



**MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 26 OCTOBER 1999**

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CITY OF JOONDALUP

MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN WANNEROO CIVIC CENTRE, CIVIC DRIVE, WANNEROO, ON TUESDAY, 26 OCTOBER 1999

ATTENDANCES

Commissioners:

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

Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Resource Management:	J B TURKINGTON
Director, Planning & Development:	C HIGHAM
Director, Infrastructure Management:	D DJULBIC
Director, Community Development:	C HALL
Executive Manager, Strategic Planning:	R FISCHER
Manager, Council Support Services:	M SMITH
Co-ordinator, Waste Management and Environmental Services:	P HOAR
Publicity Officer:	L BRENNAN
Committee Clerk:	J AUSTIN
Minute Clerk:	L TAYLOR

APOLOGIES AND LEAVE OF ABSENCE

Apology - Cmr C Ansell Chairman of Commissioners

There were 24 members of the Public and 1 member of the Press in attendance.

The Deputy Chairman declared the meeting open at 1800 hrs.

PUBLIC QUESTION TIME

The following questions, submitted by Mr M Sideris of Mullaloo, were taken on notice at the Meeting of Joint Commissioners held on 12 October 1999:

With regard to the responses to the questions asked at the last Council meeting:

Q1 With reference to nominated Performance Indicators, I respectfully request that the response is re-examined and revised to clearly nominate only those associated with Surveillance and Security as there is a number of glaring inappropriate references.

A1 Community Connections Project – Performance Indicators:

Objective 1 - To increase awareness of the issues affecting our community lifestyle.

Antisocial Behaviour

Graffiti and Vandalism

- Number of schools involved in the “School Watch” Program
- Number of schools involved in Mural Arts Programs to reduce graffiti in targeted areas within the school grounds.
- Number of schools that become involved in positive reinforcement programs such as the “No Tolerance Policy” adopted by Belridge High School

Community Safety and Security

- Number of businesses involved in the Stop Burglary Campaign
- Development and participation of organisations in the Elder Protection Network
- Number of schools involved in the Safe Routes to School Program
- Community involvement in traffic surveys and consultation
- Development and implementation of the Safe Community Project

Q2 With reference to Question 2, Page 6, taken on notice, can I please receive a response.

A2 The February 1997 survey was not designed to provide representative data with a high degree of statistical significance. This would have involved a random sample of residents through, for example, a telephone survey. In this instance maybe only 200 or so residents would have been contacted. The aim of the survey was to give everyone a chance to comment - the newsletter was sent to all residents in the area.

The November 1998 survey was a random sample and provided representative data on residents' views on critical issues, including safety and security.

Only 558 people chose to let us know their opinions. Based on this feedback there was overwhelming support for the service. Ideally we would have liked far more feedback, however it is an individual's choice and our role is to provide everyone the avenue for providing opinions which is exactly what we did.

Q3 With reference to Answer 9, Page 3, and the public notice of Thursday 29 July, can you kindly advise why a weekday issue of the West Australian was used, and not the Saturday issue in conjunction with the Local Community paper.

A3 The advertisement was placed in The West Australian on July 29, 1999 to ensure the City met its statutory obligation in relation to the 21-day advertising period for Differential Rating prior to Budget adoption.

Wanneroo Times deadlines meant that placement of the above advertisement in a newspaper other than The West Australian would not have met the statutory requirement for a 21-day period of notification of the Differential Rating.

In addition as some property owners live outside the city it was more practical to place the advertisement in a newspaper which had statewide circulation.

Q4 I submit a copy of the notice and respectfully suggest that for statements in such fine print is not encouraging responses from ratepayers. Reading the notice it is clear why no responses were received, it is too small and it does not actually ask for comments regarding Commissioner consideration.

A4 The size of the font and advertisement is a standard that has been used by the City of Joondalup and many other local authorities for many years. In the past we have not received any feedback to indicate that this form of advertising has not been acceptable from the general public, however we will note the comments from Mr Sideris for future advertisements of this kind.

Q5 With reference to the public notice, can the Commissioners advise how notified "under consideration by the Joint Commissioners is the introduction of a property surveillance and security levy..." dated 29 July can be magically transformed into implementation without even receiving one response.

A5 As part of the City's consultation process the Council placed this wording to give indication of the Commissioners intent. The final decision was always going to be based on the public feedback and given that there was no response to the advertisement or other public announcements the decision to proceed with the security charge was made.

Q6 With reference to the public notice I note that the notice referred to is "Intention to Levy Differential Rates". I understand that a Differential Rate as defined by the Act is covered by Section 6.33 and that this section of the Act does not apply to the application of additional Service Charges. Can the Commissioners please comment.

A6 The advertisement placed in The West Australian on 29 July 1999 referred specifically to the levying of Differential Rates. Pursuant to the provisions of Section 6.36 of the Local Government Act 1995 it is a requirement to advertise its intention to levy differential rates. There is no requirement to advertise an intention to strike a prescribed service charge. The placing of the advertisement was undertaken as a courtesy measure only.

- Q7 Can the Commissioners advise how notice of intent for any service charge and/or rateable action can be effectively backdated to the commencement of the fiscal year, as well as advise on the implication of introducing a charge initiated after the commencement of the financial year.*
- A7 The financial year for local governments in Western Australia is from 1 July in one year to 30 June in the following year. All rates and charges are levied for this period.
- Q8 With reference to Answers 1 and 2, Page 6, can the Commissioners advise the number of successful Joondalup community contacts in the November 1998 market research.*
- A8 There was a random sample of 250. This provided a sampling error of + or - 6.3% at the 95% confidence interval. That is to say, if a census was undertaken with all households we would be 95% confident that the results obtained would be within + or - 6.3% of those obtained from this research.
- Q9 With all security and crime related referral nominated in Report CJ305-09/99 have any of these statistics been validated by the Crime Research Centre.*
- A9 All security related referrals are recorded internally by administration staff and any crime related matters are forwarded onto the Joondalup Police District for analysis. It is my understanding that there is no immediate requirement for the crime research centre to be contracted to analyse this data as the City has already engaged consultants to complete a crime audit that will refer to crime trends over the past 12 months.

The following questions, submitted by Mrs M Zakrevsky of Mullaloo were taken on notice at the Meeting of Joint Commissioners held on 12 October 1999:

In reference to the questions raised by Mr Sideris on 28 September 1999 regarding the security levy and in answer to his question 2 where it is stated that 558 residents replied, of which 90% were in favour. My husband and I were two of the respondents in favour, in the belief that the mobile security patrols would include residential areas as well as Council property and would exclude commercial properties such as large shopping centres. To clarify the present proposed 38% levy spending on mobile security patrols, I would like to ask:

- Q1 What percentage or how many of the mobile security patrols will be scheduled for residential areas?*
- A1 All of the 2704 patrols scheduled for this financial year consist of an 9 hour duration and will be conducted in all residential areas throughout the City. The patrols for the Joondalup CBD are in addition to the scheduled patrols whilst a feasibility study into the implementation of security cameras for this area is conducted.
- Q2 Of this, how much would be after dark in areas subject to graffiti and rowdy behaviour?*

A2 The patrols will operate on an approximate of one third being conducted after dark. With regard to targeted patrols in areas that are subject to graffiti and rowdy behaviour, this will be assessed on a week by week basis with an emphasis being placed on the reduction in such activities.

Q3 *Was the amount of \$27 mentioned in the survey conducted in 1998?*

A3 No amount was specified. The second part of the question was 'Are you prepared to fund the service in the form of a levy, on top of your rates?'

Q4 *If only about 500 people, being 97% of the 558, were in favour, do the Commissioners feel that this is sufficient general approval and support from the community? From what I have read and have heard, a lot of people would like clarification and have some misgivings about this levy.*

A4 The aim was to give everyone a chance to comment, and the newsletter was sent to all residents in the area. Only 558 people chose to let us know their opinions. Based on this feedback there was overwhelming support for the service. Ideally we would have liked far more feedback, however it is an individual's choice and our role is to provide everyone the avenue for providing opinions, which is exactly what we did.

The following questions were submitted by Mr R De Gruchy, Sorrento:

Q1 *Have any enquiries been made of other municipalities/councils within Australia to determine an alternative to the GRV method of calculating council rates?*

A1 Contact has been made with relevant Local Government Departments in the more populous states of New South Wales and Victoria relating to the system of local government rating operating in those states.

In **New South Wales** the individual local governments have a degree of flexibility. While the rating distribution is based upon unimproved capital value (ie market value of the land only) as supplied by the State Valuer General's Office, local governments do have the discretion to adopt the following:-

- a standard system based on unimproved capital valuations
- a standard system based on unimproved capital valuations with a minimum rate applying
- a system including-
 - a flat base charge of up to 50% of the rate burden which is commonly applied across all properties
 - a variable component based on unimproved capital valuations.

In **Victoria** local governments have various options in relation to rating using the following valuation bases:-

	Number of Councils
Site Valuation	2
Net Rental Valuations	14
Capital Improved Valuations	<u>62</u>
	<u>78</u>

Note: Capital Improved Valuations equate to the market value of the property inclusive of improvements.

It is to be noted that in 1992 Victoria's local governments moved from a system of Site Valuations coupled with Net Rental Valuations to the current more preferred system of Capital Improved Valuations.

Local governments also have at their discretion an ability to have a commonly applied Municipal Charge. This base charge is applied to all properties (including tenancies) and is limited to 20% of the total rate burden. The remaining rate is calculated using valuations.

It is to be recognised that the question of valuations and rating options available in Western Australia are enshrined in State Government legislation which would require industry and parliamentary support to change.

Q2 As a minimum amount has been set for council rates, why can't a maximum amount be set?

A2 The Local Government Act 1995 provides for a minimum rate to be applied but does not provide for a maximum rate. Consequently this cannot be accommodated.

Mr Steve Magyar, Heathridge:

At the previous meeting of the Commissioners, Mrs Sue Hart presented the Commissioners with a petition requesting that:

“The City of Joondalup:

- 1 on behalf of the residents of Greenwood purchase the land at the rear of Pullan Place, Greenwood that previously had been part of Reserve 31016 Blackall Reserve, for the purposes of reinstating the linear passive recreation facilities of the locality to their former functional configuration;**
- 2 acknowledges that the purchase of the land will require the purchase of additional land, formerly part of the school site (Reserve 31790) as the planning process has by-passed the most economic opportunities available;**
- 3 shares the costs with the Western Australian Government through the Planning Commission's funds that are allocated for purchase of lands required for the common good”**

Q1 Why has the petition requesting purchase of part of the former recreation reserve not been listed in the agenda for tonight's meeting under the heading of Petitions?

A1 The petition submitted by Mrs Hart was received by the Joint Commissioners at the meeting held on 12 October 1999, and recorded in the Minutes of that meeting as a late petition.

Q2 *Has any action been taken on the petition?*

Q2 Yes

Q3 *If so, can any details of the action be disclosed to this meeting?*

A3 The City's officers have been gathering information on the availability and cost of the land in question, and have also been communicating with officers of the Ministry for Planning on the question of the WAPC sharing the cost of such land purchases. It is anticipated that a report on this matter will be presented to the Joint Commissioners at their next meeting on 9 November 1999.

The City of Joondalup has released its Draft Centres Strategy, prepared by Planwest (WA) and Belingwe Pty Ltd. In that document, on page 36, under Item 5.4.7 - Other Centres – Hillarys Marina and Ocean Reef Boat Harbour Regional Tourist and Commercial Leisure Centres, it states:

"The Council should explore opportunities for extending the leisure based commercial activities of Hillarys Marina with a Cottesloe seafront style commercial, hotel, restaurant, high density residential development. It may be possible to move Whitfords Avenue north of Hepburn west to create a development block between Northside Drive and Whitfords Avenue".

Q4 *Were the consultants made aware of the recent Special Meeting of Electors regarding the Whitfords Nodes?*

A4 No.

Q5 *Were the consultants made aware of the history of the land north of Hillarys Marina?*

A5 The consultants were generally aware of the history of the Whitfords Nodes land.

Q6 *If so, then can it be revealed to the public at this meeting as to who is promoting the idea that "it may be possible to move Whitfords Avenue north of Hepburn Avenue west to create a development block"?*

A6 The statement quoted in the question was included in their report by the consultants as a possible option for the area. The report has been adopted as a draft strategy and made available for public inspection and comment prior to consideration for final adoption. The public comment period closes on 18 November 1999.

Report CJ369-10/99 – Youth Action Plan, March 1998 to June 1999. This report details the good work the City is doing regarding Youth Affairs. Included in the report is the Clarkson Youth Facility, Skateboard Facilities and BMX Tracks, which all involve youth and public spaces.

Q7 *Has the City examined the publication titled "Public Spaces for Young People. A guide to creative projects and positive strategies" by Rob White, published by the Australian Youth Foundation and the National Campaign Against Violence and Crime?*

Q8 If so, has any further initiatives been identified that the City may implement?

A7&8 The City has received a copy of the publication titled *Public Spaces for Young People. A Guide to Creative Projects and Positive Strategies* by Rob White and is aware of its contents and the author's reputation in the field. The City will certainly examine the publication further in consultation with the Youth Advisory Council members to determine its potential and application for the City.

Mr Vic Harman, Ocean Reef:

Q1 Following on from Mr De Gruchy's questions, it has been my experience that when I receive my water rates, the rateable value is shown but they do not charge in one year. For example, where rateable value is \$1,000, and increases to \$1,900, during the first year the rate is at \$1,300, then \$1,600, and then \$1,900. Could Council prepare a report for the incoming Council to consider whether this is legal or feasible?

A1 Response by Director Resource Management: This is a request for phasing of valuations, which is currently possible under the Local Government Act 1995, but there are downsides to this because if the charge is taken from one group, it must be added to another group.

Q2 As I understand it, Council prepares a 5 year plan for Capital Works. Because you receive less money in the first year, you would have to phase the Capital Works programme further, but in the end the amount of revenue would be the same.

A2 Response by Director Resource Management: The situation is that if your valuation is reduced, then someone else has to pick up the shortfall. The other valuations, in relative terms, in effect increase as a consequence of taking it off those that have increased by more than the average.

Response by Cmr Morgan: The principal feature this year was to meet budgeted requirements; we required an additional 3% in revenue from rates. The application of that 3% falls more heavily on some people because of the changes in the GRV.

Q3 We have to accept what you have at the moment, but for the next three years, can't you control your capital expenditure to be able to reduce the amount each year. I do not understand why lowering the rate for one suburb would affect another suburb.

A3 Response by Cmr Rowell: Council decides a monetary amount which it needs to receive, and then apportions this out, using the Valuer General's valuations. This year, in most cases you will see that the rate in the dollar has not increased but because the Valuer General's rates have increased, or values have increased, the Council has apportioned it that way. It is always a bit of a slight of hand, that Councils will sometimes say we have lowered the rate in the dollar, but the valuations have increased, so therefore we have achieved the 3% extra revenue.

The Valuer General does not always work in three year gaps, and is currently talking about changing the costs of the valuations and asking local government and the Water Corporation to pay directly for them, and may also start a process of almost spot valuations.

Response by Cmr Morgan: I am sure the incoming Council will look this issue.

Response by Chief Executive Officer: A media statement has been issued this evening, which details the percentage movements. The Council will always adjust the rate in the dollar to allow it to collect the amount of money required to meet its budget expenditure. In some cases, this means that some rates actually reduced, and some coastal properties increased, in some cases substantially. This was consistent throughout the metropolitan area, and was responding to market values. This redistributes the rate burden within the community.

Mr Ken Zakrevsky, Mullaloo:

- Q1 When does the agreement with the Mindarie Regional Council expire?*
- Q2 When is the City of Joondalup, jointly with the City of Wanneroo going to seriously look at alternative methods to landfill being implemented, bearing in mind that limited landfill availability was highlighted as a problem as far back as 1970 by Leo Diletti, the Shire of Wanneroo Chief Health Surveyor?*
- Q3 Why has there been no apparent research into the USA's (California coastal regional councils) effective, cost saving, waste management, even though their systems and certain European systems have been brought to the notice of our own local government Councils and Shires?*
- Q4 Can the ratepayers of both the City of Joondalup and City of Wanneroo be assured that the Mindarie Regional Council's new Regional Waste Management Plan, based on the BSD Consultants' recommendations be received and tabled but not adopted tonight?*
- Q5 Will the City of Joondalup and City of Wanneroo communicate with the Town of Kwinana and Global Olivine WA, known as G.O (WA), for details of its design and building of high temperature processing plant for the processing of waste, and in particular to the proposed establishment of a large scale waste processing facility in the Kwinana Industrial area capable of taking all waste from Perth and surrounding areas, which would save a great deal of money?*
- A1-5 Response by Cmr Morgan:** The lease agreement in relation to Mindarie expires in 2011. The BSD report was authorised by the Mindarie Regional Council, and certain Commissioners are members of that Council. The report has received detailed consideration by the Commissioners and a workshop is being held in two weeks' time to discuss the report further. Discussions have been held with the Eastern Metropolitan Regional Council regarding working with that Council. We all believe that landfill must cease as soon as possible; waste to energy is certainly the future. I believe that we are ahead of the Town of Kwinana; I attended a seminar and there seem to be difficulties implementing the Town of Kwinana's proposal. I assure you that the Mindarie Regional Council is tackling the problem head on, and as I see it this will be one of the big challenges for the new Council. The groundwork has been prepared, and we are now ready to move forward. I give an assurance from the Joint Commissioners that much work has been done, we are conscious of the problems and the necessity to change the pattern of waste disposal as quickly as possible. The Council will certainly address this in the future.

Mr M Sideris, Mullaloo:

- Q1 With reference to the dual purpose path currently being constructed to the south of Mullaloo Beach, can I please be provided with the engineering construction details for the path?*
- Q2 With reference to the proposed dual purpose path to the north of the Mullaloo Surf Club, can the Council kindly provide path engineering details as well as details outlining the proposed route through to Ocean Reef?*

With respect to the responses received from Council to-date regarding Security Levy:

- Q3 At the Council meeting of 28 September 1999, I asked for the specific sections of the Local Government Act and its supporting Financial Management Regulations, which authorises or enables the Council to impose a Security Levy. The response was that you did not want to go into the detail then. Are the Commissioners now in a position to advise as to the specific section, subsection, clause, legislative interpretation, or relevant ruling that allows for a "security levy" to be imposed?*
- Q4 Will the Commissioners please advise why the Council is now using the term "service charge" and "fee" and not the term "levy" in correspondence to other ratepayers who have questioned the Council on the Security Levy.*
- Q5 I notice that Council is now promoting the security service is "with licensed security guards". Can you kindly advise what is meant by the term "Licensed".*
- Q6 Can you kindly advise what formal accredited training has been undertaken by the security guards?*
- Q7 Can you kindly advise what specific section of the Local Government Act, Police Act, or Security and Related Activities (Control) Act, enables the security guards to detain a person?*
- Q8 With regard to the two responses received to-date from the Council to the questions related to Performance Indicators, I am totally dissatisfied with the responses received as there appears to be a lack of understanding that these are developed by mutual agreement between the customer and the supplier, ie the ratepayer and the Council. Can I respectfully suggest that all Council officers undertake appropriate training to learn what Performance Indicators are, prior to using the term to promote any initiative.*
- Q9 With respect to the market research undertaken by Council in November 1998, can I kindly receive a copy of the research report, with complete details of the assessment modeling technique used, together with questions details, responses received, population profile and the cost for the market research.*
- Q10 With respect to the response received on the crime related referrals, can you kindly advise how the report can refer to crime statistics and not consider it important to have the data validated by an independent authority, especially prior to embarking on a set of initiatives that may or may not address the crime in the City.*

- Q11 Do the Commissioners consider leaping prior to looking to be sound business practice?*
- Q12 With respect to the advised performance indicators, do these fall within the guidelines associated with the requirement of Financial Management Regulation 54(d) Property Surveillance and Security?*
- Q13 I note that the Council is currently promoting the fact that the security charge (or is it a levy) is not a tax. Can you kindly advise why the terminology is changed to that which exists on the rate notice, as well as how and when this advice to confirm this determination was received?*
- Q14 Was this advice from an independent third party, if so, can a copy of this advice be tabled?*
- Q15 I note that the Council is promoting the fact that the frequency of patrols is related to the number of referrals. Is this correct and if so can you kindly advise why the general community is being requested to fund a security service which will be predominantly directed at the commercial sector within the City Centre, 50% of referrals (Reference data for July and August 1999).*
- Q16 Do the Commissioners consider this to be fair and equitable especially when considering that the commercial sector already funds its own security services.*

A1-16 These questions will be taken on notice.

