



**MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 24 AUGUST 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, 24 AUGUST 1999

ATTENDANCES

Commissioners:

C ANSELL

H MORGAN

M CLARK-MURPHY

R ROWELL

CHAIRMAN

DEPUTY CHAIRMAN

Officers:

Chief Executive Officer:

L O DELAHAUNTY

Director, Resource Management:

J B TURKINGTON

Director, Planning & Development:

C HIGHAM

Director, Community Development:

C HALL

Manager, Council Support Services:

M SMITH

Manager, Operations Services:

D CLUNING

Manager, Community & Health Services:

M BERESFORD

Publicity Officer:

L BRENNAN

Minute Clerk:

L TAYLOR

Administrative Assistant:

J SHARP

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence

Cmr W Buckley

6 August – 14 September 1999 inclusive

There were 18 members of the Public and 1 member of the Press in attendance.

The Chairman declared the meeting open at 1800 hrs.

PUBLIC QUESTION TIME

The following question, submitted by Mr J Hollywood of Burns Beach, was taken on notice at the Meeting of Joint Commissioners held on 10 August 1999:

Q1 Have any of the Commissioners or Directors had discussions with Peet and Co regarding Burns Beach bushland – Lot 2 in the past three months?

A1 No.

The following question, submitted by Mr S Magyar of Heathridge, was taken on notice at the Meeting of Joint Commissioners held on 10 August 1999:

Item CJ270-08/99 – Review of Local Laws – Attachment 1, Page 20 – Permissible Verge Treatments – Section 49:

Q1 Considering Council is to adopt a local law saying that people will not be allowed to plant poisonous plants, and considering oleanders are one of the most poisonous plants in common use, will Council obey its own rules and therefore remove the oleanders planted in the median strip in Hepburn Avenue between the freeway and Wanneroo Road?

A1 Operations Services will review the annual planting list to ensure future plantings do not include poisonous varieties.

Removal of existing plants will be considered in conjunction with any future landscape works proposed for the Hepburn Avenue median.

Mrs M Zakrevsky of Mullaloo:

Q1 For what reason was the City of Joondalup in debt to "Greater Union" Innaloo (Cheque No 12872) FOR \$132.00 AND TO "Greater Union" Whitfords (Cheque Nos 12876, 12877, 12878 and 12802) for a total of \$667 requiring payment? (Attachement A: Reports Section, Appendix II, pages 7 and 8 – Agenda for Tuesday 24.8.99)

A1	Cheque 12802	Greater Union Whitfords	\$132.00
	Cheque 12872	Greater Union Innaloo	\$132.00

The City conducts through its Community Services Directorate a Youth Services School Holiday Programme from the Ocean Ridge Community Centre. These cheques relate to youth excursions to the cinema for twenty two participants during the recent school holidays. The programme is for youths aged 12-18. Fees of \$20.00 are charged for the sessions which includes admission to the cinema.

Cheque 12876 Greater Union Whitfords \$132.00

This cheque related to an excursion to the cinema for the Youth Service at Ocean Ridge Community Centre. It was for a Friday night outing. A refund of \$92.00 was receipted on 28.6.99 as not all the participants could attend. Fees of \$10 were charged.

Cheque 12877 Greater Union Whitfords \$195.00

This cheque related to an excursion to the cinema for the Whitford Vacation Care Programme. Thirty six children attended with the additional \$21 being paid from petty cash. There is a \$26 per day fee which includes outings.

Cheque 12878 Greater Union Whitfords \$208.00

This related to an excursion to the cinema for the Vacation Care Programme operated from the Ocean Ridge Community Centre. Thirty four children attended with the excess \$4 being receipted to the City on 30.7.99. There is a \$26 per day fee which includes outings.

Ms Sue Hart, Greenwood:

Q1 In view of the fact that two appeals are pending, why was the developer allowed to move in on the land under appeal and remove trees at the former Greenwood Primary school site?

A1 Response by Director, Planning & Development: The fact that the WA Planning Commission has given subdivisional approval means that the developer has the right to undertake earthworks. Legal advice to Council indicates there is nothing Council can do to prevent this from occurring.

Q2 Mr Higham assured us that the land behind Pullan Place would not be touched. Does this mean his opinion was wrong?

A2 Response by Director, Planning & Development: The advice I gave was that while certainly the developer could move in and commence earthworks, I had had discussions with the developer and received a form of ‘gentleman’s agreement’ with him that he would not take any trees from the properties at the rear of Pullan Place. It was on this basis that I spoke with Sue Hart and advised her that this was the agreement I had. At the same time, I advised her that I had no legal basis on which I could enforce the agreement.

Commissioner Ansell queried whether the developer had made any comment to Director, Planning & Development regarding the earthworks that had been carried out at the rear of Pullan Place.

Response by Director, Planning & Development: I have been advised that the Developer was continuing to remove trees to allow for future servicing of the new lots.

Q3 Can the Commissioners please ask the WA Planning Commission the reasons for their final decision, that is not 10% public open space allocation and the public open space not being situated at the rear of Pullan Place?

A3 Response by Cmr Ansell: Yes, this will be undertaken.

Q4 Residents were assured that as many trees as possible were going to be saved by the joint venturers. Could we have a meeting on site, Wednesday, 25 August 1999 to look at the current situation in regards to the former Greenwood Primary school site?

A4 Response by Director, Planning & Development: I will make time available to attend a meeting.

Mr B Cooper, Kinross:

Re: CJ294-08/99 – Distribution of the Net Current Assets of the former City of Wanneroo

Q1 As I understand it, the following assets will be given to the City of Wanneroo:

*Lot 8 Wattle Avenue, which is a 60 hectare property;
Lot 4 Flynn Drive;
Two fully developed golf courses;
\$4,000,000 land in Wangara;*

*From my understanding of the situation, the City of Joondalup will receive:
Slightly more than \$3,000,000 in cash;
One half of one third of the residential land at Tamala Park;*

I am concerned at the way in which these figures have been arrived at. I ask on behalf of the ratepayers of the City of Joondalup for a full justification of how the assets have been split.

A1 Response by Cmr Ansell: This question will be taken on notice and a response forwarded to you separately.

Q2 CJ293-08/99 – Is this gentleman being given special consideration, or not?

A2 Response by Cmr Ansell: No, Commissioners are working within their discretion.

Q3 The fact of who this gentleman is makes no difference?

A3 Response by Cmr Ansell: On the contrary. Commissioners have taken every care to ensure conditions have been strictly adhered to.

Mr V Harman, Ocean Reef:

Re: CJ291-08/99 – Ocean Reef Structure Plan: Appendix VIII, page 5 – Structure Plan Map

Q1 Can the Commissioners request the developers to amend the northern exit/entrance of this estate to accommodate pedestrian traffic only?

A1 Response by Cmr Ansell: Yes

Q2 Can the lighting on the corner of Constellation Drive and Southern Cross Circle be looked at as it is currently inadequate?

A2 Response by Cmr Ansell: Yes, this will be investigated.

Mr S Magyar, Heathridge:

Re: CJ290-08/99 – Traffic Study – East Greenwood Precinct

Q1 Has the Minister for Planning responded to the City's appeal in relation to the Greenwood subdivision application?

A1 Response by the Director Planning & Development: I spoke to a representative from the Minister's office this morning and was advised the Minister has yet to make a determination as he is seeking further information from the developer's solicitor and the Ministry for Planning. Once this information has been received, the Minister will be in a position to make a determination.

Q2 Will the Commissioners be making any additional presentation to the Minister in regard to this matter?

A2 Response by Cmr Ansell: It is not our intention at this stage to make any additional presentations.

Response by the Chief Executive Officer: The City has forwarded a copy of the City's legal opinion to the Minister's office of which the Director Planning & Development has discussed with representatives of the Minister's office.

Q3 Following the lodgement of an appeal by the developer of the school site to the Town Planning Tribunal, has the State Planning Commission requested the City of Joondalup or the Commissioners to provide any assistance or advice for the upcoming mediation process between the developer and the Planning Commission?

A3 Response by Director Planning & Development: I am not aware of any.

Response by Cmr Ansell: The Commissioners are not aware of any.

Q4 I have been approached by a regular bushwalker of the Craigie Open Space who is concerned at the high number of 4WD vehicles and trail bikes that are being driven through the open space and destroying the bushland. Is any additional protection of this bushland envisaged?

A4 Response Manager Operations: The City is aware of the problem and consequently a fence will be erected in approximately two weeks time.

Mr B Higgins, Carabooda

Re: CJ294-08/99 - Distribution of the Net Current Assets of the former City of Wanneroo (Page 5) (last paragraph)

Q1 The report indicates the City of Wanneroo will commence the year with \$32.294, is this a 'typo'?

A1 Response by Cmr Ansell: Yes, please refer to revised pages 25 and 26 as replacement pages for Report CJ294-08/99.

Q2 Page 25 refers to the City of Joondalup commencing the year with \$31.0 million yet, page 5 refers to the City of Joondalup commencing the year with \$10.823 million. Why the increase?

A2 Response by Cmr Ansell: The figure on page five is incorrect, that is the reason for the circulation of the revised pages.

Ms Sue Hart, Greenwood:

After today's events at the Greenwood Primary School, we hope this does not effect your appeal. It is still very important to have the public open space behind Pullan Place.

Mrs A Hine, Wanneroo

Ref: CJ294-08/99 - Distribution of the Net Current Assets of the former City of Wanneroo

Q1 The City of Joondalup has received half of the former City of Wanneroo's stake in Tamala Park. I believe the City of Perth did not split its stake when it was split. What is the difference in this case?

A1 Response by Cmr Morgan: That was the decision of the City of Perth Commissioners. We have decided to split the former City of Wanneroo's one third share of Tamala Park equally between the City of Joondalup and the City of Wanneroo.

Response by Cmr Ansell: Further to your question and Mr Cooper's previous question, this question relates to a previous report in which the division of the former City of Wanneroo's assets and liabilities process was established. This report detailed if the assets could be split evenly to ensure both municipalities maintain the service, this would be done. In this case there is only one tip in the former City of Wanneroo and therefore this was the reason for the split of Tamala Park equally between Joondalup and Wanneroo.

Mr V Harman, Ocean Reef:

Q1 At traffic intersections controlled by traffic lights in Sydney, there is a sign stating that you may turn left if safe to do so. Would it be possible to have a similar sign installed at the intersection of Boas Avenue and Grand Boulevard in Joondalup?

