



**MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 28 JULY 1998**

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DATE OF NEXT MEETING

CLOSURE

CITY OF JOONDALUP

MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE BUILDING, BOAS AVENUE, JOONDALUP, ON TUESDAY, 28 JULY 1998

ATTENDANCES

Commissioners:

C T ANSELL	Chairman
H MORGAN, AM	Deputy Chairman
R M ROWELL	
M C CLARK-MURPHY	
W BUCKLEY	

Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Corporate Services:	R E DYMOCK
Director, Strategic Planning:	R FISCHER
Director, Resource Management:	J B TURKINGTON
Director, Technical Services:	R McNALLY
Director, Community Services:	C HALL
Manager, Division Taskforce:	B PERRYMAN
Manager, Council Support Services:	M SMITH
Manager, Executive Services:	K ROBINSON
Manager, Marketing Services:	M BARCLAY
Manager, Environmental Waste Services:	R ELLIOTT - to 1810 hrs
Acting Committee Clerk:	L TAYLOR
Minute Clerk:	S BRUYN

APOLOGIES AND LEAVE OF ABSENCE

Nil.

There were 16 members of the Public and 2 member of the Press in attendance.

The Chairman declared the meeting open at 1730 hrs.

PUBLIC QUESTION TIME

The following question, submitted by Mr A Bryant, was taken on notice at the meeting of Joint Commissioners held on 14 July 1998:

Q3 Can the Joondalup meeting be held at 7.30 pm to give the greater number of ratepayers a better chance at attending:

A3 Response: As mentioned on a number of previous occasions, the revised meeting arrangements have been implemented to improve the decision making process of both new local governments. It is hoped that by having fortnightly meetings of the Councils, as well as opportunities for informal presentations prior to Council meetings, will provide greater opportunities for community involvement.

It is intended however, to monitor the situation over the immediate future and make any adjustments to the system to ensure that these objectives are being achieved.

The following questions, submitted by Mrs M Zakrevsky, were taken on notice at the meeting of Joint Commissioners held on 14 July 1998:

A1 In relation to graffiti, I have noted that the new toilet building in the Korella Park car park has been cleaned and graffiti has been removed. What is the cost each time that the graffiti is removed?

A2 Response: The average cost of removal, calculated on invoices submitted to date, is \$64.16 per incident.

Q2 How many times has the graffiti been removed since the toilet block was built?

A2 Response: There have been seven reported graffiti attacks from December 1997 to July 1998.

Q3 Has it been coated with a special coating to make graffiti removal easier?

A3 Response: Yes. It has been coated with a non-sacrificial anti graffiti coating.

Q4 If not, what would the cost be? Would this make graffiti removal easier and quicker and therefore cheaper?

A4 Response: Non applicable (see A3).

The following questions were submitted by Mr S Magyar on 28 July 1998:

Q1 I refer to page 6, report CJ28-07/98, the recommendation is to survey the affected parties.

Does this mean only people or companies that own land that may change from one council to another, or does affected parties include community groups such as the Friends of Yellagonga Regional Park and the Wanneroo and District Historical Society?

A1 Response: It is intended that in addition to people directly affected by the proposal that an invitation will also be extended to other interested parties to comment on the proposal.

Q2 How long will the submission period be?

Q2 A period of four weeks will be allowed for comments.

Q3 Will the Commissioners accept submissions from people or organisations who may not be on the list of affected parties?

A3 Yes.

Q4 I refer to page 12, report CJ30-07/98, on page 36, in the recommendation it states under (m) Verge and Median Working Parties, "Role: To review and establish appropriate verge and median streetscapes within the region". Could a definition of an "appropriate verge and median streetscape" be given to this meeting?

A4 No. This matter will be addressed by the Committee.

Q5 Does such a definition take into account what sort of example the Local Authority is setting for the local community in its use of water on the driest continent on the planet?

A5 Yes.

Q6 On page 39, the recommendation is to defer further meetings of the Historical Sites Advisory Committee pending the outcome of the preparation of the Heritage and Museum Planning Study. Considering the lack of continuity of staff regarding heritage issues, would it not be advisable to formally consult with the members of the Historical Sites Advisory Committee in the early stages of the planning study?

A6 The members of the former Historical Sites Advisory Committee will be consulted.

Q7 I refer to page 68, item CJ41-07/98. The report states that \$1,800,000 is in the Forward Plan in relation to Eddystone Avenue. Will the \$1,800,000 include providing safe crossing for the children attending the Eddystone Primary School?

A7 This matter will be addressed during the design phase.

- Q8 Will the \$1,800,000 include works to raise the streetscape in Eddystone Ave, Heathridge to the same amenity level as in Eddystone Ave, Beldon?
- A8 This section of Eddystone Avenue will be constructed as a dual carriageway and the landscape standard will be the same as that in Beldon.
- Q9 I refer to page 91, item CJ46-07/98, Perry's Paddock, Woodvale - Are the Commissioners aware that the original premise for the Historical Village on Perry's Paddock, back in the mid 1980's was based on a misunderstanding of the "Burra Charter"?
- A9 Yes.
- Q10 Will the Commissioners consider this item in terms of how the proposed development complies with the Australian Natural Heritage Charter?
- A10 Yes.

Mr V Harman:

- Q1 If time permits, could we have the opportunity to raise questions on comments that Commissioners make during the evening?
- A1 Response by Cmr Ansell: I would prefer that these issues be dealt with after the meeting, or alternatively during the week.
- Q2 Re: CJ29-07/98 - Review of Parking Local Laws - Can my association be advised which particular law covers instances where a number of vehicles are parked on the verge of a house which is carrying on a commercial practice?
- A2 Response by Director, Corporate Services: The framework of the laws allow Council to prohibit parking in such situations. These bylaws are proposed to establish the framework that allows Council to make judgements on parking, particularly on street verge parking.
- Response by Director, Development Services: If the business operating is lawful, it would have some authority, but if it was unlawful, action can be taken under the scheme to cease the business.
- Q3 Re: CJ41-07/98 - Mitchell Freeway Extension - Eddystone Avenue Bridge - I reported at a Committee meeting that my association received a letter from Armstrong Jones asking for the support of our association for the bridge. The response stated that if they were prepared to supply a dollar for dollar donation for the construction of an underpass or bridge at the primary school, we would be prepared to support such a proposal. Has Council thought of approaching Armstrong Jones?
- A3 Response by Director, Technical Services: It is too early to consider at this stage. It relates to a question of need and a substantial cost will be involved. During the design stage, the issue of school children crossing the road will be addressed.

Q4 Re: CJ48-07/98 - Development Assessment Unit and Delegated Authority - Item 33 relates to an application for a fish and chip shop. Are there any Council bylaws that would apply, in the event of people objecting to obnoxious odours?

A4 Response by Chief Executive Officer: This is covered under Pollution Control in the Health Regulations. It would have to reach a stage that it did cause a hazard. A number of areas are frequently investigated by Health and Ranger Services. Subject to receiving complaints, they would undertake an investigation.

Q5 Re: CJ57-07/98 - Ocean Reef Boat Launching Facility - Is there any value available on the two blocks - Lot 20561 and PT1029?

A5 Response by Director, Strategic Planning: To the best of my knowledge there is no evaluation available on those blocks of land at the moment.

Q6 If there is any application for commercial development, could the local community be allowed to have their say?

A6 Response by Cmr Ansell: Yes, certainly we can give this assurance.

Mrs M Zakrevsky:

Q1 In relation to the bulk rubbish collection, by what means is appreciation from ratepayers conveyed to actual members of Council's work teams, in this instance the street collection teams in the Mullaloo coastal area last Thursday? Is there an award system in place for them as a team, or a certificate or some tangible form of recognition on some occasion in the near future, whereby their excellent example and contribution to the betterment of the local environment is publicly recognised?

A1 Response by Director, Technical Services: This is a good suggestion and will be investigated. At the moment people that receive congratulations from the public are highlighted in an internal publication.

Q2 What is the criteria for determining which organisations are listed in the City of Joondalup's Community Information Directory on the internet?

Q3 What needs to be done and by whom to have the Friends of Korella Park Bushland listed in the environment section, within the Community Information Directory on the Council's public information internet site?

A2 & A3 Response by Cmr Ansell: If anyone who has an organisation that would be of general interest to the people of Joondalup, they can contact Mr Dymock and provide him with details and it will be included.

Mr K Zakrevsky:

- Mr Zakrevsky queried the positions of Marketing Manager, Public Relations Manager, Functions Officer, Citizenship Officer and Graphic Designs Officers as he believed these type of positions were not required. He commented that information was relayed to the public adequately through the Wanneroo Times newspaper and as other officers were available to answer questions from the public these positions were unnecessary and funds would be better spent in other areas.

Response by Cmr Ansell: Your statements are noted.

DECLARATIONS OF FINANCIAL INTEREST

Nil.

CONFIRMATION OF MINUTES

**C3-07/98 MINUTES OF MEETING OF JOINT COMMISSIONERS,
14 JULY 1998**

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Minutes of the Meeting of Joint Commissioners held on 14 July 1998, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR/(CHAIRMAN) WITHOUT DISCUSSION

Nil.

PETITIONS

**C4-07/98 PETITIONS SUBMITTED TO THE MEETING OF JOINT
COMMISSIONERS - 28 JULY 1998**

**1 PETITION REQUESTING ASSISTANCE FOR CONSTRUCTION OF A BMX
TRACK IN KINROSS - [17015]**

A 54-signature petition has been received from residents of the City of Joondalup requesting assistance for construction of a BMX track in Kinross.

This petition will be referred to Technical Services for a report to Meeting of Joint Commissioners.

2 PETITION IN RELATION TO TRAFFIC PROBLEMS - CNR BALLANTINE ROAD AND DORCHESTER AVENUE, WARWICK - [05981J, 06041J]

A 27-signature petition has been received from residents of Dorchester Avenue and Ballantine Road, Warwick expressing a number of concerns in relation to various traffic problems.

This petition will be referred to Technical Services for a report to Meeting of Joint Commissioners.

3 PETITIONS IN SUPPORT OF PROPOSED RELOCATION OF DENTAL SURGERY - 66 KOORANA ROAD, MULLALOO - [14849J, 02154]

Three petitions of 138-signatures, 57-signatures and 18-signatures respectively have been received in support of the application to relocate the current dental surgery from 19 Koorana Road, Mullaloo to new premises, thereby providing a higher level of service to the community.

These petitions will be referred to Development Services for a report to Meeting of Joint Commissioners.

MOVED Cmr Morgan, SECONDED Cmr Buckley that Petition Nos 1-3 be received and referred to the appropriate business units for action.

The Motion was Put and

CARRIED

POLICY SECTION

Items CJ28-07/98 to CJ30-07/98 inclusive were Moved by Cmr Buckley and Seconded by Cmr Morgan. Cmr Buckley gave notice of her intention to speak on all these items.

CJ28-07/98 BOUNDARY ADJUSTMENT - BETWEEN CITY OF JOONDALUP AND SHIRE OF WANNEROO - [00139]

SUMMARY

On 1 July 1998 the former City of Wanneroo was abolished and the City of Joondalup and Shire of Wanneroo established. The boundaries of the two new local governments were determined by the Minister for Local Government.

It is considered that there are a number of anomalies with the current boundaries particularly in the area between Hepburn Avenue and Joondalup Drive.

In order to ascertain affected parties views prior to initiating any action to formally amend the boundaries a letter together with a detailed plan and questionnaire has been prepared inviting comment on the suggested boundary realignment .

BACKGROUND

On 1 July 1998 the former City of Wanneroo was abolished and the City of Joondalup and Shire of Wanneroo established. The boundaries of the two new local governments were determined by the Minister for Local Government.

It is considered that there are a number of anomalies with the current boundaries particularly in the area between Hepburn Avenue and Joondalup Drive.

Travelling northwards the current boundary follows Wanneroo Road (between Hepburn Avenue and Ocean Reef Road) and then generally follows the eastern boundary of the Parks and Recreation Reservation (Lake Joondalup Reserve) up to Joondalup Drive. This results in:-

- those landholdings between the wetland and the new boundary (particularly south of Ocean Reef Road) will be located in the City of Joondalup;
- the City of Joondalup will be responsible for the ongoing management of a portion of the eastern foreshore of the Yellagonga wetlands as well as the associated Council buildings.

It is considered that all of the land (both private and public) east of the Yellagonga wetlands should have been located within the Shire of Wanneroo as it has an obvious connection with Wanneroo and not Joondalup (being separated from the rest of the municipality by the wetland). It is therefore proposed that the dividing boundary of the new local authorities is modified by relocating the boundary to approximately the centre of the wetlands. A plan detailing the existing and proposed alignment is included as Appendix 1.

In order to ascertain affected parties views a letter together with a detailed plan and questionnaire has been prepared inviting comment on the suggested boundary realignment.

DETAILS

Section 2.1 (b) of the Local Government Act 1995 empowers the Governor on the recommendation of the Minister to make an Order changing the boundaries of a District. The Governor can only make such an order if the Advisory Board has recommended that the order in question should be made. Schedule 2.1 of the Act sets out the process to be followed in changing the boundaries and the role of the Advisory Board.

A proposal may be made to the Advisory Board by:-

1. the Minister
2. an affected local government;
3. two or more affected local governments;
4. affected electors provided certain conditions are fulfilled.

Proposals to amend boundaries are required to set out clearly the nature of the proposal and the effects of the proposal on local governments and be accompanied by a plan illustrating any proposed changes to the boundaries of a district.

If the Advisory Board considers that the proposal is one of a minor nature and not one about which public submissions need to be invited then the Board may recommend that the Minister reject the proposal or that an order be made to give effect to the proposal.

Unless the Board decides that the proposal is minor a formal inquiry is required. It is considered that the proposed boundary adjustments would be viewed as minor and that the consultation process proposed would ensure that affected parties are consulted prior to any decision being made.

COMMENT

Once the period for submissions has closed a further report will be prepared in relation to progressing this matter.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 authorise the survey of affected parties so as to ascertain their views in relation to the rationalisation of the boundary as shown on the map as laid on the table;**
- 2 request a further report following the close of the submission period for further consideration.**

Cmr Buckley spoke to the Motion, advising that before any boundary change was requested from the Minister, the views of residents who would be affected by the change would be sought.

The Motion was Put and

CARRIED

Appendix I refers.

CJ29-07/98 REVIEW OF PARKING LOCAL LAWS - [24185 & 05885]

SUMMARY

An internal working party consisting of various officers has been established to review the local laws of the former City of Wanneroo, which are now the local laws of the City of Joondalup and the Shire of Wanneroo.

The local laws will be reviewed over a period of time, with the objective of drastically reducing the number of local laws. The local laws relating to parking was the first task for the working party.

A summary of the local law is as follows - read aloud by the Chairman:-

“The Joondalup Parking local law will provide for the regulation, management and control of the parking of vehicles within the district of the City of Joondalup.”

BACKGROUND

The local laws of the former City of Wanneroo became the local laws of the City of Joondalup and the Shire of Wanneroo following the Governor's order announced on the 1 July 1998. These local laws are in an urgent need for a review. An internal working party has been established to undertake this. Its first task was to look at the current laws relating to parking, being:-

By law relating to Parking Facilities;
By law relating to Parking of Vehicles on street verges.

DETAILS

Section 3.12 of the Local Government Act 1995 details the procedure that a local government must follow when making a local law. It is as follows:-

- 3.12** (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to read aloud, or cause to be read aloud, a summary of the purpose and effect of the proposed local law.
- (3) The local government is to -
- (a) on at least 2 days, give Statewide public notice stating that -
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice;
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is first given;
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

** Special majority required.*

- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give Statewide public notice -
 - (a) stating the title of the local law;
 - (b) the local government is to give Statewide public notice -
 - (a) stating the title of the local law;
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(Section 3.12 (2) amended by No. 1 of 1998 s.8)

The proposed local law repeals the Local Government Model By-laws (Parking Facilities) No 19 of the former City of Wanneroo, the Parking of Vehicles on Street Verges By-laws of the former City of Wanneroo and Clause 4 of the Reserves and Foreshore By-law of the former City of Wanneroo.

The proposed local law has been forwarded to the solicitors for comment to ensure that its contents are within the bounds of the operations of Local Government Act. A copy of the proposed local law is attached.

COMMENT/FUNDING

The proposed local law will provide the enforcement officers of the local government with more flexibility to control parking. It is recommended that the local law be advertised in accordance with section 3.12 of the Local Government Act 1995, in order to seek public comment.

MOVED Cmr Buckley, **SECONDED** Cmr Morgan that **the Joint Commissioners in accordance with Section 3.12 of the Local Government Act 1995, advertise the proposed local law, 'Joondalup Parking Local Law 1998', in order to seek public comment.**

Cmr Buckley spoke to the Motion.

The Motion was Put and

CARRIED

Appendix II refers.

CJ30-07/98 REVIEW OF COMMITTEES - [04143, 15058]

SUMMARY

The former City of Wanneroo had established numerous advisory committees/working parties to assist it in performing its duties. The Local Government Act 1995 allows a local government to appoint various persons as a committee.

The Governor's Order gazetted on 1 July 1998 divided the former City of Wanneroo into the City of Joondalup and the Shire of Wanneroo. It is therefore opportune to review the previous advisory committees to determine their effectiveness and whether they should be appointed for the City of Joondalup.

BACKGROUND

The former City of Wanneroo had over many years established various advisory committees/working parties to assist it to perform its duties.

A Governor's Order in November 1997, suspended the elected members of the former City of Wanneroo, pending the outcome of an inquiry into its operations. Due to the uncertainty of the term of appointment of Joint Commissioners, it was resolved to temporarily suspend the operations of a majority of the advisory committees/working parties.

A further Governor's Order has been gazetted, detailing the reinstatement of the Council and the division of the City of Wanneroo. As a result of this order, it is now appropriate to determine the future of these committees.

DETAILS

Section 5.10 of the Local Government Act, 1995, provides for a local government to appoint various persons to committees in order to assist it to perform its duties. Appointments to committees require an absolute majority decision. The types of committees which a local government may form are as follows:

- Council members only;
- Council members and employees;
- Council members, employees and other persons;
- Council members and other persons;
- employees and other persons; and
- other persons only.

A Chief Executive Officer, using his/her management powers, could form an advisory committee of employees, if this was considered necessary or desirable for the operation of the organisation. If these types of committees were established, they would not be subject to the requirements of the Local Government Act 1995.

The Joint Commissioners, at their inaugural meeting held on 1 July 1998, resolved to discontinue the standing committee structure of the former City of Wanneroo and to hold meetings of the Council on the second and fourth Tuesday of each month.

The Local Government Act, 1995, imposes the following requirements on the operation of appointed committees:

- agendas are to be circulated to the committee members and be available for public inspection at the same time it is served on members;
- minutes are produced within five days of the committee meeting;
- minutes of meetings must record the following:
 - all motions moved, who moved them and the outcome;
 - any declarations of financial interest (these provisions are not applicable to those committees that consist of 'other persons only');
 - movements of committee members during the meeting.
- if a committee has been granted delegated authority, its meetings must be opened to the public, a period of public question time must be permitted and the meeting dates must be advertised.

As the Governor's Order states that the City of Joondalup will be the provider of the service for the Shire of Wanneroo, those committees that are made applicable to both local governments will be formed by it. Once the Shire of Wanneroo is operational in its own right, it will be appropriate for it to give consideration to the future of such committees.

The following are the committees that have previously been established, and in respect of which it is appropriate to consider reappointment.

Annual Scholarship Award Panel

(formed by the Finance and Community Services Committee)

This panel considers applications for the annual scholarships. It is suggested that this panel not be constituted at this point in time, but reconstituted prior to the consideration of the annual scholarships. It is further suggested that upon its establishment, a 'sunset' clause be included to terminate its operations once the Council has appointed the recipients of the scholarships.

Art Collection Working Party
(formed by the Finance and Community Services Committee)

The Art Collection Working Party was established to consider recommendations by the art consultant, prior to purchase by the Council. A recent delegation has been granted to the Chief Executive Officer to purchase art works, as suggested by the art consultant, up to an amount not exceeding \$1,000. All other purchases will be reported to the Council in accordance with the amended terms of reference adopted by the Joint Commissioners in May 1998.

It is therefore recommended that this working party be constituted.

Botanical Park Assessment Group
(formed by the Technical Services Committee)

This Committee was established to assess a proposal submitted by the Botanical Society for a botanical garden within Yellagonga Regional Park. This proposal is now being assessed by CALM as part of the preparation of the Yellagonga Regional Park Management Plan and this committee is therefore no longer considered to be required.

Buckingham House Management Working Party
(formed by the Finance and Community Services Committee)

This Working Party had responsibility for conducting programs for primary school children. Volunteers have assisted with the program. In the past the Working Party has met very infrequently. Responsibility for the day to day management of this facility and for overall program development and implementation lies with the Manager Leisure Services.

It is therefore recommended that this working party not be constituted.

Bush Fires Advisory Committee
(formed by the Finance and Community Services Committee)

A report was presented to the May 1998 meeting of the Finance and Community Services Committee of the former City of Wanneroo (Item CS67 -05/98 refers). The report recommended the continuation of this Committee with minor changes to its membership.

A review of the Volunteer Emergency Services has recently been completed. The consultant's report has been distributed for community consultation purposes. The report recommends changes to the composition of the Bush Fires Advisory Committee and the adoption of formal terms of reference for the Committee. These matters will be considered by the Joint Commissioners in August 1998.

The Bush Fires Act 1954, section 67(1) provides that a local government authority may at any time appoint such persons as it thinks fit as a Bush Fire Advisory Committee for the purpose of advising the Local Government regarding all matters relating to fire prevention, fire suppression and the management of bush fire brigades.

Accordingly, it is recommended that the Bush Fires Advisory Committee be continued for the time being with its previous structure and membership.

Children's Book Week Committee

(formed by the Finance and Community Services Committee)

The former City of Wanneroo established this committee jointly with the Education Department's local district branches, with the sole purpose of establishing this annual regional event.

Since 1991, procedures for organising and administering the program have been established. The relationship between the City and the Education Department has developed into a partnership with separate but well co-ordinated roles:

- 1 The City responsible for organisation of the programme and administration of the Children's Book Council funds.
- 2 The Education Department responsible for organising the attendance and participation of school children.

In addition, Council is now encouraging broader attendance by expanding programmes to involve pre-school age children.

It is therefore considered that the objective of the Advisory Committee to establish an infrastructure for the annual regional Children's Book Week programme has been fulfilled.

Accordingly, it is recommended that the Children's Book Week Committee not be constituted.

Children's Services Advisory Committee

(formed by the Finance and Community Services Committee)

In May 1998 it was reported to the Joint Commissioners that the Children's Services Advisory Committee was set up in 1989 to establish more direct lines of communication between the former City of Wanneroo and Child Care Service Industries in the region (Item CS66-05/98 refers). The Committee's other functions included establishing the needs and future directions for the development of appropriate children's services, networking and dissemination of information, liaison between other children's services agencies and to offer a forum for parents to communicate issues. The Committee was made up of representatives from Council, Family Day Care staff and Carers, parents and also representatives from a range of children's services.

In May the Joint Commissioners of the former City of Wanneroo agreed to defer further meetings of the Committee until July 1998. Whilst the Committee was involved in a wide range of successful activities, it is still considered that as a consultative structure it was limiting. A range of strategies will be developed to provide wider opportunities for community consultations and to promote issues and seek public comment. It is also considered that most of the projects initiated by the Committee can be carried out on an administrative level through the strategic planning processes and via the recently restructured Community Services business unit which has seen the establishment of a Children and Family Services stream.

Accordingly, it is recommended that the Children's Services Advisory Committee not be constituted.

Citizen of the Year/Young Citizen of the Year/Community Event of the Year Selection Panel

(formed by the Finance and Community Services Committee)

This panel was established to judge applications made for the Citizen of the Year, Young Citizen of the Year and the Community Event of the Year. Last year, this panel was granted authority to judge the applications and award winners in the categories. It is suggested that this panel be constituted.

Conservation Advisory Committee

(formed by the Technical Services Committee)

This Committee was established to discuss matters of a conservation nature relating to the former City of Wanneroo. It is recommended that this committee be constituted, with the following membership:

- | | |
|-------------------|------------------------------------|
| • Mr D Cluning | Manager Parks Landscaping Services |
| • Ms R Murray | Conservation Officer |
| • Mr M Norman | Community Representative |
| • Mrs M Zakrevsky | Community Representative |
| • Mr R Dixon | Community Representative |
| • Mr T Morald | Community Representative |
| • Mr J McMahon | Community Representative |
| • Mr D Pike | Community Representative |
| • Ms C Tauss | Community Representative |
| • Mr J Lavers | Community Representative |
| • Ms P Robertson | Community Representative |

Community Security and Safety Advisory Committee

(formed by the Finance and Community Services Committee)

This advisory committee was established to:

- 1 make recommendations to the Finance and Community Services Committee of the former City of Wanneroo on:
 - development and implementation of a Community Security and Safety Action Plan for the residents of the City;
 - explore external funding opportunities;
- 2 liaise with other committees of the Council of the former City of Wanneroo and various external committees and bodies so as to ensure a co-ordinated and broad based approach is adopted to address issues of security and safety in the community.

In May 1998, the Joint Commissioners of the former City of Wanneroo agreed to defer meetings of the Committee until July 1998. In the interim an internal working party consisting of Council staff was established and has met on an as needed basis and the development and implementation of security and safety initiatives have been progressed at an administrative level. Following the recent Regional Crime Summit, a new regional structure for the ongoing management of security and safety has been instituted at the community level involving the formation of a number of taskforces reporting to the Joondalup Regional Policing Crime Prevention Committee. The City is extensively represented on the regional committee and taskforces.

It is therefore recommended that the Community Security and Safety Advisory Committee not be constituted.

Cultural Development Advisory Committee

(formed by the Finance and Community Services Committee)

The Cultural Development Advisory Committee has provided worthwhile advice on a range of projects. However, there is insufficient workflow to justify regular meetings of the Committee. Alternative means of facilitating community input into the development and implementation of cultural projects will be developed.

It is therefore recommended that the Cultural Development Advisory Community not be constituted.

Cultural Development Fund Peer Assessment Advisory Committee

(formed by the Finance and Community Services Committee)

The Cultural Development Fund Peer Assessment Advisory Committee has functioned effectively to assess grant applications for the Cultural Development Fund and Gallery Art School Scholarships, and meets twice per annum.

It is recommended that the Cultural Development Fund Peer Assessment Advisory Committee be constituted, with the appropriate membership being sought via advertising.

Delegation of Authority Working Party

(formed by the Development and Planning Services Committee)

This working party was established to consider development applications of a routine nature, without them being referred to the Council.

It is recommended that the working party continue to operate with the following membership:

- Cmr R Rowell
- Mr O Drescher Director, Development Services
- Mr D Butcher Manager Urban Design Services
- Mr K Weymes Manager Approval Services

The working party does not exercise delegated authority. The delegated power is granted to the Director, Development Services who exercises it after consultation with the working party.

Environmental Advisory Committee

(formed by the Development and Planning Services Committee)

This committee was established to consider matters related to the environment. This committee plays an important role, and it is recommended that it be constituted with the following membership:

- Cmr R Rowell
- Ms D James
- Mr M Bowman
- Mr A Carman-Brown
- Mr G De Piazzi
- Dr R Froend
- Mr V Harman
- Mr D Wake

Family Day Care Consultative Committee

(formed by the Finance and Community Services Committee)

It is a requirement of the Federal government funding body that sponsor organisations of Family Day Care Schemes consult with service consumers through a structured process.

The Family Day Care Advisory Committee has been proactive in assisting with a range of service issues involving the development of a comprehensive policy manual for the Family Day Care Scheme.

In May 1998 the Joint Commissioners resolved to change the name of the Committee from an Advisory to a Consultative Committee and adopted revised terms of reference for the Committee.

