 2008 year to date report shows an overall increase in budgeted surplus from operations and capital of \$8,332K when compared to the 2007-2008 revised budget (CJ038-03/08).

This variance can be summarised as follows:

- The **Operating** surplus at the end of March 2008 is \$2,939K above budget, comprising lower Revenue of \$(448)K and lower operating expenditure of \$3,388K.

Revenue variances mainly arose from a \$(423)K variance in the timing of receipts of Government Grants and Subsidies, which are only received upon completion of project works and are later than compared to the budget. There was additional revenue of \$81K for Rates and \$62K for Contributions, Reimbursements and Donations.

Expenditure variances arose principally from Materials and Contracts expenditure of \$3,005K as detailed in the attached notes.

- **Capital Expenditure** is \$7,841K below the year to date revised budget of \$17,504K. The variance relates mainly to lower than expected expenditure on the Fee Paid Car Parking project of \$1200k, Joondalup Works Depot project \$1,626K, Road Re-surfacing and Road Works \$1,599k, implementations of Library, Information and Document Management Systems \$626K, projects such as the Joondalup Drive Master Plan \$183K and other corporate and community projects, plus delayed vehicle replacements of \$755K.

*It is recommended that Council NOTES the Financial Activity Statement for the period ended 31 March 2008.*

### **BACKGROUND**

The Local Government (Financial Management) Regulations 1996 requires the production of financial activity statements. Council approved at the 11 October 2005 meeting to accept the monthly Financial Activity Statement according to nature and type classification.

**DETAILS****Issues and options considered:**

The Financial Activity Statement for the period ended 31 March 2008 is appended as Attachment A.

**Link to Strategic Plan:**

Objective 1.3 – To lead and manage the City effectively.

**Legislation – Statutory Provisions:**

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed.

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 as amended, requires the local government to prepare each month a statement of financial activity reporting on the sources and applications of funds as set out in the annual budget.

**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 Activity Statement is drawn from the City's accounting records.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Expenditure has been incurred in accordance with revised 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 Strategic Financial Plan, prepared under Section 5.56 of the Local Government Act 1995, which was made available for public comment.

**COMMENT**

All expenditures included in the Financial Activity Statement are incurred in accordance with the revised 2007-08 Annual Budget or have been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment A            Financial Activity Statement for the period ended 31 March 2008.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Financial Activity Statement for the period ended 31 March 2008 forming Attachment 1 to Report CJ072-05/08.**

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf060508.pdf](#)*

**CJ073-05/08      ADOPTION OF NEW PARKING SCHEME – [07190]**

**WARD:** North

**RESPONSIBLE  
DIRECTOR:** Mr Mike Tidy  
Corporate Services

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**PURPOSE**

For Council to consider the adoption of a new Parking Scheme to facilitate the introduction of paid parking in the Joondalup CBD.

**EXECUTIVE SUMMARY**

Under the City's Parking Local Law the Parking Scheme (Scheme) sets out all of the prohibitions, regulations and restrictions in relation to parking and stopping of vehicles. With the proposal to introduce paid parking in the CBD, the City's current Scheme needs to be extensively amended.

The opportunity has also been taken to address several other matters that impact on the Scheme with:

- A review of the current provision of motor cycle bays and a recommended increase in their number.
- The parking of vehicles on paved areas in the CBD and City North has also been considered following a recent amendment to the City's Parking Local Law clarifying rights of motorists to park on verges. The recommendation is that with the exception of vehicles parked on verge areas designated, marked and supported by signs to permit such parking, the parking on all other paved areas will be viewed as parking on a footpath and is prohibited.
- The Civic Centre Parking Station P5 is recommended to be approved for Authorised and Visitor parking so that it can be appropriately managed to meet the parking demands generated by the activities in the adjacent City buildings.
- The section of Central Walk Parking Station TI, west of Lotteries House recommended to be approved for Authorised Vehicles to meet the Lotteries House development approval obligations and Civic Centre parking needs.

**BACKGROUND**

The City of Joondalup Revised Parking Strategy was adopted by Council at its meeting held on 7 August 2007. The Strategy proposed the introduction of paid parking. A Paid Parking Business Plan was subsequently prepared and adopted by Council at its meeting held on 18 December 2007.



## **The Parking Scheme**

The Paid Parking Business Plan was supported with detail on parking associated matters, outlined proposed parking restrictions and locations, the suggested fees to be applied and how possible impacts on residential precincts could be addressed.

The proposed Scheme (refer Attachment 1) has been developed in keeping with the Strategy and on the basis of what was included in the Business Plan with some minor changes resulting from some further fine tuning of the requirements. This includes advice from Uloth and Associates Traffic Engineers, relating to time restrictions and parking bay occupancy and turnover.

## **Motor Cycle Bay Allocation**

A review of motor cycle parking facilities in the CBD has been undertaken and a separate plan (Attachment 2 refers) showing current and proposed locations has been included as part of the proposed Scheme. This work was undertaken in response to requests to consider the adequacy of the provision of motor cycle bays and the feasibility of converting some car bays in car parks in the CBD to motor cycle bays.

## **Parking on Footpaths/Paved Areas**

The paved verge areas of CBD streets and Joondalup City North experience a high volume of parking which would not normally be acceptable in a CBD location. This is due to among other things high parking demand, the very wide footpath/paved areas and insufficient and inconsistent enforcement. The recent amendment to the City's Parking Local Law relating to verge parking in Joondalup City North, provides the opportunity to reaffirm that paved areas have been provided as footpaths and pedestrian refuges and that parking on paved areas is prohibited.

## **Civic Centre Parking Station**

Parking in the parking facilities comprising the Civic Centre Parking Station, is meant to provide parking for visitors to the Civic building, administration, library and reception centre and for City and Community Vision staff parking. It is frequently used as a general carpark by those not using these facilities and this is difficult to enforce. Approving this area for Authorised and Visitor parking together with an appropriate management plan that will subsequently be developed will enable better management and control of this parking area.

## **Central Walk Parking Station**

As part of the Development Application approval for the construction of Lotteries House, the City has an obligation to provide thirty two (32) parking bays for Lotteries House tenants. The section of Central Walk Parking Station T1 west of Lotteries House provides the best option to meet that obligation by restricting vehicle parking there to Authorised Vehicles. The western section of the car park can only be accessed by vehicles passing a narrow entrance from the main Central Walk Parking Station. The placement of signs at that entrance indicating Authorised Vehicle Parking will enable use of those bays to meet the Lotteries House obligation and some Civic Centre parking needs.

## **DETAILS**

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

The Scheme Plan (Attachment 1 refers) shows the various parking time restrictions, parking prohibitions applicable on-street and in the Parking Stations, intended to meet short and long term demand. The time restrictions are to be supported by a range of fees based on application of the highest fee to apply to those areas of the highest parking demand and reducing proportionately to have the lowest fees apply at periphery parking facilities suitable to meet long term parking demand.

The Parking Scheme has been prepared with the following aims:

- To support business operations and development in the CBD by encouraging high turnover of parking bays closest to businesses that have high customer numbers and short time business transaction needs;
- To encourage people wanting long term parking to park on the periphery of the CBD where there is limited short term parking demand in the areas set aside for long term parking;
- To encourage those people entitled to on-site parking in the CBD to use that parking and leave the public parking facilities available for those who have no alternative;
- To provide some support for residents and visitor parking in areas not subject to parking fees;
- To provide for safety of pedestrian and vehicle movement;
- To limit the volume of vehicular traffic movement in the CBD due to motorists searching for a parking bay; and
- To achieve best utilisation of all public parking facilities managed by the City.

### **Motor Cycle Bay Allocation**

Research indicates that the sale of motor cycles and scooters has been increasing for some time and this trend is expected to continue. While the City has a reasonable allocation of motorcycle bays in streets and parking stations in the CBD it is acknowledged that the bays need to be better marked to assist in ready identification.

A recent survey of CBD streets was undertaken to identify and locate, all existing motor cycle bays in conjunction with identifying areas of road adjacent to fire plugs on the verge that need to have a statutory one metre of No Stopping to allow access by fire brigades should that be required. In allocating that one metre of road space, it was found that the space remaining was not sufficient for a car but could be effectively used for two or three motor cycle bays.

This process identified seven (7) additional bays for on-street locations taking the number of motor cycle bays on-street to 25.

The highest demand for motor cycle bays in a parking station is at Central Walk opposite the Motor Vehicle Licensing Centre. An assessment of areas suitable for motor cycle parking has revealed three locations where a total of eighteen (18) motor cycle bays can be positioned with the loss of just one car parking bay.

There are no motor cycle parking bays in the main section of the Civic Centre Parking Station that services the administration building. The proposed plan includes the conversion of a car bay into two (2) motor cycle bays in the visitor parking area and addition of three (3) motor cycle bays without loss of any car bays for Authorised Vehicles. There are two (2) motor cycle bays in the basement area of the Civic Centre Parking Station.

There are currently two (2) motor cycle bays in Lawley Court Parking Station and if the additional motor cycle bays are approved, there would be 27 motor cycle bays in parking stations and an overall total of fifty two (52) motor cycle bays in public parking facilities provided by the City.

The locations of current and proposed new motor cycle parking bays in the Joondalup CBD are indicated on the 'Motor Cycle Parking Bays – Joondalup CBD Parking Scheme Plan 2' (Attachment 2).

### **Parking on Footpaths/Paved Areas**

To address the issue of parking on footpaths and paved areas in the CBD it is proposed that with the exception of parking bays marked on paved areas and supported by signs, all other paved areas within the CBD and Joondalup City North are footpaths and as such parking on a footpath under the City's Parking Local Law is prohibited.

### **Civic Centre Parking Station**

To achieve an orderly management of these parking facilities it is appropriate to designate 'Civic Centre Parking Station No 5' for Authorised and Visitor parking.

A management plan that will address allocation and use of these parking facilities at the Civic Centre Parking Station P5 will be prepared to support the designation.

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

Objective:

3.1 To encourage the development of the Joondalup CBD.

Strategy:

3.1.5 The City implements its CBD Parking Strategy.

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

The City of Joondalup Parking Local Law (1998) was made in keeping with the requirements of the Section 3.12 of the Local Government Act (1995), Procedure for making local laws. Clauses 18 and 33 of the Parking Local law apply:

### **Establishment of Parking Stations**

18 The local government may by resolution, establish, determine and vary from time to time and indicate by signs:

- (a) parking stations;
- (b) permitted times and conditions of parking or stopping in parking stations;

- (c) classes of vehicles permitted to park or stop in parking stations;
- (d) the manner of parking or stopping in parking station,

but such authority shall not be exercised in a manner inconsistent with the provisions of this local law or any such written law.

### **Establishing and Amending the Parking Scheme**

33 The local government may by resolution constitute, determine, vary and indicate by signs:

- (a) prohibitions;
- (b) regulations; and
- (c) restrictions,

on the parking and stopping of vehicles of a specified class or classes in all roads, or specified roads or specified parts of roads in the parking region at all times or at specified times, but this authority shall not be exercised in a manner inconsistent with the provisions of this local law or any other written law.

### **Risk Management considerations:**

The City has reached a stage in its development where it is necessary to demonstrate it is capable and competent to manage public parking facilities under its control to achieve fair and equitable usage of these facilities for all the community. Should the City not be able to meet its responsibilities in this regard and Joondalup CBD be recognised as a location where parking is poorly managed, it is likely that further development in the CBD could be discouraged.

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

The only budget implication for the City specifically relating to the adoption of the Scheme is in relation to the signage which will indicate on the street the relevant restrictions, prohibitions etc. Signage has been provided for in the total project budget of \$1.2m.

### **Policy Implications:**

A series of City Policy documents are being prepared for administrative and operational imperatives and will be submitted to Council for consideration. What is outlined in the City Policy documents will be consistent with the Parking Scheme Aims in this report.

### **Regional Significance:**

The Joondalup CBD is planned to be the next largest to Perth in the metropolitan area. As such, it is important that the City demonstrates that its parking service is professionally managed and its Parking Scheme has appropriate allocation of public parking bays to support the operation of growing business and support activities, while providing for pedestrian and motor vehicle safety.

**Sustainability Implications:**

It is proposed that the revenue generated by paid parking will meet the operational and on going development costs of expanding the parking service. This will significantly reduce the level of funding required from the general rates. Paid parking has a strong history of generating sufficient revenue to provide for its sustainability as a service to the community.

**Consultation:**

The process for adoption of both the Parking Strategy and Paid Parking Business Plan included opportunities for public comment to be made on each of these proposals. Public comment received was duly considered by Council.

**COMMENT**

The proposed Scheme represents what is considered to be the most appropriate solution at this time to meet the previously stated aims, with allocation of on-street and parking station parking facilities to meet all parking demands. Parking schemes are subject to on going amendment in keeping with changes in parking demand that may be determined by business activity in close proximity.

Administration will monitor changes in parking demand and evaluate requests to change time limits and allocation of on-street parking facilities to support business activity and other needs. To enable amendments to the City's Parking Scheme to be progressed quickly in keeping with changed demands, it would be appropriate for Council to delegate authority to the Chief Executive Officer to approve amendments to the City's Parking Scheme.

**ATTACHMENTS**

- |              |   |
|--------------|---|
| Attachment 1 | New Parking Scheme – Joondalup Central Business District – Plan No 1 – 21/04/08.  |
| Attachment 2 | Motor Cycle Parking Bays in Joondalup CBD Parking Scheme – Plan 2 – 21/04/08.   |
| Attachment 3 | Schedule of Changes from the previous Joondalup CBD Parking Scheme to the New Parking Scheme - Joondalup Central Business District - Plan 1 – 21/04/08. |

**VOTING REQUIREMENTS**

Absolute Majority.

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

- 1 In accordance with Clauses 18 and 33 of the City of Joondalup Parking Local Law, ADOPTS the Parking Scheme for allocation of:**
  - (a) time limits in streets and street parking and parking stations for short term and long term parking as detailed on the New Parking Scheme – Joondalup CBD Plan1, dated 21 April 2008 as shown on Attachment 1 to Report CJ073-05/08;**

- (b) motor cycle parking bays as detailed on the Motor Cycle Parking Bays – Joondalup CBD Parking Scheme Plan 2 as shown on Attachment 2 to Report CJ073-05/08;
- 2 APPROVES that with the exception of parking on verge areas designated, marked and supported by signs to permit such parking, the parking on all other paved areas will be viewed as parking on a footpath and is prohibited;
  - 3 APPROVES the allocation of the Civic Centre Parking Station P5 to be designated for Visitor and Authorised Vehicles;
  - 4 APPROVES the allocation of that section of Central Walk Parking Station TI west of Lotteries House to be designated for Authorised Vehicles;
  - 5 BY AN ABSOLUTE MAJORITY, DELEGATES to the Chief Executive Officer authority to approve amendments to the Parking Scheme as adopted in 1 above in relation to the authority to implement and change time limits in streets and parking stations and the designation of visitor and authorised vehicle parking.

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [attach4brf060508.pdf](#)*

**CJ074-05/08 PURCHASE OF NEW MOWING EQUIPMENT FROM PLANT RESERVES – [12006]****WARD:** All**RESPONSIBLE  
DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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**PURPOSE**

This report seeks Council approval to fund the purchase of new mowing equipment from the Plant Replacement Reserve.

**EXECUTIVE SUMMARY**

The Chief Executive Officer has a programme of ongoing review of operational services. The base line for this activity relates to previously agreed service delivery levels adopted by the Council. The focus in the last six months has been in the Infrastructure Services Directorate and more recently the Operation Services Business Unit.

The review has highlighted the City has inadequate resources to meet industry benchmarks and previously agreed service levels of the Council. In particular, the lack of resources has impacted on the maintenance of verges and medians of arterial roads, major roads and parkland reserves. To achieve the required service levels it has been identified that additional plant and equipment is required to be purchased.

There are sufficient funds in the Plant Replacement Reserve to purchase the new equipment for two new mowing crews which have been identified as the highest priority.

*It is recommended that Council:*

- 1 *APPROVES the transfer of \$350,000 from the Plant Replacement Reserve to the Municipal Fund;*
- 2 *APPROVES the purchase of the following equipment from the Municipal Fund to a maximum value of \$350,000:*
  - *two 4 Tonne trucks with side lifters*
  - *two tandem trailers*
  - *four ride on mowers*

**BACKGROUND**

The Chief Executive Officer has a programme of ongoing review of operational services. The base line for this activity relates to previously agreed service delivery levels adopted by the Council. The focus in the last six months has been in the Infrastructure Services Directorate and more recently the Operation Services Business Unit.

The review has highlighted the City has inadequate resources to meet industry benchmarks and previously agreed service levels of the Council. In particular, the lack of resources has impacted on the maintenance of verges and medians of arterial roads, major roads and parkland reserves.

The established priority from the review is the provision of two new mowing crews.

In order to fully resource a functional mowing crew, the following plant and equipment is required.

• 4 Tonne Truck with side lifter	\$80,000
• Tandem trailer for mowers	\$27,000
• 2 x ride on mowers	\$60,000
• Contingency	\$ 8,000

<b>Total</b>	<b>\$175,000</b>
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<b>Total for 2 crews</b>	<b>\$350,000</b>
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As there was no budgetary consideration for these items in the current financial year, it is proposed to fund their purchase out of the Plant Replacement Reserve.

The Plant Replacement Reserve has sufficient funds (\$1,172,019) and its purpose is to 'assist with financing' of the plant requirements for the City, consequently, it is recommended that Council approves the transfer of funds from this reserve to purchase the equipment required.

## DETAILS

### Issues and options considered:

In the past three months the City has embarked on a programme for recruitment of labour for its operational services with a winding-back in the longer term of contracted services. The current economic climate in WA has seen a rapid increase in costs associated with contracted out services.

Two options were considered:

- 1 Budget for the new items in the 2008/09 Budget. This would delay the procurement of these items until the new budget has been adopted.
- 2 Fund the new items from existing reserves. This is the preferred option as it would allow procurement to commence immediately upon approval and there are sufficient funds in the reserves.

### Link to Strategic Plan:

*5.2.1 The City provides high quality recreation facilities and programs*

### Legislation – Statutory Provisions:

Section 6.11 of the Local Government Act 1995 requires that the use of money in a reserve account be disclosed in the annual financial report for the year in which the change occurs.



Section 6.8 of the Local Government Act 1995 requires that expenditure from the municipal fund not included in the annual budget must be authorised in advance by resolution where an absolute majority is required.

**Risk Management considerations:**

There is a minor increase in financial risk due to growth in the size of the City's fleet. This will be managed by future plant replacement programs and fleet maintenance programs.

**Financial/Budget Implications:**

The City has three plant related reserves as follows:

	<b>Reserve Name</b>	<b>Purpose</b>	<b>Anticipated Closing Balance 2007/2008</b>
1	Heavy Vehicles Replacement Reserve	To provide for the replacement of Council's fleet of vehicles	\$811,506
2	Light Vehicles Replacement Reserve	To provide for the replacement of Council's fleet of light vehicles	\$357,255
3	Plant Replacement Reserve	To assist with financing of Council's plant and equipment	\$1,172,019
	<b>TOTAL</b>		<b>\$2,340,780</b>

This report seeks approval to transfer \$350,000 from the Plant Replacement Reserve which would leave a balance of \$822,019.

**Policy Implications:**

There are no policy implications at this stage.

**Regional Significance:**

There is no regional significance regarding this issue.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

No consultation has taken place on this matter.

**COMMENT**

Not Applicable.

**ATTACHMENTS**

Nil.

**VOTING REQUIREMENTS**

Absolute Majority.

**RECOMMENDATION**

**That Council APPROVES:**

- 1 BY AN ABSOLUTE MAJORITY, the transfer of \$350,000 from the Plant Replacement Reserve to the Municipal Fund;**
- 2 the purchase of the following equipment from the Municipal Fund to a maximum value of \$350,000:**
  - two 4 Tonne trucks with side lifters**
  - two tandem trailers**
  - four ride on mowers;**

**CJ075-05/08      TRAFFIC CALMING - POYNTER DRIVE, DUNCRAIG  
[00672]****WARD:** South**RESPONSIBLE  
DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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**PURPOSE**

To consider the potential for traffic calming in Poynter Drive, Duncraig requested at the Briefing Session of 13 November 2007.

**EXECUTIVE SUMMARY**

The City's most recent traffic surveys for Poynter Drive show that this road carries approximately 2,771 vehicles per day, with 85% of all vehicles travelling at a speed of 60.1km/h or less. While the (85<sup>th</sup> percentile) travel speed of vehicles is higher than desirable, the volume of traffic and percentage of heavy vehicles along this road are within the ranges expected for a local access road. Poynter Drive Traffic Management is currently listed in the Capital Works Programme in 2013-2014. It was resurfaced in early 2006, and can readily be treated with median islands and tree wells in accordance with the priorities set within the capital works program.

*It is recommended that Council:*

- 1      *SUPPORTS the listing of Poynter Drive for treatment in the 2010/2011 Local Road Traffic Management Programme;*
- 2      *SUPPORTS the introduction of a number of community based road safety programmes with the support of the residents of Poynter Drive and the local community.*

**BACKGROUND**

Poynter Drive is 10.0m wide (centrally located within a 25m road reserve), 1050m long and is classified as a local access road under the City's Functional Road Hierarchy (see attached aerial photograph). In accordance with the City's Functional Road Hierarchy, a road of this type may be expected to carry up to 3,000 vehicles per day. However, Poynter Drive is currently being considered for reclassification as a Local Distributor Road. Poynter Drive is a bus route supporting route numbers 442 and 423 between Warwick, Whitfords and Stirling Station.

Poynter Drive extends from Beach Road to Chessell Drive, provides frontage to approximately 76 residential properties as well as Poynter Primary School and vehicular access to residential properties in a number of other local access roads. Poynter Drive is governed by the default urban speed limit of 50km/h, which was introduced in Western Australia on 1 December 2001.

The City has a programme to treat all local access roads that are a minimum 10 m wide with a red asphalt median, tree wells and raised islands to create a slower road speed environment. The priority of roads to be treated is reviewed each year and recommendations are made in the budget process. Poynter Drive currently resides in the 2013/14 year of the Local Road Traffic Management (LRTM) programme.

In 2006, when the road was resurfaced with an asphalt overlay, the red asphalt median including line marking was installed to facilitate the future traffic treatment.

## DETAILS

### Issues and options considered:

Traffic data was collected prior to the resurfacing of Poynter Drive in December 2005, and more recently in February 2008. This data indicates that the red asphalt and line marking treatment has already had an effect on the 85<sup>th</sup> percentile speed along Poynter Drive as shown in the table below.

Traffic volumes over this period have remained similar and within the acceptable limits under the metropolitan road hierarchy.

Location	Average Weekday Traffic 2008	Heavy Vehicles	85 <sup>th</sup> % Speed Feb 08	85 <sup>th</sup> % Speed Dec 05
Poynter Drive East of Chessell Drive	2170vpd	6.4%	43.6 km/h	48.2 km/h
Poynter Drive South of Bernedale Way	2194vpd	6.1%	59.4 km/h	60.8 km/h
Poynter Drive South of Granadilla Street	2264vpd	5.6%	57.2km/h	61.9km/h
Poynter Drive South of Glenbar Road	2771vpd	4.2%	60.1km/h	60.1km/h

The 85<sup>th</sup> percentile speed in the section of Poynter Drive between Glenbar Road and Beach Road has remained the same.