A2 Response by Cmr Ansell: Investigations will need to be made with Main Roads Department in order to ascertain whether this is a viable option.

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

**C38-08/99 MINUTES OF MEETING OF JOINT COMMISSIONERS –
10 AUGUST 1999**

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Minutes of the Meeting of Joint Commissioners held on 10 August 1999, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION**SPECIAL BUDGET MEETING**

The 1999/2000 Budget for the City of Joondalup is now in the final stages of preparation.

It is expected that the Budget will be finalised next week and adopted at a Special Meeting of Commissioners on Tuesday, 31 August 1999 at 7.30 pm.

RATES

I am pleased to announce that facilities for rates payments for 1999/2000 will be available at Australia Post for the convenience of residents.

This method of payment will be in addition to the usual methods of B-Pay, telephone, mail and in person at Whitford or Joondalup Customer Service Centres.

These methods will be widely advertised in the Wanneroo Times Community newspaper.

As well, the Customer Service Centre at Joondalup will be modified to allow for express rates payments and additional staff rostered over the rates period.

STUDENT SCHOLARSHIPS

Last week, we continued our tradition of rewarding outstanding students in the City of Joondalup with scholarships.

The 15 scholarships were presented by Commissioner Clark-Murphy on the evening of Wednesday, 18 August 1999.

More than 80 guests were at the ceremony, including Director of Community Development, Chris Hall, school principals, selection panel members and, of course, the scholarship winners and their families.

We congratulate the winners and wish them all the best in their future studies.

CARING FOR OUR COAST

City of Joondalup officers have begun moves to work with local surf lifesaving clubs to improve and care for our many fine beaches.

The proposal includes the surf clubs' involvement in revegetation, conservation and general beach maintenance.

Sorrento and Mullaloo Surf Clubs have agreed to form working parties to assist Council in cleaning and maintaining beaches in preparation for the judging of "Perth's Best Beaches Competition" in September.

This is seen as the first step in a productive partnership between Council and community groups with an interest in the coast.

WELCOME – MANAGER, COMMUNITY & HEALTH SERVICES

Marilyn Beresford, is the newly appointed Manager, Community & Health Services, City of Joondalup.

PETITIONS

C39-08/99 PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS – 10 AUGUST 1999

- 1 PETITION REQUESTING THE REINTRODUCTION OF STATE GOVERNMENT HEAD LICE ERADICATION PROGRAM – PROVISION OF HEAD LICE LOTION – LOCAL GOVERNMENT AUTHORITIES – [45217J, 01077]

A 373-signature petition has been received from Chris Baker, MLA, State Member for Joondalup on behalf of parents of school age children residing in the City of Joondalup requesting the re-introduction of the Head Lice Eradication Program.

This petition will be referred to Community Development for action.

2 PETITION REQUESTING THE CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN THE RISE AND TIMBERCREST RISE, WOODVALE --[36387J]

A 56-signature petition has been received from Woodvale residents requesting the closure of the pedestrian accessway between the Rise and Timbercrest Rise, Woodvale.

This petition will be referred to Planning & Development for action.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the petitions requesting the:

- 1 **re-introduction of the Head Lice Eradication Program;**
- 2 **closure of the pedestrian accessway between the Rise and Timbercrest Rise, Woodvale;**

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

The Motion was Put and

CARRIED

FINANCE AND COMMUNITY DEVELOPMENT
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**CJ281-08/99 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS
OF AFFIXING THE COMMON SEAL [15876]**

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 16.7.99 to 23.7.99.

Document: Agreement
Parties: City of Joondalup and Geraldine Mehrens
Description: Copyright – Local Studies (Oral History)
Date: 16.7.99

Document: Agreement
Parties: City of Joondalup and Barbara Rothwell
Description: Copyright - Local Studies (Oral History)

Date: 16.7.99

Document: Contract 140A-98/99
Parties: City of Joondalup and Commonwealth Bank of Australia
Description: Provision of banking facilities
Date: 16.7.99

Document: Agreement
Parties: City of Joondalup and Trudy Graham
Description: Copyright - Local Studies (Oral History)
Date: 16.7.99

Document: Agreement
Parties: City of Joondalup and Keith Robert Robinson
Description: Copyright - Local Studies (Oral History)
Date: 16.7.99

Document: Local Law
Parties: City of Joondalup
Description: Trading in Public Places
Date: 20.7.99

Document: Local Law
Parties: City of Joondalup
Description: Signs
Date: 20.7.99

Document: Local Law
Parties: City of Joondalup
Description: Animals
Date: 20.7.99

Document: Local Law
Parties: City of Joondalup
Description: Health
Date: 20.7.99

Document: Withdrawal of Caveats
Parties: City of Joondalup, Silkchime P/L and Warwick Entertainment
Description: Lot 738 Dugdale Street, Warwick and Lot 928 Beach Road, Warwick
Date: 23.7.99

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Schedule of Documents executed by means of affixing the Common Seal be NOTED.

The Motion was Put and

CARRIED

**CJ282-08/99 JANUARY TO JUNE 1999 STATUTORY COMPLIANCE
RETURN - CITY OF JOONDALUP AND SHIRE OF
WANNEROO [09492]**

SUMMARY

The Joint Certification by the Chairman of Commissioners and the Chief Executive Officer was read aloud at the meeting of the Joint Commissioners

“We, Campbell Theodore Ansell being the Chairman of Commissioners and Lindsay Owen Delahaunty being the appointed Chief Executive Officer of the City of Joondalup hereby certify that:

The information contained in Parts A and B of this Return is true and correct to the best of our knowledge.

The Return was included in the agenda papers and considered by the Joint Commissioners at the Ordinary Meeting of the Joint Commissioners held on 10 August 1999.

The contents of this Certification was read out aloud to the meeting.

The particulars of any matters of concern relating to the Return were recorded in the Minutes of the meeting.

The Appendix attached to this Return is a true and correct copy of the relevant section(s) of those minutes.

Subject to the matters of concern raised and recorded, the Joint Commissioners adopted the Compliance Return as the official Return of the Joint Commissioners for the period 1 January to 30 June 1999.”

The City has completed the Department of Local Government’s voluntary statutory compliance return for the period 1 January to 30 June 1999. The return is for both the City of Joondalup and the Shire of Wanneroo as per the Governor’s Order that divided the former City of Wanneroo which stated that the City of Joondalup was to provide all the Shire’s executive functions until 30 June 1999 or unless otherwise directed. The Joint Commissioners of the Shire of Wanneroo on the 20 April 1999 resolved to perform the executive functions relating to the Wanneroo Town Centre Redevelopment project.

The return for the period ending 1999 is the last voluntary return. The Local Government (Audit) Regulations have recently been amended as from January 2000 that there will be a legal requirement to annually complete the Statutory Compliance Return.

BACKGROUND

Some years ago, the Local Government Department introduced a voluntary statutory compliance assessment as a result of its concerns at the level of non-compliance within the industry. The former City of Wanneroo was part of the program since its inception and it is considered appropriate that the City of Joondalup and the now City of Wanneroo continue.

The Local Government (Audit) Regulations have recently been amended that as from January 2000, there will be a legal requirement to annually complete a Statutory Compliance Return.

DETAILS

The former City of Wanneroo was divided by Governor's Order on 1 July 1998. Clause 10 of the order detailed that the City of Joondalup was to perform the executive functions for the Shire of Wanneroo until 30 June 1999, or until otherwise directed.

At the special meeting of the Joint Commissioners for the Shire of Wanneroo held on 20 April 1999 it was resolved that pursuant to Clause 10(1) of the Joondalup and Wanneroo Order 1998, that the Shire of Wanneroo give notice to the City of Joondalup that the Shire of Wanneroo will assume responsibility for the performance of all functions associated with the Wanneroo Town Centre Redevelopment Project, described in the relevant Business Plan adopted by the Joint Commissioners on 20 April 1999.

As a result of this clause and upon advice from the Department of Local Government, one return will be completed on behalf of the two new local governments for the period 1 January to 30 June 1999. The City of Joondalup and the City of Wanneroo will be individually responsible for completing a Statutory Compliance return for the period 1 July to 31 December 1999.

COMMENT/FUNDING

Explanatory notes have been attached to the return to qualify answers which are unclear or indicate non-compliance.

The completed form reveals a high level of compliance with a relatively minor number of issues that did not comply and need to be addressed.

Following the adoption of the Statutory Compliance Return, the Chairman of Commissioners and the Chief Executive Officer will jointly certify it.

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

- 1 NOTE the completed Local Government Statutory Compliance Return for the City of Joondalup and Shire of Wanneroo and appended notes forming Attachment 1 to Report CJ282-08/99;**

2 AGREE to the completed return being forwarded to the Executive Director of the Department of Local Government.

The Motion was Put. There being 4 votes in favour and nil against, the Motion was CARRIED

Appendix 1 refers

FOR APPENDIX I, CLICK HERE: [Att1.pdf](#)

Items CJ283-08/99 to CJ287-08/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Rowell. Cmr Clark-Murphy stated her intention to speak on Item CJ287-08/99.

CJ283-08/99 SUPPLY AND INSTALLATION OF PABX TELEPHONE SYSTEM TENDER NO 107-98/99 – [36525J]

SUMMARY

Tenders were sought for the supply and installation of a PABX telephone system capable of supporting the current and future requirements of the City of Joondalup. Twenty companies requested the tender information and five tendered for the supply and installation of the system.

The tenders from NEC Australia and Nortel Communication Systems were short-listed based on a detailed assessment checklist prepared jointly by independent consultants and staff from the City of Joondalup.

The NEC PABX telephone system is the recommended solution as it meets all the current and expected requirements for the City of Joondalup and is the only system which can fully support the existing joint City of Joondalup and City of Wanneroo network.

BACKGROUND

The City of Joondalup purchased an NEAX 2400 SDS PABX system from NEC Australia in May 1990 for its Administration Centre. While this system has successfully met the City's needs in the past, the NEAX 2400 is not Year 2000 compliant and will not support the future functional requirements of the City. The NEAX 2400 is networked to other NEC PABX equipment based at Ashby, Merriwa and Kingsley which are used jointly by the City of Wanneroo and the City of Joondalup.