Mr Brian Cooper, Kinross:

- Q1 Regarding the Security Levy: There seems to be two problems with the security levy at the moment. Firstly, most people seem to believe the security levy is partly a disguised rate rise, and I tend to agree with them in some cases; and secondly that the effect of the Council's own security is not that good. When the decision was made by the Councillors to investigate this, prior to the appointment of the Commissioners, the idea was to have a police officer and a ranger in the vehicle. I know there was some problem with the previous Police Commissioner on this proposal. Can I ask the Commissioners, now that a new Police Commissioner has been appointed, to revisit the matter, as the option of a police officer and a ranger in a vehicle, funded by the City, would be far preferable.*

A1 This question will be taken on notice.

- Q2 The response to the questions I asked some weeks ago in relation to the division of the assets in the City was confusing and I do not think the questions were answered. I wished to establish what proportion of the Reserve Funds and the investment lands went to the City of Wanneroo and the values, at today's values, and what went to the City of Joondalup. I believe the ratepayers of Joondalup are being rorted, and when I look at the City of Wanneroo budget, I see that staff costs actually exceed rate revenue, and I assume land will be sold in the future the cushion the rates. This is not a fair division of assets to the City of Joondalup and City of Wanneroo and I would like my questions looked at again.*

A2 This question will be taken on notice.

Q3 Have all the commitments made to the former City of Wanneroo, and the City of Joondalup been met before LandCorp leaves Joondalup?

A3 Response by Cmr Morgan: A detailed analysis of the commitments LandCorp is responsible for has been given to LandCorp for its consideration and we are waiting for a response. We believe we have covered every aspect of what we believe the commitments are to the City.

Q4 When do you expect a response?

A4 Response by Chief Executive Officer: We have been negotiating at officer level for the last two years on a number of factors and have reduced this to a minimum, which is what has been presented at the moment. We would anticipate an initial response any day, and will follow up the matter should a response not be received.

Q5 I do not believe the minimum should be accepted, but should expect what LandCorp has committed to, and trust that the Commissioners and the Chief Executive Officer will pursue this.

A5 Response by Cmr Morgan: You have our assurance that we will obtain the maximum. The Chief Executive Officer has spent much time in detailing the information required in the negotiations with LandCorp. We are hopeful that we can conclude that before Commissioners leave and are treating it as a matter of urgency.

Response by Cmr Rowell: In relation to staff with the City of Wanneroo, I am sure you are aware that the City of Wanneroo is picking up service agreements with the City of Joondalup in areas which have a high level of staff, in relation to engineering and waste collection, so the actual figures for staff for the City of Wanneroo need to take this into account. I can assure you that the City of Wanneroo is a viable proposition.

Mr R De Gruchy, Sorrento:

Q1 My concern is with the inequitable distribution of Council rates. In reply to questions I asked, Mr Delahaunty made mention of some previous attempts in Western Australia to investigate alternatives to the Gross Rental Value system. Nothing came of those, but could I have details of those previous attempts.

Q2 In my second question, you spoke of minimum and maximum rates. It is true that the Local Government Act specifies a minimum may be made, but there is no mention of a maximum. Section 1.6 says that "this Act does not bind the Crown except to the extent expressly stated in this Act". It could be inferred that just because it is not mentioned, it does not mean it cannot be done. Also in Section 3.1.3, there is mention of "a liberal approach is to be taken" in the collection of rates. I draw your attention to these sections.

When you spoke of the Gross Rental Value, it can be applied either uniformly or in a differential rate. Has any consideration been given to applying a differential rate to those suburbs which have been hit with 40-50% increases in Gross Rental Value, which is ludicrous, as I am sure you must agree. Values have not gone up that much.

A1-2 These questions will be taken on notice.

Mrs G Monks, Wanneroo:

Q1 *I understand that Council was approached in 1994 with regard to disabled parking access for Sanori House, Joondalup. Discussions have been taking place since that time and as yet the issue has not been resolved. The Management of Sanori House are willing to pay half of any cost of the establishment of disabled parking bays. How many disabled bays are there at the rear of the building and how far away from the building are they? The facilities at Sanori House are important to disabled people as they require intensive physiotherapy and hydrotherapy. Would Council please consider the placement of at least two disabled bays at the front entrance of Sanori House as a priority?*

A1 This question will be taken on notice.

Q2 *Regarding CJ368-10/99, Warrant of Payments to 30 September 1999. Attachment A, Page 2. Cheque No 16089 for \$1,000 payable to Chappell and Lambert. Could Council please state what this payment was for?*

A2 This question will be taken on notice.

Mr Barry Higgins, Carabooda:

Q1 *Twelve months ago, a Nursery made a donation of palm trees to the then Shire of Wanneroo being administered by the City of Joondalup. Commissioners will recall that I asked a number of questions in relation to the matter and on 22 September 1999 I asked Council to produce any documentation relating to the donation of these palm trees. The answer I was given was:*

"As previously responded, there is no written or electronic correspondence available. The only record will be via Parks Landscaping Service Annual Reporting of Assets which is compiled as part of the end of year financial process and submitted to Resource Management in accordance with the Local Government (Financial Management) Regulations 1996. Contributions to Council's assets are identified and collated annually in accordance with the above Regulations".

My question is, has the said record now been prepared, if so when and where can it be inspected, if not, why not?

A1 *Response by Cmr Morgan: Mr Robert Searle, Director Corporate Services of the City of Wanneroo reported to Commissioners today that he had discussions with you and had researched the information that you require. This information is available and will be provided to you fairly quickly.*

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

C45-10/99 MINUTES OF MEETING OF JOINT COMMISSIONERS – 12 OCTOBER 1999

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Minutes of the Meeting of Joint Commissioners held on 12 October 1999, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE DEPUTY CHAIRMAN WITHOUT DISCUSSION

ART AWARDS

At a function at Lakeside Shopping City on Tuesday evening, Chairman of Commissioners, Cmr Ansell announced Parkerville artist, Jon Tarry, as the winner of the 1999 City of Joondalup Invitation Art Award.

Jon Tarry received the prize of \$10,000, presented to him by Chief Executive Officer, Lindsay Delahaunty, for his artwork titled *“Liminal Spaces”* timber paints on wood. The work will become one of the major pieces in the City’s noted art collection.

Jon Tarry recently won a commission with the City of Wanneroo to create a major public artwork in the new town square for the redeveloped Wanneroo Town Centre.

The Joondalup award has brought together 42 artworks by leading and emerging Western Australian artists. Works by local artists Peter Davidson and Alan Marshall are included in the exhibition.

All the works will be on display at Lakeside Joondalup Shopping City, Joondalup until Saturday, 30 October 1999.

It is expected that up to 30,000 people will view the exhibition during this time. Admission to the exhibition is free.

CIVIC RECEPTION FOR WEST PERTH

The City of Joondalup will formally congratulate Westar premiers, West Perth, at a civic reception at the Civic Centre tomorrow evening, Wednesday 27 October 1999, at 6.30 pm.

Congratulations are well deserved on the big win and Commissioners and senior staff will represent the City at the reception.

RATES INCENTIVE WINNERS

On 1 November 1999, the City will be hosting a function for the winners of the rates incentive prizes.

The computer has randomly selected the names of the winners of the seven prizes offered by the City for the early payment of rates.

The winners have been invited to attend a cocktail function, where their names will be matched with one of the prizes, with the major prize being a \$2,500 Commonwealth bank account.

Congratulations to the winners.

FESTIVAL 2000 BREAKFAST FUNCTION

The Joondalup Festival breakfast function held at the Civic Function Centre on Wednesday, 13 October 1999 was very successful.

The purpose of the breakfast was to brief the business community and potential sponsors on plans for a “bigger and better” Joondalup Festival in 2000.

About 80 people attended, including the West Australian, Wanneroo Community Times, Network Ten, local politicians, stakeholders and local businesses.

COUNCIL NEWS

The Spring edition of the Council newsletter will be delivered to households in the City of Joondalup on Thursday, 28 October 1999.

The new-look Council newsletter will inform residents about the new security charge and the benefits it will bring for their safety and security, progress and pictures of the new aquatic centre at Arena Joondalup, to which the City has contributed almost \$4,000,000 and arrangements for the coming elections for Mayor and Councillors.

DEVELOPMENTS

Developments being considered this evening include a Salvation Army community centre in Christmas Avenue, Heathridge and additions to the library at Prindiville Catholic College.

PETITIONS

PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS – 26 OCTOBER 1999

1 PETITION PROTESTING AT RECENT INCREASES IN COUNCIL RATES – [07125]

A 14-signature petition has been received from Sorrento residents protesting at the recent increases in Council rates with no apparent increase in services to ratepayers.

This petition will be referred to Resource Management for action.

2

PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN SHEPPARD WAY AND CHARLSLEY CRESCENT, MARMION –
[33195J]

A 124-signature petition has been received from Marmion residents requesting the closure of the pedestrian accessway between Sheppard Way and Charsley Crescent, Marmion.

This petition will be referred to Planning and Development – Urban Design and Policy Services for action.

RESOLVED that the petitions:

- 1
- protesting at the recent increases in Council rates with no apparent increase in services to ratepayers;
- 2
- requesting the closure of the pedestrian accessway between Sheppard Way and Charsley Crescent, Marmion;

be received and referred to the appropriate Business Units for action.

The Motion was Put and

CARRIED

FINANCE AND COMMUNITY DEVELOPMENT

Items CJ363-10/99 to CJ369-10/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley. Cmr Clark-Murphy stated her intention to speak on Item CJ369-10/99.

CJ363-10/99

SCHEDULE OF DOCUMENTS EXECUTED BY MEANS
OF AFFIXING THE COMMON SEAL - [15876]

SUMMARY

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 17.9.99 to 8.10.99:

Document:	Copyright Agreement
Parties:	City of Joondalup and Ted Kelly
Description:	Local Studies – Oral History
Date:	17.9.99
Document:	Withdrawal of Caveat
Parties:	City of Joondalup and Silkchime P/L
Description:	Warwick Commercial Park
Date:	22.9.99

Document: Contract
Parties: City of Joondalup and Hansen P/L
Description: Tender 043-99/00 for supply and installation of play equipment - Parks
Date: 8.10.99

Document: Copyright Agreement
Parties: City of Joondalup and Beverley Clarke
Description: Local Studies – Oral History
Date: 8.10.99

Document: Copyright Agreement
Parties: City of Joondalup and Ken Davis
Description: Local Studies – Oral History
Date: 8.10.99

Document: Copyright Agreement
Parties: City of Joondalup and Frank Oldham
Description: Local Studies – Oral History
Date: 8.10.99

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Schedule of Documents executed by means of affixing the common seal be NOTED.

The Motion was Put and

CARRIED

CJ364-10/99 VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION COMMITTEE [02011]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the North Metropolitan Perth Area Consultative Committee.

Nominations are invited from elected members/Serving Officers experienced in or with an interest in fostering the opportunities for job growth, skills development, and regional growth and service delivery.

DETAIL

The Western Australian Municipal Association has invited member Councils to submit nominations to the North Metropolitan Perth Area Consultative Committee. Nominations are invited from elected members or Serving Officers experienced in or with an interest in fostering the opportunities for job growth, skills development, and regional growth and service delivery.

The Committee recently merged with the North Metropolitan Regional Development Organisation. The new Committee will:

- Bring together key groups to identify priorities and opportunities for employment and regional growth;
- Develop and implement a three year strategic regional plan to address regional priorities for growth;
- Identify and facilitate projects for funding under the Regional Assistance Programme and other Government programmes which will support and underpin the strategic regional plan;
- Provide support for the effective operation of Job Network in the region;
- Promote and facilitate other Commonwealth initiatives;
- Develop effective linkages with relevant Commonwealth, State and local agencies to assist promotion and implementation of these initiatives throughout the region;
- Provide advice and feedback to Ministers and Departments;
- Advise the Minister for Employment, Workplace Relations and Small Business on the regional impact of the Job Network and the extent to which providers collectively are meeting the needs of local employers and job seekers;
- Provide advice and feedback on regional development and regional service issues and the delivery and access of relevant Government programs.

The term of the Committee is three years. Meetings are held six-weekly, in Morley, usually commencing at 6.00 pm, for a duration of 2 hours. There is no meeting fee.

The Committee will comprise the following representatives:

- Director, Bell Solutions Pty Ltd – Chairman;
- Chairman, North West Metro Business Association – Deputy Chairman;
- WA Municipal Association representatives – 2;
- Mayor, City of Bayswater;
- State Manager, Department of Employment, Workplace Relations and Small Business;
- Policy Advisor, Ministry for Aboriginal Affairs/Aboriginal Advancement Council;
- President, Shire of Swan;
- President, Midland and Districts Chamber of Commerce and Industry;
- Director Academic Development, West Coast College of TAFE;
- Chairman Northern Advisory Body;
- President, Combined Business Association;
- General Manager, Westrek Foundation;
- Community representative.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners NOMINATE Executive Manager, Strategic Planning for consideration of appointment to the North Metropolitan Perth Area Consultative Committee.

The Motion was Put and

CARRIED

CJ365-10/99 FEES FOR SUPPLY OF ELECTORAL ROLLS - [35216J]

SUMMARY

The inaugural elections for the City of Joondalup are to be held as postal voting elections on 11 December 1999. The Local Government Act 1995 provides that each candidate or member of the Council is entitled to receive one free copy of a roll during the election process. There are however occasions when candidates may require more than one copy or members of the public may require copies during the year. It is therefore necessary to set an appropriate fee.

BACKGROUND

On 1 July 1998, the former City of Wanneroo was divided by Governor's Order into two new local governments, the City of Joondalup and the Shire of Wanneroo (now the City of Wanneroo).

As a result of this order, there was a requirement to set the date for the City's inaugural elections being 11 December 1999. This date, along with the division of the district into wards, was gazetted on 27 August 1999.

The Joint Commissioners have previously resolved to appoint the Western Australian Electoral Commission (WAEC) responsible for the conduct of the inaugural elections, as 'postal vote elections'.

DETAILS

As a result of the decision to appoint the WAEC, the main role for the City during the elections process is to ensure that the owners/occupiers roll is compiled and certified by the Chief Executive Office by 22 October 1999.

The required legislative advertisements have been placed advising those non-residents within the City of Joondalup of the need for them to make application to be included on the electoral roll.

Regulation 22 of the Local Government (Elections) Regulations 1997 states:

Supply of Rolls – s 4.42 (2)

- (1) The Chief Executive is to supply a copy of a roll for any election, free of charge to:
 - (a) each candidate in the election; and
 - (b) any member of the Council who asks for a copy.

(2) If a candidate or member asks for more than one copy of a roll, the Chief Executive Officer may, at his or her discretion, supply the additional copy or copies free of charge but, in exercising that discretion, the Chief Executive Officer is to deal with different candidates and different members in a consistent manner.

The following are the previous costs imposed by the former City of Wanneroo:

	1995/96	1996/97	1997/98
Electoral Rolls	\$	\$	\$
Central Ward	29.50	40.70	41.70
North Ward	10.20	15.20	14.60
South Ward	36.00	48.90	53.30
South West Ward	29.40	38.80	45.20
Set 4 Wards	104.80	143.60	154.80

The above costs were reflective of the number of electors per ward. However, it is noted that the ward structure for the City of Joondalup has altered from the former City of Wanneroo. It is suggested that a flat rate be imposed for each ward roll, as the number of electors per roll is reasonably consistent. It is suggested that the roll be produced in either a paper (street order or alphabetical order) or electronic format for the following fee:

Consolidated roll for the City (where supplies are available)	\$140.00
Consolidated ward roll (where supplies are available)	\$ 20.00
Owner/Occupier roll for the City	\$ 20.00
Owner/occupiers ward roll	\$ 10.00

The Local Government Act 1995 requires that if a local government wishes to impose a fee or charge outside the budget process, then it must give local public notice of its intention to do so and the date from which it is proposed the fees or charges will be imposed.

COMMENT/FUNDING

It is recommended that these fees for the supply of electoral rolls be adopted. But it be noted that the Chief Executive Officer has the discretion to supply a member of the Council or a candidate, during an election process, with more than one copy, free of charge, providing that the Chief Executive Officer deals with different candidates and different members in a consistent manner.

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

1 AGREE to impose the following fee for the supply of electoral rolls (in either hard copy or electronic format), effective from 29 October 1999:

Consolidated roll for the City	
(where supplies are available)	\$140.00
Consolidated ward roll	
(where supplies are available)	\$ 20.00
Owner/Occupier roll for the City	\$ 20.00
Owners/occupiers ward roll	\$ 10.00

- 2** in accordance with section 6.19 of the Local Government Act 1995, give local public notice of their intention to impose the fees as detailed in (1) above.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CJ366-10/99 JOONDALUP FESTIVAL [36775J]

SUMMARY

A meeting of the Joondalup Festival Committee was held 7 September 1999 and the unconfirmed minutes are submitted for noting by the Joint Commissioners.

DETAILS

The minutes of the Joondalup Festival Committee meeting held 7 September 1999 are included as Attachment one.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that:

- 1** the Joint Commissioners NOTE the minutes of the Joondalup Festival Committee held 7 September 1999 forming Attachment 1 to Report CJ366-10/99;
- 2** the Joondalup Fun Run be included in the 2000 Joondalup Festival Program;
- 3** the closing date for events seeking inclusion in the 2000 Joondalup Festival be publicised in local media.

The Motion was Put and

CARRIED

Appendix 1 refers – click here [Att1min2610.pdf](#)

CJ367-10/99 PARTICIPATION IN THE CITIES FOR CLIMATE PROTECTION CAMPAIGN [09717]

SUMMARY

This report recommends that the City of Joondalup participates in the Cities for Climate Protection Campaign. This innovative campaign supports local governments throughout the world to reduce green house gas emissions by assisting them to identify the emissions for their council and communities, setting a reduction goal and developing and implementing an action plan to reach the targets.

Australia contributes significantly to the world's green house gas emission, which is a growing concern to many communities. Worldwide there are 340 Municipalities that are

currently involved in the campaign. Within Australia there are 70 and of these 15 are Western Australian Councils.

It is of benefit for the City of Joondalup to join the Cities for Climate Protection Campaign as it is directly related to the Local Agenda 21 initiatives currently being considered by the City's Administration. The campaign provides members with assistance through technical support and training, information and publications, promotion and recognition, action modules and free training and workshops.

There is a one-off inclusive joining fee of \$2,000. This fee is based on the council's population size and includes all training and workshops.

BACKGROUND

The Cities for Climate Protection is a program of the International Council for Local Environmental Initiatives, which is associated with the Australian Greenhouse Office (the leader in Australia on greenhouse emission matters). The Cities for Climate Protection Campaign is fully funded by the Australian Greenhouse Office with a \$13 million commitment over 5 years from 1999.

The Cities for Climate Protection is a campaign that assists local governments, worldwide, to develop action plans to reduce green house gas emissions. This campaign will compliment the Local Agenda 21 program, which is currently been considered by the City's Administration.

Australia is responsible for approximately 1.4% of the total global greenhouse gas emissions, which equates to about 23.5 tonnes released per person each year. Local governments and communities can endeavour to reduce the impact of greenhouse emissions and current levels by managing their levels of energy consumption, introducing appropriate transport strategies, and other initiatives.