Crash data provided by Main Roads WA indicates that there have been eighteen recorded crashes along Poynter Drive in the 5-year period between January 2002 and December 2006. A summary of the crash data can be seen in the table below. It is noted that this qualifies the road length as a Black Spot, consequently it will be considered for this funding source in future Blackspot Submissions.

In the table, PDO is an abbreviation for Property Damage Only.

DATE	LOCATION	DAMAGE	TYPE
Mar-02	Quilter Drive & Poynter Drive	PDO Minor	Vehicle out of control, hit vehicle
May-02	Poynter Drive	PDO Major	Vehicle hit traffic island
May-02	Poynter Drive	Medical	Rear end collision
Mar - 03	Poynter Drive & Bernedale Way	PDO Minor	Rear end collision
Apr-03	Poynter Drive & Bernedale Way	PDO Major	Vehicle out of control, hit object
Jun - 03	Quilter Drive & Poynter Drive	PDO Major	Vehicle hit turning vehicle
Jun-03	Poynter Drive & Griffell Way	Hospital	Vehicle hit turning vehicle
Aug-03	Beach Road & Poynter Drive	PDO Major	Vehicle hit turning vehicle
Jan-04	Poynter Drive & Griffell Way	PDO Major	Vehicle out of control, hit object
Apr-04	Quilter Drive & Poynter Drive	Medical	Rear end collision
Apr-04	Poynter Drive & Chessell Drive	PDO Major	Vehicle out of control, hit object
Aug-04	Galston Place & Poynter Drive	Hospital	Vehicle hit turning vehicle
Feb-05	Beach Road & Poynter Drive	PDO Major	Rear end collision
Jul-05	Poynter Drive	PDO Major	Vehicle out of control, hit traffic island
Apr-06	Poynter Drive	PDO Major	Vehicle out of control, hit object
Jun-06	Poynter Drive	Hospital	Vehicle out of control, hit object
Sep-06	Poynter Drive	PDO Major	Vehicle out of control, hit object
Sep-06	Quilter Drive & Poynter Drive	PDO Major	Vehicle out of control, hit object

Any traffic management treatment will aim at lowering the 85<sup>th</sup> percentile speed but will most likely have little affect on the antisocial driver behaviour that creates most distress to residents.

The City uses a points system for prioritising roads for treatment. Points are allocated for various criteria such as speed, volume, crash history, road geometry, site distance, trip generators and location of schools and parks on the street. This points system allows for the comparative prioritisation of streets in the City's traffic management programmes to enable the best utilisation of municipal funds. This is termed the traffic warrant.

The traffic warrant for Poynter Drive ranks it as the fourth street in priority to be carried out within the current 5 Year Local Road Traffic Management Programme. Based on the current capital works programme budget, the ranking of the project compared to other projects, Poynter Drive is recommended for treatment in 2010/2011.

There is a proposal listed in the 2008/09 budget for an intersection island on Quilter Drive at Poynter Drive to address the speed and to regulate the turning movements. It is recommended that this be deferred to coincide with the balance of the works in Poynter Drive in 2010/11.

In the meantime to alleviate the residents' concerns the City can implement a number of community based strategies in Poynter Drive that may address some of the anti-social driver behaviour issues and help educate the community in relation to safe speeds and respect for the community space. It also provides sufficient time to complete the consultation process required prior to determination of the final design.

**Link to Strategic Plan:**Strategy:

4.2.6 The City implements and if necessary refines its Capital Works Programme

Outcome:

Projects are completed on time, within budget and reflect the interests of the community

Strategy:

5.4.4 The City develops and implements a comprehensive Road Safety Programme

Outcome:

Public perception of City safety programmes remain high or increase

**Financial/Budget Implications:**

The project is listed in the five year capital works programme within Local Road Traffic Management at an estimated cost of \$100,000.

**Consultation:**

Consultation will be undertaken during the design process for Poynter Drive.

**COMMENT**

Given the positive effect of the red asphalt median treatment on speed in Poynter Drive to date it is considered that the addition of trees, mid-block islands and intersection islands will continue to reduce speeds further from the current 85<sup>th</sup> percentile speeds.

The warrant prioritises Poynter Drive to fourth on the list and recommends it be listed in the 2010/2011 Local Road Traffic Management Programme of the Five Year forward Capital Works programme. Design and consultation would be undertaken in 2009/2010.

In the interim the City should consider implementing various community based road safety initiatives and in particular the bin sticker programme, community safe streets programme and the safe speed pledge when it becomes available later this year. The safe speed pledge is signed by residents and a sticker is placed on their vehicle to acknowledge that they have chosen to drive at the posted speed or according to the road conditions and is being introduced jointly by a number of councils in the metropolitan area. This allows residents of Joondalup to lead by example on the road and actively participate in the reduction of speeds on roads and improve road safety. The Community Safe Streets programme assists residents to form a community group to work with the police and local government to address speed and anti social driver behaviour in their streets.

**ATTACHMENTS**

Attachment 1      Location Map Poynter Drive

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council SUPPORTS the:**

- 1 listing of Poynter Drive for treatment in the 2010/2011 Local Road Traffic Management Programme;**
- 2 introduction of a number of community based road safety programmes with the support of the residents of Poynter Drive and the local community.**

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf060508.pdf](#)*

**CJ076-05/08      TRAFFIC MANAGEMENT SCHEME - CLIFF STREET,  
MARMION – [02786] [53530]**

**WARD:** South

**RESPONSIBLE  
DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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**PURPOSE**

To consider a petition regarding traffic concerns along Cliff Street in Marmion and Sorrento.

**EXECUTIVE SUMMARY**

A letter and 45-signature petition from residents of Marmion and Sorrento was presented to Council at the Ordinary Meeting of 25 September 2007, raising concerns regarding the traffic flow and vehicle speeds along Cliff Street and requesting the City examine ways to improve safety along the road.

In response to this letter and previous similar concerns regarding this road, the City formed a working group to identify and review the current traffic issues, examine the available traffic data and then consider the most appropriate course of action.

Following several meetings of the working group, a preferred concept plan was developed to better control vehicle speeds, improve road safety and to reduce the likelihood of through traffic in the area.

*It is recommended that Council:*

- 1      *ENDORSES the Preferred Final Concept Plan for Cliff Street Traffic Management Scheme as supported by the owners and residents of Cliff Street and included in Attachment 3 to Report CJ076-05/08;*
- 2      *NOTES that the Cliff Street Traffic Management Scheme has been included in the City's Five Year Capital Works Program for consideration when preparing future Annual Budgets;*
- 3      *ADVISES the Petition Organiser of Council's decision.*

**BACKGROUND**

Cliff Street is 7.4m wide (centrally located within a 20m wide road reserve), 400m long and is classified as a Local Access road under the City's Functional Road Hierarchy. In accordance with the City's Functional Road Hierarchy, a road of this type may reasonably be expected to carry up to 3,000 vehicles per day.

Cliff Street extends from Ross Avenue (in Sorrento) to Beach Road (in Marmion), providing frontage to approximately 70 residential properties (including a multiple-dwelling retirement village on Syree Court), two parks (Braden Park and Cliff Park) and vehicular access to a number of other local access roads, including Clontarf Street, Gull Street, Troy Avenue and Sheppard Way. Cliff Street is governed by the default urban speed limit of 50km/h, which was introduced in Western Australia on 1 December 2001.



A location plan identifying the subject area is attached – refer to Attachment 1.

A site inspection indicated that the road surface is in good condition. There is a 1.8m wide footpath along the eastern kerb (increasing to 2.3m wide between Gull Street and Verve Court) and the street lighting is located adjacent to the eastern kerb.

A letter and 45-signature petition was received from residents of Marmion and Sorrento in September 2007 and was presented to Council at the Ordinary Meeting of 25 September 2007, indicating concerns regarding traffic flow and vehicle speeds along Cliff Street and requesting the City to examine ways to improve safety along this road.

In response to this letter and previous similar concerns regarding this road, the City formed a working group to identify and review the current traffic issues, examine the available traffic data and then consider the most appropriate course of action. The working group consisted of 15 owners and residents from the entire length of Cliff Street, representatives from the City and an independent traffic engineer.

## **DETAILS**

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

At the first meeting of the working group (in November 2007), owners and residents identified their concerns for various sections of Cliff Street. The major concerns identified were:

- Excessive speed of vehicles and buses, particularly adjacent to Gull Street and Beach Road;
- Difficulty in reversing from driveways (due to the speed of approaching vehicles);
- Volume of non-local through traffic using Cliff Street as an alternative to West Coast Drive;
- Vehicles cutting corners when entering and exiting Cliff Street (particularly at Bettles Street and Arkwell Way);
- Cars overtaking stationary buses without adequate sight distance to see oncoming vehicles;
- The behaviour of hoons, particular at the High Street, Clontarf Street and Sheppard Way roundabouts; and
- The lack of centre line marking to provide guidance to drivers.

In order to assess the concerns raised by the working group, the City conducted traffic surveys at various locations along Cliff Street in October 2007. The industry standard for traffic assessments uses the 85<sup>th</sup> percentile travel speed (i.e. the speed at which 85% of vehicles are travelling below) and traffic volumes measured over seven days as the criteria for evaluating traffic, as prescribed in the Australian Standard *AS1742.4 1999 (Manual of Uniform Traffic Control Devices, Part 4: Speed Controls)*.

The results of the traffic surveys are summarised as follows:

<b>Location of Traffic Surveys along Cliff Street</b>	<b>Average Weekday Traffic Flow [vehicles per day]</b>	<b>85<sup>th</sup> Percentile Travel Speed [kilometres per hour]</b>	<b>Commercial Vehicles [%]</b>
North of Clontarf Street	680	36	1.8%
North of High Street	910	42	2.2%
North of Marine Terrace	1,250	50	1.8%
North of Gull Street	1,530	67	7.8%
North of Bettles Street	1,700	59	4.0%
North of Ozone Road	2,030	61	3.8%
North of Troy Avenue	2,090	60	4.2%
North of Lennard Street	1,890	52	4.8%
North of Beach Road	1,640	54	5.7%

The assessment of the traffic data collected for Cliff Street indicates that the volume of traffic and percentage of heavy vehicles along this road was found to be within the ranges expected for a local access road. However, the (85<sup>th</sup> percentile) travel speed of vehicles along some sections was found to be higher than desirable, particularly adjacent to Gull Street.

The volume of traffic along Cliff Street gradually increases between Ross Avenue and Sheppard Way and then decreases between Sheppard Way and Beach Road. This suggests Cliff Street is being used by motorists to travel to and from Sheppard Way. It should be noted that the Marmion Shopping Centre and Marmion Primary School are located on Sheppard Way. Given that the traffic flows along Cliff Street decrease between Sheppard Way and Beach Road, it is considered that the volume of non-local through traffic using Cliff Street as an alternative to West Coast Drive is not significant.

Following a request at the first working group meeting, Transperth was approached about re-routing part of the Cliff Street bus service via Sheppard Way, Whiley Road and Beach Road. Transperth did not consider such a change was warranted, based on the following reasons:

- the minimal demand for local residents to use the bus to travel to and from Marmion Shopping Centre;
- the desire of bus patrons for bus services to be kept as direct as possible;
- the need for a bus to turn right onto Beach Road (which is more difficult than the existing left turn from Cliff Street); and
- the need to relocate existing bus stops on Beach Road.

In relation to “hoon” activity along this road, members of the working group were advised of the appropriate methods of reporting this type of behaviour to the North West Metropolitan Police District and the City of Joondalup.

In relation to centre line marking, the City wrote to Main Roads Western Australia (MRWA) to request line marking along this road. MRWA advised that it would consider this request on receipt of a plan showing the extent of centre line marking required. This plan will be prepared by the City once the traffic management treatments along Cliff Street have been approved by Council.

Following several meetings of the working group (in November 2007, December 2007 and January 2008), a draft concept plan was developed to better control vehicle speeds, improve road safety and to reduce the likelihood of through traffic in the area. The draft concept plan contained the following traffic management measures:

- Pre-deflection chicanes on the Cliff Street approaches to the existing roundabout at the Clontarf Street intersection;
- Pre-deflection chicanes on the Cliff Street approaches to the existing roundabout at the High Street intersection;
- Construction of median islands on the Cliff Street approaches to the Marine Terrace intersection;
- Construction of a roundabout at the intersection of Cliff Street and Gull Street;
- Traffic islands on the Bettles Street and Arkwell Way approaches to intersections with Cliff Street;
- Construction of a speed plateau on Cliff Street between Arkwell Way and Ozone Road (adjacent to house number 58);
- Construction of a speed plateau within the existing centre blister island on Cliff Street between Verve Court and Troy Avenue (adjacent to Braden Park);
- Construction of a speed plateau on Cliff Street between Troy Avenue and Sheppard Way (adjacent to house numbers 25 and 28-30);
- Construction of a speed plateau on Cliff Street between Sheppard Way and Lennard Street (adjacent to house numbers 19 and 20);
- Construction of a speed plateau on Cliff Street between Lennard Street and Beach Road (adjacent to house number 6); and
- Installation of centre-line marking along the entire length of Cliff Street.

**Link to Strategic Plan:**

Strategy:

4.2.7 The City implements and if necessary refines its Capital Works Programme

Outcome:

Projects are completed on time, within budget and reflect the interests of the community

Strategy:

5.4.5 The City develops and implements a comprehensive Road Safety Programme

Outcome:

Public perception of City safety programmes remain high or increase

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

The City receives many requests to construct traffic management measures on local roads and therefore follows a system of prioritising these requests based on various factors, including traffic volumes, (85<sup>th</sup> percentile) travel speeds, crash data, road geometry, proximity to major trip generators, percentage of heavy vehicles and percentage of non-local through traffic.

**Financial/Budget Implications:**

The total cost of the preferred concept plan, as approved by the working group and the owners and residents, is in the order of \$300,000. A cost estimate of each component of the preferred concept plan is shown in the following table.

<b>Component</b>	<b>Cost to Council</b>
Median islands at Marine Terrace	\$ 30,000
Roundabout at Gull Street	\$ 150,000
Traffic island on Bettles Street on the approach to Cliff Street	\$ 15,000
Traffic island on Arkwell Way on the approach to Cliff Street	\$ 15,000
Traffic island on Cliff Street adjacent to Arkwell Way *	\$ 15,000
Speed plateau between Verve Court and Troy Avenue	\$ 20,000
Speed plateau between Troy Avenue and Sheppard Way	\$ 20,000
Speed plateau between Sheppard Way and Lennard Street	\$ 20,000
Traffic island on Cliff Street adjacent to Lennard Street *	\$ 15,000
Installation of centre line marking (works by MRWA)	\$ 0
<b>Total</b>	<b>\$ 300,000</b>

**Note:** (\*) The traffic islands on Cliff Street, adjacent to Arkwell Way and Lennard Street, were not part of the draft concept plan, but have been included after discussions with the Working Group. These islands are explained in the Comments section of this report.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

In order to determine the views of all residents in relation to the draft concept plan developed by the working group, a letter and plan was sent to all owners and residents along Cliff Street on 7 February 2008. The letter also provided information to residents detailing the advantages and disadvantages of each of the traffic management devices being proposed as part of the draft concept plan.

Prior to and including 7 March 2008 (the closing date for comment), 43 of the 131 owners and residents along Cliff Street had responded to the letter, which equates to a response rate of 33%.

A summary of the responses is indicated in the following table.

Question		Yes	No
<b>Part A:</b>	Do you support the need for traffic management measures on Cliff Street?	36	7
<b>Part B:</b>	If you answered 'Yes' to Part A: Do you support the installation of all the proposed traffic treatments, as shown in the concept plan?	23	13
<b>Part C:</b>	If you answered 'No' to Part B: ▪ Do you support the installation of all the proposed traffic treatments between Ross Avenue and Syree Court?	8	5
	▪ Do you support the installation of all the proposed traffic treatments between Syree Court and Troy Avenue?	7	6
	▪ Do you support the installation of all the proposed traffic treatments between Troy Avenue and Beach Road?	5	8

The detailed responses from owners and residents are shown in the following table. A diagrammatic representation of these responses is attached – refer to Attachment 2.

Property	Support the need for traffic management	Support the proposed treatments between Ross and Syree	Support the proposed treatments between Syree and Troy	Support the proposed treatments between Troy and Beach	Comments
34 Ross Ave	Yes	Yes	Yes	Yes	Similar treatments north of Cliff have not stopped hooners. Any treatment to reduce speed should be encouraged.
92 Cliff St	Yes	Yes	Yes	Yes	-
89 Cliff St	Yes	No	Yes	Yes	Objects to roundabout at Gull due to hoon activity. Objects to pre-deflection chicanes at High due to impact on adjacent property verges and traffic noise.
88 Cliff St	Yes	No	Yes	Yes	Objects to pre-deflection chicanes at High and Clontarf and the roundabout at Gull. Considers that the road should be narrowed.
31 Marine Tce	Yes	Yes	No	No	Too many speed plateaus. 3 would be sufficient to slow traffic but 5 is an overreaction.
29 Marine Tce	Yes	Yes	Yes	Yes	-
83 Cliff St	Yes	Yes	Yes	Yes	Considers that Stop signs should be installed on Cliff at Marine, giving priority to vehicles on Marine.
1/74 Cliff St	Yes	Yes	Yes	Yes	-
3/74 Cliff St	No	No	No	No	Cliff Street is needed as an alternative parallel route to West Coat Drive.
5/74 Cliff St	Yes	Yes	Yes	Yes	-
8/74 Cliff St	No	No	No	No	Cliff Street is needed as an alternative parallel route to West Coat Drive.
8/74 Cliff St	Yes	No	No	No	Supports the principle of traffic measures but on the proviso not to interfere with the bus service nor an ambulance that may be needed in the future.
14/74 Cliff St	Yes	Yes	Yes	Yes	-
15/17 Syree Ct	Yes	Yes	Yes	Yes	No objections, but considers that the proposed treatments are an overkill.
20/17 Syree Ct	Yes	Yes	Yes	Yes	-
21/17 Syree Ct	Yes	Yes	Yes	Yes	-

Property	Support the need for traffic management	Support the proposed treatments between Ross and Syree	Support the proposed treatments between Syree and Troy	Support the proposed treatments between Troy and Beach	Comments
25/17 Syree Ct	No	No	No	No	-
28/17 Syree Ct	No	No	No	No	-
29/17 Syree Ct	No	No	No	No	-
66 Cliff St	Yes	Yes	Yes	Yes	-
65 Cliff St	Yes	Yes	Yes	Yes	-
64 Cliff St	Yes	Yes	Yes	Yes	-
1 Arkwell Wy	Yes	Yes	Yes	No	-
61 Cliff St	Yes	Yes	Yes	Yes	-
60 Cliff St	Yes	Yes	No	Yes	Objects to the speed plateau adjacent to N <sup>o</sup> 58 due to the potential for excessive traffic noise.
58 Cliff St	No	No	No	No	-
3 Verve Ct	Yes	Yes	Yes	Yes	-
50 Cliff St	Yes	Yes	No	No	Objects to all speed plateaus but supports the roundabout.
38 Cliff St	Yes	Yes	Yes	No	Objects to speed plateaus south of Troy, but supports the plateau within the existing centre blister island.
36 Cliff St	Yes	Yes	Yes	Yes	-
34 Cliff St	Yes	Yes	Yes	Yes	-
15 Troy Ave	Yes	Yes	Yes	Yes	-
16 Troy Ave	Yes	Yes	Yes	Yes	-
2 Sheppard Wy	Yes	No	Yes	Yes	Objects to the concept of chicanes on Cliff Street.
1/23 Cliff St	Yes	Yes	Yes	Yes	-
2/23 Cliff St	Yes	Yes	No	No	Does not consider that there is a traffic problem and that no measures will stop the hooners. Considers that commercial vehicles already have difficulty negotiating this road without any further hindrance.
20 Cliff St	Yes	Yes	Yes	Yes	-
19 Cliff St	Yes	Yes	Yes	Yes	-
15 Lennard St	Yes	No	Yes	Yes	Considers the roundabout at Gull will bring extra noise and hoon behaviour. Prefers speed plateaus either side of Gull. Supports the pre-deflection chicanes at High and Clontarf. Also wants traffic treatments at Cliff/Lennard.
8 Cliff St	Yes	Yes	Yes	Yes	-
6 Cliff St	Yes	Yes	Yes	No	Preference for the plateaus to be replaced by a roundabout at Cliff/Lennard.
5 Cliff St	No	No	No	No	Objects to speed plateaus. 1 or 2 plateaus would be okay but 5 plateaus are too much, especially for people that use Cliff Street all the time.
4 Cliff St	Yes	Yes	No	No	Object to the 5 raised plateaus between Beach and Arkwell. Suggestion for a roundabout at Cliff/Beach and Cliff/Lennard.
<b>'Yes' Responses</b>	<b>36</b>	<b>31</b>	<b>30</b>	<b>28</b>	
<b>'No' Responses</b>	<b>7</b>	<b>12</b>	<b>13</b>	<b>15</b>	

The 43 respondents to the survey show that:

- 84% of owners and residents support the need for traffic management measures along Cliff Street;
- 72% of owners and residents support the installation of the proposed traffic treatments between Ross Avenue and Syree Court;
- 70% of owners and residents support the installation of the proposed traffic treatments between Syree Court and Troy Avenue; and
- 65% of owners and residents support the installation of the proposed traffic treatments between Troy Avenue and Beach Road.

## COMMENT

The community consultation showed that there is majority support from owners and residents of Cliff Street for some form of traffic management measures along this road. However, there were a number of components of the draft concept plan that required modification.

The two roundabouts at the northern end of Cliff Street (at the Clontarf Street and High Street intersections) were the subject of a number of issues raised by residents during the meetings of the working group. These issues related to vehicles travelling too fast through the roundabout and vehicles deliberately spinning their tyres while entering and exiting the roundabout.

In order to address these issues, it was proposed to install pre-deflection chicanes on the Cliff Street approaches to these two roundabouts. Two of the four properties adjacent to the High Street roundabout objected to the pre-deflection chicanes on the grounds that there would be an impact on their property verges if these devices were constructed. Also, vehicles would be brought closer to their property boundaries while negotiating these devices. It is therefore considered that the pre-deflection chicanes should be removed from the final concept plan.

The traffic surveys undertaken north of Clontarf Street and north of High Street indicated that the (85<sup>th</sup> percentile) travel speed of vehicles on the approaches to these two roundabouts was between 36 and 42km/h. This data suggests that the speed of vehicles is within an acceptable range and that the issues described by residents are more related to hoorn behaviour, which can be difficult to control with any traffic management measures.

There were no objections to the proposed traffic islands on Cliff Street on the approaches to Marine Terrace. It is considered that these measures would assist in reducing the speed of vehicles along this section of road and should therefore be retained as part of the overall traffic management scheme.