A functional specification for a new PABX was prepared by consultants Beale Telecommunications and Southern Cross Telecommunications for the City of Joondalup and issued to twenty potential suppliers. A total of five responses were received prior to the Tender closing:

<u>Supplier</u>	<u>Product</u>
Admin Communication Services	Lucent Technologies Definity Prologix System
Ericsson Australia	Ericsson MD110 Telephone System
NEC Australia	NEAX 7400 ICX & MMX Telephone Systems
Nortel Communication Systems	Nortel Telephone Systems
Telemanagement Australia	Phone Control TIMS, Repartee Voicemail and IBM Call Centre Systems

DETAILS

A PABX assessment checklist was jointly developed by the Consultants and the City of Joondalup. The checklist was used to evaluate key requirements including:

- Technical architecture and facilities
- Support for Telstra services (tie lines, ISDN, 2Mbps)
- Telephone extension handset architecture
- Voicemail facilities
- Customer administration software
- Warranty support
- Maintenance support
- Maintenance charges
- Training
- Documentation
- Reference sites

The tender responses were evaluated against this assessment checklist and on this basis the Nortel and NEC responses were short-listed.

The Admin Communication Services (Lucent Technologies) and Ericsson Australia offers were considered to be technically inferior to the NEC offer due to the lack of PABX networking and were either higher or comparable in price.

The Nortel PABX Telephone System was considered to be technically comparable to the Lucent Technologies and Ericsson Systems but was offered at a lower price. The NEC System had a superior technical capability due principally to the proprietary networking; Common Channel Interoffice Signalling System Number 7 (CCIS #7).

Telemanagement did not submit a fully compliant response and was considered an incomplete tender.

Total prices for each compliant supplier were:

<u>Supplier</u>	<u>Total Price</u>
Admin Communication Services	\$189,183
Ericsson Australia	\$152,428
NEC Australia	\$145,757
Nortel Communication Systems	\$118,523

As part of the evaluation process, meetings were arranged with both short-listed suppliers to clarify Tender Responses. A predetermined set of questions was sent to each supplier. The Consultants and the City of Joondalup representative were satisfied with the resultant answers from both suppliers.

The **NEC system is recommended** for the following reasons:

It is the only system which supports all the current network integration in a very efficient manner between all City of Joondalup and City of Wanneroo telephone systems, primarily due to its proprietary CCIS #7 signalling. The Nortel system (nor any of the other tendered systems) does not support this standard. The cost of \$145,757 for the NEC system includes \$10,240 for the CCIS #7 facility; therefore the adjusted baseline comparison price for the NEC is more competitive at \$135,517.

NEC has the greatest share of the established PABX marketplace in Western Australia and an excellent reputation in system maintenance. Nortel have a smaller work force, their installed base is less and consequently they have had insufficient time to establish any long term track record.

The NEC PABX has a newer hardware design and provides the most extensive networking support for future flexibility and expansion for the City of Joondalup.

NEC is a proven supplier and service provider to the City of Joondalup over a long period of time.

COMMENT/FUNDING

Account No:	45797 (carried forward from 1998/99)
Budget Item:	Furniture and Equipment – Major
Budget Amount:	\$ 152,500
Actual Cost:	\$ 145,757

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners ACCEPT the tender proposal from NEC Australia for the supply and installation of an NEAX 7400 telephone system for the City of Joondalup at a cost of \$145,757.

The Motion was Put and

CARRIED

CJ284-08/99 WARRANT OF PAYMENTS FOR THE PERIOD TO 30 JUNE 1999 [09882]

SUMMARY

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

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	12473-14620	15,472,562.97
Municipal	000134-000163	24,551,117.06
Trust	000014	8,691.27
Reserve Account	000021-000027	4,892,761.34
	TOTAL	\$ 44,925,132.64

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of June 1999, the amount was nil.

In the Warrant of Payments it will be noted that cheques 13167 to 13312 inclusive were cancelled due to a printer malfunction.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$44,925,132.64 which is to be submitted to each Joint Commissioner on 10 August 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 \$44,925,132.64 submitted to the Joint Commissioners on 10 August 1999 is recommended for payment.

.....
Commissioner Campbell Ansell

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Rowell that the Joint Commissioners **PASS** for payment the following vouchers, as presented in the Warrant of Payments to 30 June 1999, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$44,925,132.64.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	12473-14620	15,472,562.97
Municipal	000134-000163	24,551,117.06
Trust	000014	8,691.27
Reserve Account	000021-000027	4,892,761.34
	TOTAL \$	44,925,132.64

The Motion was Put and

CARRIED

Appendix II refers

FOR APPENDIX II, CLICK HERE: [Att2.pdf](#)

CJ285-08/99 FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 1999 - PRIOR TO AUDIT [07882]

SUMMARY

In broad terms the inaugural 1998/99 Financial Year for the newly created City of Joondalup was successful. While some specific budget overruns were experienced the City turned the year with a surplus of \$9.009m. After allowing for works in progress, \$ 3,756,036 was carried forward to cushion the 1999/2000 rates.

Works anticipated to be undertaken and finalised during the year were, for varying reasons, unable to be completed. At 30 June 1999, these were in various stages of completion. The 1999/00 works programme has been amended and rescheduled to include these works.

The division of the former City of Wanneroo's assets and liabilities between the City of Joondalup and Shire of Wanneroo (now City of Wanneroo) was a major focus during the year. The Joint Commissioners made "in principle" decisions relating to these matters and staff are implementing these decisions.

The financial statements and records will now be submitted to the Council's auditor for the annual audit.

GENERAL

The Statutory Financial Statements for the City of Joondalup for the 1998/99 financial year have been finalised. Details are appended as Attachment A.

The **Operating Statement** compiled in accordance with AAS27 by programme on page 2. The **Cash Flow Statement** compiled in accordance with the requirements of AAS28 is appended as page 3. **General-Purpose Funding** (untied Government grants and rates) is shown on page 4. **The Statement of Rating** is shown on page 5.

The Financial Statements and financial records will now be submitted to Council's auditor for the annual audit.

Management Reports are shown on Attachment B – pages 6 to 13.

In broad terms, the inaugural 1998/99 financial year was successful, with the year-end surplus being \$9.009m. After allowing for works in progress which are carried forward into 1999/2000 the carried forward balance available to cushion 1999/2000 rates was approximately \$ 3.756m.

The carried forward works of \$5,918,682 (all funding sources) represents works which at 30 June were in the “pipeline” and which are to be undertaken in the new financial year. The funding of these are as follows:

Municipal Fund	\$ 5,282,763
Restricted/Grants	\$ 635,919

It is to be recognised that the infrastructure assets acquired during the year have been reflected in the revenues and expenditures. The details are:-

	Budget \$	Actual \$
Roads	7,000,000	10,174,117
Drainage	<u>1,850,000</u>	<u>2,691,750</u>
	8,850,000	12,865,867
Buildings	2,000,000	2,000,000
Parks	<u>760,000</u>	<u>2,190,000</u>
Total	<u>11,610,000</u>	<u>17,055,867</u>

The acquisitions are shown in the Transport Recreation and Culture and Community Amenities programmes as revenue in the Operating Statement.

RATES/REFUSE/SWIMMING POOLS

Rates levied during 1998/99 totalled \$33.467m. When allowance is made for legal fees etc for collection of outstanding rates and taking into account receipts for the year, the outstanding balance at 30 June 1999 was \$2.333m. This represented 6.9% of rates outstanding.

Total refuse outstanding at 30 June 1999 was \$113,562 including pensioners, representing 1.9%.

The amount outstanding at 30 June 1999 for swimming pool inspections was \$1,772.

INTEREST ON INVESTMENT

The City of Joondalup's earnings to 30 June 1999 from investments was \$2,412,411 against an annual budget of \$2,055,639. At 30 June 1999 interest rates were 4.7%. Details were :-

Total \$	Reserves \$	Municipal \$
2,412,411	1,054,955	1,357,456

The investment portfolio at 30 June 1999 was as follows:

	As at 30 June 1999 \$
Commonwealth Bank	9,044,396
AMP	8,373,922
BT	6,911,366
National Mutual Fund Management	15,183,440
Trustees	9,656,614
Trustwest	85,537
PBS (In Liquidation)	95,266
Total	49,350,541

A more comprehensive presentation of Council's investment portfolio is shown on pages 10 of the Management Reports.

BUILDING LICENCE FEES

Fees to 30 June 1999 were \$792,930 against an annual budget of \$695,000 - representing a \$97,930 surplus.

DEVELOPMENT APPLICATION FEES

Development Application Fees too, have far exceeded budget expectations for the year ended 30 June 1999. Actual fees received were \$332,911 against an annual budget of \$250,000 - representing a \$82,911 surplus.

SUB DIVISION CLEARANCE FEES

Fees for this area of Council activity also have exceeded budget estimates. Actual fees received were \$43,385 against an annual budget of \$31,000 - representing a \$12,385 surplus against budget.

RESTRICTED ASSETS

RESERVE ACCOUNTS

The overall reserve balance for the City at 30 June 1999 was represented by :-

“Restricted Reserves”	\$ 2,264,374
“Non Restricted Reserves”	\$ <u>27,637,593</u>
Total Reserves	\$ <u>29,901,967</u>

Balances in the individual reserves are shown in the Management Reports at page 11.

The Joint Commissioners will make decisions regarding the use of the “non restricted” Reserves as part of the 1999/00 Budget deliberations.

CONTRIBUTIONS AND GOVERNMENT GRANTS

The following contributions, grants, fees etc, which were recognised as revenue during 1998/99 (in accordance with Accounting Standards), relate to expenditure which will be reflected in the Budgets for 1999/2000. As a consequence, they are shown in the financial statements as “Restricted Assets”.

1998/99 FINANCIAL CONTRIBUTIONS/GRANTS ETC RECEIVED IN 1998/99 FOR 1999/2000

Income A/c No	Account Name	\$
11-60-62-642-1610-0542	Formula Local Road Grant – 1997/98	10,465
11-60-62-642-1610-0542	Formula Local Road Grant – 1998/99	575,304
11-60-62-642-1610-0543	MLRF – Hodges Drive 1997/98	43,375
11-80-88-911-1520-3465	Woodvale Kingsley Day Care	34,377
11-80-82-862-2403-1635	Sorrento Duncraig Leisure Centre	6,068
11-80-82-873-2401-0001	Entrance Fees – Eisteddfod	6,189
11-80-82-862-2405-1304	Craigie Leisure Centre	34,195
TOTAL		\$709,973

TRUST FUNDS

Balances at 30 June 1999 were:-

	\$
Unclaimed Salaries and Wages	1,722.25
Unclaimed Monies/Other Deposits	52,462.29
Total	\$ 54,184.54

RECREATION FACILITIES SUMMARY

The financial activities of recreation facilities are shown in the Management Reports on pages 12 and 13.

