



MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 23 NOVEMBER 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, 23 NOVEMBER 1999

ATTENDANCES

Commissioners:

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

Officers:

Chief Executive Officer:	L O DELAHAUNTY	
Director, Resource Management:	J B TURKINGTON	
Director, Planning & Development:	C HIGHAM	
Acting Director, Infrastructure Management:	D CLUNING	
Director, Community Development:	C HALL	<i>from 1802 hrs</i>
Executive Manager, Strategic Planning:	R FISCHER	
Manager, Division Taskforce:	B PERRYMAN	
Manager, Executive Services:	K ROBINSON	
Manager, Council Support Services:	M SMITH	
Publicity Officer:	L BRENNAN	
Committee Clerk:	J AUSTIN	
Minute Clerk:	L TAYLOR	

APOLOGIES AND LEAVE OF ABSENCE

Nil

There were 17 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 questions, submitted by Mr Ron De Gruchy of Sorrento, were taken on notice at the Meeting of Joint Commissioners held on 9 November 1999:

I asked some questions at the Meeting of Joint Commissioners held on 26 October 1999. In relation to the answers that were provided to me, I would like to propose two other questions:

Q1 I note that New South Wales and Victoria have a composite rate (which is not the same in each State) and ask that Council makes inquiries as to the procedures that operate in Queensland, South Australia and Tasmania.

A1 In **Queensland** the rating system for all local governments is based on Unimproved Valuations.

Local governments do have the ability to strike Differential Rates. There is a fair degree of flexibility available, as each local government is free to strike rates in various categories based on certain characteristics, including land use and consumption of a local government's resources.

Further, local governments may levy a separate flat charge across all properties for a particular predetermined service or undertaking in addition to the use of valuations.

In **South Australia**, the new Local Government Act 1999, which will be effective from 1 January 2000, permits a fair degree of flexibility to the 68 local governments able to use the following valuation systems:-

- Annual Valuation (equivalent to our Gross Rental Value)
- Capital Valuation (Market Value)
- Site Valuation (Unimproved Value)

Note: Only the City of Adelaide uses Annual Valuation

In addition, local governments are permitted to have a fixed charge with no limit, however political reality will dictate the extent of this application. It is envisaged that a combination of a fixed flat charge and a variable rate (based on valuation) will apply.

Minimum payments will apply, however, limited to 35% of the total assessments.

Local governments also have the ability to rate differentially, based on land use and/or land zoning.

In **Tasmania** the 29 local governments are free to adopt the following valuation bases:-

- * Capital Valuation (Market Value)
- * Assessed Annual Value (Gross Rental Value)
- * Land Value (without improvements)

All have adopted assessed annual value.

Valuations are undertaken by the Valuer General's Office with revaluations once in every 6 years. They form the basis for distributing the rate burden with minimum payments applying.

Local governments do have the flexibility to apply Differential Rating based on:-

- * land use
- * land zoning

Q2 In relation to the phasing in of rate increases (as practised by the Water Corporation) what other Councils or Shires in Western Australia actually do phase in increases in the GRV rates?

A2 This information is not readily available.

The Western Australian Local Government Department does not maintain statistics relating to which local governments, if any, phase in valuations.

Investigations with the Valuer General's Office also was to no avail, albeit that officers of that agency were not aware of any local government which did phase in valuations.

The following questions, submitted by Mr John Hollywood of Burns Beach, were taken on notice at the Meeting of Joint Commissioners held on 9 November 1999:

Q1 There was a report issued titled "The Clarkson/Butler Report" which made reference to the development of the whole of the Burns Beach bushland – Lot 2. One of the reasons given for this, is that this land cannot be developed and it is kept as bushland. The owners of the land want to be compensated by \$98,000,000. The owners have been charged rates as urban land, and yet the land is zoned rural. Could I have clarification on this, please?

A1 Part Lot 2 Burns Beach Road is in the localities of Burns, Kinross and Neerabup. The Kinross component is rated on Gross Rental Valuation, with the Burns and Neerabup components being rated on Unimproved Valuation. The Burns and Neerabup components are zoned rural and have always been rated as such.

Q2 Can you find out how long this land has been rated as urban and yet it is rural land?

- A2 The Burns and Neerabup portions of this land have not been rated urban.
- Q3 *How much are the owners likely to be compensated if it is still zoned rural, not urban?*
- A3 It is not believed there are any grounds for compensation claims from the City of Joondalup.
- Q4 *When did this turnabout arise?*
- A4 The land west of Marmion Avenue has been zoned rural and rated accordingly for in excess of 15 years.

The following questions, submitted by Mr M Sideris of Mullaloo, were taken on notice at the Meeting of Joint Commissioners held on 9 November 1999:

- Q1 *Are the Commissioners aware that the dual purpose cycle path constructed south of Mullaloo Surf Club fails to meet the current traffic engineering guidelines for paths. It fails in meeting alignment, safety aspects, signage, termination design, as well as cross fall embankments etc. I have spoken to two officers within the Engineering Division of Council. Neither of the officers were aware that there is a set of guidelines or a Code of Practice. I find it extremely strange that a Council that constructs a lot of footpaths fails to keep pace with current requirements.*

- A1 The City has carried out the recent construction to foreshore paths in accordance with Bikewest Standards, and is currently liaising on suitable signage.

Bikewest design is generally in line with guidelines set out by Austroads Bicycles Part 14, however they do have various local variations.

The City has constructed the foreshore paths in accordance with the current Foreshore Management Scheme and has gained approval from the West Australian Planning Commission.

Infrastructure Management will also be liaising in future with the local Aboriginal Groups and the newly formed Joondalup City Coastcare Forum in relation to the dual use path alignment northwards of the Mullaloo Surf Club.

- Q2 *Is any officer of Council aware of, or have any proposal under consideration for development, realignment, redesign associated with either the road way or property in the vicinity of the Mullaloo Surf Club?*

I am talking about the road realignment, road redevelopment, road proposal on Oceanside Promenade. I ask this for two reasons. I understand there is something happening near the tavern and I hear there is something under consideration. I am also hearing from other residents that it is intended to realign the road and install another roundabout.