The traffic surveys showed that the highest (85<sup>th</sup> percentile) travel speeds on Cliff Street were experienced north of Gull Street (up to 67km/h). This can be attributed to the fact that Gull Street is located within the valley of two steep hills and vehicles often pick up speed when travelling down the hill. For this reason, it is considered that the construction of a roundabout at Gull Street would be an appropriate traffic management measure to reduce the speed of vehicles along this section of road.

A number of residents objected to the construction of a roundabout at this location on the grounds that this would attract similar hoon type behaviour as that experienced at the Clontarf Street and High Street roundabouts. While these comments are acknowledged, this type of hoon behaviour can never be completely prevented and the benefits to speed reduction along this section of road would far outweigh the potential negative impacts.

There were no objections to the proposed traffic islands on the Bettles Street and Arkwell Way approaches to the intersections with Cliff Street. It is considered that these measures would assist in reducing the incidences of vehicles cutting the corners at these two locations and would therefore reduce the speed of vehicles entering and exiting these respective side roads.

In relation to the speed plateau between Arkwell Way and Ozone Road, two of the four properties adjacent to the device objected to its construction. The objections were primarily based on the potential for additional traffic noise when vehicles slow down and accelerate away from the device. It is therefore considered that the pre-speed plateau between Arkwell Way and Ozone Road should be removed from the final concept plan.

There were no objections to the three speed plateaus between Ozone Road and Lennard Street. It is considered that these measures would assist in reducing the speed of vehicles along this section of road and should therefore be retained as part of the overall traffic management scheme.

In relation to the speed plateau between Lennard Street and Beach Road, three of the four properties adjacent to the device objected to its construction. The reason for the objection was that these residents considered that the number of plateaus being proposed in the draft concept plan was too many. It is therefore considered that the speed plateau between Lennard Street and Beach Road should be removed from the final concept plan.

During the final meeting of the working group, the residents considered that the removal of two of the speed plateaus would lead to long sections of road without any traffic management. The working group therefore requested that narrow median islands be constructed adjacent to Arkwell Way and Lennard Street to assist in reducing the speed of vehicles adjacent to these two sections of Cliff Street. Similar islands are being proposed adjacent to the Marine Terrace intersection and these can be constructed without any widening of the road at these locations. The preferred final concept plan is in attachment 3.

## **ATTACHMENTS**

Attachment 1	Location Map of Cliff Street
Attachment 2	Results of Community Consultation
Attachment 3	Preferred Final Concept Plan

## **VOTING REQUIREMENTS**

Simple Majority.



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

- 1      ENDORSES the Preferred Final Concept Plan for Cliff Street Traffic Management Scheme as supported by the owners and residents of Cliff Street and included in Attachment 3 to Report CJ076-05/08.**
- 2      NOTES that the Cliff Street Traffic Management Scheme has been included in the City's Five Year Capital Works Program for consideration when preparing future Annual Budgets;**
- 3      ADVISES the Petition Organiser of Council's decision.**

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf060508.pdf](#)*

**CJ077-05/08      REQUEST FOR PARKING PROHIBITIONS –  
TRAILWOOD DRIVE, WOODVALE – [09618] [42918]****WARD:** Central**RESPONSIBLE  
DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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**PURPOSE**

To amend the City of Joondalup Parking Scheme by the introduction of a “NO PARKING” parking restriction adjacent to Whitfords Train Station, in Woodvale. The streets to be included in the proposed amendment are:

- Trailwood Drive
- Chase Court
- Tamblyn Close
- High Tor
- The Return
- The Haven
- The Ridge
- The Crest

**EXECUTIVE SUMMARY**

In response to a survey conducted by the City, the residents of Trailwood Drive, Woodvale have requested that the City prohibit parking along Trailwood Drive adjacent to Whitfords Avenue. The residents of Trailwood Drive have supported the prohibitions to prevent commuters from Whitfords Train Station from parking along the southern verge on Trailwood Drive, however it is noted that introducing prohibition on Trailwood Drive could lead to the parking moving to adjacent streets. Therefore it is necessary to implement an area-wide parking prohibition.

*It is recommended that Council:*

- 1      *APPROVES the introduction of an area wide parking restriction as per Option 1 as shown on Attachment 1 to Report CJ077-05/08;*
- 2      *SUPPORTS the amendment to an area wide parking restriction as per Option 3 as shown on Attachment 3 to Report CJ077-05/08, including the construction of formal parking embayments on Trailwood Drive, the subject of a Black Spot funding application. If supported, \$35 000 is to be listed for consideration in the 2009-2010 Capital Works Budget;*
- 3      *ADVISES the residents of Trailwood Drive and surrounding streets of Council's decision.*

## BACKGROUND

The City originally wrote to residents directly affected by the verge parking along Trailwood Drive in September 2003. The residents were asked to give feedback on whether they considered the verge parking to be a problem, and if so, what time of the day they considered it a problem. Residents were asked for their preferences as follows:

1. Parking permitted on southern verge of Trailwood Drive with brick paving only.
2. Parking ban on verge and carriageway where kerb is high and brick paving on verge where kerb is low.
3. Other (Please specify)

There were seven replies received from the ten houses that were asked for feedback. Six were owner occupied and one was from the property manager of a residence that is a rental. Four of the seven respondents accepted that although there needs to be parking prohibitions, parking still needs to be allowed on verge and three respondents were against any form of formal parking being permitted on street for commuters.

When the survey took place the car parking facility at Whitfords Train Station was at capacity and there was no plan to extend it in the near future. Similarly, Warwick Train Station was at capacity and the overflow from both stations impacted the adjacent streets. Greenwood Train Station was expected to open in September 2004 with 680 car parking bays. It was thought that some of the overflow from streets adjacent to Whitfords and Warwick stations may have been accommodated at the new Greenwood Train Station.

The residents acknowledged that there was no point in prohibiting parking completely as this would just move the problem elsewhere. They preferred to have the verge brick paved for aesthetic reasons, and to prohibit parking in the area where there is currently barrier kerbing. The estimated cost was \$20,000 and was considered as part of future budget deliberations. The proposal to brick pave the verge has not been approved to date.

The City revisited the issue in April 2007 when it was contacted to address road safety and amenity issues related to commuters from Whitfords Train Station. The City was advised by the residents that the number of vehicles parking along Trailwood Drive was increasing and it was requested that a parking prohibition be implemented along Trailwood Drive.

The parking and road safety issues have now been investigated by the City. To prevent vehicle parking from moving into adjacent streets after implementing a restriction along Trailwood Drive it was considered necessary to also restrict parking in the adjacent streets up to a distance of 800m from Whitfords Train Station.

## DETAILS

Trailwood Drive is classified as a local access road under the City's Functional Road Hierarchy. Trailwood Drive extends between Trappers Drive and Timbercrest Rise, is 1.7km long and 7.4m wide, and is centrally located within a 20m wide road reserve.

There is a footpath along the south side of the road. Trailwood Drive is governed by the default urban speed limit of 50km/h, which was introduced in Western Australia on 1 December 2001.

Normally all requests for parking prohibitions are assessed by the City over a period of three months to determine the number of cars parking, any safety issues, other issues, parking requirements and facilities. The issue of parking on Trailwood Drive is particularly complicated; consequently it has been assessed by the City of Joondalup since April 2007. It was determined from a traffic perspective that parking prohibitions are not warranted as vehicles are not parked in a dangerous manner, however, residents believed that the verge area along Trailwood Drive should not be used for all day commuter parking and it was contributing to the damage of the verge in that area.

The City of Joondalup is sympathetic to the residents' concerns in this instance and drafted a parking prohibition proposal which was sent with a letter to residents along Trailwood Drive and adjacent streets in October 2007 to determine their opinions on the parking issue. The community consultation letter asked whether or not they approved of a parking prohibition in the area and if so to choose between two options. See Attachment 1 and Attachment 2.

### **Proposed Parking Restriction - Option 1**

This option does not permit parking on the carriageway of Trailwood Drive on the residential side and adjacent streets, between 9am and 6pm, Monday to Friday. Residents may park on their own verges during this time, however vehicles parked on residential verges without the permission of the residents will be in breach of the City's Parking Local Law (section 42(2)).

Parking on the southern side of Trailwood Drive is prohibited between 9am and 6pm, Monday to Friday on both the carriageway and verge.

The statutory "No Stopping" zones are at the intersections and these are required for the safety and site distance of pedestrians and motorists. The "No Stopping" zones apply every day, and are statutory under the Road Traffic Code 2000.

### **Proposed Parking Restriction - Option 2**

This option is essentially the same as option 1 but allows for limited parking on the verge on Trailwood Drive between The Return and High Tor, after 8am only. This is to deter anyone from parking there whilst the Whitfords Car Park has bays available early in the morning, but allows for limited shorter-term commuter parking later when the car park is full. The City will pave the verge area where parking is permitted.

The City's most recent traffic surveys for Trailwood Drive were undertaken in February 2008. The data collected from these surveys is summarised as follows:

Location	Average Weekday Traffic	Heavy Vehicles	85 <sup>th</sup> % Speed
Trailwood Drive, west of Chase Court	2194vpd	1.00%	63.7 km/h
Trailwood Drive, south of The Ridge	1779vpd	1.00%	64.8 km/h

Crash data provided by Main Roads WA indicates that there have been sixteen recorded crashes along Trailwood Drive in the 5-year period between January 2002 and December 2006. It is noted that the crash statistics qualify the length of the street for Black Spot funding. A summary of the crash data can be seen in the table below.

In the table, PDO is an abbreviation for Property Damage Only.

DATE	LOCATION	DAMAGE	TYPE
16-Jan-02	TRAILWOOD DRIVE & THE RETURN	Medical	Car hit motorbike
27-Mar-02	TRAILWOOD DRIVE & TIMBERCREST RISE	PDO Minor	Rear end collision
6-Jun-02	TRAILWOOD DRIVE	PDO Major	Car out of control
3-Aug-02	TRAILWOOD DRIVE & TIMBERCREST RISE	PDO Major	Car out of control
23-Dec-02	TRAILWOOD DRIVE	PDO Major	Car leaving driveway hit by car
23-Feb-03	TRAILWOOD DRIVE & CAMARINO DRIVE	PDO Major	Car collided with car turning at intersection.
7-Mar-03	TRAILWOOD DRIVE	Hospital	Car hit pedestrian
18-May-03	TRAILWOOD DRIVE	PDO Major	Car out of control
7-Jun-03	TRAILWOOD DRIVE	PDO Major	Rear end collision
9-Nov-03	TRAILWOOD DRIVE & HIGH TOR	PDO Minor	Car hit motorbike
4-Dec-03	TRAILWOOD DRIVE	PDO Minor	Car hit motorbike
6-May-04	TRAILWOOD DRIVE	Hospital	Car out of control
2-Jun-04	TRAILWOOD DRIVE & TRAPPERS DRIVE	PDO Major	Rear end collision
2-Jul-05	TRAILWOOD DRIVE & TIMBERCREST RISE	PDO Major	Car collided with car turning at intersection.
11-Dec-05	TRAILWOOD DRIVE & THE RETURN	PDO Minor	Motorbike out of control
13-Mar-06	TRAILWOOD DRIVE & CAMARINO DRIVE	Medical	Car collided with car turning at intersection.

#### Link to Strategic Plan:

The recommendation in this report is supported by the following objective and strategy in the City's Strategic Plan 2008 – 2011:

Strategy: 5.4.4 The City develops and implements a comprehensive Road Safety Program.

Outcome: Public perceptions of City safety programs remain high or increase.

#### Legislation – Statutory Provisions:

The City of Joondalup Parking Local Law 1998 was made in keeping with the requirements of the Local Government Act (1995):

8 (2) For the purpose of this local law, a sign may prohibit or regulate parking or stopping by the use of any symbol or other traffic control device in accordance with AS1742.11

33 The local government may by resolution constitute, determine, vary and indicate by signs:

- (a) prohibitions;
- (b) regulations; and
- (c) restrictions,

on the parking and stopping of vehicles of a specified class or classes in all roads, specified roads or specified parts of roads in the parking region at all time or at specified times, but this authority shall not be exercised in a manner inconsistent with the provisions of this local law or any other written law.

- 42 (1) A person shall not stop or park a vehicle on a road verge where signs prohibit the stopping or parking of vehicles on that verge.
- (2) A person not being the occupier of the land abutting on to a road verge, shall not without the consent of that occupier, drive, park or stop a vehicle upon that road verge.

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

The City receives many requests to implement parking prohibitions on local roads and therefore follows a system of prioritising these requests based on various factors, including traffic volumes, (85<sup>th</sup> percentile) travel speeds, crash data, road geometry, the number of cars parking, any safety issues, parking requirements and facilities.

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

The cost to erect the necessary signage is approximately \$150 each, and sufficient funds exist in the maintenance operational budget for this work to occur. The total cost is estimated at \$2,000.

The cost of the embayments at \$35,000 would need to be listed for consideration in the 2009/10 Capital Works Budget.

#### **Policy Implications:**

Not Applicable.

#### **Regional Significance:**

Not Applicable.

#### **Sustainability Implications:**

Not Applicable.

#### **Consultation:**

In order to determine the views of residents in relation to parking on Trailwood Drive, owners of properties in the area affected by the proposed prohibitions were consulted. Of the 70 responses received there were 54% requesting prohibition option 1, 35% requesting prohibition option 2, and 11% objected to the proposal. Notwithstanding the choice of option, this provides a 89% support rate for prohibitions in the area. See summary table below.

Feedback	No of Persons	% Mail Out	% Response
Object to any parking prohibitions	8	4	11
Support Parking Prohibitions - Option 1	38	20	54
Support Parking Prohibitions - Option 2	24	13	35
No Reply	121	63	
TOTAL	191	100.0	100

The detail which made up table above are included in Attachment 5.

Attachment 4 shows the properties surveyed for their views on the parking on Trailwood Drive, Woodvale.

During the collation of the feedback it was noted that a number of residents had asked for residential parking permits. The City is currently working towards the introduction of these type of permits within specific areas. It is expected that residential parking permits would be made available for consideration by Council before the end of 2008.

## **COMMENT**

The proposal to prohibit parking along Trailwood Drive and surrounding streets as per Attachment 1 (Option 1), will maintain the general traffic flow at all times and therefore increase the level of safety and access at all times for road users. Prohibiting verge parking also improves the safety for pedestrians. This was the option that received the majority of support.

Because there was no definite preference a third option was explored by the City, where some formal parking could be facilitated on the verge adjacent to the drainage sump, which would allow people to park their vehicles if they wished to visit the park, or for short term commuter parking, as per Attachment 3 (Option 3). The vehicles that do park on Trailwood Drive have been identified as mostly residents of Woodvale. As previously mentioned, the length of the street has had sixteen crashes and is potentially eligible for Black Spot funding and it is therefore recommended that the project (Option 3) be listed for budget consideration in 2009/10. It is estimated to cost \$35,000, however, further investigations would be required to determine the exact location and number of the bays, before completing the Black Spot submission.

Because the area-wide parking prohibitions will be implemented before the construction of the formal parking embayments it will be necessary to amend the prohibitions at construction time to permit parking in the embayments.

The proposal to prohibit parking on Trailwood Drive and surrounding streets from 9am to 6pm on weekdays would ensure that traffic movements along this road are unimpeded and access is maintained to all residential crossovers.

Therefore Option 1 is initially supported to be replaced by Option 3 when the embayments are constructed, and it is recommended that the City adopts this scheme.

## **ATTACHMENTS**

Attachment 1	Proposed parking restriction (Option 1)
Attachment 2	Proposed parking restriction (Option 2)
Attachment 3	Proposed parking restriction (Option 3)
Attachment 4	Community Consultation Results
Attachment 5	Community Feedback - Table

## **VOTING REQUIREMENTS**

Simple Majority.

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

- 1 APPROVES the introduction of an area wide parking restriction as per Option 1 as shown on Attachment 1 to Report CJ077-05/08;**
- 2 SUPPORTS the amendment to an area wide parking restriction as per Option 3 as shown on Attachment 3 to Report CJ077-05/08, including the construction of formal parking embayments on Trailwood Drive, the subject of a Black Spot funding application;**
- 3 Subject to (2) above, list an amount of \$35,000 for consideration in the 2009/2010 Capital Works Budget;**
- 4 ADVISES the residents of Trailwood Drive and surrounding streets of Council's decision.**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf060508.pdf](#)*



## **CJ078-05/08      REQUEST FOR PARKING PROHIBITIONS – HAWKER AVENUE (AND ADJACENT STREETS) WARWICK – [03117]**

**WARD:** South

**RESPONSIBLE  
DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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### **PURPOSE**

To have the Council consider amending the City of Joondalup Parking Scheme by the introduction of an area wide “NO PARKING” restriction adjacent to Warwick Train Station, in Warwick. The streets to be included in the proposed amendment are:

- Mallaig Place
- Buckie Court
- Paisley Court
- Flannan Place
- Carluke Place
- Sanday Place
- Farne Close
- Kirkcolm Way
- Hawker Avenue
- Millport Drive
- Fairisle Place
- Coll Place
- Raasay Place
- Hawick Court
- Moffat Place
- Arran Court
- Felgate Place

### **EXECUTIVE SUMMARY**

A 26 signature petition from a resident of Hawker Avenue was presented to Council at the Ordinary Meeting of 24 April 2007 seeking to prohibit parking along Hawker Avenue, Mallaig Place and Buckie Court. The resident raised concerns relating to commuters from Warwick Train Station parking in the surrounding streets resulting in road hazards and loss of amenity issues in some of the streets surrounding the Warwick Train Station.

*It is recommended that Council:*

- 1      *APPROVES the introduction of an area wide parking restriction adjacent to Warwick Train Station as shown on Attachment 1 to Report CJ078-05/08;*
- 2      *ADVISES the residents of Hawker Avenue and surrounding streets of Council's decision.*

### **BACKGROUND**

Problems associated with all day parking have spread to several areas adjacent to the Northern Rail Line. Around the Warwick Rail Park'n'Ride Facility, parking now occurs on:

- Hawker Avenue,
- Mallaig Place,
- Buckie Court
- Millport Drive
- Kirkcolm Way
- Hawick Court

These streets are shown on the proposed parking prohibition plan (Attachment 1 refers).

Monitoring of all day parking in this area has been carried out on a regular basis for some time and the number of vehicles parking is steadily increasing.

In July 2004, the City received a 7-signature petition from residents of Farne Close in Warwick requesting that a parking restriction be implemented to prevent commuters associated with the Warwick Bus/Rail Station parking in their street.

In November 2004 the City implemented parking restrictions along Hawker Avenue, Sanday Place and Farne Close to address the overflow parking issues at the time. In conjunction with this, a letter was circulated to residents of these areas seeking comments on how they are affected by all day parking in the streets. Transperth had also been asked to comment. More recently, in view of the increasing concerns of residents in these other streets, the monitoring of all day parking patterns has been extended to include the streets surrounding Hawker Avenue.

The petitioners were concerned that commuters associated with the Warwick Bus/Rail Station are parking on their verges, driveways and on the corners at the intersection of the above streets therefore restricting residential access, obstructing their vision and creating amenity issues.

The pattern to date has been that as the new prohibitions were implemented by the City then within a few months the parking would start to extend beyond the prohibitions, prompting an extension of the prohibitions.

The City has had extensive consultation with State Government agencies (Public Transport Authority and Department of Planning and Infrastructure) regarding improved parking availability and bus services for Warwick Train Station. Although the State Government has announced additional parking for the northern line at Greenwood, Whitfords and Edgewater Train Stations, Warwick Train Station was not included in this project.

Because the City does not see a resolution to the parking problems at Warwick in the near future, it is proposed to continue to implement parking prohibitions around Warwick Train Station to address the concerns of residents and to encourage commuters to park in the car park at Hawker Park, or catch a bus. The extent of the prohibition is based on how far a commuter is prepared to walk, and the theory is that this will discourage all day commuter parking around the station.

The petition received by the City in April 2007 raised similar concerns to the previous petition. In view of this an updated parking assessment of the area surrounding Warwick Bus/Rail Station has been carried out.

This assessment followed a public consultation process with residents of Hawker Avenue and adjacent streets, seeking their feedback on a proposal to implement a 'No Parking' restriction up to 700m from the Warwick Bus/Rail Station unless signed otherwise.

## **DETAILS**

Hawker Avenue and the surrounding roads are classified as local access roads under the City's Functional Road Hierarchy. Hawker Avenue extends between Dorchester Avenue and Springvale Drive, it is 1.3km long and ranges from a 7.4m to 10m wide carriageway, centrally located within a 20m wide road reserve.

There is a footpath along the east side of the road. Hawker Avenue is governed by the default urban speed limit of 50km/h, which was introduced in Western Australia on 1 December 2001.

All requests for parking prohibitions are assessed by the City over a period of three months to determine the number of cars parking, any safety issues, other issues, parking requirements and facilities.

The issue of parking on Hawker Avenue was assessed by the City of Joondalup and it was determined that parking prohibitions are not warranted as vehicles were not seen parked in an unsafe manner. However, residents have mentioned that the area should not be used for all day commuter parking because of the access issues and it was also contributing to the damage to verges. Residents have also advised that they are unable to have their household rubbish bins emptied due to vehicles parking in front of the bins.

The City of Joondalup subsequently drafted a parking prohibition proposal which was sent with a letter to residents along Hawker Avenue and adjacent streets in October 2007 to determine their opinions on the parking issue. The community consultation letter asked whether or not they approved of a parking prohibition in the area.

### **Proposed Parking Restriction**

The proposal does not permit parking on the carriageway of Hawker Avenue and adjacent streets, between 9am and 5pm, Monday to Friday. Residents may park on their own verges during this time, however vehicles parked on residential verges without the permission of the residents are covered under the City's Parking Local Law (section 42(2)).

The City has consulted directly with Hawker Park Primary School to minimise the inconvenience and maximise the safety for all road users in the area during school times. To address the congestion issue it was decided that the school utilise the "Kiss and Drive" bays on Hawker Avenue.

"Kiss and Drive" is a RoadWise program that is run by volunteers from the school whereby vehicles are not permitted to park in the designated bays. Essentially parents drive in to the bays, drop their children off and then drive away. This ensures that the maximum number of vehicles can use the embayments available resulting in minimal parking congestion.

In view of this, to prevent parking on Hawker Avenue in the "Kiss and Drive" embayments it is proposed to implement a "NO PARKING" prohibition. This allows drivers to stop their vehicles for up to 2 minutes to pick up their children but not to park.

Additionally, 2 hour and 4 hour parking areas are proposed to allow for parents to attend meetings, for canteen staff, and for users of the park.

The proposal sent to residents did not allow for changes to any existing signed prohibitions in the area.

The City's most recent traffic surveys for Hawker Avenue were undertaken in December 2004. The data collected from these surveys is summarised as follows:

Location	Average Weekday Traffic	Heavy Vehicles	85 <sup>th</sup> % Speed
Hawker Avenue, west of Flannan Place	2908vpd	0.6%	62 km/h
Hawker Avenue, east of Mallaig Place	2317vpd	0.6%	56 km/h

Crash data provided by Main Roads WA indicates that there have been twelve recorded crashes along Hawker Avenue and surrounding streets in the 5-year period between January 2002 and December 2006. It is noted that should further traffic management be required for this area then the crash statistics would make the street length eligible for Black Spot funding. A summary of the crash data can be seen in the table below.