It is therefore recommended that this Committee be constituted.

Historical Sites Advisory Committee

(formed by the Finance and Community Services Committee)

The Historical Sites Advisory Committee performed duties as the name suggests. Council is awaiting the outcome of the review of the Heritage and Museum Planning Study which is scheduled for completion in October 1998.

The Joint Commissioners of the former City of Wanneroo resolved to defer the meetings of this advisory committee until the outcome of that study.

Accordingly, it is recommended that further meetings of the Historical Sites Advisory Committee be deferred pending the outcome of the Heritage and Museum Planning Study.

House Working Party

(formed by the Finance and Community Services Committee)

The House Working Party was set up by the elected Council of the former City of Wanneroo to deal with house keeping and civic function matters. These matters could be dealt with directly by the Joint Commissioners, therefore it is recommended that the working party not be constituted.

Iluka Public Open Space Development Project Team

(formed by the Technical Services Committee)

This project is due to be completed in August 1998. It is recommended that the project team not be constituted.

Industrial Sites Evaluation Working Party

(formed by the Development and Planning Services Committee)

This working party was established to judge the annual competition for the best kept and most improved premises within the former City of Wanneroo's industrial zones. The judging panel was comprised of a representative of Council of the former City of Wanneroo, the Editor and Manager of the Wanneroo Times and President of the North West Metropolitan Business Association.

It is suggested that this working party be constituted, but with a sunset clause to discontinue at the completion of the project, which is expected to be by 6 October 1998.

Joondalup Civic and Cultural Project Committee

(formed by the Council of the former City of Wanneroo)

This project committee was established by the former Council of the City of Wanneroo to oversee the development of the Joondalup Library and Civic Centre. This project is now complete and it is recommended that the project committee not be constituted.

Joondalup Festival Committee

(formed by the Finance and Community Services Committee)

The Joondalup Festival Committee has continued to operate without elected representatives since December 1997 (Item CS324 - 12/97 refers).

It is recommended that the Joondalup Festival Committee be constituted.

Junior Council

(formed by the Finance and Community Services Committee)

Junior Council was established many years ago to enable junior members of the community to get a better understanding of the workings of local government.

The Junior Council consists of one representative from each high school within the district of the former City of Wanneroo and deal with mainly issues that face the youth.

It is suggested that the current membership, which is as follows, be retained and its operations be reported to the City of Joondalup.

• Andrew Logan	Greenwood Senior High School
• Sian Hernaman	St Stephen's School
• Kelly Kranz	Duncraig Senior High School
• Sarah Wright	Sacred Hearth College
• Robert Harwood	St Mark's Anglican Community School
• Anna Kenyon	Craigie Senior High School
• Cherie Correlje	Belridge Senior High School
• Melanie Lazar	Ocean Reef High School
• Mark Langlois	Prendiville Catholic College
• Rianda Mills	Mater Dei Catholic College
• Kristen Binks	Lake Joondalup Baptist College
• Kieu Truong	Mercy College
• Tara Chalmers	Girrawheen Senior High School
• Natasha Burns	Warwick Senior High School
• Jenelle Budge	Kingsway Christian College
• Jacyntha Gannaway	Yanchep District High School
• Dean Bakewell	Clarkson Community High School
• Rhiannon Dawkins	Wanneroo Senior High School
• Simon Ferrier	Woodvale Senior High School

Legal Services Evaluation Committee

(formed by the Council of the former City of Wanneroo)

The former City of Wanneroo established a committee to evaluate tenders to undertake the former City's legal work. In January 1998, the appropriate firms were appointed, with those firms appointment being confirmed at the inaugural meetings of the City of Joondalup and the Shire of Wanneroo.

As this task is now complete, it is recommended that this committee not be constituted.

Lotteries House Steering Committee

(formed by the Finance and Community Services Committee)

This Committee was originally set up to look at the feasibility of developing a Lotteries House at Joondalup, establishing a site and funding and establishing a permanent management structure. The Committee achieved the majority of its initial objectives.

In May 1998 the terms of reference of the Committee were amended and adopted by the Joint Commissioners of the former City of Wanneroo to reflect the remaining tasks of the Committee (Item CS66-05/98 refers).

It is recommended that the Lotteries House Steering Committee be constituted.

Luisini Winery Feasibility and Management Study Working Party

(formed by the Finance and Community Services Committee)

The Luisini Winery Feasibility and Management Study Working Party was established to provide advice relating to the proposed redevelopment of the Luisini Winery as a cultural complex. The Working Party has considered a feasibility and management study conducted by an external consultant and has made recommendations to Council. Since the report to Council the project has been managed administratively.

It is recommended that the Luisini Winery Feasibility and Management Study Working Party not be constituted.

Multicultural Advisory Committee

(formed by the Finance and Community Services Committee)

The Multicultural Advisory Committee was established in 1986 to advise Council on multicultural affairs and to act as a link between Council and ethnic groups within the community. The Committee achieved success in raising the awareness of administrative staff to access and equity issues. It was instrumental in establishing a broad framework for implementing strategies within the organisation. However, there were some problems which included:

- an inability to represent all cultural groups;
- members not always raising issues facing their communities;
- members not always disseminating information back to communities.

It is believed that a committee is needed to monitor access for ethnic communities to Council services. However, the terms of reference, particularly the objectives and membership, need to be reviewed.

It is therefore proposed that the current Multicultural Advisory Committee not be constituted and that a replacement committee be established following the development and adoption of new terms of reference.

Objections Committee

(formed by the Council of the former City of Wanneroo)

The Local Government Act, 1995, allows for persons aggrieved by certain decisions of a local government to appeal. The committee was established on the assumption that there would be too many appeals/objections for Council to handle. As this has not been the case, the committee can be discontinued. Any objections/appeals will be considered by the relevant local government.

Perry's Paddock Picnic Day Organising Working Party (formed by the Finance and Community Services Committee)

In May 1998 the Joint Commissioners of the former City of Wanneroo resolved to continue operating the Perry's Paddock Picnic Day Organising Working Party without Councillor or Commissioner representation but with the inclusion of a Council Officer and adopted amended terms of reference for the Working Party (Item CS68-05/98 refers).

It is recommended that the Perry's Paddock Picnic Day Organising Working Party be constituted, once its membership and role are determined.

Senior Staff Appointment and Review Committee (formed by the Council of the former City of Wanneroo)

The Local Government Act, 1995, specifies that a local government must determine which employees are senior staff. This committee was formed to appoint and review senior staff.

A further report will be presented, designating which employees are senior employees of the City.

It is recommended that this committee not be constituted as such matters can be considered directly by the Joint Commissioners.

Signs, Hoardings and Billpostings Review Working Party (formed by the Development and Planning Services Committee)

The working party was formed to review the issues facing the former City of Wanneroo relating to signs, hoardings and billpostings.

The final report on the working party is nearing completion and it is recommended that it be constituted until the report is completed. The following membership is suggested:

- Cmr R Rowell
- Mr M Barry Manager, Health and Ranger Services
- Mr O Drescher Director, Development Services
- Mr R Fischer Director, Strategic Planning
- Mr K Weymes Manager, Approval Services
- Mr D Butcher Manager, Urban Design Services

Skateboard Facility Working Party (formed by the Finance and Community Services Committee)

The Skateboard Facility Working Party was dissolved in February 1998 (Item CS21-02/98 refers).

Structural Reform Working Party

(formed by the Finance and Community Services Committee)

The Structural Reform Working Party was established to review and evaluate the Structural Reform Advisory Committee (SRAC) Report. It is suggested that this working party not be constituted.

Uniform Pricing Policy for Recreation Facilities Working Party

(formed by the Finance and Community Services Committee)

The Uniform Pricing Policy for Recreation Facilities Working Party conducted a detailed investigation of the pricing issues in the former City of Wanneroo but did not make any recommendations. Further work was undertaken by consultants who assisted with implementing the restructure of Leisure Services and by Council Officers who are presently preparing a report for submission to the Joint Commissioners.

Accordingly, it is recommended that the Uniform Pricing Policy for Recreation Facilities Working Party not be constituted.

Urban Animal Management Working Party

(formed by the Finance and Community Services Committee)

The Urban Animal Management Working Party was established to consider issues and strategies relating to the management of urban animals within the region. The issues previously considered by this Working Party are either covered by legislation or relate to operational issues which are addressed on a day to day basis by various business units.

Accordingly, it is recommended that the Urban Animal Management Working Party not be constituted.

Verge and Median Working Party

(formed by the Technical Services Committee)

This working party was established to look at verge and medians within the former City of Wanneroo. It is suggested that it be constituted with the following membership:

- Cmr H Morgan, AM
- R McNally, Director Technical Services
- D Cluning, Manager Parks Landscaping Services
- P Pikor, Manager Infrastructure Design Services

Wanneroo Bicentennial Trust Working Party

(formed by the Finance and Community Services Committee)

The Wanneroo Bicentennial Trust was established in the Bicentennial year to assist and encourage residents of the community who demonstrated potential or achievement in their chosen field of endeavour, but faced financial restraints to their further development.

Each year, applications were invited from candidates in the fields of Community Services, Sport and Recreation, Arts, Humanities, Business and Commerce, and Science and Technology. Grant monies of up to \$20,000 were awarded by Council, upon recommendation of the Wanneroo Bicentennial Trust Working Party (formerly Board). There is still \$57,147.09 in the Wanneroo Bicentennial Trust Reserve as at 1 July 1998.

It is therefore recommended that this working party be constituted.

Youth Advisory Committee

(formed by the Finance and Community Services Committee)

The Youth Advisory Committee was established to provide a link between Council, young people and youth service providers, to disseminate information on youth issues and to advise Council on the development of services for young people.

The Committee achieved limited success in achieving its objectives. One of the problems which faced the Committee was its inability to attract young people as members. The recently adopted Youth Action Plan of the City has recommended a range of consultative strategies which focus on greater involvement by young people. These consultative strategies are currently being implemented.

It is therefore recommended that the Youth Advisory Committee not be constituted.

External Committees

Various external committees operate that require representation from the City of Joondalup and the Shire of Wanneroo. It is appropriate that the Joint Commissioners give consideration to nominating representatives to these external committees. Due to the number of external committees, it may not be physically possible for the Joint Commissioners to adequately represent the City of Joondalup and the Shire of Wanneroo on all of them. It may therefore be necessary to nominate officers to certain external committees:

Name	Representatives prior to November 1997 or July 1998
<ul style="list-style-type: none"> <li data-bbox="54 1070 505 1126">Agricultural Protection Board Regional Advisory Committee <p data-bbox="54 1155 505 1238"><i>Correspondence has been received seeking representation. It is suggested that a replacement representative be nominated.</i></p>	Cr G Major

- Coastal Management Advisory Group

This group has been established by WAMA, and since the suspension of the Council of the former City of Wanneroo, Cmr Rowell and P Calley, Acting Manager Engineering Construction & Maintenance Services, were representing it. Therefore, it is suggested that they continue.

Cr P Healy; Cr L O'Grady (deputy)

- Community Policing Divisional Committee

Since the suspension of the former Councillors in November 1997, Cmr Clark-Murphy and the Director, Community Development or nominee were representing the former City of Wanneroo. It is appropriate that these continue.

Crs Tippet and Popham

- Environmental Health Officers Professional Review Board

It is suggested that no nomination be submitted.

Cr G Major

- Girrawheen Koondoola Recreation Association

The Association is currently being wound up, therefore no nomination is required.

South Ward Councillors

- Gnangara Mound Community Consultative Committee.

This consultative committee is administered by Waters and Rivers Commission and Ministry for Planning. It is suggested that the Director of Strategic Planning be the nominated representative for both the City of Joondalup and the Shire of Wanneroo.

Director, Development Services

- Keep Australia Beautiful Council

The Keep Australia Beautiful Council (KABC) works in conjunction with WAMA and with the division of the City of Wanneroo, Cr J Hollywood's membership would have expired. The KABC will then seek representation from local government.

- Kingsley Woodvale Community & Recreation Association

It is suggested that the Director, Community Development or nominee be the nominated representative.

- Kingsway Complex Management Committee

It is suggested that the Director, Community Development or nominee be the nominated representative.

- Kingsway Sports Club Steering Committee

It is suggested that the Director, Community Development or nominee be the nominated representative.

- Local Government Association of WA North Metropolitan Zone

Following suspension of the former City of Wanneroo - Cmr Rowell, the Chief Executive Officer, Director Corporate Services and Director Community Development were its representatives.

- Neighbourhood Watch Suburb Managers Committee

It is suggested that the Director, Community Development or nominee be the nominated representative.

Cr J Hollywood - Deputy Member

South Ward Councillors

South Ward Councillors

Cr Wight

Crs Major, Lynn, Magyar and Tippet; Cr Hollywood (deputy)

Cr Popham; Cr Tippet (deputy)

- North Metropolitan Region Recreation Advisory Committee

Cr Wight; Cr Tippet (deputy)

It is suggested that the Director, Community Development or nominee be the nominated representative.

- North West District Planning Committee

Cr Wight; Cr Cooper (deputy)

It is suggested that the Joint Commissioners give consideration to nominating a representative.

- North Western Metropolitan Regional Road Sub-Group

Cmr Morgan, AM

- Northern Suburbs Senior Citizens Association

Cr O'Grady

It is suggested that the Joint Commissioners give consideration to nominating a representative.

- Quinns Rocks Recreation Association

Crs O'Grady and Healy

It is suggested that the Director, Community Development or nominee be the nominated representative.

- North West Metro Business Centre

Cr Zuvela and R Fischer, Director Strategic Planning

Since the suspension of the former City of Wanneroo, the Director Strategic Planning has been the representative. It is suggested that this continue.

- Regional Economic Development Organisation (North)

Cr Zuvela and R Fischer, Director Strategic Planning

No replacement representative suggested.

- Shire of Wanneroo Aged Persons Homes Trust (Inc)

Crs Cooper and Hollywood

It is suggested that the Director, Community Development or nominee be the nominated representative.

- Stable Fly Management Steering Group

Cr Healy

It is suggested that the Director, Community Development or nominee be the nominated representative.

- Swan Regional Fire Protection & Sub-Regional Committee

Cr Wight; Cr Taylor (deputy)

Cmr Morgan represented the former City of Wanneroo between November 1997 and June 1998. It is suggested that Cmr Morgan continue, with the Chief Bush Fire Control Officer or deputy, to serve on the Regional Committee.

- Wanneroo Agricultural Society

Cr Magyar; Crs Magyar and Ewen-Chappell (deputies)

It is suggested that the Joint Commissioners give consideration to nominating a representative.

- Wanneroo & Districts Historical Society

Cr Magyar; Cr Zuvela (deputy)

It is suggested that the Director Community Development or nominee be the nominated representative.

- Wanneroo Chamber of Commerce

Cr Zuvela; Cr Ewen-Chappell (deputy)

The Chamber is now known as the North West Business Association, and is currently involved in an amalgamation with the North West Business Centre, of which the Director, Strategic Planning is a member. It is therefore suggested that the Director, Strategic Planning continue the current role pending the finalisation of the amalgamation.

- Wanneroo Employment and Skills Training

Crs Hollywood and Zuvela

No replacement suggested.

<ul style="list-style-type: none"> Wanneroo Groundwater Advisory Committee <p><i>It is suggested that the Joint Commissioners give consideration to nominating a representative.</i></p>	Cr Healy
<ul style="list-style-type: none"> Warwick Leisure Centre & Churches of Christ Management Committee <p><i>It is suggested that the Director Community Development or nominee be the nominated representative.</i></p>	Cr Popham; Cr Tippet (deputy)
<ul style="list-style-type: none"> Warwick Sportsman's Club <p><i>It is suggested that the Director Community Development or nominee be the nominated representative.</i></p>	South Ward Councillors
<ul style="list-style-type: none"> Western Australian Planning Commission Transportation Committee <p><i>Cr Cooper was the City of Wanneroo representative for the term of office of Council. With the division, the WAPC will seek representation in due course.</i></p>	Cr Cooper
<ul style="list-style-type: none"> Whitford City Wanneroo Hospital Foundation <p><i>It is suggested that the Joint Commissioners give consideration to nominating a representative.</i></p>	Cr Major
<ul style="list-style-type: none"> Whitford Recreation Association <p><i>It is suggested that the Director Community Development or nominee be the nominated representative.</i></p>	South-West Ward Councillors
<ul style="list-style-type: none"> Yanchep National Park Advisory Committee <p><i>It is suggested that the Joint Commissioners give consideration to nominating a representative.</i></p>	North Ward Councillors

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| <ul style="list-style-type: none">• Yanchep Two Rocks Community Bus Project | North Ward Councillors |
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It is suggested that the Director Community Development or nominee be the nominated representative.

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| <ul style="list-style-type: none">• Yanchep Two Rocks Recreation Association | North Ward Councillors |
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It is suggested that the Director Community Development or nominee be the nominated representative.

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| <ul style="list-style-type: none">• Yanchep Two Rocks Residents Association Inc - Retirement Sub-Committee | North Ward Councillors |
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It is suggested that the Joint Commissioners give consideration to nominating a representative.

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| <ul style="list-style-type: none">• Yellagonga Environment Centre Inc | Cr Magyar; Cr Hollywood (deputy) |
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No replacement representative suggested.

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| <ul style="list-style-type: none">• Yellagonga Regional Park Community Advisory Committee | Cr Magyar |
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It is suggested that the Joint Commissioners give consideration to nominating a representative.

COMMENTS

The establishing of committees in varying capacities can certainly assist a local government in performing its duties.

It is recommended that the above suggestions to re-establishing and discontinuing of the committees formed by the former City of Wanneroo be adopted. As a majority of these committees will only act in an advisory capacity, it will be necessary for them to report their findings to the meetings of the Joint Commissioners prior to any action being undertaken.

Upon the return of elected representatives to the City of Joondalup, further review of the committee structure could be undertaken.

Cmr Buckley nominated Cmr Rowell to be the representative on the Industrial Sites Evaluation Working Party.

Cmr Buckley nominated Cmr Clark-Murphy to be the representative on the Joondalup Festival Committee.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners:

1 appoint the following committees:

(a) Art Collection Working Party

- (i) **Membership:** Cmr H Morgan, AM
M Stanton, Manager Leisure Services
R Heymans, Art Consultant
- (ii) **Role:** To recommend to the Council suitable art purchases.
- (ii) **Quorum:** Two members

(b) Bush Fires Advisory Committee

- (i) **Membership:** Cmr H Morgan, AM
C Hall, Director Community Development
K Smith, Chief Bush Fire Control Officer
M Barry, Manager Health & Ranger Services
M Hayes, Deputy Chief Bush Fire Control Officer
I Roy, Deputy Chief Bush Fire Control Officer
T Olden, Deputy Chief Bush Fire Control Officer
G Kent, Deputy Chief Bush Fire Control Officer
J Smith, Captain Central Bush Fire Brigade
M Thomas, Captain Quinns Bush Fire Brigade
- (ii) **Role:** To:
- make recommendations and advise the Council on all matters relating to the Bush Fires Act (1954) Section 67 (i);
 - liaise with the other emergency organisations and relevant bodies with regard to the Swan Regional Plan.
- (iii) **Quorum:** 5 members

- (c) **Citizen of the Year/Young Citizen of the Year/ Community of the Year Selection Panel**
- (i) **Membership:** Cmr M Clark-Murphy
A Hall, Community Representative
W Marwick, Community Representative
 - (ii) **Role:** To recommend to the Council the successful recipients of the citizen of the year/young citizen of the year/community of the year.
 - (iii) **Quorum:** Two members
- (d) **Conservation Advisory Committee**
- (i) **Membership:** D Cluning, Manager Parks Landscaping Services
R Murray, Conservation Officer
M Norman, Community Representative
M Zakrevsky, Community Representative
R Dixon, Community Representative
T Morald, Community Representative
J McMahon, Community Representative
D Pike, Community Representative
C Tauss, Community Representative
J Lavers, Community Representative
P Robertson, Community Representative
 - (ii) **Role:** To discuss and recommend to the Council matters of a conservation nature relating to the region.
 - (iii) **Quorum:** 6 members
- (e) **Delegation of Authority Working Party**
- (i) **Membership:** Cmr R Rowell
O Drescher, Director Development Services
D Butcher, Manager Urban Design Services
K Weymes, Manager Approval Services
 - (ii) **Role:** To consider development applications of a routine nature.
 - (iii) **Quorum:** 2 members

(f) Environmental Advisory Committee

(i) Membership: Cmr R Rowell

**D James
M Bowman
A Carman-Brown
G De Piazzi
R Froend
V Harman
D Wake**

(ii) Role: To recommend to the Council on appropriate courses of action on matters that effect the environment within the region.

(iii) Quorum: 4 members

(g) Family Day Care Consultative Committee

(i) Membership: C Waller, Family Day Care Officer

**S Beadham, Carer Representative
J Ring, Carer Representative
A Wignall, Carer Representative
T Evans, Carer Representative
Four Parent Representatives to be nominated**

(ii) Role:

- **To act as a Consultative body to the City of Joondalup on Family Day Care issues to ensure that Council's Family Day Care Scheme is accountable to the needs of carers and families accessing Scheme services;**
- **To provide advice and make recommendations on the development of Family Day Care in the region;**
- **To regularly review Family Day Care policies and procedures and to make recommendations on changes to existing policies;**
- **To initiate support and networking to parents and carer members of the Family Day Care Scheme.**

(iii) Quorum: 4 members

(h) Industrial Sites Evaluation Working Party

- (i) Membership:** Cmr Rowell
 T Easterby, Approval Services Liaison Officer
 G Puccini, Administration Officer
 R Poliwka, President North West Metro Business Association
 M Day, Editor Wanneroo Times
 J Brooks, Manager Wanneroo Times
- (ii) Role:** To recommend to the Council the recipients for the best depot and most improved premises within the City of Joondalup and Shire of Wanneroo industrial zones.
- (iii) Quorum:** 3 members

(i) Joondalup Festival Committee

- (i) Membership** Cmr Clark-Murphy
 M Barclay, Marketing Manager
 M Stanton, Manager Leisure Services
 D Shaw, Cultural Development Co-ordinator
- (ii) Role:** To make recommendations to the Council on the operations of the Joondalup Festival.
- (iii) Quorum:** 2 members

(j) Junior Council

- (i) Membership:** Andrew Logan, Greenwood Senior High School
 Sian Hernaman, St Stephen's School
 Kelly Kranz, Duncraig Senior High School
 Sarah Wright, Sacred Hearth College
 Robert Harwood, St Mark's Anglican Community School
 Anna Kenyon, Craigie Senior High School
 Cherie Correlje, Belridge Senior High School
 Melanie Lazar, Ocean Reef High School
 Mark Langlois, Prendiville Catholic College
 Rianda Mills, Mater Dei Catholic College
 Kristen Binks, Lake Joondalup Baptist College
 Kieu Truong, Mercy College
 Tara Chalmers, Girrawheen Senior High School
 Natasha Burns, Warwick Senior High School
 Jenelle Budge, Kingsway Christian College
 Jacyntha Gannaway, Yanchep District High School

Dean Bakewell, Clarkson Community
High School
Rhiannon Dawkins, Wanneroo Senior
High School
Simon Ferrier, Woodvale Senior High School

(ii) **Role:** **To:**

- enable junior members of the community to get a better understanding of local government;
- recommend to the Council an appropriate action on matters that concern youth of the region.

(iii) **Quorum:** **10 members**

(k) **Lotteries House Steering Committee**

(i) **Membership:** P Stuart, Manager Welfare Services
M Rose, Community Representative
J Jodrell, Community Representative
A Hall, Wanneroo Accommodation & Support
M Stringer, Whitfords Women's Health
P Morris, Australian Red Cross
W Silver, Relationships Australia
H Womersley, Joondalup Parent Support
L Curtis, Citizens Advice Bureau
L Andrews, Workpower

(ii) **Role:**

- To represent the interests of the City of Joondalup, the Lotteries Commission, tenants and the community during the development and construction stage of the Joondalup Lotteries House.
- To prepare a business plan which will ensure the efficient management and financial viability of the Lotteries House.
- To facilitate the establishment of a permanent management structure for the Lotteries House.

(iii) **Quorum:** **6 members**

(l) Signs, Hoardings and Billpostings Review Working Party

- (i) Membership:** Cmr R Rowell
 O Drescher, Director, Development Services
 M Barry, Manager, Health and Ranger Services
 R Fischer, Director, Strategic Planning
 K Weymes, Manager, Approval Services
 D Butcher, Manager, Urban Design Services
- (ii) Role:** To review the issues (including the local law) facing the City of Joondalup and Shire of Wanneroo relating to signs, hoardings and bill postings.
- (iii) Quorum:** 3 members

(m) Verge and Median Working Party

- (i) Membership:** Cmr H Morgan, AM, Commissioner
 R McNally, Director Technical Services
 P Pikor, Manager Infrastructure Design Services
 P Calley, Acting Manager Engineering
 Construction and Maintenance Services
 D Cluning, Manager Parks Landscaping Services
 R Murray, Technical Officer
- (ii) Role:** To review and establish appropriate verge and median streetscapes within the region.
- (iii) Quorum:** 3 members

(n) Wanneroo Bicentennial Trust Working Party

- (i) Membership:** Cmr R Rowell
 R Reid, Trust Patron
 K Robinson, Manager Executive Services
 R Augustin
 N Trandos
 D Carvosso, District Superintendent of Education
 D Chivers, Community Representative
 B Jeffrey, Community Representative
 J Cross, Community Representative
 J Powell, Community Representative
 P Boyle, Community Representative
 J Hawkins, Community Representative
 B Fawcett, Community Representative

- (ii) **Role:** To assist and encourage residents of the community who have demonstrated potential or achievement in their chosen field of endeavour, but face financial restraints to their further development.
- (iii) **Quorum:** 7 members

2 appoint the following to the following external committees:

- | | | |
|-----|---|--|
| (a) | Agricultural Protection Board
Regional Advisory Committee | No representative nominated |
| (b) | Coastal Management Advisory
Group | Cmr Rowell and P Calley, (A/Mngr
Eng Const. & Maintenance Services) |
| (c) | Community Policing Divisional
Committee | Cmr Clark-Murphy and C Hall,
Director, Community Development or
nominee |
| (d) | Gnangara Mound Community
Consultative Committee | R Fischer, Director Strategic Planning |
| (e) | Kingsley Woodvale Community
& Recreation Association | C Hall, Director Community
Development or nominee |
| (f) | Kingsway Complex Manage-
ment Committee | C Hall, Director Community
Development or nominee |
| (g) | Kingsway Sports Club
Steering Committee | C Hall, Director, Community
Development or nominee |
| (h) | Local Government Association
of WA - North Metropolitan
Zone | Cmr Rowell, L Delahaunty, (Chief
Executive Officer), R Dymock,
(Director Corporate Services),
C Hall, (Director Community
Development) |
| (i) | Neighbourhood Watch Suburb
Managers Committee | C Hall, Director Community
Development or nominee |
| (j) | North Metropolitan Region
Recreation Advisory
Committee | C Hall, Director Community
Development or nominee |
| (k) | North West Metro Business
Centre | R Fischer, Director Strategic
Planning or nominee |
| (l) | North West District
Planning Committee | For consideration |

(m)	North Western Metropolitan Regional Road Sub-Group	Cmr H Morgan, AM
(n)	Northern Suburbs Senior Citizens Association	No representative nominated
(o)	Quinns Rocks Recreation Association	C Hall, Director Community Development or nominee
(p)	Shire of Wanneroo Aged Persons Homes Trust (Inc)	No representative nominated Margaret Piasecka - Co-ordinator Aged and Disability Services
(q)	Stable Fly Management Steering Group	C Hall, Director Community Development or nominee
(r)	Swan Regional Fire Protection & Sub-Regional Committee	Cmr Morgan, AM, & Chief Bush Fire Control Officer or deputy
(s)	Wanneroo Agricultural Society	No representative nominated
(t)	Wanneroo & Districts Historical Society	C Hall, Director Community Development or nominee
(u)	Wanneroo Groundwater	N Trandos, R Anderson
(v)	Warwick Leisure Centre & Churches of Christ Management Committee	C Hall, Director Community Development or nominee
(w)	Warwick Sportsman's Club	C Hall, Director Community Development or nominee
(x)	Whitford City Wanneroo Hospital Foundation	No representative nominated
(y)	Whitford Recreation Association	C Hall, Director Community Development or nominee
(z)	Yanchep National Park Advisory Committee	No representative nominated
(aa)	Yanchep Two Rocks Community Bus Project	C Hall, Director Community Development or nominee
(bb)	Yanchep Two Rocks Recreation Association	C Hall, Director Community Development or nominee

- | | | |
|------|--|-----------------------------|
| (cc) | Yanchep Two Rocks Residents
Association Inc - Retirement
Sub-Committee | No representative nominated |
| (dd) | Yellagonga Regional Park
Community Advisory
Committee | No representative nominated |

3 request a further report reviewing the following committees:

- Historical Sites Advisory Committee - pending the outcome of the Heritage and Museum Planning Study;
- Multicultural Advisory Committee - pending the preparation of a new terms of reference;
- Cultural Development Fund Peer Assessment Advisory Committee - pending local public notice seeking interested persons to serve on the advisory committee.
- Perry's Paddock Picnic Day Organising Working Party - pending the review of its membership and role.