- A2 The City has been looking at long term options for improving safety and amenity in the vicinity of Mullaloo Surf Club. One of the alternatives under consideration is to widen the median of Oceanside Promenade and make it continuous along this section. If adopted, this would necessitate the construction of a roundabout to enable vehicles from the beach car park to turn and go south. As the volume of traffic has increased, the danger to pedestrians crossing Oceanside Promenade from the beach to the tavern has increased, making it necessary to consider such measures.
- Q3 *On the 12 October 1999, I asked how “under consideration by the Joint Commissioners is the introduction of a property surveillance and security levy.....can be magically transformed into implementation without even receiving one response”. I duly note that the response was that Council placed this wording to give indication of the Commissioners’ intent.*
- I still cannot see how “under consideration” can be transformed into “implementation”. Can you kindly explain?*
- A3 The comments relating to the security levy advertised on 29 July were to indicate the Council’s intent. All rates and charges were only under consideration at that stage, until adoption of the Budget on 7 September 1999.
- Q4 *With respect to the nationally accredited training course for the security officers, can you kindly advise the accreditation body, the certificate number and with respect to the response given to my Question 6 does “such as the training course conducted by” mean the training course that the Rangers underwent, or is this just an example? I am curious at the use of the words “such as”. If the latter is correct, then can I receive advice of the specific course?*
- A4 The accreditation body is the Australian National Training Authority in Melbourne. The certificate number of the training provider Commercial Training Services (CTS) is 11421. The majority of Rangers employed by the City have completed a Certificate 2 in Security Services that was conducted by Commercial Training Services through the North Metropolitan College of TAFE. The remaining Rangers have completed similar structured training programmes with the same national accreditation status.
- Q5 *With respect to the specific section of the various Western Australian legislation that enables security guards, security rangers, or security officers to detain, is Section 564, Chapter 60 of the Criminal Code the complete answer?*
- A5 No – the general provisions for arrest are found in the Criminal Code, chapter 60, commencing with section 564, and the provisions therein deem certain conduct of the person making the arrest to be lawful. This includes the authority for a private citizen to make an arrest. Thus, if that citizen stays within the limits set out in the code, thereby acting lawfully, any resistance to that arrest will be unlawful.

Q6 With respect to the various questions on performance indicators, I am sure that the Commissioners having read the two sets of responses previously received which detailed these PIs are aware that in the first response, these included a whole range of initiatives, with only one definable indicator; and the second response detailed only initiatives and no PIs. With respect to the latest response given to the same question, then one can quite easily see that “quantifiable performance indicators due to the need to supply a certain quality service to meet the demands of the community” is as simple as asking and developing them by mutual agreement between the ratepayer and the Council service provider. I quote for your consideration:

*If you can't measure it, you can't understand it;
If you can't understand it, you can't control it;
If you can't control it, you can't improve it;
And if you can't measure it in the first place, then why are you doing it?*

A6 The comments that you made have been noted.

Q7 With respect to the market research details provided, can I please be supplied with a copy of the map appended for precinct areas?

A7 A copy of the map has been provided to Mr Sideris.

Q8 I note that the answer to the question related to advice from an independent authority, that Council sought and received advice from the City's solicitors. Can I please be provided with a copy of the advice, or a copy of the Council officer's recorded notes that details the advice received?

A8 As previously advised, the advice received from the City's solicitors was verbal. No written record was made of the conversation at the time.

Q9 With respect to the details reported in Report CJ305-09/99, can the Council advise the meaning or, or definition of, or provide points of clarification relative to referral, crime statistic, field report, customer security referral, and alarm responses?

A9 Referral means a job request from either an internal or external source pertaining to Ranger attendance in relation to security and Ranger functions. Crime statistic means a statistic provided to the City of Joondalup by the Joondalup Police District. A field report is information that a Ranger documents and forwards onto an external source and/or the information is used internally by Rangers for targeted patrols. Information contained within these reports related to items such as suspicious persons/vehicles, damage and anti social behaviour. Customer security referral is a referral that is specific to a security matter. Alarm responses are calls to attend activated security alarm systems in buildings.

Q10 With respect to Report CJ305-09/99, I note that the comprehensive security reports will be provided on a monthly basis. Are these publicly available, and will they be provided to Council for distribution via the Council agenda system?

- A10 Comprehensive security reports are available to the public upon request. It is not intended that the reports be distributed via the Council Agenda. Half yearly reports are provided to Council via the Council Agenda system.

The following questions were submitted by Mrs Audrey Hine, Wanneroo:

Q1 Did Council ever request an independent valuation on the exchange of public open space (Reserves 31016 and 30958) and that land owned by the developer at the Greenwood Primary School?

A1 No, Council did not request an independent valuation on the exchange of public open space. The matter of value relating to reserved land is the responsibility of the Department of Land Administration.

Q2 When the developer for “Prime” decided to exchange his land for ratepayers’ land, “POS”, did he have to pay for the rezoning and advertising entailed? If so, how much did it cost all up?

A2 The normal amendment administrative fee of \$2,750.00 was paid with regard to Amendment 833 to Town Planning Scheme No1 relating to the Greenwood reserves.

Q3 If the amendment was finalised on 21 May 1999, how come on one of attachments (2) was stamped on 17 May 1999 by State Planning prior to the amendment finishing. Could the planner please explain?

A3 Notice of Amendment 833 was published in the Government Gazette on 11 June 1999 which finalised the amendment process. It is assumed the attachment referred to in the question is a document relating to the separate but related subdivision process which was also under way at the time. The document was date stamped 17 May 1999 by the Ministry for Planning.

Mr V Harman, Ocean Reef:

- *Mr Harman thanked the Director Resource Management, Mr John Turkington, for attending the Annual General Meeting of the Ocean Reef Residents’ Association to explain the rating system applied by the Council.*

Q1 Can the decibel control unit in the Community Hall be disconnected? This disconnection will indicate whether recent alterations made by Council to the Hall have removed the need for the control unit.

A1 This request will be forwarded to Operations Services for action.

Q2 When Ocean Reef Road from Marmion Avenue to Hodges Drive is made into a dual carriageway, can provision be made for a roundabout onto Ocean Reef Road at Oceanside Promenade?

A2 *Response by Cmr Ansell:* This request will be noted.

Q3 Can I be provided with the record of incidents on Resolute Way attended by Security Services in the month of November? This is a trouble spot and I understand there have been a number of road accidents on a roundabout on Resolute Way.

A3 This question will be taken on notice.

Mr J Hollywood, Burns Beach:

Q1 Have any preliminary design plans for housing development been submitted for Council approval by owners of Lot 2?

A1 Response by Director Planning and Development: Not that I am aware of, but I will take this question on notice.

Q2 Peet and Company were handing out leaflets at the Lakeside Shopping Centre showing the redevelopment of the whole of Burns Beach. How can they do this if there is no preliminary approval?

A2 Response by Chief Executive Officer: I am aware that discussions with the Planning Commission regarding Bushplan have indicated that only a small portion of Lot 2 was to be developed and there had been agreement met with the owners.

Q3 What progress has been made on the footpath from Marmion Avenue to Burns Beach? It was promised six months ago that the footpath would be started in September.

A3 Response by Acting Director, Infrastructure Management: That project is still in line. We are waiting for confirmation from Beaumaris Land Sales who will undertake the first stage, and Council will undertake the second section. Hopefully this will be within two months.

Mr B Cooper, Kinross:

Q1 At a previous meeting I asked a question regarding Landcorp and its commitments in Joondalup. Residents have recently raised their concerns with me regarding pedestrian crosswalks within the City Centre. Could I ask what Landcorp, or Council, plan to do?