GENERAL DEBTORS BALANCES AS AT 30 JUNE 1999

During the course of the year, the City of Joondalup undertook the collection function of the outstanding general debts for both the City of Joondalup and the Shire of Wanneroo.

The balance of the general debtors of the City of Joondalup as at 30 June 1999 were \$1,274,143.

On 30 June 1999, general debtors belonging to the Shire of Wanneroo were identified and totalled \$4,085,433.63. These debtors were transferred to Shire of Wanneroo together with Stock on Hand (\$199,742) at the Depot Store. The relevant accounting entries were undertaken to effect these transactions.

EMPLOYEE ENTITLEMENTS AS AT 30 JUNE 1999

As at 30 June 1999, the City of Joondalup holds within its Restricted Annual Leave and Long Service Leave Reserves amounts which are to be transferred to the City of Wanneroo. These Restricted Reserves will be transferred to the City of Wanneroo during the new financial year. The amounts to be transferred to the City of Wanneroo are:

Annual Leave	\$ 1,770,242
Long Service Leave	\$ 1,541,885

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the unaudited Financial Reports for the year ended 30 June 1999 be NOTED.

The Motion was Put and

CARRIED

Appendix III refers

FOR APPENDIX III, CLICK HERE: [Att3.pdf](#)

**CJ286-08/99 TENDER 160 - 98/99 TANDEM AXLE TIP TRUCK
[34759]**

SUMMARY

The City's 1998/99 budget provided for the purchase of plant, as detailed in the Plant Replacement Programme, the funding of which was from the Plant Replacement Reserve Account. Due to changeover timings these plant items were not tendered until late in the financial year and hence will be purchased in August 1999, with the funding direct from the 1999/2000 Municipal Fund budget. The item has been reflected in the 1999/2000 replacement program.

The Manager Operations Services has confirmed that the requirement still exists and that the recommended replacement unit is suitable for operational use. Details on the unit to be replaced is as follows;

97542(Mitsubishi FV415 JR)

While the Joint Commissioners pursuant to the provisions of S5.42 of the Local Government Act 1995 delegated to the Chief Executive Officer the authority to accept tenders to a limit of \$100,000 the purchase price of this tender exceeds that amount and consequently is submitted for decision.

This report outlines the submissions received in relation to Tender 160-98/99. It recommends the purchase of one (1) Mitsubishi FV547K2W Tipper from Skipper Trucks.

BACKGROUND

Tender number 160-98/99 pertaining to these acquisitions was advertised on Saturday, 15 May 1999 and closed on Thursday, 03 June 1999.

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

DETAILS

Eight submissions were received in relation to Tender 160-98/99, details of which are shown on Attachment A.

The lowest tender received was from WA Hino Sales & Service, to supply a Hino Ranger 14, however this tender is non-conforming as its power output (184KW) is below the 220KW specified in the tender.

The tender from AV Trucks for a UD Nissan was examined together with the outright purchase from Raytone Motors for the trade vehicle. Historical data indicates however that the resale value of the Mitsubishi is superior to the Nissan and therefore has cost advantages to the City.

In view of the above the tender received from Skipper Trucks, which conforms to the tender specifications is recommended for purchase.

COMMENT/FUNDING

Based on the **Skipper Trucks** tender the financial position is:

Plant No	Recommended Tender – Changeover	Draft 1999/2000 Budget Provision	Budget Savings/Shortfall
97542	\$67086	\$65000	-\$2086

The shortfall will be funded direct from the Municipal Fund.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners ACCEPT the tender from Skipper Trucks for the purchase of one Forward Control Tandem Axle Tipper at a net change over figure of \$67086 after trade in, as detailed in Tender 160-98/99.

The Motion was Put and

CARRIED

Appendix IV refers

FOR APPENDIX IV, CLICK HERE: [Att4.pdf](#)

CJ287-08/99 JOONDALUP FESTIVAL COMMITTEE – [36775J]

SUMMARY

A meeting of the Joondalup Festival Committee was held 3 August 1999 and the minutes are submitted for noting by the Joint Commissioners (Attachment 1 refers).

Draft Guidelines for Inclusion in the Joondalup Festival Program were discussed during the meeting and endorsed. The guidelines are now submitted for endorsement.

DETAILS

A meeting of the Joondalup Festival Committee was held on 3 August 1999.

A number of individuals and organisations have approached Festival organisers to have their event included in the Festival program. The Festival Committee agreed that it is important to involve the community as much as possible to ensure community ownership. At the same time the Committee considered it was important to develop guidelines for inclusion in the Festival program. These will ensure that additions to the program are consistent with the community development nature of the Festival as well as Council's Strategic Plan and the Cultural Development Action Plan.

Draft Guidelines for Inclusion in the Joondalup Festival Program were circulated prior to the meeting. These were discussed during the meeting and endorsed subject to some changes. The changes have been made and the Guidelines are submitted for endorsement (Attachment 2 refers).

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

- 1 NOTE The Minutes of the Joondalup Festival Committee Meeting held on 3 August 1999 forming Attachment 1 To Report CJ287-08/99;**
- 2 ENDORSE the Guidelines for inclusion in the Joondalup Festival Program.**

Cmr Clark-Murphy referred to the Guidelines for events to be included in the festival which will enable groups to formulate their application and advised closing date for applications has been set at 29 October 1999.

The Motion was Put and

CARRIED

Appendix V refers

FOR APPENDIX V, CLICK HERE: [Att5.pdf](#)

**CJ288-08/99 PROVISION OF TRANSPORT AND INTRODUCTION
OF BEFORE SCHOOL CARE - OUT OF SCHOOL
HOURS CARE SERVICES (OSHC) - [06049J]**

SUMMARY

Following an earlier report to the then City of Wanneroo a transport service from schools to the City's After School Care Centres has been successfully provided. Before School Care has not been introduced after a survey of parents revealed little interest in its introduction. It is recommended that the Joint Commissioners note the actions which have been taken in relation to these two areas of operation of the City's Out of School Hours Care Services.

BACKGROUND

In March 1998, following a review undertaken by consultants from the Western Australian YMCA State Council, in association with Jill Cameron and Associates, the former City of Wanneroo endorsed changes to Council's Outside School Hours Care Services (Report CS27-03/98 refers).

The potential to increase patronage of these services by providing transport (i.e. a bus pick-up and drop off service for children) and introducing Before School Care, was canvassed in this review. A further report was requested by Council following additional consideration of these matters.

During the past 15 months a number of changes have been made to the management and operations of the Out of School Hours Care Services as a result of changes in Commonwealth Government funding arrangements of services. Several reports have been presented to Council in this period. A range of initiatives have been put in place to attempt to enhance the viability of the services. Further initiatives are planned.

The City of Joondalup currently operates two Out of School Hours Care Services projects, incorporating both After School and Vacation Care, at:

Fleur Freame Pavilion, Padbury
Ocean Ridge Community Centre, Heathridge

DETAILS

Transport

Following the costing of a variety of transport options, local bus companies were subsequently contracted, on a trial basis, to provide pick-up services for the After School Care Centres. These were immediately popular with parents. Within a short period of time most children attending Centres were being transported from school to centres by bus. Due to its popularity, the service has been continued.

Before School Care

The introduction of a Before School Care services was dependent upon the demonstration of sufficient demand. A survey was sent to all schools in the catchment areas. Little interest was expressed by parents. The one exception was a group of eight families who initially expressed an interest in sending children to a service to be established at the Hainsworth Leisure Centre (Girrawheen). Before the service could be established this interest fell away to only three families. In addition, further investigation identified that a similar service was already operating elsewhere in the suburb. With a lack of expressed demand no Before School Care services have been established.

COMMENT/FUNDING

During 1999, the concerted effort required to improve the viability of these services, has been disrupted by changes in personnel, uncertainty in the broader environment and the 'split' into two new Councils.

One of the requirements of the newly appointed Manager, Community and Health Services will be to draw together the experience of the past 18 months and develop recommendations on the future directions for these services, including the on-going role to be performed by Council. In the meantime, funds have been rearranged in the draft budget for 1999/2000 to allow the transfer of an already employed Officer from another program area to the Out of School Hours Care Services to work two days a week on issues that impact on the viability of the Services, including costs and income generation, marketing, service quality and administration.

Transport

Parents have come to regard the transport component as integral to the service they receive. This is consistent with the nature of other services within the Out of School Hours Care Services industry. As such, it needs to be an important part of any service that is viable in the future. \$10,000 has been placed in the draft budget for each of the two Centres, in order to continue to provide transport in 1999/00.

Before School Care

An assessment of the demand for this service indicated at the time that there was insufficient demand to warrant its introduction. A further assessment would be carried out should it be indicated that such a service may be required.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners NOTE the actions taken to provide transport for Out of School Hours Care Services and the outcomes of the assessment of the need for the introduction of Before School Care.

The Motion was Put and

CARRIED

CJ294-08/99 DETERMINATION PURSUANT TO CLAUSE 8(1) OF THE JOONDALUP AND WANNEROO ORDER 1998 - DISTRIBUTION OF NET CURRENT ASSETS OF THE FORMER CITY OF WANNEROO [00139 & 45141]

BACKGROUND

At meetings of the Joint Commissioners for the Cities of Joondalup and Wanneroo on 22 June 1999, the outcomes from a series of Asset Distribution Workshops were endorsed. Other than some clause 8 (1) determinations in respect of: -

- selected vested and freehold properties (at meetings held in March and April 1999);
and
- restricted (non clause 15) reserve accounts (at the 13 July 1999 meetings);

the formal adjustment or transfer of the property, rights and liabilities of the former City of Wanneroo have been held in abeyance pending further information coming to hand.

In order to facilitate the compilation and adoption of the 1999/2000 Budgets of the two Cities, it is necessary that the Joint Commissioners make a determination pursuant to clause 8 (1) of the Governor's Order in respect of current assets and liabilities of the former City of Wanneroo. The adoption of the recommendation at the conclusion of this report will allow the completion of the respective 1999/2000 Budgets of the Cities of Joondalup and Wanneroo.

