

## Agenda **Briefing Session**

A BRIEFING SESSION WILL BE HELD IN **CONFERENCE ROOM 1**  
**JOONDALUP CIVIC CENTRE**  
**BOAS AVENUE, JOONDALUP**

ON **TUESDAY, 26 AUGUST 2008**

COMMENCING AT **6.30 pm**

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**PUBLIC QUESTION TIME**

Members of the public are requested to lodge questions in writing by close of business on **Monday 25 August 2008**.

Answers to those questions received within that timeframe will, where practicable, be provided in hard copy form at the Briefing Session.

**QUESTIONS TO**

[council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)  
PO Box 21 Joondalup WA 6919

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**GARRY HUNT**  
Chief Executive Officer  
**22 August 2008**

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

## **BRIEFING SESSIONS**

The following procedures for the conduct of Briefing Sessions were adopted at the Council meeting held on 18 December 2007:

### **INTRODUCTION**

The modern role of the Elected Council is to set policy and strategy, and provide goals and targets for the local government (City of Joondalup). The employees, through the Chief Executive Officer, have the task of implementing the decisions of the Elected Council.

A well-structured decision-making process that has established procedures will provide the elected body with the opportunity to:

- have input into the future strategic direction set by the Council;
- seek points of clarification;
- ask questions;
- be given adequate time to research issues;
- be given maximum time to debate matters before the Council;

and ensure that the elected body is fully informed to make the best possible decision for all the residents of the City of Joondalup.

### **PURPOSE OF BRIEFING SESSIONS**

Briefing Sessions will involve Elected Members, staff, and external advisors (where appropriate) and will be open to the public.

Briefing Sessions will provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next ordinary meeting of Council for formal consideration and decision.

### **PROCEDURES FOR BRIEFING SESSIONS**

The following procedures will apply to Briefing Sessions that are conducted by the City of Joondalup.

- 1 Briefing Sessions will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the Local Government Act 1995.
- 2 Dates and times for Briefing Sessions will be set well in advance where practicable, and appropriate notice given to the public.
- 3 The Chief Executive Officer will ensure timely written notice and an agenda for each Briefing Session will be provided to all Elected Members, Members of the public and external advisors (where appropriate).

- 4 The Mayor is to be the Presiding Member at Briefing Sessions. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Briefing Session. If the Deputy Mayor is unable or unwilling, those Elected Members present may select one from amongst themselves to preside at the Briefing Session.
- 5 There is to be no debate amongst Elected Members on any matters raised during the Briefing Session;
- 6 Relevant employees of the City will be available to make a presentation or respond to questions on matters listed on the agenda for the Briefing Session;
- 7 All Elected Members will be given a fair and equal opportunity to participate in the Briefing Session;
- 8 The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered;
- 9 Elected Members, employees and relevant consultants shall disclose their interests on any matter listed for the Briefing Sessions. When disclosing an interest the following is suggested:
  - (a) Interests are to be disclosed in accordance with the provisions of the Local Government Act 1995 and the City's Code of Conduct.
  - (b) Elected Members disclosing a financial interest will not participate in that part of the Session relating to the matter to which their interest applies and shall depart the room;
  - (c) Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered.
- 10 Elected Members have the opportunity to request matters to be included on the agenda for consideration at a future Briefing Session at Item 10 on the Briefing Session agenda.
- 11 A record shall be kept of all Briefing Sessions. As no decisions are made at a Briefing Session, the record need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the record is to be forwarded to all Elected Members.
- 12 Members of the public may make a deputation to a Briefing Session by making a written request to the Mayor by 4pm on the working day immediately prior to the scheduled Briefing Session. Deputations must relate to matters listed on the agenda of the Briefing Session.
- 13 Other requirements for deputations are to be in accordance with the Standing Orders Local Law where it refers to the management of deputations.

## 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 Briefing Sessions. Questions asked at a Briefing Session must relate to a matter contained on the agenda.
- 2 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.
- 3 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per member of the public.
- 4 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 5 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.
- 6 Public question time will be limited to the legislative minimum of 15 minutes. Public question time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of ten minutes, but the total time allocated for public question time is not to exceed thirty five (35) minutes in total.
- 7 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to 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 briefing session.
- 8 Where an Elected Member is of the opinion that a member of the public is:
  - asking a question at a Briefing session that is not relevant to a matter listed on the agenda, or;
  - making a statement during public question time;they may bring it to the attention of the Presiding Member who will make a ruling
- 9 Questions and any response will be summarised and included in the notes of the Briefing Session.

- 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.

### **Questions in Writing**

- 1 Members of the public may submit questions to the City in writing.
- 2 Questions must relate to a matter contained on the agenda.
- 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 the close of business on the working day immediately prior to the scheduled Briefing Session will be responded to, where possible, at the Briefing Session. 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 Presiding Member 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 Briefing Session 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 Briefing Session.
- 8 A person who submits written questions may also ask questions at a Briefing Session and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the notes of the Briefing Session.

- 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 at Briefing Sessions. Statements made at a Briefing Session must relate to a matter contained on the agenda.
- 2 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.
- 3 Public statement time will be limited to two minutes per member of the public.
- 4 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.
- 5 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 if there are no further statements.
- 6 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.
- 7 Where an Elected Member is of the opinion that a member of the public is making a statement at a Briefing session, that is not relevant to a matter listed on the draft agenda, they may bring it to the attention of the Presiding Member who will make a ruling.
- 8 A member of the public attending a Briefing Session may present a written statement rather than making the Statement verbally if he or she so wishes.
- 9 Statements will be summarised and included in the notes of the Briefing Session.

## DEPUTATION SESSIONS

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

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

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

## CITY OF JOONDALUP – BRIEFING SESSION

to be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 26 AUGUST 2008** commencing at **6.30 pm**

### ORDER OF BUSINESS

- 1 OPEN AND WELCOME**
- 2 DEPUTATIONS**
- 3 PUBLIC QUESTION TIME**

The following questions were submitted to the Briefing Session held on 29 July 2008:

**Mr S Magyar, Heathridge:**

*Re: List of Payments Made During the Month of June 2008*

Q1 *With reference to the stamped page 122 of the attachment to Item 9 – List of Payments Made During the Month of June 2008, what do they test every week?*

A1 The reference in the list of payments to weekly testing refers to the program of testing the electrics in Council facilities. Work is undertaken weekly due to the volume but the only items actually checked every week are lights in the Joondalup Library and the Civic Building. Other items such as emergency escape lighting, illuminated exit signs and RCD switches as examples are tested on rotation every six months.

**Mr C Shuttleworth, Woodvale:**

*Re: Petition Regarding Traffic Concerns on Duffy Terrace, Woodvale*

Q1 *How bad does the situation have to get before action is taken regarding the traffic problems on Duffy Terrace?*

A1 In response to the petitioners' concerns a Road and Safety Audit of Duffy Terrace and a recent traffic count survey was undertaken in June 2008. An application for the proposed traffic treatments has been included for consideration for funding in the 2009/2010 State Black Spot Program. Endorsement by Council is required for the Duffy Terrace application for funding in the 2009/2010 State Black Spot program.

## 4 PUBLIC STATEMENT TIME

The following statements were submitted to the Briefing Session held on 29 July 2008:

**Mr R Repke, Kallaroo:**

Mr Repke spoke in relation to Item 6 – Economic Development and Transport in the North West Corridor.

**Mr S Magyar, Heathridge:**

Mr Magyar spoke in relation to Item 5 – Minutes of the Sustainability Advisory Committee Held on 19 June 2008, concerning the provision of lighting.

## 5 APOLOGIES AND LEAVE OF ABSENCE

Apology - Cr Albert Jacob

### Leave of Absence previously approved

Cr Kerry Hollywood	12 August 2008 to 26 August 2008 inclusive
Cr Russ Fishwick	1 September 2008 to 19 October 2008 inclusive

### REQUESTS FOR LEAVE OF ABSENCE – CR ALBERT JACOB AND CR TRONA YOUNG – [29610]

Requests for Leave of Absence from Council duties have been received covering the following dates:

Cr Albert Jacob	2 – 12 September 2008 inclusive
Cr Trona Young	2 – 11 September 2008 inclusive

### **RECOMMENDATION**

**That Council APPROVES the Requests for Leave of Absence from Council duties covering the following dates:**

<b>Cr Albert Jacob</b>	<b>2 – 12 September 2008 inclusive</b>
<b>Cr Trona Young</b>	<b>2 – 11 September 2008 inclusive</b>

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

### **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.

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer</b>
<b>Item No/Subject</b>	Item 18 - Request for Annual Leave – Chief Executive Officer
<b>Nature of interest</b>	Financial
<b>Extent of Interest</b>	Annual Leave and financial support to attend conference

#### **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.

## **7 REPORTS**

<b>ITEM NO</b>	<b>TITLE</b>	<b>WARD</b>	<b>PAGE NO</b>
1	MINUTES OF EXTERNAL COMMITTEES - [03149] [00033] [60514]	All	1
2	APPOINTMENT OF MEMBER TO THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE - [51567]	All	2
3	FLOODLIGHTING AT SPORTS VENUES - [61618]	All	6
4	LANDSCAPE MASTER PLANNING – ENDORSEMENT OF CONCEPT DESIGN FOR ICONIC ARTERIAL ROAD PROJECTS - [53597]	All	10
5	STORMWATER OUTFALLS AND SEPTIC TANKS - [34958]	All	17
6	COMMUNITY SATISFACTION SURVEY 2007/08 - [47968]	All	26
7	WESTERN POWER SUB STATION AT TAMALA PARK - [41586]	All	31
8	PETITION REQUESTING THE REMOVAL OF TRAFFIC ISLAND ON MANAKOORA RISE, SORRENTO - [14030]	South-West	34
9	PETITION REGARDING TRAFFIC CONCERNS ON DUFFY TERRACE, WOODVALE - [01672]	Central	39
10	TENDER 031/08 EXTENSIONS TO KINGSLEY MEMORIAL CLUBROOMS - [60617]	South-East	47
11	PROPOSED NEGOTIATION OF LEASE RENTAL BETWEEN CITY OF JOONDALUP AND DEPARTMENT OF EDUCATION AND TRAINING FOR DUNCRAIG PRE PRIMARY SCHOOL - [27459]	South	52

12	NATURAL AREAS MANAGEMENT PLANNING - [23569]	All	58
13	LAKESIDE DRIVE, JOONDALUP - SPEED ZONE REVIEW - [04018]	North	62
14	PROPOSED CHILD CARE CENTRE AT 34 MARRI ROAD DUNCRAIG - [64564]	South	65
15	MONTHLY TOWN PLANNING DELEGATED AUTHORITY REPORT, DEVELOPMENT AND SUBDIVISION APPLICATIONS – JULY 2008 - [07032] [05961]	All	76
16	PROPOSED AMENDMENT 40 TO DISTRICT PLANNING SCHEME NO 2 - LOT 500 & 501 ARAWA PLACE, CRAIGIE (FORMERLY CRAIGIE SENIOR HIGH SCHOOL) - [22619]	Central	79
17	PROPOSED EXCISION OF RESERVE 42556 (100) CANDLEWOOD BOULEVARD, JOONDALUP (WINDERMERE PARK) FOR CLUBROOM EXTENSIONS - [07096]	North	84

## 8 REPORT OF THE CHIEF EXECUTIVE OFFICER

18	REQUEST FOR ANNUAL LEAVE – CHIEF EXECUTIVE OFFICER - [98394] [98394b]	All	88
19	ACTING FOR THE MAYOR AND/OR DEPUTY MAYOR - [45514] [19607]	All	91
20	DETERMINATION OF VOTING DELEGATES FOR THE SPECIAL FORUM OF THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2008 - [00033]	All	95

## 9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

## 10 REPORTS/PRESENTATIONS REQUESTED BY ELECTED MEMBERS

### LATE ITEMS / ADDITIONAL INFORMATION

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

[Additional Information 260808.pdf](#)

**ITEM 1                    MINUTES OF EXTERNAL COMMITTEES - [03149]  
[00033] [60514]**

**WARD:** All

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

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**PURPOSE**

To submit minutes of an external committee to Council for information.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Meeting of Mindarie Regional Council held 3 July 2008
- Meeting of Western Australian Local Government Association – North Metropolitan Zone held 24 July 2008

**ATTACHMENTS**

Attachment 1            Minutes of Meeting of Mindarie Regional Council held 3 July 2008  
Attachment 2            Minutes of Meeting of Western Australian Local Government Association  
– North Metropolitan Zone held 24 July 2008

*(Please Note: These minutes are only available electronically)*

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the minutes of the:**

- 1            Meeting of Mindarie Regional Council held 3 July 2008 forming Attachment 1 to this Report;**
- 2            Meeting of Western Australian Local Government Association – North Metropolitan Zone held 24 July 2008 forming Attachment 2 to this Report.**

To access this attachment on electronic document, click here: [externalminutes260808.pdf](#)

## **ITEM 2                    APPOINTMENT OF MEMBER TO THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE - [51567]**

**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 Chief Executive Officer Performance Review Committee.

### **BACKGROUND**

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

North Ward	Mayor Troy Pickard
North-Central Ward	Cr Tom McLean
Central Ward	Cr Albert Jacob
South-West Ward	Cr Geoff Amphlett
South-East Ward	Cr Mike Norman
South Ward	Vacant
	Cr Russ Fishwick

### **DETAILS**

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

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

Not Applicable.

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

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 Chief Executive Officer Performance Review Committee.

**ATTACHMENTS**

Nil.

**VOTING REQUIREMENTS**

Absolute Majority

**RECOMMENDATION**

**That Council, BY AN ABSOLUTE MAJORITY, APPOINTS Cr Brian Corr as South-East Ward Member to the Chief Executive Officer Performance Review Committee.**

## **ITEM 3                      FLOODLIGHTING AT SPORTS VENUES - [61618]**

**WARD:**                      All

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

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### **PURPOSE/EXECUTIVE SUMMARY**

To outline for the Council how the City's floodlighting on its parks and sporting facilities is currently managed.

The report highlights that floodlights are switched on in response to booking requests. Consequently, there are no standard times for floodlighting which apply across all parks. The report also notes that the lights currently remain on for actual training times plus a 30 minute buffer to allow for the users to pack up. Because of the centralised system which controls the floodlights, should users pack up in under 30 minutes or finish training early, the lights will remain on until the programmed time concludes. Further, the report notes that clubs using floodlit playing surfaces contribute to the cost of floodlighting through their hire fees.

### **BACKGROUND**

At the Sustainability Advisory Committee Meeting on 19 June 2008, a request was made for a report on how the City's floodlighting on its parks and sporting facilities is currently managed.

Council at its meeting held on the 5 August 2008 (*CJ149-08/08 refers*) considered a report "*The Minutes of the Sustainability Advisory Committee held on 19 June 2008*" and resolved inter alia to:

*"REQUEST a report be presented to Council on how floodlighting is managed at the City's parks and sporting facilities."*

### **DETAILS**

#### **Provision of floodlighting**

Floodlighting on reserves, parks and recreation grounds is provided for under City Policy 6.1 Reserves, Parks and Recreation Grounds which states that:

*"The City will install and maintain, at its cost, 2 lighting standards each fitted with up to two floodlights of approximately 1,000w capacity per luminary per cricket or football oval.*

*Any additional lighting will be the installation and ongoing responsibility of the sports association seeking lights. Installation of additional lights may only be undertaken following receipt of the relevant Director's written consent and approval of the lighting design and provision of planning consent as required. The City supports clubs lighting reserves to a training standard. All projects must meet Australian Standards for lighting."*

Additionally, individual clubs may request permission to floodlight a reserve themselves. Clubs may decide to self fund such an undertaking or apply for funding through the Community Sporting Recreation Facilities Fund (CSRFF) coordinated by the Department of Sport and Recreation (DSR). The CSRFF is an annual funding program that, in partnership with local governments, provides financial assistance to sporting and recreation organisations for the development of basic sporting infrastructure. Projects are funded on a shared basis, with one-third contributions being made by DSR, the City of Joondalup, and the applicant organisation.

The application process for CSRFF requires that clubs work with their local governments to complete community consultation processes and to conduct needs and feasibility assessments. All projects require approval by Council and must comply with the City's and the State's building and planning codes, and must meet Australian Standards for lighting.

CSRFF applications are required to demonstrate that design considerations have been made to incorporate environmental issues such as energy and water efficiency. This aspect of funding will become more prevalent in future rounds.

In the event that a club's submission is successful and a CSRFF grant becomes available, the City will budget for its share of the funding contribution and works can then be undertaken by the club.

Floodlighting on tennis courts is provided for under City Policy 6.4 Tennis Court Lighting Standards, which identifies that lighting is to be provided for new courts when built and illuminated to a [Tennis] Association Standard or a Recreational Standard.

### **Management of Floodlighting**

After installation, floodlighting becomes an asset of the City and the City is responsible for all maintenance, including the cost of electricity. Currently, the floodlighting component of power bills is not identified, so the actual 'costs' of this provision are unknown at present. However, leases and fees for hire include broad consideration of power costs.

At the start of each sporting season, clubs submit bookings for floodlighting time slots. These bookings are processed by the City and the lights are switched on and off in accordance with these bookings. The City uses a central control system for programming the floodlights and does not have the resource capacity to monitor if users are actually in attendance in their timeslot or if they have left prior to the end of the scheduled booking timeframe. It is in these instances that the public may see ovals with floodlights on and no one is using the oval.

In response to the current State energy crisis, the City recently reviewed the lighting of all parks and reserves used by clubs. From July, timing for floodlighting has been adjusted and is now restricted to actual training times, with a 30 minute buffer to allow for pack up.

The City plans to evaluate the impact of the restricted lighting times with clubs once power supply within the State returns to normal. This evaluation will determine whether clubs can operate using floodlighting on a more limited basis.

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

Key Focus Area: Community Wellbeing

Objective 5.1 To ensure the City's facilities and services are of a high quality and accessible to everyone

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

There would be risks associated with floodlighting being turned off too early and not allowing sporting groups adequate time to pack up.

**Financial/Budget Implications:**

While the City pays the energy cost associated with floodlighting directly, clubs using the floodlights contribute to these costs through their hire fees.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The provision of floodlighting to sports grounds contributes to the pursuit of healthy lifestyles through active and passive recreation and reduces the likelihood of anti-social behaviour such as vandalism or the destruction of sports venues. In this way, it can be said to contribute to social sustainability in our communities.

On the other hand, extended or unlimited use of floodlighting with the resultant generation of greenhouse gas emissions, when ovals are not being used is not a sustainable practice, even where the costs of such a provision are, in part, borne by the clubs.

**Consultation:**

Not Applicable.

**COMMENT**

Floodlighting is considered valuable community infrastructure to assist people recreate and for the City to maximise the use of its ovals and sporting grounds. The State's current energy crisis has led to the situation where the City has liaised with sporting groups using floodlighting and reduced the lighting times to actual training times plus 30 minutes pack up. This impact will be evaluated with the clubs when the gas supply crisis is over to determine an appropriate lighting regime for the future.

Further, the City's recently launched Clubs in Focus program holds seasonal booking workshops with all clubs where the issue of floodlighting is addressed.

**ATTACHMENTS**

Nil.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That Council:**

- 1 NOTES the information on floodlighting contained in this Report and, in particular, that:**
  - floodlights are switched on in response to booking requests;**
  - floodlights are switched off 30 minutes after training times conclude;**
  - clubs contribute to the cost of floodlighting through their hire fees;**
  
- 2 REFERS this report to the Sustainability Advisory Committee for its information.**

## **ITEM 4                    LANDSCAPE            MASTER            PLANNING            – ENDORSEMENT OF CONCEPT DESIGN FOR ICONIC ARTERIAL ROAD PROJECTS - [53597]**

**WARD:** All

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

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### **PURPOSE / EXECUTIVE SUMMARY**

To seek Council endorsement of the draft concept design that will be applied to the seven iconic east - west arterial road treatments.