A1 Response by Cmr Ansell: This question will be taken on notice.

Mr M Sideris, Mullaloo:

Q1 I will table a copy of the Customer Satisfaction and Community Needs Study, previously supplied to me by Council. Apart from the precinct diagram which I received yesterday, can you advise if this is a complete copy of the report?

A1 Response by Cmr Ansell: As far as officers are aware, it is a complete copy.

- Q2 Where is the table of contents, results, conclusion, discussion, where does it identify appendices, where is the data tables?*
- A2 Response by Cmr Ansell: We will take these questions on notice and answer them at the next meeting.*
- Q3 In broad terms, it is lacking as a report. It took some four months to prepare and cost some \$27,800 of ratepayers' money. Can the Commissioners please explain why such a poorly presented document was accepted by Council and when a properly presented document might be available to ratepayers?*
- A3 Response by Cmr Ansell: This question will be taken on notice.*
- Q4 With respect to the survey details contained, can you show me where 78% of the people living in the City are concerned with security?*
- A4 Response by Cmr Ansell: This question will be taken on notice.*
- Q5 Is the 78% figure referring to prompted or unprompted questions in the survey?*
- A5 Response by Cmr Ansell: This question will be taken on notice.*
- Q6 In an earlier response, the Chairman advised that the reason for including the security levy on a rate notice was to identify to the community the amount that is actually spent on security. Can you kindly advise where in the expenditure details in tonight's agenda the amount of expenditure associated with security and surveillance services for the September period is shown.*
- A6 Response by Cmr Ansell: It is not shown separately.*
- Q7 If you raised it separately, why do you not show it separately?*
- A7 Response by Cmr Ansell: They are two different things. We are showing you what the cost is, the cost that was anticipated for the year. We will not provide every expense account, as this detail would not be wanted.*
- Q8 On 28 September, in a question regarding a crime audit, I was advised that the security audit is currently being completed. Can you kindly advise what status the audit is at, and when will it be available?*
- A8 Response by Director, Community Development: We hope that the report will be available within six weeks. The consultants have only last week received the information from the Police Service, to enable them to complete their task.*
- Q9 With respect to the response received on the possible Oceanside Promenade road realignment and works, will the Council consult with the local residents and progress association prior to formalising and proceeding with any such consideration?*
- A9 Response by Cmr Ansell: This question will be taken on notice.*

Mr S Magyar, Heathridge:

Q1 With reference to Late Item No 1 (Adjustment/Transfer of Non Current Assets (Receivables) and Non Current Liabilities (Borrowings) of the Former City of Wanneroo). Page 1 of the attachment lists non current assets and liabilities of the former City of Wanneroo as at 30 June 1999. It appears that the \$1116.00 owed by the WA Folk Federation is an outstanding debt that will be left with the City of Wanneroo, but I understood that when determining liabilities, this would be done on geographic location. The WA Folk Federation held its festival at Arena, Joondalup so I believe this was money that Joondalup would be required to collect.

A1 Response by Manager Division Taskforce: It was understood that the festival was held in Wanneroo. This will be investigated and the appropriate adjustment made.

Q2 In relation to Farmer Jacks, Connolly, the amount of \$314.00 has been written off, with \$79.00 to be collected by the City of Wanneroo. Farmer Jacks was in the City of Joondalup.

A2 Response by Manager Division Taskforce: This has been allocated to the City of Wanneroo as this is a debt relating to commercial rubbish. The City of Wanneroo has taken over the collection of commercial rubbish and provides this service to the City of Joondalup.

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

**C48-11/99 MINUTES OF MEETING OF JOINT COMMISSIONERS –
9 NOVEMBER 1999**

MOVED Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the Minutes of the Meeting of Joint Commissioners held on 9 November 1999, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION**CITY OF JOONDALUP ADMINISTRATION CENTRE 20TH ANNIVERSARY**

This weekend 20 years ago, staff of the then Shire of Wanneroo packed their bags and moved to the Joondalup administration building.

The administration centre was the first building to be opened in Joondalup. (The hospital commenced construction earlier, but did not open until August 1980).

This occasion will be marked in a special 25th anniversary edition of the Wanneroo Times community to be published in the near future.

WOODVALE COMMUNITY CENTRE

The Woodvale Community Centre opened for business on 11 November 1999. At present there are two major users of the Centre.

The City's "Adult Day Centre" program for frail aged and people with disabilities has transferred from Warwick to the Woodvale Centre. The Joondalup RSL is also using the Centre.

A community consultation process is to be established to identify the community's needs and determine how the Centre can best be used.

Commissioner Ansell advised that later in the meeting there would be a presentation recognising the City's efforts in relation to the Greenhouse Campaign.

PETITIONS

1 PETITION OBJECTING TO THE PROPOSED SHOPPING CENTRE – LOT 715/110 FLINDERS AVENUE, HILLARYS – [04412J]

A 187- signature petition has been received from Hillarys residents objecting to the proposed shopping centre being built at Lot 715/110 Flinders Avenue, Hillarys in the current format.

Main areas of concern are skateboard area, outdoor stage, possibility of a combined liquor store and tavern and total size of the development.

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

2 PETITION SUPPORTING THE PROPOSED SHOPPING CENTRE – LOT 715/110 FLINDERS AVENUE, HILLARYS – [04412J]

A 27-signature petition has been received from Hillarys residents supporting the proposed shopping centre at Lot 715/110 Flinders Avenue, Hillarys.

The petitioners welcome not only the presence of a supermarket, medical centre, pharmacy, but also the community facilities that will be associated with this centre.

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

Chairman of Commissioners advised that a number of letters had been received in relation to the issue of the proposed shopping centre, Lot 715/110 Flinders Avenue, Hillarys and these would be taken into consideration.

3 PETITION SUPPORTING THE PROPOSED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN FINSTOCK MEWS AND CHADLINGTON DRIVE, PADBURY – [35984J]

A 13-signature petition has been received from Padbury residents supporting the proposed closure of the pedestrian accessway between Finstock Mews and Chadlington Drive, Padbury.

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

4 PETITION REQUESTING INSTALLATION OF RETICULATION SYSTEM, PLAYGROUND EQUIPMENT AND CYCLE/WALKING PATH, WENTWORTH PARK, PADBURY – [26565J]

At the instigation of neighbourhood children, a 33-signature petition has been received from Padbury residents requesting the installation of a reticulation system, modern plastic playground equipment and cycle/walking path at Wentworth Park, Padbury.

This petition will be referred to Infrastructure Management for action.

5 PETITION REQUESTING THE UPGRADE OF RUTHERGLEN PARK, KINROSS – [40500J]

A 94-signature petition has been received from residents of the City of Joondalup requesting the upgrade of Rutherglen Park, Kinross.