The campaign considers that local governments are capable of initiating activities, which may contribute to a 50% reduction of our national greenhouse gas emissions. The program offered by the Cities for Climate Protection provides a strategic milestone framework to reduce greenhouse gas emissions, by assisting local government to identify the emissions for their Councils and communities, set a reduction goal and develop and implement an action plan to reach the target.

DETAILS

When a City joins the campaign a software package is provided, which contains the strategic milestone framework to lessen greenhouse gas emissions. This framework and its milestones are as follows:

- 1 Establish an inventory and forecast for key sources of greenhouse gas emissions in the council and community;

- 2 set an emissions reduction goal;
3. develop and adopt a local greenhouse action plan to achieve those reductions;
- 4 implement the local greenhouse action plan;
5. monitor and report on greenhouse gas emissions and implementation of actions and measures.

These milestones enable the council to identify the major emission concerns for their council and community, set a reduction goal and develop and implement an action plan.

It is proposed that the Strategic Planning unit co-ordinate the Cities of Climate Protection campaign in conjunction with other LA 21 initiatives. As part of the Local Agenda 21 initiatives a research officer will be appointed in January 2000 to assist with implementation of this program.

As a member of the campaign the City will be provided with:

- (1) Technical Support and Training – this is the software mentioned above, and training workshops.
- (2) Information and Publications – access to the Cities for Climate Protection website workbooks, relevant case study material and fact sheet, Cities for Climate Protection presentations for senior managers and councillors, advice on funding opportunities and programs guidelines for reporting.
- (3) Promotion and Recognition – Communication and media material to assist the City to gain local support. There are two recognition events per year to celebrate and recognise the commitment the City has made to the program and the milestones that have been reached.
- (4) Local Greenhouse Action Modules – The Australian Greenhouse Office will be developing and resourcing specially targeted greenhouse reduction strategies and measures that can be adopted by Cities for Climate Protection participants as part of their local action plan.
- (5) Free training – The Cities for Climatic Protection have a one-off joining fee, which includes all training and workshops

It is suggested by the Cities for Climate Protection that there are a number of benefits to Local Governments by enrolling in the program. These include:

- Reduction in greenhouse emissions;
- improvements in air quality and public health;
- links councils with their communities and local leading businesses on action for the environment;
- demonstrate local leadership;
- generate additional revenue through reductions in Energy bills.

In Western Australia there are 15 local governments involved in the campaign –

City of Canning	City of Rockingham
City of Cockburn	City of Subiaco
Town of East Fremantle	City of Gosnells
City of Fremantle	Shire of Serpentine/Jarrahdale
Town of Kwinana	City of Armadale
City of Melville	City of Mandurah
City of Nedlands	Shire of Swan
City of Perth	

COMMENT/FUNDING

Joining the campaign includes a one-off fee, which is determined on the size of the council.

Council Population	CCP Participants	Fee for ICLEI members
> 50,000	\$2000	\$1500
20,000 – 50,000	\$1500	\$1100
< 20,000	\$700	\$500

The City of Joondalup will be subject to the \$2,000 fee, as it is not a member of the International Council for Local Environmental Initiatives. The City is able to join the International Council for Local Environmental Initiatives, however this is not advantageous for the City of Joondalup, as the campaign is similar to the Cities for Climate Protection.

This joining fee includes a number of training sessions. The first one is to be held over the 3 & 4 November 1999, at the City of Melville.

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

- 1Joint Commissioners AUTHORISE the City of Joondalup to participate in the Cities for Climate Protection campaign, the cost being a one-off inclusive joining fee of \$2,000;
- 2costs associated in (1) above be charged to Account 11.10.16.168.4201.D761.

The Motion was Put and

CARRIED

CJ368-10/99

WARRANT OF PAYMENTS FOR THE PERIOD TO 30 SEPTEMBER 1999 - [09882]

SUMMARY

This report details the cheques drawn on the funds during the month of September 1999. It seeks Joint Commissioners’ approval for the payment of the September 1999 accounts.

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	015998-016717	4,724,369.01
Municipal	000170-000174	4,795,987.81
Trust		
Reserve Account		
	TOTAL	\$ 9,520,356.82

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 September 1999, the amount was \$864,187.06

Previous requests from the City's ratepayers have been to provide additional descriptive information regarding payments. While such a report is not available as a standard report from the new system, modifications could be undertaken however, at a significant cost. This matter is currently being reviewed with the software supplier.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$9,520,356.82 which is to be submitted to each Joint Commissioner on 26 October 1999 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.

ALEXANDER SCOTT
Manager Accounting Services

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 \$9,520,356.82 submitted to the Joint Commissioners on 26 October 1999 is recommended for payment.

.....
Commissioner Campbell Ansell

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners **PASS** for payment the following vouchers, as presented in the Warrant of Payments to 30 September 1999, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$9,520,356.82.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	015998-016717	4,724,369.01
Municipal Trust Reserve Account	000170-000174	4,795,987.81
	TOTAL \$	9,520,356.82

The Motion was Put and

CARRIED

Appendix 2 refers – click here: [Att2min2610.pdf](#)

CJ369-10/99

YOUTH ACTION PLAN - MARCH 1998 TO JUNE 1999
PROGRESS REPORT [07116]

SUMMARY

The former City of Wanneroo established a Youth Action Plan in March 1998 to guide its role in youth affairs in the period up to June 1999. This report details the outcomes achieved during the implementation of the Plan. It updates information contained in report CJ299-12/98, which detailed outcomes achieved between July and December 1998.

The wide-ranging outcomes achieved through the Youth Action Plan are recorded here, within the strategic framework adopted for youth services. Within this framework are four (4) strategic directions, as follows:

- Coordination and Development
- Youth in Government
- Youth Activities Program
- Community Education and Information

Outcomes are described under these headings:

Coordination and Development

Joondalup Lotteries House
Banksia Grove (formally Neerabup) Community House
Community Needs Studies

Joondalup Festival
Drug Action Groups
North Regional Youth Group 6030
Yanchep Community Youth Watch
Feasibility of Establishing a Youth Legal Service in the City
Crime Prevention Summit
Crime Prevention and Community Policing
Alternative Education Program
Inter-Generational Environmental Picnic Day
Co-operation with Community Groups – Other Examples

Outcomes – Youth in Government

Youth Advisory Councils (YACs)
Junior Council
State Youth Parliament
Federal Youth Parliament

Outcomes – Youth Activities Program

Anchors Youth Service – Heathridge
Yanchep/Two Rocks Youth Service
Construction of a Youth Facility at Clarkson
School Holiday Activities
Family Liaison Project
JAM Sessions
Battle of the Bands Competition
Music Fusion
Youth Expo
Youth Arts Project (Hip Hop Workshops)
Wanneroo Eisteddfod
Mural Arts Program
Buskers Festival
Summer Concerts
Little Feet Festival
Other Cultural Events
Scholarships Awards
Sport and Recreation
Recreation and Cultural Development
Attendance at Sporting Events
Skateboard Facilities
Cycle Paths
BMX Cycle Tracks
Sporting Recreation for all Ages
Library Services
YMCA Mobile Youth Centre
Employment and Training Initiatives
Work Experience and Juvenile Offenders Work Placement

Outcomes – Community Education and Information

Community Connections
Information Brochure
Community Radio Station
School Food Hygiene Workshops
Environmental Discovery Week
World Aids Day 3d and Poster Competition
Youth Interaction and Education Campaign

As a result of the adoption of the strategic framework for Youth Services, the restructuring of various services of the City and changes to planning and operational processes, the City is well placed to further build on the initiatives detailed in this report. The City will continue to provide positive, responsive and effective services and develop activities in support of the region's young people.

BACKGROUND

The Joint Commissioners at their March 1998 meeting of the former City of Wanneroo endorsed the recommendations made by Consultant, Nick Francis and Associates, in the report "City of Wanneroo, Young People and the Future" (Report CS34-03/98 refers). Based on the principles contained in that report, Stage 1 of a Youth Action Plan to June 1999 was developed and adopted for implementation. Development of Stage 2 of the Youth Action Plan involved a study of the needs of young people in the Clarkson area and an assessment of the need for a youth facility or facilities in the area.

The Francis report provided a framework for Council to address issues facing young people and to plan for future youth services provision. The major recommendations from the report focused on:

- defining a role for Council as one of leadership in planning and coordinating services, facilities and activities for young people;
- increasing participation by young people in the planning and development of services, facilities and activities; and
- improving the marketing of Council's services and projects for young people.

To facilitate the progress of the Plan a significant restructure of Council's Youth Services was undertaken together with a refocusing on the strategic direction for the City of Joondalup and then Shire of Wanneroo in the area of services and support for youth. The business units within the Community Development Directorate were restructured to reflect a more coordinated and developmental role for Council. A Youth Projects Team was established within the Directorate to facilitate greater collaboration between the business units. Leisure Services has employed Recreation Development Officers with an increased focus on designing services which are pro- actively responsive to community needs. Youth Services is now a part of an integrated family service unit within Community Services. New strategies are more project based with consultation, development and evaluation time-frames.

DETAILS

This report details the outcomes achieved during the implementation of the Youth Action Plan, between March 1998 and June 1999 for both the City of Joondalup and then Shire of Wanneroo. The latter was administered by the City of Joondalup during this period. It refers to a mix of service provision and community development initiatives undertaken across the organisation, and in particular by the Community Development Directorate.

It is estimated that at least \$1.5 million was spent by the City of Joondalup and then Shire of Wanneroo on directly implementing the Plan during the 1998/99 financial year. This expenditure was incurred on initiatives in the following areas:

- the construction of new facilities;
- increased sporting and leisure activities;
- support services for young people in “at risk” situations;
- increased community education activities; and
- youth participation strategies.

The Joint Commissioners have endorsed a strategic directions framework for the future management and coordination of youth services, facilities and activities in the longer term (Report CJ299-12/98 refers). The following summary outlines these key directions:

Strategic Direction 1 - Coordination and Development

Key Aims:

- Oversee and influence the planning and development of services across the City to ensure diversity of type and equitable geographical spread.
- Promote and enable collaboration amongst local groups.
- Facilitate linkages and working relationships between local stakeholders.
- Encourage the establishment of neighbourhood/local/and City wide networks and bodies by initiating new ones where none exist and supporting those already in existence.
- Support the development of services/networks across the City by providing:
 - information (eg demographic data, strategic plans for City)
 - administrative support and back-up (eg minutes, agendas, postal address)
 - expertise in areas such as funding sources, negotiating funding and developing management models
 - sponsorship
 - short-term partnerships
- Provide infrastructure for facilities and amenities.
- Maintain sound working relationships with key development agents including State and Federal governments, the commercial and corporate sector, and community agencies.
- Undertake ongoing and targeted community consultation.
- Maintain an up to date information base on stakeholders throughout the City.
- Resource the development and trial of innovative models of collaboration and coordination.
- Implement procedures and systems to enhance the coordination of youth services/activities within Council.

Strategic Direction 2 - Youth in Government

Key Aims:

- Provide an opportunity for young people throughout the City to raise, discuss and advocate on issues which are of significance to them.
- Provide opportunities for young people to learn about and participate in the decision making process of all levels of Government.
- Implement a meaningful and effective alternative to the previous Junior Council.

Strategic Direction 3 - Youth Activities Program

Key Aims:

- Develop, co-ordinate and conduct a package of activities and events throughout the City which:
 - is varied and flexible;
 - is highly responsive to local needs and circumstance;
 - is primarily determined by young people;
 - maximises opportunities to work co-operatively with other community groups;
 - complements and enhances, rather than competes, with other community activities and events.

Strategic Direction 4 - Community Education and Information

Key Aims:

- Promote and portray a balanced and real picture of young people.
- Initiate and facilitate public discussion about youth issues.
- Develop effective means of providing information to young people including, for example, a regular insert poster in the local newspaper detailing all local services, activities and events for young people.
- Establish a Youth Website using the current Junior Council web page.

This report, detailing the outcomes of implementation of the Plan, is structured around these four strategic directions.

Outcomes – Cordination and Development

Joondalup Lotteries House

The Lotteries House at Joondalup was formally opened in May 1999. The project was four years in the making and was managed by a Council appointed Steering Committee. An inaugural general meeting was held and a permanent management group established. The City of Joondalup contributed land, \$70,000 in landscaping and \$332,500 towards the construction costs. A further contribution was the provision of parking and the future linking podiums to the Joondalup Administration Building. Considerable management and administrative support was provided by Council's staff to facilitate the development of this regional facility. The Lotteries Commission contributed \$2 million to the project.

The facility accommodates a variety of community organisations and provides a regional focus to service provision for the non-government sector. Organisations located in the facility and which provide specific support to young people are Wanneroo Accommodation and Support, Workpower, Relationships Australia and Centrecare.

Banksia Grove (formally Neerabup) Community House

The building of an \$800,000 community house in the Neerabup community (in the suburb of Cockman) was a joint project between the two local authorities, the Department of Family and Children's Services and the Lotteries Commission.

In October 1998 each household received (through a letterbox drop) an invitation to attend an open meeting to discuss the needs of the community in respect to a community house and to make comment on the design of the building.

A resident's reference group was formed to draw together the views of residents and to meet with Council's architect. The group was supported by staff who provided administrative and secretarial support.

A key feature of the group's input has been a desire to ensure that the building is designed to accommodate and welcome all age groups within the community. Whilst there is a predominance of children's services, the group has been keen to include young people in the community house. The group has felt strongly that if young people can be included in the design and establishment of the centre, they will feel acknowledged and valued.

Construction of the facility is progressing well, with an anticipated completion date of December 1999. A further reference group was established to assist in the establishment of services and an appropriate management structure.

Community Needs Studies

A project officer was appointed to conduct a *community needs study in the Warwick/Duncraig* area. The project was promoted through local media, the then Junior Council, schools and youth groups. The project officer also consulted young people in shopping centres. Questionnaires were distributed widely and were collated. The results were examined by Youth Services staff to determine the type and style of activities to be developed in the area. A further needs study will be carried out in the Girrawheen/Koondoola area during the current financial year. The costs of these consultations are estimated at \$3,700.

Council successfully negotiated HACC funding to take over the management of the youth drop in centre for young people with disabilities in Alexander Heights. As part of the establishment of the management structure of the Centre a comprehensive consultation was undertaken with providers of specialist services for young people with disabilities, mainstream youth services, as well as young people and their families. A management plan is now in place, providing direction to the operation and development of the centre. The centre will provide both specialised services to young people with a disability and mainstream services providing integration opportunities for this same group. Services will give participants the opportunity to pursue personal interests, establish friendships and learn new skills.

Library Services conducted a survey with over 2,000 young adult students. This resulted in an increase in the quantity and variety of young adult periodicals and improved access to stock by more flexible arrangements and tagging. Library Services also redesigned date due slips to allow for the inclusion of comments from all age groups. Completed comments were displayed in the library of origin.

A Youth Information Forum was held at Two Rocks. Representatives from government, non government and local government spoke with young people on the range of services, activities and facilities available. Young people in turn spoke about their perceived needs. Many of the issues raised such as bike tracks, skateboard facilities and camps have been listed for future action.

Joondalup Festival

The inaugural Joondalup Festival was conducted on the 26, 27 and 28 March 1999. It was held in the Joondalup City Centre, running from Friday evening till Sunday evening. There were three distinct elements to the Festival program – the Street Parade on Friday, the Youth Day on Saturday and the Family Day on Sunday.

Market research conducted during and immediately following the Festival, indicated that 95% of people who attended were satisfied or extremely satisfied with the Festival. 90% of attendees felt that it met or exceeded their expectations. Many people attended the Festival on more than one day, with many returning on two and three days.

The aspects of the Festival program most enjoyed by attendees were music 29%, activities 29%, atmosphere 14% (includes music, activities and parade), free entertainment 11% (includes music and buskers), parade 7%.

Approximately 52,000 people are estimated to have attended the Festival. Police estimate that 25,000 people attended the Street Parade on the Friday evening. The City's first Street Parade boasted 55 entries with over 900 participants (75% of whom were under 21 years of age). The largest entry was Clarkson Primary School with 250 students participating.

For two months leading into the Festival, professional float makers conducted float and costume making workshops with school students and other residents. The professional float makers were able to extend people's imaginations and skills and ensure that there were a number of engaging and high quality entries in the Parade. In addition the workshops generated a great deal of excitement about the Street Parade and Festival in general, which in turn generated very good "word of mouth" advertising.

The second day of the festival was devoted to young people. It is estimated that 20,000 of the estimated 52,000 participants who attended the festival over the weekend were aged under 21 years.

Young people were entertained by some of the State's top senior and youth bands. The latter included those that had participated in the Music Fusion Program and others from around the State. These attracted a 'concert' audience, as well as providing significant atmosphere to the occasion.

The activities provided were very popular. The skateboard and BMX dirt bike competition attracted very large crowds on Saturday's 'Youth Day'. The Action Events-Gladiator Sports activities also attracted a steady stream of participants of all ages throughout the Festival, as did the costume making for children, which was conducted during Sunday's 'Family Day'.

Market Research indicates that the average amount of money spent by Festival attendees was \$17. With approximately 52,000 people attending the Festival this amounts to an economic impact of approximately \$884,000. This impact is significant given that 70% of attendees came to the City Centre specially for the Festival. For an investment of \$162,612 the City attracted \$79,000 cash in grants and sponsorship, \$28,000 in in-kind media sponsorship and generated \$884,000 of spending in the City throughout the Festival. Follow up with sponsors indicates a very high level of satisfaction with the Festival and their involvement.

In the weeks following the Festival a number of debriefs were conducted with the following organisations and individuals who assisted in the production of aspects of the Festival program:

- Joondalup Police
- State Emergency Services
- Westrail Security
- Fire and Rescue Services
- St Johns Ambulance
- LandCorp
- Organisers of the Skateboard Competition
- Organisers of the BMX dirt bike competition
- Ranger Services staff
- Leisure Services staff
- Council's Marketing Services
- Float makers
- Festival Committee

In general those involved in the debriefing process felt that the Festival was very successful.

Drug Action Groups

Council supported the work of local drug action groups throughout the period, with staff attending meetings on a regular basis. These staff were instrumental in providing information and support on young people's issues, assistance in the preparation of funding applications for special projects and in facilitating access to local young people.

Council donated \$1,500 to the Whitford Local Drug Action Group for drug awareness initiatives. Yanchep Community House hosted the inaugural meeting of the Yanchep Local Drug Action Group. Council staff supported the Wanneroo Lions Club to establish the Wanneroo Local Drug Action Group.

Council facilitated the involvement of the Merriwa Local Drug Action Group in the Quinns Surfing Competition in October 1998. This was an initiative of Council as part of its holiday program for young people. That group has now taken over the sponsorship of the event on an ongoing basis.

Copies of Council's Youth Action Plan were distributed to relevant federal and state government members of parliament including the Minister for Family and Children's Services, who in turn forwarded a copy of the Plan to the W.A. Drug Abuse Strategy Office.

North Regional Youth Group 6030

Council is committed to assist in the development and establishment of new community groups. An example of this was the support given to the North Regional Youth Group 6030. The group was involved in community consultations on the needs of young people in the region. It was assisted to link up with other stakeholders as well as access demographic data and planning information. Additional assistance was offered in:

- developing a management plan;
- investigating potential funding sources; and
- planning an automated data base for attendance records to enable accurate data to support future planning and needs analysis.

At the direct service level one of Council's youth workers provided hands-on assistance and arranged for a pool table to be repaired and placed in the group's area for young people to use. The worker also collaborated with the group to combine some school holiday activities.

Yanchep Community Youth Watch

This group was formed by young people. To assist in its establishment, the Community Services Business Unit allocated one of its youth services staff to work with the group and attend its meetings for an initial period of six months. The group held its first major event, a disco at the Two Rocks Recreation Centre. It was a great success attended by over 160 young people.