4 write to the persons who served on the various committees that have not been constituted, thank them for their contribution.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

A motion was carried later in the meeting to nominate Cmr Rowell and the Director, Development Services to the North West District Planning Committee.

FINANCE & COMMUNITY SERVICES SECTION

Items CJ31-07/98 to CJ35-07/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Morgan.

**CJ31-07/98 TENDER 118-95/96 - CONSTRUCTION OF WANNEROO DEPOT
ADMINISTRATION AND MECHANICAL WORKSHOP
BUILDINGS - DISPUTES WITH THE CONTRACTOR, PACIFIC
BUILDING CO - (07073)**

SUMMARY

Approval is sought for funds to meet the cost mediated against the City in the settlement of disputed building items with the contractor for the construction of the Administration and Mechanical Workshop Buildings at the Wanneroo Council Depot. The matter has been subject to dispute for 18 months and mediation has taken place over the last 6 months. The total liability to the City to settle this dispute is \$40,118.00

BACKGROUND

The tendered work was awarded in April 1996 to Pacific Building Co. as the principal contractor for the sum of \$2,094,638.00. This contractor was \$147,573.00, \$240,762.00 and \$260,362.00 below its next competitors.

As the project proceeded it was apparent that some items had not been fully assessed by the contractor in his costing for this design and construct contract. While the two Administration Buildings were completed on time the Mechanical Workshop and Chemical Store Buildings took some additional months and were completed in the early part of 1997.

DETAILS

The issues which lead to the dispute and mediation between the City and Pacific Building Co. were :

- the contractors failure to understand his responsibilities under the AS 4300-1995 General Conditions for Design & Construct contract utilised in this instant, all being part of 24 drawings and 164 page specification brief ;
- the ambiguous electrical specification especially with regards to the expansion of the existing PABX by the City's electrical consultant; and
- delays due to the contractors reluctance to complete the works as called for in the tender documents.

As a result of the above issues an 18 month protracted dispute was eventually resolved with the engagement of an independent mediator.

Claims listed for mediation were :

(1) Provision of PABX Expansion	\$28,219.00	City conceded
(2) Fixed Furniture to Office 5 in Building (2)	\$5,720.00	Contractor conceded
(3) Waste Water to Building (4)	\$13,356.00	Contractor conceded
(4) MTX Two Way radio System	\$2,104.00	City conceded
(5) Liquidated Damages	\$4,095.00	City conceded
(6) Provision of Skirting Ducts in Building (1)	\$2,015.00	Contractor conceded
(7) Bitumen Repair to Main Admin. Building	\$1,000.00	City conceded
(8) Western Power Transformer Pad	\$1,000.00	City conceded
(9) Emergency Generator	\$298.00	Contractor conceded
(10) Security Lighting to Buildings (1) & (2)	\$0.00	Contractor completed
(11) Air, oil and grease lines to Buildings (3)	\$420.00	Contractor conceded
(12) 3 Cordless Phones to Buildings (3)	\$0.00	Contractor completed
(13) Roof Insulation Building (4)	\$0.00	Contractor completed
(14) Roof Small Vehicle Gantry to Building (3)	\$0.00	Contractor completed
(15) Colour Coding to Building (3)	\$0.00	Contractor completed
(16) Opening Louvres to Building (3)	\$0.00	Contractor completed
(17) Benches to Building (3)	\$0.00	Contractor completed
(18) Regrade Shower Floors to Building (3)	\$0.00	Contractor completed
(19) Replace Copper Tubing	\$0.00	Contractor completed

The above work not priced for mediation was for contract work which should have been completed by Pacific Building Co., but still remained outstanding and needed to be addressed by the contractor or become a valid deduction to the contract sum and be undertaken by the City.

COMMENT/FUNDING

To settle all disputes and differences between the City and Pacific Building Co. arising out of the Wanneroo Council Depot Contract 118-95/96 would be for the City to pay the sum of \$36,418.00 for conceded items 1, 4, 5, 7 and 8 from the above list.

Under the contract terms the contractor is entitled to receive interest for money expended dating back to September 1996 and is claiming some \$3,700.00 in this instance. The total liability to the City is \$40,118.00 and needs to be promptly paid.

Account No:	27285 647
Budget Item:	
Budget Amount:	\$ nil
Actual Cost:	\$40,118.00

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 agree to the financial settlement of disputes and differences between the City and Pacific Building Co. arising from the construction of the Administration and Mechanical Workshop Buildings at the Wanneroo Council Depot as part of Contract 118-95/96.**
- 2 in accordance with Section 6.8 of the Local Government Act 1995 agree to include the sum of \$40,118.00 in :**
 - (a) the 1998/99 Annual Budget;**
 - (b) to create an account (previously account no. 27285) for the purposes of settlement of the above financial claims for this project.**

Discussion ensued, with Cmr Buckley expressing concern at the length of time this matter had been in dispute and suggesting that consideration be given to imposing conditions on these type of situations to enable the earlier resolution of these matters.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CJ32-07/98 TENDER NO 005-98/99 - SUPPLY, DELIVERY AND FITTING OF TYRES - [19877]**SUMMARY**

This report provides details of Annual Tender 005-98/99 for the Supply, Delivery and fitting of tyres for the 1998/1999 year as follows. It recommends acceptance of the tender from Beaufort for Tyres.

Two tenders were received as follows:-

- (1) **Beaufort for Tyres** - tendering new and recap tyres from Olympic/Dunlop, and Dan West recap tyres for item 13 as outlined in Attachment A pages 1, 2 and 3.
- (2) **Bridgestone Australia Ltd** - tendering new and recap tyres from Bridgestone and Bandag recaps for item 13 as outlined in Attachment A pages 1, 2 and 3.

BACKGROUND

It is customary to invite tenders for the supply, delivery and fitting of tyres. The former City of Wanneroo awarded its 1997/98 tender to Beaufort for Tyres. (FA97-5/97). Tenders for the supply, delivery and fitting of tyres for the **1998/1999** financial year were called in June 1998.

DETAILS

Two tenders were received as follows:-

- (1) **Beaufort for Tyres** - tendering new and recap tyres from Olympic/Dunlop, and Dan West recap tyres for item 13 as outlined in Attachment A pages 1, 2 and 3.
- (2) **Bridgestone Australia Ltd** - tendering new and recap tyres from Bridgestone and Bandag recaps for item 13 as outlined in Attachment A pages 1, 2 and 3.

COMMENT/FUNDING

Attachment A page 1 details the estimated cost comparisons between the Suppliers. With the exception of item 8 Beaufort for Tyres has tendered the lower prices.

Attachment A page 2 displays the Call-out Charges as tendered by both suppliers. As these costs are charged direct to a specific vehicle or item of plant it is not possible to assess the estimated costs for the financial year, or undertake a comparison between suppliers. A check of Beaufort account for the 1997/98 financial year indicates a substantial number of the call-outs were for, minor repairs to cars/light trucks, fittings to trucks, tractors and plant during operational hours. For these items Beaufort has tendered the lower price except in one instance. (Fitting during working hours for tractors and plant.)

Attachment A page 3 displays the tendered prices of additional charges for wheel alignments, wheel balances and valves. Beaufort has tendered the lower prices for all items.

It is recommended that the tender submitted by Beaurepaires for Tyres be accepted for the supply, delivery and fitting of tyres for the 1998/1999 financial year.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners accept, for the 1998/1999 financial year, the tender submitted by Beaurepaires for Tyres for the supply, delivery and fitting of tyres as outlined in Attachment A to Report CJ32-07/98.

The Motion was Put and

CARRIED

Appendix III refers.

CJ33-07/98 TENDER NO 017-98/99 - SUPPLY AND DELIVERY OF OILS AND GREASES - [10878]

SUMMARY

This report provides details of Annual Tender 017-98/99 called for the Supply and Delivery of Oils and Greases for the 1998/1999 financial year as summarised at Attachment A. It recommends rejection of the tenders received and that the City purchases its oils and greases utilising the Department of Contract and Management Services contract with kerosene and two stroke fuel being sourced by periodic quotations.

BACKGROUND

The City, each financial year invites tenders for the supply and delivery of Oils and Lubricants. The successful tenderer for the former City of Wanneroo in the 1997/1998 financial year was Castrol Australia Pty Ltd.

Tender 003-98/99 for the Supply and Delivery of Oils and Lubricants was called in April 1998 and reported to the Joint Commissioners in May 98 (Report FA 101-05/98). One tender was received and the Joint Commissioners resolved not to accept the tender.

Tender 017-98/99 for the Supply and Delivery of Oils and Greases for the 1998/1999 financial year was recalled and closed on 23 June 1998.

DETAILS

Five tenders were received and have been reviewed in conjunction with the Stage Government Contract for Oils and Lubricants. The details are as follows;

(1) Valvoline (Australia) Pty. Ltd

Valvoline products were tendered and the prices tendered are subject to rise and fall. Prices were fixed for a period of three months pending base oil costs not increasing by more than eight percent. Price revisions thereafter will be notified in writing thirty days prior to taking effect.

A minimum order value of \$250.00 will be required.

(2) **Statewide Oil Distributors.**

Mobil products were tendered and the prices tendered are subject to rise and fall, based on oil company price fluctuations which may vary in accordance with changes to Government Policy and/or oil company policies. Changes will be notified in writing.

A minimum order of 60 litres for packaged products must be placed otherwise a \$7.00 delivery charge would apply.

(3) **Castrol Australia Pty. Ltd.**

Castrol products were tendered and the prices tendered are subject to rise and fall. Prices may vary at 6 monthly intervals subject to acceptance by the City. Should the City decide not to accept the increase, the item shall be deleted from the contract..

Kerosene and Two Stroke Fuel have not been included in Castrol's tender. In recent years when Castrol has tendered, these products have been purchased separate to the contract. The supplier was Westfuel.

Castrol Australia Pty Ltd is Councils current supplier and has provided satisfactory supply and service.

(4) **Westfuel**

BP products were tendered. Westfuel did not submit its tender on the Tender forms provided and has not indicated if a price rise and fall clause is to apply and under what formula a price variation would occur.

Westfuel did not tender for item 7. Item 3 was tendered in a 250Litre drum which is greater than the City's estimated usage. Item 10 was tendered as a 180Kg drum where 450gm Grease Gun Cartridges were specified.

(5) **The Shell Company of Australia**

Shell products were tendered. All prices were firm for the duration of the Contract.

The prices submitted by Shell are on the basis that the whole of the contract would be awarded to Shell, and has requested that the second paragraph of clause 7 be deleted.

Clause 7 second paragraph states :

"The principal reserves the right to purchase goods from one or more supplier to the best advantage of Council".

Shell has tendered the wrong product at item 1 (Engine Oil). The current Castrol product is suitable for diesel and petrol engines. According to the specifications supplied the Shell tendered product (Rimula X15W-40) is a premium high performance diesel engine oil for all heavy duty diesel engines.

Shell has requested other changes to the contract, however, as it has tendered an incorrect product and requires that the tender be accepted on a whole of contract basis only, its tender is unacceptable.

(6) Government of Western Australia - Department of Contract and Management Services.

The Department of Contract and Management Services Buyers Guide for the supply of Lubricants (Contract No. 113A1996) has been evaluated in addition to the five tenders received.

This contract is valid to 30 June 1999 with an additional 12 month extension available.

Products to meet Council's requirement would be supplied by Omex and BP.

Prices are fixed until 30 June 1999. A price rise was effective on 1 July 1998 for Omex products and the increase is included in the figures shown on Attachment A

With the exception of Omex products all other Tenderers have made provision for storage tanks and dispensing equipment. The existing storage equipment is currently owned by Castrol Australia and it has valued the total at \$2,500.00. The equipment is:

- 1 x 5290 Litre overhead tank on a 3M stand
- 1 x 2270 Litre overhead tank on a 3M stand
- 4 x 60 litre spring loaded gear oil pumps
- 2 x oil bottle stands with 1 litre oil bottles.

Castrol Australia has advised the \$2,500 price for the tanks and dispensing equipments would apply to Council or any another supplier. This storage equipment is currently in use at the Depot and is in good working order. It is estimated that it would cost in excess of \$10,000.00 for the City to purchase similar new equipment.

COMMENT

The prices offered by Omex and BP via the State Government Contract provide much greater savings for the City, for items 1 to 11. If the City were to purchase the existing Tanks and Dispensing equipment the savings overall are still greatly in favour of using the State Government Contract.

Items 12 and 13 are not contained in the Government Contract, and the prices tendered by Statewide Oil Distributors for these items are the lowest of those tendered. The total value of these products is such that the purchase need not be subject to the Tendering process.

The possibility of pursuing a "bulk buy" on behalf of Local Governments for fuels and oils and is in the early stages of negotiation and is currently being examined.

Section 11(2)(6) of the Local Government (Function and General) Regulations 1996, authorises to the City the option to purchase goods and services through the Council Purchasing Service of WAMA.

It is recommended that the City utilise this service for the purchase of its Oils and Lubricants for the 1998/99 financial year.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 do not accept any tender for the Supply and Delivery of Oils and Lubricants for the 1998/1999 financial Year;**
- 2 authorise the purchase outright of the storage tanks and dispensing equipment from Castrol Australia at a written down value of \$2,500;**
- 3 authorise purchase of Oils and Greases (items 1-11 of Attachment A) utilising the Department of Contract and Management Services Buyers Guide Contract Number 113A1996;**
- 4 authorise purchase of Kerosene and Two Stroke Fuel (items 12 and 13 of Attachment A to report CJ33-07/98) by obtaining periodic quotations.**

The Motion was Put and

CARRIED

Appendix IV refers.

**CJ34-07/98 VEHICLE PURCHASES - PLANT REPLACEMENT RESERVE -
TENDER NUMBER 142-97/98 - [13285]**

SUMMARY

The former City of Wanneroo's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The budget provided for the purchase of one (1) skid steer loader with the trade of the following item of plant 98748 (Toyota Skid Steer Loader).

This report outlines the submissions received for the acquisition of this vehicle the subject of Tender 142-97/98. It recommends not to accept any tender in relation to the purchase of one (1) skid steer loader.

BACKGROUND

The former City of Wanneroo's 1997/98 budget provided for the purchase of one (1) skid steer loader for Environmental Waste Services with the trade of plant 98748 (Toyota Skid Steer Loader).

Tender number 142-97/98 pertaining to this acquisition was advertised on Wednesday, 06 May 1998 and closed on Thursday, 21 May 1998.

A condition of the tender was that "Council reserves the right to purchase and dispose of all vehicles/plant tendered with one or more than one supplier to the best advantage of Council".

DETAILS

There was one submission received from Houghton Tractor and Machinery Sales P/L for the supply of one (1) skid steer loader and purchase of the City's trade.

Environmental Waste Services conducted an evaluation of the machine offered and determined that it was unsuitable. This machine is used in the bulk pick-up operation and is in constant use throughout the day. The operators found the cabin space to be cramped and therefore difficult to use the controls. It is therefore recommended not to accept the tender from Houghton Tractor and Machinery Sales P/L and to retender plant number 98748 in the new financial year.

COMMENT/FUNDING

The appropriate funds have been carried forward to the City of Joondalup's Draft 1998/99 budget.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners not accept the tender submitted by Houghton Tractor and Machinery Sales P/L for the supply of one (1) skid steer loader - tender 142-97/98.

The Motion was Put and

CARRIED

**CJ35-07/98 VEHICLE PURCHASES - PLANT REPLACEMENT RESERVE -
TENDER NUMBER 143-97/98 - [12285]**

SUMMARY

The former City of Wanneroo's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The Parks and Landscape Services budget provided for the purchase of three (3) self propelled reel mowers with the trade of the following items of plant 98120 (Alroh Reel Mower), 98122 (Alroh Reel Mower) and 98132 (Dwyer and Felton reel Mower).

This report outlines the submissions received for the acquisition of these items the subject of Tender 143-97/98. It recommends non acceptance of any tender in relation to the purchase of three (3) self propelled reel mowers.

BACKGROUND

The former City of Wanneroo's 1997/98 budget provided for the purchase of three (3) self propelled reel mower for Parks and Landscape Services with the trade of the following items of plant 98120 (Alroh Reel Mower), 98122 (Alroh Reel Mower) and 98132 (Dwyer and Felton Reel Mower).

Tender number 143-97/98 pertaining to this acquisition was advertised on Wednesday, 06 May 1998 and closed on Thursday, 21 May 1998.

A condition of the tender was that "Council reserves the right to purchase and dispose of all vehicles/plant tendered with one or more than one supplier to the best advantage of Council".

DETAILS

There were four submission received for the supply of three (3) self propelled reel mowers and the purchase of the City's trades.

The trade machines are utilised by Parks and Landscape Services for preparation of cricket wickets and are only in operation during the cricket season. A changeover period of four years is applied to small plant items of this type, however following assessment of the trade machines and considering their specific work usage it is considered appropriate that they be retained. It is therefore recommended to not accept any tender and to retender later in the new financial year.

COMMENT/FUNDING

The appropriate funds have been carried forward into the City of Joondalup's Draft 1998/99 budget.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners reject all tenders and offers received in relation to tender 143-97/98 as detailed in Attachment A to Report CJ35-07/98.

The Motion was Put and

CARRIED

Appendix V refers.

CJ36-07/98 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30 JUNE 1998 - [09882]

WARRANT OF PAYMENTS TO JOINT COMMISSIONERS ON 28 JULY 1998
INCORPORATING PAYMENTS TO 30 JUNE 1998

SUMMARY

This report details the cheques drawn on the funds during the month of June 1998. It seeks Joint Commissioners' approval for the payment of the June 1998 accounts.

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	61787-63903	12,835,996.48
Municipal	000589-000627	37,473,899.60
Trust	000072-000073	195.50
East Wanneroo Development Area Cell 1	000015-000016	2,540.13
East Wanneroo Development Area Cell 2	000013-000014	1,050.20

FUNDS	VOUCHERS	AMOUNT
East Wanneroo Development Area Cell 3	00001A	2,753.71
East Wanneroo Development Area Cell 4	00001A	117,828.79
East Wanneroo Development Area Cell 5	000005-000006	49,292.07
East Wanneroo Development Area Cell 6	00014A-000016	119,603.25
East Wanneroo Development Area Cell 7	000013	3,800.76
East Wanneroo Development Area Cell 8	000011	141.37
Town Planning Scheme 5	905756S	1,055.00
Town Planning Scheme 7A(4)	905761U	1,883.35
Berkley Road Local Structure Plan	00001A	42,219.22
Reserve Account	000017-000022	2,223,446.21
	TOTAL	\$ 52,875,705.64

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of June 1998, the amount was nil.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$52,875,705.64 which is to be submitted to each Joint Commissioner on 28 July 1998 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

.....
 J B TURKINGTON
 Director Resource Management

CERTIFICATE OF CHAIRMAN OF COMMISSIONERS

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$52,875,705.64 submitted to the Joint Commissioners on 28 July 1998 is recommended for payment.

.....
 Campbell Ansell
 Chairman of Commissioners

REPORT RECOMMENDATION: That the Joint Commissioners pass for payment the following vouchers, as presented in the Warrant of Payments to 30 June 1998, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$52,875,705.64.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	61787-63903	12,835,996.48
Municipal	000589-000627	37,473,899.60
Trust	000072-000073	195.50
East Wanneroo Development Area Cell 1	000015-000016	2,540.13
East Wanneroo Development Area Cell 2	000013-000014	1,050.20
East Wanneroo Development Area Cell 3	00001A	2,753.71
East Wanneroo Development Area Cell 4	00001A	117,828.79
East Wanneroo Development Area Cell 5	000005-000006	49,292.07
East Wanneroo Development Area Cell 6	00014A-000016	119,603.25
East Wanneroo Development Area Cell 7	000013	3,800.76
East Wanneroo Development Area Cell 8	000011	141.37
Town Planning Scheme 5	905756S	1,055.00
Town Planning Scheme 7A(4)	905761U	1,883.35
Berkley Road Local Structure Plan	00001A	42,219.22
Reserve Account	000017-000022	2,223,446.21
	TOTAL	\$ 52,875,705.64

ADDITIONAL INFORMATION

A late drawing of a cheque necessitated an amendment to the 1997/98 financial statements and consequently the June 1998 Warrant of Payments. The amount is \$240 on Municipal Fund cheque number 628 - refer Appendix VI.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners pass for payment the following vouchers, as presented in the Warrant of Payments to 30 June 1998, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$52,875,945.64.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	61787-63903	12,835,996.48
Municipal	000589-000627	37,474,139.60
Trust	000072-000073	195.50
East Wanneroo Development Area Cell 1	000015-000016	2,540.13
East Wanneroo Development Area Cell 2	000013-000014	1,050.20
East Wanneroo Development Area Cell 3	00001A	2,753.71
East Wanneroo Development Area Cell 4	00001A	117,828.79
East Wanneroo Development Area Cell 5	000005-000006	49,292.07

FUNDS	VOUCHERS	AMOUNT
East Wanneroo Development Area Cell 6	00014A-000016	119,603.25
East Wanneroo Development Area Cell 7	000013	3,800.76
East Wanneroo Development Area Cell 8	000011	141.37
Town Planning Scheme 5	905756S	1,055.00
Town Planning Scheme 7A(4)	905761U	1,883.35
Berkley Road Local Structure Plan	00001A	42,219.22
Reserve Account	000017-000022	2,223,446.21
	TOTAL	\$ 52,875,945.64

The Motion was Put and

CARRIED

Appendix VI refers.

Items CJ37-07/98 to CJ40-07/98 were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley. Cmr Clark-Murphy gave notice of her intention to speak on Items CJ38-07/98 and CJ39-07/98.

CJ37-07/98 OUTSTANDING GENERAL DEBTORS - 30 JUNE 1998 - [04881]

SUMMARY

This report shows the total outstanding general debtors as at 30 June 1998, together with their status and a comparison with the previous two months.

BACKGROUND

As advised in the May 1998 report (FA93-05/98 refers), the detail in this report has been reduced so that only items of **exception** and recommended accounts to be written off, are included. This report recommends a write-off of debts totalling \$592.45

A report covering the full detail relating to debtors is still prepared for internal management controls.

DETAILS - SUMMARY OF DEBTORS

Debtor Status	1998					
	JUNE		MAY		APRIL	
	Total O/S		Total O/S		Total O/S	
	\$	%	\$	%	\$	%
Current	2,301,414.45	34.10	644,267	13.80	334,912	7.80
30 Days	397,888.87	5.90	240,640	5.20	129,804	3.03
60 Days	221,909.99	3.29	30,471	0.20	37,909	1.00
90 Days	81,023.77	1.20	65,216	1.50	67,435	1.57
Deferred Debtors	3,423,570.39	50.71	3,408,910	72.40	3,395,865	79.00
Deferred Sporting Club Debtors	324,696.48	4.80	325,221	6.90	325,746	7.60
	\$6,750,503.95	100.00	\$4,714,725	100.00	\$4,291,671	100.00

CURRENT DEBTORS

The increase in current debtors is the result of the following debts raised:-

	\$
Wanneroo Road and Marmion Avenue median maintenance	47,611
Various Homeswest development costs/grants	286,841
Quinns Road works	34,553
Various building licences/BCITF levies	72,795
Mindarie Regional Council - surpluses to 30/6/98	839,400
Galea Building Co - EWDP Bank Guarantees	32,225
Fairway Circle development costs and Joondalup City Centre maintenance (Landcorp)	184,316
Bicycle network projects recoup	39,380
Warwick Sports Club and Iluka Oval grants	320,342
Recycling items sales	22,316
Various licence renewals	88,039

DEFERRED DEBTORS

The deferred debtors relate to:-

1. Bankruptcies on which dividends are pending.
\$
 - Onta Foods 355
 - Signlight Australia 206
 - Farmer Jacks Connolly 393
 - Excavator and Rockbreaker Hire 113
 - Mainline Contracting 95
 - WA Folk Federation Inc 1,116
2. Accounts, payment of which have been deferred in excess of 12 months.
 - a) Ongar Investments (contribution to Berkley/Redcliffe Avenue intersection upgrade). 11,352
 - b) Allstate Acceptance Corporation
(reimbursement of purchase of Water Tanks
- account deferred until 30/11/2000) 6,993
 - c) RJ & HC Geary (East Wanneroo Development Cell 3) 22,000
 - d) Municipal Association of WA (Local Government House - equity) 14,712

3. Debits raised for headwork levies - awaiting Ministerial approval.
 - a) Galea Building Company
East Wanneroo Development Cell 4
- awaiting ministerial approval on contribution 55,000
 - b) North Whitford Estate Pty Ltd
East Wanneroo Development Cell 5
- Minister of Planning is to determine a headwork levy
for each developed lot 1,642,500
4. Mindarie Regional Council - monies owing to the City for Operational Surpluses \$1,092,115 (these are being repaid by annual instalments of \$173,564) and for Capital Advances \$548,575 (instalment of \$173,564 received 3 July 1998).
5. An amount of \$28,045 was raised in anticipation of Workers Compensation premium recovery, pending actual salary and wage submission in August 1998. This sum will then be recovered.

DEFERRED SPORTING CLUB DEBTORS

These accounts relate to loans obtained by the City on behalf of three sporting clubs, and which are being repaid over a period of years.

	\$
Quinns Rocks Bowling Club	17,413
Wanneroo Districts Rugby Union Football Club	47,412
Wanneroo Districts Basketball Association	259,871

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 receive the Outstanding Debtors Report as at 30 June 1998;
- 2 in accordance with the provisions of Section 6.12 (1) (c) of the Local Government Act 1995 write out of the General Debtors Ledger an amount of \$592.45, representing debts considered irrecoverable, as detailed in Attachment 'A' to Report CJ37-07/98.

Discussion ensued.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VII refers.

Cmr Rowell referred to Item CJ30-07/98 - Review of Committees - and drew attention to the requirement to nominate a representative to the North West District Planning Committee. Cmr Rowell nominated himself and the Director, Development Services.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners nominate Cmr Rowell and the Director, Development Services to be their representatives on the North West District Planning Committee.

The Motion was Put and

CARRIED

CJ38-07/98 BEAUMARIS SPORTS ASSOCIATION (INC) - FINANCIAL ASSISTANCE (BANK GUARANTOR) - [28131]

SUMMARY

The Beaumaris Sports Association (Inc) is seeking the City to act as guarantor for a \$50,000 loan to assist with construction of bar facilities at its soon to be completed sporting facility in Iluka. As the request is in contravention of the City's policy which requires all loans to be guaranteed by individuals of the incorporated body it should be rejected.