The petitioners request that playground equipment be erected within the park and that the park be landscaped, with reticulation being installed to maintain the upkeep of the landscaping.

This petition will be referred to Infrastructure Management for action.

6 PETITION OBJECTING TO THE CLOSURE OF THE PEDESTRIAN ACCESSWAY BETWEEN HAWKER AVENUE AND THE WARWICK TRAIN STATION – [09122J]

An 81-signature petition has been received from residents of the City of Joondalup objecting to the closure of the pedestrian accessway between Hawker Avenue and the Warwick Train Station.

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

POLICY

CJ396-11/99 REVIEW OF POLICY 3.1.9 – HEIGHT AND SCALE OF BUILDINGS WITHIN A RESIDENTIAL AREA - [08375]

SUMMARY

Council adopted Policy G3-17 Height and Scale of Buildings in a Residential Area (DP78-03/98 refers) at the meeting of Joint Commissioner's on 24 March 1998. A review of the Policy Manual on 22 June 1999 renumbered this policy to Policy 3.1.9. Some concern has been raised regarding the application of the policy. While the issues and overall approach of the policy are supported it has become evident that the policy requires review particularly in relation to the definition of "Natural Ground Level" and the plot ratio requirement.

It is proposed that the policy be modified by the deletion of the plot ratio and adjustment to the definition of "Natural Ground Level" and that the modified policy be adopted and made available for public inspection and comment.

BACKGROUND

The Height and Scale of Buildings Policy was prepared in response to continuing community concern regarding the impact of large dwellings on surrounding properties. Following a comprehensive advertising process including direct contact with the industry Policy G3-17 Height and Scale of Buildings in a Residential Area (DP78-03/98 refers) was adopted at the meeting of Joint Commissioners 24 March 1998. A review of the Policy Manual on 22 June 1999 renumbered this policy to Policy 3.1.9.

The subject policy works with the provisions in the scheme text to require a development application in addition to a building licence where the height of a proposed building exceeds 8.5 metres as a lesser height close to boundaries or plot ratio (the ratio of habitable floors to the land area of the lot) exceeds 0.5.

DETAILS

Since adoption of Policy G3-17 (now Policy 3.1.9) Height and Scale of Buildings in a Residential Area (DP78-03/98) some difficulty has been experienced in the application of the subject policy and it has become evident that the policy requires review:

- Difficulties from industry and assessment with the concept and application of the "Building Threshold Envelope";
- The definition of "Natural Ground Level";
- Proposals for a floor level datum;
- Plot ratio requirement.

There is also a need to bring the policy in line with DPS No.2, approval that is expected in the near future.

Relevant Legislation/Advertising

Clause 5.11 of the Scheme contains provisions relating to the preparation of planning policies and amendments or additions to policies. Clause 5.11(b) outlines the procedures, which are required to be followed in order for a policy to become operative.

COMMENT

Building Threshold Envelope

The current building threshold envelope is based upon the Australian Model Code for Residential Development. A building envelope created over the site defines the building height depending on the distance from the boundaries. This has been perceived as a maximum building height limit but it is only the point at which amenity should be specifically investigated. Below the threshold, impact on amenity is deemed to be negligible and no development application is required. Above the threshold, amenity could be an issue and is required to be addressed in a development application.

The height threshold increases as the setback distance from side and rear boundary increases. Planes are projected at 45 degrees from a height of 3.5 metres above natural ground level at the side and rear boundaries, and is defined by a vertical plane at 3.0 metres from the front boundary. In the case of side and rear boundaries, this means that the building height threshold increases by 1 metre from the set boundary height of 3.5 metres for each 1 metre distance from the boundary. This has been perceived as a 3 dimensional form presenting difficulty when relating to the 3 dimensional form of some proposed buildings. It is considered less complicated to calculate spot heights on the building and the distance from the boundary to determine whether a development application is required.

The overall approach is considered to be favourable as it identifies circumstances where the issue of amenity should be addressed, particularly near boundaries. However, through experience with application of the policy it has been recognised that it can complicate the application assessment process because of the need to overlay building elevation with a geometric plane which adds to the time taken for assessment and the potential to make errors. Translation of the requirement has presented some difficulty for landowners and designers as well. Resources have been expended to determine if a development application is required rather than assessing impact on amenity.

Under the revised approach an assessment of an application can use spot heights for salient points of the building above natural ground level in relation to that point and the distance from the nearest boundary. If there is any doubt at all in the application of the “Building Threshold Envelope” the application should be dealt with as a development application and amenity assessed.

The following table simplifies the above:

Distance From Boundary	Height above Natural Ground Level
0m	3.5m
0.5m	4.0m
1.0m	4.5m
1.5m	5.0m
2.0m	5.5m
2.5m	6.0m
3.0m	6.5m
3.5m	7.0m
4.0m	7.5m
4.5m	8.0m
5.0m	8.5m

To simplify the application of the “Building Threshold Envelope” it is proposed to alter the definition as follows:

“Building Threshold Envelope” shall mean the imaginary envelope over a building site described by a height above natural ground level of 3.5m at the side and rear boundaries increasing in line (metre for metre) with the distance to the closest boundary to a height of 8.5 metres but not extending closer than three metres to the street boundary.

It should be noted that the current policy contains provisions for applications where a building height of 8.5 metres or the building height threshold is exceeded. In these cases an application for development approval is required which must include a written justification by the applicant including the likely impact of the height and location of the building (s) on the amenity of nearby landowners and the surrounding area generally.

Natural Ground Level

“Natural Ground Level” is currently defined as follows:

- “(a) *the contour or spot levels (RL) of previously undisturbed land noted on a site plan or site survey plan;*
- (b) *land within areas having terraced retaining walls constructed as part of subdivisional works shall be deemed to have a natural ground level corresponding with the halfway height of the retaining wall at the site boundary;*
- (c) *Land within areas having been recontoured without retaining as part of subdivisional works shall be deemed to have natural ground level coinciding with the recontoured ground;*
- (d) *Where land has been previously disturbed, natural ground level shall be deemed to be based on existing records or where there are no adequate records, an estimate as determined by the Chief Executive Officer.*

Interpretation of the definition has been problematic in the past and has given rise to some confusion due to uncertainty of which situation to apply in which case. In order to simplify the definition it is intended to delete (b), label existing (c) as (b) and modify as follows:

- (b) *land within areas having been recontoured with or without retaining walls as part of subdivisional works shall be deemed to have natural ground level coinciding with the recontoured ground;*

Floor Level

It has been suggested that the policy would work better if it sets a floor level as a datum. Concern has been expressed in regards to the need to set a floor level as a datum. This is not favoured as on a sloping site it means that some applications will not be assessed when they should be and others may require to be assessed when not necessary.