Feasibility of Establishing a Youth Legal Service in the City

An application was submitted to the Public Purposes Trust of the Law Society of Western Australia for funding to the value of \$15,000 to carry out a feasibility study into the establishment of a Youth Legal Service in the region and, if appropriate, to identify and develop a service delivery model. Preliminary discussions were held with Youth Legal Service, Legal Aid and local legal practitioners to gauge support for the proposal. Unfortunately, the application was unsuccessful.

A further application was submitted in the following funding round (June 1999). This time similar funds have been sought to carry out a feasibility study into the establishment of a Community Legal Centre in the region and, if appropriate, to identify and develop a service delivery model. A Community Legal Centre would have a strong focus towards meeting the needs of young people, but also address the needs of other groups in the region.

Crime Prevention Summit

A summit on crime prevention was held at the City of Joondalup on 15 April 1998. The summit, which was a co-operative venture between the Joondalup Regional Community Policing Crime Prevention Committee, the former City of Wanneroo and the Joondalup

Police District, led to the formation of a number of taskforces. The issues addressed by these taskforces included those relating to young people such as anti graffiti, juvenile crime and anti social behaviour. The taskforces focused on pro-active preventative strategies relating to these areas. Council provided the venue and considerable administrative and secretarial support for the Summit and taskforces. \$2,000 was also spent on direct costs such as catering and security to support the operation of the Summit.

Crime Prevention and Community Policing

Council continued to operate its mobile security patrols as a key part of its Security Watch service. The patrols are operated by Council's Rangers on a twenty-four hour, seven days per week basis. The service involves the security patrols targeting anti-social behaviour and graffiti. The patrols have direct communication links with Joondalup Police Station, with plans developed to extend these links into other police stations in the region. Processes continue to be developed to ensure that areas observed by the service which relate to young people are addressed in a co-ordinated way.

In addition to the patrols, a range of other crime prevention and community policing initiatives were introduced including a comprehensive graffiti control program costing approximately \$360,000, sponsorship of the Constable Care Project which is conducting puppet shows on crime prevention throughout all primary schools in the region, and a contribution of \$11,500 to the Safety House Association of W.A. for the operation of the Safety House Program throughout the region.

Alternative Education Program

The City leased a section of its Merriwa Community Services Administration Centre to the Education Department of W.A. at a reduced rental for the purpose of operating an alternative education programme for young people who do not fit into the normal education system. The Department ran a Performance Enhancement Program designed to 'fast-track' the return of these young people to a mainstream school learning environment. Council projects complemented these initiatives, providing positive external networks and recreational opportunities.

Inter-Generational Environmental Picnic Day

As part of the Senior's Week activities, Council organised an environmental picnic at Hawkins Park. The theme was 'linking all ages' and involved young people from six local schools and senior citizens from local day care centres and senior's clubs. The picnic was hosted by staff from the Community Development Directorate with participation by the State Emergency Service, Friends of Yellagonga, Community Policing and the Wanneroo Lions Club. Participants were invited to take part in a walk around the lake. Community organisations and Council's Health Officers set up displays on the local wetlands. The event cost \$1,600 to co-ordinate, excluding staff time.

Co-operation with Community Groups – Other Examples

Other examples of Council working co-operatively with community groups in the provision of youth services are:

- Youth Services staff successfully worked with the North Coast Community Church to organise a youth night during school holidays. The event was a drop-in video night which targeted young people in the 12 to 17 years age group. The church provided food and entertainment and Council provided transport and staff.
- Council provided transport and staff assistance to enable young people from Yanchep, Two Rocks, Mindarie, Quinns Rock, Merriwa and Clarkson to attend the monthly Blue Light Disco at Heathridge.
- Council actively sought and facilitated the involvement of community groups and local businesses in a number of Council initiated activities. This has successfully led to the devolution of those activities to the community groups and businesses. A recent example is the Surfing Competition which was conducted by Council and which will, in future, be run by Surfing W.A., two local Surf Shops and the Merriwa Local Drug Action Group.
- In response to concerns about vandalism and anti-social behaviour at the Wanneroo Showgrounds Skate Facility, Council initiated a plan which involved:
 - bringing together local community youth groups to develop a joint strategy
 - arranging a positive and immediate response by the City/Shire through the local media
 - consulting with users at the skate park including parents and community members
 - responding promptly to complainants and involving them in finding solutions.

This plan resulted in a clean-up of the facility involving young people, parents, residents and community groups such as Wanneroo Lions, Skating Association of W.A. and a local youth group. It was followed by a social gathering and led to the establishment of the Showgrounds Skate Club.

Outcomes – Youth in Government

The Youth in Government Program was established during this period. It includes a range of initiatives which incorporate:

- Four (4) Youth Advisory Councils (2 in the City of Joondalup)
- A revised Junior Council program
- Participation in State Youth Parliament
- Participation in Federal Youth Parliament

Table 1 provides a conceptual overview of how the sub-programs relate to each other.

The main objectives of the program are to:

- Provide an opportunity for young people throughout the Cities of Joondalup and Wanneroo to raise, discuss and advocate on issues which are of significance to them.
- Provide opportunities for young people to learn about and participate in the decision-making processes of all levels of Government.
- Implement a meaningful and effective alternative to the previous Junior Council.

The model is believed to be the first of its kind in Australia. It is unique in that it incorporates each level of Government and provides young people in the region with an insight into the total democratic process.

The following summary details how the sub-programs are developed and operated.

Youth Advisory Councils (YACs)

Membership

Four (4) Councils covering the areas of Joondalup North, Wanneroo North, Joondalup South and Wanneroo South have been established. These Councils are modelled on the existing Youth Advisory Councils in Western Australia with the key difference being a strong training and development component and incorporation into the broader Youth in Government Program.

Membership to the Youth Advisory Councils was determined by an election process. Young people from local schools, learning institutions, youth organisations and other key networks were invited to nominate. The City co-ordinated the nomination and election process. It also provided support to those community youth organisations which did not have the resources to be involved in the process. The frequency of meetings of the Advisory Councils was determined as part of the setting of the Terms of Reference.

Whilst the City could not determine the membership of the Youth Advisory Councils, it attempted to ensure an equitable representation of young people from all sectors of the community.

Members serve two-year terms with half the membership being elected in each year. This will ensure continuity and enable those ongoing members to provide support to new members.

Role

The Youth Advisory Councils operate along similar lines to YACs throughout the state. They have two primary roles. The first is to provide a forum in which young people can raise and discuss matters of significance to them and to forward their views to the City and the Minister for Youth (through the Office of Youth Affairs). The second is to provide feedback on matters which are brought to them by the City and the Minister for Youth.

In this way, Youth Advisory Councils have a direct role at both a local and state level.

The Youth Advisory Councils of this region are not regarded as the sole representatives of all young people in the region. Young people are as diverse as any other group in the community and cannot be represented by a single voice.

To this end, a further dimension of the role of the Youth Advisory Councils is to facilitate processes within which as many young people as possible can have their say and be heard. Youth Services staff assist the Advisory Councils in performing this role.

Structure

Joondalup South Youth Advisory Council has 18 members.

Joondalup North Youth Advisory Council has 15 members.

Wanneroo South Youth Advisory Council has 6 members.

Wanneroo North Youth Advisory Council has 8 members.

Each Youth Advisory Council determined its structure at its orientation weekend camp. Common to all four (4) Youth Advisory Councils are monthly meetings with agendas and minutes. There will be two (2) joint meetings scheduled in each year when all the Advisory Councils come together.

Induction and Orientation

A two-day induction and orientation program was provided to each Youth Advisory Council at the beginning of its term. This involved:

- information about their Local Government including boundaries, services and facilities, demographics, structure and operations
- meeting procedures
- group processes
- the role of the YACs and its members
- the place of the YACs within the Youth in Government Program

Junior Council

A decision was made to discontinue with the existing model of Junior Council, to be replaced by a Junior Council Program which would be conducted during the second week of the mid-year school holidays, over an intensive five day period. As well as receiving training in all aspects of local government, participants will debate and make recommendations on issues put forward by the Advisory Councils.

This proposed Junior Council Program is an integral aspect of the proposed Youth in Government Program and an apt evolution of the Junior Council which was run for the previous 20 years.

Terms of Reference for both the Junior Council Program and the Youth Advisory Councils clearly articulate the function, role and relationship between the two structures and also their relationship with the Council. These Terms of Reference were developed around the main strategic directions of the organisation. They will be reviewed after twelve months.

The Junior Council Program will be a joint initiative between the Cities of Wanneroo and Joondalup and will take place between 12-16 July 1999.

State Youth Parliament

This program is run annually by the Western Australian YMCA State Council. It involves teams of young people from locations throughout the State and is conducted at Parliament House in Perth in October each year.

The Cities, through the Youth Advisory Councils, will nominate a team of seven young people to take part in the program.

In the months preceding October, teams are trained in parliamentary procedures and research and develop a Bill to place before Parliament. They also research and prepare an argument against a Bill being put forward by one of the other teams.

The Youth Parliament is conducted in the Upper House of Parliament House. It is presided over on the first day by the Speaker of the Upper House and on subsequent days by other Members of Parliament. Hansard and other parliamentary staff are available to service the Youth Parliament.

Youth Parliament is officially opened by the Governor of WA and the Youth Governor. The State Premier, Leader of the Opposition and other dignitaries attend. The Youth Parliament sits for four (4) full days. A unique aspect of Youth Parliament is that members vote according to conscience and not on party lines.

At the conclusion of Youth Parliament the Bills are presented to the Minister for Youth who gives an undertaking to present them to State Parliament.

At every Youth Parliament since its inception (with the exception of one) a Bill, or part of a Bill, has been incorporated into State or Federal legislation. One example is the 0.05 alcohol limit for drivers.

Federal Youth Parliament

This program, which is co-ordinated annually by the National Council of Australian YMCAs, is conducted at Parliament House, Canberra in April each year. It is proposed that the City of Joondalup and City of Wanneroo jointly support one or two young people from the region's State Youth Parliament team to participate. Only young people who have participated in State Youth Parliament are eligible to participate. This support could include assistance with travel and accommodation costs.

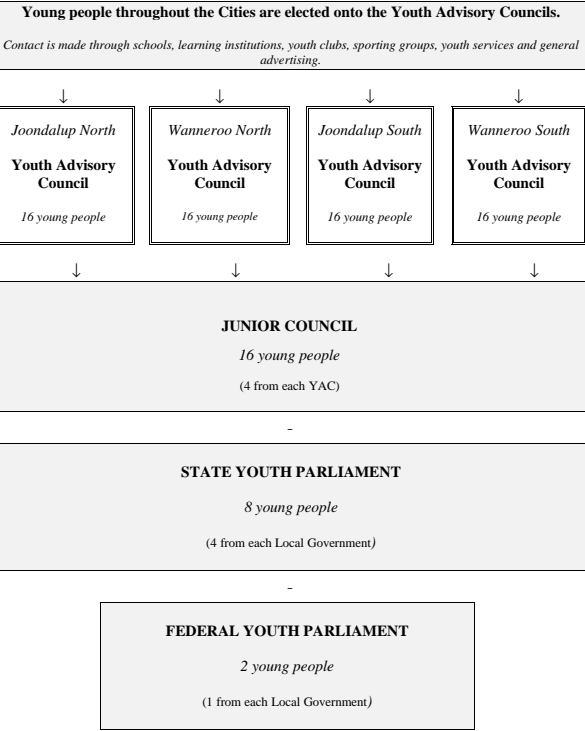
A young person who is supported to participate in Federal Youth Parliament will be required to take the role of Resource Person to the subsequent State Youth Parliament team.

Federal Youth Parliament operates similarly to the State Youth Parliament but at a Federal level and involves teams from each State and Territory of Australia.

Table 1

YOUTH IN GOVERNMENT PROGRAM

STRUCTURE



Outcomes – Youth Activities Program

Anchors Youth Service – Heathridge

This service, based at the Anchors Youth Centre, continued to provide valuable support to young people living in Heathridge and neighbouring suburbs. Throughout the period, the following services were provided:

- Young people were able to access information on a range of issues and on the services available to them within the community. Staff provided referrals and acted in an advocacy role, as appropriate.
- The Youth Centre opened at least twice a week, offering a range of recreational activities to young people attending. The Centre was well patronised, providing an important 'point of engagement' with local young people, particularly those considered to be 'at risk'.
- School holiday programs provided cheap, fun and challenging activities. The service was successful in attracting subsidy funding through the Department of Family and Children's Services (State), enabling costs to families to be kept to a minimum.

Following a review of its operations, the service was refocused in order to be able to undertake more of a community development role. This has allowed the Youth Development Officer to take a more pro-active role in working with the community to strengthen its networks of support for young people.

Work commenced on up-grading the Centre and on the development of new projects, to be implemented in the coming months. These include skate competitions, modeling workshops, surfing competitions and mural art. Young people using the service have played a key role in deciding these new directions.

Yanchep/Two Rocks Youth Service

Funding of \$33,000 per annum was obtained from the Department of Family and Children's Services for a joint project between the YMCA and Council to provide a range of activities/services to young people in the Yanchep/Two Rocks/St Andrews community. This service commenced in January 1999. The funds employ a youth worker part-time to provide direct support to the young people of the area. The worker, in consultation with young people, coordinates a range of activities and events and develops and implements joint projects with other organisations. One component of the project involves the use of the YMCA Mobile Youth Centre as a meeting place at strategic times during the week.

Since commencing operations, the service has been instrumental in promoting a range of successful initiatives, including the following:

- Relocation of several rounds of the state body surfing titles to Clayton's Beach, Mindarie.
- Implementation of a surfing program, incorporating lessons, surf survival, competitions and camp.
- Establishment of skateboarding clubs at the Quinns and Showgrounds skate parks. These play an active role in the management and maintenance of the facilities, as well as an active role in community liaison.

- Linking of community groups, such as local drug action groups, Lions Clubs and recreation associations into popular skateboarding and surfing events.
- Assistance to Senior Citizen Groups to establish their own youth activity programs. Quinns Rock Senior Citizens Group now runs a monthly 'Senior Experience versus Youth Enthusiasm' eight ball tournament and provides weekly pool tuition.
- Establishment of youth hip-hop, modeling and mural arts workshops in the area. These workshops specifically target 'at risk' young people and aim to provide a mechanism through which to link them into support services.
- Assistance to the Quinns Rock Blue Light Disco to establish a senior youth monthly live concert event.
- Employment, by the Education Department of WA, of a full-time youth worker at Clarkson Community High School and an Aboriginal Education Worker at Yanchep District High School.
- Initiation of an inter-school three on three basketball program.

Construction of a Youth Facility at Clarkson

Following initial consultation with young people in the area, stage one of this project, involving site allocation, design and costing commenced in March 1999. Young people worked closely with the City's architect to develop a facility to meet their aspirations. It is envisaged that the facility will provide both indoor and outdoor activities including an internet cafe, music and entertainment area and passive sports area. \$300,000 was budgeted in each of the 1998/99 and 1999/00 financial years. \$200,000 has been requested from the Lotteries Commission. Funds were also made available to allow for the involvement of young people in all stages of the design and construction of the facility.

School Holiday Activities

In developing and conducting a range of activities for young people during school holiday periods, Council collaborates extensively with many local groups in order to maximise the use of limited resources, to minimise duplication and to support one another in order to offer the widest possible range of options to young people in the area. Some of the groups with whom Council collaborated were:

- YMCA of Perth
- Local Drug Action Groups
- Community Policing
- Yanchep Junior Fire Brigade
- Yanchep Police Rangers
- Yanchep Surf Lifesaving Club
- Neighbourhood Watch
- Youthlink Northern Region Youth Group
- North Metropolitan Community Drug Team
- Clarkson Community High School
- Wanneroo High School
- Skateboard Association of W.A.
- Surfing W.A.
- Pot Black

The activities conducted during the school holiday program are popular and are based on consultations with young people. Activities include water sports, roller-skating and ice-skating, water-skiing, go-carting, indoor wave surfing, rock climbing, outdoor adventure, outings to movies and theme parks, bowling, surfing and skateboarding competitions, surfing and skating clinics and discos. Passive leisure activities include board games, video and computer games, outings to eateries, sausage sizzles and 'hanging out' at the youth centres. The approximate cost of these programs in 1998/99 was \$12,000, excluding staff time.

Family Liaison Project

Funding for the program was established with the Federal Government at a level of \$20,000 per annum. The program targets young people and their families who are experiencing conflict. A contractual arrangement was developed with the YMCA to undertake initial assessment of the need for counselling and then referral to appropriate specialist agencies. The program was promoted throughout the community. This program enabled Council to bring to the region, a broad range of specialist and generalist counselling agencies. It was expanded in 1999 to improve geographic distribution and service availability. The service is operating well. Further promotion is planned for later in 1999.

JAM Sessions

Throughout 1998, young people aged between 12 and 17 years were given the opportunity to attend JAM nights once a month at the Ocean Ridge Community Centre in Heathridge, costing in total approximately \$5,000, excluding staff time. This drop-in night was created by young people for young people and activities included amateur youth bands, social sports, music videos, pool and coffee area. Approximately 25 bands had the opportunity to play throughout the year. The project was deemed "highly commended" in the Heart Foundation Healthy Heart Awards.

With the completion of the program, a group of young people remain interested in forming a musicians club. Such a club would support a further program of JAM Sessions. A Council youth worker continues to work with this group to help make their aspirations a reality.

Battle of the Bands Competition

In response to requests from bands and young people attending the monthly JAM sessions at the Ocean Ridge Community Centre, Council held a Battle of the Bands competition in September 1998. The event was jointly sponsored by Council, Wanneroo Blue Light Disco (which provided \$500 in prizes) Zenith Music (which provided \$500 in prizes) and Perth Concert Sound (which provided free rehearsal time for each competing band at their studio). The Wanneroo Leo's Club operated a kiosk on the night with all profit going to their club. The event was attended by approximately 300 young people. Eight bands made up of 42 young people aged between 12 and 20 years competed for prizes in four different categories. The cost of the event, excluding staff time, was approximately \$2,000.

Music Fusion

This project aimed to train local youth bands in technical and production aspects of music. Thirty young people were selected to attend training workshops and rehearsal sessions over a period of sixteen weeks. Perth Concert Studio in Wangara was engaged to provide industry expertise and the use of a sound studio. The project culminated in the production of a CD and concert which was part of the Joondalup Festival, held in March 1999.

The skill level of the bands was very impressive and they were invited to play at the Extreme Expo held at Craigie Leisure Centre. The young people involved in the program all reported that it was beneficial and that they increased their knowledge of music. This project cost \$15,000, excluding staff time.

The project is currently being evaluated. However, it is very likely that it will be run again.

Youth Expo

The business units within the Community Development Directorate planned and delivered a joint Youth Expo at the Craigie Leisure Centre in May 1999. The event, called 'The Extreme Expo' was a great success, with approximately 1,000 young people, aged between 12 and 16 years, in attendance over the day.

The aim of the Expo was to provide young people with a fun, free day for them to enjoy recreational activities. The day included a range of "extreme fun activities for young people", such as sumo wrestling, skate ramps, climbing wall, speed ball competition, gladiators and other physical challenges. All were available free to young people. Craigie Leisure Centre organised a 3 on 3 basketball competition, water rope course, strength challenge and free sports inside the Centre. A large stage showcased local youth bands (music fusion) and other youth performers. 96 FM provided the DJ, the black thunders, boom box and live broadcasts. The cost was \$15,000, excluding staff time.

The Extreme Expo was well advertised on the radio and in the 'Wanneroo Times'. Posters displayed in schools, recreation centres, libraries and shopping centres. Editorials and photos were printed in the 'Wanneroo Times' following the event.

Youth Arts Project (Hip Hop Workshops)

This project was conducted during February and March 1999. A party to launch the project was held at the Gumblossom Community Centre. A range of activities including a skateboard competition, mural art demonstration, break-dancing, rapping and DJ-ing were on show. Entry to the party was free and a sausage sizzle and refreshments were available.