BACKGROUND

In April 1996 the Council of the former City of Wanneroo noted the intention of the Steering Committee of the Beaumaris Sports Club to submit an application for a Community Sporting and Recreation Facilities Fund Grant (CSRFF), (Item CS49-04/96 refers) to assist with the construction of the Beaumaris Sports Club - Iluka.

The grant application was based upon the proposed development of the reserve by the developer, Beaumaris Land Sales. The scope of works included the shaping of the land, preparation for planting, installation of reticulation and services, planting of grass and plant, construction of Stage 1 car parking and access roads and the Sports Club building. Qualifying components of the reserve development programme were used in the application to maximise the grant.

In early 1997 the Minister for Sport and Recreation advised that the application was successful and a grant of \$600,000 approved. The former City of Wanneroo in its 1997/98 budget included funds of \$600,000 for the project.

During 1997/98 the building was constructed and is now nearing completion. It is anticipated that the opening will be September/October 1998.

DETAILS

The facility will be occupied by:-

- North Perth Cricket Club
- Joondalup Lakers Hockey Club
- Beaumaris Bowling Club

The Association is experiencing financial difficulties raising funds for the construction and fitting out of the bar facilities. The financial dilemma has arisen since the North Perth Cricket Club has been unable to come to financial arrangements with the Town of Vincent regarding compensation for its funding of an extension, refurbishment and equipment purchases at Charles Varyard Oval in North Perth. The North Perth Cricket Club had been led to believe from previous arrangements with the City of Perth that it would be refunded around \$50,000 if it were to leave the facility which had been its home for many years. The Beaumaris Sports Association (Inc) had been relying on these funds to provide for the Iluka development including bar costs which were estimated to cost in the vicinity of \$50,000 including cutlery, crockery and glasses.

In support of its case the Association has indicated that it has been attempting to arrange finance but as the bar is a fixture in a Council owned building financial institutions at this time won't accept guarantors from individual members; hence the request to the City. The Association is also currently in negotiations with the Swan Brewery regarding some of these bar costs but it could be some time before these are completed and it emphasises that the bar needs to be installed in four to six weeks.

As a consequence of the above the Association is now seeking Council support to act as a guarantor for a \$50,000 loan to enable the construction and fitting out of the bar facilities.

COMMENT/FUNDING

This project was funded as follows:-

- | | |
|--------------------------|-------------|
| • Beaumaris Land Sales | \$1,300,000 |
| • City of Wanneroo | \$600,000 |
| • WA Alive Grant (CRSFF) | \$600,000 |

The Association did not contribute towards the capital cost.

Council's policy regarding financial assistance to sporting groups is as follows:-

All loans to sporting associations entered into in accordance with the provisions of (the then) Section 446A of the Local Government Act 1960 as amended, shall be guaranteed by individuals of the incorporated body.

In view of this it is difficult to support this proposal as it would be in contravention of the City's policy.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners advise the Beaumaris Sports Association (Inc) that as its request for the City to act as Guarantor for a \$50,000 loan contravenes the City's policy its application cannot be supported.

Cmr Clark-Murphy spoke to the Motion.

The Motion was Put and

CARRIED

**CJ39-07/98 REVIEW OF THE RANGER SERVICES MOBILE SECURITY
PATROL SERVICE - [00513]****SUMMARY**

This report provides information on a review of the mobile security patrol service conducted by the City's Ranger Services business unit. The service provided is known as 'Security Watch' and is one of several initiatives that have been implemented by the City as part of its Community Security and Safety Action Plan. The service has been operating on a pilot basis since 8 December 1997 with a progress review report having been submitted to Council at its March 1998 meeting.

Improvements to the level of service provided to the community have been made since this March and these are outlined in this report. Enhancements, as well as the development of an overall purpose accompanied with goals, objectives and performance measures, identify and describe the future direction of this service area.

The pilot scheme of the 'Security Watch' initiative has proven to be successful within the community as well as receiving meritorious statements and support from the Joondalup Police District. It is proposed that the 'Security Watch' service be endorsed by Council and that Ranger Services continue to provide this service.

BACKGROUND

It was recommended by the Community Security and Safety Advisory Committee and adopted by Council at its meeting of 26 November 1997 (Report C376-11/97 refers) to endorse the introduction of a mobile 'Security Watch' service to be conducted by the City's Ranger Services business unit.

The initial objectives of the mobile patrols were as follows:

- to act as the eyes and ears for the police
- to report incidents to the police and other statutory and relevant voluntary organisations
- to provide a highly visible presence within the community
- to primarily target trouble spots within the City
- to increase protection of the City's assets

A report, reviewing the progress of the City's Security Watch Service was submitted to the Joint Commissioners in March 1998 (Report CS42-03/98 refers). The review was received on the basis that a further evaluation of the patrols conducted by Ranger Services to the end of June would be provided to the Joint Commissioners at the July round of meetings.

DETAILS

Following the initial review of the Security Watch Service a variety of operational enhancements have occurred to further improve the service and the benefits to the community.

With the aid of specialist security consultants a strategic framework has been developed which identifies the goals, objectives and performance measures for the security patrol service providing a sense of purpose and improved understanding for the Rangers. Specified outcomes and associated performance measurements will provide both the Rangers and Management with defined guidelines, procedures and expectations.

During the three months elapsed since the March Council Meeting, all Rangers have been licenced as security guards and crowd control operators under the provisions of the Security Related Activities (Control) Act 1996. This Act is administered by the WA Police Services Commercial Agents Squad to ensure that officers are responsible and also suitable to undertake security and crowd control duties. The Rangers are currently progressing through stringent accredited security training requirements as part of the licencing process. The requirement to participate in the licencing program has interrupted the Rangers consistent scheduling of patrols but now means that the unit is better equipped to provide this service and is on a par with any other security agency in Western Australia.

The number of patrols has again been bolstered to a total of 87 patrols per week over a seven day period which is the equivalent to the number reported in March. The span of hours for conducting patrols continues to be 21 worked between the hours of 5.00 am and 2.00 am the following day. As a value added service the Rangers can be contacted on a call out basis between the intervening period which in effect gives the community a 24 hour service.

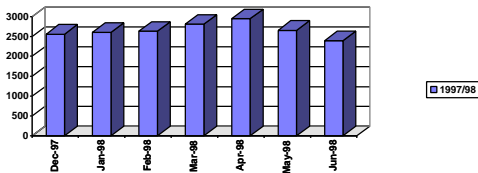
In developing additional security initiatives Ranger Services has continued to work in close cooperation with the Joondalup Regional Police by jointly sharing resources to conduct specialised patrols to combat anti social behaviour in public places such as car parks and the beaches between Hillarys and Quinns Rocks, reducing the incidence of burglary and car theft in Marangaroo, and addressing graffiti/vandalism at a number of regional shopping centres. It is intended to continue joint patrols with the Police where and when the need arises.

The commencement of other initiatives has included liaison with the Railway Police and participation and membership of a group comprising the police, local governments and the private security industry that was responsible for the publication of a guide for the establishment of local government security patrols. The guidelines have been prepared to assist local government in establishing security patrols and working with the police to successfully reduce crime and disorder.

Finally, as part of the City's Community Security and Safety action plan a promotional campaign is now underway to promote the security watch service using media advertisements and complementary editorial in the Community newspaper, Newsextra, the City's Web Page and the distribution of refrigerator magnets to households throughout the City of Joondalup and the Shire of Wanneroo. Decals advertising the name 'Security Watch' and the new 1300 telephone number of the security watch service are currently being fitted to a range of Council vehicles to create a greater awareness of the service.

Crime level in the City of Wanneroo

The crime level for the City of Wanneroo for period December 1997 to May 1998 has been provided by the (D.I.S.C.) section of the Joondalup Police District Office.

CRIME STATISTICS IN THE CITY OF WANNEROO

The March report identified Ranger Services reporting 167 incidents during the period December '97 to February '98 or an average of 55 incidents per month. During the subsequent period of March to June a total of 193 operational incidents were attended by Rangers or an average of 48 incidents per month. The decline in the reporting of incidents during this period is consistent with the decline in the crime level for the months of May and June as provided by the Joondalup Police District Office.

COMMENT/FUNDING

Since the establishment of the mobile security patrol service, the Ranger services business unit has been successful in meeting its principle objective of acting as the "eyes and ears" for the local Police by recording and reporting incidents such as antisocial behaviour to the Police within the City of Joondalup and Shire of Wanneroo. It has also been successful in meeting other objectives such as targeting specific trouble spots within the City and increasing protection for the City's assets.

The security watch operation in 1997/98 has been able to be undertaken at a third of the cost of the submissions received by the private security firms at the time that the City called for 'Expressions of Interest'.

The Council, when approving the Community Security Watch pilot scheme allocated operating costs of \$127,185 from budget item All Night Security to enable the engagement of three temporary Rangers for the period of December 1997 to June 1998. These additional staff were essential to meet the identified levels of service required. In the 1998/99 financial year it is intended to formalise the temporary appointments of the full time employees at a cost of \$173,000. There is also a need to maintain security patrols on Friday and Saturday nights at there current levels and at a cost of \$20,000 p.a. The total funding of \$193,000 necessary to accommodate these requirements forms part of the Ranger Services 1998/99 draft budget and a corresponding amount of \$193,000 has subsequently reduced the budget allocation for All Night Security.

A productive working partnership has been established with the Police Service within the City. Recording and reporting procedures have been established and the information collected is being effectively managed between the City, Joondalup Police and the City's Ranger Services. This partnership has received the backing of senior officers within the Police District and regular articles are published in the Wanneroo Community Times supporting this.

The effectiveness of the patrols in reducing/preventing crime and other forms of antisocial behaviour within the City is yet to be fully tested. All reports from professional bodies and from the Police Service indicate that it will take approximately 18 months to two years to establish and accurately measure the effectiveness of the patrols and to ascertain their contribution to reducing the level of crime in the City.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 receive the progress review report for the mobile security patrol service provided by Ranger Services for the period 1 March 1998 to 30 June 1998;**
- 2 note the actions implemented by Ranger Services that have enhanced the quality of the service during the pilot period;**
- 3 approve Ranger Services to continue to provide the mobile security patrol service for the City of Joondalup and the Shire of Wanneroo.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED

CJ40-07/98 REQUEST FOR SPONSORSHIP LOGO ON YANCHEP/TWO ROCKS COMMUNITY BUS - [07438]

SUMMARY

The Yanchep/Two Rocks Community Bus Management Committee is seeking approval to affix signage on the community bus promoting the Club Capricorn Holiday Resort. The resort is owned and managed by Yanchep Sun City Pty Ltd which donates regularly towards the bus' fuel costs. It is proposed that this request be approved.

BACKGROUND

The Yanchep/Two Rocks Community Bus Management Committee, through an Instrument of Delegation, manages the former City of Wanneroo owned community bus which operates in the Yanchep/Two Rocks area.

Under the Terms of the Delegation, the Committee is required to meet all fuel and depreciation costs and is required to actively fund raise and seek sponsorship to assist with operational and replacement costs.

DETAILS

For the past six years Yanchep Sun City Pty Ltd has regularly contributed toward the bus' fuel costs, donating \$3,000 each year. The company donated an additional \$1,000 during 1997/98 financial year.

According to the Committee's Transport Co-ordinator, Mr Phil Renkin, the area manager of Yanchep Sun City has verbally agreed to continue donating this amount on condition that the bus displays signage promoting the Club Capricorn Resort which is owned and operated by Yanchep Sun City.

COMMENT/FUNDING

The Yanchep community bus transports over 400 people a month travelling on average 1,000 kilometres. It provides a vital community service in an area which is distant from health and medical services, community facilities and shopping centres. Without sponsorship the bus would not be able to meet the demand for service.

Yanchep Sun City has supported the management committee for over six years. It's request to promote the Yanchep Sun City Resort on the bus is considered reasonable.

It is therefore proposed that approval is given to the Committee to affix the resort's name, logo and telephone number on the Yanchep Community Bus.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners approve the affixation of signage to the Yanchep Community Bus promoting the Yanchep Sun City Resort.

The Motion was Put and

CARRIED

Item CJ59-07/98 was considered at this point.

CJ59-07/98 DIFFERENTIAL RATING AND MINIMUM PAYMENTS - CITY OF JOONDALUP - [07125]

SUMMARY

Since the change of the valuation base for rating from a single valuation system (Unimproved Values) to a dual valuation system (Unimproved/Gross Rental Values) in 1985 the former City of Wanneroo applied differential rating. It was agreed at the time not to impose a greater rate burden on the various sectors which resulted in commercially-zoned properties having a significantly lesser rate-in-the-\$ than residentially-zoned properties.

Annually the City has reviewed the relativities between the rating sectors with the view to gradually moving the commercially-zoned properties to the full residential rate.

In 1990/91 the then Council introduced differing minimum payment for commercial and industrial zoned properties.

With a change to the Local Government Act 1995 it is a requirement pursuant to the provisions of Section 6.36 of that Act for the City to advertise its intention to strike differential rates.

BACKGROUND

Differential rating at Wanneroo commenced in 1985 when the then local government changed its valuation scheme for rating purposes. At that time the rate-in-the-\$ applying to commercially-zoned properties within the municipality was significantly less than that applying to the residential properties - as depicted on Attachment 'A'. Since that time the then City had adopted the practice of reviewing annually, the relativities between the rating sectors and in 1995 agreed that it was intended to continue the upward movement of the commercially-zoned properties with the view to move to the full residential rate over the next 3 years.

The increases agreed were:-

1995/96	90% (up from 87% in 1994/95)
1996/97	95%
1997/98	100%

Due to the economic climate in 1996/97 and the triennial revaluation where the gross rental valuations for commercially-zoned properties increasing by 24.84%, the then Council resolved not to move the rate for commercially-zoned properties from 90% to 95% of the residential rate.

In addition, in 1990/91 the then Council introduced differing minimum rates payments for commercial and industrial zoned properties.

The minimum payments applicable to the various sectors over the years, had also been continually reviewed:-

	Residential and Rural	Commercial and Industrial
1989/90	\$300	\$300
1990/91	\$325	\$600
1991/92	\$338	\$624
1992./93	\$348	\$642
1993/94	\$363	\$669
1994/95	\$374	\$688
1995/96	\$374	\$688
1996/97	\$380	\$698
1997/98	\$391	\$719

It was agreed to maintain differing minimum payments for commercial and industrial. The rationale for this was that commercial and industrial properties are serviced by, and have access to, a high standard of infrastructure provided and maintained by the City and place a greater burden on such infrastructures by high volumes of people, and vehicular traffic.

DETAILS

The Local Government Act 1995 at Section 6.36 requires that a local government which wishes to implement differential rating or minimum payments is to give local public notice of its intention to do so.

The public notice must contain details of each differential rate or minimum payment which the local government intends to impose and an invitation for submissions to be made in respect of the proposed differential rate or minimum payment.

A minimum of twenty one days is to be allowed for submissions. At the time of advertising the local government must have documentation describing the objects of and reasons for each differential rate or minimum payment available for inspection.

The local government is required to consider all submissions, but may proceed to adopt the proposed rates with or without modification.

The 1997/98 rates-in-the-dollar of the then City of Wanneroo and relativities for each sector were:-

	GRV	% of General Rate	UV
Residential	7.2050 cents	100%	0.5705 cents
Commercial - Improved	6.4845 cents	90%	0.5705 cents
Commercial - Not Improved	7.2050 cents	100%	0.5705 cents
Industrial	7.2050 cents	100%	0.5705 cents
Rural	7.2050 cents	100%	0.5705 cents

Minimum Rates	
Residential Rural	\$391.00
Commercial/Industrial	\$719.00

The logic used in producing the current relativities was an occurrence of history stemming from the change from a single valuation system to the current dual valuation scheme in 1985. It was agreed, at the time of the switch to dual valuations and differential rating, not to impose a greater rate burden on the various sectors than that which was occurring under the single valuation system. The switch produced an inequitable position in rating incidence which has been addressed on an annual basis.

COMMENT/FUNDING

The above serves as a broad overview of the history and outlines the logic for the differential rating system used at the then City of Wanneroo.

The City of Joondalup is required to lodge an advertisement in the newspaper to advise its intention with respect to differential rating for the 1998/99 financial year. The supporting documentation, to be made available to ratepayers wishing to make a submission during the advertising period, is attached as Attachment 'B', together with the proposed advertisement to be placed in the public notices section of The West Australian - refer Attachment 'C'.

The Local Government Act 1995 requires that the City advertise the proposed differential rates to be levied in the forthcoming year and allows a 21 day response time for ratepayer/elector submissions.

It is not possible to accurately predict the City's 1998/99 rate levels until the budget process has been finalised and the budget shortfall (to be made up from rates) is known. However, to wait until this process has been completed prior to lodging the required advertisement including allowing 21 days for ratepayer/elector submissions, would delay the 1998/99 budget adoption many weeks and incur additional costs.

The Joint Commissioners have agreed in a recently conducted budget workshop session that the rates-in-the-\$ remain the same as struck last year in the City of Wanneroo except in the UV area where a revaluation has occurred. This could lead to a reduction in rate-in-the-\$ levied on that sector.

In view of this, and to streamline the budget adoption process, it is suggested that the Joint Commissioners take the following course of action:-

1. Base the City's estimated 1998/99 rates-in-the-\$ for the following rate categories, using the following rates-in-the-\$:-

General Rates	Relativities	Estimated Rate-In-The-\$ Gross Rental Values
Residential Zones	100%	7.2050 cents
Commercial Improved Zones	90%	6.4845 cents
Commercial Not Improved Zones	100%	7.2050 cents
Industrial Zones	100%	7.2050 cents
Rural Zones	100%	7.2050 cents

2. Base the City's estimated 1998/99 minimum rates using the following:-

Minimum Rates	
Residential Zones	\$391
Commercial Zones	\$719
Industrial Zones	\$719
Rural Zones	\$391

3. Advertise the rates in the public notices section of The West Australian.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners, pursuant to the provisions of Section 6.36 of the Local Government Act 1995, advertise their intention of applying the following estimated differential rates in 1998/99:-

General Rates	Relativitie s	Estimated Rate-In-The- \$ Gross Rental Values
Residential Zones	100%	7.2050 cents
Commercial Improved Zones	90%	6.4845 cents
Commercial Not Improved Zones	100%	7.2050 cents
Industrial Zones	100%	7.2050 cents
Rural Zones	100%	7.2050 cents

Minimum Rates	
Residential Zones	\$391
Commercial Zones	\$719
Industrial Zones	\$719
Rural Zones	\$391

The Motion was Put and

CARRIED

TECHNICAL SERVICES SECTION

Items CJ41-07/98 to CJ44-07/98 inclusive were Moved by Cmr Morgan and Seconded by Cmr Rowell. Cmr Morgan gave notice of his intention to speak on Items CJ41-07/98 and CJ42-07/98.

**CJ41-07/98 MITCHELL FREEWAY EXTENSION - EDDYSTONE AVENUE
BRIDGE - [05763, 06763]**

SUMMARY

At its May 1998 meeting the Council of the former City of Wanneroo received a multi-signature petition in support of the construction of the Eddystone Avenue Bridge as part of the project to extend the Mitchell Freeway. Main Roads WA has previously advised that due to the funding situation and that the associated Eddystone Avenue section is not part of the existing constructed network, it does not support the Bridge construction in the Freeway project. Previous planning and traffic modelling shows that the construction of the Eddystone Avenue Bridge is an integral link in the strategic road network. It is recommended that the Minister for Transport and Main Roads WA be requested to include the construction of the Eddystone Avenue Bridge structure in the Mitchell Freeway Project.

BACKGROUND

In previous reports on the proposed planning for the Joondalup City Centre, the Eddystone Avenue connection to Joondalup Drive over the proposed Mitchell Freeway was recognised as an important link in the road network. At its meeting in November 1993 (Item H11102A refers) Council resolved to reiterate the function of Eddystone Avenue as an important Regional Road connecting to Joondalup Drive. The location of Eddystone Avenue is shown on Attachment 1.

In the City's Capital Works Forward Plan, several items are included in relation to Eddystone Avenue, Heathridge. This includes \$1,800,000 for the construction of the carriageways of Eddystone Avenue, from Ocean Reef Road to Joondalup Drive, indicating the former City of Wanneroo's previous commitment to this project.

In January 1997 Main Roads confirmed that the Federal Government would contribute \$25M over four years commencing in the 1997/98 financial year, towards the extension of the Mitchell Freeway to Hodges Drive. The extension is due to be opened in 2000. In April of this year Main Roads produced a Master Plan for the Mitchell Freeway. The Master Plan addressed the planning, design, environmental and cost issues associated with the extension of the freeway and the duplication of Hodges Drive. The report provided a statement of the investigations carried out and the considerations required to be taken into account in the extension of the freeway and the duplication of Hodges Drive.

In the Master Plan it states that the Eddystone Avenue link over the freeway could be justified because it:

- provides the most direct link between Joondalup City Centre and the suburbs of Heathridge, Beldon, Craigie, Mullaloo and Kallaroo;
- reduces traffic on Caridean Street, Heathridge and Craigie Drive in Beldon;
- reduces overall road network travel time and distance with associated savings in vehicle operating costs and accidents;
- improves the operation of intersections such as Hodges Drive/Caridean Street and Ocean Reef Road/Joondalup Drive.

However the Master Plan also indicates that construction of the link is subject to the availability of funds. Main Roads WA has indicated that funds are currently unavailable for the construction of the bridge and associated roadworks.

A 157-signature petition was presented to Council of the former City of Wanneroo in May 1998 requesting urgent consideration be given to allocating funds towards the total cost of the planned Eddystone Avenue bridge to enable it to be included in the current works programme to extend the Mitchell Freeway to Hodges Drive (Item C30-05/98 refers). The petitioners further requested that a submission be made to the State Government for a similar contribution of funds. The petitioners wish to reduce through traffic on Caridean Street, Heathridge and Hodges Drive. They feel that the bridge would allow quicker access to retail, business, health, educational and leisure facilities in Joondalup by residents of Heathridge, Beldon, Craigie and adjacent suburbs. The petitioners would like to see the completion of the planned road network for suburbs established for the past 18 years.

DETAILS

If Main Roads WA does not construct the Eddystone Avenue bridge as part of the Mitchell Freeway extension there would be a number of adverse consequences. The main consequence would be to increase the cost of constructing the bridge making it harder to justify on economic grounds. The construction over an operating freeway and rail line would be more difficult than construction as part of the extension project.

Main Roads WA is currently proposing to install conduits for traffic signals at the intersection of Caridean Street and Hodges Drive as part of the current Hodges Drive duplication project. This will make the installation of traffic signals easier if they are required in the future. However by installing signals the construction of the bridge may be delayed as alternative northern access is provided from Heathridge to the Joondalup City Centre. The intersection would operate satisfactorily and it is the operation of this intersection that is one of the important justifications for the bridge.

Main Roads WA's Traffic Consultant, Uloth and Associates, undertook local road modelling because of concerns on various issues associated with the construction of the bridge. The local road modelling was based on better and finer land use and road network detail than was possible with the previously used regional model. The Master Plan states that the local road modelling indicated that Eddystone Avenue Bridge would be desirable sometime in the period 2003 to 2006. This could be as little as three years after the freeway was opened.

Main Roads WA anticipate calling construction tenders for the Mitchell Freeway extension in August 1998. The Eddystone Avenue Bridge is being designed as part of the Design consultancy and it has been requested it be included in the project tender. Currently Main Roads has indicated that it will not include this bridge in the tender. However if it was included then when the tendered cost of the project is known, the final decision on the construction of the bridge could be made. Should Main Roads tender the bridge separately in the future there will again be increased costs associated with the bridge project.

COMMENT/FUNDING

There is a community expectation that the Eddystone Avenue bridge will be constructed as part of the Mitchell Freeway extension project. This expectation is based on the knowledge that the bridge forms an important part of the road network planning for the area and that traffic problems on the surrounding road network will arise if the bridge is not constructed. There is also a concern that if the bridge is not constructed as part of this project it will never be constructed because of problems with constructing the bridge over "live" carriageways and a rail line.

The Master Plan indicates that the cost for the Eddystone Avenue earthworks and pavement is \$1,546,072 and the Bridge structure for a single carriageway \$3.24m. From traffic modelling, the need for a dual carriageway bridge is not considered warranted in the short to medium term.

As a minimum scope of works, it is considered that Main Roads should include the construction of the bridge in the tender documentation for the extension of the Freeway as this will give a clear indication of the additional funding required.

Estimated Project Costs

Currently, the estimated Freeway project costs with the Eddystone Avenue Bridge Structure only (for a single carriageway) in the Master Plan and the City's allocation to Hodges Drive dualling is as follows:

Overheads plus Design/Supervision		\$4,724,166
Land Acquisition		\$2,000,000
Construction:-		
Freeway		\$15,582,600
Hodges Drive		\$2,550,000
Eddystone Bridge Structure Only (Single Carriageway)		\$3,240,000

		\$28,096,766
Available Funds : Freeway Project	\$25,000,000}	\$26,845,000
Hodges Drive (Council)	\$ 1,845,000}	
<u>Estimated Shortfall</u>		<u>\$1,251,766</u>

Land Costs

It appears that some of the land acquisition costs of \$2,000,000 relate to payment to LandCorp. This needs to be further addressed with LandCorp as a possible contribution to the Eddystone Avenue Bridge structure.

Should the tenders come in at the lower end of the scale then the bridge structure, at an estimated cost of \$3.2M, could be included in the project.

As Eddystone Avenue is a local road, the pavement and earthworks costs can be considered the responsibility of this City. Should Council give a commitment to contributing to the local road project then Main Roads may be more amenable to including the bridge structure in the tender. The cost of the roadworks associated with the bridge is estimated to be \$1.55M which could be Council's future contribution.

LandCorp is also lobbying for the bridge to be constructed as soon as possible. LandCorp should be approached to contribute to the project, particularly as it will be receiving payment for land acquisition associated with the Freeway extension.

The inclusion of the Eddystone Avenue Bridge structure in the tender will allow for actual costs to be determined for the Mitchell Freeway Project. The need for additional funding amounts and sources can then be more clearly defined and negotiated with the State Government and LandCorp.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners:

- request the Minister for Transport and Main Roads to include the Eddystone Avenue Bridge in the construction tender for the Mitchell Freeway Extension;**

- 2 **request LandCorp to transfer its payment for land acquisition from the Mitchell Freeway Project to the construction of the Eddystone Avenue Bridge.**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

**CJ42-07/98 NON-STANDARD STREET LIGHTING - HARBOUR RISE
SUBDIVISION OF LOT 7 HEPBURN AVENUE, HILLARYS -
[05069J]**

SUMMARY

A submission has been received from Wood & Grieve Consulting Engineers on behalf of Estates Development Company, the developers of Lot 7 Hepburn Avenue, Hillarys for the use of non-standard street lighting in the subdivision of its land.

It is considered that this development is unique in that it is a discrete section bounded by Hepburn Avenue, Whitfords Avenue, Waterford Drive and Angove Drive which could be subject to a residents' agreement or differential rating system to accommodate maintenance of the enhanced standards. The installation of the non-standard street lighting for the subdivision of the Lot 7 Hepburn Avenue, Hillarys development is therefore conditionally supported.

BACKGROUND

Past Approvals To Non-standard Street Lighting In Subdivisions

In June 1990 (Item E10613 refers), Council considered a proposal by the Gillon Group for non-standard lighting in the Carine Glades Garden Estate and resolved not to approve this proposal. This was an infill development comprising approximately 60 lots.