In the table, PDO is an abbreviation for Property Damage Only.

DATE	LOCATION	DAMAGE	TYPE
Sep - 02	Hawker Avenue	PDO Major	Parking vehicle hit another vehicle.
Nov - 02	Felgate Place	PDO Minor	Vehicle hit parked vehicle.
Aug - 03	Hawker Avenue	PDO Major	Vehicle out of control – hit sign.
Apr - 04	Dorchester Avenue & Millport Drive	PDO Major	Rear end collision.
May - 04	Dorchester Avenue & Hawker Avenue	Medical	Motorbike hit stopped vehicle.
Aug - 04	Hawker Avenue	PDO Minor	Vehicle hit pole after swerving to avoid animal.
Aug - 04	Kirkcolm Way	PDO Minor	Vehicle hit pedestrian
Sep - 04	Hawker Avenue	PDO Major	Vehicle hit pole after swerving to avoid animal.
Nov - 05	Hawker Avenue	PDO Major	Parked car 'ran away'.
May - 06	Dorchester Avenue & Hawker Avenue	PDO Minor	Bus hit traffic island.
May - 06	Buckie Court	PDO Minor	Vehicle reversed into parked vehicle.
Sep - 06	Coll Place	PDO Major	Vehicle reversed into vehicle.

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

The recommendation in this report is supported by the following objective and strategy in the City's Strategic Plan 2008 – 2011:

Strategy: 5.4.4 The City develops and implements a comprehensive Road Safety Program.

Outcome: Public perceptions of City safety programs remain high or increase

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

The City of Joondalup Parking Local Law 1998 was made in keeping with the requirements of the Local Government Act (1995):

- 8 (2) For the purpose of this local law, a sign may prohibit or regulate parking or stopping by the use of any symbol or other traffic control device in accordance with AS1742.11
- 33 The local government may by resolution constitute, determine, vary and indicate by signs:
  - (d) prohibitions;
  - (e) regulations; and
  - (f) restrictions,

on the parking and stopping of vehicles of a specified class or classes in all roads, specified roads or specified parts of roads in the parking region at all time or at specified times, but this authority shall not be exercised in a manner inconsistent with the provisions of this local law or any other written law.

- 42     (1)     *A person shall not stop or park a vehicle on a road verge where signs prohibit the stopping or parking of vehicles on that verge.*
- (3)     *A person not being the occupier of the land abutting on to a road verge, shall not without the consent of that occupier, drive, park or stop a vehicle upon that road verge.*

**Risk Management considerations:**

The City receives many requests to implement parking prohibitions on local roads and therefore follows a system of prioritising these requests based on various factors, including traffic volumes, (85<sup>th</sup> percentile) travel speeds, crash data, road geometry, the number of cars parking, any safety issues, parking requirements and facilities.

**Financial/Budget Implications:**

The cost to erect the necessary signage is approximately \$150 each, and sufficient funds exist in the maintenance operational budget for this work to occur. It is envisaged that there will be approximately 22 additional signs required for the implementation of this area wide restriction at a total cost of \$3,300.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

In order to determine the views of residents in relation to parking on Hawker Avenue and adjacent streets, owners of properties in the area affected by the proposed prohibitions were consulted.

Letters were sent to a total of 302 residents with 158 responses received by the City which represents a 52% response rate. Of the 158 responses received, a majority of 65% of the respondents fully supported the proposal which statistically provides a mandate for the prohibitions. See summary table below.

<b>Feedback</b>	<b>No of Persons</b>	<b>% Mail out</b>	<b>% Response</b>
Object to any parking prohibitions	48	16	30
Support Parking Prohibitions	103	34	65
Ticked both the Approve and Object box	7	2	5
No reply	144	48	
Total Sent Out	302	100	100

The detail which made up table above are included in Attachment 3.

Attachment 2 shows the properties surveyed for their views on the parking on Hawker Avenue and surrounding streets.

During the collation of the feedback it was noted that a number of residents had asked for residential parking permits. The City is currently working towards the potential introduction of these type of permits within specific areas.

### **COMMENT**

The proposal to prohibit parking along Hawker Avenue and adjacent streets, as per Attachment 1, will maintain the general traffic flow at all times and therefore increase the level of safety and access for road users. Prohibiting verge parking also improves the safety for pedestrians. This proposal received majority support by residents who responded and is therefore recommended.

Because the proposal is an area wide prohibition, this will allow the use of area wide signage that is, at the entrances to the area of prohibition, which will minimise the signage and consequently the visual pollution within the area.

It was previously noted that the PTA was not going to consider parking at Warwick Train Station. It is anticipated that the parking prohibitions will put additional pressure on PTA by their patrons to further consider improved parking facilities at Warwick Train Station.

### **ATTACHMENTS**

Attachment 1	Proposed parking restriction
Attachment 2	Community Consultation Results
Attachment 3	Community Feedback – Table

### **VOTING REQUIREMENTS**

Simple Majority.

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

- 1 APPROVES the introduction of an area wide parking restriction adjacent to Warwick Train Station as shown on Attachment 1 to Report CJ078-05/08;**
- 2 ADVISES the residents of Hawker Avenue and surrounding streets of Council's decision.**

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf060508.pdf](#)*

## **CJ079-05/08 MONTHLY TOWN PLANNING DELEGATED AUTHORITY REPORT, DEVELOPMENT AND SUBDIVISION APPLICATIONS – MARCH 2008 – [07032] [05961]**

**WARD:** All

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

### **PURPOSE**

To report on the number and nature of applications considered under Delegated Authority.

### **EXECUTIVE SUMMARY**

The provisions of clause 8.6 of the text to the District Planning Scheme No 2 allows Council to delegate all or some of its development control powers to a committee or an employee of the City.

The purpose of delegation of certain powers by Council, in addition to other Town Planning matters, is to facilitate timely processing of development applications and subdivision applications. The framework for the delegation of those powers is set out in resolutions adopted by Council and is reviewed generally on a two yearly basis, or as required. All decisions made by staff, acting under delegated authority as permitted under the delegation notice, are reported to Council on a monthly basis.

The normal monthly report on Town Planning Delegations identifies:

- 1 Major Development Applications
- 2 Residential Design Codes
- 3 Subdivision Applications

This report provides a list of the development and subdivision applications determined by those staff members with delegated authority powers during the month of March 2008 (see Attachments 1, and 2 respectively) for those matters identified in points 1-3 above.

### **BACKGROUND**

The number of development and subdivision applications determined for March 2008 under delegated authority and those applications dealt with as “R-code variations for single houses” for the same period are shown below:

<b>Approvals Determined Under Delegated Authority – Month of March 2008</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Value (\$)</b>
Development Applications	82	\$ 8,840, 212
R-Code variations (Single Houses)	59	\$ 2,779, 633
<b>Total</b>	141	\$11,619,845



The number of development applications received in March 2008 was 86. (This figure does not include any applications that may become the subject of the R-Code variation process).

<b>Subdivision Approvals Processed Under Delegated Authority Month of March 2008</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Potential new Lots</b>
Subdivision Applications	3	2
Strata Subdivision Applications	3	4

**Suburb/Location:** All  
**Applicant:** Various – see attachment  
**Owner:** Various – see attachment  
**Zoning:** **DPS:** Various  
**MRS:** Not Applicable

The District Planning Scheme No 2 requires that delegation be reviewed annually, unless a greater or lesser period is specified by Council. The Council, at its meeting of 25 September 2007 considered and adopted the most recent Town Planning Delegation for the period to 17 July 2009.

## **DETAILS**

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

Not Applicable.

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

- 4.1 Objective: To ensure high quality urban development within the City.
- 4.1.3 Give timely and thorough consideration to applications for statutory approval.

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

Clause 8.6 of the District Planning Scheme No 2 permits development control functions to be delegated to persons or Committees. All subdivision applications 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 detailed practices on reporting, checking and cross checking, supported by peer review in an effort to ensure decisions taken are lawful, proper and consistent.

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

Not Applicable.

### **Policy implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Not Applicable.

**Consultation:**

Consultation may be required by the provisions of the Residential Design Codes, any relevant Town Planning Scheme Policy and/or the District Planning Scheme.

Of the 82 development applications determined during March 2008, consultation was undertaken for 18 of those applications. Of the 6 subdivision applications determined during March 2008, no applications were advertised for public comment, as the proposals complied with the relevant requirements.

**COMMENT**

Large local governments utilise levels of delegated authority as a basic business requirement in relation to Town Planning functions. The process allows determination times to be reasonably well accepted and also facilitates consistent decision-making in rudimentary development control matters. The process also allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

All proposals determined under delegated authority are assessed, checked, reported and crosschecked in accordance with relevant standards and codes.

**ATTACHMENTS**

Attachment 1	March 2008 - Decisions - Development Applications
Attachment 2	March 2008 - Subdivision Applications Processed

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 The determinations made under Delegated Authority in relation to the development applications described in Report CJ079-05/08 for March 2008;**
- 2 The determinations made under Delegated Authority in relation to the subdivision applications described in Report CJ079-05/08 for March 2008.**

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf060508.pdf](#)*

## **CJ080-05/08      NEW RESIDENTIAL DESIGN CODES RELEASE AND PLANNING DELEGATION – [07032]**

**WARD:** All

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

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### **PURPOSE**

To endorse the re-numbering of Clauses in the Planning Delegation Notice to reflect the introduction of the Residential Design Codes (R-Codes) 2008.

### **EXECUTIVE SUMMARY**

The Residential Design Codes of Western Australia (R-Codes) have been amended and the revised version was gazetted on 29 April 2008. The new format and numbering gives rise to the need to adjust the cross references in Council's Planning Delegation. A decision to amend the notice of delegation to be consistent with the revised R-Codes will allow the City to continue to process planning applications under the same arrangements that currently apply.

Importantly, the delegated powers are not proposed to be changed, only the numbering of the Clauses of the R-Codes will be amended to reflect the new 2008 Residential Design Codes. It is recommended that the terms of the current delegation continue to apply until 17 July 2009, with the minor amendments prescribed herein.

### **BACKGROUND**

The current delegation Notice is in place until 17 July 2009 (copy attached). With the introduction of the new R-Codes there is a need to amend some cross references to particular clauses in the R-Codes as highlighted on the attachment.

The 2002 R-Codes resulted from a comprehensive review of the 1991 Residential Planning Codes, and within 18 months of the gazettal of the 2002 Codes the Western Australian Planning Commission (WAPC) became aware that a further review was necessary to address some operational issues and errors. The WAPC began reviewing the R-Codes in 2004 and the modified codes and associated explanatory guidelines were advertised for public comment between March and June 2006.

Further details of the amendments to the R-Codes are provided in Planning Bulletin 89 (Attachment 3 refers).

### **DETAILS**

As part of the amendments to the R-Codes, a number of the clauses, including those listed in the Notice of Delegation have been re-numbered.

The re-numbering of these clauses will impact on the ability of the Coordinator Planning Approvals and the Senior Planning Officers to deal with applications of a minor nature.

These changes are set out in attachment 2 and include:

- In clause 2 (a) iii of the delegation notice, re-numbering 3.2.3 to 6.2.3;
- In clause 2 (a) v of the delegation notice, re-numbering 3.10.1 to 6.10.1;
- In clause 2 (a) vi of the delegation notice, re-numbering 3.3.2 to 6.3.2; and
- In clause 2 (d) i of the delegation notice, re-numbering consultation under 2.5.2 to 4.2.1.

**Issues and options considered/Risk Management Considerations:**

Nil.

**Link to Strategic Plan:**

4.1 Objective: To ensure high quality urban development within the City.

**Legislation – Statutory Provisions:**

Clause 8.6 of DPS2, provides for Council to delegate decision making powers, however the delegation notice must first be adopted by Council.

*8.6.1 The Council may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or an employee of the City, the exercise of any of its powers or the discharge of any of its duties under the Scheme, under this power of delegation.*

**Financial/Budget Implications:**

Nil.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

Having regard to:

- the need to provide timely and adequate services;
- the minor nature of the majority of applications that require consideration;
- the capacity of the organisation to deliver quality services;

It is recommended that Council amends the current delegation notice by altering the cross-references included in this report, noting that the Delegation will lapse on 17 July 2009.

## ATTACHMENTS

Attachment 1	Notice of Delegation
Attachment 2	Notice of Delegation indicating proposed amendments.
Attachment 3	Planning Bulletin 89 – R-Codes Amended

## VOTING REQUIREMENTS

Absolute Majority.

## RECOMMENDATION

### That Council:

- 1 BY AN ABSOLUTE MAJORITY, ADOPTS a revised Notice of Planning Delegation as Shown in Attachment 2 to Report CJ080-05/08;**
- 2 NOTES that the Delegation will expire on 17 July 2009.**

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf060508.pdf](#)*

Name/Position	<b>Mayor Troy Pickard</b>
Item No/Subject	CJ081-05/08 – Sacred Heart College, Sorrento – Auditorium and Classroom Additions Including Canteen: Lot 16 (15) Hocking Parade, Sorrento
Nature of interest	Interest that may affect impartiality
Extent of Interest	Mayor Pickard's father-in-law is an employee of Sacred Heart College

**CJ081-05/08      SACRED HEART COLLEGE, SORRENTO -  
AUDITORIUM AND CLASSROOM ADDITIONS  
INCLUDING CANTEEN: LOT 16 (15) HOCKING  
PARADE, SORRENTO – [06044]**

**WARD:** South-West

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

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**PURPOSE**

The purpose of this report is to request Council's determination of an application for planning approval for an auditorium and classroom additions to Sacred Heart College at Lot 16 (15) Hocking Parade, Sorrento.

**EXECUTIVE SUMMARY**

The applicant proposes to construct a new auditorium and general teaching building, including classrooms, practice rooms and a canteen at Sacred Heart College, Sorrento. The proposed works also include demolition of the existing boarding house, minor internal road layout changes, and installation of a new power substation.

The application is required to be determined by Council as the proposed building has a height which exceeds that prescribed in Council Policy 3-4 Height of Buildings within the Coastal Area - Non-Residential Zones (Council Policy 3-4). As such, the development was advertised to adjoining and nearby land owners for a period of 21 days.

A total of 113 submissions were received as part of the public consultation process with 85 submissions being objections. The submissions that were not in support of the development raised various concerns. These included traffic and excessive building height and bulk of the proposed development, which was considered to be out of character with the existing development on site and in the surrounding area.

It is considered that the proposed development will have an adverse impact on the amenity of the locality as a result of its proposed height and bulk, and as such the application is recommended for refusal.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 16 (15) Hocking Parade, Sorrento
<b>Applicant:</b>	Tom Rushton & Associates - Architects
<b>Owner:</b>	The Roman Catholic Archbishop of WA
<b>Zoning:</b>	<b>DPS:</b> Private Clubs / Recreation
	<b>MRS:</b> Urban
<b>Site Area:</b>	79470m <sup>2</sup>
<b>Structure Plan:</b>	Not Applicable

The subject site abuts West Coast Drive, near Hillary's Marina, and Sorrento Beach. The Sorrento Sunset Estate development is located to the south and to the north, and east is the Sorrento residential area (refer Attachment 1). The land surrounding the development site is coded R20.

Sacred Heart College is an existing secondary school with its buildings being generally two storeys in height. The College was first established in 1966 which included construction of the 2 storey boarding house building which is proposed to be demolished as part of these works. The maximum ridge height of the boarding house is currently 20.54m AHD and the auditorium is proposed to have a maximum ridge height of 29.04m AHD (8.5m higher than the existing boarding house). Performing arts activities which are currently held in the Colleges gymnasium (with a seating capacity of 800) will be moved to the proposed auditorium. The College currently accommodates 1000 secondary students and this application makes up stage 8 of its development.

The topography of the site slopes upwards from West Coast Drive (8m AHD) to Hocking Parade (22m AHD). The site has been terraced to achieve the transition between West Coast Drive and Hocking Road. The majority of the College buildings are located on a plateau at a ground level of between 16m and 19m AHD. The topography of the locality and the layout of the existing development results in the subject land being highly visible from West Coast Drive and Sorrento Beach. The proposed development will be highly visible to pedestrians and vehicles travelling along the coast. To the east, the subject land is overlooked by the Sorrento residential area.

Council Policy 3-4 was adopted by Council in February 2006 as an interim measure whilst proposed Scheme Amendment 32 (adopted April 2006) is progressed. The policy introduces the same height limits for non residential buildings within the same coastal area as Amendment 32. The policy recognises the coastline within the City as a regional asset and the policy ensures the protection of its unique amenity and characteristics by controlling the height of development within the coastal area. The Minister has requested further consideration of a number of aspects prior to any approval of the amendment.

Revised plans were received by the City in response to concerns regarding the proposed height of the development. The amended proposal, which has been used in the assessment of the application, reduced the height of the fly tower by 700mm.

## DETAILS

The applicant proposes to construct a two storey auditorium and general teaching building which includes:

- 600 seat auditorium;
- 10 general purpose classrooms;
- multiple dance and music practice rooms;
- student and staff canteen;

- a vertical fly tower over the stage area, which results in a ridge height of 14.6m above natural ground level;
- multiple entry points to maintain pedestrian connectivity to the existing school buildings; and
- a main foyer which faces the internal access road.

Other works include demolition of the existing two storey boarding house, minor internal road layout changes, and a new power substation.

The auditorium is to be used as a teaching/educational facility for all students/staff during normal school hours. It will also be used after school hours for annual speech nights and every second year for the college drama and music production. The school does not intend on using the auditorium for commercial (hire) purposes.

Compliance with the relevant requirements of the District Planning Scheme No. 2 (DPS2) are summarised below:

Standard	Required	Proposed	Compliance
<u>Setbacks</u>			
Front Setback	9m	75m	Yes
Side Setback	3m	46.5m	Yes
Rear Setback	6m	125.5m	Yes
Open Space	8%	> 8 %	Yes
<u>Car Parking</u>			
2 per classroom but not less than 10	90	143 (existing)	Yes

The College's boarding house, which is to be demolished as part of this development proposal, is located within the footprint of the proposed development. The existing boarding house covers a site area of 1250m<sup>2</sup> (1.5%) and the auditorium building is proposed to cover 2797m<sup>2</sup> (3.5%) of the site.

The majority of the proposed development is two levels in height. The proposal includes a fly tower over the stage area of the auditorium which projects above the main bulk of the development. The fly tower allows technical crew to move set pieces, microphones and lights, on and off the stage by moving them vertically up into the roof space.

To assist in understanding the difference in height between the existing boarding house and the proposed building the following table has been prepared:

Building	Floor Level (AHD)	Ridge Height (AHD)	Maximum Height above Natural Ground Level
Proposed Auditorium	12.83	29.04	14.6m
Existing Boarding House	14.44	20.54	6.4m
Variation in levels	<b>1.61m</b>	<b>8.5m</b>	<b>8.2m</b>

Council Policy 3.4 states that buildings within 300m of the coast shall not exceed a height of 10 metres. The proposed building height is 14.6 metres above the natural ground level and as such does not comply with the requirements of this policy. Consequently, the proposed development is required to be determined by Council.



**Issues and options considered:**

Council has the discretion to:

- Approve the application without conditions;
- Approve the application with conditions; or
- Refuse the application, with grounds for refusal.

**Link to Strategic Plan:**

4.1 Objective: To ensure high quality urban development within the City.

**Legislation – Statutory Provisions:**

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

**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.*

**8.11 LOCAL PLANNING POLICIES****8.11.2 Relationship of Local Planning Policies to Scheme**

8.11.2.2 *A Local Planning Policy is not part of the Scheme and shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of any Policy and its objectives which the Policy is designed to achieve before making its decision.*

**Risk Management considerations:**

The proponent has a right of appeal against Council's decision, or any conditions included therein, in accordance with the State Administrative Tribunal Act 2004 and the Planning and Development Act 2005.

**Financial/Budget Implications:**

Not Applicable.

**Policy implications:****Council Policy 3-4 – Height of Buildings within the Coastal Area (Non – Residential Zones)**

Council Policy 3-4 is an interim measure adopted by Council in February 2006 whilst Scheme Amendment 32 is progressed. The proposed Amendment introduces the same height limits for non residential buildings within the same coastal area as Council Policy 3-4. Scheme Amendment 32 is currently with the WAPC for further consideration and the City is waiting for its advice.

The objective of this policy is to ensure that the height of development within the coastal area protects and enhances the amenity and streetscape character of the coastal area. The policy states that buildings within 300 metres of the coast shall not exceed a height of 10 metres above natural ground level.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Not Applicable.

**Consultation:**

The proposal was advertised for public comment for a period of 21 days. A total of 226 nearby owners were advised in writing, two signs were erected on the road verge adjacent to the site and advertisements were placed in the Joondalup Weekender on 7, 14 and 21 February 2008. Advertising closed on 28 February 2008.

A total of 113 responses were received, being 20 non objections, 85 objections and 8 letters of support (Attachment 4 refers).

The School also conducted its own consultation process, including hosting an information evening, and direct communication with nearby landowners.

**Key issues arising from Public Consultation**

Comments received in support of the application are summarised as follows:

- Noise levels are sufficiently attenuated through building design which will not cause inconvenience to nearby residences; and
- Any additions or improvements to the school are highly encouraged and appreciated to give local children the best opportunities and environment to learn.

Objection and concerns to the proposed development are summarised as follows:

- The proposed building's height and scale is excessive and out of character with the existing College buildings and residential area;
- The proposed development will mean a loss of view and devaluation of surrounding properties;
- There are already traffic problems during drop off and pick-up times at the school which create potentially dangerous situations for locals and students;
- There are currently parking problems with parents picking up students and year 12 drivers;
- The College may use the auditorium for commercial purposes;
- Events at the auditorium may produce excessive noise in the residential area;
- The school currently has anti-social behaviour problems after hours; and
- Approval of this development will create a precedent in Sorrento for other buildings of a similar scale.

## **COMMENT**

### Height and Scale

The Western Australian Planning Commission's State Planning Policy 2.6 – State Coastal Planning Policy sets a maximum height of five storeys or 21 metres for development within 300m of the coast. The proposed development complies with the requirements of this policy.

However the proposed development has a finished floor level less than that of the boarding house, although the overall height of the proposed development will be 8.5m higher than the existing building. Consequently the total height of the proposed development is 14.6m above natural ground level and 4.6m above the height limit set by Council Policy 3-4. The highest sections of the building are due to the inclusion of a fly tower and access platforms over the auditorium roof for lighting and equipment access.

The proposed development is significantly larger than the existing buildings on site in terms of height and bulk. The roof of the development will be approximately 6 to 7 metres above the road level at the intersection of Hocking Parade and Keans Avenue (refer Attachment 2). Pedestrian views from Hocking Parade will not be affected due to landscaping on the roadside which screens viewing of the proposed development. A partial loss of views to a number of residential properties to the east of Hocking Parade will be experienced due to the elevated position of houses relative to the proposed roof and road level.

The excessive height of the proposed development is due to the inclusion of a vertical fly tower to maintain functionality of the auditorium. The same functionality could be achieved for example, by using a horizontal design which pulls sets and lighting to the side of the stage, rather than above. This would significantly lower the overall height of the proposed development and thereby reduce its impact on the locality.