The hip-hop artists held demonstrations and generated a lot of interest in the project. A series of youth dance workshops were organised. The workshops were designed to attract young people and develop their musical talents through learning to DJ using Hip Hop and Rap, and extending this concept to singing and dancing.

The workshops were held at Gumblossom Community Centre in Quinns Rocks from 4-7pm on Tuesdays over a five week period. They were facilitated by Aswon Farenji and Dogg Pound Productions. The project culminated in a live performance as part of the Joondalup Festival. The young people performed alongside the members of Dogg Pound Productions. For many, it was their first public appearance.

The number of young people attending the workshops fluctuated, but ranged from 10 to 25. Their ages ranged from 14 to 21 years and most lived in the area and attended the nearby school (Clarkson High School). The cost, excluding staff time, was \$5,300.

Wanneroo Eisteddfod

This event, costing Council approximately \$25,000, is one of the largest Eisteddfods in Western Australia attracting 700 entries and involving approximately 2,500 participants. A large proportion of the participants are young people. This event has done much to enrich the artistic culture of the region.

Mural Arts Program

Council has a well established and respected urban art programme which trains young people in workshops and provides opportunities to be involved in painting bus shelters, underpasses and other sites, using urban art. Workshops were held once a month during the year with 10-20 young people attending. To date, 16 bus shelters and 3 underpasses have been painted. In the 1998/99 financial year this program cost \$54,500 to operate. Murals were painted at the following sites in the community:

- Joondalup City Centre – as part of the Joondalup festival
- Highview Park, Alexander Heights
- Ferrara Park, Girrawheen
- Gumblossom Skate Park – four (4) murals
- Wanneroo Skate Park – three (3) murals
- Wanneroo High School

Buskers Festival

The City ran a one day buskers festival where performers were invited to entertain the crowds of Joondalup during the night markets. Young people (under the age of 18 years) represented about 60% of participants.

Summer Concerts

The City offered six (6) summer concerts in conjunction with the night markets at Joondalup. These concerts provided a variety of music to an estimated 6,000 participants, 60 percent of whom were estimated to be under the age of 18 years.

Little Feet Festival

The City provided a children's free fun day. It was attended by approximately 8,000 people. Whilst this festival catered for children and families, more than 15 percent of participants were estimated to be aged between 13-18 years.

Other Cultural Events

Other successful projects have included the Woodvale Libraries Public Art Project, costing \$8,800 and the Marmion Whale Sculpture, costing \$15,500.

Scholarships Awards

The former City of Wanneroo established the Student Scholarship Programme in 1981 to recognise the academic achievement and community work of year 10 students progressing to Year 11 and 12 or to a Technical and Further Education course.

The programme initially consisted of six full scholarships of \$2000. The programme was expanded in 1995 to include four half scholarships of \$1000. In 1996, the Council resolved to increase the programme further to ten full scholarships and six half scholarships. This amounted to awards to the total value of \$26,000 per annum.

82 applications were received for the 1998 awards. Most were of an extremely high standard. The applicants were short-listed by the Student Scholarship Award Panel down to a total of 20, who were then interviewed.

61 applications were received for the 1999 awards. Again, most were of an extremely high standard. Stage 1 of the selection process was conducted by Council officers. This ensured all applicants met the basic selection criteria. Stage 2 of the selection process was conducted by members of a selection panel, including a Commissioner, Council officers, a representative from the Joondalup District Education Office and a community representative. This group reviewed each application and then met once to place students on the short list. Students were ranked on their academic achievement, school involvement and contribution to the community. Stage 3 of the selection process saw the students interviewed by the members of the selection panel. The interview process involved the panel members asking each student two questions. Each panel member then ranked the students based on their responses to the questions.

In both years the presentation of awards to the winners was a prestigious occasion, an opportunity for Council to acknowledge the achievements and contributions of some outstanding young people.

Sport and Recreation

All recreation zones house a number of clubs offering a variety of sporting activities for young people including football, cricket, soccer, t-ball, baseball, basketball, netball, calisthenics and touch football. Council also provided a diverse range of leisure opportunities for young people together with free access to its facilities for community groups offering opportunities for young people. During the 1998/99 financial year, Council fully subsidised young people's use of facilities at an estimated cost of \$1.5m. The subsidy included the use of clubrooms, community halls and leisure centres.

In line with previous years, an extensive funding program was implemented to fund major capital works projects. This included upgrading existing facilities, and developing new sporting and recreation facilities, many of which are used by young people. Additionally, new leisure courses were introduced throughout the region in Council facilities with major injections of funds to expand courses at Ocean Ridge (\$34,000) and Wanneroo (\$4,000) recreation centres. A large number of these courses were targeted at young people.

Recreation and Cultural Development

Through the City's Recreation and Cultural Development Fund, funds were provided to assist community groups with the development of their activities. \$11,128 was provided to ten (10) junior sporting groups and \$15,379 assisted ten (10) groups to develop a range of cultural activities, seven (7) of which benefited young people.

Attendance at Sporting Events

Council continued its program of providing financial assistance to young people in the region who were chosen to represent the State at national and international sporting events. \$9,600 out of a budget of \$15,000 assisted 192 junior athletes in the 1998/99 financial year.

Skateboard Facilities

The establishment of these facilities aims to:

- Provide a safe, enjoyable and challenging alternative to unsafe and illegal areas used by skaters
- Reduce the incidence of skaters clashing with authorities as a consequence of skating in restricted areas
- Provide relevant recreation activity for skaters
- Promote an increase in the number of young people participating in physical activity, namely skate sports
- Create a sense of ownership of the skate park
- Create a positive public image of young people through admiration of their skating skills and achievements
- Ensure that skate parks are accepted as standard provision for recreation facilities in the Cities of Joondalup and Wanneroo

Two mobile skateboard facilities were designed and installed at locations in Quinns and Wanneroo. The facilities cost \$80,000 to design and install and will cost approximately \$20,000 per annum to maintain. Council was successful in securing financial assistance from developer, Keystart Loans, for the construction of the Quinns skate facility. An extensive consultation was held with young people to determine suitable locations and appropriate designs for the jumps. Both facilities were enthusiastically received by young people.

The City of Joondalup and the then Shire of Wanneroo in conjunction with Rampage Designs and Engineers, Airey, Ryan and Hill, developed a unique construction method for skate equipment that provides flexibility in design, location and management of these facilities.

The steel skate equipment is strong, durable, and requires little maintenance. The equipment is designed to be located permanently outdoors, yet remain mobile, allowing it to be set up in many different configurations to keep the park challenging. It can be moved to a new site for special events, or if the demand for the equipment is greater, to another area. It can be located on a purpose built site or it can convert any existing indoor or outdoor sports court, hall or even carpark into an exciting and contemporary and exciting skate park.

The equipment can be made in almost any shape and size, which allows skaters to design exactly what they want. This allows each skate park to be unique and create a real sense of ownership in the users.

The City of Joondalup won WAMA’s State Best Practice Award for Innovation for this construction and design concept.

Youth Services and Leisure Services are committed to developing programmes around the facilities. Clubs are being established where young people can be involved in activities such as lessons on skateboarding and rollerblading, demonstrations, competition, urban art and social club activities.

Planning was underway for two further facilities to be constructed at Girrawheen and Whitfords. Potential sites were investigated and financial assistance sought from the State Government’s Office of Youth Affairs.

Cycle Paths

Council spent approximately \$280,000 in the 1998/99 financial year to construct cycle paths throughout the municipalities. Those constructed included:

- Mereworth Way, Girrawheen – Wanneroo Road to Marangaroo Drive
- Hodges Drive, Heathridge – Marmion Avenue to Joondalup Drive
- Ocean Reef Road, Heathridge – Admiral Grove to Marmion Avenue
- Ocean Reef Road, Ocean Reef – Marmion Avenue to Rig court
- Ocean Reef Road, Ocean Reef – Oceanside Promenade to Venturi Drive

BMX Cycle Tracks

- As well as the cycle paths, Council’s Parks/Landscaping Services has constructed BMX cycle tracks in a number of public parks. The Cities of Joondalup and Wanneroo now have twelve (12) BMX tracks available at the following locations :

• Shepherds Bush Park, Barridale Drive	Kingsley
• Galston Park, Galston Place	Duncraig
• Chichester Park, Chichester Drive	Woodvale
• Haddington Park, Haddington Street	Beldon
• Graham Road Sump, Graham Road	Quinns Rock
• McCoy Park, McCoy Place	Quinns Rock
• Perridot Park, Perridot Place	Banksia Grove
• Crisafulli Park, Crisafulli Rd	Wanneroo
• Whitfield Park, Theydon Grove	Two Rocks
• Mirror Park, Ventura Road	Ocean Reef
• Quarry Park, Quarry Ramble	Edgewater
• Warradale Park, Warradale Road	Landsdale

Sporting and Recreation for all Ages

In conjunction with the Ministry of Sport and Recreation the City undertook a mentor program at many of the local primary schools. This was an opportunity for retired senior citizens to become involved with children up to 14 years of age and teach them a variety of recreation and sporting activities.

Library Services

The Library services operated an extensive programme for both children and young people. Activities for young people included:

- Conducting seminars for parents. The first was for parents of 'reluctant readers'. This involved thirty-three (33) adults and four (4) children. The second was entitled 'Book Some Time With Your Kids' and concerned literacy problems and how important reading at home is in the development of literacy skills.
- Conducting Children's Book Week activities for school children of all ages which involved 22 presenters and in excess of 1500 children and young people at an approximate cost of \$7,000. As part of the planning for the 1999 Children's Book Week (to be held in August), high school students participated in a T-shirt design competition based on the theme 'Weave the Book Web'.
- Provision of a range of school holiday activities. These included craft activities in all of the libraries, which involved 330 young people at a cost of \$635, excluding staff time. Other activities included a visit from WA Reptile Park, two (2) performances by members of the Storytellers Guild of WA, performance of "Treasure Island – The Untold Story" by Harry Holland, two (2) cartooning workshops sponsored by the State Library of NSW and LISWA, and the annual summer holiday reading program (1999 theme was 'Allsorts').
- Classes from many different schools and a combined Primary Extension and Challenge Program (PEAC) Group visited the library for orientation. Local clubs and church groups also visited the library.
- Public displays such as Star Trek and Bike Education.

As well as providing specific services for young people, Council's Library Services also provides an extensive range of services for children. These programs reflect the need to build relationships prior to the stage of adolescent development. For example, library programs for children aim to develop a non-intimidating, non-threatening environment where they can access information of their choice without 'institutional' barriers. These programs include visits to schools by a librarian, Book Worm clubs, group visits to libraries, story time sessions and story and colouring competitions.

Innovative employment strategies within the libraries have benefited young people significantly. Two (2) part-time staff positions were retained for tertiary students, undertaking 'library' or associated studies. These students were able to complement their studies with valuable 'hands on' experience. Joondalup Library employs high school students as 'shelvers'. These students work after school and on Saturdays. For some young people it opened up the possibility of a career in this field. Many young people come into the libraries on work experience including high school and tertiary students and young people participating in community projects, such as the Duke of Edinburgh Award.

YMCA Mobile Youth Centre

Council contracted the YMCA of Perth to provide a Mobile Youth Centre and support services at a number of locations in the region. These included Koondoola, Girrawheen, Clarkson, Quinns Rock and Kinross.

Being mobile, this service was able to operate in the outer and more isolated suburbs. It was also able to move very quickly into any particular suburb when needed. Locations for the service were re-evaluated at the end of each school term. Young people using the service were closely consulted in this process.

Council worked with the YMCA mobile service, the City of Stirling and Family and Children's Services to address issues of youth suicide which occurred in the Duncraig/Carine area earlier in the year.

Employment and Training Initiatives

Council provided 12 placements for young people from the region who were involved in the Work for the Dole project conducted by Joondalup Joblink. These placements offered exciting and innovative opportunities in administrative support areas, child care, youth services, aged and disability, libraries and ranger services. Staff worked with Joondalup Joblink to develop an orientation and ongoing support program for the participants. The outcomes achieved for the young participants were very positive. Several gained employment in positions in the community. Others were offered internal, casual and short-term employment.

Council worked with Joondalup Joblink to submit an application for financial assistance to the W.A. Department of Training to establish labour market programs in the region linked to the proposed Joondalup Performing Arts Complex. These programs would specifically target employment growth for young people in the region. The application was successful, providing funding of \$15,000 to engage a consultant to identify the mechanisms through which this goal can be achieved.

Council was a sponsor of the Western Australian Department of Training, Aboriginal Landcare Training Initiative, by way of facilitating placements for ten Aboriginal trainees, aged between approximately 15 and 25 years. The participants worked in the Parks Landscaping Business Unit. The placements were funded by the WA Department of Training through Balga Joblink, and involved Council working with these organisations as well as CALM and other organisations to ensure the success of the program.

Work Experience and Juvenile Offenders Work Placement

New guidelines designed to provide a structured program of work experience placements for a wide range and number of people seeking on the job and other forms of work experience and under consideration. Many of those involved in the program are young people from local high schools and tertiary institutions. These guidelines will allow Council to take a more co-ordinated, proactive and planned approach to providing placements for young people.

Council's Operations Services organises work experience placements for young adults. The work is largely of an outside nature, working alongside Council staff, learning both, new work and inter-personal skills. At the end of the placement a written report on the student's progress is provided to the school.

The City of Joondalup, through its Operations Services, continues to provide supervision and placements for young offenders carrying out community work orders. These young people work within the Joondalup CBD, again with other Council staff and under supervision. Offenders sign a daily register which is faxed to the Justice Ministry on the completion of the Work Order.

Outcomes – Community Education and Information

Community Connections

\$60,000 was allocated in the 1998/99 financial year for the introduction of this major community education project as a pilot programme.

The overall aim of the project is to develop a sense of social, civic and environmental responsibility across all sectors of the community. The programme, which is corporate wide, seeks to improve the coordination of existing community education activities in areas such as health promotions, environmental protection and school curriculum-based tours, as well as develop a range of new and innovative projects consistent with the role and functions of Council.

Young people are one of the main target groups in this project. The aim is to address key issues with young people through positive programs, workshops and new initiatives. Key issues such as anti-social behaviour/graffiti/vandalism, conservation, safety and security, personal health and improving the understanding of local government, have been identified.

To facilitate this, links have been made with the Joondalup and Perth District Education Offices, local school principals, North Metropolitan Health Service, the Youth Advisory Councils and community groups. All these organisations are working with the City of Joondalup to better plan and promote youth programs under the Community Connections project.

The Community Education Project is a new community awareness and education initiative of the City. It is a positive campaign designed to inform people living, working or visiting the City of their rights and responsibilities and what it means to care for property, the environment and other people.

Other activities being developed include:

- Mural art challenge
- Quarterly school newsletter
- Education 2000 program (workshops, activities, tackling identified issues)
- Local government resource kit
- School Watch

Information Brochure

The compilation and production by Council of an information brochure for young people in need of crisis support was completed with the assistance of a ratepayer, with a printing and production cost of approximately \$400. In excess of 7,000 brochures were distributed to all government and non-government youth agencies including schools, youth clubs and other key youth networks. The information will also be included on the Junior Council Website.

Community Radio Station

Assistance was given to the Joondalup City and Districts Broadcasting Association Inc. to prepare a funding application to the Federation Community Projects Program to establish a regional community radio station in Joondalup. Special emphasis would be placed on programs and activities for young people including involvement by young people in programming, learning and training opportunities. Council has indicated its in principle support for the establishment of the station and its willingness to consider providing a suitable venue to accommodate the station and to provide in kind support in the areas of management and administration, particularly during the establishment period.

School Food Hygiene Workshops

As part of an ongoing program, Council's Health Services staff conducted food hygiene workshops with school students in years 8 – 12 throughout the region. Home economics and food production classes were the focus of this year's workshops.

The workshops included student interactive activities such as looking at past photos of food complaints, hand-washing challenge, determining food additives in food and basic food hygiene audits on their own kitchen areas. A 20 minute video with explanations via a small overhead presentation complemented the activities.

Students from senior high schools across the region were involved in the workshops. A total of over 500 students completed the program. Of these students, over 94 percent achieved the required standard to receive a certificate of achievement from Council.

This is an on-going program with the schools, further enhanced by a two level approach implemented in 1999:

- A basic food hygiene program called "Food Safe Basics" for years 8 and 9 students; and
- A more advanced program called "The Importance of Food Safety" for years 11 and 12 students.

There was no cost to the schools for the workshops. Excluding staff time, \$100 was spent on the preparation of materials for the workshops.

Environmental Discovery Week

Environmental Discovery Week was an exciting new project initiated by the City of Joondalup. Health Services staff organised workshops and activities for school students that created awareness and interest in environmental issues facing the community today.

In the first round, over 420 students from eight schools participated in the 67 workshops and activities conducted throughout a whole week. The workshops with the best attendance were the water quality monitoring and the midge and mosquito identification.

The bushwalk development, macro invertebrates, caving, vegetation and fire prevention workshops were conducted by Council's Rangers.

Twelve students from Prendiville Catholic College and Duncraig Senior High School participated in a school project competition. The focus of this year's school project competition was Yellagonga Regional Park and some of the environmental issues relating to its conservation. The entries were of a high standard and it was obvious that the students put a lot of time and effort into their submissions. Four entries were selected by a panel of judges to receive recognition for their work. Excluding staff time, the estimated cost of this week was \$2,972.

Due to the success of the week, Health Services together with the Waters and Rivers Commission – Ribbons of Blue Program offer the workshops as part of the school calendar.

Beaumaris Primary School was involved in a half day workshop on 23 June 1999 that studied the macro-invertebrate, water quality and weed invasion of Lake Joondalup at Neil Hawkins Park.

World Aids Day 3d and Poster Competition

A poster competition was conducted by Health Services in conjunction with the W.A. Aids Council. The competition was aimed at high school students ranging from 12 to 18 years of age. The two topics for the entrants to choose from were 'Safe Sex' and 'HIV/AIDS and Hep A and B'.

The overall aim of the competition was to involve young people in the region to increase their awareness of the need for safe sex and supply a void in the health industry for posters that are relevant and have up to date information to which youth can relate.

The competition closed on 13 November 1998 with several 3d and poster entries. The Sony Corporation donated prizes to the winners. Excluding staff time, the cost of conducting this competition was approximately \$260.

This project is under review. If it continues, it will be aligned with the learning outcomes required of the school curriculum.

Youth Interaction and Education Campaign

Council's Rangers conducted a number of activities with young people with the objective of improving relations, building rapport and educating young people on the role of Rangers in a low key and unobtrusive manner.

One of the most successful activities was conducted with the Anchors Youth Group. One of the Rangers attended a camp for students conducted by Council in the South West and became involved with activities such as surfing and 4 Wheel Drive rides. This improved the rapport and trust with the particular Ranger. Following the camp, the Ranger kept in contact with the youth group and it was found that there has been a reduction in vandalism around the Ocean Ridge Community Centre where the group is based.

The Rangers have also been involved in a number of promotional events where they have either conducted rides in patrol cars or on motorbikes for young people. This is used as an ice breaker with the young people and allows the Rangers to have a presence without being intimidating. It also provides an opportunity to educate young people in the use of off road vehicles in a fun and interactive way.

These activities have taken place at the following events:

- Family Week – Open Day at Yanchep Community House
- Merriwa Primary School Open Day
- Two Rocks Police Promotion
- Youth Services Night – Two Rocks Community Centre
- Mindarie Surf Competition

COMMENT/FUNDING

The Youth Action Plan has proven to be an effective vehicle for guiding and coordinating Council's role in relation to young people. It has enabled clear strategic directions to be established, through which very significant outcomes have been achieved. Council is now maximising the opportunities presented by its unique strategic position – a position that allows it to work directly with communities at a grass roots level, at the same time as engaging in direct negotiation with the higher levels of Government.