In November 1993, Council approved the installation of non-standard lighting for the Iluka Estate subject to a number of conditions (Item H91141 refers). This development will provide approximately 1600 lots (1800 dwellings) and the non-standard, ornamental lighting is an integral part of an overall enhanced subdivision development including estate walls, street furniture, extensive landscaping, lakes, developed park and foreshore areas.. The conditions of approval included the following:

1. A five year maintenance period for the street lighting pole, components, luminaires and lamps.
2. The supply of six of each different pole types, luminaires, lamp control gear and diffusers on completion of the maintenance period.
3. The developer agreeing that the single and double outreach lighting pole designs be available for common use as one of three standard combinations approved throughout the City.

The limit on the number of pole types to three was considered necessary to minimise administration/maintenance costs and pole storage areas as Western Power does not provide or maintain non-standard poles.

In July 1995, Council did not approve a proposal by Peet & Co for non-standard street lighting in the South Yanchep development (Item TS26-07/95 refers) as the proposed pole design was not considered to be distinctive enough for use as one of three designs for the City. The development was not significantly large enough to warrant non-standard street lighting.

Council also resolved at this meeting to approve the installation of non-standard street lighting where it can be demonstrated to be part of an overall enhanced subdivision development, subject to a number of conditions.

In May 1996, Council approved the installation of non-standard lighting similar to the already established "Iluka standard" for the Regent Waters Estate development (Pt Lot 15 Wanneroo Road, Wanneroo) subject to a number of conditions (TS103-05/96 refers). This development provided for approximately 180 lots and forms part of a confined area bounded by Ocean Reef Road, Yellagonga Regional Park, Scenic Drive and Wanneroo Road. The future development of the land to the south of Pt Lot 15 will be subject to a separate, approved local structure plan to accord with the road access points to Pt Lot 15 and could incorporate these lighting standards. While this development is not large in comparison to the Iluka Development, it is considered unique in that it is a discrete development that could be subject to a legal residents agreement or differential rating system to accommodate maintenance of the enhanced standards which include extensive landscaping, substantially developed parklands, ornamental lakes, playground facilities and boardwalks. The development was considered to be of a similar standard to the Beaumaris Estate in Iluka.

DETAILS

The subdivision of Lot 7 Hepburn Avenue, Hillarys will provide for approximately 450 lots and forms part of a confined area bounded by Hepburn Avenue, Whitfords Avenue, Waterford Drive and Angove Drive. The developer of this land is keen to produce a discrete and unique precinct for the new community which also includes extensive landscaping and substantially developed public open spaces. The location and extent of this development is shown on Attachment 1 and the street pole lighting proposed is shown on Attachment 2.

Western Power Policy For Residential Street Lighting

The current Western Power policy is for residential street lighting to be to the requirements of that Authority as part of its supply charge for subdivisions. All maintenance, including pole and lamp replacement, is carried out by Western Power with operating, energy and maintenance costs charged to the local authority at a standard rate or tariff per fitting per day.

Western Power's designs are based on the SAA Public Lighting code A5 1158 and a standard range of poles and fittings are designed. Western Power does not provide non-standard poles because of the problems of inventory holding of stock, varying capital costs of different ornamental poles and additional administration costs.

Should a developer wish to use poles or fittings different from the Western Power standard, supply and installation would be the responsibility of the developer while the ongoing maintenance would be the responsibility of the local authority. The responsibilities of Western Power terminate at a metered point of power supply for the lighting and the supply is charged at the commercial tariff ZE18.

City's Policy and Standards

The Technical Services Directorate has developed a handbook for the design of urban street lighting within the City which include specific requirements on developer installed non-standard street lighting in subdivisions. These requirements were based on conditions imposed on previous subdivisions.

Conditions of Approval

The following conditions are considered appropriate:

1. the developer being responsible for the street lighting design, supply and construction throughout all subdivision stages within Lot 7 Hepburn Avenue, Hillarys;
2. the developer being responsible for the maintenance of poles, lighting components, luminaires and lamps for a period of five years following the installation of the approved street lighting scheme;
3. the same standard of lighting being used throughout all subdivision stages within Lot 7 Hepburn Avenue, Hillarys. A mix of privately funded street lighting and Western Power street lighting will not be accepted;
4. the developer to supply at the completion of the maintenance period, a specified number of matched components for every fifty street lights (or part thereof) installed, as follows:
 - (i) one pole
 - (ii) two luminaires
 - (iii) two sets of luminaire control gear
 - (iv) two luminaire diffusers
 - (v) two sets of luminaire miscellaneous spare parts;
5. the developer being responsible for the running costs of the street lighting for the first twelve months after the installation and connection to the supply Authority is complete. Z18 tariff shall be accepted;
6. the developer to provide a bank guarantee for an appropriate sum to be determined by the City. (The bank guarantee is required to accommodate the supply, maintenance and tariff amounts associated with the items mentioned above). The developer shall prepare an appropriate submission detailing these costs for further negotiations with the Director of Technical Services;
7. the developer being responsible for attaching an identification plate detailing the unique pole number and maintenance responsibilities;

8. the pole locations and lighting standard being to the satisfaction of the Director of Technical Services and in conformity with Western Power requirements;
9. at the completion of the maintenance period the developer shall supply two (2) hardbound Maintenance and Operating handbooks, details of which shall be to the satisfaction of the Director of Technical Services;
10. the provision of dusk to dawn switching (i.e. photo electric control) to all lighting;

COMMENT/FUNDING

Non-standard or ornamental street lighting is generally used by developers as a technique to enhance the value of their subdivision development. This lighting allows the City a greater benefit by enhancing these areas of development and expanding the value of the City as a whole. Privately funded street lighting ultimately becomes the property and responsibility of the City.

In order for the City to maintain a consistent approach for accepting privately funded street lighting the following criteria should be satisfied:

- the street lighting must be applied to the whole subdivision or estate;
- the installation must involve a substantial number or lots (determined by the City);
- the street lighting cannot be applied to a single stage or an infill to an estate;
- there must be a commitment from the developer to the lighting scheme to cover the whole estate;
- the developer must accept the maintenance provisions (i.e. 5 years);
- the estate may be subject to differential rating to cover the lighting scheme for extra maintenance.

The City has previously approved the use of non-standard street lighting in the Beaumaris Estate, Iluka and extended its use (the same 'Iluka' design) in Regent Water Estate, Wanneroo.

The current street lighting design, if approved, will form the second non-standard street lighting design that may be used in other subdivisions which satisfies the City's criteria.

While this development is not as large in comparison to the Iluka Development, it is considered unique in that it is a discrete development that could be subject to a legal residents agreement or differential rating system to accommodate maintenance of the enhanced standards which include extensive landscaping and substantially developed public open spaces.

It is therefore recommended that, subject to the developer agreeing to the set conditions, the installation of the non-standard street lighting for the subdivision of the Lot 7 Hepburn Avenue, Hillarys development is conditionally supported.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners:

- 1** **approve the installation of the non-standard street lighting for the Harbour Rise subdivision at Lot 7 Hepburn Avenue, Hillarys as shown on Attachment 1 to Report CJ42-07/98 subject to:**
- (a) the developer being responsible for the street lighting design, supply and construction throughout the all subdivision stages within Lot 7 Hepburn Avenue, Hillarys;**
 - (b) the developer being responsible for the maintenance of poles, lighting components, luminaires and lamps for a period of five years following the installation of the approved street lighting scheme;**
 - (c) the same standard of lighting being used throughout all subdivision stages within Lot 7 Hepburn Avenue, Hillarys. A mix of privately funded street lighting and Western Power street lighting will not be accepted;**
 - (d) the developer to supply at the completion of the maintenance period, a specified number of matched components for every fifty street lights (or part thereof) installed, as follows:**
 - (i) one pole**
 - (ii) two luminaires**
 - (iii) two sets of luminaire control gear**
 - (iv) two luminaire diffusers**
 - (v) two sets of luminaire miscellaneous spare parts;**
 - (e) the developer being responsible for the running costs of the street lighting for the first twelve months after the installation and connection to the supply Authority is complete at the Z18 tariff;**
 - (f) the developer to provide a bank guarantee for an appropriate sum to be determined by the City and the bank guarantee is required to accommodate the supply, maintenance and tariff amounts associated with the enhanced street lighting;**
 - (g) the developer being responsible for attaching an identification plate detailing the unique pole number and maintenance responsibilities;**
 - (h) the pole locations and lighting standard being to the satisfaction of the Director of Technical Services and in conformity with Western Power requirements;**
 - (i) at the completion of the maintenance period the developer shall supply two (2) hardbound Maintenance and Operating handbooks, details of which shall be to the satisfaction of the Director of Technical Services;**

- (j) the provision of dusk to dawn switching (i.e. photo electric control) to all lighting;
- (k) the developer agreeing that the single and double outreach lighting pole designs be available for common use as one of three standard combinations approved by the City;

2 advise Wood & Grieve Consulting Engineers accordingly.

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix VIII refers.

CJ43-07/98 RELOCATION OF AN EXISTING GUARD CONTROLLED CROSSING ALONG MOORE DRIVE, CURRAMBINE - [03309J]

SUMMARY

In May 1998, the construction of a passing lane along Moore Drive at the intersection with Ambassador Drive, as part of the City's standard requirement, has affected the operations of an existing guard controlled crossing. As a result a second traffic warden is required to safely maintain the crossing operation. The Western Australian Police Service is not prepared to fund this additional traffic warden and will remove the facility if the crossing point is not relocated to a safer location.

The Currambine Primary School's Principal and its P&C has objected strongly against either the deletion of the crossing operation or the relocation of the crossing point on Moore Drive. The school would be prepared to promote the relocation of the crossing point if it can be guaranteed that the construction of a dual use path is provided by the City on the south side of Moore Drive from Christchurch Terrace to Ambassador Drive linking to the new crossing location.

To maintain the school crossing facility it is recommended that the City relocate the crossing facility eastward and that the construction of the dual use path be listed as a high priority in the 1998/99 Draft Budget.

BACKGROUND

In May 1996, the connection of Moore Drive and Connolly Drive, Currambine was constructed. At the same time LandCorp initiated the subdivision (The Crest, Stage 1) of its landholding at the north east corner of Moore Drive and Connolly Drive intersection which included the creation of the Currambine public primary school site.

In the construction of the Stage 1 and the access road into the subdivision off Moore Drive (now known as Ambassador Drive), the City's requirement for the construction of a passing lane on Moore Drive was not provided. LandCorp agreed to construct the passing lane to comply with the City's standards and include these works as part of Stage 2 of the subdivision.

Currambine public primary school was opened in 1997 and since then has been actively seeking safe routes to the school for the primary school students and parents. The Western Australian Police Service subsequently approved, in March 1998, guard controlled crossings in Ambassador Drive, Moore Drive and Connolly Drive as shown on Attachment 1.

Stage 2 of the subdivision of LandCorp's land commenced in November 1997 and in May 1998, the construction of the passing lane in Moore Drive took place. The road contractors constructed the passing lane and relocated the guard crossing bollards to new edge of the widened pavement. It was then brought to the attention of the City shortly after by Main Roads WA and the Western Australian Police Service that the guard controlled crossing is now unsafe with the widened section of road. It was considered that a single guard will not be sufficient and that a second guard is required to maintain the crossing operation. The Western Australian Police Service was not prepared to fund the second guard and indicated that the service will be terminated if the crossing is left in its current state. The City then proposed to initiate the relocation of the crossing location approximately 50 metres east along Moore Drive.

The Currambine Primary School's Principal and its P&C objected strongly against the deletion of this crossing operation and also the relocation of the crossing point as the deviation significantly increases the distance from the school.

The City has undertaken to fund the second crossing guard temporarily until the matter can be resolved.

DETAILS

The School Crossing Section of the Western Australian Police Service has indicated that its request for the second traffic warden on a permanent basis at Moore Drive had been declined. Consequently the School Crossing Section is unable to operate the guard controlled crossing facility in its current configuration without the services of two (2) traffic wardens. Its position on the matter is as follows:

1. Relocate the crossing east of the current location compatible with the operation of a single traffic warden; or
2. To maintain the crossing at its current location will require funding from a different source for the second traffic warden on a permanent basis.

The Currambine Primary School's Principal and its P&C has objected strongly against either the deletion of the crossing operation or the relocation of the crossing point on Moore Drive. Its position on the matter is as follows:-

1. A second traffic warden to be appointed to maintain the crossing operation at the current location whether the funding be from the Western Australian Police Service or the City of Joondalup.
2. If a second traffic warden is not forthcoming, the passing lane be deleted allowing the previous arrangements to operate satisfactorily.
3. Only as a last resort that if neither of the above is achievable, the school will conditionally accept the relocation of the crossing point eastward on the basis that the

City undertake, within the 1998/99 financial year, to construct a dual use path on the south side of Moore Drive from Christchurch Terrace to Ambassador Drive linking to the new crossing location.

COMMENT/FUNDING

The provision of traffic wardens for guard controlled crossings is not the responsibility of the City but of the School Crossing Section of the Western Australian Police Service. Under normal circumstances, the City would relocate the crossing point to a safer location.

However in this instance, the City is seen to have created the problem by initiating the construction of a passing lane in Moore Drive. Unfortunately, the guard controlled crossing is located within the extent of the passing lane.

The passing lane is required in accordance with the City's standard for this class of road under normal traffic conditions which is consistent with all other intersections of this nature within the City.

The following options have been suggested:

1. The City to delete the passing lane that has been constructed and return to the existing guard controlled crossing operations with a single traffic warden.
2. The City to fund the second traffic warden on a permanent basis to the end of 1998 school year (approximately \$3000.00) and request the School Crossing Section of the Western Australian Police Service to reconsider the permanent funding of the second traffic warden. This option has been suggested to the above Authority whereby it offered no commitment guaranteeing the approval to the permanent funding of the second traffic warden.
3. The City to relocate the crossing point approximately 50 metres east and carry out the necessary works to implement the deviation. This option will require the City to provide Currabine Primary School a firm commitment in the 1998/99 financial year for the construction of the dual use path on the south side of Moore Drive from Christchurch Terrace to Ambassador Drive linking to the new crossing location.

The estimated cost of the dual use path extension and relocation of the guard crossing is \$16,000.

It is not recommended that Option 1 be implemented as the construction of the passing lane is a standard provision for this class of road which is consistent with all other intersections of this nature under normal traffic conditions.

Option 2 may be considered as an appropriate option however there is no guarantee that the permanent funding for the second traffic warden would be approved by the Western Australian Police Service for the start of the 1999 school year. The City will again be in the same position to resolve the issue.

Option 3 offers a permanent solution however the Currabine Primary School's Principal and its P&C has requested a firm commitment for the construction of the dual use path prior to accepting the crossing relocation.

There will be a need to ultimately construct this path in the future as part of the overall provision of dual use paths along Moore Drive. This path will serve the school catchment which extends south of Moore Drive, as shown on Attachment 2.

It is recommended that the City implements Option 3 and advises the Currumbine Primary School's Principal and its P&C that while the City cannot provide a firm commitment for the construction of the dual use path, it will however be listed as a high priority in the current Principal Activities Plan.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners:

- 1 carry out the necessary dual use path extension and associated works to relocate the guard controlled crossing east along Moore Drive;**
- 2 advise the Currumbine Primary School's Principal and its P&C that while the City cannot provide a firm commitment for the construction of the dual use path on the south side of Moore Drive from Christchurch Terrace to Ambassador Drive, it will list the works as a high priority for consideration in the 1998/99 Draft Budget.**

Discussion ensued.

The Motion was Put and

CARRIED

CJ44-07/98 TENDER NO 149-97/98 - SUPPLY AND INSTALLATION OF TANOLITH TREATED PINE POST, RAIL FENCING AND TANOLITH TREATED BOLLARD BARRICADING - [17878]

SUMMARY

Five tenders were received for the Supply and Installation of Tanolith Treated Pine Post, Rail Fencing and Tanolith Treated Bollard Barricading. Council's endorsement is sought for the engagement of the selected tenderer to undertake the works.

BACKGROUND

The Tender Schedule provides for the installation of 5,000 linear metres of post and rail and 5,000 linear metres of bollards. Option 1 included total site clean up. Option 2 - Parks Landscaping Services to undertake site clean up.

The option for site clean was provided as an alternative to the contractor. Parks Landscaping Services supervisors have highlighted specific locations where rubble has been left on-site and created a hazard for mowing operations.

The figure of 5,000 linear metres is provided as an indicative measurement for tenderers.

Parks Landscaping Services currently installs bollards around the perimeter of all Public Open Space. Post and rail is only used for road reserve barriers.

Installation of bollards during the 1997/98 financial year totalled \$65,620, while the installation of post and rail fencing accounted for \$28,620.

Treacy Fencing has undertaken this tender since 1994/95.

DETAILS

Summary of prices submitted:-	<u>Option 1</u>	<u>Option 2</u>
Treacy Fencing	\$133,500	\$131,000
Peter Wood Fencing	\$135,000	\$130,000
Tech Alliance	\$206,500	\$202,000
M & A Contractors	\$190,137	\$216,280
Pinnacle Builders Pty Ltd	\$178,500	\$202,000

The prices submitted by Pinnacle Builders Pty Ltd and M & A Contractors are as per the Tender Schedule. It would appear that these amounts are recorded incorrectly. Contact was not made with these companies as neither were in the lowest range of prices.

The tender schedule provided for the installation of 5,000 linear metres of post and rail fencing and 5,000 linear metres of bollards. Option 1 required complete clean up of site by contractor. Option 2 required installation only.

Options were included as concerns have been expressed regarding the clean up practices during various contract works.

Assessment via a "per metre" rate has been undertaken for the two lowest tenderers to show the unit rates for comparison purposes.

	Bollards Per Unit		Post & Rail Per Unit	
	<u>Option 1</u>	<u>Option 2</u>	<u>Option 1</u>	<u>Option 2</u>
Treacy Fencing	\$12.20	\$11.95	\$14.50	\$14.25
Peter Wood Fencing	\$12.50	\$12.00	\$14.50	\$14.00

The prices submitted by the above contractors indicate the competitive nature of the work. Both contractors have undertaken work previously for Council.

The recommendation of Treacy Fencing is based on price, as per the Tender Schedule, ie. Option 2 - Bollards \$11.95, Post and Rail \$14.25.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners:

- 1 accept the tender submitted by Treacy Fencing for Tender No 149-97/98 Supply and Installation of Tanolith Treated Pine Post, Rail Fencing and Tanolith Treated Pine Bollard Barricading, per Option 2 - \$11.95 Bollards, \$14.25 Post & Rail;**
- 2 endorse the signing of contract documents;**

- 3 authorise the extension of the initial contract to be extended subject to the agreement of both the tenderer and the City of Joondalup and/or Shire of Wanneroo for a further period of 12 months, up to a maximum of three 12 month periods.

The Motion was Put and

CARRIED

Item CJ58-07/98 was considered at this point.

CJ58-07/98 ENVIRONMENTAL WASTE SERVICES ENTERPRISE
AGREEMENT - [21186]

SUMMARY

Environmental Waste Services entered its first Enterprise Agreement in September 1995. This has now expired and a replacement agreement has been negotiated.

The draft of the agreement was discussed with the workforce on 25 June 1998 and minor adjustments agreed. The document was then reviewed by the Director Technical Services and the Chief Executive Officer on 8 July 1998. The document will be issued to the workforce for the required 21 days before they meet to vote.

The workforce has embraced significant workplace reform and productivity improvements since the start of the previous agreement three years ago that adequately cover the wage increases.

Adoption by the Joint Commissioners is recommended. The agreement will then be submitted to the Industrial Commission for certification.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 adopt, subject to the workforce's acceptance, the Enterprise Agreement for Environmental Waste Services as shown in Attachment 1 to Report CJ58-07/98;
- 2 authorise the Enterprise Agreement for Environmental Waste Services to be referred to the Industrial Relations Commission for certification.

Cmr Morgan spoke in support of the Motion, advising that if this Agreement is ratified by the Industrial Relations Commission, all outside wages employees would then be covered by the five enterprise bargaining agreements.

The Motion was Put and

CARRIED

DEVELOPMENT & PLANNING SERVICES SECTION

Items CJ45-07/98 to CJ57-07/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Morgan. Cmr Rowell gave notice of his intention to speak on several items.

CJ45-07/98 JOONDALUP NIGHT MARKETS REVIEW - [04143]

SUMMARY

In February 1998 the former City of Wanneroo agreed to the establishment of night markets in the Joondalup city centre. It was also proposed to review the market project at the end of the autumn season. The market operator's report indicates that the markets can be sustainable in the longer term, providing the operator makes a significant investment in television advertising and has a minimum three year lease with an option to extend.

The current licence concludes in March 1999. However, the licensee has indicated a preparedness to surrender the licence if there is a revised licence/leasing arrangement. To progress this it is proposed to call tenders for the operation of the markets in conjunction with the Joondalup City Owners and Traders Inc.

BACKGROUND

In February 1998 the Joint Commissioners of the former City of Wanneroo considered a report on the establishment of night markets in Central Walk and Reid Promenade, Joondalup. It was proposed that night markets be held on a trial basis to determine the likely success of such a venture on an ongoing basis.

It was resolved that the Joint Commissioners:

- 1 *agree in principle with the establishment of night markets in Joondalup to be located in Central Walk and Reid Promenade;*
- 2 *advise LandCorp it will approve the commencement of the night markets subject to it:*
 - *accepting responsibility for the management of the night markets;*
 - *installing the power supply to Central Walk subject to the submission of details for approval to the satisfaction of the Director, Technical Services;*
 - *obtaining a development approval and payment of the administrative fee;*
- 3 *delegate authority to the Chief Executive Officer to approve a development application for the Joondalup Night Markets, generally as described in Report No. FA21-02/98 for a period not exceeding 12 months and subject to:*
 - (a) *payment of the necessary administrative fee;*
 - (b) *conditions deemed necessary by the Manager Approval Services;*

- 4 *in accordance with Section 6.8(1) of the Local Government Act 1995 authorises the expenditure of \$16,600 as the City's contribution to the establishment and running of the night markets for the period March - May 1998;*
- 5 *agree to review the night markets project at the end of the Autumn season. (Item FA21-02/98 refers)*

Market Operator's Report

A detailed report (previously circulated to Commissioners) prepared for the former City of Wanneroo and LandCorp indicates that the markets commenced on 27 March 1998 and continued over seven Friday nights with the exception of 10 April (Good Friday) until 15 May 1998.

Attendance and number of stalls

Attendees	48 000 estimated
Number of Stalls	442 (mean 63)

Expenditure	\$36,128
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Income

Stalls	8,820	
City of Wanneroo	10,492	
LandCorp	<u>16,816</u>	<u>\$36,128</u>

Future Sustainability

The Joondalup Markets operator, Brian Laurance advises that the long term prospect of sustaining an open air market is excellent with the potential to gross (after expenses) between \$40,000 and \$50,000 based on the current format. A larger turnover could be expected if the opening hours were extended and conducted over additional days/nights. He also advises that to sustain the markets a significant investment (minimum of \$50 000) in television advertising in the first year with reduced amounts in subsequent years.

In his report, the estimates of cost include for sponsorship \$22,000 to cover the entertainment expenses/costs. Mr Laurance suggests these may be able to be sourced through LandCorp, the City of Wanneroo and/or the Joondalup Owners and Traders Inc.

Lighting

Lighting is important to the success of the night markets. Stall holders were encouraged to arrange their own stall lighting. It is suggested that a change of globes in the street lighting should bring a marked improvement in the available ambient light.

Entertainment

It is noted that future events should involve a mixture of professional performers and the opportunity provided for local talent.

Power

Permanent installation of reticulated power will need careful consideration. LandCorp has previously committed to the installation of permanent power at an estimated cost of \$30,000. This will be required prior to the markets return.

DETAILS

A number of issues need to be considered. These are whether or not the markets should continue, market management structure, financial considerations, the role of the City of Joondalup and the owners and traders in the markets and approval issues.

Future of Markets

The report of the market operator during the trial period indicates the markets can be viable subject to a private enterprise approach, substantial television promotion, and a reasonable lease tenure (3 years plus option for 3 years). The purpose of the markets was to assist in the establishment of the entertainment district of the Joondalup city centre and to promote economic development in the area. These objectives are worth perusing providing the continuance of the markets meets the objectives and the costs can be contained.

The markets should recommence in the spring season and continue through to autumn. If the markets are to continue the arrangements need to be established as soon as practicable to allow adequate time for tendering (if required) and for the operator to make the necessary preparations.

Financial Considerations

The cost of running the markets was \$36,120 for the trial period. This was offset by income from the stall holders and substantial funding support of \$27,208 from LandCorp and the former City of Wanneroo. The predictions prepared by Mr Laurance indicates that the markets can be run on a profitable basis subject to an operator having clear and reliable conditions and a suitable lease period.

It is proposed that the City does not contribute financially to the running of the markets, but rather assists in the sourcing of entertainment by co-ordinating where practicable entertainment associated with festivals etc. arranged by the Community Development directorate.

Market Management Structure

Following the night market trial a meeting of representatives of the owners and traders abutting or adjacent to the markets, LandCorp and the City was held to review the success of the markets. At the meeting it was proposed that the management of the markets should be the responsibility of those that are directly affected, that is the owners and traders. These are represented by the Joondalup Owners and Traders Association (Inc.). LandCorp advises that while it was prepared to assist in the trial it was unable to be on the management committee albeit it would assist in the identification and determination of problems. The Association advises that it is prepared to be responsible for the running of the markets but would need secretarial support for approximately six months. The Association also suggests the market management committee membership consists of representatives from the City of Joondalup and the Joondalup Owners and Traders Association Inc.

Approval Issues

The current approval for the night markets expires in March 1999. This was issued under the provisions of Councils Town Planning Scheme No. 1 as a development approval. The site (Central Walk between The Boulevard and Davidson Terrace) is crown land. The responsibility for its care and management rests with the City. A more appropriate arrangement for a longer term arrangement would be for the City to enter into a lease arrangement so that the responsibilities are more clearly defined. Mr Laurance has indicated a preparedness to surrender the existing licence if the night markets were to be tendered. The Joondalup Owners and Traders and LandCorp advise that they would prefer Mr Laurance to continue the management of the markets for a period of three years with a three year option. Mr Laurance has successfully managed the markets at the Galleria for a number years. He was instrumental in making the night markets a success in the face of reports purporting they would not be successful. Despite this record and his effectiveness in the management of the Joondalup night markets, the City needs to ensure that any approval and lease for the markets is fairly made. This would require the advertising of the tender for the market.

Regarding the approval period, the initial three year period is considered reasonable. However the option to extend should be on the basis of all parties agreeing and the option period being up to three years. This will allow new issues that may arise to be accommodated.

Other approval issues could be addressed in the tender documentation and would include:

- the licensee to be responsible for costs associated with;
 - rubbish removal
 - street closures
 - power associated with the specialist power supply

- conditions relating to;
 - an adequate advertising commitment
 - hours of operation
 - access to adjacent properties
 - insurance
 - closure of the street
 - trading licences
 - noise control
 - rubbish removal
- demonstrated experience in the management of markets;
- extension of market loans to allow weekend markets;
- provision for car parking.

Management Arrangements

The initial markets were facilitated jointly by LandCorp and the former City of Wanneroo. LandCorp have indicated that its ability to be involved is limited. The City has responsibility in promoting economic development and the success of the city centre. It nonetheless has limited resources and its perceived role in this project is limited to assisting in the establishment of the markets and facilitating its continued operation by establishing an appropriate management structure.

The people that have the closest relationship with the project are the property owners and traders in the vicinity of the markets. These are represented on the Joondalup Owners and Traders Inc.

Following meetings with the Joondalup Owners and Traders Inc it is proposed that it takes prime responsibility for the night markets. The Joondalup Owners and Traders Inc have recently established and would need secretarial support for about six months. This can be provided by the Strategic Planning directorate with respect matters relating to the markets.