It is considered that the proposed building is of excessive height and scale and is out of character with existing development on the site and the surrounding area. It is further considered that the proposed development will be significantly detrimental to the existing character and amenity of the area.

### Use of the Building

The applicant has stated that the auditorium shall be used for teaching, drama, performing arts, music, professional development programmes for staff and students and College presentations. The auditorium is also intended to be used after hours for speech nights, and

every second year for music and drama production, which are currently conducted in the 800 seat gymnasium.

The proposed auditorium is not intended to be used as a commercial facility or be rented outside of the College community. The City considers that the use of the auditorium outside of school hours by parties not associated with the College is not appropriate or acceptable due to the residential use of the surrounding area.

The College's undertaking that the auditorium will not be used as a commercial premise for rent or used outside of the College community is acceptable to the City. Should the level be approved the City has the ability to enforce the DPS2 if the auditorium were to be used for commercial purposes without prior approval from the City.

### Parking

The school currently has 143 bays on site and no additional bays are proposed as part of this application. The parking standard under DPS2 for a Secondary School is 2 bays per classroom but not less than 10. The proposal includes the addition of 10 general purpose classrooms which would normally require the addition of 20 extra car parking bays. However, as the College currently has a surplus of 73 bays, the existing parking provided on site exceeds the relevant parking standard in DPS2.

The parking requirement for a secondary school under DPS2 does not require additional parking for the auditorium. As the proposed 600 seat auditorium will be used by staff and students already attending the school, the existing car parking standard already accounts for the demand created by the students and staff.

Where the proposed auditorium will be used after hours for college events which attract visitors to the college, the existing 143 bays usually set aside for staff parking can be utilised. The school oval can also be used for overflow parking as necessary. This is the current arrangement for events run from the existing gymnasium. It is considered that this arrangement is acceptable.

### Traffic

Public consultation has identified traffic flow issues in streets surrounding the school generally 15 minutes before (8.15 – 8.30am) and 15 minutes after (3.15 – 3.30pm) school when parents drop off and pick up students. The parking problems are at worst in the afternoon when parents park in and around the school grounds waiting for school to finish.

The proposed development will increase student capacity at the school from 1000 to 1200. The applicant has advised that the increase in the number of students will be made up of 60% siblings (120) and 40% new students (80).

The applicant has also advised that the current transport patterns for students at the school are:

<b>Transport Mode</b>	<b>Distribution</b>
Public Transport (buses)	60%
Parent pick up (cars)	25%
Walk or Cycle	15%

Using these calculations, the applicant advises that there will be an increase of approximately 20 vehicular trips at each drop off and pick up time.

Additionally, the applicant has submitted a number of new initiatives to manage the current traffic situation including:

- Teacher and Parent supervisors at the beginning and end of each school day to assist in management of traffic flow through the school;
- Utilising nearby Seacrest Park as an alternative pick up point for students;
- Inclusion and advice of traffic management issues in the School newsletter which is distributed to all parents;
- Banning year 12 students parking their cars within the College grounds and directing year 12 students to park their vehicles in the Sorrento Beach car park.
- Regular meetings with residents/P&F/school administration on parking issues.

The existing traffic and parking layout at the College has previously been approved by the City and only minor changes are proposed with the widening of the existing roundabout and re alignment of an internal access road.

All schools/colleges within the City experience times of high traffic activity during drop off and pick up times. A degree of congestion and inconvenience for surrounding residents can be expected during these two periods which lasts for approximately 15 minutes at a time for each period.

The anticipated increase in traffic is considered minimal and combined with new traffic management measures much of the residents' concerns can be addressed. Regular meetings with residents and monitoring of the traffic situation at the College will be required and it is recommended that this be a condition of any approval, should Council seek to approve the proposed development.

#### Streetscape/Urban Design

The proposed roof pitch of 12° is low, which will minimise the impacts of glare and reflection on surrounding properties.

However, it is considered that the proposed development will:

- Be highly visible from the shore and adjacent roads;
- Dominate the view from West Coast Drive due to its tall sharp edged roof; and
- Appear bare without the softening effect of currently existing trees and other mature vegetation which is proposed to be removed.

For these reasons, the proposed development will have a significant detrimental impact on the surrounding locality by way of substantial building height and bulk.

#### Noise

The design and use of the proposed development are to comply in all respects with the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997. Should a noise issue arise, this matter can be followed up under the relevant legislation.

#### Public Consultation

<b>Comment Received</b>	<b>Comment</b>
The proposed building's height and scale is excessive and out of character with the existing buildings and residential area.	This opinion is supported.

The proposed development will mean a loss of view and devaluation of surrounding properties.	<p>It is considered there will be a loss of views to a number of residential properties to the east of Hocking Parade.</p> <p>The retention of views, or the devaluation of properties is not a planning consideration.</p>
There are traffic problems during drop off/pick-up times at the school which create potentially dangerous situations for locals and students.	The College has started a number of new initiatives to better manage the traffic situation at the school including traffic supervisors, alternative pick up points, newsletters to parents, and regular meetings with residents and school administration to address these concerns.
There are currently parking problems with parents picking up students and year 12 drivers.	<p>The College complies with the required parking standards of DPS2.</p> <p>The proposed auditorium is predominantly for student use which will not generate additional parking demand.</p>
The College may use the auditorium for commercial purposes.	The applicant has advised the City that the use of the building would be for school purposes only with a small number of after school hours events.
Events at the auditorium may produce excessive noise on the residential area,	The use and design of the proposed building is required to comply with Environmental Protection (Noise) Regulations 1997 at all times.
The school currently has anti-social behaviour problems after hours.	Anti social behaviour problems at the College are a matter for the College to address and are not relevant to this application.
Approval of this development will create a precedent in Sorrento for other buildings of a similar scale.	Clause 6.8.1 of the Scheme requires the Council to have due regard to any previous decisions made by Council which are sufficiently similar for the proposed development to be relevant as a precedent. However all applications are assessed and determined on individual merits and with regard to individual circumstances and site conditions.

## Conclusion

Having regard to Clauses 6.8.1 and 8.11.2, and the provisions of Clause 6.9.1(a) of DPS2 which provides the Council with the power to refuse an application, it is recommended that the proposed development be refused as the proposal:

- will adversely impact on the streetscape by virtue of its prominent location;

- is inconsistent with the scale of surrounding development, both within and outside of the school site; and
- will result in a detrimental impact on the amenity of the locality, including residential properties to the east of the site.

## ATTACHMENTS

Attachment 1	Aerial Photo and Site Plan
Attachment 2	Perspectives
Attachment 3	Submitted Plans
Attachment 4	Consultation Diagram

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### That Council:

- 1 REFUSES the application dated 10 December 2007 submitted by Tom Rushton & Associates Architects for auditorium, classroom and canteen additions on Lot 16 (15) Hocking Parade, Sorrento, for the following reasons:**
  - (a) The proposal will have an adverse impact on the amenity of the locality as a result of the proposed building size, visual dominance, building bulk and scale.**
  - (b) The proposal is not consistent with the objectives of Council Policy 3.4 as the development would be detrimental to the amenity and character of the surrounding coastal area.**
- 2 ADVISES the submitters of its decision.**

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf060508.pdf](#)*

Name/Position	<b>Cr Albert Jacob</b>
Item No/Subject	CJ082-05/08 – Proposed Auditorium Addition to Place of Worship at Lot 28 (67) Woodvale Drive, Woodvale
Nature of interest	Interest that may affect impartiality
Extent of Interest	Cr Jacob was previously a member of the Church

## **CJ082-05/08 PROPOSED AUDITORIUM ADDITION TO PLACE OF WORSHIP AT LOT 28 (67) WOODVALE DRIVE, WOODVALE – [43252]**

**WARD:** Central

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

### **PURPOSE**

To request Council's determination of an application for additions to an existing place of worship at Lot 28 (67) Woodvale Drive, Woodvale.

### **EXECUTIVE SUMMARY**

The applicant proposes to construct an auditorium on the subject site, adjacent to the existing church building, and enclose the verandah of the existing caretaker's dwelling in order to create meeting rooms and provide an adequate living space for the caretaker.

The existing use, Place of Worship, was approved under the provisions of the City of Wanneroo Town Planning Scheme No. 1 (TPS1). The subject land is zoned 'Rural' under the City's District Planning Scheme No. 2 (DPS2). Place of Worship is an 'X' or a prohibited use in the Rural zone. However, the site can continue to be used for such a purpose having regard to the non-conforming use provisions of DPS2.

The proposal satisfies the provisions of Part 7 of DPS2 – Non-Conforming Uses and the objectives of the Rural Zone and as such, it is recommended that the application be approved subject to conditions.

### **BACKGROUND**

**Suburb/Location:** Lot 28 (67) Woodvale Drive, Woodvale  
**Applicant:** Ian Anderson Architect Pty Ltd  
**Owner:** Woodvale Baptist Church Inc.  
**Zoning:** **DPS:** Rural  
**MRS:** Rural  
**Site Area:** 1.0717 ha

The subject lot is triangular in shape with its north-western boundary abutting Woodvale Drive (refer Attachment 1). To the south of the subject site is a rural lot with an area of 4.4192 hectares, and to the east of the site is Yellagonga Regional Park.

The property is zoned Rural under the City's DPS2 and under the Metropolitan Region Scheme (MRS).

During 1988, the Council of the former City of Wanneroo approved a development consisting of the church building, Sunday School rooms and related amenities for the subject site. The



existing church building has an area of 760m<sup>2</sup> and has been designed to accommodate 300 people. A caretaker's dwelling also exists on site. The development was approved as a Place of Worship, this being an 'AA' use in the Rural zone under TPS1. An 'AA' use is a use that is not permitted unless Council grants its approval.

During November 2000, DPS2 was gazetted, replacing TPS1. The subject land was zoned Rural and a Place of Worship was allocated an 'X' or prohibited land use under DPS2 within that Zone. DPS2 defines a Place of Worship as follows:

*Place of Worship - 'premises used for religious activities such as a church, chapel, mosque, synagogue or temple.'*

As the site was lawfully operating when DPS2 was gazetted, the site then became subject to Part 7 – Non-Conforming Use provisions of DPS2. These provisions, amongst other matters, permit a non-conforming use to continue to operate even though the land use is no longer permitted within that zone.

## DETAILS

The proposed development incorporates:

- 1 A new auditorium addition including a stage, foyer and offices with an area of 1470m<sup>2</sup>, which will cater for 650 people;
- 2 Enclosure of the verandah of the existing caretaker's dwelling to provide an additional bedroom and ensuite, enabling part of this dwelling to be used for meeting rooms and leaving sufficient living space for the caretaker.
- 3 Provision of 211 car parking bays in total, being 181 sealed bays and 30 grassed overflow parking bays; and
- 4 An additional vehicular entry point on the southern side of the front boundary line to an area that has been identified on the plans as a grassed overflow car parking area.

The development plans are provided in Attachment 3.

Compliance with the relevant requirements of the DPS2 are summarised below:

Standard	Required	Proposed	Compliance
Front setback (west)	9m	9m	Yes
Rear setback (north-east)	6m	30m	Yes
Side setback (south-east)	3m	3m	Yes
Side setback (north)	3m	38m	Yes
Car Parking	1 per 4 seats 650 seats = 163 bays	181 paved bays 30 overflow bays = 211 Bays	Yes

The application is required to be determined by Council as it seeks to extend a building used for a non-conforming use under DPS2.

The applicant provided the following justifications in support of the application:

*The new building is required because the Church congregation has grown to the point where the existing building is simply too small. This has resulted in two services being conducted every Sunday. It is impractical to extend the existing building, which has a flat floor and is poorly configured for services.*

*Upon completion of the new building, the existing building will revert to its originally intended purpose as a Church Hall. It will be used essentially as an area for congregation members to gather after services and on special occasions such as after weddings. The Hall will only be used as an adjunct to the churches activities.*

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

Council has the discretion to:

- 1 Approve the application without conditions;
- 2 Approve the application with conditions; or
- 3 Refuse the application.

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

The proposal will contribute to objective 5.3 of the City's Strategic Plan 2008-11: *To facilitate culture, the arts and knowledge within the community.*

4.1 Objective: To ensure high quality urban development within the City.

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

##### District Planning Scheme No 2

The following clauses of the DPS2 relate to the Rural Zone, and non-conforming uses and as such require consideration in determining the application:

#### **3.14 The Rural Zone**

*The Rural Zone is intended to accommodate land that is included in the Rural Zone under the MRS.*

*If Council is required to consider an application in respect of a development, or use for land in the Rural Zone, then the Council shall, in addition to any other matters required by this Scheme to be considered, have regard to the following considerations:*

- (a) *as an overriding consideration, the intent of the application;*
- (b) *any comments the Commission may make in response to notice of the applications.*
- (c) *The interests of orderly and proper planning, and concern for the amenity of the relevant locality in the short, intermediate and long term.*

#### **7.1 Non-conforming uses**

*Except as otherwise provided in this Scheme, no provision of the Scheme shall be deemed to prevent:*

- (a) *the continued use of any land or building for the purpose for which it was being lawfully used at the Gazettal date of the Scheme; or*
- (b) *the carrying out of any development thereon for which, immediately prior to that time, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current; or*

- (c) *subject to clause 5.1.6, the continued display of advertisements which were lawfully erected, placed or displayed prior to the approval of this Scheme.*

## **7.2 Extensions and changes to a non-conforming Use**

- 7.2.1 *A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use or change the use of land from a non-conforming use to another non-conforming use without first having applied for and obtained planning approval under the Scheme.*
- 7.2.2 *An application for planning approval under this clause shall be advertised in accordance with clause 6.7.1.*
- 7.2.3 *Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the Council shall not grant its planning approval unless the proposed use is:*
  - (a) *substantially less detrimental to the amenity of the locality than the existing non-conforming use; and*
  - (b) *in the opinion of the Council is closer to the intended purpose of the zone.*

## **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:**

The proponent has a right of review against Council's decision, or any conditions included therein, in accordance with the State Administrative Tribunal Act 2004 and the Planning and Development Act 2005.

**Financial/Budget Implications:**

Not Applicable.

**Policy implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Not Applicable.

**Consultation:**

The proposal was advertised for public comment for a period of 21 days. Nearby owners were advised in writing, two signs were placed on the road verge adjacent to the site and advertisements placed in the local newspaper on 24 and 31 May and on 7 June 2007. Advertising closed on 14 June 2007. One submission was received, being a letter of no objection.

In addition to this public consultation, the City is required to request the West Australian Planning Commission comment on the proposal due to it being located in the Rural Zone, as well as the site abutting Yellagonga Regional Park. The WAPC has stated it has no objection to the proposal and requested a condition be included on the approval stating that the development shall not drain into the Regional Reserve.

**COMMENT**

Zoning

The subject site is zoned Rural under the provisions of DPS2 and the Metropolitan Region Scheme (MRS).

In accordance with Clause 3.14 of DPS2 – The Rural Zone, Council is required, when considering this application, to have regard to the intent of the application, the comments received from the WAPC in response to notice of the application, and the interests of orderly and proper planning and concern for the amenity of the relevant locality in the short, immediate and long term.

The intent of the application, as discussed below, is to accommodate a growing congregation, whilst maintaining the existing land use.

The proposed conditions of approval will address any potential concerns relating to the proposed development and potential impact on the amenity of the locality.

#### Non-Conforming Use

The non-conforming use provisions of DPS2 state that a person shall not alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained planning approval under the Scheme. It is considered that the proposed addition to the church building will not create any additional impact on the surrounding area and may enable the church to reduce the number of services run daily. As such it is recommended that the application be approved subject to conditions.

#### Proposed Development

It is proposed that the auditorium (650 person capacity) will be used as the primary church building, with the current church building proposed to be used as a hall for the congregation to gather in following services, weddings and so on. The additions to the existing church building are proposed to accommodate the growing congregation as stated in the applicant's justification above.

There is a concern that should the existing church building and the proposed auditorium be used at the same time there would not be adequate car parking to cater for the demand. This issue is discussed further in the car parking comments.

The development site is not subject to height restrictions. The peak of the proposed development is slightly lower than the highest peak of the existing church. The layout of the proposed auditorium is "fan shaped". The roof of the proposed development slopes down towards Woodvale Drive, then steps down to the portions of the development that surround the proposed auditorium. As such, the proposed development will not be out of scale with the existing development.

#### Car Parking

The subject site currently has 74 marked parking bays, which will be increased to 181 marked bays as part of the proposed development. This is sufficient to satisfy the standard of 1 bay per 4 people under DPS2 as it is proposed that the auditorium will cater for a maximum of 650 people, therefore requiring 163 bays. It is also proposed that an additional 30 grassed overflow bays can be provided when necessary to cater for peak attendance periods at Christmas and Easter, bringing the total parking provision to 211 bays. It is recommended that a condition be imposed requiring the maximum number of persons utilising the Church hall and auditorium be limited to 650 so that the existing road system can meet the estimated traffic demand. This will not prohibit the simultaneous use of the Church hall and auditorium providing numbers do not exceed 650.

#### Traffic

A traffic impact assessment was undertaken by Uloth and Associates who recommended that the initial proposal of an auditorium seating 750 people could not adequately be catered for by 199 parking bays. As such the applicant provided amended plans reducing the auditorium capacity to 650 and increasing the car parking to a maximum 211 bays. An additional crossover is also proposed to the southern portion of the site and to assist in catering for the peak attendance periods at Christmas and Easter.

### Conclusion

The proposed land use satisfies the objectives of the Rural zone and the non-conforming use provisions under DPS2.

The setback and car parking provisions of DPS2 are met and the development can satisfactorily cater for the traffic that will be generated by the proposed use.

It is considered that the proposed development is appropriate, and it is recommended that the application be approved, subject to conditions.

### **ATTACHMENTS**

Attachment 1	Location Plan
Attachment 2	Submitters Plan
Attachment 3	Development Plans

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

#### **That Council:**

- 1 APPROVES the application dated 23 March 2007, with amended plans received on 04 March 2008 submitted by Ian Anderson Architect Pty Ltd for an auditorium addition and extensions to the existing place of worship at Lot 28 (67) Woodvale Drive, Woodvale subject to the following conditions:**
  - (a) The parking bays, driveways and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Car Parking (AS/NZS 2890.01 2004). Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services prior to the development first being occupied. These works are to be done as part of the building program;**
  - (b) 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 Manager Infrastructure Management prior to the commencement of construction. No drainage into the Regional Reserve is permitted;**
  - (c) The lodging of detailed landscaping plans for the development site with the Building Licence Application. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100. All details relating to paving and treatment of verges are to be shown on the landscaping plan.**

All landscaping, reticulation and verge treatments, based on water wise principles, are to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services.

- (d) All existing trees on the verge shall be retained and protected during construction of the additions.
  - (e) A Nutrient and Irrigation Management Plan shall be submitted to the City for Approval as part of the Building Licence Submission.
  - (f) The maximum number of persons using the Auditorium and Church hall shall not exceed 650 at any given time.
- 2 ADVISES the Western Australian Planning Commission of its decision.

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf060508.pdf](#)*

**CJ083-05/08 PROPOSED TWO STOREY OFFICE DEVELOPMENT  
AT LOT 872 (16) COOLIBAH DRIVE, GREENWOOD –  
[60019]****WARD:** South-East**RESPONSIBLE  
DIRECTOR:** Mr Clayton Higham  
Planning and Community Development

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**PURPOSE**

The purpose of this report is to request Council's determination of an application for planning approval for a two-storey office development at Lot 872 (16) Coolibah Drive, Greenwood.

**EXECUTIVE SUMMARY**

The development site is located at 16 Coolibah Drive, Greenwood and is zoned Mixed Use under the City of Joondalup District Planning Scheme No 2 (DPS2).

The applicant proposes to construct a two-storey office building on the subject site. The proposed development has setback variations and a variation to the 3 metre landscape strip required at the front boundary. The setback variations are to the northern (front) boundary and the eastern (side) boundary.

The proposal complies with most requirements of DPS2 and it is considered that the proposed variations are acceptable. It is recommended that the application for planning approval be granted.

**BACKGROUND**

<b>Suburb/Location:</b>	Lot 872 (16) Coolibah Drive, Ocean Reef
<b>Applicant:</b>	Mr Geoff O'Regan
<b>Owner:</b>	Wavetop Holdings Proprietary Limited
<b>Zoning:</b>	<b>DPS:</b> Mixed Use
	<b>MRS:</b> Urban
<b>Site Area:</b>	683m <sup>2</sup>
<b>Structure Plan:</b>	Not applicable

The subject site is located on the southern side of Coolibah Drive, between Warwick Road and Callistemon Street (refer to Aerial Plan – Attachment 1).

A single storey building is currently on the subject site that has been converted to offices. The building was previously approved for office use as the site is zoned Mixed Use under DPS2. The adjoining properties are zoned Residential.

The southern side of Coolibah Drive is primarily zoned Residential with the exception of the development site and Lot 877 (6) Coolibah Drive, which are both zoned Mixed Use (refer to Zoning Plan – Attachment 1).

Lot 877 (6) Coolibah Drive is used as a Dental Surgery. This site also occupies a single storey residential dwelling which has been converted for the use of the Dental Surgery.



On the opposite side of Coolibah Drive (north-east of the site) there are numerous Commercial sites consisting of a service station, the Greenwood Village Shopping Centre, the Greenwood Commercial Centre and further south-east, the Greenwood Tavern.

## DETAILS

The applicant proposes to construct an office building that incorporates the following:

- A two storey office building with boundary setback variations and a landscaping variation;
- Two offices and associated facilities with total floor area of 263m<sup>2</sup>;
- 9 car parking bays, bin storage area and landscaping;
- Pedestrian access ramp for disabled access from the proposed front car parking area to the main entrance of the building.

The development plans are provided in Attachment 2.

The table below sets out the development standards and requirements of DPS2 and the proposed development's compliance and non-compliance with these standards.

REQUIRED	PROVIDED	COMPLIANCE
Minimum front setback – 9 metres	8.7 metres	No
Minimum side setback – 3 metres	Eastern boundary – 4.52 metres Western boundary – 1.8 metres	Yes No
Minimum rear setback – 6 metres	12.6 metres	Yes
Minimum landscaping 8% of site	17%	Yes
Landscaping strip adjacent to street – Minimum 3 metres	0.9 metres	No
Minimum number of car bays as 1 per 30m <sup>2</sup> NLA – 8.77	9 bays	Yes

The development is required to be determined by Council as the setback and landscaping variations exceed that which may be determined under delegated authority.

The applicant has provided justification for the proposed variations, which is summarised as follows:

- Front setback variation
  - *The projection into the front setback is minor;*
  - *Landscaping is proposed on the eastern side of the lot to reduce the impact on the streetscape.*
- Side setback variation to the western boundary
  - *The adjoining property has a carport adjacent to the proposed building;*
  - *The existing building on site is closer to the boundary than the proposed building (setback approximately 1.62m);*
  - *The size of the lot, the location of the car parking area to the rear of the property, and the desire to reuse the existing crossover reduce the useable area of the lot.*

- 3 metre landscape strip variation
  - *The site is relatively small;*
  - *The variation to the 3 metre landscape strip is compensated by the proposed landscaping throughout the site;*
  - *The proposed front car parking area will be lower than natural ground level therefore creating a transition to the lower street level.*

**Issues and options considered:**

Council has the discretion to:

- Approve the application without conditions;
- Approve the application with conditions; or
- Refuse the application.