### **BACKGROUND**

Council at its meeting in March 2008 (CJ034-03/08 refers) resolved inter alia to:

- “5        *AGREES to the selection of seven (7) iconic landscaping projects being the east-west major road arteries of:*
- *Burns Beach Road*
  - *Hodges Drive*
  - *Shenton Avenue*
  - *Ocean Reef Road*
  - *Whitfords Avenue*
  - *Hepburn Avenue*
  - *Warwick Road*
- 6        *REQUESTS the Chief Executive Officer to facilitate a process for Elected Members to provide input into detail required for the seven (7) iconic projects prior to the budget deliberations so that cost estimates can be undertaken.”*

### **DETAILS**

The City of Joondalup has embarked on Landscaping Master Planning across the City's public open spaces, verges and medians. The Council has endorsed a set of principles (CJ034-03/08 refers) which all future landscaping designs must take into account.

The Council has requested that a proposal be developed including a concept design and associated cost estimates for landscaping that can be applied to the City's seven major arterial roads that connect the coastline in the west to the wetlands in the east. These projects are to be known as iconic projects and will adhere to the principles of landscape master planning as adopted by Council.

The proposed concept design for the seven iconic projects will incorporate water sensitive urban design, including permeability and swales for water catchment to occur, will aim to replicate the endemic flora that exists within the different biodiversity zones in order to facilitate habitat creation and will reflect the geomorphology of the City from west to east.

The goals of iconic projects will be to create native gardens within road medians and verges that seek to:

- Provide a unique image for the City in high visibility and high usage roads that demonstrates the use of colour and indigenous species that exemplify the biodiversity of Joondalup;
- Reduce water consumption through the creation of natural gardens from local native species;
- Re-introduce local endemic species so as to reflect the original species of the Swan Coastal Plain and to facilitate the creation of habitats for endemic and endangered bird life in particular;
- Provide the community with a highly visible reference point for raising the awareness of local biodiversity and water wise gardens;
- Encourage the community to implement native gardens in their own properties and verges;
- Create biodiversity corridors that link the eastern wetlands to the western coastline which align to an objective in the City's Biodiversity Plan.

The iconic road projects will align to the City's Biodiversity Action Plan which will contain a Key Focus Area of Corridors and Connectivity:

- Objective: To provide and protect biodiversity corridors and linkages to improve the viability and facilitate movement of local flora and fauna.
- Types of Actions: Identify potential corridors, implementation of seven iconic landscaping projects.

Biodiversity corridors enable bird life and insects etc to traverse the City from the coast to wetlands in naturally occurring habits.

The key elements of the iconic projects will be:

- A landscape that represents the original species of flora that inhabited these corridors prior to residential development;
- Ongoing planting of native endemic species;
- Irrigation of corridors using lateral irrigation systems that will be temporary and will be switched off once plants have been established after 2 years and can cope in natural climatic conditions;
- The incorporation wherever possible of urban water design features such as swales and water catchment basins and ensure surface permeability in order to maximise water efficiency;
- The development of soil profiles that enable plants to adapt to natural conditions based on the local geomorphology that occurs between the coastline and the wetlands;
- The inclusion of artwork opportunities that will communicate the intent of the biodiversity link to the broader community.

The City has completed the development of a draft generic Concept Design that can be applied to the seven iconic road landscaping projects. The Design was developed on the principles endorsed by Council for landscape master planning.

The Concept Design demonstrates the use of local endemic species being applied to local soil conditions that prevail between the City's coastline and its wetlands. The Design has divided the City into five zones, each reflecting the different geomorphology that occurs in these zones. For example the five zones will comprise distinct soil profiles as follows:

- Zone 1 – Shell grit mulch ground cover (white)
- Zone 2 – Limestone coastal sands (greyish - white)
- Zone 3 – Crushed limestone gravel (pinkish - white)
- Zone 4 – Crushed gravel (pinkish - red)
- Zone 5 – Crushed gravel and stone (ochre - reddish)

### Benefits of the Concept Design

Each zone will give a distinct colour palate to the overall design and will contain endemic species that can survive well in this type of soil profile. The design itself is based on a grid system of distinct garden beds that contain a native plant bed followed by a section of the iconic soils that will delineate the different beds of floral species.

The grid like patterns will lend themselves to an effective maintenance regime. As local native species tend to have a limited life span it will be easier for the City to develop a maintenance plan for replanting different beds at different times. This will also alleviate the issue of having long tracks of native vegetation being replaced at a given time. In fact the maintenance regime will become visually seamless. Furthermore, the sections that contain the iconic soil profiles will act as an access way for pedestrians which will assist in the garden beds not being damaged by pedestrian traffic. These sections will also serve as easy and safe access points for City workers who will be required to maintain these areas.

The concept design will be unique to the City given that road landscapes of the past have reflected a mix of species with no definition in the design. This leads to some species becoming invasive and visually unattractive with time. Examples of this traditional approach can be seen around the Joondalup City Centre where many of the original landscaped verges have become largely homogenous with one type of dominant species.

The concept design will facilitate a visual experience for commuters who will clearly be able to delineate the different species in each zone. The design will enable residents to learn about how they can adopt the designs into their own gardens and verges.

Finally, the City has a unique opportunity to incorporate public art into the concept designs. This can be achieved by placing artwork in the open spaces between garden beds. The City could partner with the City's Community Art Group to assist with designing suitable public art features to further enhance the overall amenity of the iconic projects.

### **Issue and Options**

There are four options in relation to the design being proposed in this report. They are:

1. Approve the concept design;
2. Modify the concept design;
3. Request the redevelopment of concept design;
4. Decide not to proceed with the concept design.

### Implementation Program

Should it be decided to proceed with the proposed concept design a number of key milestones are required to be achieved if the first iconic project is to be implemented in the 2008/09 financial year.

The first milestone will be to seek Council approval of the concept design and to indicate what projects will be targeted in the first instance. The City currently has a budget set aside of \$750,000 allocated for the landscaping of Burns Beach Road. It would seem prudent that the City recommend to Council that Burns Beach Road be the first iconic project to be undertaken.

Following the implementation of the Burns Beach Corridor, Council would need to determine the program for the other roads to commence from 2009/10. It is envisaged that the City will only have the capability to undertake one iconic road project a year and hence the seven roads would require a seven year program to be developed and funded through the Capital Works Program.

In order to effectively commence the project in the 2008/09 financial year it will be necessary to have Council sign off on the concept design by September 2008. This will enable the required plant species (i.e. tube stock) to be ordered or propagated in time for planting in April 2009. The City has been advised that suppliers will require a 6 month lead time to fill the orders needed for the project. The timeframe from September 2008 – April 2009 will be utilised for the purpose of soil and road preparations such as sectioning off the gardens beds. The Implementation Program is outlined as follows:

Action	Timeframe
Approves the concept design	September 2008
Landscaping and irrigation documentation developed	September 2008
Tendering specifications developed and process undertaken	September 2008
Community consultation and promotion developed and implemented	October 2008– June 2009
Implementation Stages:	
• Plant species ordered	September 2008
• Roads conditions prepared	October – March 2009
• Irrigation systems ordered and installed	October – March 2009
• Soil profiles ordered and laid	October – March 2009
• Community art designs developed	September – March 2009
• Planting occurs	April 2009
Evaluation of Project to date	May 2009
Council endorsement of a program of works for the other 6 iconic projects	June 2009

#### Link to Strategic Plan:

This report links to key focus area – Caring for the Environment which requires the City to implement its Environment Plan. The City's Environment Plan has three key actions relating to landscape master planning.

**Action 1.1.1** Develop a comprehensive Landscape Master Plan that incorporates environmental aspects.

**Action 1.1.2** Develop a generic Parks Management Plan for the City (i.e. template and user guide).

**Action 1.1.3** Develop individual Parks Management Plans in accordance with the generic Parks Management Plan. (Note Individual Management Plans will also be developed for verge/medians and building surrounds)

**Legislation – Statutory Provisions:**

There are currently no legislative requirements for the City to adopt landscape master planning however, recent State Government legislation will require Local Governments to assess and reduce water usage within prescribed limits and to develop a Water Conservation Plan. To a large extent the City's Water Conservation Plan supports effective landscape master planning using water wise principles.

**Risk Management considerations:**

A key operational and financial risk for landscape master planning the seven iconic projects will be the costs associated with the implementation and maintenance of these corridors. Given that the concept design is introducing a level of diversity and complexity into business practices it is important that iconic projects are implemented with a view to ascertain all costs and evaluate benefits. This aspect will be assessed, monitored and brought to the attention of Council after the first iconic project has been implemented.

Another risk will be the reaction of the Community to changing the profile of the roads. The Community will need to be engaged and advised through effective consultation at all times during the planning and implementation of projects. This is another aspect that will need to be evaluated as iconic projects are undertaken.

**Financial/Budget Implications:**

The costs associated with the concept design are estimated as follows:

## Construction Costs

ITEM	UNIT	QTY	RATE	COST
<b>SITWORKS</b>				
Weed eradication	Sq metre	1	\$1.00	\$1.00
Soil Preparation (planted areas 60% only)	Sq metre	0.6	\$3.00	\$1.80
<b>HARD LANDSCAPE WORKS</b>				
Gravel mulch (to 40% of site)	Sq metre	0.4	\$10.00	\$4.00
<b>SOFT LANDSCAPE WORKS</b>				
Tube stock planting (4/m <sup>2</sup> ) 60% of site	Sq metre	0.6	\$12.00	\$7.20
Mulch (60% of site)	Sq metre	0.6	\$4.00	\$2.40
<b>IRRIGATION</b>				
Temporary irrigation	Sq metre	0.6	\$5.00	\$3.00
<b>TOTAL</b>	<b>Sq metre</b>			<b>\$19.40</b>

## Maintenance Costs

Area	Year 1	Year 2	Year 3	Year 4	Year 5
Per sq metre	\$5.00	\$4.00	\$2.00	\$2.00	\$1.50

By way of example the Burns Beach median strip will be approximately 7 kilometres in length by 5 metres wide. This is approximately 35,000 square metres of landscaping at a total construction cost of approximately \$679,000.

Maintenance costs for years 1-5 would vary in total as follows:

Area	Year 1	Year 2	Year 3	Year 4	Year 5
35,000 sq metres	\$175,000	\$140,000	\$70,000	\$70,000	\$52,500

In the 2008/09 budget Council has set aside funding to commence two of its approved iconic projects, these include \$750,000 to undertake landscaping the Burns Beach Road median and \$159,000 for the Hodges Drive verge from Joondalup Drive to the Freeway.

### **Policy Implications:**

The landscape master planning of iconic projects has a link to the City's Sustainability Policy.

### **Regional Significance:**

The Swan Catchment Council (SCC) has been working with the Department of Environment and Conservation (DEC) to develop a strategy for identifying and developing key ecological linkages and biodiversity corridors in the North West Metro Region. The project is aligned to the Gnangara Sustainability Strategy being compiled by the Department of Water.

To date a number of workshops have been held and a number of potential corridors have been identified. It should be noted that the City of Joondalup is surrounded by a number of proposed biodiversity corridors.

These include:

- The coastal foreshore reserve along the City's western boundary;
- Burns Beach to Neerabup National Park along the City's northern boundary;
- Yellagonga Regional Park to Warwick Open Space along the eastern boundary;
- Whitfords Avenue through Craigie Bushland and Duncraig to the coast providing a southern corridor.

These corridors have strategic significance insomuch as they contain large tracks of remnant bushland that with effort can be linked. A major study on ecological corridors has been undertaken by Dr Robert Davis a UWA Research Associate who has developed the Ecological Corridors Guidelines. These guidelines outline how effective corridors can be implemented.

It should be noted that the City of Joondalup's proposed concepts have been discussed with Dr Davis who advised that the proposed concept for the City will strengthen the regional corridors approach being undertaken. Dr Davis advised that the proposed concept will be effective in creating biodiversity links within the City that will provide suitable habitat for migratory and local birds, as well as associated insect populations that provide the food sources for bird life.

The SCC have also advised that they would like to offer their expertise in ensuring the City's internal corridors are implemented effectively and can offer their assistance in developing appropriate community information and advice on species selection.

**Sustainability Implications:**

Landscape master planning that incorporates principles for enhancing urban biodiversity can provide on going sustainability for endemic species that live on the Swan Coastal Plain. Furthermore it can provide ecological services to the community including better air quality and community wellbeing.

**Consultation:**

A key component of landscape master planning will be the need for community consultation, engagement and education. The roll out of iconic projects presents a key opportunity to commence a community promotional campaign to engage the community to better understand its local biodiversity and to encourage residents to develop native gardens in their own properties.

It is envisaged that a promotional awareness campaign will be developed and launched in line with the implementation program for on ground works.

**COMMENT**

The development of the proposed concept design provides a significant opportunity for the City to lead by example. Experts in the field have worked on the concept design or have provided their expert knowledge and by all accounts the City has developed a unique and very tangible design. Not only can the City achieve its goals for landscape master planning but can also achieve its goals under biodiversity planning, water conservation planning and community education.

**ATTACHMENTS**

Attachment            1-5 Concept Designs

**VOTING REQUIREMENTS**

Simple Majority

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

- 1        ENDORSES the concept design for the seven Iconic Arterial Road Landscape Master Planning projects as shown in Attachments 1 – 5 to this Report;**
- 2        AGREES that the Burns Beach Road median strip will be the first iconic project to be implemented during 2008/09;**
- 3        REQUESTS the Chief Executive Officer to commence the implementation program as outlined in this Report;**
- 4        REQUESTS a program of works and a schedule of costs for the remaining six iconic projects be developed and submitted to Council for approval following the implementation and evaluation of the Burns Beach Road project.**

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf260808.pdf](#)

**ITEM 5                      STORMWATER OUTFALLS AND SEPTIC TANKS -  
[34958]**

**WARD:** All

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

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**PURPOSE/ EXECUTIVE SUMMARY**

The purpose of this report is to provide an overview in relation to stormwater outfalls and septic tank outputs along the coastal strip of the City and adjacent to Yellagonga Regional Park.

**BACKGROUND**

At the Sustainability Advisory Committee meeting held on 17 April 2008 it was requested that a report be provided on *“the City’s current initiatives and progress in relation to stormwater quality and stormwater outfalls along the City of Joondalup coastline”*.

A report on this matter was presented to the Sustainability Advisory Committee at its meeting on 19 June 2008 and the Committee resolved to:

*“REFER the item back to its next meeting subject to the provision of further information concerning the Sorrento Beach project.”*

Council at its meeting held on the 5 August 2008 (*CJ149-08/08 refers*) considered the report *“The Minutes of the Sustainability Advisory Committee held on 19 June 2008”* and resolved inter alia to:

*“REQUEST a report be presented to Council in relation to stormwater outfalls and septic tank outputs along the coastal strip of the City and adjacent to Yellagonga Regional Park.”*

**DETAILS****Yellagonga Regional Park Stormwater Outfalls**

The Yellagonga Regional Park comprises 1400 hectares of rare wetlands, which include Lake Joondalup, and Lake Goollelal. This wetland is one of the largest surface expression for the Gngarara Mound which is an important source of water for the Perth metropolitan area ground water scheme.

Residential development is now the primary land use adjoining the wetlands and a significant factor in:

- Changes in peak stormwater flow characteristics.
- Increase in stormwater runoff volumes.
- Deteriorations in quality of stormwater runoff.
- Changes in hydrological amenity.

Impact upon the wetlands includes significant amounts of particulate matter and pollutants entering the wetlands, with inherent impacts of increased nutrient loading, algal blooms, gross pollutant problems and increased midge and mosquito populations.

Within the Park there are 32 outfalls and sumps, and of those, the City of Joondalup has full or part responsibility for 14. (Attachment 1 refers) Of the 14, seven Outfalls, namely 18, 19, 20, 21, 22, 24, and 25 have been recently upgraded. These works have now addressed all the outfalls that had a direct discharge into Lake Goollelal. It should be noted that the remaining stormwater catchment points are sumps which do not directly discharge into the lake system.

The stormwater upgrade projects that the City has undertaken to date provide stormwater treatment systems for all outfalls directly discharging into Lake Goollelal.

These upgrades included:

- The catchment being divided into discrete sub areas with their own treatment systems so that water is infiltrated into the aquifer close to the source;
- The use of landscaped infiltration basins and retention swales to maximise upstream infiltration, reduce peak flows, and reduce the amount of nutrients and other contaminants entering the lake;
- The use of gross pollutant traps to capture gross pollutants and to a lesser extent reduce the amount of nutrients and other contaminants entering the wetlands;
- The discontinuation of large pipe networks directly discharging into the wetlands and replacing smaller systems with localised multiple outfall drainage facilities away from the wetlands

This program of works was first piloted at Outfall 21 in 2003/04 and was a success for addressing stormwater management. Outfall number 21, located on the southern extremes of Lake Goollelal near the arterial road of Hepburn Avenue was selected as the trial site for this new strategy. The catchment area for Outfall 21 is approximately 38 hectares with a mixture of land uses of natural bushland, parks and reserves, commercial uses, a petrol station and residential developments.

The possible sources of pollutants into this catchment included soil erosion, fertilisers, human and animal waste, vehicle fuels and fluids, commercial and household paints, chemicals, detergents, pesticides and gross pollutants.

The stormwater drainage network for this catchment is a convectional piped network incorporating grated catchpits and side entry pits with stormwater runoff into Lake Goollelal via a 900mm reinforced concrete pipe connected to a large grated bubble up pit. This outfall was subject to submersion during the winter months.

The treatment of this outfall that was implemented was grouped into three categories:

- Primary treatment: Physical screening or rapid sedimentation methods to contain contaminants, such as gross pollutants and coarse sediment
- Secondary treatments: Finer particle sedimentation and filtration techniques to contain fine particles and attached pollutants
- Tertiary treatments: Enhanced sedimentation and filtration, biological uptake and absorption onto sediments to retain nutrients and heavy metals.

During 2007/08 the City committed funding for the upgrade of the remaining 6 outfalls discharging into Lake Goollelal. This work which was completed in August 2008 was expedited due to the successful funding application for a Federal Community Water Grant. The grant of \$218,000 was used to bring forward planned works from the 2008/09 Capital Works Program into 2007/08. On completion of the Lake Goollelal stormwater improvements, the City's focus will shift to its coastal outfalls.

### **Coastal Stormwater Outfalls**

In April 2007 the Department of Water (DOW) released the report "*Contaminants in Stormwater Discharge, and Associated Sediments, at Perth's Marine Beaches*". This report detailed findings of a baseline study of the types and concentrations of contaminants in and around 65 stormwater drains in the Swan Region. The drains were located within the Cities of Wanneroo, Joondalup, Stirling and Rockingham and the Towns of Cambridge and Cottesloe. The Study found that, depending on the region, site and rainfall event, concentrations can exceed recreational as well as environmental guidelines.

While the DOW report provides a good starting point it does not provide a complete picture. Not all of the City of Joondalup outfalls were tested and of the five outfalls that were tested a total of just 22 samples were taken over two winters (between 3-5 samples per site). The concentration of these contaminants is likely to vary (either above or below guidelines) at different times of the year and before or after certain rain events.

Overall, the DOW report found that the concentrations of stormwater contaminants in the City of Joondalup were comparatively low compared with other areas to the south. The following table provides details of each of the Joondalup sites, the number of samples taken and highlights for each site any tests where the average concentration of contaminants exceeded the guidelines.