It is estimated that at least \$1.5 million was spent by the City of Joondalup and the then Shire of Wanneroo on directly implementing the Youth Action Plan during the 1998/99 financial year. This is considered to be an extremely conservative estimate of spending to directly implement the Plan and does not include the extensive range of other services, facilities and programs, through which young people benefited. Nearly all of Council's funding commitments have either a direct or indirect impact on the lives of young people in the region.

The development and implementation of the Youth Action Plan has helped to highlight, as well as better organise and target, the wide ranging and intensive level of support provided to young people by the Cities of Joondalup and Wanneroo.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners NOTE the outcomes achieved during the term of the Youth Action Plan, March 1998 to June 1999, as detailed in Report CJ369-10/99.

Cmr Clark-Murphy advised this report detailed progress made over the past 15 months in relation to the City's Youth Action Plan and congratulated staff involved in work undertaken to date and commended the report to both Commissioners and the public.

She advised extensive consultation with young people in the area had been carried out, with significant outcomes. The outcomes of this project would continue to shape the City's policy for young people into the future.

The Motion was Put and

CARRIED

C46-10/99 DETERMINATION PURSUANT TO CLAUSE 8 OF THE JOONDALUP AND WANNEROO ORDER 1998 - FREEHOLD AND VESTED LAND (& BUILDINGS) - [23475]

SUMMARY

The former City of Wanneroo was abolished on 1 July 1998, and in its place two new local governments were established – namely, the City of Joondalup and the Shire of Wanneroo. The Shire of Wanneroo became a City on 1 July 1999. The property, rights and liabilities of the former City were transferred to (or vested in) the City of Joondalup pending a determination by the Commissioners pursuant to clause 8 of the Joondalup and Wanneroo Order 1998.

BACKGROUND

In March and April 1999 the following categories of freehold and vested land holdings were the subject of clause 8 determinations by the Commissioners: -

- Vested Reserves (used for drainage sumps and public accessways) - 23 March 1999;
- Vested Reserves (vacant land) - 13 April 1999; and
- Freehold Land (used for drainage sumps) - 13 April 1999.

At the time of making these determinations, the Commissioners were involved in a series of workshops aimed at developing appropriate criteria to be used in transferring/adjusting the various property, rights and liabilities of the former City. The particular categories of property dealt with in the previous determinations were either being used for public purposes or were considered to carry an expectation that any future use would be for a public purpose. It followed that the asset workshops would, at least in respect of these properties, consider allocation to be on the basis of geographic location.

The Commissioners, at meetings of the City of Joondalup and Shire of Wanneroo on 22 June 1999, endorsed the various outcomes of the asset workshops. The following are extracts from report CJ215-06/99: -

1.1 Land and Buildings

Generally land and buildings will be located on the basis of location. However, where land and any building located thereon is currently used to facilitate a service being provided by both local governments but is located in one of the local government districts, consideration will be given to –

*the provision of an appropriate facility in the other local government district;
joint ownership of the asset(s);*

*the provision of formal access/usage rights to the “non owner” local government: or
the “owner” local government being required to provide services to the other under
a long-term agreement.*

An exception to the general position of allocation on the basis of location, will be made in the case of the former City's one third share of super lot 17, Marmion Avenue, Tamala Park. Ownership of this land holding will be shared equally by the City of Joondalup and the Shire of Wanneroo (i.e. one sixth share each in the super lot). This is consistent with the adjustment of membership of the Mindarie Regional Council (MRC) described under the next sub heading.

3 *Vested Properties*

Allocation is to be made on the same basis as Land and Buildings (see section 1.1 above).

It is now necessary for the Commissioners to make a determination in respect of the balance of freehold and vested land holdings (and buildings) of the former City of Wanneroo.

DETAILS

The attached schedules list all the identified freehold and vested land holdings (and buildings) of the former City of Wanneroo as at 30 June 1998 and allocate each to the appropriate local government according to the endorsed criteria mentioned above. The properties previously determined in March and April 1999 are included in the schedules with a notation indicating the date of the determination already made.

The schedules submitted with this report deal with: -

- Schedule 1.1 Freehold land holdings to be transferred to the ownership of the City of Joondalup.
- Schedule 1.2 Freehold land holdings to be transferred to the ownership of the Shire of Wanneroo.
- Schedule 2.1 Vested land holdings to be vested in the name of the City of Joondalup.
- Schedule 2.2 Vested land holdings to be vested in the name of the Shire of Wanneroo.
- Schedule 3.1 Buildings on land to be transferred to or vested in the City of Joondalup.
- Schedule 3.2 Buildings on land to be transferred to or vested in the Shire of Wanneroo.

The determinations made by the Commissioners will be forwarded to the Department of Land Administration (DOLA) to facilitate the formal transfers of land and the recording of the necessary changes in vestings.

It should be noted that Minute CJ98-04/99 (City of Joondalup Joint Commissioner's Meeting on 13 April 1999) inadvertently resolved to transfer Lot 91 Wanneroo Road Woodvale to the City of Joondalup. The amended common boundary is such that this lot is located in the district of Wanneroo and therefore this report corrects that previous determination by transferring Lot 91 Wanneroo Road to the Shire of Wanneroo.

All buildings recorded on the assets register of the former City of Wanneroo have been identified by location and will transfer to the ownership of the appropriate local government (i.e. in line with the property on which the building is located).

COMMENT/FUNDING

The attached schedules will form the basis of this determination. In order to have this determination reflected in the 1998/99 annual financial statements of each local government, it is recommended that the clause 8(1) determination be made as at 30 June 1999.

OFFICER'S RECOMMENDATION: That the Joint Commissioners in accordance with the provisions of Clause 8 of the Joondalup and Wanneroo Order 1998:

1 DETERMINE the adjustment/transfer of:

(a) the freehold properties owned by the former City of Wanneroo as follows:

- (i) all those properties listed on the attached Schedule 1.1 (including the 50% share of the former City's one third ownership in Lot 17 Marmion Avenue Mindarie – Certificate of Title Vol. 1508 Fol. 931) be transferred to the ownership of the City of Joondalup on and from 30 June 1999; and
- (ii) all those properties listed on the attached Schedule 1.2 (including the 50% share of the former City's one third ownership in Lot 17 Marmion Avenue Mindarie – Certificate of Title Vol. 1508 Fol. 931) be transferred to the ownership of the Shire of Wanneroo on and from 30 June 1999;

(b) the properties vested in the former City of Wanneroo as follows:

- (i) amend the vesting on all those properties listed in the attached Schedule 2.1 to show the properties to be vested in the City of Joondalup on and from 30 June 1999; and
- (ii) amend the vesting on all those properties listed in the attached Schedule 2.2 to show the properties to be vested in the Shire of Wanneroo on and from 30 June 1999;

(c) the buildings located on land previously owned by or vested in the former City of Wanneroo be brought to account as assets in the books of account of the appropriate local government as at 30 June 1999. Specifically –

- (i) all buildings listed on the attached Schedule 3.1 are to be brought to account as assets of the City of Joondalup as at 30 June 1999; and
- (ii) all buildings listed on the attached Schedule 3.2 are to be brought to account as assets of the Shire of Wanneroo as at 30 June 1999;

2 DETERMINE that freehold or vested land holding, identified in the future, in the name of the former City of Wanneroo that are not on the Schedules referred to in 1 above be transferred to the local government within which the land holding is located;

- 3 AUTHORISE the referral of the determinations in 1 (a) and (b) above to the Department of Land Administration for the required transfers and amended vestings to be actioned.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Rowell that the Joint Commissioners in accordance with the provisions of Clause 8 of the Joondalup and Wanneroo Order 1998:

1 DETERMINE the adjustment/transfer of:

- (a) the freehold properties owned by the former City of Wanneroo as follows:
 - (i) all those properties listed on the attached Schedule 1.1 (including the 50% share of the former City's one third ownership in Lot 17 Marmion Avenue Mindarie – Certificate of Title Vol. 1508 Fol. 931) be transferred to the ownership of the City of Joondalup on and from 30 June 1999; and
 - (ii) all those properties listed on the attached Schedule 1.2 (including the 50% share of the former City's one third ownership in Lot 17 Marmion Avenue Mindarie – Certificate of Title Vol. 1508 Fol. 931) be transferred to the ownership of the City of Wanneroo on and from 30 June 1999;
- (b) the properties vested in the former City of Wanneroo as follows:
 - (i) amend the vesting on all those properties listed in the attached Schedule 2.1 to show the properties to be vested in the City of Joondalup on and from 30 June 1999; and
 - (ii) amend the vesting on all those properties listed in the attached Schedule 2.2 to show the properties to be vested in the City of Wanneroo on and from 30 June 1999;
- (c) the buildings located on land previously owned by or vested in the former City of Wanneroo be brought to account as assets in the books of account of the appropriate local government as at 30 June 1999. Specifically –
 - (i) all buildings listed on the attached Schedule 3.1 are to be brought to account as assets of the City of Joondalup as at 30 June 1999; and
 - (ii) all buildings listed on the attached Schedule 3.2 are to be brought to account as assets of the City of Wanneroo as at 30 June 1999;

2 DETERMINE that freehold or vested land holding, identified in the future, in the name of the former City of Wanneroo that are not on the Schedules referred to in 1 above be transferred to the local government within which the land holding is located;

3 AUTHORISE the referral of the determinations in 1 (a) and (b) above to the Department of Land Administration for the required transfers and amended vestings to be actioned.

Cmr Clark-Murphy advised this report related to previous decisions made by Commissioners in dividing the assets of the former City of Wanneroo and now allowed for the administrative work to be undertaken to transfer the land out of the name of the former City of Wanneroo into the names of the new City of Joondalup and City of Wanneroo respectively.

With the approval of the Mover and Seconder, Cmr Buckley requested that reference to the "Shire of Wanneroo" be amended to read "City of Wanneroo".

The Amended Motion was Put and

CARRIED

Appendix 5 refers – click here: [Att5min2610.pdf](#)

INFRASTRUCTURE MANAGEMENT

Items CJ370-10/99 to CJ373-10/99 inclusive were Moved by Cmr Morgan and Seconded by Cmr Rowell. Cmr Morgan stated his intention to speak on Item CJ373-10/99.

CJ370-10/99 TENDER NO 048-99/00 - SUPPLY AND APPLICATION OF PESTICIDES - [47258J]

SUMMARY

Tenders were advertised for the Supply and Application of Pesticides in accordance with the specification supplied. Tenders closed on 29 September 1999 and the Schedule of Prices for each tenderer are detailed on Attachment 1.

Three tenders were received. The tender submissions have been evaluated based on the selection criteria and it is recommended that Council accept the tender of Turfmaster Pty Ltd trading as Kim Gorey Turf.

BACKGROUND

Due to expiry of the existing contract, the City invited tenders for the supply and application of pesticides. The tender covers all aspects of pest control, including but not limited to brick paving, verges, medians, garden beds, broadacre spraying and mulched areas. The City spends approximately \$400,000 per annum for spraying.

DETAILS

The tender was advertised on 11 September 1999 and 11 companies requested tender documents. Three tenders were received from the following companies:-

Turfmaster Pty Ltd T/A Kim Gorey Turf
Ausmic Pest Managers
Maxwell Robinson & Phelps

Please note that the Schedule of Rates submitted by Ausmic Pest Management has not included rates for 100m² and 1,000m² or hectares, but has included an hourly labour charge only. This does not comply with the Schedule of Rates format.

Maxwell Robinson & Phelps also has not completed the entire Schedule of Rates in accordance with the tender.

Turfmaster Pty Ltd trading as Kim Gorey Turf has completed the Schedule of Rates as required.

The tender evaluation has been completed and the details are attached (refer Attachment 1). Evaluation is based on price of chemical and hourly rate.

Kim Gorey Turf has satisfied the tender evaluation group that it has the ability to provide the best value for the tendered price.

It is recommended that Turfmaster Pty Ltd trading as Kim Gorey Turf is the successful tenderer.

COMMENT/FUNDING

Funding is available from the 1999/2000 Maintenance Budget.

Kim Gorey Turf is based in Bayswater and has submitted the lowest tender overall. Council's supplier for the previous contract was Trans Aus, now known as Turfmaster Pty Ltd trading as Kim Gorey Turf.

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

- 1 ACCEPT the tender schedule of prices submitted by Turfmaster Pty Ltd trading as Kim Gorey Turf for Tender Number 048-99/00 Supply and Application of Pesticides;**
- 2 AUTHORISE signing of the contract documents.**

The Motion was Put and

CARRIED

CJ371-10/99**MINDARIE REGIONAL COUNCIL - REGIONAL
WASTE MANAGEMENT PLAN – [48173J]**

SUMMARY

The Mindarie Regional Council had previously commissioned BSD Consultants to undertake a major study to identify potential improvements to the waste management system in the Mindarie Region. The report is now complete, and the Mindarie Regional Council at its meeting held on 23 September 1999 agreed to a number of action plans based on the recommendations from the consultant.

The action plans were adopted subject to endorsement by Member Councils. This report seeks the endorsement of Council for the action plans.

BACKGROUND

The Mindarie Regional Council had identified as part of its strategic planning process that the future life expectancy of the Tamala Park facility is subject to environmental, planning and owner Councils considerations.

The Mindarie Regional Council commissioned BSD Consultants to undertake a major study to identify potential improvements to the waste management system in the Mindarie Region.

The Commissioners attended a briefing on the report from BSD Consultants on Monday 13 September 1999. The recommendations contained in the report have not been amended since the briefing and are quoted below as adopted by the Mindarie Regional Council.

“ MINDARIE REGIONAL COUNCIL
REGIONAL WASTE MANAGEMENT PLAN

RESOLUTION 9.1-1 DATED 23 SEPTEMBER 1999

That the Council:

- (i) endorse the concept of a Regional Waste Management Plan, for the Mindarie Region, for inclusion within the context of the revised Strategic Plan for the Mindarie Regional Council
- (ii) approve the following actions for execution within the context of this Regional Waste Management Plan:

. Management – Tamala Park

- (a) Maximise the amount of lease land available for waste management activities at Tamala Park (end December 2000)
- (b) Minimise of the impact of Perth’s Bushplan on this leased area (end November 1999)

- (c) Develop a Stage Two Landfill, within the existing approved 22 hectares (end November 1999)
- (d) Develop a master plan for the site (end June 2000)
- (e) Negotiate improved security of tenure over the current leased land with the owners, through either lease extension or purchase (end June 2000)
- (f) Optimise the use of Tamala Park landfill airspace through diversion of Class One waste elsewhere (end October 1999)

Business Planning

- (g) Establish a co-ordinative approach to greenwaste treatment within the region, through the establishment of a greenwaste treatment facility, either at Tamala Park or elsewhere, in conjunction with Members of the Regional Council (end March 2000)
- (h) Monitor trial activities within the region, particularly those involving one bin or split bin, as conducted by Members of the Regional Council (ongoing)
- (i) Assist members of the Regional Council in the development of waste management plans, which are consistent with the revised Strategic Plan for the Mindarie Regional Council (ongoing)

Alternative waste reduction methods

- (j) Develop options, with recommendations for the introduction of alternative waste reduction methods to landfill, i.e. secondary treatment, in conjunction with the Eastern Metropolitan Regional Council (end 2001)

Subject to endorsement by Member Council. “

COMMENT

The listed actions follow naturally from the report and represent good management practice.

One important recommendation in the report that was separately listed is:

“in addition to the actions to maximise the potential of Tamala Park, negotiations should commence with the Department of Environmental Protection to seek approval to develop an area of Tamala Park (approximately 160m wide) to the west of the currently approved 22 hectares for landfilling”

This extension represents the lost capacity from operating changes instituted to protect a claimed Aboriginal Site to the north and west of the approved landfill. The Chief Executive Officer of the Mindarie Regional Council has advised that this item is considered to be included in item (a).

Item (i) identifies the need for each member Council to ensure that its future waste strategy is consistent with the direction being taken by the region. This relates to item (j) where the Mindarie Regional Council is progressing a secondary waste treatment option since this could

have a major impact on the domestic rubbish and recycling programmes. While it is appropriate to endorse these items, Council needs to consider the impact on its own operations. The first steps in this consideration are addressed in a separate agenda item on Strategic Waste Management Directions for the City of Joondalup.

The focus of this report is on the waste management issues for the continuation of the orderly and safe disposal of the community's waste. It is recognised Lot 17 Land Owners are currently developing their position on the future development of the adjacent land and this may impact on the future viability of the landfill site. These potentially competing interests need to be considered as part of the future strategic considerations for both owner and member Councils.

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

1 AGREE in principle to the Mindarie Regional Council's Resolution 9.1-1 dated 23 September 1999, being;

"That the Council:

- (i) endorse the concept of a Regional Waste Management Plan, for the Mindarie Region, for inclusion within the context of the revised Strategic Plan for the Mindarie Regional Council'*
- (ii) approve the following actions for execution within the context of this Regional Waste Management Plan;*

Management – Tamala Park

- (a) Maximise the amount of lease land available for waste management activities at Tamala Park (end December 2000);*
- (b) Minimise of the impact of Perth's Bushplan on this leased area (end November 1999);*
- (c) Develop a Stage Two Landfill, within the existing approved 22 hectares (end November 1999);*
- (d) Develop a master plan for the site (end June 2000);*
- (e) Negotiate improved security of tenure over the current leased land with the owners, through either lease extension or purchase (end June 2000);*
- (f) Optimise the use of Tamala Park landfill airspace through diversion of Class One waste elsewhere (end October 1999)*

Business Planning

- (g) Establish a co-ordinative approach to greenwaste treatment within the region, through the establishment of a greenwaste treatment facility, either at Tamala Park or elsewhere, in conjunction with Members of the Regional Council (end March 2000);*

- (h) *Monitor trial activities within the region, particularly those involving one bin or split bin, as conducted by Members of the Regional Council (ongoing);*
- (i) *Assist members of the Regional Council in the development of waste management plans, which are consistent with the revised Strategic Plan for the Mindarie Regional Council (ongoing);*

Alternative waste reduction methods

- (j) *Develop options, with recommendations for the introduction of alternative waste reduction methods to landfill, i.e. secondary treatment, in conjunction with the Eastern Metropolitan Regional Council (end 2001).*

Subject to endorsement by Member Council.”

- 2 **ADVISE** the Mindarie Regional Council it should take into consideration the competing interests between Waste Management Operations and the potential development opportunities to the balance of Lot 17, as part of its strategic direction

The Motion was Put and

CARRIED

CJ372-10/99 STRATEGIC WASTE MANAGEMENT DIRECTIONS FOR THE CITY OF JOONDALUP [36958J]

SUMMARY

The purpose of this report is to provide Council with strategic waste management directions to develop an Integrated Waste Management Plan for the City of Joondalup. These directions take account of the recommendations from BSD report 'Options for a Regional Waste Management Strategy for the Mindarie Region' and the implications for decision-making if a secondary waste treatment process is adopted.

It has been identified that the Tamala Park Disposal Facility may have a considerably shorter life than the originally expected 25 years due to a number of factors. These include:

- Impact of Bushplan
- Ethnographic considerations along the eastern and northern boundaries
- Requirements for cell lining
- Residential development requiring buffer protection
- The impact of increased usage from the City of Stirling

In the last few years there has also been major advances in waste separation technology and secondary waste treatment that has made processing waste more viable.

In light of these issues the Mindarie Regional Council commissioned a major study into the options for the development of a regional waste strategy. The study is now complete and the recommendations have been adopted by the Mindarie Regional Council, subject to the approval from member Councils. A report on this item is the subject of a separate agenda item to this meeting.

Given the directions the Mindarie region is considering, this report proposes strategic directions for the City to consider in the development of the Integrated Waste Management Plan.

These strategic directions are listed as follows:

Regional focus

To develop the City's Integrated Waste Management Plan after consideration is given to strategic planning issues for Lot 17 and the Regional Waste Management Plan.

Recycling collection service

Take into consideration the viability of secondary waste treatment processing and separation technologies including the results of the recycling trial prior to making a determination on the future recycling format.