Plot Ratio

Plot ratio was the principal tool for limiting over-development of sites prior to the introduction of the latest version of the R Codes. The issue of residential building height has been exacerbated in recent times by removal of the plot ratio limit coinciding with the general reduction in lot sizes.

Plot ratio was included in the policy as it was determined that an approach based on the plot ratio requirement in conjunction with height criteria would be the best approach to control the impact of dwellings on amenity.

The policy includes the application of a plot ratio requirement of 0.5:1 to all development in the residential area with the exception of residential development for which plot ratio is otherwise assigned in Table 1 of the R Codes (plot ratio controls are applicable to grouped and multiple dwellings in the R40 and higher density coding, although not in areas coded below R40).

It is considered that the plot ratio requirement may be deleted as there is sufficient control within the Residential Planning Codes such as the provision of open space on each lot (which impacts upon site cover). This requirement in addition to the application of the general height criteria is effective in limiting the impact of bulk and scale of development on amenity.

Process

The scheme provisions require upon adoption of a draft policy to publish a notice once a week for two consecutive weeks in a newspaper circulating within municipality giving details of inspection and during what period that submission may be made; that period being not less than 21 days. In this case it is proposed to advertise the draft policy for a period of 28 days and to seek input for industry representation.

Assessment and Reasons for Recommendation

It is proposed that the amendments to the policy as per Attachment 1 be adopted and consent to advertise be granted.

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

- 1 in accordance with clause 5.11 of Town Planning Scheme No.1 ADOPT the amended Policy 3.1.9 - Height and Scale of Buildings Within Residential Areas, as per Attachment No 1 to Report CJ396-11/99 as a draft policy for advertising for a period of twenty eight (28) days for public comment;**

- 2 INVITE comment on the draft policy from appropriate representatives of the building industry, and architectural and planning professions, for consideration prior to final adoption.**

Cmr Buckley spoke in support of the Motion and advised this report dealt with minor amendments that had been made to the Height and Scale of Buildings Within a Residential Area Policy since its adoption for ease of management in applying the policy when considering new applications for development.

The Motion was Put and

CARRIED

Appendix 1 refers – click here: [Att1min2311.pdf](#)

C49-11/99 PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS – 9 NOVEMBER 1999

Commissioner Ansell referred to Petitions tabled earlier in the meeting and the need to record both Mover and Seconder for the Motion.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the petitions:

- 1 objecting to the proposed shopping centre being built at Lot 715/110 Flinders Avenue, Hillarys in the current format;**
- 2 supporting the proposed shopping centre at Lot 715/110 Flinders Avenue, Hillarys;**
- 3 supporting the proposed closure of the pedestrian accessway between Finstock Mews and Chadlington Drive, Padbury;**
- 4 requesting the installation of a reticulation system, modern plastic playground equipment and cycle/walking path at Wentworth Park, Padbury;**
- 5 requesting the upgrade of Rutherglen Park, Kinross;**
- 6 objecting to the closure of the pedestrian accessway between Hawker Avenue and the Warwick Train Station;**

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

The Motion was Put an

CARRIED

FINANCE AND COMMUNITY DEVELOPMENT

Items CJ397-11/99 to CJ400-11/99 and C50-11/99 to C52-11/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley. Cmr Clark-Murphy stated her intention to speak on these Items collectively.

**CJ397-11/99 DETERMINATION PURSUANT TO CLAUSE 8 (1) OF
THE JOONDALUP AND WANNEROO ORDER 1998 -
ADJUSTMENT/TRANSFER OF THE FORMER CITY
OF WANNEROO ARTWORKS - [38634]**

SUMMARY

Clause 8 (1) of the Joondalup and Wanneroo Order requires the Commissioners to determine the adjustment or transfer that is to be made between the City of Joondalup and the new City of Wanneroo of property, rights and liabilities of the former City of Wanneroo.

The former City of Wanneroo, as at 30 June 1998, recorded 232 items of art valued at \$213,850 (based on historic cost). This report deals with the adjustment and transfer of those artworks.

BACKGROUND

Report CJ215-06/99, considered by the Commissioners at their meetings on 22 June 1999, endorsed the outcomes of a series of Workshops undertaken by the Commissioners. Artworks were one category of assets considered at those workshops. It was decided to endorse the framework that had been developed by the Art Collection Working Party to distribute the Art Collection between the City of Joondalup and the new City of Wanneroo. The framework had been designed to provide a clear and rational basis on which to form separate collections, with logical themes and subject matter together with integrated artforms relevant to the community of each local government.

DETAILS

Essentially, five categories of artworks were identified to form the framework for the distribution. Each piece of art was assessed against the framework and where an artwork fitted into more than one category it was allocated in order of priority of the categories listed hereunder: -

- Artworks in existing outlying locations are to be allocated on the basis of location;
- Artworks relating to the history of Wanneroo or donated to the former Shire of Wanneroo are to be allocated to the City of Wanneroo;
- Artworks relating to the history of Joondalup are to be allocated to the City of Joondalup;

- Artworks acquired prior to 1992 (between 1979-1991) are to be allocated to the City of Wanneroo; and
- All remaining artworks are to be individually assessed in accordance with the following sections of 'like' work to ensure that the individual Art Collections retain their integrity: -

To be allocated to the City of Wanneroo

- Rural landscape works;
- Animal and plant life works;
- Aboriginal works; and
- Ceramics.

To be allocated to the City of Joondalup

- Urban landscape works;
- Boat and sea pictures and sculptures;
- Still life and domestic interior works;
- Figurative works;
- Abstract works; and
- Portraits.

The result of that assessment was that two schedules (see attached) of artwork have been developed: -

- Schedule JA listing 91 items of art with a book value of \$127,006 which are recommended for adjustment/transfer to the City of Joondalup; and
- Schedule WA listing 132 items of art with a book value of \$86,844 which are recommended for adjustment/transfer to the new City of Wanneroo.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners in accordance with the provisions of Clause 8 (1) of the Joondalup and Wanneroo Order 1998, DETERMINE the adjustment/transfer of the artworks owned by the former City of Wanneroo as follows:

- 1 all those artworks listed on attached Schedule JA to Report CJ397-11/99 be transferred to the ownership of the City of Joondalup;**
- 2 all those artworks listed on attached Schedule WA to Report CJ397-11/99 be transferred to the ownership of the City of Wanneroo.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix 2 refers – click here: [Att2min2311.pdf](#)

CJ398-11/99 DETERMINATION PURSUANT TO CLAUSE 8 (1) OF THE JOONDALUP AND WANNEROO ORDER 1998 - ADJUSTMENT/TRANSFER OF INFRASTRUCTURE ASSETS OF THE FORMER CITY OF WANNEROO - [38634]

SUMMARY

Clause 8 (1) of the Joondalup and Wanneroo Order requires the Commissioners to determine the adjustment or transfer that is to be made between the City of Joondalup and the new City of Wanneroo of property, rights and liabilities of the former City of Wanneroo.