It is particularly important to note that the following table shows where the average concentration of all the samples taken has exceeded the guidelines.

The DOW report did not provide individual test results so it is not possible to identify whether an abnormal reading could have influenced the average such that it exceeded the guidelines. Given that only a few samples were taken it is difficult to know if the results provide an accurate reflection of the level of contamination as this can be affected by a variety of climatic and geographical variables.

Table below – Extract from DOW Report Findings

Site	Site location	No of samples	Nutrients			Total Petroleum Hydrocarbons	Metals	
			NH <sub>4</sub>	TP	FRP		Lead	Iron
JND01a	Rocky outcrop at northern end of Burns Beach car park	3	X	X	X	X		X
JND01b	South end Burns Beach car park. Outlet opposite café	3		X				X
NST01	Beach outfall, Marmion Angling & Aquatic Club car park	4		X		X	X	
NST03	Beach outfall (south of Sorrento Beach – report did not give exact location)	4	X	X	X		X	X
NST04	Beach outfall (south of Sorrento Beach – report did not give exact location)	5		X			X	X
NST05	Beach outfall (south of Sorrento Beach – report did not give exact location)	3		X				X

The main types of contaminants in the City's stormwater drains were certain metals and nutrients. Contaminants from metals are most likely associated with car wear, engine oil and petrol which are associated with road and car park use.

With regard to nutrients, each of the sample sites was taken in areas where septic systems exist. As infill sewer has now been provided to each of these areas, this source of nutrients is likely to reduce over time. Other sources include fertiliser use in the catchment area.

It should be noted that while the above table highlights concentrations where guidelines were exceeded there were many tests in which the guidelines weren't exceeded including: bacterial concentrations (all), nutrient concentrations (Dissolved Oxidised Nitrogen, Total Kjeldahl Nitrogen, Total Nitrogen) and metal concentrations (Arsenic, Cadmium, Chromium, Manganese, Mercury, Nickel).

#### Participation in Metropolitan Coastal Beaches Microbial Monitoring Program

The City participates in the Metropolitan Coastal Beaches Microbial Monitoring Program run by the Department of Health. Through this program during the summer season a total of 24 samples are taken at regular intervals (every week) from 9 sites along the Joondalup coast (total of 216 samples each summer) to test for microbial activity. Half of these samples are taken by the Department of Health and half by the City's Environmental Health Officers.

This enables the City to take quick and effective action if microbial levels are found to be at a level which could be a risk to human health. To date, even within Hillarys Boat harbour, microbial levels have been found to be below recreational guidelines. The results of these tests can be seen on the Department of Health's website.

([www.healthyswimming.health.wa.gov.au/home/](http://www.healthyswimming.health.wa.gov.au/home/))

### Proposed Program of Works for 2008/09

It should be noted that the City has an allocation of \$200,000 for coastal stormwater upgrades in the 2008/09 budget. It is anticipated that the City will start with upgrading two outfalls at Burns Beach (these were identified in the DOW report). These outfalls have already been investigated by the City's consultant to determine what improvements can be taken to improve the quality of the water being discharged. However detailed design will still be required prior to implementing infrastructure improvements.

In addition, as part of the West Coast Drive Shared Path upgrade, the coastal outfalls along this section of the coast (Marmion and Sorrento) will be upgraded on a staged basis. As part of the project the upgrade of the outfalls will need to be prioritised and detailed investigations and designs undertaken.

This project has been in the planning stage for some time and the original concept and scope of the project was to upgrade the dual use path and associated fencing infrastructure from Beach Road Marmion to Sorrento Beach.

The concept design was approved by Council in 2006/07 and a budget was set aside of \$4.2 million in that year. In 2007 when the DOW released its report on the state of coastal outfalls, the City instigated a review of the West Coast Drive Enhancement Project with a view to incorporate into the preliminary design for the project upgrades to all the coastal outfalls within the project scope. The preliminary design is now completed and includes upgrades for those outfalls. The City is currently working on the detailed design which establishes the final cost estimates for the entire project. Given that the scope of the project now includes the stormwater outfall upgrades it is likely that the detailed costing will be higher than the \$4.2 million budget that has been set aside. Should this be the case then a report will be presented to Council outlining the new scope and associated costings for the project and Council will need to deliberate on any increase over and above the budgeted amount.

### Future Upgrades for Coastal Outfalls

The City has 20 coastal outfalls (as shown in Attachment 2 and detailed in Attachment 3) and due to this large number and the diversity of works required in implementing practical treatments, detailed investigation and preliminary design work needs to be undertaken to find the best solution for each discharge point. The costs will also be significant and, would most likely, need to be scheduled and funded over a number of years. For example an average cost of a standard treatment involving installation of gross pollutant traps, drainage basin or underground detention systems etc. can vary from \$50,000 - \$100,000 per treatment. This equates to approximately \$1-2 million in total for all 20 discharge points to be treated that are within the City.

External funding opportunities applicable to the coastal stormwater upgrades will continue to be assessed as they arise as this will enable the City to complete more upgrades in a shorter timeframe.

### **Septic Tanks within the City of Joondalup**

The City of Joondalup has four isolated pockets remaining where septic tanks are still in place. These areas include:

- A section of Marmion, Sorrento and Duncraig (as shown in Attachment 4);
- A section of Mullaloo (as shown in Attachment 5);
- A section in Kingsley (From Lakeway Drive to Wanneroo Road); and
- Silkeborg Crescent in Joondalup.

Since about 2002 the Water Corporation's Infill Sewage Program has included all the coastal suburbs including Marmion, Sorrento, Duncraig and Mullaloo. This means that all of these residential areas now have the ability to connect to deep sewage; however whether or not they have done so is a matter that the Water Corporation is dealing with. It should be noted that the Water Corporation gives a period of time for people to connect once deep sewer is in the area but once that timeframe expires they will then charge properties irrespective of whether they are connected or not.

The Water Corporation is currently investigating the take up rates for connections to the infill program and will advise the City as soon as that data is available. Prior to the commencement of the Infill Program the Water Corporation wrote to the City seeking advice on the program. The City's response was to request that the Water Corporation's program included Kingsley as a prior given the issues that septic tanks have on wetlands. Unfortunately this request was not acted upon.

Under the Health Act the City has powers to enforce connections to deep sewage. However, the City has taken a lenient approach with existing properties and not forced connections. However it issues conditions on all new building approvals that the property(s) be connected to sewage or requiring connection to sewer when developers or individuals decide to upgrade or subdivide.

#### Septic Tanks Adjacent the Yellagonga Regional Park

With respect to the Yellagonga Regional Park, the only area of residential development that remains on septic systems, and is in close vicinity to the Lake Goollelal wetlands, is a small pocket in Kingsley in the vicinity of Lakeway Drive through to Wanneroo Road. These properties are large semi rural properties with the average block size being 2000 square meters.

#### Environmental Impact of Septic Tanks

The impact that septic tanks are having on the water bodies both within the Yellagonga Regional Park and the coastal beaches is unknown as specific studies of this nature have not been conducted and would be very difficult to isolate. It should be noted however, that water quality in the coastal areas as a result of direct leaching from septic tanks would not pose any major health risk to swimmers or biodiversity because the bacteria that is generated in septic tanks generally stay in the tanks and those small amounts that may leach will die or be filtered in the sand layers before they can reach water bodies. The particulates that do leach are generally nutrients which do not have a major impact on the coastal environment.

With respect to septic tanks within the vicinity of the Yellagonga Regional Park the leaching from septic tanks is likely to be more of a significant issue because nutrient loads entering the Lakes tends to cause other issues such as algae blooms.

In general it is scientifically proven that septic tanks do leach into the groundwater systems and it is strongly encouraged these days that residential areas within the metropolitan area are connected to deep sewage. This provides the rationale for the Water Corporation's Infill Sewage Program.

### Septic Tanks within the Responsibility of the City of Joondalup

The City of Joondalup has responsibility for the coastal foreshore and within that area there are a number of public infrastructures such as toilets, surf clubs and community halls that still utilise septic tanks systems. These include:-

- Marmion change room and toilets
- Sorrento Surf Lifesaving Club
- Whitford Nodes toilets and change rooms
- Mullaloo Surf Lifesaving Club and change rooms
- Mullaloo North toilet
- Ocean Reef Boat Harbour (Sea Rescue and Ocean Reef Sea Sports Club)
- Iluka Foreshore toilets
- Burns Beach change rooms and Jack Kikeros Hall

It is expected that as upgrades and refurbishments occur these sites will be connected to deep sewage in the future.

It should be noted that the cost associated with retrofitting sewage to buildings currently serviced by septic tanks involves large capital costs. For example the average cost for each site would be in the vicinity of \$250,000 each.

### Other Coastal Septic Tanks

The Marmion Angling and Aquatic Club (MAAC) has responsibility for upgrading of that facility. It is currently planning to connect to sewage as part of the Clubs' pending upgrade program and the City will work with the MAAC in order to upgrade the City's nearby toilet and change rooms.

### **Link to Strategic Plan**

Key Focus Area      Natural Environment

Objective 2.1      To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained.

Strategy 2.1.4      The City implements improved storm water management and water quality processes.

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

Not Applicable.

### **Risk Management considerations:**

Not Applicable.

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

The upgrade of stormwater infrastructure has significant financial implications. In order to upgrade all 20 discharge points along the City's coastline it is necessary to undertake preliminary design to identify what type of treatment is best for each location. The works will vary at each point depending on a range of technical and location specific issues; however as a general estimate each discharge point could likely be upgraded for a cost ranging somewhere between \$50,000 - \$100,000. It is suggested that works would need to be planned and scheduled over a number of years.

Further it should be noted that the upgrading of septic tanks that are owned or leased by the City along the coastal strip will also have similar significant costs associated with these works. For example if all the septic systems were upgraded the cost to the City would likely be in the vicinity of \$2,500,000.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Upgrades to the coastal stormwater infrastructure will improve the quality of the stormwater and contribute to a healthier ocean environment; however the economic implications are significant.

**Consultation:**

The City has consulted with the Water Corporation in compiling this report.

**COMMENT**

The City is aware of the environmental and health issues associated with stormwater quality and has been and will continue to work actively to improve stormwater infrastructure across the City as part of the Capital Works budget and as key actions within its Environmental Plan and Water Action Plan dictate.

A Case Study - Town of Cottesloe – Groundwater Restoration Program

It is interesting to note that the Town of Cottesloe has entered into a 4 year partnership with the Federal Government to restore groundwater resources. The Project will entail the replacement of open sumps with underground retention systems, 400 new soakage pits which will trap and filter stormwater and replenish groundwater into the aquifer with treated stormwater and will enable 10 stormwater ocean outfalls to be closed along the coast. Another major part of the project is a community education campaign called THINK Water which aims to:

- Reduce private groundwater use;
- Decrease the installation of new private bores;
- Reduce stormwater pollutants;
- Enhance community awareness and encourage positive behaviour change regarding water resources.

The overall cost of these initiatives will be in excess of \$200,000 over three years with matching contributions made from the Federal Government, State Government and the Town of Cottesloe.

The project provides a good example of a strategic model that has been taken toward water management, protecting groundwater resources and ocean discharges. The City of Joondalup has also taken a strategic approach to water management through its Environment Plan and associated ICLEI Water Campaign and similar approaches to Cottesloe will be initiated.

Whilst the Town of Cottesloe is showing leadership in managing their water resources it should be noted that the DOW Report made mention of its view toward diverting stormwater into the groundwater; as follows:

*"Diverting stormwater to groundwater, as a means to reduce the impacts of its contaminants on recreational activities and the environment, without controlling and treating the sources of contaminants, is not recommended. Some local governments are currently diverting stormwater this way and others are planning to implement this practice. This is not recommended because we do not know the degree of connection between stormwater, groundwater and near-shore coastal zones, nor what happens to the contaminants as they make their way through these different water bodies".*

It should be noted that given the above information the City will ensure, where possible, that it installed appropriate engineering treatments i.e. gross pollutant traps, vegetated swales etc to ensure any water entering the groundwater is filtered and cleared of contaminants.

## ATTACHMENTS

Attachment 1	Map of Outfalls Location within the City of Joondalup
Attachment 2	Details of Coastal Outfalls within the City of Joondalup
Attachment 3	Outfalls in Yellagonga Regional Park
Attachment 4	Septic Tanks in Marmion, Sorrento and Duncraig
Attachment 5	Septic Tanks in Mullaloo

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

**That Council:**

### 1 NOTES:

- (a) the progress that has occurred with addressing stormwater outfalls in the Yellagonga Regional Park;
- (b) the significant costs associated with upgrading stormwater outfalls and converting septic tanks to deep sewage;
- (c) that the quality of water in the City's coastal areas according to Health Department testing is not being adversely affected by Septic Tanks;
- (d) that the Water Corporation has completed its sewage infill program in the coastal areas of Joondalup;

**2 REQUESTS that the City again write to the Water Corporation to encourage them to progress the Infill Sewage Program in Kingsley.**

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf260808.pdf](#)

**ITEM 6                      COMMUNITY SATISFACTION SURVEY 2007/08 -  
[47968]**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Ian Cowie Governance and Strategy

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**PURPOSE**

To present the results of the 2007/08 Community Satisfaction Survey to Council.

**EXECUTIVE SUMMARY**

The Community Satisfaction Survey is conducted annually to measure the level of overall satisfaction with the City, and its performance in delivering specific services and facilities.

The 2007/08 Survey shows an overall satisfaction rating of eighty-two percent (82%). This represents a slight decrease from the 2006/07 satisfaction level of eighty-six percent (86%).

**BACKGROUND**

Community Satisfaction Surveys have been conducted on an annual basis since 2000. The most recent survey was conducted in July 2008.

An independent market research company conducted the 2008 survey.

The objectives of the 2008 survey were to determine:

- Overall satisfaction with the City of Joondalup;
- Community satisfaction with selected services and facilities;
- Key issues of concern and suggestions for improvement.

This latest community research was undertaken during July 2008 and involved random sampling and telephone interviewing of 604 respondents from within the City. The sample was crosschecked to ensure that it significantly matched the demographic profile and population spread of Joondalup in terms of age, gender and location to obtain a representative sample.

The sampling size produces a sampling precision of +/- 4% at the 95% confidence interval – ie there is a 95% certainty that the results obtained will be within a +/- 4% if a census was conducted of all households within the City of Joondalup. This percentage is in accordance with the level specified by the Auditor General.

## DETAILS

### Issues and options considered:

Satisfaction levels were recorded from those respondents who felt familiar enough with the service or facility to be able to comment. Respondents expressing dissatisfaction were asked to provide suggestions for improvement.

The overall satisfaction rating in 2007/08 was eighty-two percent (82%). This is a slight decrease from the 2006/07 level of eighty-six percent (86%).

Respondents were prompted with a list of 13 services provided by the City, and asked how satisfied they were with the City's performance.

The areas of very high and high satisfaction in 2007/08 were:

Service/Facility	Satisfaction Rating
Weekly rubbish collections	96.3%
Libraries	93.7%
Parks and Public Open Spaces	91.9%
Fortnightly recycling services	91.1%
Sport and Recreation Centres	88.5%
Festivals, Events and Cultural Activities	87.6%
Appearance of Streets	84.2%

The areas with lower satisfaction levels and therefore requiring focus were:

Service/Facility	Satisfaction Rating	Comment
Planning and Building Approvals	54.8%	52.7% of respondents felt familiar enough with the service to provide a rating, and this is an area that attracts moderate satisfaction ratings in most local government satisfaction surveys. Reasons for dissatisfaction included time taken to process applications, responsiveness, and consultation.
Mobile Security Patrols	62.3%	84.5% of respondents felt familiar enough to provide a rating. Reasons for dissatisfaction centred on visibility, responsiveness, power, and availability of information on the service.
Control of Parking	69.4%	84% of respondents felt familiar enough with the service to provide a satisfaction rating. Reasons for dissatisfaction related to the need for more parking facilities, displeasure with fees and timed parking, and the need for greater enforcement of laws.

The 2007/08 Survey asked all respondents to identify the key issues or areas of concern with the performance of the City of Joondalup. A number of respondents provided suggestions for improvements and whilst the suggestions were diverse the comments related mainly to:

<b>Suggestion</b>	<b>Number of Mentions</b>
Streetscapes	30
Rubbish removal	28
Parks (providing more parks and improving cleanliness)	27
Parking (free and more disabled parking)	23
Fees/Charges (rates, recycling etc)	21
Commitment to being environmentally friendly	19
Improved management	18
Better infrastructure, facilities	17
Traffic management and control	15
Community Facilities	13
Dog Issues	11
More advertising of services	11
Better management of graffiti	10
Footpaths/Cycle Ways	10
Sport and Recreation Facilities	10
Increased activities for Youth	9
Increase activities/events	8

The Survey also asked respondents whether they believed that the City had a good understanding of community needs and 77.5% of respondents strongly agreed or agreed.

**Link to Strategic Plan:**

Key Focus Area: Leadership and Governance

Objective 1.2: To engage proactively with the community

**Legislation – Statutory Provisions:**

The Annual Community Satisfaction Survey assists the City to achieve three elements of the Local Government Act being:

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

**Risk Management considerations:**

Monitoring levels of customer satisfaction with services provided by the City is essential to assist in the delivery of effective and efficient services to the community.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The 2007/08 Monitor was conducted by surveying 604 residents of the City of Joondalup.

**COMMENT**

The 2007/08 Community Satisfaction results show that, in the main, residents are very satisfied with the services provided by the City of Joondalup. A number of service areas attracted extremely satisfaction ratings indicating that residents are very satisfied with service levels and service activities.

A significant percentage of respondents (77.5%) agreed that the City has a good understanding of community needs, and the City will continue to provide opportunities for community participation and consultation.

Community consultation is an important part of local government activities and customer satisfaction surveys play an integral role in responding to community expectations. Those services and activities that attracted lower satisfaction ratings will continue to be the focus for improvements.

The 2007/08 Community Satisfaction report provides information to inform improvements to service delivery. The City will utilise the information to introduce and build on improvement strategies.

A number of improvements are already being progressed including:

- Changes to the Mobile Security Patrols
- Process improvements in graffiti removal and reporting; and
- Continuing process improvements in Planning and Building Approvals.

## **ATTACHMENTS**

Attachment 1          Community Satisfaction Monitor Results 2007/08 (including comparisons with results from previous years).

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That Council NOTES the information in relation to the 2007/2008 Community Satisfaction Survey as shown in Attachment 1 to this Report.**

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf260808.pdf](#)

## **ITEM 7                    WESTERN POWER SUB STATION AT TAMALA PARK - [41586]**

**WARD:** All

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

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### **PURPOSE/EXECUTIVE SUMMARY**

To consider a request from the Tamala Park Regional Council (TMRC) for the City of Joondalup, as a joint land owner of the Tamala Park land to:

- Approve, in principle, an allocation of land from the POS or Public Utility Portion of the Tamala Park land holding for a future Western Power sub station; and
- Authorise the TPRC to co-ordinate actions which will provide a site for the new sub station.

It is recommended that the request from the TPRC be supported.

### **BACKGROUND/DETAILS**

The issue of the Western Power sub station has been raised by the TPRC. The background to, and detail of, this matter are addressed in the attached agenda report to the TPRC meeting (Attachment 1 refers).

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

Council could:

- Support the request from the TPRC;
- Not support the request; or
- Suggest an alternative approach.

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

This report relates to the Tamala Park development rather than the City.