Lease

A lease for the night markets should be prepared based upon the following:

Parties: City of Joondalup, Joondalup Owners and Traders Inc and the successful market operator.

Obligations of

Parties: This section will address the obligations of the parties under the lease and will include:

- City of Joondalup: - Calling of tenders and appointment, in conjunction with the Joondalup Owners and Traders Inc, of a market operator.
- Issues of approvals.

- Joondalup Owners
& Traders Inc: - Liaison and management of operational matters between owners and traders and the market operator.
- Regular meetings with the market operator.
- Market Operator: - To promote and manage the operation of the markets.
- Hours of Operation: - Lease to provide for weekend markets ie Friday, night through to Sunday evening. The lease should be flexible so as to permit markets on public holidays and other special occasions.
- Scope of Markets: - Lease to describe the scope of the markets which may encompass stalls, swap meets, entertainment, food vendors etc.
- Approvals: - As detailed under approval issues.
- Term of Lease - It is proposed that the lease period be three years with an option to extend for a further period up to three years subject to the agreement of all parties.

COMMENT/FUNDING

The Joondalup night markets trial has been successful. To continue the markets will require a long term lease with certainty of conditions. The current market operator has been successful operating under the licence issued for period expiring on March 1999. He has indicated a willingness to either continue to manage the markets or relinquish the licence if the decision is taken to tender the licence for the markets. In the interests of fairness the licence for the markets should be tendered.

Account No:

Budget Item: Nil

Budget Amount: \$Nil

Actual Cost: \$Nil

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 acknowledge the success of the Joondalup night markets;**
- 2 nominate the Director of Strategic Planning (or his nominee) to represent the City on the Joondalup Weekend Markets Management Committee established by the Joondalup Owners and Traders Association Inc;**
- 3 endorse the calling of tenders for the operation of weekend markets in the Joondalup City Centre;**

4 authorise the preparation of a lease agreement.

Cmdr Rowell spoke to the Motion.

The Motion was Put and

CARRIED

CJ46-07/98 PERRY'S PADDOCK, WOODVALE - [06011]

SUMMARY

The Ministry for Planning seeks the City's advice as to whether it wishes to obtain the vesting of Perry's Paddock, Woodvale. The City's position on this matter needs to be determined to give Mr Vic Garmson, the developer of the proposed 'Olde World Charm' proposal for Perry's Paddock, direction in progressing his project. It is recommended that the City defer consideration of the matters of acceptance of vesting of this land and continuance of support for Mr Garmson's project at Perry's Paddock pending completion of the review of the municipal boundary now being commenced and the release of the draft Yellagonga Regional Park Management Plan.

Whelans consultants had previously been engaged by the City for the preparation of a Development and Management Plan for Perry's Paddock. Due to the major change of direction for the total Perry's Paddock project arising from Council's decision on this project of October of last year, Whelans and City officers have agreed that a termination of Whelans' consultancy contract would be in both parties' best interest. Endorsement of that termination is recommended.

BACKGROUND

'Perry's Paddock' is the area of land bounded by Ocean Reef Road, the southern end of Lake Joondalup, Walluburnup Swamp and Beenypup Swamp, in the locality of Woodvale (see Attachment No. 1). It is approximately 20 ha in area and is reserved for Parks and Recreation purposes under the Metropolitan Region Scheme and the City's Town Planning Scheme No 1. The Ministry for Planning currently owns the land, however, as it falls within Yellagonga Regional Park, it will soon be converted to Crown Reserve and vested in either the Local Government Authority or the Department of Conservation and Land Management (CALM) for management.

A 'greater' Perry's Paddock area is often regarded as comprising the larger area containing the area referred to above, and being bound by Ocean Reef Road to the north, the Woodvale residential area to the west, Woodvale Drive to the south and a number of small rural properties to the east.

Around the mid 1980s, the City considered the possibility of establishing a historical village and identified Perry's Paddock as a likely suitable site considering its strong historical connections to the district's history:

- it formed part of the first freehold subdivision of land in the City;

- it was the site of the Perry's Paddock Picnic Day, an important annual social event for the district held in the 1920s; and
- it contained the remains of a number of old buildings.

In 1987, the City engaged Kidd & Povey Architects to prepare a plan for a historical village on Perry's Paddock. The plan was based on the concept of a village which presented the local district's history, which it would do through the relocation or reconstruction of buildings still or formerly existing in the district.

In 1988, Council considered the plans prepared and resolved to approve in principle the establishment of the historical village on Perry's Paddock and to undertake a feasibility study to investigate the best means of implementing the project.

Around this time, the City sought and obtained the then State Planning Commission's approval in principle to the leasing of the land to the City. Negotiations then commenced regarding the terms of the proposed lease.

In 1989, Consultants, Sinclair Knight & Partners were engaged to undertake the feasibility study required by Council. Their report led to a prolonged period of deliberations by the Council's Historical Sites Advisory Committee. Issues considered in the feasibility study were prospects for private sector and community group involvement in the project. Coincidentally, a private developer, Mr Vic Garmson, submitted a proposal to the City, involving leasing portion of Perry's Paddock to establish an Inn building (for tavern, restaurant, reception centre and limited accommodation uses) and a model village (with miniature buildings).

The City proceeded to invite registrations of interest from the private sector and community groups for participation in the Perry's Paddock project. Mr Garmson submitted a registration of interest and was subsequently invited to submit a detailed proposal, which he did. (A number of registrations of interest were received, however, Mr Garmson was the only party to be invited to submit a detailed proposal).

Consideration of Mr Garmson's proposal required that a number of issues be addressed:

1. Negotiation of Lease Terms

Following receipt of advice from Raine & Horne International Consultants/Valuers and the Department of Land Administration (DOLA), the following lease terms were negotiated with Mr Garmson and subsequently endorsed by Council (in August 1996):

- (i) Up-front contribution to infrastructure:
 - a) Subject to b) below, the contribution to comprise:
 - 50% of the estimated cost of entry road/earthworks; plus
 - 50% of the estimated cost of provision of potable water supply; plus
 - 33% of the estimated cost of an ornamental lake (if finally approved) and irrigation system.

- b) Notwithstanding a) above, the minimum contribution to be \$100,000 and the maximum contribution to be \$160,000 (including interest). For a contribution greater than \$100,000, this may be paid through an up-front contribution of \$100,000 with the balance being amortized over ten years involving annual payments and applying an interest rate similar to that which the city pays on fund it borrows

(It was noted, however, that should the finally determined site for Mr Garmson's proposal be substantially different to the site proposed at that time, then the matter of contribution to infrastructure would need to be renegotiated).

(ii) Annual Rent:

An annual rent of \$36,000, with this being reviewed on the following basis:

- a) No review for the first five years;
- b) Every five years, rent to be reviewed to CPI or market, whichever is the greater, but to be not less than rent payable immediately prior to the review;
- c) Every year after the first five years rent to be reviewed to CPI, but not to be less than rent payable immediately prior to the review.

(iii) Lease Period:

Twenty five years with an option to extend for a further 25 years.

2. Links to the District's History

The City had always required that if Mr Garmson's project was to be accepted, it needed to be compatible with the Perry's Paddock concept as a whole, that is, it needed to have adequate links to the history of the district.

The first historical link originally proposed was related to the role of James Cockman as an early settler on this land. Immediately prior to leaving Britain for the Swan River Colony, James Cockman had lived in Gloucestershire. The link proposed was to base the architectural style of the Inn building upon the styles typical of that part of Gloucestershire.

Though the above link was accepted at the time, it was acknowledged by all concerned that it was quite tenuous and that a far stronger link would be preferable. Through work undertaken between Mr Garmson and a special sub-committee of the Historical Sites Advisory Committee, a new link was developed which was related to the fact that the first people to own the properties created by this first subdivision of this land were former soldiers of the detachment of the 63rd Regiment which had accompanied Captain Stirling in 1829. The adjacent southern portion of Lake Joondalup was indeed known as Soldiers' Lake. The links to be presented were therefore:

- in the model village, to depict the route taken of the first settlers from Britain to the Swan River Colony and eventually to Wanneroo;
- to base the architectural style of the Inn building upon that of the Chatham area (just east of London) where the 63rd Regiment was garrisoned immediately prior to the departure of its detachment for the Swan River Colony;
- to include displays in the Inn building regarding the above links.

The Council of the former City of Wanneroo subsequently accepted the adequacy of the above historical links.

Further information submitted by Mr Garmson over recent years which provides further details regarding his proposal has been separately provided to Commissioners.

3. Identification of a Suitable Site on Perry's Paddock

The site on Perry's Paddock first sought by Mr Garmson was located immediately adjacent to Ocean Reef Road and approximately opposite the intersection of Ocean Reef Road and Backshall Place.

To determine where a suitable site might be, an overall assessment of Perry's Paddock was required to be undertaken. Such an assessment (which took the form of a study to prepare a Development and Management Plan for Perry's Paddock) was also required to satisfy a number of other requirements applying at that time:

- the WA Planning Commission had advised that if it was to hand-over control of the land to the City, it would require that within approximately 1 year of such hand-over, a management plan for the land be put in place;
- for many years, the Council had been placing funds in a reserve fund intended for establishment of the historical village. A final development plan for the land together with a detailed first stage development plan was required to allow development to commence, utilizing the reserve funds.

Whelans Consultants was engaged to prepare the Development and Management Plan (DMP). A draft DMP was prepared (see Attachment No. 2 - a coloured version of this plan has been separately provided to Commissioners) and advertised for public comments. It may be noted that the plan proposed an ornamental lake being built near the northern end of Walluburnup Swamp and Mr Garmson's project being sited next to Ocean Reef Road on the northern tip of Walluburnup Swamp (entailing filling of that northern area).

The draft DMP generated considerable public response with the main issue being the proposed modification of Walluburnup Swamp. The National Parks and Nature Conservation Authority considered this issue and decided that this wetland area should be protected. The outcome was that Council decided to review the draft DMP to avoid impact on Walluburnup Swamp and to undertake a number of further studies:

- an Aboriginal Heritage Survey (undertaken by McDonald Hales and Associates);
- a report on the environmental significance of Walluburnup Swamp, definition of wetland boundaries and recommended wetland buffers (prepared by Vic Seineniuk)

Around this time, the Government announced that steps were to be initiated for the establishment of Yellagonga Regional Park. This led the WA Planning Commission to decide to have the Perry's Paddock land converted to Crown reserve for vesting in the City, rather than a direct lease to the City. When the WA Planning Commission sought the then Minister for Planning's approval to this arrangement, the Minister (who also held the Heritage portfolio) required that the City demonstrate that its proposals for the land were sound in heritage terms. This led the City to engage Kelly Aris Conservation Architect to prepare a Conservation Plan for the site.

The Kelly Aris Conservation Plan essentially concluded that the Perry's Paddock land was of considerable heritage significance as it currently was, that is, as a generally open rural landscape. It consequently proposed policies aimed at protecting that heritage significance such as prohibiting placement of further buildings on the northern half of the site and placing strict controls on buildings or uses which may be contemplated elsewhere on the land. It also proposed that the City reconsider its plans to establish a historical village on this site. A copy of the Conservation Plan has been placed in the Joint Commissioners' Reading Room for perusal.

In view of the Kelly Aris Conservation Plan's proposals, Mr Garmson submitted revised plans for his project which were intended to go some way to reducing conflict with the Conservation Plan. This included a proposed site approximately 25 metres south of the line of large olive trees near the old school building (see Attachment No 3).

As the Kelly Aris Conservation Plan held such significant implications for both the City's long-standing plans for a historical village on Perry's Paddock and Mr Garmson's proposal, an opinion on the soundness of the Conservation Plan was sought from Palassis Architects. Its opinion was essentially that the Conservation Plan was sound and that both the City's and Mr Garmson's development proposals for the site were inappropriate in terms of protection of the heritage values identified in the Conservation Plan.

At its October meeting of last year (Item DP216-10/97 refers), the Council of the former City of Wanneroo considered a report which dealt with all of the above matters and was broadly intended to assist the Council in determining future direction for Perry's Paddock, including Mr Garmson's proposal. In respect to Mr Garmson's proposal, the report recommended that the City not accept his proposals for Perry's Paddock due to conflict with the Conservation Plan, and the minimal land available for development having regard to the Conservation Plan and the Semenuik study on wetland boundaries/buffers and the Aboriginal sites studies. It was, however, resolved that Council:

- "1 adopts the Conservation Plan for Perry's Paddock prepared for the City by Kelly Aris, Conservation Architect;*
- 2 pursues the preparation of plans for the future use and management of Perry's Paddock with reference to the Conservation Plan;*
- 3 refers the Conservation Plan to the Department of Conservation and Land Management and the WA Planning Commission for inclusion in the consideration of the management plan for Yellagonga Regional Park;*
- 4 refers Mr Garmson's second proposal for his "Olde World Charm" project for Perry's Paddock to the Department of Conservation and Land Management and WA Planning Commission, advising that although a few aspects of the proposal are not consistent with the recommendations of the Conservation Plan, it should be given consideration for inclusion within Perry's Paddock having regard for the benefits it will provide in terms of:*
 - (a) local history education;*
 - (b) recreation;*
 - (c) tourism;*
 - (d) local employment opportunities*
- 5 supports a deputation by Mr Garmson to the Minister responsible for the Department of Conservation and Land Management, seeking the Minister's support to the provision to Mr Garmson on appropriate terms of a suitable site in Perry's Paddock for an appropriate historical project;*
- 6 requires that the matter of whether an historical village of a type similar to that previously envisaged for Perry's Paddock should be pursued for an alternative site, or not, be further considered by the Historical Sites Advisory Committee for formulation of a recommendation to Council on the matter."*

DETAILS

Deputation to Minister for Environment

Pursuant to Item 5 of Council's October resolution of last year, a deputation with the Hon Minister for Environment took place on 13 January 1998. The meeting concluded with the Minister advising that in her view, consideration of the suitability or otherwise of Mr Garmson's proposal for Perry's Paddock should be carried out in conjunction with and as part of the process of preparation of the Yellagonga Management Plan which was then commencing.

Responses from CALM and Ministry for Planning

Pursuant to Item 4 of the abovementioned Council resolution, Mr Garmson's proposal was referred to CALM and the Ministry for Planning (MFP).

CALM's reply is as follows:

"I refer to your correspondence dated 18 November 1997 in relation Mr Vic Garmson's development proposal for Perry's Paddock.

I apologize for the late reply and am aware this issue has been discussed with the Hon. Minister for the Environment, Mrs Cheryl Edwardes.

The CALM Department's views in respect to Mr Garmson's proposal are that any plans for development at Perry's Paddock should be part of the regional park planning process currently being initiated. The Planning methodology will be based on CALM's standard management plan process that includes extensive public review and comment stages.

Consultants have been appointed to prepare a management plan for Yellagonga Regional Park and as part of the planning process the planning team will also seek the views from the Yellagonga Advisory Committee.

I believe this information has also been passed onto Mr Garmson."

MFP's reply is provided as Attachment No 4 to this report. It may be noted that it includes copies of letters from the Premier and Minister for Planning to Mr Garmson.

Revised Plans Submitted by Mr Garmson

In November of last year, Mr Garmson submitted revised plans for his proposed Inn building. Attachment No 5 provides his plan and explanatory letter.

On 27 May 1998, Mr Garmson submitted revised plans showing his proposed overall site layout and the layout for the proposed miniature model village, including the museum/gift shop/workshop associated with the model village (see Attachment No 6).

COMMENT/FUNDING

Role of Local Government in Perry's Paddock

As noted previously in this report, it had always been the intention that to facilitate the implementation of the original plans for a historical village on Perry's Paddock, the land should be brought under the control of the City either through a leasing or vesting arrangement.

The October Council resolution of last year has led to some uncertainty concerning the City's current intentions on this matter as on the one hand it has adopted the Kelly Aris Conservation Plan (Policy 10.1 of which states "*It is recommended that the place be maintained under its single ownership, and that the structures that comprise Perry's Paddock be placed under the control of the local government authority by means of a vesting order*"), while on the other, it has placed emphasis upon CALM and the Minister for Environment being the agencies (along with the WA Planning Commission) who will determine whether Mr Garmson's proposal will be finally accepted or not. This largely reflects the tenor of a number of Councillors' comments made around the time of Council's October 1997 resolution which were to the effect that if the City was not to proceed with its plans for a historical village on that land, then perhaps it would be to the City's advantage if it was to no longer seek a management role for that land and instead leave CALM to manage it.

This has led the Ministry for Planning to seek clarification from the City of its position on this matter. The Member for Joondalup, Mr Chris Baker MLA, has also sought the City's advice on this matter.

A report on this project was presented to the August round of meetings of last year (Item DP146-08/97 refers). That report canvassed the range of options available to Council, ranging from rejecting the Kelly Aris Conservation Plan and pursuing previous plans for a village on the site, to abandoning any City involvement in the Perry's Paddock area and leaving it to other agencies to do with the site as they saw fit. The report recommended against this latter option as the site was seen to be so important to the history of the district that the City should be involved with whatever happens there (indeed, it should have a leading role). The report, therefore, concluded that the City should remain involved as a key player in the future use and management of this land.

The above assessment made in August of last year is still considered basically sound. However, the following issues regarding cost implications, municipal boundary changes and preparation of the Yellagonga Regional Park Management Plan also need to be considered.

Cost Implications

In respect to the cost implications of accepting management responsibility for the area concerned, the following cost estimates have been prepared in relation to the heritage, parks and vehicular access aspects of the area.

Heritage

Capital Costs (based on essential works outlined in the Conservation Plan which should be regarded as essential for maintaining the historical, social, aesthetic and scientific significance of the site):

• Conservation works and “restoration” of Perry’s Cottage and stables	\$132,000
• Replacement of security fences	\$ 9,000
• Signage and interpretive Material - brochures, signs, trails plaques	\$ 10,000
• Aboriculturalist assessment of significant trees	\$ 5,000
• Social history of Perry’s Paddock conducted by a professional historian	<u>\$ 4,000</u>
	\$160,000

Recurrent Costs (based on 1997/98 budget)

• Restoration of artefacts	\$ 2,500
• Capital building expenses	\$ 3,700
• Building maintenance	\$ 1,870
• Building operating costs	\$ 2,760
• Garden maintenance	<u>\$ 9,420</u>
	\$ 20,250

Parks

Capital costs (based on draft Development and Management Plan but excluding components no longer supported, e.g. main village areas or ornamental lake).

• Access road landscape	\$ 28,000
• Bore and irrigation supply	\$ 46,000
• Power supply	\$ 55,000
• Public toilets	\$ 65,000
• Picnic facilities	\$ 15,000
• Access paths - est 5 km, stage one	\$110,000
• Mains water connection	<u>\$ 25,000</u>
	\$344,000

Recurrent costs (dependent on public use)	\$ 35,000
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Vehicular Access (capital costs)

• Entry road	\$100,000
• Car parking	<u>\$ 60,000</u>
	\$160,000

The total estimate of capital cost from the above is \$664,000 and the total estimate of recurrent cost is \$55,250.

Mr Garmson has recently submitted on a “Without Prejudice” basis a proposal for provision of infrastructure for the area, see **Attachment 7**. If accepted, this would offset many of the costs given above. It may be noted that at an appropriate time, it would also need to be assessed against the previous Council resolution referred to earlier regarding the infrastructure contribution to be made by Mr Garmson.

Current Issues Affecting Area

Though the principle of the Local Authority assuming management responsibility for this area is still considered valid, the following matters are seen to argue against a commitment being made now:

- **Yellagonga Regional Park Management Plan**

As discussed later in this report, although the Premier, Minister for Planning and Ministry for Planning have previously advised Mr Garmson that the matter of preparation of the Yellagonga Regional Park Management Plan need not delay consideration by the City of the issue of whether to accept vesting of Perry’s Paddock or not, information received to date by City officers involved in the preparation of the Management Plan indicates that there may well be proposals and views put forward in the plan which Commissioners may wish to be aware of in deciding upon this issue.

The draft Management Plan is expected to be released for public comment around October of this year, with a briefing of Commissioners by CALM officers involved prior to that time.

- **Proposed Change to Boundary Between City of Joondalup and Shire of Wanneroo**

Perry’s Paddock currently falls within the City of Joondalup. A report is being considered at this meeting of the Joint Commissioners, recommending their approval to the initiation of steps aimed at changing the municipal boundary such that, amongst other things, Perry’s Paddock will instead fall within the Shire of Wanneroo.

The decision concerning whether to accept vesting of this land or not should desirably be made by the Local Authority which is actually going to be responsible for it. It is understood that gazettal of the new boundary, if proceeded with to conclusion, would occur sometime in October of this year. It may be preferable that the decision concerning vesting of this land be deferred to that time, which incidentally would correspond well with the timing of availability of information regarding Yellagonga Regional Park Management Plan referred to above.

Conclusion Regarding Vesting of Land

It is concluded that it would be appropriate to defer consideration of the matter of whether to accept vesting of Perry’s Paddock pending the release of the Draft Yellagonga Regional Park Management Plan and the outcome of the proposed change to the municipal boundary.

Mr Garmson's Proposal

As advised previously in this report, at its October meeting of last year, Council resolved that although some aspects of Mr Garmson's proposal were not consistent with the policies of the Kelly Aris Conservation Plan, it should be supported for inclusion within Perry's Paddock having regard to the benefits it would provide in terms of local history education, recreation, tourism and local employment opportunities. Since receiving that support from Council, Mr Garmson has been endeavouring to seek the support of relevant agencies to have his proposal further progressed.

The following issues require consideration in respect to the general matter of whether to continue support for Mr Garmson's proposal or not.

- **Yellagonga Regional Park Management Plan**

It had originally been considered by the Minister for Environment and CALM that the matter of appropriate use of Perry's Paddock (and consequently acceptability or otherwise of Mr Garmson's proposal) may be best addressed as part of the preparation of the Yellagonga Regional Park Management Plan. Subsequently, the Premier, Minister for Planning and Ministry for Planning wrote to Mr Garmson, advising him that the preparation of the Management Plan need not influence and delay any decision by the City concerning its position on vesting of the land and Mr Garmson's proposal. At a meeting between the City, CALM, and the Ministry for Planning officers held on 21 May 1998, CALM officers were of the view that it would be pointless deferring consideration of Mr Garmson's proposal pending progress on directions envisaged by the Management Plan, as it would be unlikely to go beyond simply endorsing the recommendations of the Kelly Aris Conservation Plan. Since that time however substantial progress has been made on the preparation of the draft Management Plan and from City officers' involvement with that process, it is apparent that the Management Plan will be going beyond a simple endorsement of the Kelly Aris Conservation Plan and will instead be making proposals in respect to the future use of the land which Commissioners may wish to be aware of in considering their position in respect to Mr Garmson's proposal.

In considering the appropriateness or otherwise of Mr Garmson's proposal for Perry's Paddock, it should be noted that this involves not just consideration of the proposed buildings, but also the facilities which would be required to service the complex, eg access road from Ocean Reef Road, utility extensions through the site (water, sewer, power, etc.),carparking. The Management Plan proposals should be given regard to, in respect of both the building component of Mr Garmson's proposals, as well as those 'linking' components which would affect various parts of the broader site.

- **Change to City/Shire Boundary**

The points made previously in this report regarding the appropriateness of the Local Authority who will actually have this land within its district making the decision regarding vesting of the land, similarly applies to the issue of whether to continue to support for Mr Garmson's proposal or not.

The following comments relate to the more detailed aspects of Mr Garmson's proposal and are made notwithstanding that the broader issue of whether Mr Garmson's proposal should be continued to be supported or not first needs to be resolved:

- As referred to earlier, **Attachment No 5** shows a revised design for the Inn building. Council has previously delegated authority to the Director Strategic Planning to determine the acceptability of the design of the Inn building in terms of consistency with architectural styles typical of the Chatham and environs area. Advice on this new design was sought from the British local authority concerned (the City of Rochester Upon Medway) and having regard to that advice, this new design has been considered acceptable.
- Regarding the recently submitted plans for the overall layout (site plan) and the model village (**Attachment No 6**), the following comments are made:
 - the site plan shows the Inn building being approximately 50m south of the olive trees. This is further south than previously proposed and is preferable in terms of being further away from the more sensitive northern part of the site where the emphasis is to retain the open rural landscape. However, as noted earlier, there will be necessary links through this northern area (eg access road) which will need to be considered in conjunction with the Draft Yellagonga Regional Park Management Plan.
 - the elevation shown for the museum/gift shop/workshop building at the entrance to the proposed model village is considered to be unacceptable as the castle-like central portion is out of keeping with the architectural style accepted for the Inn building and would detract from the historical link supposed to be presented by that style.
- Whereas the letter from the Premier, Minister for Planning and Ministry for Planning (**Attachment No 4**) advise that Mr Garmson must obtain a lease of the land from the City to be then able to lodge a development application to see if planning approval from WAPC may be granted, MFP officers have subsequently advised that an alternative approach would be for the City to resolve to lease a site to Mr Garmson, subject to WAPC development approval being granted. This approach has the advantage of allowing the WAPC's decision to be determined prior to the lease being put in place (which would entail considerable time and expense). It is unlikely that the WAPC would be prepared to determine its position on Mr Garmson's proposal prior to the agency which is going to manage the land first deciding to give its support to this proposal.

Conclusion Regarding Mr Garmson's Proposal

It is concluded that it would be appropriate to defer consideration of whether to continue support for Mr Garmson's proposal or not, pending release of the Draft Yellagonga Regional Park Management Plan and the outcome of the proposed change to the municipal boundary.

Contract with Whelans Consultants

As noted previously in this report, Whelans was engaged to prepare a Development and Management Plan for Perry's Paddock. This was to include a first stage development plan.

The Council resolution of October of last year has meant that the project has taken a completely different course to that envisaged by the brief which had guided the Whelans work. Discussions were held early this year between representatives of Whelans and this City and it was agreed that it would be in both parties' best interest for the consultancy contract to be terminated. Formal approval to such termination is recommended.

CONCLUSION

There are two main issues to be considered:

- whether to accept vesting of Perry's Paddock or not;
- whether to continue to support Mr Garmson's proposal for Perry's Paddock or not.

In respect to the above issues two main options are apparent:

1. on the basis of the information currently available as presented in this report, decide now (either in the affirmative or not) in respect to each of the above issues;
2. defer consideration of these issues until it has been established which Local Authority the subject land is going fall within following the boundary review now being undertaken, and until adequate information is available concerning the directions for this land being considered in the preparation of Yellagonga Regional Park Management Plan.

It is recommended that option 2 above be adopted.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 **defer consideration of the matters of acceptance of vesting of Perry's Paddock and continuance of support for Mr Garmson's 'Olde World Charm' development project on Perry's Paddock pending:**
 - (a) **completion of the municipal boundary review which will determine whether the subject land will remain in the City of Joondalup or instead become within the Shire of Wanneroo;**
 - (b) **release of the draft Yellagonga Regional Park Management Plan.**
- 2 **advise Mr Garmson that in light of the uncertainty which currently exists in respect of the matters of acceptance of vesting of Perry's Paddock and continuance of support for his project in Perry's Paddock, they recommend that he not invest any further funds, time or similar resources in his project until these matters have been determined;**

- 3 endorse termination of the consultancy contract between the City of Joondalup and Whelans consultants in respect to the preparation of the Perry's Paddock Development and Management Plan study to those consultants.

Cmr Rowell spoke to the Motion.

The Motion was Put and

CARRIED

**CJ47-07/98 METROPOLITAN REGION SCHEME AMENDMENT NO 987/33 -
NORTH WEST DISTRICTS OMNIBUS AMENDMENT (NO 3) -
[12845]**

SUMMARY

The Western Australian Planning Commission released the North West Districts Omnibus No 3 Amendment to the Metropolitan Region Scheme on 13 June 1997 for public comment for a period of three months. The amendment was considered and supported by the Council of the City of Wanneroo at the August 1997 meeting. Six (6) separate amendment proposals fall within the City of Joondalup municipality. Advice has been received from the Western Australian Planning Commission that the amendment was approved in modified form by the Governor in Executive Council on 2 June 1998 and has now been presented to both houses of State Parliament for final approval. The modifications to the amendment do not affect any proposals within this municipality. It is recommended that the Joint Commissioners note the status of the modified MRS Amendment.