DETAILS

The current assets and liabilities of the former City of Wanneroo as at 30 June 1998 are summarised hereunder: -

	\$
NET CASH (Cash on Hand and Investments less Bank Overdraft)	56,939,754
ADD Other Current Assets	<u>6,094,957</u>
	63,034,711
LESS Other Current Liabilities *	<u>12,257,854</u>
NET CURRENT ASSETS	<u>\$50,776,857</u>
Represented by: -	
Restricted Assets	
Reserve accounts-	
Unrestricted (pursuant to clause 15)	26,964,721
Other (non clause 15)	2,860,201
Unspent Loan Monies	38,579
Town Planning Schemes	4,587,374
Unexpended Grants and Contributions	<u>2,935,136</u>
	37,386,011
Unrestricted Net Current Assets – “Surplus funds”	<u>13,390,846</u>
	<u>\$50,776,857</u>

* includes \$5,835,889 cash backed annual and long service leave provisions.

Clause 8 (2) of the Governor's Order requires the Commissioners to have regard to the interests of both new local governments in making determinations under clause 8 (1). In making this determination the Commissioners have been very conscious of the needs and challenges faced by each new local government. These needs and challenges included, but were by no means limited to the following: -

Joondalup

Needs

- Depot facility,
- Future waste management capability,
- IT requirements,
- General additional infrastructure requirements and 'split' costs.

Challenges

- Costs associated with maintenance and promotion of Joondalup as a regional centre,
- Ongoing provision, maintenance and support of regional facilities,
- The ageing infrastructure in the longer established suburbs,
- The need to re-sign the district with the change from the City of Wanneroo to the City of Joondalup,
- The significant extent of coastline to be managed by the City.

Wanneroo

Needs

- Civic and Administration facility (including a redeveloped Town Centre),
- IT Requirements,
- General additional infrastructure requirements and 'set up' costs.
- Central Library facilities

Challenges

- Rehabilitation liability for two former refuse disposal sites,
- Possible future liability in respect of the bulk fuel tanks at the Depot,
- Ongoing provision, maintenance and support of regional facilities,
- The ageing infrastructure in the longer established suburbs and the need to provide infrastructure in the rapidly developing areas of the district,
- The significant extent of coastline to be managed by the City.

Reserve Accounts (Clause 15 – unrestricted)

The following table summarises the former City's unrestricted reserve accounts as at 1 July 1998 and the transactions during 1998/99: -

	Balance 1/7/98	Interest	Transfers In	Transfers Out	Balance 30/6/99
	\$26,964,721.05	\$932,241.94	\$7,053,466.35	(\$7,312,836.18)	\$27,657,593.16
Applied to 98/99 Operations	4,306,358.86	15,122.10	2,991,355.22	7,312,836.18	
Identified with City of Joondalup		43,497.24	1,515,319.42		1,558,816.66
Identified with City of Wanneroo		74,671.02	2,546,791.71		2,621,462.73
Remains as a clause 15 reserve	22,658,362.19	798,951.58			23,457,313.77

The effect of the above transactions is that during 1998/99 \$4.306 million of the opening balance was applied to expenditures in accordance with the adopted budgets and investment revenues of \$0.799 million were earned. Hence, the clause 15 reserves accounts as at 30 June 1999 total approximately \$23.457 million. The Commissioners have allocated this amount (see below) with a view to providing sufficient cash resources to each new local government to meet the identified 'needs' and 'challenges' mentioned above. In addition to this amount, reserves of \$4.182 million have resulted from net transactions during the year. These monies will be distributed to the City of Joondalup and the Shire of Wanneroo, based on the purpose for which each specific reserve account is being maintained. As a result, it is the Commissioner's view, that both the City of Joondalup and the new City of Wanneroo will commence 1999/2000 with sufficient cash resources to meet the challenges of the foreseeable future.

In summary, the unrestricted (clause 15) reserve accounts as at 30 June 1999 are to distributed as follows:

	Joondalup	Wanneroo
	\$	\$
Clause 15 Reserve Accounts	3,499,814	19,957,500
Other Reserves - 1998/99 net transfers	1,558,816	2,621,463.

Reserve Accounts (non clause 15 - restricted)

The balance of funds in these reserves as at 30 June 1999 were the subject of a report considered at meetings of the Joint Commissioners on 13 July 1999. A determination pursuant to clause 8 (1) of the Governor's Order, in respect of the portion belonging to the former City of Wanneroo was made at those meetings. The adjustment referred to in that determination resulted in the following distribution of those restricted reserve accounts: -

	Joondalup	Wanneroo
	\$	\$
Former City of Wanneroo Restricted Reserves	1,925,420	934,781
1998/99 net transfers	<u>338,954</u>	<u>807,283</u>
	<u>2,264,374</u>	<u>1,742,064</u>

Unspent Loan Monies

The former City of Wanneroo had unexpended loans totalling \$38,580 as at 30 June 1998. The works for which the loans were originally borrowed were completed some years ago, however the residue amounts have yet to be appropriated. Both loans were taken up to perform works in the new City of Wanneroo district and for that reason it is considered that these monies should be made available to the new City of Wanneroo. The following distribution will result: -

	Joondalup	Wanneroo
		\$
Loan 273 - East/West Road No 8		17,500
Loan 275 – Karoborup Road Wanneroo/Kiln Road		<u>21,080</u>
		<u>38,580</u>

Town Planning Schemes

The former City of Wanneroo maintained eleven (11) separate Town Planning Schemes, all of which related to localities within the district of the new City of Wanneroo. Net transactions during 1998/99 have increased the total amount held in Town Planning Schemes from \$4,587,374 to \$5,600,494. The following summarises the position in respect of Town Planning Schemes: -

	Joondalup	Wanneroo
		\$
Former City of Wanneroo Town Planning Schemes		4,587,374
1998/99 Town Planning Scheme transactions		<u>1,013,120</u>
		<u>5,600,494</u>

Unexpended Grants and Contributions

At the time of its abolition, the former City of Wanneroo held unexpended grants and contributions totalling \$2,935,136. These amounts were distributed in the 1998/99 Budgets of the City of Joondalup and the Shire of Wanneroo as follows: -

	Joondalup	Wanneroo
	\$	\$
Distribution of unspent grants & contributions	1,983,924	951,212

Surplus Funds

Surplus funds held by the former City of Wanneroo as at 30 June 1998 amounted to \$13,390,846. To facilitate the compilation of the Rate Setting Statements for the budgets of the two new local governments, the distribution of this surplus was forecast on the basis of the 'carry forward works' and a 69:31 sharing of the balance. The following allocations resulted:

	Joondalup	Wanneroo
	\$	\$
Distribution of former City's carried fwd surplus	9,603,759	3,787,088

SUMMARY

The following table, therefore, outlines the final determination of the net current assets of the former City of Wanneroo pursuant to clause 8 (1) of the Governor's Order and notes those line items that were the subject of earlier determinations.

<i>Line item</i>	<i>Adjustment/Transfer to</i>			<i>NOTE</i>
	<i>City of Joondalup</i>	<i>Shire (now City) of Wanneroo</i>	<i>TOTAL</i>	
<i>Clause 15 Reserves</i>			<i>27,763,673</i>	<i>1</i>
- this determination	3,499,814	19,957,500		
- earlier determination *	1,645,373	2,660,986		
<i>Restricted Reserves</i>			<i>2,860,201</i>	
- earlier determination *	1,925,420	934,781		
<i>Unspent Loan Monies</i>			<i>38,579</i>	
- earlier determination *		38,579		
<i>Town Planning Schemes</i>			<i>4,587,374</i>	
- earlier determination *		4,587,374		
<i>Unexpended Grants/Contrib.</i>			<i>2,935,136</i>	
- earlier determination	1,983,924	951,212		
<i>Surplus Funds</i>			<i>13,390,846</i>	
- earlier determination	9,603,758	3,787,088		
<i>TOTAL</i>	<i>18,658,289</i>	<i>32,917,520</i>	<i>51,575,809</i>	
<i>Note 1 - includes 98/99 interest earned amounting to \$798,952</i>				

The above determinations, net of 1998/99 interest earnings, total \$50,776,857. However, included in this determination are earlier determinations amounting to \$27,319,543.

This and earlier determinations will provide both Cities with healthy cash balances at the commencement of their first year of independent operation (1999/2000). The City of Joondalup will commence the year with cash amounts of approximately \$10.823 million over and above its 1998/99 carry forward Municipal Fund surplus. Similarly, the City of Wanneroo will commence the year with cash amounts of around \$32.294 million.

ADDITIONAL INFORMATION

Cmr Ansell referred to revised pages 25 and 26 which replace pages 5 and 6 to Report CJ294-08/99 as printed in the agenda for the Meeting of Joint Commissioners held 24 August 1999 – Appendix IX refers. **For Appendix IX, click here:** [Att9.pdf](#)

This additional information did not alter the original recommendation.

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

- 1 in accordance with the provisions of Clause 8 of the Joondalup and Wanneroo Order 1998, DETERMINE the adjustment/transfer of the net current assets of the former City of Wanneroo in the manner outlined in report CJ294-08/99, and in doing so:**
 - (a) acknowledge that the assets being adjusted/transferred as part of this determination consist of the balance of clause 15 reserve account monies totalling \$23,457,314;**
 - (b) note that the effect of this determination to be cash distributions of \$3,499,814 and \$19,957,500 to the Cities of Joondalup and Wanneroo respectively;**
 - (c) note the earlier clause 8 determinations amounting to \$27,319,543;**
- 2 AUTHORISE the determination made in 1 above to be effected in the City of Joondalup and Shire of Wanneroo's 1998/99 financial records;**
- 3 AUTHORISE the immediate transfer of funds resulting from the determination made in 1 above.**

Cmr Ansell reiterated his earlier comments made during public question time that considerable time and effort had been undertaken in determining matters including the splitting of reserves and assets.

Cmrs Morgan felt it was appropriate to note this had been a difficult task and advised numerous workshops had been held over several months to set down the guidelines and principles to be followed and this report was the culmination of those workshops.

Cmr Clark-Murphy reiterated the comments made earlier by Cmr Ansell and felt it was important for people to refer to an earlier Report (CJ247-07/99 – 13 July 1999) in which the results of the workshops held was tabled.

The Motion was Put and

CARRIED

Appendix IX refers

FOR APPENDIX IX, CLICK HERE: [Att9.pdf](#)

INFRASTRUCTURE MANAGEMENT

Items CJ289-08/99 and CJ290-08/99 were Moved by Cmr Morgan and Seconded by Cmr Clark-Murphy. Cmr Morgan stated his intention to speak on both Items.