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

The *Local Government Act 1995* specifically deals with the disposal of land under Section 3.59 which is entitled Commercial Enterprises. This section requires a local government to prepare a business plan for a land transaction (such as the disposal of land to Western Power) if the transaction, in the case of the City of Joondalup, is worth more than \$1 million. The *Local Government (Functions and General) Regulation 8* provides exemptions from the need for a business plan in certain circumstances. These do not apply to the Tamala Park land.

The actual value of the land proposed to be transferred is unknown. However, it is presumed to be greater than the \$1 million trigger which would require the City to prepare a business plan. As the attached report notes, under point 8 of the 'comment' section local governments should "individually complete formal business plans for a major land transaction".

**Risk Management considerations:**

The principal risks associated with this report are:

- Not complying with legislative requirements in relation to the disposal of land; and
- Disposing of a land parcel which has a higher value than the benefit being received.

**Financial/Budget Implications:**

There are no directly immediate financial implications for the City as the land being considered for disposal is part of the broader Tamala Park land holding. The City expects to receive considerable financial benefit from the successful subdivision of this land holding. This report relates to one action designed to achieve a successful subdivisional outcome.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

This report relates to the Tamala Park development which has regional significance.

**Sustainability Implications:**

The disposal of the land is designed to facilitate the Tamala Park land development. This should assist in generating revenue for the City which will assist the City to become sustainable economically.

**Consultation:**

Not Applicable.

**COMMENT**

It is considered reasonable to support the request from the TPRC. It is noted that the request is to approve, in principle, the disposal of land to Western Power. Once such a decision is made by all member councils, the City will be in a position to prepare a business plan to facilitate the disposal.

**ATTACHMENTS**

Attachment 1          Report to Tamala Park meeting.

**VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 APPROVES, in principle, an allocation of land from the POS or Public Utility portion of the Tamala Park land holding for a future Western Power sub station;**
- 2 AUTHORISES the Tamala Park Regional Council to coordinate actions to provide a site for a new sub station on the Tamala Park land.**

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf260808.pdf](#)*

## **ITEM 8                    PETITION    REQUESTING    THE    REMOVAL    OF TRAFFIC    ISLAND    ON    MANAKOORA    RISE, SORRENTO    -    [14030]**

**WARD:**                    South West

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

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### **PURPOSE**

To consider a petition requesting the removal of a traffic island on Manakoora Rise, Sorrento.

### **EXECUTIVE SUMMARY**

At the Ordinary Meeting of Council held on 20 November 2007, a 28 signature petition was received from 25 residents of Manakoora Rise and Newby Place, Sorrento requesting that the City:

*“Remove the traffic island opposite Lots 558, 559 and 540 Manakoora Rise, Sorrento as it is considered a traffic hazard. The traffic island should be replaced by some other traffic calming device”.*

A site inspection confirmed that the existing raised traffic island opposite Numbers 5, 7 and 10 Manakoora Rise is clearly visible on both the western and eastern approaches. Due to the location of the crossover at No 5 Manakoora Rise in relation to the traffic island, access and egress to the residential property is restricted to left in/left out configuration only.

Two options were presented to the residents of Manakoora Rise and Newby Place as part of the community consultation carried out in June and July 2008. The residents were requested to assist the City in providing feedback on the options presented. As part of the feedback, a third option was identified by a number of residents as an alternative solution to the options presented.

At the request of the residents, a follow up site meeting occurred on 5 August 2008 between City representatives and six residents of Manakoora Rise including the property owner of No 5 Manakoora Rise. The meeting provided an opportunity to discuss the traffic issues in detail and work through potential solutions to the issue. It was agreed at the meeting that a fourth option being the modification to the existing traffic island to a low profile flush island arrangement was the preferred treatment. The flush island arrangement would allow for improved crossover access at the same time providing adequate separation between opposing traffic flows through the curved alignment of the road.

*It is recommended that Council:*

- 1        *MODIFIES the existing raised traffic island opposite lots 558 (No 7) and 559 (No 5) Manakoora Rise, Sorrento to a flush median island to provide improved residential access;*
- 2        *LISTS \$5,000 for consideration in the 2009/2010 Capital Works Budget for modifications to the traffic island opposite lots 558 (No 7) and 559 (No 5) Manakoora Rise, Sorrento;*

3 *ADVISES the Petition Organiser of Council's decision.*

## **BACKGROUND**

Manakoora Rise connects to Ashmore Way and Newby Place and provides direct access to 25 residential properties that front the road, refer **Attachment 1**. The alignment of the 300m long cul-de-sac is a combination of small straights and curves. The existing 10m long traffic island opposite lots 558 and 559, numbers 5 and 7 Manakoora Rise is located at the western end of the road's alignment and is one of two islands installed as part of the subdivision road works, refer **Attachment 2**.

In September 1996, residents requested both the western traffic island opposite lots 558 and 559 and a similar designed traffic island located at the eastern end of Manakoora Rise be removed. A subsequent site inspection in January 1997 found that both islands had been removed without Council Authorisation.

Council at its meeting of 26 April 1997 (TP74-04/97 refers) resolved to defer legal action on the removal of the two traffic islands subject to the reinstatement by residents of the western traffic island only. The eastern traffic island was deemed not to provide the same level of traffic control as the western island and therefore was not required to be reinstated. In response to the Council resolution, residents of Manakoora Rise reinstated the western traffic island. Formal confirmation from residents to the completion of the reinstatement works was received on 10 September 1997.

At the Ordinary Meeting of Council held on 20 November 2007, a 28 signature petition was received from 25 residents of Manakoora Rise and Newby Place, Sorrento requesting "*Remove the traffic island opposite Lots 558, 559 and 540 Manakoora Rise, Sorrento as it is considered a traffic hazard. The traffic island should be replaced by some other traffic calming device*".

## **DETAILS**

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

#### ***Existing Situation***

To confirm the extent of the traffic issue, a detailed traffic analysis plus a seven day traffic count survey for Manakoora Rise was carried out in February 2008.

The results of the survey revealed that the traffic volumes range between 185 and 254 vpd, the 85<sup>th</sup> percentile traffic speeds range between 34km/h and 36km/h. The survey confirmed that the traffic volumes and 85<sup>th</sup> percentile traffic speeds on this road are well within the acceptable limits.

A site inspection confirmed that the existing raised traffic island adjacent lots 558 and 559 Manakoora Rise is clearly visible on both the west and east approaches. Due to the location of the crossover of lot 558 in relation to the traffic island, access and egress to the residential property is restricted to left in/left out only.

#### ***Crash History***

An analysis of the January 2003 to December 2007 Main Roads WA crash data revealed that no reported crashes had occurred on Manakoora Rise in the 5 year period.

**Link to Strategic Plan:**

The consideration of traffic management measures is consistent with the following objectives and strategies from the City of Joondalup's Strategic Plan 2008-2011:

4.2.6 The City implements, and if necessary, refines its Capital Works Program.

**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 cost of the flush median island will be \$5,000, to be considered in the 2009/2010 budget.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Two options were presented to the residents of Manakoora Rise and Newby Place as part of the community consultation carried out in June and July 2008. The residents were requested to assist the City in providing feedback to the options presented. As part of the feedback, a third option was identified by a number of residents as an alternative solution to the options presented.

There were 35 community consultation feedback forms distributed for the consultation. There were 18 forms returned which represents a 51% response rate. The following is a breakdown of the feedback:

- Option A: Four respondents (23%) preferred to *“Retain Island and improve visibility by line marking”*.
- Option B: Five respondents (27%) preferred to *“Remove the island and narrow the road as required”*.
- Alternative Option: Nine respondents (50%) did not agree with option A or B and *“requested that, instead, the traffic island be removed and a centre line be marked on the road at the bend for the safety of traffic in this street and for nearby residents.”*

At the request of the petition organiser, a follow up site meeting occurred between six residents of Manakoora Rise and City representatives on 5 August 2008. The outcome of the meeting was development of another option which satisfied all of the residents and the City by replacing the existing raised median island with a flush island.

## COMMENT

On the basis of the February 2008 traffic count survey, traffic volumes and traffic speeds on Manakoora Rise were found to be well within the acceptable range. An analysis of the latest Main Roads WA crash data confirmed that there have been no reported crashes on Manakoora Rise in the previous 5 year period. However the existing configuration of the crossover and traffic island adjacent lot 558 is not considered desirable in that it encourages U turn and contraflow manoeuvres when accessing and egressing the property.

The two options proposed by the City were based on input from traffic designers. Line marking required for Option A would not be supported by Main Roads and would need to be installed and maintained by the City. Option B at the time of consultation, was the preferred option by the City as an appropriate compromise solution, however, it was also the most expensive (\$10,000).

On the basis of the consultation feedback, the alternative option proposed by a land owner had the most support, but this option is not considered safe or appropriate as the lane widths would be inconsistent and centre line marking would not be supported by Main Roads. Vehicles heading into Manakoora Rise would have limited visual guidance around the road alignment in particular at night under this “alternative proposal”.

The onsite meeting of 5 August 2008 between representatives of the City and six residents of Manakoora Rise provided an opportunity to discuss the traffic issue in detail. As an outcome of the meeting it was agreed that a fourth option being the modification to the traffic island to a flush kerb median island would allow for improved crossover access at the same time providing adequate separation between opposing traffic flows.

It is proposed that the fourth option be implemented and that the traffic island remains in the existing location but be modified to a flush kerb median island arrangement approximately 15mm above the existing road pavement. The flush traffic island will allow full access and egress for vehicles to the adjacent residential properties but at the same time provide appropriate separation and channelisation between the opposing traffic flows.

However Main Roads WA would not generally support continuous centreline marking on minor local roads. Standard barrier centreline marking on the approaches to flush islands may be approved to improve visibility on island approaches in some instances. If Council approves the installation of a flush island to replace the existing raised island at Lot 558 Manakoora Rise, it would be subject to the approval of Main Roads Western Australia Roads for the design and line marking.

The traffic investigation and traffic analysis for Manakoora Rise enabled a detailed response to six items raised as part of the petition information. The City’s response to the six items is shown on **Attachment 3**.

## ATTACHMENTS

Attachment 1	Locality plan Manakoora Rise, Sorrento
Attachment 2	Existing traffic island location Manakoora Rise, Sorrento
Attachment 3	Response to traffic issues raised

**VOTING REQUIREMENTS**

Simple Majority

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

- 1 MODIFIES the existing raised traffic island opposite lots 558 (No 7) and 559 (No 5) Manakoora Rise, Sorrento to a flush median island to provide improved residential access;**
- 2 LISTS \$5,000 for consideration in the 2009/2010 Capital Works Budget for modifications to the traffic island opposite lots 558 (No 7) and 559 (No 5) Manakoora Rise, Sorrento;**
- 3 ADVISES the Petition Organiser of Council's decision.**

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf260808.pdf](#)*

## **ITEM 9                    PETITION REGARDING TRAFFIC CONCERNS ON DUFFY TERRACE, WOODVALE - [01672]**

**WARD:**                    Central

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

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### **PURPOSE**

For the Council to consider a petition regarding traffic concerns on Duffy Terrace, Woodvale.

### **EXECUTIVE SUMMARY**

A petition signed by 168 residents was received by Council at its meeting held on 10 June 2008 with a request to install traffic calming treatments along the length of Duffy Terrace in Woodvale.

Speeding and inappropriate driver behaviour in the form of vehicle racing on Duffy Terrace was highlighted as a major concern by local residents. In response to these concerns, Traffic and Transport Solutions were commissioned in June 2008 to undertake an independent Road Safety Audit (RSA) of Duffy Terrace. The audit considered the safety aspects of the existing situation and presented findings and recommendations for potential solutions to the identified problems.

On the basis of the RSA assessment and a recent traffic count survey undertaken in June 2008, a central median treatment including traffic islands is proposed. The proposed traffic treatments have been included for funding consideration as part of the 2009/2010 State BlackSpot program. The BlackSpot project requires one third funding by Council and receives two thirds funding by the State Government.

Subject to detail design, the cost estimate for the project including traffic islands, median treatments and a Dual Use Path (DUP) along the length of Duffy Terrace is approximately \$390,000. The City considers the construction of the proposed traffic management treatments for Duffy Terrace to be a priority in comparison with other roads already listed for treatment as part of the City's Five Year Capital Works Program.

The traffic speeds and traffic volumes can be reassessed once the treatments are installed to determine the effectiveness of the measures.

*It is recommended that Council:*

- 1        *ENDORSES the Duffy Terrace, Woodvale traffic management project submission for funding in the 2009/2010 State Black Spot Program;*
- 2        *NOTES that provision will need to be made in the draft 2009/2010 Capital Works Program to accommodate the approved State BlackSpot funding and associated contribution from the City;*
- 3        *REQUESTS the WA Police to enforce speed compliance on Duffy Terrace, Woodvale;*

- 4 *REQUIRES the need for wider pedestrian refuge islands in Woodvale Drive at the Duffy Terrace intersection to be included in the design;*
- 5 *REQUIRES that all pedestrian ramps and gaps are in accordance with AS1428. (Designing for Access and Mobility);*
- 6 *REQUIRES that the line marking at the Woodvale Drive/Duffy Terrace intersection is maintained at the correct level;*
- 7 *REQUIRES that the pedestrian ramp be repaired to reduce the height of the lip between the road pavement and the ramp in accordance with AS1428;*
- 8 *REQUIRES a review of potential formalisation of parking on the Duffy Terrace verges where parents currently park;*
- 9 *INCLUDES the increase of the footpath width on Duffy Terrace to shared path standards in the design;*
- 10 *REQUIRES that all pedestrian ramps and gaps are in accordance with AS1428. (Designing for Access and Mobility);*
- 11 *REQUESTS the relocation of the Western Power wooden power poles on the eastern side of Duffy Terrace outside of the clear zone or provision of suitable protection to the poles to be considered as part of the design process;*
- 12 *REQUIRES that the bus stop be brought up to Disability Discrimination Act requirements;*
- 13 *REQUIRES that the line markings be revised at the bus bay on the south side of Whitfords Avenue, east of Duffy Terrace in accordance with Main Roads WA;*
- 14 *ADVISES the Petition Organiser of Council's decision.*

## **BACKGROUND**

At the Ordinary Meeting of Council held on 10 June 2008, a 168-signature petition was received from residents of Woodvale indicating concerns regarding traffic speeds and vehicle racing on Duffy Terrace and requesting *“that the City of Joondalup urgently and as a matter of priority, install traffic calming treatments along the length of Duffy Terrace in Woodvale”*.

A location plan identifying the subject area is shown as **Attachment 1**.

Duffy Terrace performs the function of a local distributor road and extends from Whitfords Avenue in the south to Woodvale Drive to the north. The road provides frontage access to approximately 35 residential properties and vehicular access to a number of local access roads. The road also forms part of Transperth's bus route for the area. The Yellagonga Regional Park is situated on the east side of the road and there are schools at the northern and southern ends.

Speeding and inappropriate driver behaviour in the form of vehicle racing on Duffy Terrace was highlighted as major concern by local residents. In response to these concerns, Traffic and Transport Solutions were commissioned in June 2008 to undertake an independent RSA of Duffy Terrace. The RSA considered the safety aspects of the existing situation and presented a number of findings and recommendations.

In support of the RSA, a seven day traffic count was carried out at four locations on Duffy Terrace in June 2008. The results of the traffic count survey indicates that the local distributor road carries approximately 1733 vehicles per day (vpd) south of Woodvale Drive and 2887 vpd north of Whitfords Avenue. An assessment of the recorded traffic volumes in accordance with the Main Roads WA guidelines indicates that the road is operating well below the recommended maximum capacity of 6,000 vpd for a road of this nature.

The traffic count survey also revealed that the 85% percentile traffic speeds on Duffy Terrace range between 63 to 66km/h. This indicates that the majority of drivers are not complying with the urban speed limit. Whilst the recorded 85<sup>th</sup> percentile traffic speeds are higher than desirable, the traffic volume and percentage of heavy vehicles along this road are within the acceptable range.

Council considered a report at the Ordinary Meeting of 5 August 2008 and resolved that:

*“This matter be referred back for a further report to be presented to Council incorporating the recommendations of the Duffy Terrace, Woodvale Road Safety Audit (June 2008) prepared by Traffic and Transport Solutions.”*

## **DETAILS**

### **Existing Situation**

The existing single carriageway road is 1.3 km in length and straight in alignment between Whitfords Avenue and Woodvale Drive. The road cross section consists of a 10m wide kerbed carriageway with marked 1.5m cycle lanes and centreline. A site inspection confirmed that the road surface is in reasonable condition and the intersection sight lines for access and egress meet the appropriate standards and guidelines.

### **Road Safety Audit**

The RSA is a formal procedure that can be applied to road sections and intersections to identify and recommend road safety improvements. The RSA report received in July 2008 was a formal review of the existing situation on Duffy Terrace. The June 2008 RSA audit team was led by a Senior Road Safety Auditor from Traffic and Transport Solutions.

The Report included the following recommendations:

- 2.1 Woodvale Drive/Duffy Terrace – Pedestrian Refuge Islands  
Consider the need for wider pedestrian refuge islands in Woodvale Drive at the Duffy Terrace intersection.
- 2.2 Woodvale Drive/Duffy Terrace – Pedestrian Ramps  
Ensure all pedestrian ramps and gaps are in accordance with AS1428. (Designing for Access and Mobility).
- 2.3 Woodvale Drive/Duffy Terrace – Line Marking  
Ensure the line marking at the Woodvale Drive/Duffy Terrace intersection is maintained at the correct level.

- 2.4 Woodvale Drive/Duffy Terrace – Pedestrian ramp on south west corner  
Repair the pedestrian ramp and reduce the height of the lip between the road pavement and the ramp in accordance with AS1428.
- 2.5 Parking on western verge of Duffy Terrace south of Woodvale Drive  
Consider if parents should be parking on the western Duffy Terrace verge and if so, the need to formalise the arrangement.
- 2.6 Footpath in Duffy Terrace  
Consider the need to increase the footpath width on Duffy Terrace to shared path standards.
- 2.7 Whitfords Avenue/Duffy Terrace – Pedestrian Ramps  
Ensure all pedestrian ramps and gaps are in accordance with AS1428. (Designing for Access and Mobility).
- 2.8 Power Poles in Duffy Terrace  
Consider relocating the Western Power wooden power poles on the eastern side of Duffy Terrace outside of the clear zone or providing suitable protection for errant motorists.
- 2.9 Parking on eastern verge of Duffy Terrace north of Whitfords Avenue  
Consider if parents should be parking on the eastern Duffy Terrace verge and if so, the need to formalise the arrangement.
- 2.10 Footpath to Bus stop on south side of Whitfords Avenue  
Review the need to manage the overgrown grass, upgrade the path to concrete, widen it and move it away from the edge of the roadway. Ensure the bus stop is brought up to Disability Discrimination Act requirements.
- 2.11 Whitfords Avenue Bus bay Line Marking  
Revise the line markings at the bus bay on the south side of Whitfords Avenue, east of Duffy Terrace in accordance with Main Roads WA.
- 2.12 Speeding on Duffy Terrace  
Consider the cross section and longitudinal nature of Duffy Terrace regarding the high 85<sup>th</sup> percentile of traffic using this road.

### **Crash History**

An analysis of the January 2003 to December 2007 Main Roads WA crash data revealed that 17 crashes had occurred on Duffy Terrace in the 5 year period with the majority of these crashes occurring at the intersections with Whitfords Avenue and Woodvale Drive. Several midblock crashes had occurred within this period with two crashes relating to parked vehicles. The majority of crashes resulted in vehicle damage only, however one pedestrian crash had occurred in this period.

Residents have also advised as part of the background information that a crash involving two vehicles had occurred at the intersection of Duffy Terrace and Fallbrook Avenue on 18 April 2008, the crash being non injury related. An article published in the local newspaper also reported a serious crash had occurred on 12 June 2008 at the intersection of Duffy Terrace and Whitfords Avenue.