This determination relates to the infrastructure assets of the former City of Wanneroo. This category of assets is made up of roads, footpaths, drainage, car parks (including lighting) and various other types of engineering and parks assets.

BACKGROUND

The infrastructure assets of the former City of Wanneroo as at 30 June 1998 are summarised in the table 1 below.

TABLE 1

FORMER CITY OF WANNEROO INFRASTRUCTURE ASSETS AS AT 30 JUNE 1998			
	COST	DEPREC	WRITTEN DOWN VALUE
RESERVES INFRASTRUCTURE	38,073,231	1,061,160	37,012,071
ROADS INFRASTRUCTURE	373,839,293	7,908,042	365,931,251
FOOTPATHS INFRASTRUCTURE	13,091,688	434,678	12,657,010
DRAINAGE INFRASTRUCTURE	191,650,916	2,940,137	188,710,779
CAR PARKING INFRASTRUCTURE	13,387,025	416,695	12,970,330
OTHER ENGINEERING INFRASTRUCTURE	18,749,079	669,659	18,079,420
HEALTH INFRASTRUCTURE	11,652	-	11,652
RECREATION INFRASTRUCTURE	38,061	-	38,061
	648,840,945	13,430,371	635,410,574

Infrastructure assets, by their nature, are fixed in terms of location and provide a community facility in the area in which they are located. The Joint Commissioners therefore consider it appropriate that adjustment of these assets should be based on each assets physical location.

DETAILS

All infrastructure assets recorded in the Assets Register of the former City of Wanneroo as at 30 June 1998 have been identified (by location) to be in the City of Joondalup or the new City of Wanneroo. Detailed schedules have been prepared for each of the two new local governments.

The written down value of the former City's infrastructure assets amounted to \$635,410,574. This determination will result in the new local governments bringing to account infrastructure assets of the former City with approximate written down values as follows: –

City of Joondalup	\$389,948,475	City of Wanneroo (new)	\$245,462,099
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Table 2 provides details by category.

TABLE 2

	CITY OF JOONDALUP	CITY OF WANNEROO
	WDV (\$)	WDV (\$)
RESERVES INFRASTRUCTURE	22,715,041	14,297,030
ROADS INFRASTRUCTURE	210,002,393	155,928,858
FOOTPATHS INFRASTRUCTURE	8,969,202	3,687,808
DRAINAGE INFRASTRUCTURE	126,683,309	62,027,470
CAR PARKING INFRASTRUCTURE	7,291,340	5,678,990
OTHER ENGINEERING INFRASTRUCTURE		
Refuse Recycling Sites	-	166,838
Hard Court Surfaces (Netball/Tennis Courts, incl. Lights)	1,636,715	1,278,859
Bus Shelters	281,040	130,680
Underpasses and Bridges	7,220,653	857,333
Joondalup City Lighting (Poles and Lamps)	2,994,905	
Ocean Reef Boat Harbour (various assets)	820,880	
Public Access Ways	1,067,414	261,768
Robertson Road Cycleways (Poles and Lamps)	98,485	
Beach Access Ways	133,682	51,758
Other Miscellaneous Eng Infrastructure	33,416	4,015
Council Works Depot	-	1,040,979
HEALTH INFRASTRUCTURE		11,652
RECREATION INFRASTRUCTURE		38,061
TOTAL ALLOCATIONS	389,948,475	245,462,099

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners, pursuant to Clause 8 (1) of the Joondalup and Wanneroo Order 1998, DETERMINE that the former City of Wanneroo's infrastructure assets be adjusted/transferred to the City of Joondalup or the City of Wanneroo dependent on the local government within which each asset is located.

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED

**CJ399-11/99 DETERMINATION PURSUANT TO CLAUSE 8 (1) OF
THE JOONDALUP AND WANNEROO ORDER 1998 -
ADJUSTMENT/TRANSFER OF UNITS HELD IN THE
LOCAL GOVERNMENT HOUSE TRUST - [38634]**

SUMMARY

Clause 8 (1) of the Joondalup and Wanneroo Order requires the Commissioners to determine the adjustment or transfer that is to be made between the City of Joondalup and the new City of Wanneroo of property, rights and liabilities of the former City of Wanneroo.

The former City of Wanneroo was a beneficiary of the Local Government House Trust. As such it held 10 units in the Trust. Each unit was valued at \$3,146.72 as at 30 June 1998.

BACKGROUND

Initial advice received from the Western Australian Municipal Association (WAMA) was that the former City held ten units of equity in Local Government House as the result of an original contribution of \$10,000 in 1979. It was pointed out that the Trustees were keen to ensure that any Councils created by a division, retain equity equal to other Councils with a similar revenue base.

More recently, however, WAMA has advised that doubling the equity held by the former City of Wanneroo to enable each of the two new local governments to have 10 units, is not a possibility.

DETAILS

WAMA advises that the only options available to the Commissioners are: -

- to divide the existing unit holding; or
- allocate the existing unit holding to one or the other of the new local governments.

It is considered to be in the interests of both new local governments that the units held by the former City of Wanneroo be divided equally. That is, five units should be transferred to the City of Joondalup and the remaining five units should be transferred to the new City of Wanneroo.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that:

- 1 the Joint Commissioners pursuant to Clause 8 (1) of the Joondalup and Wanneroo Order 1998, DETERMINE that the former City of Wanneroo's unit holding in the Local Government House Trust be adjusted equally between the City of Joondalup and the new City of Wanneroo;**
- 2 the determination in 1 above, resulting in unit holdings of five (5) units for each of the City of Joondalup and the new City of Wanneroo, be advised to the Western Australian Municipal Association.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED

CJ400-11/99 ADJUSTMENT/TRANSFER OF NON CURRENT ASSETS OF FORMER CITY OF WANNEROO (PLANT AND VEHICLES; FURNITURE AND FITTINGS AND OTHER PLANT AND EQUIPMENT) - CLAUSE 8, JOONDALUP AND WANNEROO ORDER 1998 - [17394]

SUMMARY

At meetings of the Joint Commissioners of the City of Joondalup and the then Shire of Wanneroo held on 22 June 1999, it was resolved to endorse the outcomes resulting from a series of workshops conducted by the Commissioners. These workshops were held specifically to establish the manner in which the assets and liabilities of the former City of Wanneroo should be adjusted/transferred.

Subsequent to the endorsement of the outcomes of those workshops, work has continued on the identification and scheduling of all assets and liabilities of the former City of Wanneroo.

This report deals with specific categories of non-current assets, namely, plant and vehicles, furniture and fittings and other plant and equipment. The balance of non-current assets are the subject of separate reports and recommendations.

BACKGROUND

The Joondalup and Wanneroo Order 1998 (the Order) abolished the former City of Wanneroo and created the new local governments of the City of Joondalup and the Shire of Wanneroo. Five (5) commissioners were appointed to be Joint Commissioners for both the City and the Shire.