**CJ289-08/99 TENDER NUMBER 032-99/00 - SUPPLY AND
DELIVERY OF BITUMINOUS PRODUCTS &
SEALING AGGREGATES & SPRAY SEAL WORKS
[36821W]**

SUMMARY

The Joint Commissioners at their meeting on 22 June 1999 considered recommendations for Tender number 032-99/00 (Item CJ232-06/99 refers) and resolved to accept tenders from Boral Asphalt (Items 1, 2, 3 & 4) and CSR Emoleum (Items 5, 6 & 7). Both companies have offered to withdraw their tenders in view of the technical difficulties to manage them separately instead of one contract. Tender number 032-99/00 has been evaluated again on the basis of the complete scope of work and it is recommended that CSR Emoleum be awarded the total contract.

BACKGROUND

Tender number 032-99/00 provides for the supply of bitumen, aggregates and the spray seal works. Five tenders were received for these items. In an endeavour to gain best value for money the tender was split into two parts. The first part included supply and spray of bitumen and the second part included supply of road sealing aggregates and spray seal works. The tender evaluation criterion was applied separately to both parts. On the basis of the evaluation criteria, it was recommended to accept the tenders from Boral Asphalt for item numbers 1, 2, 3 & 4 and CSR Emoleum for item numbers 5, 6 & 7 as shown in Attachment 1. The Joint Commissioners at their meeting on 22 June 1999 considered the report (Item CJ232-06/99 refers) and resolved to accept the recommendations made in regard to this tender number 032-99/00.

The Manager Contract Management, City of Joondalup, under his delegated authority while performing the executive function under Regulation 10 of the Joondalup and Wanneroo Order 1998, then notified Boral Asphalt and CSR Emoleum of this decision via letters of notification.

One of the selected tenderers responded indicating that they considered that due to the proposed split in the scope of work, the administration of contracts for these items might cause some problems. To resolve this issue both selected contractors were consulted and have withdrawn their acceptance of relevant sections of the tender. This has allowed the City to re-evaluate the tender considering the complete scope of work in its entirety.

DETAILS

The tender has been re-evaluated and the tender from CSR Emoleum has achieved the highest score. It is therefore recommended to accept the tender from CSR Emoleum for all items included in the scope of work for tender number 032-99/00.

COMMENT/FUNDING

The prices submitted by CSR Emoleum for the most commonly used items represent an average savings of approximately one third as compared to the previous 1998/99 contract prices.

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

- 1 RESCIND, BY AN ABSOLUTE MAJORITY, part of their resolution (Item CJ232-06/99 considered on 22 June 1999) accepting the tender number 032-99/00 from Boral Asphalt (Item numbers 1, 2, 3 & 4) and CSR Emoleum (Item numbers 5, 6 & 7);**
- 2 ACCEPT Tender Number 032-99/00 submitted by CSR Emoleum;**
- 3 AUTHORISE the signing of the contract agreement.**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix VI refers

FOR APPENDIX VI, CLICK HERE: [Att6.pdf](#)

CJ290-08/99 TRAFFIC STUDY - EAST GREENWOOD PRECINCT - [36174J, 01068J]

SUMMARY

In November 1998, CCD Australia was commissioned to undertake a Local Area Traffic Management Study for the Greenwood East Precinct. The study aim was to recommend a community acceptable Local Area Traffic Management Scheme for the Greenwood East Precinct. The Traffic Study was concluded in June 1999 and the final recommendations of the Greenwood East Precinct Traffic Study Group are now presented for consideration.

BACKGROUND

In November 1998, CCD Australia was commissioned to undertake a Local Area Traffic Management Study for the Greenwood East Precinct. The study aim was to identify and recommend a community acceptable Local Area Traffic Management Scheme for the Greenwood East Precinct and to increase the safety of all road users and improve the amenity of residents living in the area.

The extent of the study area is shown on Attachment 1.

DETAILS

A Traffic Study Group, made up of eight residents from the study area was formed to provide local input into the study group process. With technical assistance from CCD Australia, the Study Group reviewed existing conditions, such as traffic volumes, speed and crash statistics. An area wide community questionnaire was also distributed to determine overall community concerns.

The questionnaire received a 26% response rate. A copy of the questionnaire is shown on Attachment 2. Information received via the questionnaire was used to formulate a series of objectives and highlighted the following community concerns:

Street safety and high vehicle speeds were seen as the major issues within the precinct, followed by traffic volumes and noise.

Opinions regarding the possible installation of alternative traffic calming measures were mixed although there was a general acceptance for the installation of traffic calming treatments such as roundabouts, slow points, central median and entry statements.

This helped establish the following study objectives:

To control traffic speed and behaviour in local street within the area.

To promote safety in the area, particularly for school children, pedestrians and cyclists.

To discourage the movement of through traffic in local streets while maintaining safe and convenient access for local residents.

These objectives formed the basis of the Draft Traffic Management Strategy shown on Attachment 3.

To measure community acceptance of the Draft Traffic Management Strategy, it was circulated to all stakeholders within the study area for comment. Approximately two weeks were allowed for submission of comments by telephone, correspondence, facsimile and/or e-mail.

In total 72 submissions (including a 21-signature petition regarding the proposed central median treatment for Cockman Road which was presented to the Joint Commissioners meeting of 25 May 1999, Item C24-05/99 refers) were received in relation to the Draft Traffic Management Strategy. Apart from the petition, the majority of submissions were in agreement with the Draft Strategy, with most comments relating to particular details within the Precinct.

The petitioners are concerned that the proposed landscaped central median for Cockman Road would restrict access to properties along Cockman Road. They are also concerned that this treatment will not address the issue of speeding traffic and suggest that roundabouts would be more suitable.

When considering appropriate treatments for Cockman Road, the study group was aware that any proposed treatment would have to accommodate existing access provisions. With this in mind, the proposed landscaped central median has been designed to allow full access to all properties along Cockman Road. Similar treatments to reduce overall vehicle speeds have been previously approved for Coolibah Drive as part of the West Greenwood Traffic Management Strategy (Item CJ9-07/98 refers).

In addition to distributing the Draft Traffic Management Strategy to local residences, businesses and schools, copies were forwarded to Main Roads W.A., Transport, the Fire and Rescue Services of WA, WA Police Services and the St John Ambulance Service.

Responses were subsequently received from Main Roads W.A., WA Police Service, Fire and Rescue Service of WA and Transport. Each had no objection to the proposal, although Transport stressed the need for roundabouts to be designed to accommodate buses. No response was received from the St John Ambulance Service.

In view of the favourable response from the majority of stakeholders, amendment of the Draft Strategy was not required. The main features of the Final Traffic Management Strategy as shown on Attachment 4 are detailed as follows:

Central Median and Landscaping (CM&L). The installation of flush red asphalt median with landscaping at strategic locations allows the narrowing of the carriageway. The reduced lane widths will have positive effects on reducing average speed on these routes. All right turn movements will still be allowed across the flush median, thus retaining access to all crossovers. An example of this treatment is shown on Attachment 5.

Channelization (CH). The channelization of particular intersections is recommended to improve safety and to provide clear definition of vehicle paths in order to prevent “cutting of corners”.

Entry Statements (ES). Entry statements have been nominated for construction at the junctions of certain local roads in order to reinforce their local road status, discourage through traffic and help to alleviate high traffic speed.

Slow Points (SP). These have been designated for implementation on local road routes identified as having either a high speed or through traffic problem. The slow points are designed to discourage through vehicles and decrease average speeds.

The Committee also identified the following separate areas to be reviewed by the City:

The four intersections at the extremities of the Precinct, namely Hepburn Avenue/Cockman Road, Hepburn Avenue/Allenswood Road, Warwick Road/Allenswood Road and Warwick Road/Cockman Road each show a significant previous accident history and would warrant detailed investigation. As these intersections are not strictly defined as being within the study area, it is recommended that they be reviewed separately by the City of Joondalup.

Similarly, the section of Merrivale Way adjacent to Allenswood Primary School and Dargin Place adjacent to East Greenwood Primary School requires detailed discussions with these schools in order to rationalise parking arrangements. These areas have been nominated by the Committee for detailed investigations by the City.

The Committee has also recommended that an investigation be undertaken into the possibility of rationalising access to the Greenwood/Kingsley Plaza and the adjacent Medical Centre on Cockman Road between Canham Way and Blackall Drive. At present the accesses are located in close vicinity to two busy junctions on the eastern side of Cockman Road. These accesses together with the T-junction at the Blackall Drive/Cockman Road intersection create traffic congestion and delays for drivers and pedestrians.

Further investigation is recommended to determine appropriate treatments to discourage through traffic from utilising the Gorman Street/Mattison Way/Fork Road/Rodgers Street Route. The study group determined that in addition to passenger vehicles, truck traffic utilised this route to avoid the signalised intersections at Wanneroo Road/Marangaroo Drive and Wanneroo Road/Warwick Road.

The Committee has also recommended the construction of angled parking embayment on Penistone Street adjacent to Penistone Reserve. While this is acknowledged, angled parking on local roads is generally not supported. On this basis, a separate review of parking at Penistone Reserve may be required to determine a warrant for additional parking facilities at this reserve.

An estimate of cost for treatments identified in the Traffic Management Scheme is shown in priority order on Attachment 6.

Additional details of the Traffic Study are contained in the final Consultants report which is available in the Joint Commissioner's reading room for reference.

COMMENT/FUNDING

The process by which the Final Traffic Management Scheme was derived ensures that the scheme would be acceptable to the local community, while also satisfying the study criteria of improving safety for all roads users and improving amenity for local residents.

The submissions received in relation to the Draft Traffic Management Scheme supports this strategy. Based on community expectations, the study group has recommended that the scheme be implemented within a two year period, with priority given to treatments on Cockman Road, Blackall Drive and Sherington Road.

The study aim, to identify and recommend a community acceptable Local Area Traffic Management Scheme for the Greenwood East Precinct to increase the safety of all road users and improve the amenity of residents living in the area has been achieved.

On this basis, the implementation of the Greenwood East Precinct Traffic Management Strategy excluding the proposed angle parking on Penistone Street is supported. A separate review of parking at Penistone Reserve will be carried out to determine the priority for additional parking facilities at this reserve.