## Traffic Speed and Volumes

The results of the seven-day traffic count survey carried out in June 2008 at four locations on Duffy Terrace are summarised as follows:

Road	Location	Average Week Day Traffic (vpd)	85 <sup>th</sup> Percentile Speed (km/h)	Mean Speed (km/h)
Duffy Terrace	South of Woodvale Drive	1733	65km/h	57km/h
Duffy Terrace	North of Fallbrook Avenue	1841	65km/h	56km/h
Duffy Terrace	South of Fallbrook Avenue	2214	66km/h	57km/h
Duffy Terrace	North of Whitfords Avenue	2887	63km/h	52km/h

It can be seen from the above table that the average week day traffic results for the local distributor road is operating well below its design capacity of 6,000 vpd. Both the 85<sup>th</sup> percentile traffic speeds and mean speeds recorded on Duffy Terrace indicate that the majority of drivers are not complying with the urban speed limit of 50 km/h. A detailed assessment of the 40km/h school speed zone at the southern end of Duffy Terrace was not carried out as part of the speed analysis. However it is anticipated that there will be a high degree of non compliance to the posted speed limit during the morning and afternoon school peak periods.

## Audit Findings and Recommendations

The audit findings and recommendations are detailed in the RSA Corrective Action Report (Attachment 2 refers). The City has reviewed the audit findings and recommendations and agrees in principle with the corrective actions put forward by the audit team.

## Traffic Management Proposal

In order to manage traffic speeds on Duffy Terrace a median treatment including traffic islands with trees plus narrow marked traffic lanes is preferred. Based on similar traffic treatments, the streetscape treatment including vertical elements such as trees and reduced lane widths will provide for a slower speed environment than currently exists. To provide appropriate access for cyclists, the proposed traffic management treatment will need to include a Dual Use Path facility adjacent the carriageway for the entire length of Duffy Terrace.

On the basis of the RSA assessment and the traffic count survey undertaken in June 2008, a central median treatment including traffic islands is proposed. The proposed traffic treatments have been listed for consideration as part of the 2009/2010 State BlackSpot program. The BlackSpot program requires one third funding by Council and two thirds funding by the State Government. Subject to detail design, the anticipated cost of the project including traffic islands, median treatment including trees and the Dual Use Path on Duffy Terrace is approximately \$390,000. The proposal as shown as **Attachment 3** (Sheets 1 to 4) is conceptual only and is subject to further evaluation as part of the detail design process.

**Link to Strategic Plan:**

The consideration of traffic management measures is consistent with the following objectives and strategies from the City of Joondalup's Strategic Plan 2008-2011:

4.2.7 The City implements, and if necessary, refines its Capital Works Program.

**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:**

Subject to final detail design and BlackSpot funding approval, the cost estimate for the project is \$390,000. A one third funding commitment of \$130,000 is required by Council and two thirds funding commitment of \$260,000 is required by the State Government.

It is proposed that the works be listed as part of the 2009/2010 Infrastructure Capital Works Program.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

No community consultation was undertaken in conjunction with the assessment of the petition.

**COMMENT**

The local government responsibility for roads is primarily focussed on the care, control and management of the road asset. The recorded 85<sup>th</sup> percentile traffic speeds on Duffy Terrace are considered high and indicate that a significant proportion of drivers are not complying with the urban speed limit. The issue of speeding and inappropriate driver behaviour is difficult to control and is the responsibility of the WA Police Service to enforce compliance to the road rules as detailed in the Traffic Code 2000. However it is anticipated that proposed changes to the road environment such as median treatments will reduce the 85<sup>th</sup> percentile speed on Duffy Terrace.

On the basis of the traffic assessment, the construction of traffic management measures on Duffy Terrace has a high priority when compared to some other roads already listed for treatment as part of the City's Five Year Capital Works Program.

To determine the effectiveness of the proposed traffic management treatments on Duffy Terrace, a follow up traffic count survey approximately 12 months after completion of the works is proposed.

## **ATTACHMENTS**

Attachment 1	Location map of Duffy Terrace, Woodvale.
Attachment 2	RSA Corrective Action Report
Attachment 3	Concept plan showing the proposed traffic management treatments.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 ENDORSES the Duffy Terrace, Woodvale traffic management project submission for funding in the 2009/2010 State Black Spot Program;**
- 2 NOTES that provision will need to be made in the draft 2009/2010 Infrastructure Capital Works Program to accommodate the approved State BlackSpot funding and associated contribution from the City;**
- 3 REQUESTS the WA Police to enforce speed compliance on Duffy Terrace, Woodvale;**
- 4 REQUIRES the need for wider pedestrian refuge islands in Woodvale Drive at the Duffy Terrace intersection to be included in the design;**
- 5 REQUIRES that all pedestrian ramps and gaps are in accordance with AS1428. (Designing for Access and Mobility);**
- 6 REQUIRES that the line marking at the Woodvale Drive/Duffy Terrace intersection is maintained at the correct level;**
- 7 REQUIRES that the pedestrian ramp be repaired to reduce the height of the lip between the road pavement and the ramp in accordance with AS1428;**
- 8 REQUIRES a review of potential formalisation of parking on the Duffy Terrace verges where parents currently park;**
- 9 INCLUDES the increase of the footpath width on Duffy Terrace to shared path standards in the design;**

- 10 **REQUIRES** that all pedestrian ramps and gaps are in accordance with AS1428. (Designing for Access and Mobility);
- 11 **REQUESTS** the relocation of the Western Power wooden power poles on the eastern side of Duffy Terrace outside of the clear zone or provision of suitable protection to the poles to be considered as part of the design process;
- 12 **REQUIRES** that the bus stop be brought up to Disability Discrimination Act requirements;
- 13 **REQUIRES** that the line markings be revised at the bus bay on the south side of Whitfords Avenue, east of Duffy Terrace in accordance with Main Roads WA;
- 14 **ADVISES** the Petition Organiser of Council's decision.

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf260808.pdf](#)

## **ITEM 10                    TENDER 031/08 EXTENSIONS TO KINGSLEY MEMORIAL CLUBROOMS - [60617]**

**WARD:**                    South-East

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

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### **PURPOSE**

This report is to seek the approval of Council to accept the Tender submitted by KMC Group for Extensions to Kingsley Memorial Clubrooms (Tender 031/08).

### **EXECUTIVE SUMMARY**

Tenders were advertised on 12 July 2008 through state wide public notice. Tenders closed on 5 August 2008. Six (6) Submissions were received from:

- KMC Group;
- Dalcon Construction Pty Ltd;
- Devco Holdings Pty Ltd;
- CPD Group Pty Ltd;
- George Rydell Constructions Pty Ltd; and
- BCL Constructions.

The submission from KMC Group represents best value to the City. They demonstrated significant industry experience, the appropriate resources, a thorough understanding of the City's requirements and were the lowest priced Tender.

*It is recommended that Council ACCEPTS the Tender submitted by KMC Group for Extensions to Kingsley Memorial Clubrooms in accordance with the statement of requirements as specified in Tender 031/08 for the fixed lump sum of \$396,141.76 (GST Exclusive) for completion of the works within twelve (12) months from issue of the letter of acceptance.*

### **BACKGROUND**

The City has determined to construct extensions to the Kingsley Memorial Clubrooms located in Kingsley Drive, Kingsley.

The works shall consist of single storey additions including an activity room and stores constructed of cavity brick walls rendered and painted with steel frame roof and colorbond steel cladding and aluminium framed glass windows and doors.

## DETAILS

Tenders were advertised on 12 July 2008 through state wide public notice. Tenders closed on 5 August 2008. Six (6) Submissions were received from:

- KMC Group;
- Dalcon Construction Pty Ltd;
- Devco Holdings Pty Ltd;
- CPD Group Pty Ltd;
- George Rydell Constructions Pty Ltd; and
- BCL Constructions.

### Evaluation Criteria

The qualitative criteria and weighting used in evaluating the submissions received were as follows:

Qualitative Criteria		Weighting
1	Demonstrated experience in completing similar projects	35%
2	Capacity	30%
3	Demonstrated understanding of the required tasks	30%
4	Social and economic effects on the local community	5%

### Evaluation Panel

The evaluation panel comprised of three members; one with tender and contract preparation skills and two with involvement in supervising the Contract. The panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

### Tender Submissions

A summary of the Tender submissions is provided in Attachment 1.

This Contract is for a fixed lump sum with completion of the works within twelve (12) months from issue of the letter of acceptance.

### Evaluation Summary

Respondent	Evaluation Score	Price	Qualitative Rank
KMC Group	71.4%	\$396,141.76	2
Dalcon Construction Pty Ltd	59.6%	\$433,060.00	4
Devco Holdings Pty Ltd	71.1%	\$447,795.00	3
CPD Group Pty Ltd	73.8%	\$452,433.00	1
George Rydell Constructions Pty Ltd	Non-compliant, not considered further		
BCL Constructions	Non-compliant, not considered further		

**Issues and options considered:**

Extensions to the Kingsley Memorial Clubrooms are required to improve the quality of the facilities for the community. The City does not have the internal resources to supply the required services and as such requires an appropriate external contractor.

**Link to Strategic Plan:**

This requirement is linked to the Strategic Plan in accordance with the following item:

5. Community Wellbeing

Objective 5.1 To ensure the City's facilities and services are of a high quality and accessible to everyone.

Strategy 5.1.1 The City develops and implements a Strategic Asset Management Framework to improve the standard and management of its community infrastructure, including the consolidation and rationalisation of current building facilities.

**Legislation – Statutory Provisions:**

A state wide public tender was advertised, opened and evaluated in accordance with the *Local Government (Functions & General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$100,000.

**Risk Management considerations:**

Should the contract not proceed, the risk to the City will be high because of the high priority placed on the project by the community.

It is considered that the Contract will represent a low risk to the City as the recommended Respondent is a well-established company with significant industry experience and the capacity to complete works within the required timeframe.

**Financial/Budget Implications:**

<b>Current Year Budget Allocation for this Contract</b>	<b>Projected Expenditure on these Services to 30 June 2009</b>	<b>Projected Expenditure on these Services over the Life of the Contract if Accepted</b>
\$528,000	\$396,141.76	\$396,141.76

The savings on the Kingsley project can be transferred to the other mini-makeover projects at Timberlane Park Hall, Woodvale and Ellersdale Park Clubrooms, Warwick, to offset the anticipated over budget expenditure on these projects.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The tenders from George Rydell Constructions Pty Ltd and BCL Constructions were non-compliant. BCL Constructions did not submit a breakdown of the lump sum price and was unable to be evaluated against the other tenders. The tender from George Rydell Constructions Pty Ltd did not conform to the specification, with no allowance made for a security system with fire detection and alarms, no provision for painted hard wall plaster in the activity room and disabled toilet in the extension and did not allow for limestone paving to match existing. These tenders were not considered further.

The tender from CPD Group Pty Ltd was ranked first in qualitative score and fourth in price. They demonstrated significant experience in completing works of a similar nature and a thorough understanding of the City's requirements. Their employees have the appropriate industry experience and the company also has its own painting, plumbing and electrical divisions. While CPD Group achieved the highest qualitative score, their submission was 14.2% more expensive than that of KMC Group and the 2.4% difference between their qualitative scores is not significant enough to justify accepting the additional cost for the project.

The tender from Devco Holdings was ranked third in both qualitative score and price. They demonstrated the capacity to complete the works, considerable experience in completing works of a similar nature and a good understanding of the City's requirements. While there was only 0.3% difference in qualitative scoring between Devco Holdings and KMC Group, their submitted price was 13% more expensive than that of KMC Group and is accordingly not recommended.

Dalcon Construction was ranked fourth in qualitative score and second in price. They did not provide sufficient information supporting their capacity or previous experience and did not provide a response to the criterion addressing their understanding of the requirements. They are a well-established company with previous experience with the City, but they did not adequately demonstrate this in their submission. In addition, their submitted price was 9.3% more expensive than that submitted by KMC Group and they are accordingly not recommended.

The tender from KMC Group was ranked second in qualitative score and first in price. They demonstrated a thorough understanding of the City's requirements and have the capacity to complete the works in the required timeframe. KMC Group has significant experience in completing works of a similar nature and they submitted the lowest price offer. While their qualitative score was 2.4% less than CPD Group, this difference was considered negligible and reference checks thoroughly supported KMC Group's experience, work methodology and confirmed a high level of satisfaction with their work. The evaluation panel is confident that they can fulfil the City's requirements and they are accordingly recommended.

The attached summary of Tender submissions includes the location of each of the Tenderers.

## **ATTACHMENTS**

Attachment 1          Summary of Tender Submissions.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That Council ACCEPTS the Tender submitted by KMC Group for Extensions to Kingsley Memorial Clubrooms in accordance with the statement of requirements as specified in Tender 031/08 08 for the fixed lump sum of \$396,141.76 (GST Exclusive) for completion of the works within twelve (12) months from issue of the letter of acceptance.**

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf260808.pdf](#)*

## **ITEM 11                    PROPOSED NEGOTIATION OF LEASE RENTAL BETWEEN CITY OF JOONDALUP AND DEPARTMENT OF EDUCATION AND TRAINING FOR DUNCRAIG PRE PRIMARY SCHOOL - [27459]**

**WARD:**                    South

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

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### **PURPOSE**

For the Council to give consideration to the renegotiations of a lease for the Duncraig Pre-Primary School.

### **EXECUTIVE SUMMARY**

At its meeting of 28 August 2007, Council approved the application of market rentals for pre-primary school leases with the Department of Education and Training (DET) (CJ168-08/07 refers).

At its meeting of 15 July 2008, Council further resolved that the Chief Executive Officer provides a report to Council on renegotiating a new lease for the Duncraig Pre-Primary School with DET with a view to staging in a rent increase over a period of time.

During the lease renegotiations, the DET advised that although it is now the DET's practice to include/relocate pre-primary school education on primary school sites, the DET's preference was that the pre-primary school service remains at Duncraig Pre-Primary School for the short term. As the application of market rental had brought forward the possibility of Duncraig Pre-Primary School's relocation, staging any rental increases would assist the DET in its budgeting. The City has therefore written to the DET, proposing the recommended main terms and conditions. At the time of preparing this report, verbal agreement had been received from the DET on the City's proposal and written confirmation being forwarded.

*It is recommended that Council APPROVES the City entering into a lease for Duncraig Pre-Primary School with the Department of Education and Training under the following main terms and conditions:*

- 1        *Commencement date of 1 November 2008;*
- 2        *Term: Five years;*
- 3        *Rental to commence at \$9,000 per annum, exclusive of GST per annum;*
- 4        *Annual increments of \$2,000 exclusive of GST per annum;*
- 5        *Lessee to pay all outgoings related to the leased property;*
- 6        *Lessee to maintain leased facility, including the play area and play equipment*

## BACKGROUND

The following provides the background details for the Duncraig Pre-Primary School:

<b>Suburb/Location:</b>	Lot 2, 57 Marri Road, Duncraig
<b>Applicant:</b>	Department for Education and Training
<b>Owner:</b>	City of Joondalup
<b>Zoning:</b>	<b>DPS:</b> Residential – R20
	<b>MRS:</b> Urban
<b>Site Area:</b>	0.1366 ha
<b>Structure Plan:</b>	N/A

A report (CJ168-08/07 refers) to Council on 28 August 2007, considered the future of all four sites with specific recommendations to each one and Council resolved that, amongst other things:

- “1 *In relation to Pre Primary Schools in general:*
- (a) *ENDORSES the principle that Pre Primary Schools, as part of the State Education System, are not considered a core service of the City of Joondalup;*
- (b) *APPROVES the application of market rentals in any future lease negotiations with the Department of Education and Training;*
- 4 *In relation to the Duncraig site (57 Marri Road, Duncraig) APPROVES the commencement of discussions with Department of Education and Training on the sale of Duncraig Pre School if it does not agree to pay market rental;*
- 6 *NOTES that the City will engage the Child and Adolescent Health Service, Community Health Division in relation to future relocation options for Child Health Centres, and that these options shall include co-locating current centres or relocating into other City facilities such as community centres.”*

At its meeting of 15 July 2008, Council further resolved that it:

*“REQUESTS a report from the Chief Executive Officer on renegotiating a new lease for the Duncraig Pre-Primary School with the Department of Education and Training with a view to staging in a rent increase over a period of time as an incentive for the Department of Education and Training to retain the use of the Council-owned building at 57 Marri Road, Duncraig as a pre-primary school.”*

## DETAILS

The DET currently holds leases in a ‘held over’ capacity for three pre-primary school facilities that have been developed on City freehold land. Under the Special Conditions of the lease, Item 9.12 Holding Over details that at the end of the lease term, the tenancy may continue under the same terms and conditions of the expired lease, on a quarter to quarter basis.

Although it is now the DET’s standard practice to accommodate pre-primary school education on primary school sites, the DET had not planned to relocate the Duncraig Pre-Primary School service to the primary school site in the short-term. The DET, on being advised of Council’s resolution that market rentals were to be considered for DET pre-primary school leases, decided to bring forward its examination of the possible relocation of the pre-primary school service to the Duncraig Primary School site for the commencement of the school year in 2009.

Due to concerns raised by residents, Council resolved that renegotiations take place with the DET for a new lease to consider staged rental increases.

**Issues and options considered:**

1 Current rent conditions to remain unchanged

For the rent to remain at its current subsidised rate departs from sound asset management principles which dictate that an organisation should only own infrastructure that supports its core business, or provides a return on investment. (This is also the philosophy adopted by the State Government.) The current annual rent as at 1 January 2008 is \$4,179.06, exclusive of GST. The rent increases by 5% on 1 January each year of the lease term. Council supported the application of market rentals for the DET at its meeting of 28 August 2007, recognising this financial responsibility.

2 Charge full market rent

It is recognised that the City's decision to charge the DET market rent may have impacted on the DET's budget projections, consequently causing a reaction to relocate Duncraig Pre-Primary School to the primary school site sooner than the DET would normally have planned. The market rental is assessed to be \$17,000 and if the City proposes to charge \$17,000 at the commencement of any new lease, there is the possibility that the DET will continue with its relocation and 57 Marri Road, Duncraig could be considered for disposal.

3 Staged rental increases

If the DET agrees to staged rental increases for a new lease with the City, it allows the DET to budget accordingly and plan an orderly relocation if necessary. The City gains, at commencement and then throughout a lease term, a more realistic lease rental for a non-core service.

The annual rent currently paid by the DET for the Duncraig Pre School is \$4,179.06, exclusive of GST and the City's valuation dated 7 December 2006 indicated that a fair market rental would be \$17,000 pa, exclusive of GST. Representatives from the DET and the City met and the matter of the rent and the valuation methodology was discussed, in addition to the possibility of staged rental payments. The outcome of the meeting was that the DET would consider staged payments over a five-year lease and the City has written to the DET proposing the recommended main terms and conditions.

**Link to Strategic Plan:**

5.1 Objective: To ensure the City's facilities and services are of a high quality and accessible to everyone.

5.1.1 The City develops and implements a Strategic Asset Management Framework to improve the standard and management of its community infrastructure, including the consolidation and rationalisation of current building facilities.

**Legislation – Statutory Provisions:**

Under Section 3.58 of the *Local Government Act 1995*, a disposition of land includes leasing of local government property. If a local government does not dispose of property via a public auction or the public tender method, the proposal must be advertised for public comment - unless the proposal is an 'exempt' disposition.

A disposition of property to the State Government is exempt from *Section 3.58 under Regulation 30, Part 6 Miscellaneous Provisions of the Local Government (Functions and General) Regulations 1996*.