Support a feasibility study for the development of a regional MRF at Badgerup.

Green waste processing service

The Cities of Joondalup and Wanneroo and the Mindarie Regional Council enters discussions with a view to gain greater efficiencies through the development of a regional strategy for green waste processing and/or collection.

Domestic Service

Determine the most appropriate waste management handling and collection system for the treatment technologies identified in the BSD report.

BACKGROUND

The Joint Commissioners were made aware on the 16 June 1999 of the future directions for waste management services and its impact on depot requirements. It was indicated the Tamala Park Landfill might have a shorter life than expected due to:

- Impact of Bushplan
- Ethnographic considerations along the eastern and northern boundaries
- Requirements for cell lining
- Residential development requiring buffer protection

The development cost of the next cell is estimated to be between \$4 -\$10M, dependent on a determination from the Department of Environmental Protection.

The report identified the considerable advances in waste separation technologies and secondary waste treatment, which would significantly extend the life of the landfill, if implemented.

In response to these and other strategic planning issues, the Mindarie Regional Council (MRC) commissioned a major report to develop options for a regional Waste Management Strategy for the Mindarie Region.

The MRC has resolved to develop a Regional Strategic Plan for the Mindarie region. One of the objectives of the plan is to develop a Master Plan for Tamala Park. Importantly, this will contain the timeframes for the life expectancy of the facility.

Waste separation and secondary waste treatment – a new paradigm

BSD Consultants has released the final report for the development of options for a regional waste management plan for the Mindarie Region. The recommendations from this study provide directions for the Mindarie Region and a framework for all member Councils to develop their own waste management strategies. The key recommendation from the report is for the Councils within the Mindarie region to implement secondary waste treatment of waste as an alternative to sanitary landfill.

In light of the report and Council's imminent decision on the future implementation of a recycling collection system, it is important to take time to focus on issues relating to the current methods available for managing our wastes, landfilling with waste diversion through recycling, to a new paradigm of sophisticated waste separation technologies and secondary waste treatment. In the event of the implementation of one of the technologies identified in the BSD report, waste collection systems and recycling systems will need to be reassessed to ensure maximum benefit from the technology.

In terms of the waste minimisation and diversion of waste from landfill, kerbside recycling has been given a high priority. It needs to be recognised that while kerbside recycling assists in reducing waste to landfill, the current waste diversion strategies of between 10% to 15% will not achieve Federal and State targets of 50% waste diversion from landfill by the year 2000. Recent data from the Australian Waste Database indicated that waste minimisation initiatives including kerbside recycling has not significantly reduced the waste stream to landfill.

Kerbside recycling also needs to be viewed in context of a broader environmental perspective. The greatest environmental concerns regarding landfill disposal are off site impacts such as ground water contamination, odours and issues relating to land alienation. By far the great contributor to these impacts is the organic fraction of the waste stream. Therefore, in order to reduce landfill impacts it is necessary to reduce the organic fraction of the waste stream. It is important to note, kerbside recycling diverts metal cans, plastics and paper and paper products which are low on the scale of significant pollutants.

With the advent of secondary waste treatment technologies, waste minimisation initiatives should now be viewed in context of diverting the organic fraction. The need to provide a separate kerbside recycling collection system is under serious review by a number of local authorities. Waste separation technology and secondary waste treatment means that 70% to 80% diversion rate could be achievable. It appears this may also be achievable by the use of a one bin collection system, a considerable saving on a two bin system.

The BSD report does not suggest that landfills can be closed as a result of the introduction of these technologies. Landfill space will always be required for the significant residues produced from the treatment process, back up for downtime and for wastes that cannot be processed. However, new landfills will be extremely difficult to locate in the future, given the siting constraints and government directions on the issue. Also, in a strategic sense, a robust waste disposal system for the metropolitan area requires a network of strategically placed secondary treatment facilities supported by landfills. One of the imperatives for the region should be to conserve as much landfill space as possible.

The City of Joondalup/City of Wanneroo diversion rate from landfill is estimated to be 12%, similar to other member Council diversion rates.

BSD Option Study

There are a number of issues identified in the BSD report that has strategic implications for the City of Joondalup. There are a number of key recommendations that have emerged from the study:

- 1 The report identifies the opportunity to provide for a regional network of green waste processing facilities and produce a green waste mulch to quality standards to meet market requirements and expectations.

Comment

The City of Joondalup contracts to the City of Wanneroo for green waste mulching. It provides a service for the clean green waste entry vouchers issued by Council and from the bulk collection services.

A regional facility at Badgerup or an alternative site would provide the City of Joondalup with an ongoing green waste mulching facility and support should be given to the recommendation.

- 2 The implication of the key recommendation to implement secondary waste treatment will cause local authorities to review recycling collection systems. The report identified the City of Stirling's one bin trial using the Atlas Group's waste separation technology as the best indicator for decision making on collection systems.

Comment

Obviously, secondary waste treatment will have important implications on any decision the City of Joondalup will be making on divided recycling MGB's and bag collection system. Importantly, the report recommends that there should be no

decision made on the introduction of any recycling collection system until results of the one bin system are released and the City has had the opportunity to assess the economic and environmental advantages and/or disadvantages of such a system.

- 3 The report provides a set of actions that should be undertaken to maximise landfill capacity at Tamala Park within current constraints and has identified a number of issues to maximise potential of the facility. This includes the current negotiations with Bushplan and removal of constraints on the northern half of the site.

Comment

The owners of Lot 17 have received a Town Planning Audit for Lot 17 to review and develop a long term plan for Lot 17. The BSD report and the Town Planning Audit have focused the landowners on a number of issues that are required to be addressed. The issue of Bush Plan has the potential to impact on land development and the operational life of Tamala Park.

- 4 The report recommends the MRC enter into negotiations with the owners of Lot 17 with the view to secure the future use of the leased area of Tamala Park. The negotiations should explore the possibility of purchasing that portion of Lot 17 within the future regional open space zonings that are associated with waste management activities. The portion of Lot 17 to the north of the regional open space zone would be required as buffers for the waste management facilities and should be secured from the owners by the Regional Council.

Comment

The owners of Lot 17 have received a Town Planning Audit for Lot 17 to review and develop a long term plan for Lot 17. There are a number of issues that have been raised, and appear to be competing interests with respect to land development and waste management issues. It appears there will be no decision on the above until the land owners have addressed the long term planning issues for the site and Bush Plan issues have been resolved. Purchasing of land for future waste management activities will need to be resolved in the plan for Lot 17.

- 5 The BSD report recommends the implementation of secondary waste treatment as an alternative to sanitary landfill for the major proportion of wastes generated within the region and proposes an outline of an implementation strategy.

Comment

This will have significant strategic and operational implications for the City of Joondalup. As identified earlier, such a paradigm shift in waste management will implicate recycling systems, waste collection systems, processing and disposal facilities.

Integrated Waste Management Plan - City of Joondalup

The Waste Management Strategy for the City of Joondalup needs to meet the community's expectation for safe disposal of wastes, ensure infrastructure and operational requirements are met to fulfill community's expectations and set strategic directions to achieve targets and provide for disposal of wastes in the future.

At a State level, the Department of Environmental Protection (DEP) is developing a vision for future waste management – Waste 2020 . A workshop was held in October 1999 which identified key issues the strategy should address. It is expected the process to develop the strategy will take sometime and can be expected in 2000.

The Mindarie Regional Council has resolved to adopt the recommendations of the BSD report, the Regional Waste Management Plan sets a strategic direction for Mindarie Region. The Mindarie Regional Council's Strategic Planning Committee has resolved to revise the strategic plan incorporating the directions from the BSD report. The Mindarie Regional Council has resolved to discuss these issues and review the plan at a Workshop to be held in November 1999.

This strategic plan will also provide a framework for implementation of key tasks for all Member Councils to develop their own Waste Management Plans. Given the recommendation for secondary waste treatment, a key element of the Plan should be to determine the most appropriate collection methods for the City's waste stream in order to gain the maximum potential from the facility if it were to be implemented.

It is not the intention of this report to develop a Waste Management Plan, however, in light of the BSD report, it is important for the City of Joondalup to develop strategic directions on the issues raised and their implications.

It should also be noted that the strategic planning issues identified in the report needs to be resolved by the land owners of Lot 17. It is acknowledged there are other non waste management issues that need to be determined that will impact on Tamala Park. The outcomes from the land owners negotiations will be crucial on the future options for Tamala Park. This report has previously indicated that landfill space is integral to secondary waste treatment and Tamala Park could offer a site for the facility, landfill space for the residues and rubbish that cannot be processed. The Master Plan for Tamala Park will be developed once the land owner's strategic planning issues have been addressed.

Regional focus

In consideration of the Mindarie region developing a Regional Waste Management Strategy, the City should consider itself as a regional partner of the Mindarie region in all relevant aspects of its waste management operation to gain maximum benefit from the implementation of the Regional Strategy.

Strategic direction

- To develop the City's Integrated Waste Management Plan after consideration is given to strategic planning issues for Lot 17 and the Regional Waste Management Plan for the Mindarie Region.

Recycling collection service

Recycling and its associated activities should be viewed in the context of these advances in waste separation and treatment technologies. If the Regional Waste Management Plan's recommendation to implement secondary waste treatment is adopted, there will be a need to provide a collection system to gain the greatest efficiencies.

Issues that should be considered include:

Timing for any decisions on the implementation of the divided bin recycling system should be after assessment of results from the City of Stirling's one bin trial. The City has a number of options including the introduction of a bin recycling system, continue with the current system or in view of the possible introduction of secondary waste treatment, assessment of the one bin system.

It is recognised the community has a raised expectation due to the introduction of the divided bin trial. Any adopted strategy will need to address the community's expectation on recycling.

Consideration to the development of the Badgerup MRF as a regional facility for a comingled or a divided bin system. The City should also consider its future involvement in the MRF considering the possible introduction of a waste separation plant at a secondary waste treatment facility. In view of this, the recycling contract has been negotiated on an 18 month + 1 year basis.

Strategic Direction

- Take into consideration the viability of secondary waste treatment processing and separation technologies including the results of the recycling trial, prior to making a determination on the future recycling format.
- Develop a public communication strategy to keep the community informed on the progress with waste minimisation initiatives.
- Support a feasibility study for the development of a regional MRF at Badgerup.

Green waste processing service

The report identifies green waste processing facilities as having the potential to gain immediate efficiencies. It identifies possible regionalisation of the Badgerup green waste processing facility, development of a facility at Tamala Park and a potential site at Beenyup could provide a network to gain efficiencies and produce a quality product to meet market standards. Officers from the MRC, the Cities of Joondalup and Wanneroo have discussed a preliminary scope for discussions on these matters. The City of Stirling has also shown interest in entering these discussions.

Strategic Direction

- The Cities of Joondalup and Wanneroo and the Mindarie Regional Council enter discussions with a view to gain greater efficiencies through a regional strategy for green waste processing and/or collection

Domestic Service

With the possible introduction of secondary waste treatment, the diversion of organics within the waste stream from landfill will be a key issue. An assessment of the entire waste stream collected by the City is required to ensure that any collection system is appropriate to the treatment options identified in the BSD study.

Previously, the focus for reducing the quantity of waste disposed of in landfills has been to remove recyclables for processing. The waste treatment technologies identified shift this emphasis and will require different waste handling facilities, which may affect collection systems currently employed.

Strategic Direction

- Determine the most appropriate waste management collection system for the preferred treatment technology identified by the Mindarie Regional Council.

Process and timing

The process and timing will be subject to further development by the Mindarie Regional Council in association with the relevant State regulatory authorities. The final decision on the secondary waste treatment process is unlikely to occur prior to the end of 2001.

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

- 1 RECEIVE the information contained within Report CJ372-10/99;**
- 2 ENDORSE the key elements of this reports as follows:**
 - (a) NOTE the potential for waste separation technology and secondary waste treatment to divert up to 80% of waste from landfill and the implications it will have on the City's waste management services;**
 - (b) RECOGNISE there are competing interests for Lot 17 and the land owner's determination will impact on Mindarie Regional Council's Regional Waste Management Plan and the Master Plan for Tamala Park;**
 - (c) AGREE IN PRINCIPLE to the strategic directions as set out below:**
 - (i) to develop the City's Integrated Waste Management Plan after consideration is given to strategic planning issues for Lot 17 and the Regional Waste Management Plan for the Mindarie Region;**
 - (ii) take into consideration the viability of secondary waste treatment processing and separation technologies including the results of the recycling trial prior to making a determination on the future recycling format;**
 - (iii) support a feasibility study for the development of a regional materials recycling facility (MRF) at Badgerup taking into consideration secondary waste treatment processing and separation technologies;**
 - (iv) enter into discussions with a view to gaining greater efficiencies through a regional strategy for green waste processing and/or collection;**

- (v) **determine the most appropriate waste management collection system for the treatment technologies identified by the Mindarie Regional Council.**

The Motion was Put and

CARRIED

**CJ373-10/99 WASTE MANAGEMENT SERVICES - SERVICE
LEVEL AGREEMENTS BETWEEN CITY OF
JOONDALUP AND CITY OF WANNEROO [48118]**

SUMMARY

As a result of the establishment of two new local authorities on 1 July 1998, an independent review was undertaken for use as a guide in determining the most appropriate service delivery method for the provision of major operational services.

Provision of Waste Management Services was included in this review which concluded it would be appropriate for the City of Wanneroo to continue to provide these particular services to the City of Joondalup due to economies of scale, geographical considerations and to allow for the retention of the current administrative efficiencies.

The following services were considered as part of the exercise:

- Supply of Domestic Refuse collection Services
- Supply of Kerbside Recycling Services
- Supply of Bulk Refuse Collection Services
- Access to Badgerup Road Refuse Site for Weekend Greenwaste tipping

This report seeks the Joint Commissioners' endorsement of the proposed contractual arrangements.

BACKGROUND

On 1 July 1998, the former City of Wanneroo was reformed as two new local government authorities; the City of Joondalup and the Shire of Wanneroo (now the City of Wanneroo). Transitional arrangements have been put in place for the delivery of waste management services between the two Councils.

It was subsequently agreed that more formal arrangements be put in place for the provision of domestic refuse collection, kerbside recycling, bulk refuse and greenwaste processing services using a purchaser/provider model, with City of Joondalup purchasing the services from City of Wanneroo.

DETAILS

The overall focus of the various waste services agreements is to recommend service delivery options that resulted in:

- No local government to profit from the venture
- No local government to suffer loss from the venture
- The services being efficient and competitive with regular benchmarking against alternative providers
- The services to be customer focused

The salient points concerning the four service agreements are set out below:

In each case the agreements are in the nature of a service agreement containing provisions which would be appropriate to a commercial “arms length” transaction but nevertheless having regard to the fact that these are two local governments rather than one local government and a private contractor. The agreement is not a joint venture or partnership.

Each agreement endeavours to set out, with a high degree of certainty and particularity each of the parties’ rights and obligations. In each case the services to be provided are set out in detail together with any relevant service standards.

The service fees are clearly specified. The agreement recites that the service fees have been determined by the parties as their best estimate of the cost to the service provider of providing the service on a full cost recovery basis with no profit or loss components.

Provision is made for the service fees to be adjusted from time to time by reference to CPI figures. The service provider’s representative may give an adjustment notice if it is considered that the service fee no longer represents the best estimate of the service provider’s costs.

Where appropriate, in each of the agreements, the customer has an option to extend the term and the agreement sets out a specific time frame within which the option must be exercised. City of Joondalup is required to give twelve (12) months notice if it wishes to terminate the Domestic Collection Agreement at the conclusion of the 6 year service agreement period.

Summary of Service Agreement Arrangements

The table below summarises the various service Level Agreement provisions:

Service	Purchaser	Provider	Period of Agreement	Annual Value (approx. only)
Supply of Domestic Refuse Collection Services	Joondalup	Wanneroo	6 years (plus 6 years)	\$1.9M
Supply of Kerbside Recycling Services	Joondalup	Wanneroo	18 months (plus 1 year)	\$1.2M
Supply of Bulk Refuse Service	Joondalup	Wanneroo	5 years (plus 5 years)	\$0.6M
Access to Badgerup Greens Processing Facility	Joondalup	Wanneroo	5 years (plus 5 years)	\$0.14M

The period of each agreement varies due to the nature of the service and the future strategic considerations in service provision. The agreed contract period of 1½ years plus 1 year extension for Kerbside Recycling will allow some flexibility in reviewing the operations in accordance with Waste Minimisation strategies being considered by the region.

The various agreements have been presented to the Joint Commissioners for their consideration and will be tabled at the meeting.

It is noted that Section 3.59 of the Local Government Act requires business plans to be prepared for major trading undertakings. This is defined as an activity carried on with a view to producing a profit and exceeds a value of \$250,000 or 10 percent of the lowest operating expenditure incurred by the local government from its municipal fund in the last completed financial year or likely to be incurred in the current or next financial year.

As the service agreement arrangements are based on full cost recovery of service delivery with no profit, Section 3.59 of the Local Government Act does not apply in these particular cases.

COMMENT/FUNDING

The pricing structure for the various agreements have been benchmarked against other service providers and with the exception of the Kerbside Recycling agreement, have been determined to be competitive prices.

A review of the Kerbside Recycling pricing structure has revealed that the prices are expensive when benchmarked and further scrutiny of the operations and subsequent costings is required to be undertaken.

The agreed contract period of 1 ½ years plus 1 year extension will allow some flexibility in reviewing the operations in relation to improving efficiencies and taking into consideration future Waste Minimisation strategies being considered by the Mindarie Regional Council.

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

1 AGREE to the terms and conditions contained within the Service Level Agreements as laid on the table for the Meeting of Joint Commissioners to be held on 26 October 1999:

- (a) Supply of Domestic Refuse Collection Services**
- (b) Supply of Kerbside Recycling Services**
- (c) Supply of Bulk Refuse Collection Services**
- (d) Access to Badgerup Road Refuse Site for Weekend Greenwaste Tipping**

2 AUTHORISE the Chairman of Commissioners and Chief Executive Officer to execute under Common Seal each Service Level Agreement mentioned in Point 1 above.

Cmr Morgan spoke in support of the Motion and stated the service level agreement was not only an important document, but an important move in respect to the collaboration between both the City of Joondalup and City of Wanneroo.

Cmr Morgan complimented officers involved for the amount of time spent and expertise devoted to the review in respect to the provision of waste management services.

The Motion was Put and

CARRIED

PLANNING AND DEVELOPMENT

CJ374-10/99 CLOSE OF ADVERTISING: PROPOSED AMENDMENT 824 TO TOWN PLANNING SCHEME NO 1 INTRODUCING PROVISIONS TO EXTINGUISH RESTRICTIVE COVENANTS [19045]

SUMMARY

At the meeting of 9 February 1999 (CJ26-02/99 refers) the Joint Commissioners resolved to initiate Amendment 824. This amendment proposes to introduce scheme provisions that allow the extinguishment or variation of restrictive covenants.

A restrictive covenant refers to an obligation that restricts the use or enjoyment of land for the benefit of the owners of the benefited land. Item 15 of the First Schedule of the Town Planning and Development Act 1928, empowers a local authority to incorporate scheme provisions relating to restrictive covenants.

The provisions proposed by this amendment set out the criteria for the exercise of Council's discretion in deciding whether to extinguish or vary a restrictive covenant. This criteria includes consideration of whether the variation or extinguishment is consistent with the objectives and principles of the Town Planning Scheme, or with the interest of orderly and proper planning and the effect on the amenity of the surrounding locality.

Amendment 824 was advertised for a period of 42 days closing on 9 June 1999. One submission was received during this period and one late submission was received on 16 June 1999.

It is recommended that the Joint Commissioners resolve to finally adopt Amendment 824 and amend Town Planning Scheme No.1 by introducing provisions to allow restrictive covenants to be extinguished or varied.