The Order (clause 8) empowered the commissioners to determine any adjustment or transfer of the former City's property, rights and liabilities between the two new local governments. Clause 8 further provides that in making such determinations the commissioners are to have regard to the interests of the City of Joondalup and the Shire of Wanneroo.

The fact that Order giving effect to the abolition of the former City and the establishment of the two new Cities on 1 July 1998 was gazetted on 26 June 1998, made it impossible to transfer/adjust any of the assets and liabilities on or before the "division". The Order recognised this situation in providing that (clause 9), until a determination is made under clause 8, or further directions are given by order under section 9.62 of the Local Government Act 1995, all real and personal property owned by, or vested in the former City of Wanneroo will be transferred or become vested in the City of Joondalup.

To enable the "division" process to be as seamless as possible and encourage the continuation of appropriate asset management principles, asset utilisation and normal acquisition, disposal and replacement activities were continued. Hence, a number of assets owned by the former City of Wanneroo on 30 June 1998 no longer remain in the ownership of the City of Joondalup.

Similarly, many of the assets acquired by the City of Joondalup during 1998/99 are replacements (using the asset of the former City as a trade-in). Consequently, the adjustment of non-current assets involves assets held by the City of Joondalup on 30 June 1999.

DETAILS

A combined assets register, recording all assets owned by the City of Joondalup and the now City of Wanneroo as at 30 June 1999 has been balanced with the draft annual financial statements for each local authority. This assets register has been matched with the assets register of the former City of Wanneroo as at 30 June 1998, resulting in three separate listings as follows: -

- Assets of the former City of Wanneroo that continue to be recorded in the City of Joondalup asset register. In the case of the asset categories covered by this report each has been adjusted/transferred between the City of Joondalup and the City of Wanneroo in accordance with the endorsed outcomes of the workshops referred to earlier;
- Assets recorded in the asset register of the former City of Wanneroo that no longer appear in the City of Joondalup assets register. These assets have either been disposed of or written-off during the 1998/99 financial year (adjusted/transferred to the City of Joondalup); and
- Assets that appear on the City of Joondalup assets register but did not appear on the former City of Wanneroo assets register. These assets have been acquired during the 1998/99 financial year and in most cases replaced an asset of the former City of Wanneroo. Hence, such assets have been adjusted/transferred between the City of Joondalup and the City of Wanneroo in accordance with the endorsed outcomes of the workshops. However, new IT Systems purchased were funded by the City of Joondalup and have been adjusted/transferred between the two new Cities equally subject to the City of Wanneroo paying the City of Joondalup the sum of \$1,164,000.

The Commissioners note that the fixed assets of the former City of Wanneroo had not been the subject of a recent physical stocktake and a desktop audit conducted by the City's staff failed to identify all assets scheduled for adjustment/transfer to the City of Joondalup. As a result the City included a provision of \$120,000 in its 1998/99 financial accounts against which unidentified assets can be written-off.

The Commissioners are aware that there may be a need for a complete physical review of all fixed assets, particularly in the furniture and fittings category. The accuracy of the records in this area was unable to be verified due to the physical separation of staff and the need to move City of Wanneroo staff into temporary accommodation while a new administrative centre is constructed.

The following tables summarise the various components of this determination: -

TABLE 1

Summarises the allocation of former City of Wanneroo assets (including those disposed of or written-off during 1998/99).

ALLOCATION SUMMARY of FORMER CITY OF WANNEROO				
PLANT AND VEHICLES - FURNITURE AND FITTINGS - OTHER PLANT AND EQUIPMENT				
		AS AT 30 JUNE 1998	TO JOONDALUP	TO WANNEROO
Plant and Vehicles	Historic Cost	22,106,149	9,398,189	12,707,960
	Depreciation	6,805,853	3,465,756 *	5,471,336 *
	Written Down Value	\$ 15,300,296	\$ 5,932,433	\$ 7,236,624
* includes 98/99 depreciation expense - \$2,131,239				
Furniture and Fittings	Historic Cost	5,427,612	5,101,358	326,254
	Depreciation	2,806,413	3,268,086 *	236,790 *
	Written Down Value	\$ 2,621,199	\$ 1,833,272	\$ 89,464
* includes 98/99 depreciation expense - \$698,463				
Other Plant and Equipment	Historic Cost	4,044,122	2,217,642	1,826,480
	Depreciation	2,335,744	1,587,230 *	1,049,449 *
	Written Down Value	\$ 1,708,378	\$ 630,412	\$ 777,031
* includes 98/99 depreciation expense - \$300,935				

TABLE 2

Summarises the allocation of the combined 1998/99 acquisitions of both new local governments.

ALLOCATION SUMMARY of 1998/99 ACQUISITIONS				
PLANT AND VEHICLES - FURNITURE AND FITTINGS - OTHER PLANT AND EQUIPMENT				
		ACQUIRED 1998/99	TO JOONDALUP	TO WANNEROO
Plant and Vehicles	Historic Cost	4,809,735	2,003,490	2,806,245
	Depreciation (98/99)	130,932	56,279	74,653
	Written Down Value	4,678,803	1,947,211	2,731,592
Furniture and Fittings	Historic Cost	3,326,355	1,447,268	1,879,087
	Depreciation (98/99)	255,042	98,599	156,443
	Written Down Value	3,071,313	1,348,669	1,722,644
Other Plant and Equipment	Historic Cost	132,089	29,599	102,490
	Depreciation (98/99)	3,601	1,480	2,121
	Written Down Value	128,488	28,119	100,369

TABLE 3

Summarises the results of this determination and reduces the City of Joondalup assets by the 1998/99 disposals to reflect the 30 June 1999 asset holdings for the three categories of asset addressed in this report.

SUMMARY					
PLANT AND VEHICLES - FURNITURE AND FITTINGS - OTHER PLANT AND EQUIPMENT					
	JOONDALUP			WANNEROO	TOTAL
	Adjusted	Disposed	at 30 June 1999		
Plant and Vehicles					
Historic Cost	11,401,679	4,246,215	7,155,464	15,514,205	22,669,669
Accum. Deprec.	3,522,035	1,867,769	1,654,266	5,545,989	7,200,255
Written Down Value	7,879,644	2,378,446	5,501,198	9,968,216	15,469,414
Furniture and Fittings					
Historic Cost	6,548,626	1,381,120	5,167,506	2,205,341	7,372,847
Accum. Deprec.	3,366,685	814,930	2,551,755	393,233	2,944,988
Written Down Value	3,181,941	566,190	2,615,751	1,812,108	4,427,859
Other Plant and Equipment					
Historic Cost	2,247,241	688,611	1,558,630	1,928,970	3,487,600
Accum. Deprec.	1,588,710	526,666	1,062,044	1,051,570	2,113,614
Written Down Value	658,531	161,945	496,586	877,400	1,373,986

Schedules 1, 2 and 3 (attached) list the various assets to be included in the Assets Registers (and Balance Sheets) of the new Cities as at 30 June 1999.