**Risk Management considerations:**

Pre school facilities are ageing and require significant works to bring them up to today's standards. The continued ownership of these facilities does increase the City's risk exposure and subsequently reduces that of the State Government.

**Financial/Budget Implications:**

The rent currently paid by the DET for the Duncraig Pre-Primary School does not cover the cost of major building maintenance and the City estimates that it would need to expend approximately \$66,000 over the next five years on the facility. This amount would be approximately \$43,000 more than the accumulative current rent of \$4,179.06 per annum, exclusive of GST for the site over the same period of time.

**Policy Implications:**

Policy 7-19 Asset Management sets out guiding principles such as understanding of whole of life costs.

Policy 4-2 – Setting Fees and Charges guides staff on the lease fees to be charged. It classifies groups as either 'not-for-profit' or 'all others'.

*"Lease Fees' includes all property where a formal agreement to lease, contract to lease, or licence to occupy is in place or should be in place.*

- 1 *Council recognises that not-for-profit groups are generally*
  - (a) providing a benefit to the community; and*
  - (b) not in a position to pay commercial lease rates.*
  
- 2 *The standard lease fee is therefore set as follows:-*
  - (a) not-for-profit organisations - equivalent of 1% of current capital replacement cost per annum*
  - (b) lease fees will be determined in proportion to any contribution made by a user group to the capital cost;*
  - (c) all others - market value.*
  - (d) inclusion of GST where applicable."*

The DET does not fit the definition of 'not-for profit' so the lease fees should correspond to market rental.

**Regional Significance:**

There is no regional significance regarding this issue as pre primary schools provide a State Government service to the local community.

**Sustainability Implications:**

The eventual disposal of properties that do not support the City's core business will assist in developing a sustainable City and, in particular, a sustainable level of building ownership.

**Consultation:**

City officers and DET representatives met to discuss the possibility of the DET retaining its use of Duncraig Pre-Primary School. The outcome of the meeting was that the DET would consider staged payments over a five-year lease.

**COMMENT**

Duncraig Pre-Primary School is part of the State Government education system and is not a core service of the City. This position, and the application of market rentals, was endorsed by Council on 28 August 2007. These principles also accord with the State Government's own asset disposal policy that supports the disposal of assets unless they contribute to the delivery of a State Government agency service, or provide a return on investment.

Notwithstanding the above, the level of concern prompted renegotiation with regard to the application of market rentals. The proposal submitted to the DET, that increases the lease rent gradually over a five-year period, culminating in the fifth year at \$17,000 pa exclusive of GST, is considered fair and reasonable and the DET's verbal advice is that it accepts the conditions and it will provide written confirmation to the City.

**ATTACHMENTS**

Attachment 1      Photograph and location plan of Duncraig Pre School, 57 Marri Road, Duncraig

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council APPROVES the City entering into a lease for Duncraig Pre-Primary School, Lot 2, 57 Marri Road, Duncraig with the Department of Education and Training under the following main terms and conditions:**

- 1 Commencement date of 1 November 2008;**
- 2 Term: Five years;**
- 3 Rental to commence at \$9,000 per annum, exclusive of GST per annum;**
- 4 Annual increments of \$2,000 exclusive of GST) per annum;**
- 5 Lessee to pay all outgoings related to the leased property;**
- 6 Lessee to maintain leased facility, including the play area and play equipment.**

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf260808.pdf](#)*

## **ITEM12                    NATURAL AREAS MANAGEMENT PLANNING   - [23569]**

**WARD:**                    All

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

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### **PURPOSE**

To provide Council with the report requested by the Conservation Advisory Committee on future capital works and existing maintenance programmes associated with natural areas managed by the City.

### **EXECUTIVE SUMMARY**

At the Ordinary Meeting of 10 June 2008 it was resolved that Council request a report in relation to future works proposed for Bushland and Natural Area reserves.

The City has management responsibility for over 500 hectares of natural bushland contained within 105 reserves. This bushland comprises coastal vegetation, remnant bushland pockets in urban areas and small areas of wetland vegetation.

The City maintains a 5 year Capital Works Programme for the rehabilitation of these areas of bushland.

*It is recommended that Council:*

- 1        *NOTES the report titled Natural Areas Management Planning;*
- 2        *REFERS the report to the Conservation Advisory Committee for its information.*

### **BACKGROUND**

It was requested at the meeting of the Conservation Advisory Committee (CAC) held on 23 April 2008 that a report be presented to the CAC outlining the future management direction for the City's natural areas. In discussion members expressed the view that they would like information on how both the Natural Areas capital and maintenance budgets are allocated for the future.

It was resolved at the Ordinary Meeting of 10 June 2008 that:

*“Council REQUESTS a report in relation to future works proposed for Bushland and Natural Area reserves.”*

Due to Council's recent resolution in relation to reports requested by the Advisory Committees which was that reports be considered by Council in the first instance, this report has also been submitted to Council for its consideration.

## **DETAILS**

The City currently has management responsibility for over 500 hectares of natural areas. This is land containing bushland; the term also encompasses coastal heath, wetlands and coastal dune systems.

These natural areas are contained within 97 separate reserves and in many cases the bushland component of the park may form only part of the reserve while the remainder is reticulated or non-reticulated turf.

In 2003 the City commenced participation in the Perth Biodiversity Project (PBP). This was an initiative by the West Australian Local Government Association (WALGA) to encourage Perth metropolitan local government authorities to care for remnant bushland areas under their control. This initiative did not include regionally important bushland already given protection under the State Government's 2000 Bush Forever Legislation.

As part of the PBP the City undertook extensive detailed surveys of the City's bushland. This examined native plant communities and species, extent, and type of weed invasion. It also looked at other threats to the bushland ranging from four wheel drive activity to the illegal discharge of backwash from urban domestic swimming pools into bushland.

The City's bushland reserves were then placed in bushland condition order, based on information received from the PBP Survey. In accordance with best practice in bushland management, the most pristine bushland areas appeared at the top of the list, giving them management priority while the most degraded bushland reserves appeared towards the end of the list. This bushland condition, priority based management system forms the basis for the direction of both capital and maintenance work activity within the City's natural areas.

In November 2007, 32 Bushland reserves were given protection, because of their environmental values, under Schedule 5 of the City's District Planning Scheme 2 (DPS 2).

With respect to best practice natural areas management, there are three main steps required to protect and to improve bushland condition and these are fencing, the formalisation of access paths and weed control. Where these steps are in place bushland displays a marked improvement in condition, generally within two years.

The City's Five Year Capital Works Program (Attachment 1 refers) focuses on fencing and access issues; while the Operations Maintenance Budget is weighted towards the control of introduced weeds in bushland. Weeds form the most serious threat to bushland on the Swan Coastal Plain.

### **Capital Works**

One of the pre-requisites of bushland management is to protect bushland from both trampling by pedestrians, and the crushing of native vegetation by vehicles. The Five Year Capital Works Program has earmarked funding to construct fencing on the reserves recently placed on the City's District Planning Scheme for protection. A number of reserves including Porteous Park, Sorrento, Cadogan Park, Kingsley and MacNaughton Park, Kinross have been fenced to date as part of this program. Additional bushland in reserves to be fenced includes Water Tower Park and Blue Lake Park in Joondalup.

Information relating to fencing of reserves protected under Schedule 5 of DPS 2 is included in Attachment 3.

The ability to have safe and comfortable access to bushland reserves is important in a number of respects. Formal pathways encourage pedestrians not to walk amongst vegetation thereby giving it a degree of protection and a pathway system will also encourage more visitors to utilise the City's natural areas.

In the 2008/09 Capital works budget the following are included:

- New pathway is proposed for Carnaby (Medinah) Park Connolly.
- A replacement stairway is proposed to lead pedestrians down the steep escarpment on the western edge of Craigie Bushland. This will augment the stairway to be built by the Water Corporation on the northern extent of the escarpment. This will protect the delicate vegetation of the area from the foot traffic that is currently of concern.
- Feral animal proof fence proposed for Craigie Bushland will give protection to the Kangaroos, bandicoots and other vulnerable fauna that exist in the bushland as well as other indigenous species that may be re-introduced into this Bush Forever reserve in the future.

### **Operational Natural Areas Maintenance Budget**

The Operational Natural Areas Maintenance Budget provides routine maintenance activities in bushland reserves. These activities include the following:

- Removal of non indigenous species
- Weed control, herbicide and hand weeding
- Repairs to fence lines
- Feral pest control (rabbits being the primary target)
- The removal of litter and dumped garden rubbish from bushland reserves
- The pruning back of native vegetation from pathways and fire breaks
- Propagation and planting of local plant species
- Weed, vegetation and fire event mapping.

Maintenance priorities are based on bushland condition mapping undertaken as part of the PBP. Maintenance is carried out according to the Bushland Maintenance Schedule (Attachment 2 refers). There is a degree of flexibility contained within the maintenance schedule to allow for events such as clean ups after bush fires or disease outbreaks.

It should be noted, that in accordance with best practice in natural resource management, the distribution of maintenance resources is directed towards the bushland in best condition as a priority. This practice ensures that this bushland is then maintained at a high standard and does not become degraded over time. It is more effective to retain good bushland in good condition than trying to restore bushland in poor condition back to good condition.

The recommendation to the CAC will be that this report be noted.

### **ATTACHMENTS**

Attachment 1	Five-Year Capital Works Program – Foreshore Development and Natural Areas Management Program
Attachment 2	Bushland Maintenance Schedule
Attachment 3	Bushland Fencing

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 NOTES this Report titled Natural Areas Management Planning;**
- 2 REFERS the Report to the Conservation Advisory Committee for its information.**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf260808.pdf](#)*

## **ITEM 13                    LAKESIDE DRIVE, JOONDALUP - SPEED ZONE REVIEW - [04018]**

**WARD:**                    North

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

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### **PURPOSE**

To consider the changes to the speed limit on Lakeside Drive, Joondalup between Shenton Avenue and Grassbird Avenue as requested by Main Roads WA (MRWA).

### **EXECUTIVE SUMMARY**

Local residents and members of the public have raised concerns regarding the posted speed limit along Lakeside Drive in Joondalup. These concerns relate to the potential for speed related crashes when entering and exiting Lakeside Drive from side roads and parallel parking embayments.

The City in March 2008 requested MRWA to review the 60km/h speed limit on Lakeside Drive between Shenton Avenue and Grassbird Avenue for the purpose of reducing the speed limit to 50km/h.

In response to this request, MRWA has conducted a preliminary assessment on the validity of the existing posted speed limit along Lakeside Drive between Shenton Avenue and Grassbird Avenue. The assessment confirmed that a reduction of the 60km/h speed limit to the default built up area speed limit of 50km/h is warranted. MRWA is therefore seeking the City's concurrence prior to the implementation of the reduction of the speed limit on Lakeside Drive between Shenton Avenue and grassbird Avenue.

*It is recommended that Council:*

- 1        *ENDORSES the speed limit restriction of 50km/h on Lakeside Drive between Shenton Avenue and Grassbird Avenue, Joondalup;*
- 2        *ADVISES Main Roads Western Australia of Council's decision.*

### **BACKGROUND**

The City has recently received concerns from local residents and members of the public regarding the posted speed limit along Lakeside Drive in Joondalup. These concerns relate to the potential for speed related crashes when entering and exiting Lakeside Drive from side roads and parallel parking embayments.

The 60km/h posted speed limit applies to the entire length of Lakeside Drive. The default urban speed limit of 50km/h applies to the connecting side roads along its length. However Shenton Avenue west of Lakeside Drive within the Central Business District has a posted speed limit of 60km/h.

In following up on these concerns, the City in March 2008 requested MRWA to review the 60km/h speed limit on Lakeside Drive between Shenton Avenue and Grassbird Avenue for the purpose of reducing the speed limit to 50km/h. MRWA has recently advised that the speed zone assessment is complete and that a 50km/h speed limit would be supported along this section of Lakeside Drive.

## **DETAILS**

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

Lakeside Drive is currently subject to a posted speed limit of 60km/h along its entire length between Joondalup Drive to the north and Joondalup Drive to the south. This speed limit was likely imposed when there was little to no development along Lakeside Drive. However, there is now significant residential development on the eastern side of Lakeside Drive, particularly between Shenton Avenue and Grassbird Avenue, and commercial development on the western side, including the City of Joondalup Administration Building, the Joondalup TAFE Campus, the WA Police Academy and the ECU Joondalup campus.

This development, along with the embayed parking bays along both sides of the road between Shenton Avenue and Grassbird Avenue, has led to a relatively high volume of pedestrian traffic crossing Lakeside Drive to travel to and from residential properties, commercial development and public transport.

MRWA has conducted a preliminary assessment on the validity of the existing 60 km/h posted speed limit along Lakeside Drive between Shenton Avenue and Grassbird Avenue. The assessment confirmed that a reduction of the 60km/h speed limit to the default built up area speed limit of 50km/h is warranted. In support of MRWA assessment, the results of the seven-day traffic count survey undertaken in August 2006 confirmed that the 85<sup>th</sup> percentile traffic speed is 58km/h and traffic volume is 7,200 vehicles per day (vpd) on Lakeside Drive north of Kendrew Crescent.

Correspondence has recently been received from MRWA seeking the City's concurrence prior to the implementation of the reduction of the speed limit on Lakeside Drive between Shenton Avenue and Grassbird Avenue.

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

The consideration of the speed zone review on Lakeside Drive is consistent with the following objectives and strategies from the City of Joondalup's Strategic Plan 2008-2011:

2.2.4 The City will promote and support sustainable transport opportunities.

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

Not Applicable.

### **Risk Management considerations:**

Crash risk increases with travel speed, however support for lowering speed limits on local roads is on a case by case basis.

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

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

No community consultation was undertaken in conjunction with the speed zone assessment on Lakeside Drive.

**COMMENT**

MRWA is the only authority that can install regulatory signs and road markings on all roads in Western Australia under the Main Roads Act 1930. The speed zone review recently undertaken by MRWA has taken into consideration the speed environment, road geometry, roadside features and activity generated by abutting properties in accordance with the requirements of AS1742.4-1999 Speed Controls and MRWA Speed Zoning Policy.

The City's most recent traffic count surveys along Lakeside Drive were undertaken in August 2006. These surveys indicated that the section of Lakeside Drive north of Kendrew Crescent carries approximately 7,200 vehicles per day with an 85<sup>th</sup> percentile traffic speed of 58km/h. This data shows that vehicles are generally adhering to the posted limit and the concerns raised by residents are not due to vehicles exceeding the posted speed limit.

The industry standard for traffic assessment uses the 85<sup>th</sup> percentile traffic speed which is the speed at which 85% of vehicles are travelling at or less and is the criteria for evaluating traffic as prescribed in the Australian Standard AS1742.4 1999.

**ATTACHMENTS**

Attachment 1      Location map of speed zone review Lakeside Drive, Joondalup

**VOTING REQUIREMENTS**

Simple Majority

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

- 1      ENDORSES the speed limit restriction of 50km/h on Lakeside Drive between Shenton Avenue and Grassbird Avenue, Joondalup;**
- 2      ADVISES Main Roads WA of Council's decision.**

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf260808.pdf](#)

## **ITEM 14                    PROPOSED CHILD CARE CENTRE AT 34 MARRI ROAD DUNCRAIG - [64564]**

**WARD:**                    South

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

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### **PURPOSE**

To request Council's determination of an application for a Child Care Centre at Lot 702 (34) Marri Road, Duncraig.

### **EXECUTIVE SUMMARY**

The proposed development is to be constructed on a vacant site adjacent to the existing shopping centre on the corner of Marri and Cassinia Roads, Duncraig. The subject property was previously the site of a service station.

The applicant is proposing to develop a child care centre with a capacity of 70 children and 10 staff, and an associated car park.

The proposal was advertised for public comment and 11 submissions were received. The submissions comprised two letters in support of the proposal, seven letters stating no objection to the proposal and two objections to the proposal.

The child care centre proposal contains variations to the City's District Planning Scheme No. 2 (DPS2) by way of:

- reduced setbacks to the front, side and rear boundaries;
- a shortfall of one staff car parking space; and
- a proposed reduction in the width of the front landscaping strip.

The location of the child care centre abutting the existing shopping centre is consistent with Policy 3-1 Child Care Centres. The other requirements of this Policy are generally satisfied. It is recommended that the proposed child care centre be supported.

### **BACKGROUND**

<b>Suburb/Location:</b>	Lot 702 (34) Marri Road, Duncraig
<b>Applicant:</b>	Tony Love
<b>Owner:</b>	JHF Holdings Pty Ltd
<b>Zoning:</b>	<b>DPS:</b> Commercial
	<b>MRS:</b> Urban
<b>Site Area:</b>	1583m <sup>2</sup>
<b>Structure Plan:</b>	Not Applicable

The subject site is located on the south-eastern corner of Marri Road and Cassinia Road, Duncraig, with the southern and eastern boundaries adjoining the existing Shopping Centre. (Attachment 1 refers).

The southern boundary of the site is retained at a level approximately 1.5m higher than the adjoining shopping centre site. Existing retaining walls on the eastern and western boundaries of the property decrease in height from 1.5 metres at the rear of the property to nil at the front of the property.

The property is zoned Commercial and was previously the site of a service station. The service station buildings have been demolished and other infrastructure decommissioned or removed from the site and the site is now vacant. Prior to the sale of the site, the site was cleaned up and the applicants are now awaiting confirmation that the site is clean as required by the Contamination Act 2003.

The land to the north of Marri Road and to the west of Cassinia Road is zoned Residential with a density coding of R20.

## DETAILS

The applicant proposes to construct a new single storey child care centre building and associated car parking on the subject site.

The proposal incorporates:

- a child care centre to accommodate 70 children between the ages of three months and five years old, and 10 staff members;
- 18 car parking bays for use by parents and staff of the centre; and
- associated play equipment, store-rooms and bin storage areas.

The hours of operation for the proposed centre will be 7am to 6pm Monday to Friday;

Compliance with the standards and requirements of DPS2 are outlined in the table below:

Standard	Required	Proposed	Complies
Front Setback	9m	Building 12m Shade Sail 3.3m	Yes No
Side Setback (eastern boundary)	3m	Building 4.58m	Yes
Side Setback (western boundary)	3m	Building 5.54m Shade Sail nil	Yes No
Rear Setback (southern boundary)	6m	Building 2.6m Shade Sail nil	No No
Car Parking	1 bay per staff member: 10 bays 65-72 Children: 9 Bays TOTAL = 19 Bays	9 staff bays 9 visitor bays TOTAL: 18 Bays	No Yes No
Landscaping	8% of Site	Up to 40%	Yes
Landscaping	3m strip along all street boundaries	Marri Road Frontage - 32% Cassinia Road Boundary – nil	No No

The applicant has provided operational details for the proposed development as well as a Traffic Engineer's report and an acoustic report in support of the proposed development.

Assessment of the proposal has identified a car parking shortfall of one bay. In support of this variation, the applicant has advised that *"the Policy does not allow for an approximate one third of staff being juniors on traineeships aged 15 years old and not of driving age"*.

**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:**

Not Applicable.

**Legislation – Statutory Provisions:**

The development proposes variations to the development standards and requirements of DPS2 and as such the provisions of Clause 4.5 are applied.

**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.*

Child Care Centre is a 'D' use in the Commercial Zone. A 'D' use means:

*"A use class that is not permitted, but to which the Council may grant its approval after following the procedures laid down by sub clause 6.6.2."*

Clause 6.6.2 requires that Council in exercising discretion to approve or refuse an application shall have regard to the provisions of clause 6.8:

#### *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.*

As the proposed use is a “D” use, the additional matters identified in Clause 6.8.2 also require Council consideration in relation to this application for planning approval.