BACKGROUND

The Western Australian Planning Commission (WAPC) released the North West Districts Omnibus No 3 Amendment to the Metropolitan Region Scheme (MRS) on 13 June 1997 for public comment for a period of three months. Six (6) separate amendment proposals fall within the City of Joondalup municipality, and these are described in the Details section below.

The MRS Amendment proposals were considered by the Council of the former City of Wanneroo at the August 1997 meeting (DP156-08/97 refers), where it was resolved (inter alia) as follows:

“THAT Council:

3. *advises the Western Australian Planning Commission that it supports the proposals contained within the Metropolitan Region Scheme North West Districts Omnibus (No. 3) Amendment No. 987/33 in accordance with the comments and considerations as discussed in Report DP156-08/97.”*

DETAILS

The MRS Amendment proposals:

Details of the specific MRS Amendment proposals, together with the comments made on them in Report DP156-08/97, are as follows:

Proposal 7 (Attachment 1)

Transfer of portion of part Lot 2, Lakeside Drive Joondalup, from the Parks and Recreation reservation to the Central City Area zone.

Comments made in Report DP156-08/97:

This land comprising of approximately 4.5 ha contains the existing Lakeside Drive and is proposed to become part of the Central City Area zone which comprises the Joondalup City Centre. The WAPC has transferred this land to LandCorp in exchange for an equivalent area of land already reserved for Parks and Recreation (proposed to be included in the Neerabup National Park).

The proposal is consistent with plans for the area and can be supported.

Proposal 18 (Attachment 2)

Transfer of portion of the Controlled Access Highways reservation (being the portion of Location 9067) for the Mitchell Freeway north of Whitfords Avenue, Craigie, to the Parks and Recreation reservation.

Comments made in Report DP156-08/97:

The MRWA have requested this proposed modification to the Mitchell Freeway CAH reservation north of Whitfords Avenue. This proposal would release 2.7 hectares of surplus land which would be included in the Craigie Open Space.

The subject portion of the CAH adjoins Craigie Open Space. Since the MRWA advised that this land is surplus, the City requested that it be amalgamated to the Craigie Open Space. The modification to the MRS can be supported.

Proposals 26, 27 and 28 (Attachments 3, 4 and 5)

Rationalisation of Controlled Access Highways reservations for the Mitchell Freeway to conform to dedicated road reserves, at Craigie, Woodvale, Edgewater and Joondalup.

Comments made in Report DP156-08/97:

The proposals involve minor revisions to the CAH reservations to conform with established subdivision patterns and dedicated public roads. The proposals are supported by MRWA.

Due to the minor nature of these modifications the proposals can be supported.

Proposal 30 (Attachment 6)

Rationalisation of Important Regional Roads, Controlled Access Highways and Public Purposes (Special Use) reservations, Whitfords Avenue, Mitchell Freeway and Pinnaroo Valley Memorial Park, Padbury.

Comments made in Report DP156-08/97:

This proposal involves minor revisions to the Mitchell Freeway CAH reservation, the connecting Important Regional Roads reservation for Whitfords Avenue and the Public Purposes (Special Use) reservation at Pinnaroo Valley Memorial Park. The proposal was included in the *MRS North West Corridor Omnibus Amendment No. 2 (97/33)* in 1996, but deferred pending resolution of boundary ownership issues between MRWA and the Metropolitan Cemeteries Board. These issues have been resolved.

This proposal had previously been supported by the Council of the former City of Wanneroo (TP87-04/96 refers) during consideration of the *North West Corridor Omnibus Amendment No. 2 (97/33)*. Since resolution of the boundary ownership issues, it would be appropriate to support the proposed modification.

Current position regarding MRS Amendment:

The WAPC has now considered all submissions and recommended to the Hon. Minister for Planning that the amendment proceed with one modification (relating to a City of Stirling proposal). The amendment was then presented to the Governor in Executive Council on 2 June 1998, who further modified and approved the amendment. The modification made by Executive Council was to delete proposal 11 - the transfer of Lots 132-135 Two Rocks Road, Yanchep from the Rural zone to the Parks and Recreation reservation (a Shire of Wanneroo proposal). No City of Joondalup proposals have been modified.

The modified amendment has now been presented to both Houses of State Parliament where it must remain for 12 sitting days (i.e up to late August, according to an officer of the Ministry for Planning). During this time a Member of Parliament may put a Motion to Disallow the amendment. If this motion succeeds the MRS is not amended. Should the motion fail, the amendment becomes legally effective. If there is no Motion to Disallow the amendment, the amendment proceeds. The amendment is then gazetted.

In the meantime, notices outlining the status of the amendment have been published in the Government Gazette and local newspapers, and the amendment proposals are again on display at the City of Joondalup office up to 21 August 1998. In addition, a report on the submissions received during the public comment period has been published by the WAPC for public information.

Following gazettal of the amendment to the MRS the local authority is required to amend its town planning scheme to be in accordance with the MRS. The local authority must resolve to initiate an amendment to its town planning scheme within three months of the MRS amendment gazettal.

COMMENT/FUNDING

The status of the modified MRS Omnibus Amendment No 3 should be noted. A further report on the requirement for an amendment to Town Planning Scheme No 1 will be provided in due course following gazettal of the MRS amendment.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners note the status of Metropolitan Region Scheme Amendment No 987/33 - North West Districts Omnibus Amendment (No 3) as modified.

The Motion was Put and

CARRIED

CJ48-07/98 DEVELOPMENT ASSESSMENT UNIT AND DELEGATED AUTHORITY - [07032]

SUMMARY

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority from 28 May 1998 to 8 July 1998.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners note the action taken by the Development Assessment Unit and Delegated Authority in relation to the applications described in Report CJ48-07/98.

The Motion was Put and

CARRIED

Appendix IX refers.

CJ49-07/98 PETITION EXPRESSING CONCERN IN RELATION TO CARPARKING PROBLEMS - JOONDALUP CITY NORTH - [15136J]

SUMMARY

Concerns have been expressed in a petition to Council about the provision of car parking in Joondalup City North. The presence of studio developments over garages on laneways is seen as increasing the potential for congestion. It is recommended the petitioners be advised of the parking provisions applicable to Joondalup City North.

BACKGROUND

A 56 signature petition from residents in Joondalup City North was presented to the Joint Commissioners of the former City of Wanneroo at their meeting held on 26 May 1998 expressing concern in relation to car parking and privacy problems caused by studio apartments in the area. The petition was referred to Development Services for a report to the Development and Planning Services Committee.

A meeting was held with officers of LandCorp, Mr Paul Conti, the selling agent and Mr Gary Jones as a representative landowner in the area.

DETAILS

The petition reads:

We the residents of Joondalup City North, express our concern about car parking in our area.

With the popularity of studio apartments we feel this problem will increase as no provision has been made for extra parking.

We anticipate not only our front streets congested with visitor parking but our laneways will be chaotic with studio apartment residents parking.

We request you give this matter urgent attention.

We also express concern to our privacy being invaded by studio apartments.

Joondalup City North has been developed by LandCorp as a unique inner city environment. This has been achieved through the interconnected gridded street pattern with rear lane access and servicing to all lots. Lots in the area intended for single residential use range from 220 square metres to 486 square metres although the density code of R60 will permit lots as small as 166 square metres. The guidelines included in the Development Plan and Manual encourage minimal front setbacks and two storey development is considered normal for the area.

Generally, development in the area has not approached the permitted density but is expected to increase over time as Joondalup develops and matures. The inner city character of the area will also be influenced by encouragement of mixed commercial uses along Regents Park Road and McLarty Avenue, and general city uses along Grand Boulevard.

Parking is provided on site, accessed from the laneways, in accordance with the requirements of the Residential Planning Codes and it has always been accepted (Concept Plan 1991) that visitor and short stay parking would occur on the streets.

A development form that has become popular in the area separates the principal building of the dwelling at the front of the lot from the garage with some form of accommodation above at the rear of the lot. These 'studio apartments' have only been approved on condition that they are a part of the dwelling and are not subleased or sold as separate dwellings.

COMMENT

It was evident from the meeting held to discuss this matter that the petition is not addressing a present situation, but the concern that an adverse situation will arise. For this reason, the concern of the residents is welcomed, but must be interpreted in relation to the intended functioning of the City Centre.

It is the nature of city centre areas to be busy and 'congested' with activities that occur along the streets. The passage of vehicles and parking of visitors cars is an essential element of the streetscape. Indeed, visitor parking in City North *must* occur along the streets since this is the front side of the houses and visitors should not enter from the laneways. Car parking on the streets is not only to be expected as part of the natural functioning of Joondalup City but is to be encouraged as it keeps the streets active and safe for all.

The petition appears to regard City North in the same way as a conventional subdivision with large front setbacks. Here, it is expected that street parking will augment onsite parking and that proximity of the area to the CBD and the convenience of public transport will eventually result in lower car usage.

Studios serve a valuable function in providing surveillance of the laneways. Studio apartment residents must, by definition, be household members of the principal building on the lot.

If vehicles obstruct laneways, Ranger Services can issue infringement notices under local laws. If there is a persistent problem in a particular location, it is recommended that signs should be erected at the ends of laneways so that they are clearly marked as 'no parking' areas. This can be authorised by a resolution of Council.

Privacy is not considered to be compromised by studio units to any greater extent than might be the case in a conventional back-to-back subdivision. The six metre width of the back lane separates the studios from any other residential land. In this high density area, privacy cannot be expected to be the same as in a low density suburban development and this needs to be explained to prospective purchasers.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners advise the petitioners that:

- 1 City North is an inner city area and visitor parking is expected to be accommodated on the streets in the form of kerbside parking;
- 2 the parking requirement appropriate to City North is provided for each dwelling unit, accessed from the rear laneways;
- 3 Ranger Services may be contacted if an obstruction is caused by parking in the rear laneways;
- 4 appropriate signage will be put in place if there is a persistent problem.

Discussion ensued, with Cmr Buckley expressing concern at the parking situation in City North and requesting that the petitioners be informed that the City sympathises with their position and will take all steps necessary to enforce parking regulations with respect to other areas.

AMENDMENT MOVED Cmr Buckley, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners advise the petitioners that:

- 1 City North is an inner city area and visitor parking is expected to be accommodated on the streets in the form of kerbside parking;
- 2 the parking requirement appropriate to City North is provided for each dwelling unit, accessed from the rear laneways;
- 3 Ranger Services may be contacted if an obstruction is caused by parking in the rear laneways;

- 4 appropriate signage will be put in place if there is a persistent problem;
- 5 the City will monitor the parking situation and report back to the Joint Commissioners in six months.

Discussion ensued.

**The Amendment was Put and
The Motion as amended was Put and**

**CARRIED
CARRIED**

**CJ50-07/98 HEIGHT POLICY FOR HARBOUR RISE ESTATE, HILLARYS -
[16047J]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development
APPLICANT/OWNER:	Estates Development Company
CONSULTANT:	Taylor & Burrell

SUMMARY

Estates Development Company, the developers of Harbour Rise Estate, Hillarys have requested Council to approve a Policy to control the height of houses in the development. It is proposed to vary Council's existing Policy DS4, Height and Scale of Buildings within a Residential Area and will be effective until a comprehensive Structure Plan for the whole estate is approved.

BACKGROUND

Harbour Rise, Hillarys is a residential development of 45.64 hectares, most of which is bounded by Hepburn Avenue, Whitfords Avenue, Angove Drive, and existing development on Ewing Drive and Waterford Drive, Hillarys (Attachment 1). The land is a portion of Part lot 7, Swan Location 1315 and was previously subdivided according to a plan approved by Council in September 1993 and by the Western Australian Planning Commission (WAPC) in December 1993, but was not then developed. Subdivision applications for Stages 1 and 2, following a new layout, were conditionally approved by WAPC on 9 September 1997 and 18 November 1997, respectively.

An application for a Structure Plan covering the whole area was received by Council on 16 April 1998 and has been advertised for public comment for a period of 42 days, ending on 24 June 1998. The comments that were received are now being considered and will be passed to the consultants for modification of the plans as necessary.

DETAILS

The Policy that is now requested (Attachment 2) is required to allow lots above 600 sq m to be developed for single residential purposes before the Structure Plan has been completed and approved. The proposed Policy varies the existing Policy DS4, Height and Scale of Buildings within a Residential Area. It controls the form and size of the proposed residential development of 86 residential lots ranging from 600 to 1219 sq m in size (refer to the plan which is part of Attachment 2), which have a residential density code of R20. The matters that it covers are to be included in the Structure Plan, which will supersede this Policy when approved. The matters that vary from the existing Policy DS4, Height and Scale of Buildings within a Residential Area, are as follows:

- The concept of a "Building Threshold Envelope" is not applied. Instead, the "Building Height" is defined as a "Wall Height" of 3.5 metres for single storey and 6.5 metres for two storey, and "Roof Ridge" of 3.5 metres for single storey and 9.5 metres for two storey. "Set Backs" are as required by the Residential Planning Codes (R Codes). This compares with the Building Threshold Envelope which is 3.5 metres on the boundary and slopes in at 45 degrees to a maximum height of 8.5 metres.
- "Tower Elements" of up to 6 metres square on plan are permitted to project up to 3 metres above the wall and ridge heights. They must complement the building.
- "Ground Level" is defined by reference to the plan accompanying the Policy.
- "Plot Ratio" refers to the R Code requirement, which imposes no maximum for R20 lots.
- A maximum site coverage of 65% is proposed which exceeds the 50% permitted under the R Codes.

COMMENT

This proposed Policy is considered to be generally in conformity with the intentions of Council in regulating the height of buildings in residential areas. It permits building heights in excess of those permitted under the Council's Height Policy, particularly in the case of tower elements. However, the ability to construct such features is available to all purchasers of land in this development and as a part of a design strategy to give identity to the estate. The future residents of the area will be aware of the requirement before they purchase so will be prepared for the permitted development. The land concerned is lower than the existing development along Waterford Drive; these residents will be given an opportunity to comment on the Policy. In this circumstance, it is considered that the proposed provisions are acceptable.

The Policy is considered to be acceptable as a means of controlling building height and scale and enhancing the character of the streetscape in this development. Adoption of this Policy is recommended.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners, pursuant to Clause 5.11 of Town Planning Scheme No 1, adopt the attached Policy to Report CJ50-07/98 as a draft and make it available for public comment.

The Motion was Put and

CARRIED

Appendix X refers.

CJ51-07/98 SUBDIVISION CONTROL - DIRECTOR, DEVELOPMENT SERVICES - 26 JUNE 1998 TO 10 JULY 1998 - [05961J]

SUMMARY

Overleaf is a resumé of the Subdivision Applications processed by the Subdivision Control Unit 26 June to 10 July 1998. All applications were dealt with in terms of Council's delegation of subdivision control powers to the Chief Executive Officer. The Chief Executive Officer subsequently delegated to the Director, Development Services, the authority to deal with these applications (see below).

SCU1 Subdivision applications received which are generally consistent with an approved or agreed Structure Plan (including Outline Development Plan and Development Guide Plan).

SCU2 Subdivision applications previously supported, or not supported by Council and subsequently determined by the Western Australian Planning Commission (WAPC) consistent with the Council's recommendation.

SCU3 Applications for extension of subdivisional approval issued by the WAPC which were previously supported by Council.

SCU4 Applications for subdivision or amalgamation which result from conditions of development approval given by or on behalf of Council.

SCU5 Applications for subdivision or amalgamation of lots which would allow the development of the land for uses permitted in the zone within which that land is situated including applications involving the excision of land for road widening, sump sites, school sites, etc.

SCU6 Applications for subdivision or amalgamation of lots contrary to Council or WAPC Policy or are not generally consistent with an approved or agreed Structure Plan.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners endorse the action taken by the Director, Development Services in relation to subdivision applications described in Report CJ51-07/98.

The Motion was Put and

CARRIED

Appendix XI refers.

CJ52-07/98 PROPOSED ADDITIONS: LOT 43 (16) GLENSTAR RISE, EDGEWATER - [12844]

METRO SCHEME: Urban
 LOCAL SCHEME: Residential Development
 APPLICANT: Fred Miles Building Services
 OWNER: Mr & Mrs J D Kelly
 APPLICATION RECEIVED 3 June 1998

SUMMARY

A Building licence application has been received from Fred Miles Building Services, on behalf of Mr & Mrs Kelly, to construct a 2 bedroom addition, 1.0 metre from the left-hand boundary of Lot 43 (16) Glenstar Rise, Edgewater.

The proposal conflicts with the requirements of Table 2 of the Residential Planning Codes (R-Codes) in regard to length of walls and major openings in that the setback should be 1.5 metres. It is considered that the overall objectives of the R- Codes however have not been compromised as the existing dwelling is setback 1.0 metre and approval is recommended

DETAILS

The subject lot is 705 m², zoned R20, and developed with an existing house. The proposed works involve installing a window facing the boundary in the existing dwelling and with the addition will be 4.67 metres long, 2.5 metres high, and constructed in line with the existing left-hand side wall of the residence which has a 1.0 metre setback. The total wall length will be 19 metres, and the setback will 1.0 metre from the boundary. Table 2 of the R-Codes states that "Walls exceeding 9m in length having major openings will be at least 1.5 metres minimum from a boundary". Clause 1.5.10 (a) of the R- Codes requires that the adjoining owner's comments be sought where it is considered that amenity may be affected. Favourable comment has been received from the affected adjoining owner.

Summary of Submissions

From	Relationship	Summary
Owner No 18	Affected owner	No Objection

COMMENT

The R-Codes provide Council discretion to allow a lesser setback, having regard for the objectives of the codes, and the effect on the amenity of the adjoining owner. The proposed addition will have little impact on the adjoining owners, who have no objection, (refer summary of objections)

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners:

- 1** exercise discretion under Clause 1.5.7 of the Residential Planning Codes to permit a reduced side setback of 1.0 metre, for proposed additions adjacent to the left-hand boundary at Lot 43 (16) Glenstar Rise, Edgewater;
- 2** authorise the issue of a building licence.

The Motion was Put and

CARRIED

**CJ53-07/98 PROPOSED AMENDMENT NO 809 TO TOWN PLANNING
SCHEME NO 1 TO REZONE PORTION OF LOT 998 CONNOLLY
DRIVE, CURRAMBINE FROM VARIOUS ZONES TO CENTRE
ZONE - [01121]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Commercial, Tavern, Service Station, Civic and Residential Development R20/R40
APPLICANT/OWNER:	LandCorp
CONSULTANT:	Mitchell Goff & Associates
REPORT WRITTEN:	29 June 1998

SUMMARY

An application has been submitted by Mitchell Goff and Associates, on behalf of LandCorp, seeking to rezone portion of Lot 998 Connolly Drive, Currambine from Commercial, Tavern, Service Station, Civic and Residential Development (R20/R40) to Centre Zone. The proposed Centre Zone would enable a more flexible means of locating land uses within the Currambine Local Centre area through the subdivision and development process via an agreed structure plan. Council previously resolved not to consider the centre zone amendment until a legal agreement had been entered into which secures the future transfer of a 5000 m2 Community Purpose site free of cost to the City. The legal documents have now been signed and sealed and as such it is recommended that Council resolves to initiate Town Planning Scheme Amendment Number 809.

BACKGROUND

Lot 998 (which includes the land the subject of this report) originally had an area of 44.4608 hectares and is situated north of Moore Drive and bounded by Connolly Drive to the west, the Mitchell Freeway reserve to the east and existing residential lots to the north (Attachment 1).

Approximately half of the original 44 hectare lot has now either been subdivided or has a valid subdivision approval in accordance with previous Structure Plans for the area. The original Local Structure Plan for this area was submitted to Council on 12 April 1989 (D20439) in support of the rezoning proposal from State Forest and Important Regional Road to Residential Development, Commercial, Tavern, Civic and Service Station (Amendment No 482).

In May 1994, Amendment No 677 was submitted to Council (I20525 refers) seeking to adjust the zone boundaries of the Commercial Centre and the locations of the Residential Development R40 (medium density) sites. The applicant submitted a revised Local Structure Plan (LSP) in support of the rezoning which was accepted by Council, and subsequently, several stages of subdivision were progressed in accordance with the Revised LSP (refer Attachment 2). Amendment No 677 was never finalised and subdivision of the land has progressed in accordance with the latest Currambine Local Structure Plan which was adopted by Council in October 1997 (DP228-10/97 - refer attached). In the same report Council addressed the "Centre Zone" amendment, however resolved not to consider the proposal until the owners had first entered into a legal agreement with the Council, thereby securing the transfer of a 5000 square metre community purpose site to the City.

DETAILS

The Currambine Neighbourhood Centre site is located north of the corner of Connolly Drive and Palace Way, Currambine. Currently, 1.40ha is zoned Commercial, 1.03ha is zoned Tavern, and 0.2025ha is zoned Service Station. In addition, 0.5ha is set aside for a Local Community Centre and is zoned Civic. It is proposed that these zones and a portion of the adjoining residential area be amalgamated into one Centre Zone to enable flexibility in locating land uses within the zone. A substantial area of land would therefore be available for commercial and community development, although it is noted that Schedule 5 to Town Planning Scheme No 1 limits retail floorspace for this centre to 3000 square metres GLA.

The Centre zone proposal is in accordance with the Currambine Local Structure Plan (Attachment 3A) which was recently approved by Council. The "Centre Zone" will itself be subject to a future Structure Plan under the provisions of Part 10 of the current Town Planning Scheme which will guide the future development and subdivision over a multitude of centre zone and residential uses.

The proposed "Centre Zone" is to accommodate a neighbourhood, commercial, community centre and medium density residential uses. Preferred uses include shops, local offices, community centre, fast foods, service station, restaurant and medical centre, and possible uses may include day care centre, church, service industry, showroom, tavern and fitness centre.

COMMENTS

The proposed Centre Zone will permit flexibility in locating land uses in accordance with an agreed Centre Structure Plan which will be assessed and processed in accordance with part 10 of the City of Wanneroo Town Planning Scheme Number 1. The inclusion of a new grouped housing site into the Centre Zone is consistent with the Ministry for Planning's draft Residential Density and Housing Mix Policy and as such is considered acceptable.

A legal agreement which stipulates LandCorp's agreement to transfer free of cost 5000 m2 of land for Community purposes (within the Centre Zone) has recently been signed and sealed by the City and as such the amendment may be initiated.

Several existing pockets of R40 (medium density) residential are not considered to be in accordance with the approved Local Structure plan and unnecessary to facilitate the future subdivision/development of the residential component in this locality and as such, the residential areas outside of the Centre Zone area should be re-coded to R20 to rationalise the coding boundaries.

Council has recently received a subdivision application over the balance of Lot 998 Connolly Drive, Currambine (excluding the proposed Centre Zone area). A copy of the subdivision plan has been attached for information purposes (refer attachment 4) and to accurately depict the location of the proposed Centre Zone boundaries.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners in accordance with Section 7 of the Town Planning Development Act initiate an amendment to Town Planning Scheme No 1 to:

- 1 rezone portion of Lot 998 Connolly Drive, Currambine from Commercial, Tavern, Service Station, Civic and Residential Development to Centre Zone;**
- 2 recode the R20/R40 areas within the new Centre Zone to Uncoded;**
- 3 recode the existing R40 site abutting the Mitchell Freeway Reserve to R20.**

The Motion was Put and

CARRIED

CJ54-04/98 2.6 METRE HIGH RETAINING WALL ON LOT 332 (84) DAMPIER AVENUE, MULLALOO - [04718J]

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential R20
OWNER:	Mr & Mrs M & R Henderson
APPLICANT:	Mr Bryan Cantu
APPLICATION RECEIVED:	June 29 1998
REPORT WRITTEN:	July 09 1998

SUMMARY

A building licence application has been received from the owner of Lot 332 (84) Dampier Avenue, Mullaloo, to construct a 2.6 metre high limestone retaining wall adjacent to the northern boundary. The proposed works abut a public reserve, affect no adjoining owners and approval is recommended.

DETAILS

The subject lot of 870m² is zoned R-20, and is developed with an existing house. There is an existing 1.8 metre high retaining wall which was constructed a number of years ago and is in an unstable condition. Wire mesh fencing has been constructed temporarily to protect the public using the reserve.

The proposed retaining wall will commence approximately 9 metres in from the front boundary, for a length of 38 metres, and cease approximately 3 metres from the rear boundary (refer attachments). The wall will be constructed at a constant height of 2.6 metres throughout its length.

Policy J3-11 (a) states that where a retaining wall exceeds two metres in height, the proposal shall be placed before Council for its determination. The proposal also requires the discretion of Council under the R-Codes to allow walls of this height adjacent to the boundary.

COMMENT

It is considered that the height and appearance of the proposed retaining wall will not have a detrimental effect on the overall outlook from the public reserve. The existing wall is in an unstable condition, and needs to be replaced. The contours of the block dictate the height of the wall, and the 2.6 metre high wall, along with an additional 1.5 metre high wall 2 metres in from the proposed wall, is required to reach the finished floor level of the existing house.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners:

- 1** **having considered the submission, objectives of the Residential Planning Codes, and amenity, exercise the discretion available under Clause 1.5.7 of the Residential Planning Codes, and approve the proposed 2.6 metre high retaining wall at Lot 332 (84) Dampier Avenue, Mullaloo;**
- 2** **authorise the issue of a building licence.**

The Motion was Put and

CARRIED

**CJ55-07/98 REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN EVANS PLACE AND MACQUARIE AVENUE,
PADBURY - [01765]**

METRO SCHEME:	URBAN
LOCAL SCHEME:	RESIDENTIAL DEVELOPMENT
APPLICANT/OWNER:	MR & MRS EVANS/CROWN
REPORT WRITTEN:	23 JUNE 1998

SUMMARY

The Joint Commissioners of the former City of Wanneroo at their May 1998 meeting resolved to support the closure of the pedestrian accessway between Evans Place and MacQuarie Avenue Padbury. At the time of this decision only three objections to the closure had been received. A petition representing 38 households and a letter have since been received requesting the reconsideration of the closure of the accessway. Even though alternative pedestrian access is available which involves a minimal increase in walking distance closure should not be supported in view of the large number of objections received.

BACKGROUND

The application to close the accessway was made on the grounds of vandalism and anti social behaviour occurring in the accessway. Incidents include youths using the accessway as an escape route from police, syringes, and broken glass being found in the accessway and graffiti on fences.

The proposed closure was advertised for a period of thirty days by way of on site signs and a notice in the local newspaper. At the close of the advertising period three written objections to the closure were received. The objectors use the accessway regularly to walk to the bus stops on Whitfords Avenue, their friends and the local shop. The Joint Commissioners considered the application at their meeting on 26 May 1998 and resolved to support the closure of the accessway. This decision was made on the basis that an alternative pedestrian route is available along MacArthur Avenue. The increase in walking distance is minimal and should not cause any inconvenience to pedestrians.

DETAILS

The applicants and the objectors were advised of the Commissioners decision, and the Department of Land Administration (DOLA) was requested to close the accessway and dispose of the land to the adjoining property owners.

One of the objectors requested DOLA to hold any action to close the accessway as he wished to make a further submission to the Commissioners. He has since submitted a petition signed by 61 residents representing 31 households. The location of the signatories is shown on Attachment No 1. One of the petitioners resides outside the area shown on the plan and is unlikely to be affected by the closure. The petitioners have requested the Joint Commissioners to rescind the resolution to close the accessway on the grounds that the accessway provides a quick access to the bus stops on Whitfords Avenue, the closure will alter the original design of the neighbourhood and limit access between areas and finally because they consider that the Commissioners did not have a total representation from residents when the closure was previously considered. A letter has also been received from a resident in MacQuarie Avenue objecting to the closure on the grounds that she uses the accessway daily. She was away when the petition was organised.