**Link to Strategic Plan:**

4.1 Objective: To ensure high quality urban development within the City.

**Legislation – Statutory Provisions:**

Office is a 'P' use in the Mixed Use Zone. A 'P' use means:

*"A use class that is permitted but which may be subject to any conditions that the Council may wish to impose in granting its approval."*

The following clauses of DPS2 are relevant to the development proposal.

**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.*

#### *4.7 Building setbacks for non-residential buildings*

- 4.7.1 Unless otherwise provided for in Part 3 of the Scheme, buildings shall be set back from property boundaries as follows:*

*Setback from street boundary 9.0 metres*

*Setback from side boundary 3.0 metres*

*Setback from rear boundary 6.0 metres*

#### *4.12 Landscaping requirements for non-residential buildings*

- 4.12.1 A minimum of 8% of the area of a development site shall be designed, developed and maintained as landscaping to a standard satisfactory to the Council. In addition the road verge adjacent to the lot shall be landscaped and maintained in a clean and tidy condition to the satisfaction of the Council.*

- 4.12.2 When a proposed development includes a car parking area abutting a street, an area no less than 3 metres wide within the lot along all street boundaries shall be designed, developed and maintained as landscaping to a standard satisfactory to the Council. This landscaped area shall be included in the minimum 8% of the area of the total development site referred to in the previous sub clause.*

#### *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:**

The proponent has a right of review against Council's decision, or any conditions included therein, in accordance with the State Administrative Tribunal Act 2004 and the Planning and Development Act 2005.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The DPS2 provisions do not require advertising to be carried out for a permitted land use, which offices are within a Mixed Use zone. However, the proposal has a side boundary setback variation and as such, consultation occurred with the owner of the property located to the east of the development site that would be potentially affected by the variation. A letter was sent to the owner of the property allowing comments to be submitted up to 19 March 2008. There was no response received from the adjoining owner.

**COMMENT****Land Use**

The proposed land use is Office, which is a Permitted ('P') use within the Mixed Use Zone. The existing building was previously approved, and is currently being used, as an office.

**Height / Building Bulk**

The City's Policy 3.2 – Height and Scale of Buildings within Residential Areas, is not applied to the development site as it is zoned Mixed Use. However, as the adjoining properties are residential it is considered appropriate to use this policy as a guide to assess the overall impact of the height and bulk of the building.

The proposed building would project through the Building Threshold Envelope (BTE) on the eastern side however, the design and articulation of the building reduces the impact of building bulk on the adjoining property. The building does not project through the top of the BTE at any point and as such the overall height of the building is considered appropriate. The projection is considered relatively minor and the variation would be supported as it does not adversely impact on the streetscape or the adjoining properties.

As stated above, the proposed building is articulated to reduce the impact of building bulk. Colorbond cladding has been proposed as part of the articulated walls. Potential glare from this material may be a concern. It is therefore recommended that a condition of approval be imposed stating that there should be minimal glare onto the adjoining property from the use of the proposed colorbond cladding.

### **Boundary Setback Variations**

Under DPS2 the required front setback for non-residential buildings is 9 metres. The applicant is proposing a front setback that ranges between 8.7 metres and 9.07 metres. A small portion of the building projects forward of the 9 metre setback. The design and articulation of the building provides relief to the streetscape and as such the proposed front setback will not have an adverse impact on the streetscape. The variation is considered appropriate in this instance.

The required side setback for non-residential buildings is 3 metres. The proposal is constrained by the width of the lot and consequently has a side setback variation to the eastern boundary of 1.8 metres in lieu of 3 metres. The side setback to the western boundary is compliant.

The proposed eastern side setback variation will potentially affect a residential property. In order to assess the extent and impact of the variation on this property, it is considered appropriate to use the side boundary setback provisions of the Residential Design Codes – Variation 1 (R-codes) as a guide. A residential dwelling of the same design as the proposed office building would be required to be setback 1.8 metres from the eastern side boundary. The proposed setback for the office building would comply with the R-codes side boundary setback provisions, if the R-codes applied.

The R-codes specify the following objective for boundary setbacks behind the primary street setback:

*“To ensure adequate provision of direct sun and ventilation for buildings and to ameliorate the impacts of building bulk, interference with privacy, and overshadowing on adjoining properties.”*

The proposal meets the above objective in the following ways:

- The proposed building will have an angled roof line that essentially lowers the wall height on the eastern side. Furthermore, the wall is recessed and this portion of the wall is setback 2.4 metres from the boundary. Accordingly, the design and subtle articulation of the building reduces the impact of building bulk on the adjoining property.
- The impact of building bulk could be further reduced by providing additional visual relief by way of articulation of the walls. It is recommended that there be a condition of approval stating that the eastern, western and southern walls, be further articulated.
- Privacy to the adjoining property is not compromised by the development as there are no windows proposed on the eastern side of the building.
- Overshadowing will not significantly affect the adjoining property as the building is approximately 6.76 metres in height along that boundary and the effect of the angled roof line will further reduce potential overshadowing to that property.

It is considered that both the proposed boundary setback variations will not have a detrimental impact on adjoining properties or the amenity of the area and as such the variations can be supported.

### **Landscaping Variation**

DPS2 requires a development site for a non-residential building to be landscaped to a minimum of 8 percent of the area of the site. Furthermore, where a proposed development has a car park abutting a street there is to be a minimum of 3 metre wide landscape strip between the car park and the street.

The proposed development includes landscaping of 17% of the site and therefore complies with this requirement of DPS2. However, variations are proposed to the 3 metre landscape strip requirement, with the landscape strip ranging between 3 metres and 0.9 metres in depth. The remainder of the 3 metre strip comprises the crossover/driveway, car parking bays and a disabled access ramp.

It is considered that the variation can be supported as the remainder of the site is proposed to be heavily landscaped.

### **Conclusion**

The proposed office development complies with most requirements of DPS2 with the exception of the eastern side setback and landscaping variation.

The proposed setback variations are considered acceptable as the adjoining properties are not adversely affected by building bulk or overshadowing. The applicant has effectively designed the building with articulation to the front (northern) and side (eastern) walls to provide relief to the adjoining property and the streetscape. In addition, the condition relating to further articulation of the eastern, western and southern walls will help ensure that the impact of building bulk is minimised to all adjoining properties.

The landscaping variation is considered acceptable as the proposal has substantial landscaping across the site and within the front setback area. It is considered that the proposed landscaping will contribute to the desired streetscape.

The proposed development maximises the useable area of the lot providing a modern building in an attractive setting. It is considered that the proposal contributes to the amenity of the streetscape and surrounding area.

It is therefore recommended that the application be approved.

### **ATTACHMENTS**

Attachment 1	Aerial Plan & Zoning Plan
Attachment 2	Development Plans

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

#### **That Council:**

- 1 EXERCISES discretion under Clause 4.5.1 of District Planning Scheme No. 2 and determines that the:**
  - (a) Side setback of 1.8 metres in lieu of 3 metres to the eastern boundary;**
  - (b) Front setback of 8.7 metres in lieu of 9 metres;**
  - (c) Part of landscaping strip being 0.9 metres in lieu of 3 metres;****are appropriate in this instance;**

**2 APPROVES** the application for Planning Approval dated 8 February 2008 submitted by Mr Geoff O'Regan, the applicant on behalf of the owners, Wavetop Holdings Proprietary Limited for a two storey office development on Lot 872 (16) Coolibah Drive, Greenwood, subject to the following conditions:

- (a) The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for off street Car parking (AS/NZS 2890.1-2004) unless otherwise specified by this approval. Such areas are to be constructed, drained, sealed and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services prior to the development first being occupied;
- (b) The disabled bay shall be a maximum of 3% grade;
- (c) The lodging of detailed landscaping plans for the development site with the Building Licence Application. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100. All details relating to paving and treatment of verges are to be shown on the landscaping plan. All landscaping, reticulation and verge treatments, based on water wise principles, are to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services;
- (d) The eastern, western, and southern walls shall be articulated to reduce the impact of building bulk on the adjoining properties. Drawings of the proposed design are to be submitted to the City for approval of the Manager Approvals, Planning & Environmental Services;
- (e) An onsite storm water 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 storm water drainage system is required to be shown on the Building Licence submission and be approved by the Manager Infrastructure Management prior to the commencement of construction;
- (f) The bin store shall consist of a suitably screened enclosure with a 100mm thick concrete floor graded to a commercial floor waste connected to sewer and shall have a hose cock for bin washing;
- (g) Any fencing on the front boundary shall not exceed 600mm in height;
- (h) Any signage shall be the subject of a separate development application;
- (i) The submission of details of the proposed cladding, to the satisfaction of the Manager Approvals, Planning and Environmental Services, demonstrating that there will be minimal glare on adjoining properties.

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf060508.pdf](#)*

**CJ084-05/08      PROPOSED CHANGE OF USE FROM RESIDENTIAL BUILDING (SHORT STAY ACCOMMODATION) TO MULTIPLE DWELLINGS – LOT 517 (91) REID PROMENADE, JOONDALUP – [89530]**

**WARD:** North

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

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**PURPOSE**

The purpose of this report is to consider an application to change the land use for part of an approved mixed use development at Lot 517 (91) Reid Promenade.

**EXECUTIVE SUMMARY**

In August 2007 Council approved a four storey building containing 12 multiple dwellings, a residential building (six one bedroom short stay units) and four office tenancies on Lot 517 (91) Reid Promenade, Joondalup. The land is designated Residential/Mixed Use, and the density of development complies with the maximum existing density coding of R100.

In July 2007, Council resolved to support a modification to the Joondalup City Centre Development Plan and Manual (JCCDPM) to remove the R100 density coding limitation for land within the Central Business District that was designated as Residential/Mixed Use and allow Council to consider higher densities within these areas.

The applicant proposes to change the land use for a portion of the approved building. The difference between the two proposals is the applicant is now seeking to convert the previously approved Residential Building into six multiple dwellings. The change in land use will not require any physical change to the approved development.

The proposed July 2007 changes to the JCCDPM have now been gazetted which permits Council to agree to a higher density of development for this and other sites in the Central Business District that are designated as Residential/Mixed Use. The density coding for the site would need to be increased from R100 to R160 if the proposal is to be supported. The proposed development complies with all the requirements for multiple dwellings at a density coding of R160.

It is considered that the proposed increased in density would support the objectives of the JCCDPM and as such, it is recommended the application be approved.

**BACKGROUND**

<b>Suburb/Location:</b>	Lot 517 (91) Reid Promenade
<b>Applicant:</b>	Griffiths Group (WA) Pty Ltd
<b>Owner:</b>	Griffiths Group (WA) Pty Ltd
<b>Zoning:</b>	<b>DPS:</b> Centre
	<b>MRS:</b> Central City Area
<b>Site Area:</b>	1239 sq m
<b>Structure Plan:</b>	Joondalup City Centre Development Plan and Manual



The subject site is located on the northern side of Reid Promenade between Davidson Terrace and Lakeside Drive (Attachment 1 refers). It is currently vacant. There is an existing three-storey Residential/Mixed Use development to the west and a two-storey Residential/Mixed Use development to the east of the site. A public parking area is located to the immediate north of the site.

The property is zoned Centre under the City's DPS2 and is subject to the provisions of the JCCDPM. Under the JCCDPM, the site is located within the District called Central Business and is designated as Residential/Mixed Use.

Council has previously approved two applications for planning approval for this site; however, neither of these applications have been acted upon.

In April 2005, Council approved an application for 34 serviced apartments, 12 multiple dwellings and one commercial ground floor tenancy on the subject land. The approved development incorporated a number of variations to the JCCDPM including:

- a residential density for the multiple dwellings of R100 for the site;
- plot ratio of 1.61 in lieu of 1.0;
- projection through the building envelope for the fifth floor service apartments.

A cash in lieu payment of \$105,300 for a shortfall of 13 bays was also required as part of this approval.

In November 2006, the City received an application for 16 multiple dwellings comprising 14 two bedroom units and 2 single bedroom units, with an actual residential density of R125. The provisions of the JCCDPM restricted the maximum development potential of the site to R100. The City received legal advice that Council could not approve the proposed development as the proposed density exceeded the maximum density coding of R100.

In July 2007, a revised application was received with the residential component complying with the R100 density coding. This modified application comprised a four storey building with 12 multiple dwellings (two bedroom), a residential building (six one bedroom short stay units) and four office tenancies. Compliance with the density coding was achieved by converting 2 two bedroom multiple dwellings and 2 single bedroom dwellings into a Residential Building containing 6 short stay units.

At the Council Meeting of 17 July 2007, Council resolved to support a modification to the JCCDPM that:

- (a) deleted the maximum residential density code permitted on a Residential/Mixed Use site (R100B); and
- (b) replaced the development provisions for Residential/Mixed Use precinct with those applicable to a General City Use precinct.

The purpose of this change was to align Residential/Mixed Use sites with General City Use sites which often directly abut one another and until then, had vastly differing development provisions. The amendment was considered to facilitate development at a more appropriate scale within the Residential/Mixed Use and General City Use precincts.

The effect of the changes resulted in there being no density coding for sites within the Residential/Mixed Use precinct of JCCDPM. By default, through the provisions of clause 4.2.4, a density coding of R20 applies to the site unless Council determines a higher density code is appropriate.

The West Australian Planning Commission (WAPC) has now certified the amendments to the JCCDPM, which became effective on 17 March 2008.

## DETAILS

The applicant proposes to change the Residential Building land use for the development application approved in August 2007 to Multiple Dwellings. No physical changes are proposed to the approved building as a consequence of the proposed change of land use.

The conversion of the Residential Building (six short stay accommodation units) to 6 multiple dwellings increases the proposed total number of dwellings on the site from 12 to 18. The change of land use effectively increases the actual residential density from R96 to R145. As the proposed density exceeds the R100 density coding, the applicable density coding needed to support this proposal is R160. The development complies with all the provisions for R160 development, however Council discretion is required to approve the density coding of R160.

The development plans are provided in Attachment 2.

### Issues and options considered:

Council has the discretion to:

- Approve the application without conditions;
- Approve the application with conditions; or
- Refuse the application.

### Link to Strategic Plan:

The proposal will contribute to objective 4.1 of the City's Strategic Plan 2008-11: *To ensure high quality urban development within the City.*

### Legislation – Statutory Provisions:

Development within this area is controlled by the provisions of DPS2 and the JCCDPM.

When determining this application, Clauses 4.2.4 of DPS2 applies

#### 4.2 Residential Design Codes

*4.2.4 Subject to clause 4.2.5, the Residential Design 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 R20 density code applies unless the Council determines that a higher code should apply*

In exercising discretion, the matters listed under Clause 6.8 require consideration:

#### 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:**

The proponent has a right of review against Council's decision, or any conditions included therein, in accordance with the State Administrative Tribunal Act 2004 and the Planning and Development Act 2005.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The proposal did not require advertising as Multiple Dwellings are listed as a preferred use within JCCDPM.

## **COMMENT**

### **Land Use**

The application is to change the land use from Residential Building (short stay accommodation) to Multiple Dwelling. Residential is listed as a preferred land use within the Residential/Mixed Use precinct of the Central Business District of the JCCDPM. As such this aspect of the proposed development is compliant.

### **Residential Density**

The recent amendment to the JCCDPM resulted in sites within the Residential/Mixed Use having the same land use provisions as the General City Use precinct. The General City Use precinct has no specified residential density coding. As the JCCDPM does not specify a residential density coding, by default, the site has a density coding of R20 based on the provisions of Clause 4.2.4 of DPS2.

During July 2007, Council approved the latest development application with a density coding of R100. The further conversion of the Residential Building to 6 multiple dwellings will increase the actual density of the development to R145. Therefore, Council's discretion is required to be exercised to permit a density coding of R160 for the development site, to support the current development proposal. The change in land use will not result in any physical change to the plans previously approved by Council. Further, the development is compliant with the R160 provisions of the R-Codes.

The increase in density code from R100 to R160 will have no 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 and as such is supported.

### **Plot Ratio**

The maximum plot ratio applying to the site is 1.0. The JCCDPM states that public open space and residential are not counted towards the calculation of plot ratio. The proposed plot ratio of 0.12 complies with the requirements of the JCCDPM.

### **Conclusion**

The proposed development complies with the requirements as outlined in the JCCDPM. The proposed change of use is considered to be appropriate having regard to the objectives of DPS2 and the JCCDPM.

The proposed residential density coding of R160 for the development site is considered to be appropriate and is supported. It is also considered that the development will make a positive contribution to the identity of the area as a city centre where intensive use of sites is encouraged.

The application complies with all the requirements of the JCCDPM except for the density coding.

It is therefore recommended that the application be approved.

## **ATTACHMENTS**

Attachment 1	Location Plans
Attachment 2	Development Plans

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 EXERCISES discretion in relation to Clause 4.2.4 of the District Planning Scheme No. 2 and determines that a residential density code increase from the approved R100 to R160 is appropriate in this instance;**
- 2 APPROVES the application for Planning Approval dated 22 February 2008 and plans dated 26/02/2008 submitted by Griffiths Group (WA) Pty Ltd, the applicant and owner, for the proposed change of land use from Residential Building (6 Short Stay Accommodation Units) to 6 Multiple Dwellings associated with the development application approved on the 31 August 2007 at Lot 517 (91) Reid Promenade, Joondalup subject to the following conditions:**
  - (a) This approval is for units 5, 6, 11, 12, 17, 18 only, as marked in RED on the approved plans;**
  - (b) A statement being included in the strata company by-laws notifying all future residents of units 5, 6, 11, 12, 17, & 18 that this lot is located in the City Centre area which is planned to become a vibrant and bustling city centre comprising a mix of land uses where street level activity may occur of an intensity not normally associated with a traditional suburban residential environment.**

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf060508.pdf](#)*

**CJ085-05/08 RETIREMENT VILLAGE - RECONSIDERATION OF  
CONDITION – LOT 9018 (4) SUNLANDER DRIVE &  
LOT 9019 (8) MISTRAL MEANDER, CURRAMBINE –  
[50510]****WARD:** North**RESPONSIBLE  
DIRECTOR:** Mr Clayton Higham  
Planning and Community Development

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**PURPOSE**

The purpose of this report is to request Council's reconsideration of a condition of development approval for a retirement village on Lot 9018 (4) Sunlander Drive and Lot 9019 (8) Mistral Meander, Currambine.

**EXECUTIVE SUMMARY**

Council on 19 February 2008 conditionally approved a retirement village on the subject site comprising 231 aged persons dwellings, a community facility, respite day-care centre, maintenance building and electricity substation.

The applicant seeks deletion of condition (o) on the development approval. Condition (o) relates to implementation of Water Sensitive Urban Design principles.

It is recommended that Council amends the condition to allow greater flexibility to the applicant.

**BACKGROUND**

<b>Suburb/Location:</b>	Lot 9018 (4) Sunlander Drive and Lot 9019 (8) Mistral Meander, Currambine
<b>Applicant:</b>	Masterplan Consultants (WA) Pty Ltd
<b>Owner:</b>	Southern Cross Care (WA) Inc
<b>Zoning:</b>	<b>DPS:</b> Residential R80 Zone, Mixed-Use Zone and Other Regional Roads Reserve
	<b>MRS:</b> Urban and Other Regional Roads Reserve
<b>Site Area:</b>	Total 66,524m <sup>2</sup> (63,984m <sup>2</sup> excluding mixed-use land)
<b>Structure Plan:</b>	Not Applicable

The subject site comprises Lots 9018 (4) Sunlander Drive and 9019 (8) Mistral Meander, Currambine. The land is bound by Burns Beach Road to the north, Connolly Drive to the west, Currambine Boulevard and Mistral Meander to the south and Sunlander Drive to the east. The main features of the adjoining area are referenced at Attachment 1.

At its meeting on 19 February 2008 (CJ025-02/08), Council resolved to conditionally approve a retirement village on the subject site comprising 231 aged persons dwellings, a community facility, respite day-care centre, maintenance building and electricity substation (Attachment 2 refers).

## DETAILS

The applicant requests reconsideration of condition (o) which Council imposed on the planning approval. This condition was originally recommended by Council Officers as a footnote, encouraging the use of Water Sensitive Urban Design principles to be implemented.

Condition (o) states:

*"The City requires the following Water Sensitive Urban Design principles:*

- The use of permeable surfaces in car parking areas*
- Installation of flash kerbs around tree wells*
- Laying hard surfaces with a slight gradient (1%-2%) towards vegetated garden beds and tree wells*
- Introducing a variety of measures to slow down storm water run-off*
- Introducing nutrient-stripping planting to swales/drainage sumps*
- Reduction of lawn in the proposed drainage swales if any*
- Harvesting storm water run-off from roofs and hard surfaces to underground storage for reuse (capacity building)*
- Extensive use of local, grown to provenance plants*
- The use of reticulation systems suitable for native plants where applicable."*

## Comments made by applicant

The applicant supports and acknowledges that Water Sensitive Urban Design (WSUD) is increasingly an important factor in urban development. The applicant states in part the following (italicised):

- "The complexity of installing these features means that the developers must have the flexibility to install WSUD features as and where appropriate, taking into account the site factors and development form. The condition, as worded, locks in certain features that may not be appropriate for this site and this development form.*
- The Town Planning Scheme does not contain requirements for WSUD principles, and the City does not have a policy requiring WSUD. Therefore there is little guidance on how to comply with the condition, and it would be difficult for the City to enforce given that there is no statutory requirement for WSUD features to be applied.*
- The lack of statutory backing could also lead to the inconsistent and potentially unfair implementation of such requirements.*
- We have gone to significant lengths to develop a stormwater management plan for the site, which includes the substantial construction of infrastructure to deal with the particular drainage matters on site. Whilst we recognise the importance of re-using rainwater, the City has agreed to and approved a drainage management plan for the development. This drainage management plan never intended to implement WSUD principles.*
- The developer naturally intends to install features that will reduce the burden of the drainage system, however requires the flexibility to install these features where appropriate.*
- It is burdensome to require a single development to apply the full range of features when they may not be appropriate.*
- In terms of this application and approval, many of the mentioned requirements are common sense principles that shouldn't need enforcement by condition. Items like gradient of surfaces, vegetation to slow run off and native planting should be able to be implemented where appropriate.*
- Certain requirements have significant cost and design implications. For example, Water Harvesting through the use of underground tanks would require the height of*

*the buildings to be substantially increased given the underground car parks, which will also add substantially to the cost. Underground tanks are expensive to install, maintain, clean and operate and could potentially lead to an unsustainable solution. Water tanks in a well vegetated garden can achieve the same outcome. In addition, underground tanks for the individual houses would be economically unsustainable and the small nature of each lot does not lend itself to the installation of rain water tanks.*

- *The development intends to utilise several techniques to minimise its impact upon the environment.*
  - *It is located near a train station with connections to Joondalup and Perth and three bus routes passing the site.*
  - *The development has been designed to take advantage of the northern aspect by providing northern courtyards, appropriate width eaves, and appropriate insulation to minimise energy use.*
  - *Native gardens are used and road widths are minimised.*
  - *The development offers a high degree of sustainability by optimising the environmental, social and economic features of the site."*

**Issues and options considered:**

Council has the discretion to:

- support the reconsideration request to remove condition (o);
- support the reconsideration request to remove condition (o) and include it as a footnote;
- not support the reconsideration request and not alter the development approval, or
- support the reconsideration request in part and amend the wording of condition (o).