*6.8.2 In addition to the matters referred to in the preceding sub clause of this clause, the Council when considering whether or not to approve a “D” or “A” use application shall have due regard to the following (whether or not by implication or otherwise they might have required consideration under the preceding subclasses of this clause):*

- (a) the nature of the proposed use and its relationship to the use of other land within the locality;*
- (b) the size, shape and character of the parcel of land to which the application relates and the nature and siting of any proposed building;*
- (c) the nature of the roads giving access to the subject land;*
- (d) the parking facilities available or proposed and the likely requirements for parking, arising from the proposed development;*
- (e) any relevant submissions or objections received by the Council; and*
- (f) such other matters as the Council considers relevant, whether of the same nature as the foregoing or otherwise.*

**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:**Policy 3-1 Child Care Centres

This policy sets out guidelines for the development of a child care centre including the requirements for the provision of car parking and landscaping, the preferred location of childcare centres, as well as the need to advertise proposals due to the possible detrimental effect on the amenity of residential areas.

Amendments to Policy 3.1 were adopted by Council at its June 2008 meeting. The proposed development has been assessed against the provisions of this amended policy.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The proposed development was advertised for a period of 21 days by way of two signs on site, newspaper advertisements, and letters to affected neighbours as required by Policy 3-1 (Attachment 3 refers).

In response to this public consultation a total of 11 submissions were received, being two objections, two letters of support, and seven letters stating no objections to the proposal.

One of the objections raises concerns about parking, and the other raises concerns about the relocation of the existing kindergarten (also located on Marri Road) to the proposed centre.

**COMMENT**Policy 3-1 – Child Care Centres

The Policy provides guidelines for the location, parking requirements, setbacks, landscaping and advertising procedures for a new child care centre within the City. A comment on each of these criteria is provided below.

**1.1 Neighbouring Uses**

Policy 3-1 states that, where possible, it is preferred to locate child care centres adjacent to non-residential uses such as shopping centres, medical centres/consulting rooms, schools, parks and community purpose buildings to minimise the impact such centres will have on the amenity of the residential area.

The proposed child care centre is to be located on a corner site, adjacent to an existing shopping centre to the south and east. There are existing single houses to the west and north of the subject site on the opposite sides of Cassinia and Marri Roads respectively. The location of the proposed child care centre in relation to other uses is considered acceptable.

## 1.2 Road Hierarchy

The policy suggests that child care centres should be located on Local Distributor Roads in such a manner that they would not conflict with further traffic control devices and will not encourage the use of nearby access roads for turning movements. Marri Road is classified as a Access Road under the WA Metropolitan Functional Road Hierarchy, and as such does not satisfy this requirement of the Policy.

However Marri Road connects Marmion Avenue (a District Distributor) and Lilburne Road (A Local Distributor) and as such carries a substantial amount of traffic. It is considered appropriate that the centre is located on this road, and it will not adversely impact on surrounding or intersecting access roads by way of turning movements.

## 2.1 Traffic Impacts and Safety

The City has reviewed the Traffic Impact Statement provided by the applicant and is satisfied that the findings and recommendations of this statement are acceptable.

## 2.2 Design and Location of Car Parking

The proposed parking area is a type 2 parking area as shown in Figure 2 of Policy 3-1 and will be easily visible from the street, thereby encouraging patrons to park on site, not on the verge. Other methods will also be employed to ensure parking does not occur on the verge obscuring vehicle sight lines.

## 2.3 Number of Car Bays

Centres catering for between 65 and 72 children require nine parking bays for this number of children, as well as one bay per staff member. In total the proposed centre requires 19 parking bays as the centre will have 10 staff. The proposal is for 18 parking bays to be provided on site.

The shortfall of one staff car parking bay is considered appropriate as the applicant has confirmed that four of the ten staff will be trainees, not of legal driving age. As such, the shortfall will not result in vehicles parking on the verge area and is supported.

## 3.1 Orientation and Building Setbacks

The Policy requires Child Care Centre buildings to be set back in accordance with Clause 4.7 of DPS2 – Building Setbacks for Non-Residential Buildings, although Council may consider reduced setbacks for centres located in the Residential Zone in order to more appropriately reflect the existing building setbacks in the immediate vicinity.

The subject site is zoned Commercial not Residential, however it is located opposite existing residential development and the proposed setbacks are consistent with developments of this type.

The proposed shade sails, being open in nature and with water permeable covers will not detract from the amenity of the surrounding area by way of building bulk, and as such the setback variations are supported.

The proposed building setback variation to the rear adjoins the shopping centre car park, and as the subject site is approximately 1.5 metres higher than the shopping centre site, the reduced setback will not be evident from the street or adjoining property. Fencing will be installed above the existing retaining wall which will further reduce the impact of the reduced setback on the adjoining property.

It is recommended that the proposed variation to the setback requirements of DPS2 be supported.

### 3.2 Outdoor Play Areas

Outdoor play areas are required to be located away from residences or other adjoining noise-sensitive land uses where possible. Suitable fencing or landscaping is also required to be considered in order to minimise noise from these areas and to screen these areas from sources of pollution such as vehicle emissions.

The primary play area for the centre is located within the front setback area fronting Marri Road, with other smaller play areas being located on the western and southern sides of the site. The play areas on the Marri Road, and Cassinia Road sides of the development will be screened by fencing to ensure noise impact on the residences opposite will be minimal. This will also ensure that impact of noise from the surrounding roads and residences will not adversely impact on the children and staff of the proposed centre.

In addition, a portion of the outdoor play area with play equipment is required to be covered with a shade structure for sun protection. This requirement has been satisfied by the design of the proposed development.

The proposed development is considered to satisfy these policy requirements.

### 3.3 Noise Attenuation

Noise generating activities such as play areas, vehicle access ways, car parking areas and any plant and equipment are required to be located away from noise-sensitive land uses such as residences.

The proposed location of outdoor play areas has been discussed in 3.2 above. The vehicle access way and car park for the proposed development are located adjacent to the existing Chicken Treat drive through on the adjacent shopping centre site which satisfies this requirement. Further, a condition requiring a minimum thickness of 6mm for the clear Perspex infill panels in the front fence will ensure that any noise impact on the nearby residential properties will be minimised.

### 4.1 On Site Landscaping

The Policy requires the site to be landscaped in accordance with the provision of Clause 4.12 of DPS2. This clause requires that where a proposal includes a car parking area abutting a street, an area of no less than 3 metres wide shall be provided within the lot, along all street boundaries, as landscaping. The proposed development has 5.4 metres of landscaping either side of the driveway on Marri Road, with the remainder of the front and side setback areas to be fenced as play area (Attachment 2 refers).

The proposed landscaping variations are considered acceptable, given that the subject site has previously been used for commercial purposes, and a greater amount of landscaping is to be provided than when the site was previously utilised as a service station.

It is recommended that a condition of approval be included, should the application be approved, requiring that the infill panels of the fence facing Marri Road be of clear Perspex as this will facilitate surveillance of the street from the centre and vice versa, and will also allow for any landscaping that is planted within the property to be visible from the street.

It is recommended that the proposed variations to the landscaping requirements of DPS2 be supported.

#### 4.2 Verge Landscaping

The verge areas of all child care centres are required to be suitably landscaped, reticulated and maintained to discourage parents from parking on the verge.

It is recommended that this requirement is included as part of a condition of approval. Details of this landscaping should be submitted as part of the detailed landscaping plan required for the development in order for the City to determine whether the proposal is acceptable.

#### 5 Operating Times

Policy 3-1 stipulates that Child Care Centres within the Residential Zone shall operate only between the hours of 7.00am to 6.00pm Monday to Friday and 6.00pm. The proposed centre is not located on a Residential Zoned site, however the surrounding areas to the north and west are zoned residential and the impact of operating hours must still be considered in this regard.

The proposed centre's operating hours are consistent with the hours set out by the policy.

#### Response to Submissions Received

A total of two objections were received regarding the proposed development, with the remainder of submissions received being letters supporting the proposed development or letters stating no objection to the proposal.

With regard to the objection received citing parking and traffic safety concerns it is advised that the centre is required to provide all car parking on site and as such no vehicles should be parking on the corner of Marri & Cassinia Roads. Furthermore, it is recommended that should the development be approved, a condition be imposed requiring signage to be installed at the developer's expense stating that no parking on the verge is permitted.

The second objection relates to relocation of an existing kindergarten on Marri Road to the primary school site opposite. This is not the subject of this application and will not impact on the proposed development should this occur in the future. The objector has been advised that this proposal is for the development of a privately owned and operated child care centre only. As such, it was verbally agreed that the objection would be withdrawn, however no written advice of this withdrawal has been received to date.

## Conclusion

The proposed development is consistent with the objectives and requirements of Policy 3-1 and the proposed variations to DPS2 will not adversely impact on surrounding land owners. It is also considered that the surrounding non-residential land uses will not adversely impact on the proposed Child Care Centre. It is recommended that the application be supported.

## **ATTACHMENTS**

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

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1 EXERCISES discretion under clause 4.5 of the City of Joondalup District Planning Scheme No 2 and determines that:**
  - (a) front setback (shade sail) of 3.3m in lieu of 9m;**
  - (b) rear setback (building) of 2.6m in lieu of 6m;**
  - (c) rear setback (shade sail) of nil in lieu of 6m;**
  - (d) side setback (shade sail) of nil in lieu of 3m to the western boundary;**
  - (e) car parking provision of 18 bays in lieu of 19 bays;**
  - (f) 3m landscaping strip extending 32% of the width of the Marri Road frontage in lieu of 100%;**
  - (g) 3m landscaping strip extending 0% of the width of the Cassinia Road frontage in lieu of 100%;**

**are appropriate in this instance;**
- 2 APPROVES the application for planning approval, dated 19 March 2008, submitted by Tony Love on behalf of the owners, JHF Holdings Pty Ltd for a Child Care Centre at Lot 702 (34) Marri Road, Duncraig, subject to the following conditions:**
  - (a) The child care centre shall operate from 7:00am to 6:00pm, Monday to Friday, and 8:00am to 1:00pm Saturday only;**
  - (b) A maximum of seventy-two children and ten staff are permitted for the proposed child care centre;**
  - (c) Nine (9) parking bays shall be marked and permanently set aside for the exclusive use of staff;**

- (d) A sign is to be erected to the satisfaction of the Manager Infrastructure Management, and at the applicant's cost, to advise parents that they cannot park on the verge;
- (e) With the exception of footpaths and dual use paths the verge shall not be paved or sealed;
- (f) The parking bays, driveways and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Car Parking (AS2890.01 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;
- (g) 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;
- (h) The lodging of detailed landscaping plans, to the satisfaction of the Manager Approvals, Planning and Environmental Services, for the development site and the adjoining verge areas 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, to be shown on the landscaping plan;
- (i) Landscaping, reticulation and all verge treatments based on water sensitive urban design 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;
- (j) The bin storage area shall be provided with a concrete floor graded to a 100mm commercial floor waste connected to sewer and the provision of a hose cock;
- (k) The boundary fence being of a clean finish and made good to the satisfaction of the Manager Approvals, Planning and Environmental Services;
- (l) The infill panels of the proposed fence facing Marri Road as marked in RED on the approved plans shall be of clear Perspex or similar material with a minimum thickness of 6mm;
- (m) The playground adjacent to Marri Road as marked in RED on the approved plans, being used by a maximum of 15 supervised children at any given time;
- (n) Any advertising signage shall be subject to a separate development application;

- (o) A fence shall be provided at a height of 1.8 metres along the eastern boundary, ending 1.5 metres from the front boundary as marked in RED on the approved plans;
- (p) The existing crossovers to the subject site, including the redundant portion of the shared crossover to the adjacent shopping centre are to be removed and the verge reinstated to the satisfaction of the Manager Approvals, Planning & Environmental Services;
- (q) The remaining portion of the existing crossover servicing the adjacent shopping centre shall be reinstated to the satisfaction of the Manager Infrastructure Management prior to occupation of the development;
- (r) The vegetation adjoining the driveway shall have a maximum height of 750mm so as to not obscure vehicle sight lines.

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf260808.pdf](#)

## **ITEM 15            MONTHLY TOWN PLANNING DELEGATED AUTHORITY REPORT, DEVELOPMENT AND SUBDIVISION APPLICATIONS – JULY 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 July 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 July 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 July 2008</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Value (\$)</b>
Development Applications	83	\$ 6, 923,897
R-Code variations (Single Houses)	54	\$ 4, 362,718
<b>Total</b>	138	\$11, 286,615

The number of development applications received in July 2008 was 114. (This figure does not include any applications that may become the subject of the R-Code Variation process). The R Code Variation figure provided does not include the Code Variations determined as a Building Licence Application.

<b>Subdivision Approvals Processed Under Delegated Authority Month of July 2008</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Potential new Lots</b>
Subdivision Applications	5	2
Strata Subdivision Applications	16	30

The above subdivision applications may include amalgamation and boundary realignments which may not result in any additional lots.

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 13 May 2008 considered and adopted the most recent Town Planning Delegation for the period to 17 July 2009.

## **DETAILS**

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

The strategic plan includes a strategy to provide quality value-adding services with an outcome to provide efficient and effective service delivery. The use of a delegation notice allows staff to efficiently deal with many simple applications that have been received and allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

### **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 84 development applications determined during July 2008, consultation was undertaken for 23 of those applications. Of the 21 subdivision applications determined during July 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      July 2008 - Decisions - Development Applications  
Attachment 2      July 2008 - Subdivision Applications Processed

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the determinations made under Delegated Authority in relation to the:**

- 1      development applications described in Attachment 1 to this Report for July 2008;**
- 2      subdivision applications described in Attachment 2 to this Report for July 2008.**

*Appendix 11 refers*

To access this attachment on electronic document, click here: [Attach11brf260808.pdf](#)

## **ITEM 16                    PROPOSED AMENDMENT 40 TO DISTRICT PLANNING SCHEME NO 2 - LOT 500 & 501 ARAWA PLACE, CRAIGIE (FORMERLY CRAIGIE SENIOR HIGH SCHOOL) - [22619]**

**WARD:**                    Central

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

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### **PURPOSE**

The purpose of this report is for Council to consider initiating proposed Amendment No. 40 to the District Planning Scheme 2 (DPS2) for the purpose of public advertising.

### **EXECUTIVE SUMMARY**

The proposed amendment to DPS2 relates to the former Craigie Senior High School site located at Lots 500 and 501 Arawa Place, Craigie (Attachments 1 and 2 refer). The land has recently been rezoned from 'Public Purposes – High School' to 'Urban' under the Metropolitan Region Scheme (MRS). It is a requirement of the Planning and Development Act 2005 that the local planning scheme be made consistent with the MRS.

The proposed amendment to the City's local planning scheme will zone Lot 501 from 'Public Purposes – High School' to 'Urban Development' enabling the DPS2 to be consistent with the MRS. Lot 500 Arawa Place, Craigie, has been excised from the Craigie Senior High School site and is vested in the Minister for Child Protection. A proposal to develop a community facility has been received by the City. It is proposed to amend the DPS2 zoning from 'Public Purposes – High School' to 'Civic and Cultural' to reflect the proposed use.

The proposed amendment to DPS2 is the initial step in allowing the land to be redeveloped for urban purposes in accordance with a structure plan. The development of the structure plan will occur in the following months as a separate process.

Should the proposed scheme amendment be considered satisfactory, it is required to be formally advertised for public comment prior to further consideration by Council. It is recommended that Council support advertising of the proposed scheme amendment for 42 days.

### **BACKGROUND**

<b>Suburb/Location:</b>	Craigie
<b>Applicant:</b>	Taylor Burrell Barnett (Lot 501)
<b>Owner:</b>	Department of Education (Lot 501); Minister for Child Protection (Lot 500)
<b>Zoning:</b>	<b>DPS:</b> Public Purposes (High School)
	<b>MRS:</b> Urban
<b>Site Area:</b>	9.9086ha (Lot 501); 2381m <sup>2</sup> (Lot 500)

In 2002, the Craigie Senior High School was considered surplus to the requirements of the Department of Education and Training (DET), and ceased operating in 2003. In 2004, all buildings on the site were demolished. In June 2008, the MRS amendment was finalised whereby the subject land was rezoned from 'Public Purposes – High School' to 'Urban.'

The subject land is managed by the DET, however, DET and Landcorp have entered into an agreement that permits Landcorp to progress the rezoning of the site. Further to these arrangements, Landcorp has entered into a partnership with developers Stockland to develop the subject land.

Portion of the site on the corner of Camberwarra Drive and Arawa Place has been excised from the former Craigie Senior High School site for use by the Department for Child Protection (now Lot 500). A development application has been received for a community facility on the site. The applicant has stated the community facility will provide a range of local activities and community services, such as early learning activities, parenting programs and local support groups.

## **DETAILS**

### **Issues**

The issues associated with the proposed amendments include:

- Suitability of the proposed zoning for Lot 501 - Urban Development.
- Suitability of the proposed zoning for Lot 500 - Civic and Cultural.

### **Options**

The options available to Council in considering the scheme amendment proposal are:

- Not support the initiation of the proposed amendment to the DPS2 for the purpose of public advertising, or
- Support the initiation of the proposed amendments for the purpose of public advertising.

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

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

Objective 4.2      To progress a range of innovative and high quality urban development projects within the City.

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

#### Consistency of Local Planning Scheme with the MRS

Section 124 of the Planning and Development Act 2005 requires that the local government must, within 90 days of an amendment to the MRS coming in to effect, resolve to prepare an amendment to the local planning scheme which renders the local scheme consistent with the MRS.

### Amendments to the Local Planning Scheme

Part 5 of the Planning and Development Act enables Local Authorities to amend the Town Planning Scheme and sets out the process to be followed.

Should Council support the initiation of the proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review is required. Should the EPA decide that an environmental review is not required, upon the City's receipt of written confirmation of this from the EPA, the City advertises the proposed amendment for 42 days.

Upon closure of the advertising period, Council considers all submissions received during the advertising period and would resolve to either grant final approval to the amendment with or without modifications, or refuse the amendment. The decision is then forwarded to the Western Australian Planning Commission, who makes a recommendation to the Minister for Planning and Infrastructure. The Minister can either grant final approval to the amendment, with or without modifications, or refuse the amendment.

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

Not Applicable.

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

Not Applicable.

#### **Policy Implications:**

Not Applicable.

#### **Regional Significance:**

Not Applicable.

#### **Sustainability Implications:**

The proposed scheme amendment to the former Craigie Senior High School site will enable the Council to consider future subdivision and development on the site. The structure plan process will allow assessment of the built form in order to promote both economic and social sustainability.

The proposed scheme amendment to Lot 500 Arawa Place, Craigie, will enable a designated community facility to promote social sustainability within the area.

#### **Consultation:**

The Planning and Development Act 2005 requires that, should Council adopt the amendment, it be advertised for a period of forty two (42) days. All adjoining landowners would be notified in writing, a notice placed in the Joondalup Community Newspaper and West Australian Newspaper and a sign placed on the site. The proposed amendment would also be displayed on the notice board at the Council administration building and on the City's website.

## COMMENT

It is a requirement under Section 124 of the Planning and Development Act 2005 that the DPS be consistent with MRS. The proposed amendment from 'Public Purposes – High School' to 'Urban Development' and 'Civic and Cultural' satisfies this statutory requirement.

The proposed zoning of the Lot 501 to 'Urban Development' is considered appropriate as it requires the preparation and submission of a structure plan. This will ensure that future subdivision and redevelopment of the site occurs in a co-ordinated and integrated manner. The applicant has advised that the structure plan will be prepared in the near future, and will include community consultation in its development. It is noted that this community consultation is to be run by the applicant, and is separate to the statutory public consultation that will be undertaken by the City when the structure plan is submitted to Council for consideration.