COMMENT

The closure of the accessway will have minimal impact on the pedestrian movement through the area and no justification has been received from the objectors as to why they do not wish to use MacArthur Avenue as an alternative route. However, in view of the large number of objections now received the decision to close the accessway should be rescinded and closure should not be supported.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners:

- 1** **rescind the Joint Commissioners' decision of the former City of Wanneroo - DP182-05/98 of 26 May 1998 viz:**

"That the Joint Commissioners agree to the closure of the pedestrian accessway between Evans Place and MacQuarie Avenue, Padbury subject to the benefiting adjoining property owners agreeing to meet all of the associated costs."

- 2** **resolve not to agree to the closure of the pedestrian accessway between Evans Place and MacQuarie Avenue, Padbury and advise the applicants accordingly.**

Discussion ensued, with Cmr Rowell advising that following inspection of the accessway, it was considered that the accessway was not as prone to vandalism as others and should remain open.

Cmr Clark-Murphy expressed concern with the problems that arise in trying to balance the interest of residents living adjacent to pedestrian accessways and those of residents wishing to make use of the accessways.

Cmr Buckley suggested that upon receipt of an application for closure of a pedestrian accessway, Health and Ranger Services be informed to enable them to monitor the situation to assist in determining the merits of closing the accessway.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CJ56-07/98 PROPOSED CLOSURE - PORTION OF HEPBURN AVENUE,
HILLARYS - [03018]**

METRO SCHEME:	IMPORTANT REGIONAL ROADS
LOCAL SCHEME:	IMPORTANT REGIONAL ROADS
APPLICANT/OWNER:	ESTATES DEVELOPMENT COMPANY/CROWN
CONSULTANT:	TAYLOR BURRELL
APPLICATION RECEIVED:	21 APRIL 1998
REPORT WRITTEN:	9 JULY 1998

SUMMARY

Taylor Burrell on behalf of their clients, Estates Development Company has requested the City to initiate road closure procedures for a portion of Hepburn Avenue, Hillarys between West Coast Drive and Howland Road. The land within the road closure is to be included in the subdivision of the applicant's adjoining property. The closure of the road is supported at this stage and the proposal will need to be advertised for a thirty five day period in accordance with the provisions of the Land Administration Act 1997. At the close of the advertising period a final decision on the road closure can be made.

BACKGROUND

In November 1997 the Western Australian Planning Commission approved the subdivision of Pt lot 158 Hepburn Avenue, Hillarys. The subdivision included the land the subject of the road closure application. This portion of Hepburn Avenue is reserved for Important Regional Roads in the Metropolitan Region Scheme (MRS). The Ministry for Planning is currently preparing the North/West Corridor Omnibus No.4 MRS Amendment and this proposal is likely to be considered by the Commission for inclusion within the proposed MRS Amendment.

DETAILS

The proposed road closure as shown on Attachments 1 and 2, has been referred to the servicing authorities and the Ministry for Planning for their comments. Western Power and Alinta Gas have services within the road reserve which can be relocated. The applicants have agreed to meet all service relocation costs. The Ministry for Planning supported the road closure as it is in accordance with the approved subdivision of pt lot 158, Hepburn Avenue. The Ministry has advised that where the land within the road closure abuts the existing public open space area, the land should be amalgamated with the Crown Reserve for Recreation.

In accordance with the provisions of Section 58 of the Land Administration Act 1997 the proposed road closure is required to be advertised in a newspaper circulating in the district for a period of thirty five days.

COMMENT

The portion of Hepburn Avenue being considered for road closure is surplus to requirements. The closure is consistent with the approved subdivision for the adjoining land holdings which received approval by the Western Australian Planning Commission on 21 November 1997. Subject to the applicants meeting all costs associated with closing the road, including service relocation, and the portion of road reserve adjoining public open space being amalgamated with the adjoining Public Recreation reserve then the closure of the road should be supported in principle and advertised for public comment.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners support in principle the closure of a portion of Hepburn Avenue between West Coast Highway and Howland Avenue, Hillarys adjoining Pt Lot 158 Hepburn Avenue and advertise the proposal for a period of thirty five days in accordance with the provisions of the Land Administration Act 1997.

The Motion was Put and

CARRIED

CJ57-07/98 OCEAN REEF BOAT LAUNCHING FACILITY - [04171]**SUMMARY**

Since consideration of the matter by the Joint Commissioners of the City of Wanneroo at their November meeting of last year, negotiations concerning the basis upon which this City might accept responsibility for the management and maintenance of the reserves at the Ocean Reef Boat Launching Facility currently vested in the Water Corporation and the Minister for Transport have taken place between officers of this City, Water Corporation and Department of Transport. This has included consideration of the requirement for urgent repairs to be carried out to the southern groyne of the facility. It is recommended that preliminary approval be given to the preparation of a deed between the parties concerned in accordance with certain proposed 'Heads of Agreement', and that the deed, once prepared, be presented to the Joint Commissioners for consideration of final approval.

(This report has been marked 'Not for Publication' as it includes consideration of possible negotiating positions with a number of State Government agencies and the nature of the matters concerned are such that it would be inappropriate for such information to be made available on public record).

BACKGROUND

At their meeting of 26 November 1997 (Item DP255-11/97 refers), the Joint Commissioners of the City of Wanneroo considered a report concerning:

- repairs required to the southern groyne of the Ocean Reef Boat Launching Facility (that groyne currently being vested in the Water Corporation);
- a request by the Water Corporation to divest itself of responsibility for maintenance of that southern groyne;
- a request by the Department of Transport (DOT) to transfer responsibility for maintenance of the other breakwaters associated with that facility, and maintenance of water depths in the harbour, to the local authority;
- the current vesting of the Mindarie Keys breakwater (Reserve 41659) in the local authority. (It should be noted that this matter is to be the subject of a separate report at a later date).

It was resolved that the Joint Commissioners:

"1 advise the Water Corporation of Western Australia and the Department of Transport that:

- (a) it agrees that the Water Corporation should not continue to have ongoing management/maintenance responsibility for the southern groyne at the Ocean Reef Boat Launching Facility;*
- (b) management/maintenance responsibility for the southern groyne should rest with Department of Transport, having regard for the regional level of significance of such marine facilities;*

(c) *notwithstanding (b) above, there may be potential for the Ocean Reef breakwaters to become the responsibility of this City should the City be able to undertake a commercial development project (with uses appropriate to this type of location), including lands in the vicinity currently owned by the Water Corporation and Ministry for Planning. The prospects for such a project are to be investigated through a feasibility study to be undertaken shortly by the City;*

- 2 *advises the Hon Minister for Transport of 1 above and seeks the Minister's assistance in ensuring that the matter of resolution of the issues of repairs and ownership of the southern groyne is resolved as soon as possible so that any present risk of groyne failure is removed as soon as possible and dredging works budgeted for by Department of Transport may be proceeded with;*
- 3 *request the Department of Land Administration to seek the Governor's approval to the cancellation of the current Vesting Order relating to the vesting of Reserve 41659 in the City of Wanneroo, and seek the Hon Minister for Transport's support to the re-vesting of this reserve in the Minister for Transport;*
- 4 *seek the support of the Western Australian Municipal Association in the promotion of the position that construction and maintenance of major coastal protection structures such as harbour breakwaters should be the responsibility of the State Government, through the Department of Transport, except where such structures form part of private sector development projects in which case such responsibility should rest with the developer concerned."*

DETAILS

Attachment No. 1 shows the area concerned, including which agency currently manages which land.

The Joint Commissioners' resolution referred to previously was conveyed to the relevant agencies concerned.

The response of the Minister for Transport is provided in Attachment No. 2 of this report. The Minister essentially advised that:

- under DOT's Strategic Plan for Maritime Facilities, breakwaters and channels associated with local authority managed boat launching ramps such as Ocean Reef are intended to be owned and maintained by the local authority concerned. Consequently, DOT will not accept vesting of the southern groyne.
- DOT proposes vesting of the southern groyne in the City, and also recommends vesting of the other breakwaters and harbour bed (presently vested in the Minister for Transport and managed by DOT) in the City.
- subject to the City accepting such vestings, DOT is prepared to assist the City in negotiations with the Water Corporation to obtain funding assistance for the repair of the southern groyne.

DOT, in its reply, simply referred to the Minister for Transport's response.

Water Corporation's reply was as follows:

"In response to your letter of 1 December 1997, I would like to confirm that the Water Corporation is in agreement with the City of Wanneroo in regards to:

- (a) the Water Corporation not having continued management or maintenance responsibility for the southern groyne at Ocean Reef.*
- (b) Water Corporation land, (lot 1033) to be leased to the City of Wanneroo, with the proviso that all maintenance of the southern groyne become the responsibility of the City of Wanneroo.*
- (c) commercial development by the City of Wanneroo of the Ocean Reef breakwaters and lot 1033, comply with the conditions outlined in the Water Corporation letter dated 15 September 1997."*

In response to the State agency replies referred to above, letters were sent to DOT and Water Corporation, conveying a proposal (on a 'Without Prejudice' basis) which essentially involved:

- the City accepting vesting of the southern groyne subject to the Water Corporation:
 - repairing the southern groyne to a 20 year life standard-of-repair;
 - ceding lot 1033 (presently owned in fee simple by the Water Corporation) to the City, with the City granting easements to the Water Corporation to protect its continuing interests in the land (ie access to mains running through the site and access to land for pipe assembly, should a third wastewater ocean outfall pipe be constructed in the future).
- the City accepting vesting of the remainder of the harbour/breakwater reserves, subject to it first satisfying itself that it will be able to undertake commercial development of the adjacent foreshore area.

Subsequently, on 21 May 1998, a meeting was held between Water Corporation and City officers. The main outcomes from the meeting were that:

- Water Corporation would determine a current cost for repair of the southern groyne;
- Water Corporation would assess lot 1033 and determine what part of it may be able to be made over to the City by some form of agreement.

On 10 June 1998, a meeting was held between officers of the Water Corporation, DOT and the City. The Water Corporation officers advised that it was now estimated that the cost of repair for the southern groyne (to a 20 year life standard) was \$142,000. The meeting canvassed many options which could be considered in respect of the issues concerned. The options derived from the various combinations which could be made of the following variables:

- (a) whether Water Corporation will meet the full cost of repair for the southern groyne or whether other agencies will contribute;

- (b) whether DOT will proceed with investigations and construction of an extension to the main breakwater in the short term or whether this will be deferred. (DOT has advised that if it was to construct a breakwater at Ocean Reef now, it would most likely have used a better design which would have reduced the dredging requirement. It has now undertaken a number of studies which indicate that an extension to the main breakwater might be feasible, which could reduce the annual dredging requirements from approximately \$40,000 to \$10,000 per year. The extension might cost approximately \$500,000. Further investigations are required to confirm the soundness of the proposal);
- (c) whether or not DOT will receive funding assistance for dredging from proceeds of boat launching/parking fees;
- (d) whether or not the City will accept vesting of the southern groyne and/or other groynes;
- (e) whether or not the City will be able to proceed with commercial development plans for the foreshore land;
- (f) whether or not Water Corporation is prepared to lease or cede all or part of its Lot 1033;
- (g) whether or not the Water Corporation agrees that major repairs must be undertaken now rather than further temporary repairs.

A further meeting of officers of the Water Corporation, DOT and the City was held on 19 June 1998. The meeting concluded on the understanding that the following draft 'Heads of Agreement' be presented to the respective agencies' Boards for consideration:

- agreement by the Water Corporation to:
 - 1. Meet $\frac{2}{3}$'s of the cost of the southern groyne repairs (to a 20 year life standard-of-repair).
 - 2. Provide the City with a 5 year warranty over the southern groyne.
 - 3. Transfer (free of cost) the jetty licence to the City (in respect of a jetty within the harbour which the Water Corporation has previously used for the mooring of the vessel used in the launching of the outfall pipes).
 - 4. Surrender vesting of the reserve containing the southern groyne.
 - 5. Meet $\frac{1}{3}$ of the cost of preparation of the deed (being the preferred form of agreement).
- agreement by DOT/Minister for Transport to:
 - 1. Meet $\frac{1}{3}$ of the cost of repair of the southern groyne.
 - 2. Surrender vesting of the reserves at the Ocean Reef Boat Launching Facility currently vested in the Minister for Transport.

3. Continue to dredge the harbour access channels until the City takes on the vesting of the future breakwater extension, if undertaken.
 4. Provide the City with a 5 year warranty for the breakwater extensions (if undertaken), once transferred to the City.
 5. Provide the City with a 5 year warranty against the breakwater extension (if undertaken) actually reducing dredging costs.
 6. Ensure the jetty fees required of the City are of a nominal nature (\$1 per annum).
 7. Meet $\frac{1}{3}$ of the cost of preparation of the deed.
- agreement by the City to:
 1. Accept vesting of all groynes, including the breakwater extensions, if undertaken.
 2. Grant easements to the Water Corporation it requires.
 3. Provide DOT any surplus funds received from fees from carparking/boat launching, after other maintenance costs have been met (to assist with the cost of dredging being undertaken by DOT).
 4. On completion of the breakwater extensions by DOT (if feasible), take over responsibility for dredging the harbour access channels.
 5. Accept the jetty licence.
 6. Meet $\frac{1}{3}$ of the cost of preparation of the deed.

Other points of note what arose at the meeting were:

- regarding current prospects for leasing of Lot 1033 to the City, Water Corporation officers advised that the Corporation will consider leasing of this land on a commercial basis (ie if commercial use is proposed, then lease conditions commensurate with such use would be required; if public use (eg parkland) is proposed, then lease conditions reflecting such use would apply).
- Water Corporation and DOT officers will work together with a view to having the repairs urgently required to the southern groyne expedited as 'emergency repairs'.

COMMENT/FUNDING

It is considered that the following principles should be applied in determining whether the City should accept responsibility for the Ocean Reef Boat Launching Facility areas currently vested in the Water Corporation and Minister for Transport:

- the facility should be in sound condition and sound working order;
- the facility should be capable of being made financially self-supporting, ie cost-neutral.

Condition and Working Order

- Southern Groyne

The proposal contained in the draft 'Heads of Agreement' referred to above should result in the southern groyne being repaired to a satisfactory condition for acceptance. However, to confirm the soundness of the structure, appropriate certification (requiring inspection by divers) should also be required to be provided by Water Corporation.

- Other Breakwaters

The above draft 'Heads of Agreement' would result in the existing DOT breakwaters being immediately transferred to the City (though DOT would continue to be responsible for dredging). It would also provide that if the breakwater extension is undertaken, then the City would accept this extension and responsibility for dredging. Subsequent consideration of this matter indicates that in terms of requiring that the facility be taken on in sound working order, it would be preferable that the City not accept responsibility for the existing DOT breakwaters until the issue of whether the dredging requirements of the facility can be reduced through breakwater extensions has been more clearly resolved. If DOT investigations confirm the soundness of the breakwater extension proposal and DOT construct the extension, then acceptance by the City of the DOT areas (including the extension) would seem appropriate. If, however, the investigations show that the extension proposal would not be sound, then acceptance by the City of the DOT areas would seem inappropriate under those circumstances.

Costs and Benefits

A. Costs

A number of key cost areas have been identified, although the following estimates given by the DOT officers are indicative only and would need to be costed by specialist consultants to obtain an accurate estimate for budgetary purposes.

1. Capital Costs

DOT officers advise that the DOT part of the facility was built to very high standards and has an expected life of 100 years. It was reported by DOT to have survived the 1983 storms associated with cyclone Albee without needing repairs. Little annual maintenance was thought to be required. However, since the facility has a design life of 100 years, the notional provisioning for the depreciation of the facility would be over a

life of 80 years. While capital costs of constructing the facility today would need to be calculated by professional coastal engineering consultants, DOT officers gave an educated guess of \$15m. This would result in annual depreciation of around \$190,000 per year at today's prices.

DOT officers further advised that the structure could sustain 5-10% damage in a 50 year or a 100 year storm. This could result in slumping of the rock walls and damage to any roads on the groynes. The cost of repairs to the groynes due to such storms is not proportionate to the percentage figure of structure damaged, due to high costs of repairs. Heavy equipment to rearrange the rocks and possible repairs to the core of the groyne could result in potential costs as high as around 25% of the capital costs of the structure.

However, the design is to a standard that would be expected to withstand a one in 100 year storm before the foundations of the structure are upset.

2. Dredging Costs

DOT officers indicated that the dredging costs for the facility currently vary between \$40,000 and \$80,000 per dredging operation, which is needed every two or three years. This gives a current annual average dredging cost of \$20 - 40,000 per year, with a higher figure used in order to be conservative in budgeting for the possible costs to be incurred.

As noted previously, DOT is investigating extending the groyne to reduce silting of the facility, which would reduce dredging costs to an estimated \$10,000 per year (probably involving one major dredge every ten years).

3. Other Maintenance Costs

- Approximately \$1,000 per annum for sign maintenance.

- Approximately \$5,000 per annum for minor/routine groyne and jetty maintenance.

4. Public Liability and Capital Asset Insurances

The City's Insurance Officer is currently completing investigations on these matters. Prior to more definite cost figures being available, the following indicative figures have been offered to obtain some idea of order of cost:

- Public Liability Insurance - at best, cover might be given at no extra cost to the City. If an additional premium was required, it might be in the order of \$1,000 per annum.
- Capital Asset Insurance - possibly around \$15,000 per annum (an 'excess' of around \$10,000 per claim would be likely to apply).

5. Waterways Management

DOT is prepared to continue to manage the waterway or to train City Rangers to be responsible for the control of the waterway, as has been done in other facilities in different parts of WA. For the current costing exercise, it is assumed that DOT would continue to provide this service.

Total Costs

Using the above cost figures, the total estimated annual cost (excluding depreciation) of management of the Ocean Reef Boat Launching Facility is \$62,000 if DOT does not extend the groyne to reduce siltation, or \$32,000 per year if DOT does extend the groyne.

In addition to these costs, depreciation of the fixed infrastructure asset over 80 years is estimated to involve a depreciation charge of \$200,000 per year at 1998 prices based on a DOT estimate of the capital value of the asset. However, a specialist coastal engineering consultant would be needed to establish the precise worst case scenario replacement cost of the asset in the event of severe storm damage.

It should be noted that DOT officers consider the above depreciation estimate to be significantly over-estimated and are currently preparing their own estimate on the matter.

B. Benefits

There are a number of significant potential benefits to the City from assuming the facility. These can result in the achievement of employment and revenue streams from the broader foreshore precinct encompassing the boat launching facility site. These will need to be developed, with a feasibility study due to be undertaken in the near term (subject to budget approval). This will provide some scoping for the likely uses and revenue streams, as well as total employment opportunities.

1. The boat launching facility constitutes a major fixed infrastructure asset. While this brings with it significant maintenance and depreciation provisions, as well as risks associated with storm damage, it is also a capital asset that can be leased as part of a broader commercial development approved by the City.
2. The development of this precinct can be an important source of employment and revenue for the City of Joondalup. Potential developments will need to be environmentally sensitive and consistent with the residential land use already in place in adjacent land. However, with careful design and management, commercial land use can include:
 - restaurants and cafes, shops with marine tourism theme;
 - tourism attractions such as marine education centres run by CALM/City Rangers, which might be funded by negotiated provisioning from the WA Government as part of the handover of the site (the centre might incorporate marine park education facilities for schools; touch pools; maritime museum themes and other marine conservation concepts as a complementary theme to the Underwater World development at Hillarys);
 - the above project might allow reinstatement of boat launching fee revenue;

- tourist sight-seeing charters out of the boat harbour.
3. As part of the negotiations for the handover of the Water Corporation and DOT reserves and in recognition of the costs that the City will be incurring on an annual basis, it may be possible to negotiate the transfer of Reserve 20561 which is prime sea front land from the Crown to the City of Joondalup. If this is not accepted, a negotiating option could be to seek a land exchange of the northern part of Lot 1029 for Crown Land at 20561, or undertake to maintain the northern part of Lot 1029 as a environmentally sensitive park for community use. The purpose of this is to obtain use of the prime sea front land at the harbour for future commercial developments with prime rate revenue generating capability as well as potential leasing fees for the use of the land. The merits of such land exchange should be further investigated as apart of the proposed feasibility study referred to previously.

These types of environmentally sensitive developments may also create momentum for more tourism visits into the North West Corridor as part of an overall tourism plan for the NW Corridor.

Conclusion Regarding Costs and Benefits

- at present, the full cost implications of the City accepting responsibility for the complete Ocean Reef Boat Launching Facility may be roughly estimated but further information is required to refine those estimates.
- there are considered to be significant potential benefits as outlined above, however, it is uncertain whether the developments involved in the obtaining of those benefits will indeed be able to be undertaken, and if so, the timeframe involved is uncertain. Further light should be thrown on these matters through the undertaking of the feasibility study currently proposed for the Ocean Reef foreshore land. It would be appropriate to include as a condition of acceptance of vesting of the DOT reserves, satisfactory outcomes from the feasibility study and satisfactory commencement of revenue generating activities on the foreshore land.
- the matter of whether a breakwater extension can be undertaken to reduce dredging requirements is also still uncertain. If the dredging requirements cannot be reduced, the City should not accept the DOT reserves. Acceptance of those reserves should therefore be conditional upon the breakwater extension being undertaken.

CONCLUSION

If the principles outlined in this report (regarding the conditions which should apply in considering acceptance of the Water Corporation and DOT areas) are accepted, then it is concluded that:

- the draft 'Heads of Agreement' outlined previously generally provides an acceptable basis upon which to accept the Water Corporation's reserve containing the southern groyne, however a requirement for provision of appropriate certification regarding structural soundness of the groyne would be desirable.
- those draft 'Heads of Agreement' relating to acceptance of the DOT/Minister for Transport reserves should be modified to provide that the City will not accept those reserves until:

- the breakwater extensions have been undertaken (if not undertaken, then the DOT reserves would not be accepted); and
- the feasibility study for the commercial development of the foreshore land has been completed and confirms prospects for such commercial development to be undertaken, and the commercial development has been commenced to provide an adequate revenue stream.

The water area included within the dashed line shown on Attachment No. 1 (showing the area vested in the Minister for Transport), was vested in the Minister for Transport under section 9(1) of the former Marine and Harbours Act 1981. Though DOT officers have recommended that this water area should also desirably be vested in the City (if it was to also accept vesting of the breakwaters), this is a matter which is considered to warrant further investigation prior to any form of commitment at this point.

The following recommendation is based upon the above conclusion.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 give preliminary approval to the preparation of a deed between the Water Corporation, Minister for Transport, Department of Transport, the City of Joondalup, and other State agencies which may be appropriate to be parties, to formalise the basis upon which this City will accept vesting of Reserve 36732 Ocean Reef, and breakwater reserves at Ocean Reef Boat Launching Facility currently vested in the Minister for Transport, with the Heads of Agreement for that deed being:**

(a) agreement by the Water Corporation to:

- (i) meet $\frac{2}{3}$'s of the cost of the southern groyne repairs, to a 20 year life standard-of-repair;**
- (ii) provide the City with a 5 year warranty over the southern groyne;**
- (iii) provide appropriate certification to the City, confirming the structural soundness of the southern groyne;**
- (iv) transfer (free-of-cost) to the City the jetty licence for the jetty situated in the Ocean Reef Boat Launching Facility;**
- (v) surrender vesting of Reserve 36732;**
- (vi) meet $\frac{1}{3}$ of the cost of preparation of the deed.**

- (b) agreement by the Department of Transport and Minister for Transport to:
- (i) meet $\frac{1}{3}$ of the cost of repair of the southern groyne to the standard of repair referred to in (a)(i) above;
 - (ii) complete feasibility studies concerning the possible extension of breakwaters to reduce dredging requirements;
 - (iii) extend the breakwaters, subject to the studies referred to in (b)(ii) above confirming that such extensions are feasible and will achieve a significant reduction in dredging requirements;
 - (iv) subsequent to:
 - A. the breakwater extensions referred to in (b)(iii) above being constructed, should the feasibility studies referred to in (b)(ii) above finding that such extensions are feasible; and
 - B. the feasibility study to be undertaken by the City confirming to the City's satisfaction the likelihood of commercial development on the adjacent foreshore land being able to be successfully undertaken, and the commencement of such Commercial development to a point that the revenue derived from it offsets the costs associated with the management of the reserves currently vested in the Minister for Transport and the possible future breakwater extension,
- surrender vesting of the breakwater reserves at Ocean Reef Boat Launching Facility currently vested in the Minister for Transport;
- (v) should the breakwater extensions referred to in (b)(iii) above be constructed and vested in the City, provide the City with a 5 year warranty for those extensions and a 5 year warranty against the extension actually reducing dredging costs by at least 75%;
 - (vi) provide appropriate certification to the City, confirming the structural soundness of the existing breakwater and the breakwater extension, if constructed;
 - (vii) ensure that the jetty fees required of the City in respect of the jetty referred to in (a)(iv) above are of a nominal nature (of \$1.00 per annum);
 - (viii) meet $\frac{1}{3}$ of the cost of preparation of the deed.

(c) agreement by the City of Joondalup to:

- (i) following repair of the southern groyne provided for in (a)(i) and (b)(i) above, accept vesting of Reserve 36732;**
- (ii) grant such easements over Reserve 36732 to the Water Corporation that it may reasonably require;**
- (iii) accept the jetty licence in respect of the jetty existing within the Ocean Reef Boat Launching Facility;**
- (iv) subsequent to:**
 - A. the breakwater extensions referred to in (b)(iii) above being constructed, should the feasibility studies referred to in (b)(ii) above finding that such extensions are feasible, and**
 - B. the feasibility study to be undertaken by the City confirming to the City's satisfaction the likelihood of commercial development on the adjacent foreshore land being able to be successfully undertaken, and the commencement of such Commercial development to a point that the revenue derived from it offsets the costs associated with the management of the reserves currently vested in the Minister for Transport and the possible future breakwater extension,**

accept vesting of the breakwater reserves at Ocean Reef Boat Launching Facility currently vested in the Minister for Transport, including the possible breakwater extension, and to accept responsibility for dredging of the harbour access channels;

- (v) provide the Department of Transport any surplus funds received from fees from carparking/boat launching, after other maintenance costs have been met, to assist with the cost of any dredging being undertaken by the Department of Transport at the Ocean Reef Boat Launching Facility;**
- (vi) meet $\frac{1}{3}$ of the cost of preparation of the deed.**

2 require that the deed referred to in 1. above, when drafted, be presented to the Joint Commissioners for consideration of final approval.

3 advise the Department of Transport and Water Corporation that if the Heads of Agreement referred to in 1. above are not accepted by the various agencies which need to be parties to that agreement, then the City will not accept vesting of the reserves at Ocean Reef Boat Launching Facility currently vested in the Minister for Transport and the Water Corporation.

- 4 require that a further report be presented concerning the implications and merits of acceptance of vesting of the water area at Ocean Reef Boat Launching Facility currently vested in the Minister for Transport.

Discussion ensued.

The Motion was Put and

CARRIED

CJ58-07/98 ENVIRONMENTAL WASTE SERVICES ENTERPRISE
AGREEMENT - [21186]

This Item was considered earlier in the meeting, following Item CJ44-07/98.

CJ59-07/98 DIFFERENTIAL RATING AND MINIMUM PAYMENTS - CITY OF
JOONDALUP - [07125]

This Item was considered earlier in the meeting, following Item CJ40-07/98.

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **5.30 pm** on **TUESDAY 11 August 1998** to be held in Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1827 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
 ROWELL
 BUCKLEY
 MORGAN, AM
 CLARK-MURPHY