**Consultation:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Risk Management considerations:**

The applicant has a right of review against Council's decision, or any conditions included therein, in accordance with the State Administrative Tribunal Act and the Planning and Development Act 2005.

As there is no statutory requirement for WSUD principles to be applied, it would be difficult for the City to ensure this requirement is satisfied. Should the matter be forwarded to the State Administration Tribunal, it is unlikely that the City's position would be upheld. Regardless of that, Council is not fettered in its options to make a resolution in the terms proposed here.

The City improves its position if the condition is amended to allow negotiation with the applicant on the extent of WSUD Principles by amending the wording of Condition (o) to provide greater flexibility to the applicant.



**Legislation – Statutory Provisions:**

In considering the written request for removal of condition (o) from the planning approval, the following clause of District Planning Scheme No 2 (DPS2) requires consideration:

**6.10 Compliance with Conditions**

*6.10.2 The Council may, on application in writing from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval.*

**Link to Strategic Plan:**

The proposal is considered to be consistent with objective 4.1 of the City's Strategic Plan 2008-2011 *"To ensure high quality urban development within the City."*

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**COMMENT**

The City's District Planning Scheme No 2 does not contain requirements for WSUD principles, and the City does not have a planning policy requiring WSUD principles be incorporated into developments.

WSUD principles are encouraged where possible in consultation with the City's Landscape Architect and are dependent on site factors and development form.

The request to remove condition (o) is supported in part on the basis that there is no statutory requirement associated with implementation of WSUD principles. Amending the condition to allow negotiation between the City and the applicant would allow greater flexibility for the applicant.

**ATTACHMENTS**

Attachment 1	Location Plan
Attachment 2	Site Plan

**VOTING REQUIREMENTS**

Simple Majority.

## RECOMMENDATION

That Council AMENDS condition (o) within the planning approval for a retirement village on Lot 9018 (4) Sunlander Drive and Lot 9019 (8) Mistral Meander, Currambine dated Tuesday 4 March 2008 as follows:

- (o) The use of Water Sensitive Urban Design principles being provided where practicable to the satisfaction of the Manager, Approvals, Planning & Environmental Services, including (but not limited to):
- The use of permeable surfaces in car parking areas;
  - Installation of flash kerbs around tree wells;
  - Laying hard surfaces with a slight gradient (1%-2%) towards vegetated garden beds and tree wells;
  - Introducing a variety of measures to slow down storm water run-off;
  - Introducing nutrient-stripping planting to swales/drainage sumps;
  - Reduction of lawn in the proposed drainage swales if any;
  - Harvesting storm water run-off from roofs and hard surfaces to underground storage for reuse (capacity building);
  - Extensive use of local, grown to provenance plants;
  - The use of reticulation systems suitable for native plants where applicable.

*Appendix 16 refers*

To access this attachment on electronic document, click here: [Attach16brf060508.pdf](#)

## **CJ086-05/08 CLOSURE OF ADVERTISING FOR PROPOSED ROAD RESERVE CLOSURE - PORTION OF HONEYBUSH DRIVE, JOONDALUP – [39981] [20587]**

**WARD:** North

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

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### **PURPOSE**

The purpose of this report is for Council to consider submissions received during the advertising period and to support permanent closure of a portion of Honeybush Drive, Joondalup, to facilitate subdivision of the land.

### **EXECUTIVE SUMMARY**

A request has been received from JBA Surveys (the applicant) on behalf of Landcorp for the permanent closure of a portion of Honeybush Drive road reserve to enable an approved subdivision to proceed (Attachment 1 refers).

The proposed road closure will allow Honeybush Drive to be realigned, in accordance with the road layout outlined in the Southern Business District Structure Plan. The proposal is intended to permit the realignment of the old road reserve, to accord with the adopted Structure Plan.

Council's statutory involvement in this process is to advertise the proposed road closure and then, upon completion of the public advertising period, consider submissions received and resolve whether or not to proceed with the closure.

The road reserve land is owned and managed by the City and therefore the City has financial entitlement to the land in the event of the land being sold.

On 19 February 2008, Council resolved to initiate the process for the proposed road closure by commencing public advertising for a period of 35 days (CJ023-02/08 refers). During the advertising period no submissions were received.

It is recommended that Council advises the Department for Planning and Infrastructure (DPI) that it supports the proposed road closure.

### **BACKGROUND**

<b>Suburb/Location:</b>	Joondalup
<b>Applicant:</b>	JBA Surveys
<b>Owner:</b>	City of Joondalup
<b>Zoning:</b>	<b>DPS:</b> Centre Zone
	<b>MRS:</b> Central City Area
<b>Site Area:</b>	Approximately 1602m <sup>2</sup> (subject to survey)
<b>Structure Plan:</b>	Southern Business District

At its meeting on 19 February 2008, Council resolved to initiate the permanent closure of a portion of Honeybush Drive road reserve, Joondalup for the purposes of public advertising for a period of 35 days, as shown in Attachment 1 to Report CJ023-02/08.

## **DETAILS**

The northern portion of Honeybush Drive is proposed to be realigned and made consistent with the alignment approved within Plan 1 of the Southern Business District Structure Plan, leaving a portion of road reserve (approximately 1602m<sup>2</sup>) to be 'closed.'

Preliminary approval has been given to incorporate the portion of road reserve into a proposed adjoining lot via a subdivision approved on 7 November 2006 by the Western Australian Planning Commission (Attachment 1 refers). The subdivision facilitates the re-subdivision of 8 lots to create 5 super lots in order to progress the proposals contained within the Southern Business District Structure Plan adopted by the Western Australian Planning Commission on 23 February 2006.

The 1602m<sup>2</sup> portion of Honeybush Drive must formally be 'closed' for the approved subdivision to proceed.

Council has the option to:

- (a) Resolve to support the road closure, or
- (b) Resolve to not support the road closure.

## **Link to Strategic Plan:**

The proposal is considered to be consistent with objective 3.1 of the City's Strategic Plan 2008-2011 - *"To encourage the development of the Joondalup CBD."*

## **Legislation – Statutory Provisions:**

The road closure is required to be undertaken in accordance with Section 58 of the Land Administration Act (LAA). This section of the Act outlines that the proposed road closure must be advertised for 35 days with notice to be placed in a newspaper. Advertising has been undertaken and Council is to consider any submissions lodged, resolve whether to close the road, and forward its recommendations to the Minister for Planning and Infrastructure via the Department for Planning and Infrastructure for determination.

## **Risk Management considerations:**

Not Applicable.

## **Financial/Budget Implications:**

There are no cost implications for Council in regard to this resolution.

## **Policy Implications:**

Not Applicable.

## **Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The proposal was advertised for public comment for 35 days by way of a sign on site, an advertisement in the local newspaper, information on the City's website and letters to service authorities. The advertising period closed on 10 April 2008 and no submissions were received.

**COMMENT**

The proposed road closure is primarily the result of an approved subdivision which incorporates the portion of road reserve into a proposed adjoining lot as shown on Attachment 1 to this Report.

The road closure process prescribed under Section 58 of the Land Administration Act needs to be followed and the Council is involved in this process as the surplus road reserve land sought to be closed is located within the City of Joondalup.

The road closure proposal has no impact upon the City or service authorities and should be supported.

**ATTACHMENTS**

Attachment 1      Approved Subdivision Plan (WAPC Ref: 131242) highlighting portion of road reserve subject of closure.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1      SUPPORTS permanent closure of a portion of Honeybush Drive road reserve, Joondalup, as shown in Attachment 1 to Report CJ086-05/08 in accordance with Section 58 of the Land Administration Act;**
- 2      FORWARDS the proposed road closure to the Department for Planning and Infrastructure and REQUESTS the Minister for Planning and Infrastructure to close the road reserve as detailed in Resolution 1 above.**

*Appendix 17 refers*

*To access this attachment on electronic document, click here: [Attach17brf060508.pdf](#)*

Name/Position	<b>Cr Tom McLean</b>
Item No/Subject	CJ087-05/08 – Close of Advertising of Proposed Renaming of Public Open Space (Reserve 44914) – Medinah Mews, Connolly
Nature of interest	Interest that may affect impartiality
Extent of Interest	Cr McLean is a member of the Connolly Residents Association

## **CJ087-05/08 CLOSE OF ADVERTISING OF PROPOSED RENAMING OF PUBLIC OPEN SPACE (RESERVE 44914) - MEDINAH MEWS, CONNOLLY – [06998] [11275]**

**WARD:** North

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

### **PURPOSE**

The purpose of this report is for Council to consider submissions from public advertising of a request to rename an area of public open space (Reserve 44914) in Medinah Mews, Connolly.

### **EXECUTIVE SUMMARY**

Reserve 44914 (currently known as 'Medinah Park') is located adjacent to the Mitchell Freeway, Shenton Avenue and Medinah Mews in Connolly. A request has been received to rename the land to 'Carnaby Reserve', in recognition of the extensive use of the land by Carnaby cockatoos.

Naming and renaming of reserves is approved by the Minister for Lands through the Geographic Names Committee at Landgate.

In December 2007, Council resolved to progress public advertising of the renaming proposal, further to the submission of supporting evidence for the name change and evidence of substantial community support. Advertising closed on 27 March 2008 and 3 submissions were received, all in support of the request.

It is recommended that Council advises the Geographic Names Committee that it supports the renaming of Reserve 44194 and requests the Minister for Lands rename the land to "Carnaby Reserve".

### **BACKGROUND**

**Suburb/Location:** Reserve 44914, Connolly  
**Applicant:** Connolly Residents' Association  
**Owner:** Crown (management order to the City of Joondalup)  
**Zoning:** **DPS:** Local Reserves – Public Recreation  
**MRS:** Urban  
**Site Area:** 2.1742 hectares  
**Structure Plan:** N/A

Reserve 44914 is a public park that was created from surplus freeway reserve land in Connolly and is currently named 'Medinah Park'. The land is located adjacent to the Mitchell Freeway, Shenton Avenue and residences. It is predominantly bushland and is managed by the City.

## **DETAILS**

The City received a request to rename 'Medinah Park' to 'Carnaby Reserve', on the basis that the submitter states that the park is frequented by Carnaby cockatoos that are claimed to be protected birds. The request for renaming was received from an established ratepayer's group. It is noted that 'Medinah Park' is named after the adjacent road 'Medinah Mews', with the name reflecting the golf course theme used for the local area, and recognising the historically significant Medinah Country Club in Illinois, USA.

Council considered the request at its meeting held on 18 December 2007 and resolved the following (CJ289-12/07 refers):

- "1 REQUESTS the applicant to submit relevant supporting information regarding the use of Reserve 44914 (Medinah Park) by Carnaby cockatoos, and evidence of substantial community support for the proposed renaming;*
- 2 Upon receipt of the information required at Point 1 to the City's satisfaction, ADVERTISES the proposed name change for Reserve 44914 to "Carnaby Reserve" for a period of 21 days, prior to further Council consideration of the matter;*
- 3 Notwithstanding points 1 and 2 above, NOTES that the Geographic Names Committee Guidelines state that Reserve names are expected to be permanent, and renaming will only be considered in exceptional circumstances."*

The applicant submitted the requested information in accordance with Point 1 of the resolution which enabled public advertising to commence.

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

The options available to Council are:

- Support the proposed renaming of Reserve 44914.
- Not support the proposed renaming of Reserve 44914.

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

Not Applicable.

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

Not Applicable.

### **Risk Management considerations:**

Not Applicable.

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

Public advertising costs for a notice in the local newspaper and a sign erected on the site were \$660, well within the initial estimate of \$1,000.

**Policy Implications:****Geographic Names Committee (GNC) – Principles, Guidelines and Procedures**

The GNC advises the Minister for Lands on naming and renaming matters in Western Australia. In regard to renaming, the GNC's guidelines on renaming (Attachment 2 refers) indicate that:

- 1 Names chosen for parks and reserve are expected to be permanent, and renaming is discouraged. If renaming is proposed because of some exceptional circumstances, the general guidelines will apply.
- 2 Evidence of substantial community support for a change of name must be provided.

The general guidelines include:

- 1 priority is given to the naming of parks and reserves after adjacent streets or features to maximise the identification of the park or reserve with an area.
- 2 Names that commemorate living persons will not be considered for parks or reserves over 1ha.
- 3 Proposals to name parks or reserves should include evidence of strong community support for the name. (Methods of ascertaining support are listed)

**City Policy 7-6 - Naming of Public Facilities**

Policy 7-6 accords with the GNC guidelines as applied to the naming of parks and reserves (Attachment 3 refers). As renaming of parks and reserves is not specifically addressed by the Policy, requests can be considered by Council using the GNC guidelines.

**Sustainability implications:**

Not Applicable.

**Consultation:**

The renaming request was advertised for a period of 21 days by way of a sign erected on the site, a notice placed in the community newspaper on 6 March 2008 and on the City's website, and letters to adjoining and affected landowners. Advertising closed on 27 March 2008 with 3 submissions of support being received.

**COMMENT****Submissions**

All three public submissions received during the public advertising period support renaming "Medinah Park" to "Carnaby Reserve". Two of the three submitters are members of the Connolly Residents' Association, the ratepayer's group that requested the renaming.

One submission mentioned that the land is currently unnamed according to Landgate's records.

While Landgate has advised that this is correct, the City's records identify the park as 'Medinah Park', in accordance with GNC guidelines.



One submission expressed concern that the City's advertising of the request did not give details for the proposed renaming. It is noted that the sign outlined the proposal to rename the Reserve to Carnaby Reserve, and where further details could be obtained. It is not possible to provide all background details on a sign due to size limitations, and it is appropriate that the sign direct interested people to where further information is available.

#### City of Joondalup works

Reserve 44914 is listed in Schedule 5 of the City's District Planning Scheme No 2 (DPS2) as being significant for the purpose of protection of the environment (flora and fauna). The City has not undertaken a study of the extent of the habitat of the Carnaby cockatoos on Reserve 44914.

The City has undertaken extensive weed spraying in the area during the past 12 months and constructed fencing on the western side of the park to protect native vegetation that was recently planted by Connolly Primary School students. A pathway linking the Reserve with the existing pathway along Shenton Avenue is being considered by the City as future works.

Given that the proposed renaming raised no objections, it is recommended that the City forwards the request to GNC for the site to be known as "Carnaby Reserve".

#### **ATTACHMENTS**

Attachment 1	Location plan & Aerial
Attachment 2	Extracts from GNC naming guidelines
Attachment 3	Schedule of submissions

#### **VOTING REQUIREMENTS**

Simple Majority.

#### **RECOMMENDATION**

**That Council ADVISES the Geographic Names Committee that it supports the renaming of Reserve 44914 (Medinah Park) and REQUESTS the Minister for Lands to rename the land to "Carnaby Reserve".**

*Appendix 18 refers*

*To access this attachment on electronic document, click here: [Attach18brf060508.pdf](#)*

**CJ088-05/08      RENAMING OF PORTION OF ROAD - WOODLAKE  
RETREAT, KINGSLEY – [04381]**

**WARD:** South-East

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

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**PURPOSE**

The purpose of this report is to inform Council with regard to a request to rename a portion of road, Woodlake Retreat, in Kingsley.

**EXECUTIVE SUMMARY**

Woodlake Retreat is a public road in Kingsley located adjacent to Lake Goollelal in Kingsley, which forms part of the Yellagonga Regional Park.

Council recently received a 40-signature petition from residents requesting the renaming of the spur at the southern portion of Woodlake Retreat to Antulov Walk, as shown on Attachment 1 to this Report. The request was to recognise the original family of market gardeners of the land in the area. On 18 March 2008, Council resolved to seek a report on the request.

However, the City had previously been approached on this matter by one interested party and forwarded the request to the Geographic Names Committee at Landgate for consideration.

The Geographic Names Committee subsequently advised the City that approval for the renaming has been granted.

**BACKGROUND**

Woodlake Retreat, Kingsley is located along the eastern edge of Lake Goollelal in the Yellagonga Regional Park and links up with Wanneroo Road to the south. A retirement village is currently being completed along the northern end of the road.

At its meeting held on 18 March 2008, Council responded to a 40-signature petition (from residents requesting the Antulov family be recognised by way of renaming a portion of Woodlake Retreat) by requesting that a report be provided on this issue.

**DETAILS**

Prior to the submission of the petition, the originator of the petition to Council had approached the City on the matter, and the opportunity was investigated with the Geographic Names Committee (GNC). The name of Antulov had been placed on the City of Joondalup's Reserve Road Name Register for future use in that area, and was therefore available for use.

The City progressed the request and the GNC advised on 28 March 2008 that, by way of a Ministerial Order, the renaming request was approved. This report to Council on the matter is provided as advice, and for noting.

**Issues and options considered:**

There are no options available to Council as the Minister approved the name change.

**Link to Strategic Plan:**

Not Applicable.

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

The GNC guidelines on renaming state that non-essential name changes incur a service charge. On this occasion, however, the City has not been charged.

**Policy Implications:**Geographic Names Committee (GNC)

The GNC advises the Minister for Lands on naming and renaming matters in Western Australia. The GNC provide guidelines, however no specific criteria are provided for road renaming, other than the local government is to ensure there is community support for a change of name (Attachment 2).

Policy 7-6 Naming of Public Facilities

Policy 7-6 accords with the GNC guidelines as applied to the naming of parks and reserves (Attachment 3). As renaming of parks and reserves is not specifically addressed by the Policy, requests can be considered by Council using the GNC guidelines.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The request to rename a portion of Woodlake Retreat was made on the basis that the name change would recognise the historical significance of the Antulov family. The Antulovs originally lived on and used land in the area as market gardens.

For the purposes of satisfying the GNC guidelines in terms of providing evidence of community support, the City had been approached to recognise the significance of the Antulov family in some way in the area. The 40-signature petition received by Council at its meeting held on 18 March 2008 provides further evidence that the community supports the request.

This report is provided to Council in answer to the petition received.

## **ATTACHMENTS**

Attachment 1	Location and site plan
Attachment 2	Extract of GNC guidelines
Attachment 3	Policy 7-6 – Naming of Public Facilities

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council ADVISES the petitioners that the Geographic Names Committee has approved the renaming of a portion of Woodlake Retreat, Kingsley to 'Antulov Walk', as shown on Attachment 1 to Report CJ088-05/08.**

*Appendix 19 refers*

*To access this attachment on electronic document, click here: [Attach19brf060508.pdf](#)*

**CJ089-05/08      2007/2008 SPORTS DEVELOPMENT PROGRAM -  
[58536]****WARD:** All**RESPONSIBLE  
DIRECTOR:** Mr Clayton Higham  
Planning and Community Development

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**PURPOSE**

To provide recommendations for funding as part of the City's 2007/2008 Sport Development Program.

**EXECUTIVE SUMMARY**

The Sports Development Program aims to assist local not for profit and incorporated, district level sporting clubs with programs, projects and events that facilitate the development of sport and enhance its delivery to City of Joondalup residents.

A panel consisting of City Officers formally assessed a total of four (4) applications as part of the 2007/2008 Sports Development Program. In April 2008, the Chief Executive Officer approved funding for one (1) application under delegated authority. This was for the Whitfords Hockey Club (\$6,590).

The applications from the Joondalup Districts Rugby League Club, North Coast Triathlon Club and Wanneroo Basketball Association are presented to Council for approval as the grant amounts recommended are above the CEO's delegated authority.

*It is recommended that Council:*

- 1 *APPROVES a \$12,000 grant to the Joondalup Districts Rugby League Club for a rugby league coaches and players development program, subject to the club entering into a funding agreement with the City of Joondalup;*
- 2 *APPROVES a \$19,590 grant to the North Coast Triathlon Club for a junior development triathlon coaching program, subject to the club entering into a funding agreement with the City of Joondalup;*
- 3 *APPROVES a \$14,290 grant to the Wanneroo Basketball Association for a basketball referee and players development program, subject to the club entering into a funding agreement with the City of Joondalup; and*
- 4 *NOTES a \$6,590 grant has been approved for the Whitfords Hockey Club for a hockey coaching program, subject to the club entering into a funding agreement with the City of Joondalup.*

## **BACKGROUND**

In June 2002, Council resolved to establish a sporting club support scheme whereby assistance can, upon application, be made available to district level clubs in lieu of individual sponsorship support (Item CJ136-06/02 refers). In September 2002, Council endorsed the City of Joondalup's Sports Development Program providing an annual budget of \$60,000.

The Sports Development Program aims to assist local not for profit, district level sporting clubs that play at or are aspiring towards the highest level of competition in their chosen sport. Eligible clubs must be located within the City of Joondalup and be represented at both junior and senior levels. Clubs can apply for support every second year following a successful application.

The Sports Development Program offers support to sporting clubs to enable them to commence or maintain sporting and club development initiatives. This funding program is a supplement to important sponsorship funds, which are hard to source for clubs at this level. The program aims to ensure that the City, like any corporate sponsor, receives appropriate recognition for its support.

For the 2007/2008 funding round, the City identified two (2) key priorities for the program. These were established inline with industry objectives and the needs of local clubs. The focus areas were:

- Partnership Development
- Coaching and Education Programs

The 2007/2008 Sports Development Program was promoted directly to all eligible clubs in November 2007. The clubs that were sent information included:

- Joondalup Netball Association
- Joondalup & Districts Rugby League Club
- North Coast Triathlon Club
- Perth Outlaws Softball Club
- Sorrento Football Club
- Wanneroo Basketball Association
- Wanneroo Lacrosse Club
- Westside Steelers Gridiron Club
- Whitfords Hockey Club

(Note: The five (5) clubs that submitted successful applications in the 2006/2007 funding round were not eligible to apply in 2007/2008. These clubs were – Joondalup Districts Cricket Club, ECU Joondalup Lakers Hockey Club, Joondalup Brothers Rugby Union Football Club, Sorrento Tennis Club and ECU Joondalup Soccer Club).

The City received a total of four applications in the 2007/2008 funding round. A summary of the applications made to the City are as shown in Attachment 1 to this Report.

## **DETAILS**

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

A formal assessment panel was established to review the four (4) applications received. Details of the assessment panel's evaluation of the applications are shown in Attachment 2 to this Report.

In April 2008, the Chief Executive Officer approved funding to one (1) club under delegated authority. Details of the application are listed below:

<b>Name of Club:</b>	Whitfords Hockey Club
<b>Amount Requested:</b>	\$6,590
<b>Project Details:</b>	To provide a high quality hockey coaching program.
<b>Amount Approved:</b>	\$6,590

**Link to Strategic Plan:**

5.2 Objective: To facilitate healthy lifestyles within the community.

**Risk Management Considerations:**

No risks have been identified.