BACKGROUND

At the meeting of 24 March 1998 (DP94-03/98 refers), the former City of Wanneroo resolved that Council should have the power and mechanism to delete or modify restrictive covenants. At that meeting, the Joint Commissioners made the following resolution:

“In accordance with Section 7 of the Town Planning and Development Act 1928, amend Town Planning Scheme No.1 to introduce provisions enabling restrictive covenants to be removed or amended, and adopt amendment 824 accordingly.”

The provisions incorporated in report (DP94-03/98 refers) were subsequently modified to address a number of deficiencies relating to the use of Council’s discretion, the need for appropriate notification of the owners of the benefited land, and lodgement of an application with the Register of Titles. The modified provisions were considered at the meeting of 9 February 1999 (CJ26-02/99 refers) where the Joint Commissioners resolved to:

“1 RESCIND Council’s decision DP94-03/98 of 24 March 1998 viz:

“...that the Joint Commissioners in accordance with Section 7 of the Town Planning & Development Act 1928, amend Town Planning Scheme No 1 to introduce provisions enabling restrictive covenants to be removed or amended, and adopt Amendment No 824 accordingly.”

2 in accordance with Section 7 of the Town Planning & Development Act 1928, AMEND Town Planning Scheme No 1. to introduce provisions allowing the variation or extinguishment of restrictive covenants and ADOPT Amendment 824 accordingly;

3 subject to completion of the requirements of Section 7A1 of the Town Planning and Development Act 1928, APPROVE the Amendment being made available for public inspection and comment.”

At the meeting of Joint Commissioners held on 14 September 1999, it was resolved that:

“the Joint Commissioners, in light of the commitment given to Mallesons Stephen Jaques on behalf of the City, DEFER consideration of Amendment No 824 to Town Planning Scheme No 1 to introduce provisions allowing variation or extinguishment of restrictive covenants for a period of not less than 21 days pending the handing down of the Full Court’s decision relating to the appeal that was heard on 13 August 1999” – Item CJ316-09/99 refers.

DETAILS

Section 6 of the Town Planning and Development Act 1928, and Item 15 of the First Schedule of the Act provide the power for a Local Authority to make a Town Planning Scheme which varies or extinguishes a restrictive covenant affecting land. The extent and implications of Council’s exercise of this power were addressed in Report CJ26-02/99.

The proposed Scheme provisions are included in Attachment 1. The provisions set out the framework for the variation or extinguishment of restrictive covenants. In more specific terms, a restrictive covenant will be varied or extinguished by its inclusion into column 2 of Schedule 11 (Clause 7.9.1). Clause 7.9.2 provides for the notification of persons enjoying the benefit of the covenant. Clause 7.9.3 sets out the criteria that must be met before Council will consider varying or extinguishing the restrictive covenant. Provision for the notification to the Register of Titles is made under Clause 7.9.4.

Public advertising of the Amendment:

The proposed amendment was referred to the Environmental Protection Authority in accordance with section 7A1 of the Town Planning and Development Act 1928. The EPA concluded that the proposal did not warrant assessment under Part IV of the Environmental Protection Act.

In a letter dated 28 April 1999, the Western Australian Planning Commission acknowledged Council's intention to advertise the amendment. The amendment proposal was then advertised for public comment for a period of 42 days from the 28 April 1999 to 9 June 1999. Public advertising included notices placed in the West Australian, 2 notices in the Wanneroo Times, and notification given to the Department of Land Administration.

One submission was received during the advertising period from Mallesons Stephen Jaques on behalf of Perpetual Trustees WA, owner of the Warwick Grove Shopping Centre. A summary of the objections and Council's comments on the submission are as follows:

1. *The amendment is not required under the principles of orderly and proper planning. It does not appear to solve any particular problem within the City. There is no compelling planning reason to use Council's power to propose the amendment. Further there are insufficient legitimate reasons to amend Town Planning Scheme No.1.*

The proposed introduction of Town Planning Scheme provisions allowing the variation or extinguishment of restrictive covenants falls within the purposes set out by the First Schedule of the Town Planning and Development Act 1928 (TP & D Act), Item 15. In this term, the introduction of general provisions are valid town planning purposes.

The primary consideration in the incorporation of the proposed provisions relates to the potential of restrictive covenants to create inconsistencies or conflicts with a Town Planning Scheme. In more specific terms, the objectives of a town planning scheme in promoting the orderly and proper planning of the area and maintaining or enhancing the amenity of an area, are likely to be compromised by restrictive covenants provisions limiting the residential densities; or restricting the use of land other than as zoned or classified under the scheme.

A further legitimate reason for the introduction of the provisions is the need to establish planning criteria when assessing proposed extinguishments or variations to restrictive covenants. The validity can be compared to Council's general power to approve development. This power allows Council to consider proposals, but the existence of such power does not warrant the issue of an approval.

Council's general position in the need to include restrictive covenant provisions was addressed at its meeting on 24 March 1998 (DP94-03/98 refers). At that meeting the former City of Wanneroo resolved that Council should have the power and mechanism to delete or modify restrictive covenants to which the Council is not a party. This power was considered to be of particular significance in relation to restrictions to single house developments in residential areas.

2. *The proposed Amendment does not conform with the Model Scheme Text as the final version of the Model Scheme Text limits the variation or extinguishment of restrictive covenants to inconsistencies with the Residential Planning Codes whereas the proposed amendment is not limited to deal only with inconsistencies with the Codes. The proposed amendment is contrary to the objectives of the Western Australian Planning Commission (WAPC) in seeking to introduce conformity to Town Planning Schemes in WA. The Model Scheme text is currently being progressed by WAPC to become part of the Town Planning Regulations, and once it becomes part of the Regulations, all local governments will have to adopt the Model Scheme Text. Consequently, it is likely that Amendment 824 will contravene the proposed amendments to the Regulations and will have to be amended in the future.*

At present the purpose of the Model Scheme Text provisions is to provide guidelines for local government in the preparation of planning schemes. Careful consideration was given to the introduction of the Model Scheme Text provisions. However, the adoption of these provisions was not considered appropriate primarily because the problems associated with the automatic extinguishment of restrictive covenants, and the need for adequate identification of all interested parties. The proposed provisions have been drafted so as to allow the consideration of any proposals to extinguish or vary restrictive covenants on a case by case basis, and allowing for notification to all affected parties.

3. *The proposed Amendment is inconsistent with the Law Reform Commission's recommendation as to variations and extinguishment of restrictive covenants. It is argued that the Amendment report misconstrues the reasoning in the WA Law Reform Commission (WALRC) report, as WALRC did not envisage any circumstances under which Town Planning Schemes should override restrictive covenants. It was noted that regardless of how Amendment 824 is framed it will always be inconsistent with WALRC, and the City should not interfere with commercial as opposed to residential restrictive covenants.*

It is argued that WALRC did not envisage any circumstances under which town planning schemes should override restrictive covenants. In the WALRC report it is stated that: "although the Commission does not recommend that restrictive covenants should be overridden by town planning schemes or local laws, it does believe that the circumstances under which restrictive covenants can be extinguished or modified by order of the Town Planning Appeal Tribunal should be liberalised to allow the public purpose sought to be achieved in Town Planning Schemes and local laws to be taken into account."

As indicated in Council's report submitted to the 9 December meeting, Amendment 824 provisions propose to introduce criteria for the assessment of the circumstances under which the restrictive covenants can be varied or extinguished. It was noted that the criteria proposed may be considered similar to that proposed by the WALRC, namely: -

- That the proposed use would not be detrimental to the character or the amenity of the land benefited by the covenant;
- Whether the restrictive covenant would impede a use of the land that is in accordance with the Metropolitan Region Scheme or a Town Planning Scheme.

Until the procedural changes are introduced, a local authority is one of the bodies recognised under the Town Planning and Development Act to consider the public purpose of restrictive covenants.

One late submission was received on 16 June 1999, submitted jointly by Westpoint Corporation and Optimum Performance Solutions on behalf of Silkchime Pty Ltd. Silkchime owns land in the Warwick Regional Precinct which is the subject of a restrictive covenant seeking to prevent retailing.

The submission provides replacement clauses for 4.4.1 to 4.4.4 of District Planning Scheme No.2. The key features of the proposed replacement clauses are as follows:

- it does not automatically extinguish restrictive covenants and hence does not give rise to unintended consequences;
- it deals more effectively with the consideration of extinguishment through a development approval (DA), rather than scheme amendment process;
- it more appropriately ties the consideration of whether or not a restrictive covenant is in conflict with the Scheme to the time during the DA process when Council is determining what is appropriate under the Scheme; and
- it affords Council the ability to put protections in place so that Council does not risk suffering damage in fulfilling its obligations.

Council's solicitors have previously advised as follows with respect to the provisions:

- the decision on an application for the extinguishment or variation would appear to be a discretionary decision, and therefore would be subject to appeal;
- the right to claim compensation in s.11(1) of the Planning Act relates to injurious affection arising out of the making of a Scheme. In the proposal above the injurious affection arising from the Council decision to extinguish or vary a restrictive covenant would arise from a Council decision and not from the making of a Scheme.
- To give a Council of a local government the power to make a determination in its discretion on an application for extinction or variation of a restrictive covenant and thus interfering with contractual rights interferes with the intention of s.129C of the Transfer of Land Act which sets out clear parameters for the exercise of that significant power by the Supreme Court.
- The power to make provision in local government schemes for the extinction or variation of restrictive covenants is contained in cl.15 of the First Schedule of the Planning Act. The making of a provision in a Scheme for the extinguishment or variation of a restrictive covenant is less likely to be successfully challenged than a provision conferring a discretion on the Council to extinguish or vary a restrictive covenant on an application made by an interested party.

Following comments from the Ministry for Planning, the Table in Schedule 11 has been modified to include reference to extinguishment of the covenant in addition to variation of the covenant. The proposed variation in Schedule 11 is intended to reflect the text provisions particularly under Clause 7.9.1 where reference is made to a restrictive covenant being extinguished or varied.

Correspondence was received from the Department of Land Administration nominating modifications to clause 7.9.4(c) and an additional subclause 7.9.4(d) as follows:

- “(c) an application on a form *approved by the Register of Titles* for the extinguishment or variation of the Restrictive Covenant from or on the titles of the land burdened and the land benefited *together with the appropriate lodgement fee and the duplicate certificate of title (if any) lodged with the application; and*
- (d) *the application should be accompanied by a letter from the City of Joondalup certifying that the affected land is within the area affected by the City of Joondalup Town Planning Scheme No. 1”*

No explanation has been provided with respect to the above changes. It is considered that the proposed modifications to subclause 7.9.4(c) and the addition of 7.9.4(d) is acceptable.

Mallesons Stephen Jaques on behalf of Perpetual Trustees WA sought an order from the Full Court to stop the City continuing with the proposed amendment. The Court refused the request and an appeal was lodged against that refusal. A commitment was sought and given on behalf of the City that it would not proceed further with the amendment until the appeal had been heard. The appeal was heard on 13 August 1999 and dismissed unanimously by the members of the Full Court on 11 October 1999, accordingly the amendment can now continue to be progressed.

COMMENT

The introduction of the restrictive covenant provisions is supported. A minor variation has been made to Schedule 11 by introducing the word extinguishment and to subclause 7.9.4 in accordance with the requirements of the Department of Land Administration. It is recommended that the Joint Commissioners adopt Amendment 824 of Town Planning Scheme No.1 as shown in Attachment No.1.

OFFICER’S RECOMMENDATION: That the Joint Commissioners:

- 1 pursuant to Town Planning Regulation 17(2) MODIFY and ADOPT Amendment 824 to Town Planning Scheme No 1 to introduce provisions allowing the variation or extinguishment of restrictive covenants as contained in Attachment 1 to Report CJ374-10/99;
- 2 NOTE the submission received from Mallesons Stephen Jaques on behalf of Perpetual Trustees WA and the late joint submission by Westpoint Corporation and Optimum Performance Solutions;

- 3 AUTHORISE the affixation of the common seal to, and endorse the signing of, the amendment documents;
- 4 REQUIRE, as a matter of procedure, in addition to any public notice required for Town Planning Scheme amendments, the City, when processing an amendment relating to the extinguishment or variation of a restrictive covenant, will endeavour to notify directly all parties mentioned in proposed clause 7.9.2.

MOVED Cmr Rowell: That the Joint Commissioners:

- 1 pursuant to Town Planning Regulation 17(2) MODIFY and ADOPT Amendment 824 to Town Planning Scheme No 1 to introduce provisions allowing the variation or extinguishment of restrictive covenants as contained in Attachment 1 to Report CJ374-10/99;
- 2 NOTE the submission received from Mallesons Stephen Jaques on behalf of Perpetual Trustees WA and the late joint submission by Westpoint Corporation and Optimum Performance Solutions;
- 3 AUTHORISE the affixation of the common seal to, and endorse the signing of, the amendment documents;
- 4 REQUIRE, as a matter of procedure, in addition to any public notice required for Town Planning Scheme amendments, the City, when processing an amendment relating to the extinguishment or variation of a restrictive covenant, will endeavour to notify directly all parties mentioned in proposed clause 7.9.2.

There being no SECONDER the Motion

LAPSED

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

- 1 pursuant to Town Planning Regulation 17(2) MODIFY and ADOPT Amendment 824 to Town Planning Scheme No 1 to introduce provisions allowing the variation or extinguishment of restrictive covenants as contained in Attachment 1 to Report CJ374-10/99;
- 2 NOTE the submission received from Mallesons Stephen Jaques on behalf of Perpetual Trustees WA and the late joint submission by Westpoint Corporation and Optimum Performance Solutions;
- 3 AUTHORISE the affixation of the common seal to, and endorse the signing of, the amendment documents;
- 4 REQUIRE, as a matter of procedure, in addition to any public notice required for Town Planning Scheme amendments, the City, when processing an amendment relating to the extinguishment or variation of a restrictive covenant, will notify directly all parties mentioned in proposed clause 7.9.2 by giving notice sent by pre-paid post to the address of the party shown on the Certificate of Title and any later address known to Council.

Cmr Buckley advised the purpose of the amendment is to ensure as much as possible that people who will be affected by any change to a restrictive covenant are given notice early in the process, so they can make their views known to both the Council and the proponent of the amendment to the Town Planning Scheme.

Cmr Buckley stated the extinguishment or variation of a restrictive covenant effectively causes a variation to the property rights of the person who has the benefit of the restrictive covenant and believed it was important that any one whose property rights were being affected is given ample opportunity to make their views known.

Cmr Rowell felt it would be unusual for a Council to know all addresses on Certificates of Titles and advised usual procedure when Councils followed this process is to use the rate notice address.

The Motion was Put and

CARRIED

Appendix 3 refers – click here: [Att3min2610.pdf](#)

Items CJ375-10/99 and CJ376-10/99 were Moved by Cmr Rowell and Seconded by Cmr Buckley.

CJ375-10/99 DELEGATED AUTHORITY REPORT - [07032]

SUMMARY

This report provides a resumé of the development applications processed by Delegated Authority from 1 September 1999 to 30 September 1999

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners NOTE the determinations made under Delegated Authority in relation to the applications described in Report CJ375-10/99.

The Motion was Put and

CARRIED

Appendix 4 refers – click here: [Att4min2610.pdf](#)

**CJ376-10/99 PROPOSED CHANGE IN USE FROM SHOWROOM
TO OFFICE: LOT 702 (UNIT 3) WISE STREET/CNR
COLLIER PASS, JOONDALUP - [45367J]**

SUMMARY:

An application has been received for a change of use within Lot 702 (Unit 3) Wise Street/cnr Collier Pass, Joondalup. The applicant seeks approval from the Council to use a unit for “Office” purposes instead of retail.

The Joondalup City Centre zone allows a range of land uses set out within a structure plan to guide appropriate types of development.

The site is situated within the Western Business District where the preferred land use within this precinct is Showroom (Retail) and Residential (caretaker) development.

The Joondalup City Centre Development Plan and Manual is being reviewed to accommodate “Office” uses within this precinct. The proposal is considered compatible and unlikely to have an adverse impact or prejudice the viability of existing uses.

It is recommended that the Council approve the proposed change in use to an “Office”.

BACKGROUND

Lot No	702
Street Address	1-3 Wise Street/cnr Collier Pass, Joondalup
Owner/applicant	Vincent S Graneri
MRS Zoning	Central City Area
TPS Zoning	Joondalup City Centre
Land Use	Office
Lot Area	1798m ²
Area of Unit 3	196m ² NLA

The planning provisions within the Joondalup City Centre were originally prepared by LandCorp to ensure a differentiation between the western business district and the entertainment precinct of the Central Business District.

The applicant’s submission (as attached) is summarised as follows:

- Since the development was completed in December 1996 only Unit 4 has been successfully tenanted. Unit 3 was tenanted between 1 August 1997 until 31 August 1998. Units 1 and 2 have never been tenanted.
- Independent real estate advice suggests that due to the lack of parking in the front setback area for the buildings, it is difficult to attract passing retail trade as shoppers are accustomed to parking in very close proximity to shops and commercial buildings.
- Parking at the rear of the site is more suited to uses such as offices which have less parking demands than retail.
- Sufficient time has elapsed to conclude that current permitted uses are not sufficient to realise financial viability of the development.
- The applicant has also advised that he has previously paid cash in lieu on 7 June 1996 for the sum of \$48,600. This amount is for a shortfall of 6 carbays for the original development approval for the site.
- The applicant has been presented with an offer by a real estate group to lease the premises, effective from 1 November 1999, subject to Council approval.

DETAILS

The proposal entails a change of use within Unit 3, which has an area of approximately 196m² net leasable area from Showroom (Retail) to Office.

Relevant Legislation

The Joondalup City Centre Development Plan and Manual states that the preferred uses within the Western Business District are Showroom (Retail) and Residential (caretaker) uses.

In order to approve the above proposal, it will be necessary for the Council to exercise discretion under Clause 5.9 of Town Planning Scheme No 1 if it is established to the satisfaction of the Council that:

“particular requirement or standard specified in this part of the Scheme is unreasonable or undesirable in the particular circumstances of the case, the Council may at its discretion modify that requirement or standard, etc..”

COMMENT

Issues

- The Joondalup City Centre Development Plan and Manual sets out provisions and standards to guide development within the Joondalup City Centre Zone.
- The existing premises are situated between Joondalup Drive and Grand Boulevard to the south of the Joondalup Train Station. Unlike this proposal, it is typical for showroom developments to be located along major arterial roads in order to maximise exposure and capture passing retail trade.
- Based on the reasons submitted by the applicant/owner, it would seem appropriate to conclude that the site is not at present an attractive site for showroom retail purposes and could therefore be alternatively used for office purposes.

Assessment and Reasons for Recommendation

There are a number of vacant buildings within the Joondalup City Centre, which is of concern to both the landowners and the City.

It is acknowledged that the Joondalup City Centre Development Plan and Manual, prepared a few years ago, must be reviewed in light of changes in market demands and land use patterns.

There are no additional carparking requirements for this proposal to be approved. The carparking for showroom uses in Town Planning Scheme No 2 (Draft) (TPS2) and for office uses in Town Planning Scheme No 1 and DPS 2 (Draft) are the same at 1 carbay per 30m².

It is considered that the proposed change to ‘Office’ for Unit 3 is consistent with the planning principle of orderly development and will contribute positively towards the vitality and economic importance of the Joondalup City Centre as a whole.

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

- 1 EXERCISE discretion under clause 5.9 of the City of Joondalup Town Planning Scheme No 1 to approve the change of use from Showroom (Retail) to “Office” for Unit 3, Lot 702 (1-3) Wise Street/Cnr Collier Pass, Joondalup;**
- 2 ADVISE the applicant in the above regard and of the application requirements for a building reclassification certificate and a building licence being required if an internal fit out is proposed.**

The Motion was Put and

CARRIED

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **7.00 pm** on **TUESDAY, 9 NOVEMBER 1999** to be held at the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1900 hrs; the following Commissioners being present at that time:

COMMISSIONERS: MORGAN
CLARK-MURPHY
ROWELL
BUCKLEY