While the recommended Traffic Management Strategy is supported, implementation of the strategy is subject to the availability of funding.

The following projects are already listed as a high priority in the 1999/2000 Principal Activity Plan:

TMS201	Gradient Way, Beldon	\$220,000
TMS211	Greenwood West Precinct – Stage 2	\$280,000
TMS212	Allenswood Road, Greenwood	\$302,500
Total		\$802,500

On this basis, the Greenwood East Precinct can be listed in the 5 year Principal Activity Plan. Given the size of the projects, it is recommended that the strategy be divided into two stages as shown below:

Year	Description	Amount
2000/2001	Greenwood East Precinct – Stage 1	\$330,000
2001/2002	Greenwood East Precinct – Stage 2	\$323,000
Total		\$653,000

Additional funding for resurfacing works on Blackall Drive may become available through the Metropolitan Regional Road Programme (MRRP) Road Rehabilitation Scheme. A decision on funding is due October/November 1999.

To achieve the recommendation of the Study Group regarding completion of the Traffic Management Strategy within a two year period, the Greenwood East Precinct Traffic Management Strategy Stage 1 can be listed for funding consideration on a priority basis in the 2000/2001 Principal Activity Plan. Stage 2 of the strategy may be listed for funding consideration on a priority basis in the 2001/2002 Principal Activity Plan

The remaining items identified for review by the Study Group will be carried out accordingly and proposed improvements listed in the Traffic Management 5 Year Plan.

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

- 1 APPROVE the implementation of the Traffic Management Strategy for the Greenwood East precinct as shown on Attachment 4 to Report CJ290-08/99;**
- 2 LIST for consideration as a high priority in the principal activity plan the works associated with the Greenwood East Precinct Traffic Management Strategy;**
- 3 THANK the members of the Greenwood East Precinct Traffic Study Group for their participation and contribution to the study process**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix VII refers

FOR APPENDIX VII, CLICK HERE: [Att7.pdf](#)

PLANNING AND DEVELOPMENT

Items CJ291-08/99 and CJ292-08/99 were Moved by Cmr Rowell and Seconded by Cmr Morgan.

CJ291-08/99 DRAFT OCEAN REEF STRUCTURE PLAN – CLOSE OF ADVERTISING [30661J]**SUMMARY**

A draft Structure Plan prepared for the control of the design of houses on part of the Sunset Heights development in Ocean Reef was adopted by the Joint Commissioners at their meeting on 8 June 1999 and advertised for public comment for a 30 day period which closed on 22 July 1999. One submission was received and the modification requested has been made. The document complies with the requirements of the Scheme in respect of a Structure Plan and is recommended to be adopted.

BACKGROUND

Lot No	Portion Lot 1
Street Address	cnr Prendeville Avenue and Constellation Drive, Ocean Reef
Land Owner	Taylor Woodrow (Australia) P/L
MRS Zoning	Urban
TPS Zoning	Residential Development
Residential Code	R20
Land Use	Vacant
Lot Area	4,266 sq m, divided between 9 lots

Site History

The subject land was part of a subdivision approved by the Western Australian Planning Commission (WAPC) on 26 October 1998 with approval for a 10% variation in the minimum size of the lots. This has resulted in the design of some small lots with dual frontage; it is these to which the subject Structure Plan applies.

Previous Council Decisions

The subdivision of this lot was considered by Council on 24 September 1998 and supported.

At their meeting on 8 June 1999 the Joint Commissioners determined that the draft structure plan for Ocean Reef was satisfactory and to make it available for public comment.

DETAILS

Current Proposal or Issue

The Structure Plan (Attachment 1) will control development on nine lots which are part of Sunset Estate, Ocean Reef and are shown on the map in the Structure Plan.

The proponent has requested that Clause 3.1.3: (Setbacks) of the Structure Plan be modified as follows:

1. Add a new first clause that reads: “Notwithstanding the provisions of the Residential Planning Codes, the minimum front setback for lots 2-8 shall be 5 metres.”
2. Change the second clause to read: “Notwithstanding the provisions of the Residential Planning Codes, the minimum rear setback for carports and garages on lots 5-8 shall be 5 metres. The minimum rear setback for carports and garages on lots 2-4 shall be 2 metres.”

This change will reduce the front setback for seven of the nine lots from 6 metres (required by the Residential Planning Codes) to 5 metres and the rear setback for three of them from 5 metres (in the advertised Structure Plan) to 2 metres.

Relevant Legislation

Under the provisions of Clause 10.6.1 of Town Planning Scheme No 1, Council shall consider all submissions received and shall either refuse to adopt the Structure Plan or resolve that the Structure Plan is satisfactory with or without modifications and shall submit three copies to the Commission for adoption and certification.

Advertising and Summary

The draft Structure Plan was advertised for public comment for a 30 day period which closed on 22 July 1999. One submission was received, from the submitting consultant, who requested changes to the provisions to broaden the range of homes that are able to be built on these lots.

COMMENT

Issues

The proponent has suggested that if a 5 metre rear setback for carports and garages is required it is difficult to accommodate a house on the shallower lots in this subdivision; ie those less than 32.5 metres deep. A small reduction in the front setback is also suggested for the same reason.

Assessment and Reasons for Recommendation

A 5 metre rear setback for carports and garages was intended to accommodate additional car parking on the lot. Since Tucana Pass is a minor road connecting two culs-de-sac, this parking is not regarded as essential and the proposed change to the provisions is considered to be reasonable.

The Structure Plan, as modified, conforms with the requirements of Part 10 of the City of Joondalup Town Planning Scheme and is acceptable for the control of development within the Structure Plan area. It is considered to be suitable for adoption.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners, pursuant to Clause 10 of the City of Joondalup Town Planning Scheme No 1, RESOLVE that the draft Ocean Reef Structure Plan is satisfactory and submit it to the Western Australian Planning Commission for adoption and certification.

The Motion was Put and

CARRIED

Appendix VIII refers

FOR APPENDIX VIII, CLICK HERE: [Att8.pdf](#)

**CJ292-08/99 PROPOSED CLOSURE OF PEDESTRIAN
ACCESSWAY BETWEEN LOCATIONS 11483 (4) AND
11487 (8) BURNS PLACE, BURNS [04616J]**

SUMMARY

The application to close the above pedestrian accessway (PAW) was originally submitted in 1997 whereby it was advanced to a certain point then lapsed for some months. It was re-activated recently by the new owner of Location 11483. The reason for the proposal by the original applicant was that the PAW was used very little and did get overgrown and littered with rubbish. Both of the adjoining landowners support the proposal, however, the owner of Location 11487 does not wish to acquire any of the land should closure take place.

This pedestrian accessway runs from Burns Beach Road to Burns Place, which is a small cul-de-sac and as the proposed closure would have little impact on the pedestrian movement of the area, it could be supported.

BACKGROUND

A request to close the pedestrian accessway (PAW) that runs between the above two vacant properties was originally submitted to the City in June 1997 and since that time both adjoining properties have changed hands. This application lapsed for a time due to the City awaiting confirmation from the former owner of Location 11483 that he accepted the Department of Land Administration's (DOLA) land purchase price for a full width of the PAW. The City assumed the other adjoining landowner was not interested in acquiring any of the land due to the fact responses were never received to any of the City's letters regarding this application.

In June 1999, the City received a letter advising that negotiations had concluded for the purchase of Location 11483, and the new owner wished the City to now continue with the application. The new owner confirmed that he accepted the land purchase price and the conditions for easements from both the Water Corporation and the City.

DETAILS

This application was referred to the servicing authorities, the Western Australian Planning Commission (WAPC) and the Department of Transport (DOT) for their comments.

The WAPC does not support the closure stating the PAW has good visibility to adjacent streets; that closure would result in longer and less convenient pedestrian access to bus stops and that the PAW forms part of the pedestrian/cycle network of the area. A recent site inspection by a council officer revealed that closure of the PAW will not impact on pedestrians accessing the local bus stops and the attached plan shows that it does not play a major role in the pedestrian/cyclist network of the area. The PAW does have good visibility to adjacent streets.

The Department of Transport advised that it had no comment to make on the proposal.

Telstra, Alinta Gas and Western Power do not have any service plant within the PAW and therefore had no objection to the closure. The Water Corporation has a sewer main that requires the protection of a 3 metre wide easement and the City has a stormwater line that also requires the same protection. The new owner has agreed to these conditions.

During the thirty-day advertising period two public submissions were received, one of support and one of objection. The objector states that along with her husband, she regularly used the PAW and has done so for many years. She has never witnessed any rowdy behaviour in the vicinity of the PAW.

The supporter advised that closure would only affect the residents in Burns Place along with one other property on the corner of Burns Place and Second Avenue and the additional privacy it would afford the residents of Burns Place would be of benefit to them.

COMMENT

This PAW is between two vacant properties and would appear to mainly affect the residents living in Burns Place. It does not lead directly to a bus stop or to any other community facilities. Closure would not appear to have any great impact on the local pedestrian movement and therefore could be considered.

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

- 1 AGREE to the closure of the pedestrian accessway between Locations 11483 (4) and 11487 (8) Burns Place, Burns, subject to the landowner of Location 11483 meeting all of the costs and conditions involved;**
- 2 REQUEST that the Department of Land Administration formally close the accessway and amalgamate it with location 11483 (4) Burns Place, Burns.**

The Motion was Put and

CARRIED

**CJ293-08/99 PROPOSED SINGLE RESIDENCE – LOT 414 (30)
ASHMORE WAY SORRENTO [38904J]**

SUMMARY

Mr J Kime proposes to build a new two-storey residence at Lot 414 (3) Ashmore Way, Sorrento.

The proposal fails to comply with the City's Height and Scale of Buildings in a Residential Area Policy 3.1.9:

The proposal has a plot ratio of 0.6: 1 as opposed to a required plot ratio of 0.5: 1. The excess building floor area is 74 sqm.

The proposal exceeds the building envelope slightly on the wall sides and the building height exceeds the maximum of 8.5 metres by approximately 0.8 metre. This is due to the steeper roof pitch and ceiling heights proposed within the double storey building.

The proposal was advertised to adjoining owners and two objections were been received.

The proposal conforms to the requirements of Town Planning Scheme No 1 and the R Codes in other respects.

It is recommended that Council exercises discretion in regard to the plot ratio policy limitation, but that in other respects, the development be brought into conformity with TPS No 1 and the R Codes.