**Financial/Budget Implications:**

<b>Account No:</b>	1.4530.4403.0001.9999
<b>Budget Item:</b>	Sponsorships
<b>Budget Amount:</b>	\$60,000
<b>YTD Amount:</b>	\$6,590
<b>2007/08 Program Cost:</b>	\$45,880
<b>Total Cost:</b>	\$52,470

The remaining funds allocated for the Sports Development program will not be expended in the 2007/08 financial year. The City does not have the capacity to conduct a second funding round for the program prior to 30 June 2008.

**Policy Implications:**

The Sports Development Program is conducted in line with City Policy 5.2 - Community Funding.

**Sustainability Implications:**

The program provides for a positive effect on the development of a healthy, equitable, active and involved community. The program also provides the opportunity for a positive effect on the quality of sport and recreation programs, delivered within the City.

**Consultation:**

The four (4) applicants that submitted Expressions of Interest for the Sport Development Program were invited to meet individually with City officers to discuss their proposed projects. All applicants were provided with feedback and directions to assist in their final application. In addition, the four (4) applicants were encouraged to contact the City if they had any questions regarding their proposal prior to the closing date.

A post application meeting was conducted with each applicant providing them an opportunity to supply the City with additional information as required.

**COMMENT**

The Sports Development Program offers support to sporting clubs in areas that are operational and often prohibitive to club development under normal circumstances. The program aims to ensure that the City receives appropriate recognition for its support. The maximum grant available to an individual club is \$20,000 in any one year.

In 2007/2008, the Sports Development Program has a budget of \$60,000 to be allocated to successful applicants. The assessment panel considered each funding request against the Sports Development Program guidelines, identified priorities and the sponsorship exposure offered to the City.

The Chief Executive Officer, under delegated authority, can approve applications for funding up to \$10,000, and has approved the panel's recommendation for the Whitfords Hockey Club (\$6,590). The funding requests from the Joondalup & Districts Rugby League Club, North Coast Triathlon Club and Wanneroo Basketball Association are greater than \$10,000 and therefore require the approval of Council. The total amount of funding recommended to the three (3) sporting clubs is \$45,880.

## **ATTACHMENTS**

Attachment 1          Summary of Funding Applications

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 APPROVES a \$12,000 grant to the Joondalup Districts Rugby League Club for a rugby league coaches and players development program, subject to the club entering into a funding agreement with the City of Joondalup;**
- 2 APPROVES a \$19,590 grant to the North Coast Triathlon Club for a junior development triathlon coaching program, subject to the club entering into a funding agreement with the City of Joondalup;**
- 3 APPROVES a \$14,290 grant to the Wanneroo Basketball Association for a basketball referee and players development program, subject to the club entering into a funding agreement with the City of Joondalup;**
- 4 NOTES a \$6,590 grant has been approved for the Whitfords Hockey Club for a hockey coaching program, subject to the club entering into a funding agreement with the City of Joondalup.**

*Appendix 20 refers*

*To access this attachment on electronic document, click here: [Attach20brf060508.pdf](#)*



**11 REPORT OF THE CHIEF EXECUTIVE OFFICER****CJ090-05/08 REDEVELOPMENT OF CIVIC PLACE, PARRAMATTA  
- [70512]****WARD:** North**RESPONSIBLE  
DIRECTOR:** Chief Executive Officer

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**PURPOSE/EXECUTIVE SUMMARY**

Following receipt of a Notice of Motion from Cr Brian Corr, Council resolved at its meeting in December 2007 to:

- “1. REQUESTS a report analysing the redevelopment of ‘Civic Place’ in Parramatta, identifying areas that could be relevant for the redevelopment of the Joondalup CBD , areas such as:**
  - **The mix of retail, commercial, community and residential facilities;**
  - **The statutory planning framework used;**
  - **Sustainability principles and practices;**
  - **Building design and energy efficiency;**
  - **Roof-top gardens, recycling of grey water, reductions in stormwater run-off;**
  - **The mandated design standards for both residential and office buildings;**
  - **The linked European-style public places (pizzas);**
  - **Sculptures, street furniture, seating, shade;**
  - **Pedestrian movement;**
  - **Childcare facilities;**
  - **The shops, cafes, bars, restaurants, cinema, markets, and entertainment mix;**
  - **Transport links eg the rail-bus interchange close by;**
  - **The cooperation between the different levels of government;**
  - **The cooperation between the public and private sectors;**
- 2. CONSIDER bringing someone to Perth to brief Elected Members on this redevelopment, processes, timelines etc;**
- 3. REPORT back to Council on or before our April 2008 Council meeting.”**

In February 2008 a delegation comprising Mayor Pickard, Councillors Corr and Norman and the Chief Executive Officer visited the City of Parramatta to review the redevelopment of Civic Place, City of Parramatta.

## BACKGROUND

On 13 February 2008, His Worship the Mayor Troy Pickard, Councillors Brian Corr and Mike Norman and the Chief Executive Officer visited the City of Parramatta to inspect that City's CBD. With Lord Mayor, Paul Barber in attendance, a presentation was given by:

- Mr Marcelo Occhiuzzi, Manager Land Use and Transport Planning; and
- Ms Linda Perrine, Manager Place Strategy

which provided information on the Cities TaskForce, established by the Minister for Planning for the Parramatta city centre. The presentation made particular reference to the following documents:

1. Vision Statement
2. Development Control Plan (DCP)
3. Civic Improvement Plan (CIP)
4. Local Environmental Plan (LEP) *[equivalent of a District Planning Scheme]*

The documents were jointly developed by the Parramatta City Council and the Department for Planning. Combined, the four documents not only set the vision, but the design principles and strategies for the city centre, which are then underpinned by the LEP and DCP. In essence, the documents provided for the following:

- Set targets of 70,000 workers and 30,000 residents by 2031;
- Increased heights across the whole City Centre;
- The retaining of a commercial core area;
- Design competitions for key sites or buildings over 55 metres;
- A range of sustainability initiatives (within the DCP and Vision document); and
- A range of actions in the CIP.

Separate to this has been the formation of a Parramatta Economic Development Partnerships, which comprises key stakeholders and partners whose influence, resources, commitment and activities are used to progress Parramatta's ongoing transformation.

Detailed in the presentation were other City Centre initiatives which included:

- Streetscape/public domain improvements, e.g. Mall;
- Incorporating artwork in all streetscape projects and planning controls requiring artwork to be included in major development applications;
- Economic development team actively developing partnerships with key sectors.
- Place team co-ordinate key projects within the Centre, eg interchange, mall or riverbank.

Also included were specific details of the Civic Place proposal outlined in the Civic Improvement Plan and the proposed mix of commercial/retail/residential development and public open space.

### **Civic Place**

- 3ha mixed use urban redevelopment in the Parramatta CBD.
- Total development value of \$1.4 billion.
- Strategy to add value through land consolidation, master planning and improved floor space ratio (FSR).
- Largest Public Private Partnership to have been approved under the NSW Department of Local Government guidelines to date.
- Parramatta Council and Grocon (building company) entered into a Project Development Agreement in July 2006.

### **Proposed Development Mix**

- Commercial – 100,000 floor space area (FSA) (63%), includes 13,000 FSA of Council and community facilities.
- Retail – 40,000 FSA (25%)
- Residential – 20,000 FSA (12%)
- Public Open Space – 15,000 sqm

Within the presentation, particular reference was given to the fact that the genesis for the project commenced in the year 2000 with a review of the Regional Environmental Plan which identified Parramatta as the second CBD of the Sydney Metropolitan Area. During 2001-2005, growth in the CBD of Parramatta had been limited, and it was identified that planning controls in place at that stage were too strict. The New South Wales State Government had invested in a new Police Department Headquarters building and Justice Precinct, and proposals are now being progressed for Headquarters of major organisations including Sydney Water and the Commonwealth Bank.

Recently, the State Government has significantly upgraded the Parramatta CBD as a transport hub, with the development of a Regional Railway Station and Bus Transport facility. The City of Parramatta identified, as part of its planning processes, that there was a significant reliance on Government Departments and Agencies rather than the attraction of private enterprise. The commencement of the redevelopment programme was initiated through the Regional Development Plan.

The City identified the following changes as providing impetus for the development of the CBD. These matters have been refined over an 18 month planning process involving the New South Wales State Government, City of Parramatta and private enterprise:

1. Planning Controls - height and floor space ratio have increased by a factor of up to four times.
2. Recognition that the City of Parramatta CBD needed flexibility in its local Environment Plan.

3. That the LEP needed design criteria and the Development Control Plan, likewise, needed similar concepts.
4. "No Go Zones" identified at an early stage by the Council.

During discussions with Parramatta City staff members, a number of key elements became clear. The project is very much in its infancy, therefore, most of the proposals are yet to be commenced. It is evident though, that the New South Wales Government and the City of Parramatta will succeed in transforming the current CBD environment. Two key issues which are of direct relevance to the City of Joondalup, as it stands today, relate to the Church Street Mall and the linking between the City and the waterways/environmental areas.

Following an extensive period of consultation, the Council formally resolved to open up a Mall area which had previously not been open to vehicular traffic. The area has limited traffic throughput, with restricted lanes, incorporating wide pedestrian paving areas and extensive use of landscaping and art to create features in the public domain. There is also extensive use of laser lighting at night.

The consultation process, which involved discussion and negotiation with key stakeholders in the CBD, had involved an extensive resource allocation and this was seen to be critical to the ability to develop the planning of a project of this scale. There was liaison with CBD operators, the Property Council of Australia, and the top ten building owners within the CBD. The project team for this activity became the first point of call for the developers. It is clear that the scale of the project greatly assisted in attracting development companies of the stature and status of Grocon, Multiplex and Mirvac to projects in the area.

While the overall CBD development is stated to be \$1billion, a significant proportion of this funding relates to the provision of a new transport hub for rail and buses, upgrading the mall and the building of a major office facility for one of the Water Corporations that operates within the CBD. The City of Parramatta has introduced a special rate for the commercial centre, which raises \$1.2million per annum, and has implemented an extensive public car parking operation which is generating an additional \$2million in revenue. Most of this revenue is reinvested back into the business, particularly into the acquisition of land for future car parking.

The following proponents played a key part in developing the revitalization programme:

- i. A new Planning Scheme.
- ii. Review of plot ratios.
- iii. Review of height limitations
- iv. Modification of planning restrictions.
- v. Development of a joint venture with Grocon for the development of City land.

## **DETAILS**

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

Objective 3.1 To encourage the development of the Joondalup CBD

Objective 3.2 To increase employment opportunities within the City

Objective 4.1 To ensure high quality urban development within the City

Objective 4.2 To progress a range of innovative and high quality urban development projects within the City

## ATTACHMENTS

- Attachment 1 Revitalising Parramatta City Centre Plan – Vision
- Attachment 2 Revitalising Parramatta City Centre Plan – Development Control Plan
- Attachment 3 Revitalising Parramatta City Centre Plan – Civic Improvement Plan
- Attachment 4 Parramatta Economic Development Partnerships Plan 2007-2011

*Note: The Local Environment Plan is available on the City of Parramatta website at [www.parracity.nsw.gov.au](http://www.parracity.nsw.gov.au).*

## VOTING REQUIREMENTS

Simple majority.

## RECOMMENDATION

### That Council:

- 1 **NOTES** the information contained Report CJ090-05/08;
- 2 **NOTES** the reports provided by the City of Parramatta, namely:
  - **Vision Statement;**
  - **Development Control Plan;**
  - **Civic Improvement Plan; and**
  - **Local Environmental Plan**
  - **Parramatta Economic Development Partnerships Plan 2007-2011;**
- 3 **ACKNOWLEDGES** use of the information contained in the above reports for discussion purposes in progressing the City Centre Structure Plan.

*Appendix 21 refers*

*To access this attachment on electronic document, click here: [Attach21agn130508.pdf](#)  
(Please note: This attachment is only available electronically)*

## **CJ091-05/08 APPOINTMENT OF REPRESENTATIVES - ART COLLECTION AND ADVISORY COMMITTEE – [35613]**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Ms Glenda Blake  
Governance and Strategy (Acting)

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### **PURPOSE/ EXECUTIVE SUMMARY**

To appoint representatives to the Art Collection and Advisory Committee.

### **BACKGROUND**

At its meeting held on 15 April 2008, Council established the Art Collection and Advisory Committee to:

- *approve art acquisitions within the available adopted budget funds;*
- *develop and maintain a visual art collection of significance and repute that reflects the cultural aspirations of the City of Joondalup and its expressed goals and policies;*
- *build an art collection of appreciating financial value, which constitutes a sound investment for the City;*
- *collect works of visual art of demonstrable excellence by artists of significance, consistent with the perceived developments in West Australian contemporary art;*
- *collect and commission selectively works of art which enhance the existing Collection and which foster an understanding, enjoyment and appreciation of the visual arts among the broader community and members of the general public;*
- *review the criteria established to determine the award winners.*

At that meeting, Council also resolved to:

*“APPOINT the following representatives to the Art Collection and Advisory Committee:*

*Five (5) Elected Members  
Chief Executive Officer”*

The following authority was delegated to the Art Collection and Advisory Committee:

*“The authority to the Art Collection and Advisory Committee to approve acquisitions for artworks within the available adopted budget funds.”*

**DETAILS**

Vacancies exist for representatives to serve on the Art Collection and Advisory Committee.

**Issues and options considered:**

Not applicable.

**Link to Strategic Plan:**

Not applicable.

**Legislation – Statutory Provisions:**

The requirements of the Local Government Act 1995 are as follows:

Establishment of committees

- 5.8 A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

\* Absolute majority required.

Types of committees

- 5.9 (1) In this section:

“other person” means a person who is not a council member or an employee.

- (2) A committee is to comprise:

- (a) council members only;
- (b) council members and employees;
- (c) council members, employees and other persons;
- (d) council members and other persons;
- (e) employees and other persons; or
- (f) other persons only.

Appointment of committee members

- 5.10 (1) A committee is to have as its members:

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

\* Absolute majority required.

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a

committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish:
  - (a) to be a member of the committee; or
  - (b) that a representative of the CEO be a member of the committee,the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

#### Tenure of committee membership

- 5.11 (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until:
- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
  - (b) the person resigns from membership of the committee;
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,
- whichever happens first.

*(Note: the next ordinary election for the City of Joondalup is scheduled to be held in May 2007, unless the Local Government Act 1995 is amended).*

- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until:
  - (a) the term of the person's appointment as a committee member expires;
  - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;



- (c) the committee is disbanded; or
  - (d) the next ordinary elections day,
- whichever happens first.

Clause 51(2) of the City's Standing Orders Local Law 2005 states: -

A nomination to any position is not required to be seconded.

Clause 72 of the City's Standing Orders Local Law 2005 states:

**"72. Calling of committee meetings**

The CEO is to convene a meeting of a committee when requested by:

- (a) the presiding person of the committee, in writing;
- (b) a minimum of  $\frac{1}{3}$  of the members of the committee, but not less than 2 members of the committee, in writing;
- (c) the committee; or
- (d) the Council. "

**Risk Management considerations:**

Appointment of committees is essentially to assist the Council in performing some of its legislative responsibilities.

**Financial/Budget Implications:**

Not applicable.

**Policy implications:**

Not applicable.

**Regional Significance:**

Not applicable.

**Sustainability implications:**

Not applicable.

**Consultation:**

Not applicable.

**COMMENT**

Vacancies exist for representatives to serve on the Art Collection and Advisory Committee and it is recommended that Council gives consideration to appointing representatives to serve on the Committee. It is intended that the Committee members have some involvement

in the acquisition of any artwork from the City's Community Art Award which is scheduled to be held on 4 June 2008.

### **ATTACHMENTS**

Nil.

### **VOTING REQUIREMENTS**

Absolute Majority.

### **RECOMMENDATION**

**That Council BY AN ABSOLUTE MAJORITY, APPOINTS the following representatives to the Art Collection and Advisory Committee:**

**Five (5) Elected Members  
Chief Executive Officer.**

**12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****NOTICE OF MOTION NO 1 – CR BRIAN CORR – BED AND BREAKFAST ACCOMMODATION – [72584]**

In accordance with Clause 26 of Standing Orders Local Law 2005, Cr Corr has given notice of his intention to move the following motion at the Council Meeting to be held on 13 May 2008:

***“That Council REQUESTS a report analysing:***

- 1 how the ‘Bed and Breakfast’ (BnB) market could support and enhance tourism within the City;***
- 2 how it could provide accommodation to business & short-term visitors;***
- 3 how other larger Cities in Western Australia support the BnB industry,***
- 4 how the City could be involved in assisting and promoting the BnB industry.”***

**Reason for Motion**

Cr Corr submitted the following comment in support of his Notice of Motion:

“Bed & Breakfast is well established in Europe and North America. BnB enables a ‘view’ of the world that is not available from hotels and motels. It is one of Australia's fastest growing accommodation types.

Each property is unique. There is none of the ‘blandness’ you might experience with hotels and motels. Each has its own ambience, its own particular interest and attraction to guests.

BnB's provide a personal on-the-spot welcome to their guests. Proprietors are ‘available’ for advice and suggestions. The host's focus is on establishing a warm and friendly, but not intrusive, relationship with the guests. Each becomes a promoter of the range of facilities available in the surrounding area.

BnB is a unique style of accommodation. It assures a consistently high quality in the way properties are presented and an equally high level of customer care for guests. They provide courteous, genuine hospitality.

This motion asks the question: “Should we promote the use of BnB within the City?” If yes, how?”

**Officer's Comment**

A report can be prepared.

**13 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

**14 CLOSURE**



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

**To: CHIEF EXECUTIVE OFFICER  
CITY OF JOONDALUP**

<b>Name/ Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Interest that may affect impartiality* <div style="text-align: right;"><i>* Delete where not applicable</i></div>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

Section 5.65(1) of the Local Government Act 1995 states that:

*"A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:*

- (a) in a written notice given to the CEO before the meeting; or*
- (b) at the meeting immediately before the matter is discussed.*



**QUESTION TO BE ASKED AT**  
**BRIEFING SESSION/COUNCIL MEETING**

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

**QUESTIONS**

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

**Please note that:**

- Questions asked at a **Briefing Session** must relate to matters contained on the draft agenda.
- Questions asked at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.
- Questions asked at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called



**STATEMENT TO BE MADE AT  
BRIEFING SESSION/COUNCIL MEETING**

<b>TITLE</b> <i>(Mr/Mrs/Ms/Dr)</i>	<b>FIRST NAME</b>	<b>SURNAME</b>	<b>ADDRESS</b>

**STATEMENT**

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Please submit this form at the meeting or:

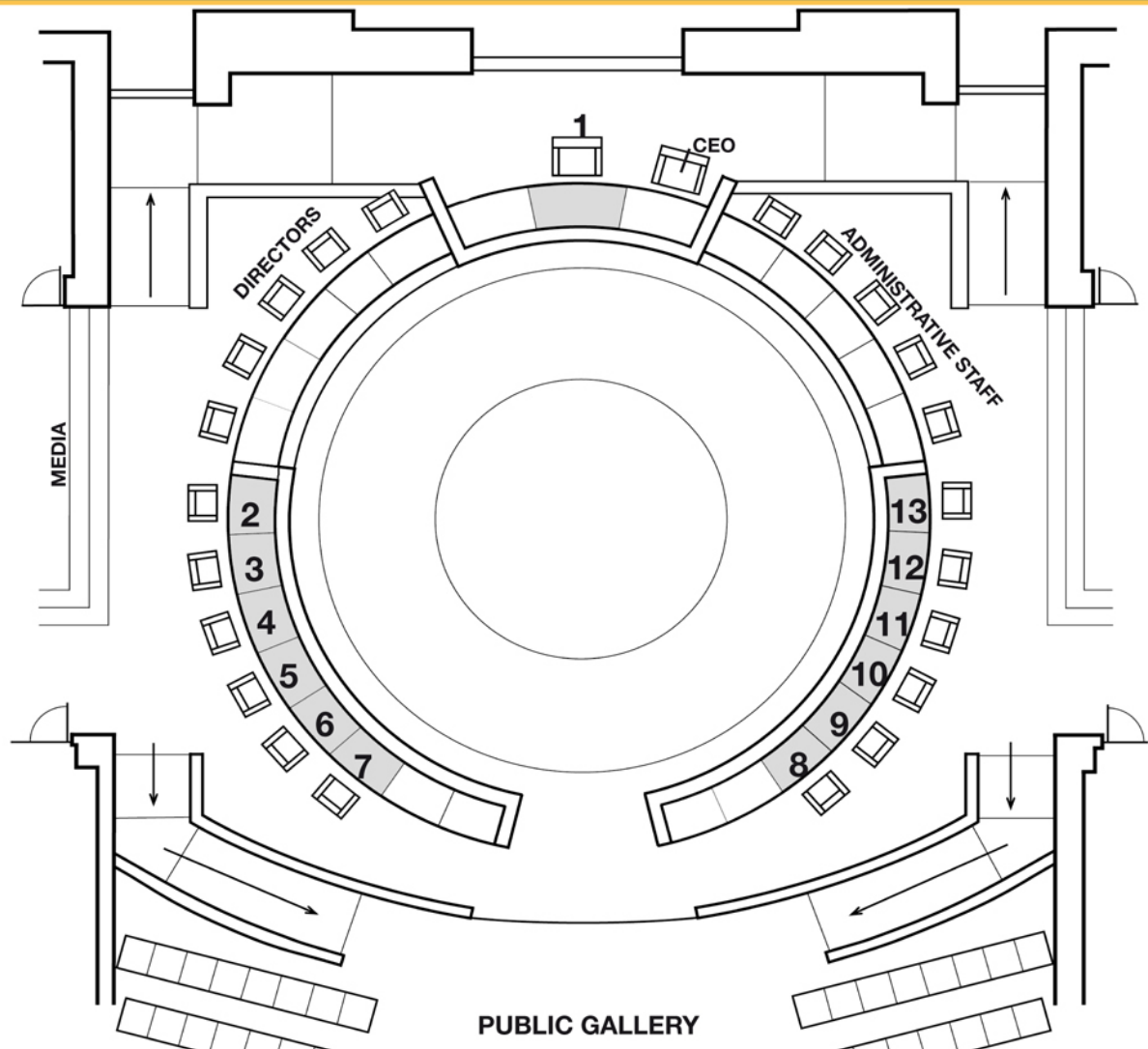
- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
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**Please note that:**

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- Statements made at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called

# COUNCIL CHAMBER – SEATING DIAGRAM

City of Joondalup



## Mayor

1 His Worship the Mayor, Troy Pickard (Term expires 10/09)

### North Ward

- 2 Cr Kerry Hollywood (Term expires 10/09)
- 3 Cr Tom McLean (Term expires 10/11)

### North-Central Ward

- 4 Cr Albert Jacob (Term expires 10/09)
- 5 Cr Trona Young (Term expires 10/11)

### Central Ward

- 6 Cr Marie Macdonald (Term expires 10/09)
- 7 Cr Geoff Amphlett (Term expires 10/11)

### South-West Ward

- 8 Cr Michele John (Term expires 10/09)
- 9 Cr Mike Norman (Term expires 10/11)

### South-East Ward

- 10 Cr Sue Hart (Term expires 10/09)
- 11 Cr Brian Corr (Term expires 10/11)

### South Ward

- 12 Cr Russ Fishwick (Term expires 10/09)
- 13 Cr Fiona Diaz (Term expires 10/11)



City of  
Joondalup