In the context of the redevelopment of the high school site, it is considered appropriate that suitable community facilities be incorporated into the development of the land, for the benefit of the local community. Lot 500 has been created for that purpose and it is therefore appropriate to zone the site 'Civic and Cultural'. Notwithstanding, any proposed development on the site will be determined through a separate process.

It is recommended that Council initiates the proposed amendment to DPS2 for the purposes of public advertising for a period of 42 days.

## ATTACHMENTS

Attachment 1	Location and Aerial site plans
Attachment 2	Proposed Amendment No 40 plans
Attachment 3	Scheme Amendment process flowchart

## VOTING REQUIREMENTS

Simple Majority

## RECOMMENDATION

### That Council:

- 1 Pursuant to Part 5 of the Planning and Development Act 2005, CONSENTS to initiate Amendment No 40 to the City of Joondalup District Planning Scheme 2 to:
    - (a) Unreserve Lot 501 Arawa Place, Craigie from 'Reserve: Public Purposes – High School' and zoning the site 'Urban Development';
    - (b) Uncoding Lot 501 Arawa Place, Craigie from R20 to uncoded;
    - (c) Unreserve Lot 500 Arawa Place, Craigie from 'Reserve: Public Purposes – High School' and zoning the site 'Civic and Cultural';
- for the purposes of public advertising for a period of 42 days;

- 2** Prior to the advertising period commencing, **FORWARDS** the proposed amendments to the Environmental Protection Authority in order to decide if an environmental review of the site is required;
- 3** **NOTES** that the proposed zoning amendment to Lot 500 Arawa Place, Craigie, does not imply that a development proposal will be supported without community consultation.

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf260808.pdf](#)*

**ITEM 17                    PROPOSED EXCISION OF RESERVE 42556 (100)  
CANDLEWOOD            BOULEVARD,            JOONDALUP  
(WINDERMERE          PARK)            FOR            CLUBROOM  
EXTENSIONS - [07096]**

**WARD:**                    North

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

**PURPOSE**

For Council to consider a proposal to excise a 508m<sup>2</sup> portion of Reserve 42556 (100) Candlewood Boulevard, Joondalup, to facilitate extensions to the existing clubrooms.

**EXECUTIVE SUMMARY**

Windermere Park is vested in the Crown as a reserve for 'Public Recreation' and supports park facilities, clubroom and a public toilet block. The Joondalup Kinross Junior Football Club (JKJFC) leases the clubroom, with the City managing the rest of the park.

A 177m<sup>2</sup> portion of the reserve has previously been excised which contains the existing clubroom building and is known as Reserve 46570 Candlewood Boulevard, Joondalup (Attachment 1 refers).

The JKJFC has recently received funding to expand the clubrooms and has prepared plans for the development (Attachment 2 refers). In order to facilitate this project, a new excision of a total area of approximately 508m<sup>2</sup> (Attachment 1 refers) is required, which mirrors the location of the future building's footprint upon the land. The existing public toilet block will also be included within the proposed excision area, however, it will remain accessible for use by the general public who use the park.

If the excision area is supported by Council, it will then be amalgamated into the existing excised area for the specific purpose of a clubroom. The existing management order over Reserve 46570 provides the City of Joondalup with the power to lease and as such the existing lease agreement with JKJFC will need to be amended to incorporate the future additions.

The proposal was advertised for public comment for thirty (30) days and no submissions were received during this advertising period.

It is recommended that Council supports the excision of a 508m<sup>2</sup> portion of Reserve 42556 Candlewood Boulevard, Joondalup to facilitate future extension to the existing clubrooms.

**BACKGROUND**

<b>Suburb/Location:</b>	Windermere Park – 100 Candlewood Boulevard, Joondalup
<b>Applicant:</b>	Joondalup Kinross Junior Football Club
<b>Owner:</b>	Crown Land with a Management Order in favour of the City
<b>Zoning:</b>	<b>DPS:</b> Local Reserve – Parks and Recreation
	<b>MRS:</b> Urban
<b>Site Area:</b>	4.6951 Hectares

**Structure Plan:** Not Applicable

Reserve 42556 was created and vested in the Crown by Landcorp under Section 20A of the Town Planning and Development Act 1928 on 25 June 1992 as a reserve for 'Public Recreation'.

The reserve is approximately 4.6951 hectares in area and supports active sporting fields, passive park areas, cricket nets, clubroom, toilet block, car parking area and a storm water drainage sump.

On 17 May 2000, the then Department of Land Administration sought to vest the reserve under the management of the City of Joondalup via a management order. On 12 April 2001, the management order was amended to enable the creation of Reserve 46570 of approximately 177m<sup>2</sup> in area to accommodate the existing clubroom building.

## **DETAILS**

In order to facilitate the proposed clubroom, an additional 508sqm of land is required to be excised from the existing reserve (Attachment 1 refers).

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

The options available to Council are to:

- Resolve to support the reserve excision, and forward the proposal to the Department of Planning and Infrastructure (DPI); or
- Resolve to not support the reserve excision.

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

Strategy 4.1.3 Give timely and thorough consideration to applications for statutory approval.

Strategy 5.2.1 The City provides high quality recreation facilities and programs.

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

The 'Guidelines for the Administration of Section 20A 'Public Recreation' Reserves' sets out the necessary procedures in respect to the excision process for reserves created under Section 20A of the Town Planning and Development Act 1928. Within the guidelines, it states:

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

As part of the process, any excision of a Section 20A reserve is required to be referred to the DPI for approval. The proposal is also referred to service authorities to determine whether there is any service infrastructure that may be affected by the proposal.

Once service authorities have provided comment, the proposal is advertised for public comment. Whilst the guidelines do not set an exact consultation timeframe, previous practice in respect to these proposals is to consult for a period of 30 days.

Upon closure of the advertising period, Council is required to consider submissions received and determine whether or not to support the excision. Council's request is then forwarded to the DPI for further action.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

The City has incurred advertising costs in the vicinity of approximately \$1400 as a result of the proposal. Should the WAPC ultimately consent to the proposal, the City will incur future costs associated with the required survey of the excised area by a licensed land surveyor, which is estimated to be in the vicinity of \$3000 to \$4000.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The service authorities were consulted prior to the public advertising and there were no objections to the proposal.

The proposal was then advertised for public comment for a period of 30 days, commencing on 3 July 2008. A sign was erected onsite and an advertisement placed in the local newspaper.

Upon closure of the advertising period on 2 August 2008 no submissions had been received.

**COMMENT**

In accordance with the Section 20A Reserve Guidelines, the area required to facilitate the proposed addition to the existing clubrooms needs to be excised from Reserve 42556 (Windermere Park) and amalgamated into Reserve 45670 (clubroom site). Reserve 45670 has a management order which grants the City power to lease over the site which after the excision process has been finalised will incorporate the clubroom expansion.

The area proposed to be excised is limited to that needed to construct the clubroom extensions only and includes the existing public toilet block. However, the future amended lease agreement with the JKJFC will exclude the public toilet block which is currently owned, managed and maintained by the City. The toilet block will remain open for use by the general public.

The proposal will not have any adverse impact upon public access to the reserve and the excision is therefore supported.

## **ATTACHMENTS**

Attachment 1            Location and Proposed Excision Area Plan  
Attachment 2            Proposed Clubroom Expansion Building Plans and Elevations

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

### **That Council:**

- 1        SUPPORTS the proposed excision of Reserve 42556 and amalgamation into Reserve 46570 Candlewood Boulevard, Joondalup in accordance with Attachment 1 to this Report;**
  
- 2        REQUESTS the Department of Planning and Infrastructure proceed with the excision of Reserve 42556 in accordance with Attachment 1 to this Report and its amalgamation into Reserve 46570 Candlewood Boulevard, Joondalup.**

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf260808.pdf](#)*

## 8 REPORT OF THE CHIEF EXECUTIVE OFFICER

### Disclosure of Financial Interests

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer</b>
<b>Item No/Subject</b>	Item 18 - Request for Annual Leave – Chief Executive Officer
<b>Nature of interest</b>	Financial
<b>Extent of Interest</b>	Annual Leave and financial support to attend conference

### ITEM 18 REQUEST FOR ANNUAL LEAVE – CHIEF EXECUTIVE OFFICER - [98394] [98394b]

**WARD:** All

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

### PURPOSE

To give consideration to the request submitted by the Chief Executive Officer for paid leave to attend a conference in Belfast, Northern Ireland and for annual leave.

### EXECUTIVE SUMMARY

The Chief Executive Officer (CEO) has requested paid leave during the period 22 September to 13 October 2008 inclusive to attend the 2008 Conference of the Society of Local Government Chief Executives (UK) in Belfast, meetings with the UK Local Government Audit Commission and the UK Improvement and Development Agency for Local Government, and for annual leave.

### BACKGROUND

The CEO commenced his employment with the City of Joondalup on 31 January 2005.

### DETAILS

The CEO has requested paid leave to attend the Society of Local Government Chief Executives (SOLACE) (UK) Conference in Belfast and meetings with the UK Local Government Audit Commission and the UK Improvement and Development Agency for Local Government, as well as annual leave. This would involve eight (8) days' annual leave and eight (8) days' paid leave during the period 22 September to 10 October 2008 inclusive.

SOLACE is an internationally recognised professional institute for local government. It is the equivalent of Local Government Managers Australia. The theme of the conference is Prosperity, People and Place, and is being held in Belfast, Northern Ireland from 7 October to 9 October 2008 inclusive.

The UK Local Government Audit Commission is a statutory body charged, amongst other matters, with the measurement of performance of service delivery by UK Local Governments. They conduct a corporate assessment program of local governments which determines whether public money is spent economically, efficiently and effectively to achieve high quality local services. The focus on Comprehensive Performance Assessment (CPA) is Capacity, Performance and Achievement. The opportunity to learn from the UK performance measurement program is considered beneficial.

The organisation known as UK Improvement and Development Agency (IDeA) was represented at the recent Western Australian Local Government Association (WALGA) State Convention by Mark Edgell. IDeA provides advice to local governments on how to better serve people and places. The presentation at the WALGA Convention was informative in relation to contemporary service delivery models being initiated in the UK by Local Government.

The CEO has delegated authority to appoint an Acting CEO for periods where he is absent from work while on leave, where such periods are for less than 35 days.

The Director Governance and Strategy is the officer assigned to fill the role during the proposed period of absence.

**Issues and options considered:**

During the employment of the CEO there will be periods of time where he will be absent from the City of Joondalup on annual leave.

The CEO, in accordance with his employment contract, is entitled to twenty five (25) days' leave per annum.

The CEO is encouraged to stay abreast of contemporary local government trends and SOLACE is an internationally recognised professional institute specialising in the local government matters.

**Link to Strategic Plan:**

Key Focus Area Leadership and Governance

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Salary costs are included in the 2008/09 Budget

Conference Registration	\$1161
Hotel Belfast /London (\$838 + \$560)	\$1398
Out of Pocket Expenses (3x \$130)	\$ 390

Air Fare and travel from Australia and return at cost of CEO (\$2895)

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The CEO has an entitlement in accordance with his employment contract for periods to attend professional institution conferences.

The dates requested are conducive to the operations of the City. Attendance at the conference will enable professional development and network opportunities.

**ATTACHMENTS**

Attachment 1            Conference Program

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council APPROVES the request from the Chief Executive Officer for leave from 22 September 2008 to 13 October 2008 inclusive being:**

- **eight (8) days' paid leave to conduct meetings with the UK Local Government Audit Commission, UK Improvement and Development Agency and to attend the SOLACE Conference in Belfast, Northern Ireland, at a cost of \$ 2949; and**
- **eight (8) days' annual leave.**

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf260808.pdf](#)*

## **ITEM 19                    ACTING FOR THE MAYOR AND/OR DEPUTY MAYOR - [45514] [19607]**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Ian Cowie Governance and Strategy

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### **PURPOSE**

For the Council to give consideration to appointing a Councillor to perform the duties of the Mayor from 6 to 13 September 2008.

### **EXECUTIVE SUMMARY**

The Mayor and Deputy Mayor will be unable to perform the duties of the office of Mayor during September 2008.

The Local Government Act contains provisions where this circumstance occurs to allow for the Council to appoint a Councillor to perform the required duties of the office.

It is recommended that the Council gives consideration to appointing a Councillor to fulfil the duties if required to do so.

### **BACKGROUND**

The Mayor and Deputy Mayor will be unable to perform the duties of their elected offices during the following periods:

Mayor

- 6 September to 13 September 2008.

Deputy Mayor

- 1 September to 19 October 2008.

### **DETAILS**

As the Mayor and Deputy Mayor are absent and unable to perform their duties from 6 to 13 September 2008, the Council must consider its options.

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

The Local Government Act allows for either:

- The Council to appoint a Councillor to perform the relevant duties for the time known of the absences; or
- The Chief Executive Officer (CEO) to perform the duties, after consulting with two (2) Councillors.

**Link to Strategic Plan:**

Not applicable

**Legislation – Statutory Provisions:**

Division 3 (Acting for the Mayor or President) of the Local Government Act states as follows:

**5.34. When deputy mayors and deputy presidents can act**

*If —*

- (a) the office of mayor or president is vacant; or*
- (b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president,*

*then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.*

**5.35. Who acts if no mayor, president or deputy**

- (1) If the circumstances mentioned in section 5.34(a) or (b) apply and —*

- (a) the office of deputy mayor or deputy president is vacant; or*
- (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,*

*and the mayor or president or deputy will not be able to perform the functions of the mayor or president for a time known to the council, then the council may appoint a councillor to perform during that time the functions of mayor or president, as the case requires.*

- (2) If the circumstances mentioned in section 5.34(a) or (b) apply and —*

- (a) the office of deputy mayor or deputy president is vacant; or*
- (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,*

*and a person has not been appointed under subsection (1), the CEO, after consultation with, and obtaining the agreement of, 2 councillors selected by the CEO, may perform the functions of mayor or president, as the case requires.*

Section 2.8 of the Local Government details the role of the Mayor as follows: -

**2.8. The role of the mayor or president**

(1) *The mayor or president —*

- (a) *presides at meetings in accordance with this Act;*
- (b) *provides leadership and guidance to the community in the district;*
- (c) *carries out civic and ceremonial duties on behalf of the local government;*
- (d) *speaks on behalf of the local government;*
- (e) *performs such other functions as are given to the mayor or president by this Act or any other written law; and*
- (f) *liaises with the CEO on the local government's affairs and the performance of its functions.*

(2) *Section 2.10 applies to a councillor who is also the mayor or president and extends to a mayor or president who is not a councillor.*

**Risk Management considerations:**

The Local Government Act grants certain powers to the role of mayor; if there is no one able to perform those powers then there is a risk to the operations of the City.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The Local Government Act 1995 contains provisions to deal with the circumstances where the Mayor or Deputy Mayor are unable to perform the legislative duties.

As the CEO will be absent at the same time as the Mayor from 6 September 2008 to 13 September 2008 he would be unable to undertake the duties as allowed in accordance with Section 5.35 (2).

It is therefore recommended that the Council considers appointing a Councillor to perform the functions of Mayor from 6 to 13 September 2008, unless the Mayor or Deputy Mayor return to the State and are able to perform the functions.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council in accordance with Section 5.35 (1) of the Local Government Act 1995 APPOINTS Councillor ..... to perform the functions of Mayor for the period 6 to 13 September 2008, unless the Mayor or Deputy Mayor return to the State and are able to perform the functions.**

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**ITEM 20                    DETERMINATION OF VOTING DELEGATES FOR  
THE SPECIAL FORUM OF THE WESTERN  
AUSTRALIAN                LOCAL                GOVERNMENT  
ASSOCIATION 2008 - [00033]**

**WARD:**                    All

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

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**PURPOSE**

For Council to endorse its voting delegates for the Special Forum of the Western Australian Local Government Association (WALGA) which is being held to debate the amended Systemic Sustainability Study (SSS) report.

**EXECUTIVE SUMMARY**

A Special Forum of WALGA will be held on Monday 15 September 2008 at 10.00 am at the City of Stirling. Member Councils are entitled to have two voting representatives at the Forum although other Elected Members can attend if they nominate.

**BACKGROUND**

An InfoPage from WALGA provides the background to this report (Attachment 1 refers).

**DETAILS**

In order to vote on matters at the Forum, each member Council must advise WALGA of their voting delegates by 8 September 2008. Should other Elected Members (those who are not selected as voting delegates) wish to attend the Forum, they should advise the Chief Executive Officer by close of business on 7 September 2008 so that they can be registered.

There is also an opportunity to advise on the specific issues Councils would like to have discussed at the Forum. The City considered the original SSS draft report in May 2008 and resolved to support a response to WALGA in line with the Officer's comments provided in Report CJ070-05/08. This report is at Attachment 2. A comparison of the changes between the original SSS recommendations and the views expressed by the City is at Attachment 3. It is not suggested that the City raise any specific issues with WALGA for consideration at the Forum.

**Issues and options considered:**

Not Applicable.

**Link to Strategic Plan:**

Not Applicable.

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

If the City of Joondalup does not identify and submit the names of its voting members, it will not be able to vote on the matters to be debated at the Forum.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Matters considered at the Forum relate to local government as an industry.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The current City of Joondalup members of the WALGA – North Metropolitan Zone are:

Members

Mayor Troy Pickard  
Cr Trona Young  
Cr Russ Fishwick  
Cr Tom McLean

Deputies

Cr Mike Norman  
Cr Geoff Amphlett  
Cr Albert Jacob  
Cr Kerry Hollywood

Mayor Troy Pickard currently serves as the North Metropolitan Zone representative on the State Council of WALGA.

**ATTACHMENTS**

Attachment 1	WALGA InfoPage
Attachment 2	Report to May Council Meeting
Attachment 3	Comparison of changes

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That Council ENDORSES the following as voting delegates on behalf of the City of Joondalup at the Western Australia Local Government Association Special Forum to be held on Monday 15 September 2008:**

- 
- 

*Appendix 16 refers*

*To access this attachment on electronic document, click here: [Attach16brf260808.pdf](#)*

## 9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### **NOTICE OF MOTION – CR BRIAN CORR – REVIEW OF POLICY 3-4 - [29610] [08375]**

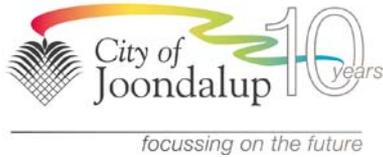
In accordance with Clause 26 of Standing Orders Local Law 2005, Cr Corr has given notice of his intention to move the following motion at the Council Meeting to be held on 2 September 2008:

***“That a report be presented to Council reviewing Policy 3-4 “Height of buildings within coastal area (non-residential zones) with appropriate public consultation, to either confirm or amend the current policy to ensure that the policy reflects the ratepayers’ and residents’ wishes with regard to the height of buildings within the coastal area.”***

#### **OFFICER’S COMMENT**

A report can be prepared.

## **10 REPORTS/PRESENTATIONS REQUESTED BY ELECTED MEMBERS**



## DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

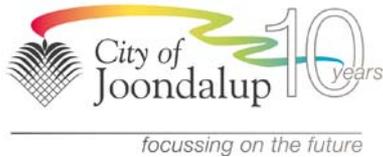
**To: CHIEF EXECUTIVE OFFICER  
CITY OF JOONDALUP**

<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* <span style="float: right;"><i>* Delete where not applicable</i></span>
<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.*



## 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* <span style="float: right;"><i>* Delete where not applicable</i></span>
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