BACKGROUND

Lot Number:	414
Street Address:	30 Ashmore Way, Sorrento
Applicant:	Milankov Designs
Land Owner:	John & Maria Kime
Zoning TPS:	Residential Development
Lot Area:	756m ²
Use Class:	'P' Single Dwelling

Site History

This application was considered at the Delegated Authority Meeting on 4 August 1999 where it was decided to:

Investigate the plot ratio of adjoining and nearby developments.

Seek further written justification for the exceeding plot ratio and building height from the applicant.

DETAILS

The applicant seeks approval to commence development to construct a two-storey house, which exceeds maximum height, and plot ratio to that required by the City's *'Height & Scale of Buildings in Residential Areas'* Policy. The proposal otherwise complies with the Residential Planning Codes in respect of setbacks and parking.

The Scheme and Policy

The City's Height and Scale of Buildings in Residential Area Policy 3.1.9 is a policy adopted under the City's Town Planning Scheme No1. The policy requires buildings to 'fit within' a three-dimensional building envelope. If a development projects outside this 'envelope', an application for approval to commence development is required in addition to a building licence. Such applications are advertised for comment to adjoining owners.

Applicant Justification

The applicant, Milankov Designs, believes the proposal is not substantially outside the required building envelope. The owner has also stated that the rear-adjoining house is substantial in scale and height due to a retaining wall provided at the subdivision stage. The two-storey rear house substantially overlooks the subject property with glazing and balconies.

Relevant Legislation

The development requires determination under clauses Clause 7.3(b) and 7.5(d) of the City of Joondalup Town Planning Scheme No.1.

Advertising and Submissions

At the close of the 14-day submission period, two letters of objection were received from the adjoining owners at the right side and rear of the subject lot. The concerns were raised in relation to the following aspects of the proposal:

Retaining walls are incorporated, and would raise the natural ground level by almost 1 metre.

The development will reduce views over the lot from adjoining properties.

The development may affect long term values of land, (presumably by impact upon views).

The height and length of the development will cause overshadowing during winter months.

The appearance of the development is not in keeping with the aesthetics of other properties in the street, due to the proposed build up of the ground floor.

The development is above the plot ratio limit set by Council policy.

The comments regarding the loss of view or effect on property values can not be objectively quantified, nor are they matters which the Council is empowered to consider, as a component of the Height and Scale of Buildings Policy. Matters which can be determined are assessed below.

COMMENT

Description of Site

The subject lot rises from the street to the rear of the lot. The contour increases from RL 10.06 in the north-west corner (front left) to a level of RL11.37 metres at the south-east corner (rear right). The mean level of the lot is RL10.71 metres. The house is proposed at RL10.85 (garage & living room) and RL11.2 for the rear section of the house. This represents an increase of an average of 0.25 metres to ground floor levels, which is very moderate compared to other developments in the area.

The natural ground level is critical to the calculation of building height under the policy. There is a retaining wall at the rear of the site, constructed as a component of the subdivision of the land, which is 1.37 metres high in the rear right corner of the lot rising to 1.9 metres in the rear left corner of the lot. The lot to the rear is situated atop the retaining wall.

The Policy

The City's policy does not constitute a prohibition on the height and scale of buildings. It provides for an "as of right approval" if residential buildings are within the building envelope. The policy also provides guidance for the assessment of applications which may exceed the policy limits, where in such cases, development approval is also required.

The height policy seeks to limit development, by taking into account:

- The measurement from the natural ground level or levels after subdivision;

- Allowing a maximum wall height on the boundary of 3.5 metres, a roof sloping up at 45 degrees to a maximum height of 8.5 metres;

- Making provision for minor projections into the envelope.(Eaves and chimneys and the like may project.)

- The maximum Plot ratio allowable is ordinarily 0.5 : 1

Natural Ground Level

Policy 3.1.9 allows natural ground level (for the purpose of calculating building height) to correspond to the halfway height of the retaining wall constructed at the subdivision stage at the site boundary. This method (by including part of the retaining wall) would allow an increase in the building height of the proposal by an additional 0.2 metres. Calculated on this basis, the extension beyond the envelope would therefore be only 0.6 metres and not 0.8 metres using existing ground levels.

Policy 3.1.9 provides the only adopted form of policy for calculating building height in relation to residential developments. The subject lot is on the lower section of a retaining wall that is not on a 'benched level' where retaining walls occur at rear of lots in the same street. Therefore strict interpretation of the policy can not be made generally. Natural ground levels have been used for the purpose of establishing building height maximum under the policy. The policy definition of *natural ground level* is not generally considered appropriate and has not been applied to this proposal. Instead existing RLs were taken from the four corners of the lot to determine natural ground levels which is a method that is not defined within the policy.

In a general sense it is considered more appropriate to establish natural ground level on a benched level after subdivision. This is a major philosophical difference between the current policy and the recent approach applied in the Hillary's Structure Plan. A more appropriate method is to average the RLs at the 4 corners of the site, in order to establish a fair representation of natural ground level. These options are discussed in a forthcoming item for the consideration of the Council.

Building Height & Plot Ratio

The proposal does not comply with the City's Height and Scale of Buildings in a Residential Area Policy 3.1.9 in respect of the following areas:

1. The house also has a plot ratio of 0.6: 1 as opposed to a required plot ratio of 0.5: 1. The excess building floor area is 74 sqm or 20% increase in floor area. The street and locality has a number of large double storey houses and is of equivalent bulk, size, scale and style. Although the proposal exceeds plot ratio requirements it would not be 'out of character' with other similar scale buildings in the locality.
2. The house extends beyond the building envelope by 0.8 metres. The location and height of walls adjacent to the side boundary exceed the envelope requirements to a minor extent. The height of the proposal also exceeds the maximum height of 8.5 metres. These matters can easily be addressed by minor modification to the submitted plans.

Although the plot ratio requirement provides some guidance in regard to controlling building bulk, it is suggested that the building envelope and minimum open space policy requirement of the R Codes provides ample control of building bulk.

Conclusion

Given that the development can be modified to conform to the height limitations a variation to the plot ratio policy limit does not create excessive building bulk or scale, therefore a plot ratio of 0.6:1 is supported. The proposal conforms to the minimum open space requirements of the R Codes, and therefore the plot ratio allowance would not compromise the provision of open space on the property. It is recommended that discretion be exercised to grant a variation in plot ratio under Town Planning Scheme No.1 .

The height of the residence can easily be reduced by a reduction in roof pitch, adjustment to proposed ceiling heights, or reduction in finished floor levels. It is recommended that the proposed single residence be approved subject to the submission of revised plans that reduce the building height by 0.8 metre(s).

The proposal otherwise complies with setback and other site requirements and will therefore not have an adverse impact on the amenity of the adjoining lots by an increase in plot ratio.

OFFICER'S RECOMMENDATION: That the Joint Commissioners:

- 1 APPROVE the application for a single residence on Lot 414 (30) Ashmore Way, Sorrento subject to revised plans being submitted showing the residence at 0.8 metres lower in height in order to conform with the Council's Height and Scale of Buildings in Residential Areas Policy 3.1.9. The projection outside the building envelope of 0.8 metres being calculated by averaging the existing four (4) corners of Lot 414 (30) Ashmore Way, Sorrento;
- 2 exercise discretion under clause 7.3 (b) of the City of Joondalup Town Planning Scheme No. 1 to AUTHORISE a variation in the plot ratio requirements by 0.1 under the Height & Scale of Buildings in Residential Area Policy 3.1.9, which is acceptable in view of design and scale of the structure within the locality;
- 3 FORM the opinion that subject to compliance with the condition above that the proposal will not adversely affect the amenity of the adjoining owners by virtue of the applicant reasonably satisfying most of the terms of the Policy 3.1.9 and the Residential Planning Codes;
- 4 advise the submissioners of the City's determination.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners SUBJECT to no valid objections being received from the owner of Lot 436 Ashmore Way, Sorrento, within a period of 14 days from notification of the proposed development:

- 1 APPROVE the application for a single residence on Lot 414 (30) Ashmore Way, Sorrento subject to revised plans being submitted showing the residence at 0.8 metres lower in height in order to conform with the Council's Height and Scale of Buildings in Residential Areas Policy 3.1.9. The projection outside the building envelope of 0.8 metres being calculated by averaging the existing four (4) corners of Lot 414 (30) Ashmore Way, Sorrento;
- 2 exercise discretion under clause 7.3 (b) of the City of Joondalup Town Planning Scheme No. 1 to AUTHORISE a variation in the plot ratio requirements by 0.1 under the Height & Scale of Buildings in Residential Area Policy 3.1.9, which is acceptable in view of design and scale of the structure within the locality;
- 3 FORM the opinion that subject to compliance with the condition above that the proposal will not adversely affect the amenity of the adjoining owners by virtue of the applicant reasonably satisfying most of the terms of the Policy 3.1.9 and the Residential Planning Codes;
- 4 advise the submissioners of the City's determination.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners **SUBJECT** to no valid planning objections being received from the owner of Lot 436 Ashmore Way, Sorrento, within a period of 14 days from notification of the proposed development:

- 1** **APPROVE** the application for a single residence on Lot 414 (30) Ashmore Way, Sorrento subject to revised plans being submitted showing the residence at 0.8 metres lower in height in order to conform with the Council's Height and Scale of Buildings in Residential Areas Policy 3.1.9. The projection outside the building envelope of 0.8 metres being calculated by averaging the existing four (4) corners of Lot 414 (30) Ashmore Way, Sorrento;
- 2** exercise discretion under clause 7.3 (b) of the City of Joondalup Town Planning Scheme No. 1 to **AUTHORISE** a variation in the plot ratio requirements by 0.1 under the Height & Scale of Buildings in Residential Area Policy 3.1.9, which is acceptable in view of design and scale of the structure within the locality;
- 3** **FORM** the opinion that subject to compliance with the condition above that the proposal will not adversely affect the amenity of the adjoining owners by virtue of the applicant reasonably satisfying most of the terms of the Policy 3.1.9 and the Residential Planning Codes;
- 4** advise the submissioners of the City's determination.

Discussion ensued with concerns being raised regarding the definition of what was a 'valid objection.' Following discussion, it was agreed to include the word 'planning' after the word valid and before the word objection. This alteration was consented to by the Mover and Second.

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, 14 SEPTEMBER 1999** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1945 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
MORGAN
CLARK-MURPHY
ROWELL