COMMENT/FUNDING

It is noted that the itemised allocation of plant and equipment, furniture and fittings and other plant and equipment is the result of negotiations between the new Cities. The Asset Management staffs of the City of Joondalup and the City of Wanneroo have each endorsed the schedules resulting from this adjustments/transfer of assets.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners, in accordance with the provisions of Clause (8) of the Joondalup and Wanneroo Order 1998, DETERMINE the adjustment/transfer of the assets held by the City of Joondalup as at 30 June 1999, as follows:

- 1 the plant and vehicles listed on Schedule 1 to Report CJ400-11/99 be transferred in the manner shown on the Schedule, resulting in adjustments/transfers to:**
 - (a) the City of Joondalup of plant and vehicles with a combined written down value of \$5,501,198;**
 - (b) the City of Wanneroo of plant and vehicles with a combined written down value of \$9,968,216.**
- 2 the furniture and fittings listed on Schedule 2 to Report CJ400-11/99 be transferred in the manner shown on the Schedule, resulting in adjustments/transfers to:**
 - (a) the City of Joondalup of furniture and fittings with a combined written down value of \$2,615,751;**
 - (b) the City of Wanneroo of furniture and fittings with a combined written down value of \$1,812,108;**

SUBJECT TO the City of Wanneroo paying to the City of Joondalup an amount of \$1,164,000 representing 50% of the cost of the major IT systems acquired by the City of Joondalup during 1998/99;
- 3 the other plant and equipment listed on Schedule 3 to Report CJ400-11/99 be transferred in the manner shown on the Schedule, resulting in adjustments/transfers to:**
 - (a) the City of Joondalup of other plant and equipment with a combined written down value of \$496,586;**
 - (b) the City of Wanneroo of other plant and equipment with a combined written down value of \$877,400.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix 3 refers – click here: [Att3min2311.pdf](#)

C50-11/99 ADJUSTMENT/TRANSFER OF NON CURRENT ASSETS (RECEIVABLES) AND NON CURRENT LIABILITIES (BORROWINGS) OF FORMER CITY OF WANNEROO - CLAUSE 8, JOONDALUP AND WANNEROO ORDER 1998 - [23475]

SUMMARY

At meetings of the Joint Commissioners of the City of Joondalup and the then Shire of Wanneroo held on 22 June 1999, it was resolved to endorse the outcomes resulting from a series of workshops conducted by the Commissioners. These workshops were held specifically to establish the manner in which the assets and liabilities of the former City of Wanneroo should be adjusted/transferred. Subsequent to the endorsement of the outcomes of those workshops, work has continued on the identification and scheduling of all assets and liabilities of the former City of Wanneroo.

Many categories of assets and liabilities have been formally determined by the Commissioners over the past months. This report deals with: -

- non-current assets, other than property, plant and equipment and infrastructure assets; and
- non-current liabilities, or more specifically, borrowings.

It also addresses a current liability in respect of borrowings that was inadvertently overlooked in a previous determination of the Commissioners (Net Current Assets (remaining cash property) on 9 November 1999).

BACKGROUND

The Joondalup and Wanneroo Order 1998 (the Order) abolished the former City of Wanneroo and created the new local governments of the City of Joondalup and the Shire of Wanneroo. Five (5) commissioners were appointed to be Joint Commissioners for both the City and the Shire. The Order (clause 8) empowered the commissioners to determine any adjustment or transfer of the former City's property, rights and liabilities between the two new local governments. Clause 8 further provides that in making such determinations the commissioners are to have regard to the interests of the City of Joondalup and the new City of Wanneroo.

DETAILS

The balance sheet of the former City of Wanneroo, as at 30 June 1998, recorded Receivables (under the heading of "Non Current Assets") amounting to \$5,249,397. All items included in this asset category have been identified and the Commissioners have considered each one, in line with the endorsed outcomes of the asset allocation workshops.

Similarly, the non-current liability in respect of the former City's outstanding loans 126 and 132 has also now been considered by the Commissioners.

The schedule attached to this report, details all non-current assets and liabilities, the subject of this determination, and indicates the new City to which each are to be transferred/adjusted. The comments included in the column headed "Details" are intended to provide the reader with an understanding of the nature of the asset or liability and an indication as to the rationale used in the process of determination.

The Commissioners' determination relating to net current assets (remaining cash property) on 9 November 1999 transferred/adjusted the current assets of the former City, net of current liabilities. In calculating the amount to be determined, the former City's current liability in respect to borrowings (amounting to \$26,173) was overlooked. These borrowings consist of:

- balance of loan 256.1 (self supporting loan to the Wanneroo & Districts Basketball Association) amounting to \$22,233. The final instalment on this loan was repaid in 1998/99 by the City of Joondalup.
- the annual sinking fund contribution amounting to \$3,940 in respect of loans 126 and 132. These loans were taken out for works carried out in Yanchep and Koondoola and the loan liability together with the current balance of the sinking fund has been transferred to the new City of Wanneroo, pursuant to the determination of non-current assets and liabilities being recommended in this report.

The Commissioners concur with the way in which these items have been dealt, and will therefore, formally endorse those treatments as part of this determination.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint COMMISSIONERS, in accordance with the provisions of Clause (8) of the Joondalup and Wanneroo Order 1998, DETERMINE the adjustment/transfer of the former City of Wanneroo's:

- 1 non-current assets included in the schedule attached to Report C50-11/99, as shown therein, resulting in an adjustment/transfer to the City of Joondalup of \$2,331,721 and to the City of Wanneroo of \$2,917,674;**
- 2 non-current liabilities included in the schedule attached to Report C50-11/99, as shown therein, resulting in an adjustment/transfer to the City of Wanneroo of \$446,060;**
- 3 current liability in respect of borrowings (as at 30 June 1998), in accordance with the way in which each item has been accounted for in 1998/99.**

Cmr Clark-Murphy spoke in support of the Motion. Cmr Clark-Murphy advised that, following the queries raised earlier in the meeting during Public Question Time, allocations will be checked and any necessary adjustments made.

The Motion was Put and

CARRIED

Appendix 12 refers – click here: [Att12min2311.pdf](#)

**C51-11/99 DETERMINATION PURSUANT TO CLAUSE 8 OF THE
JOONDALUP AND WANNEROO ORDER 1998 - BANK
GUARANTEES - [01179]**

SUMMARY

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

During the process of scheduling the assets and liabilities of the former City of Wanneroo, various bank guarantees in the name of the former City have been identified. This report deals with such bank guarantees, many of which relate to arrangements which can be clearly identified with properties located within one or other new City, whilst others represent security bonds in relation council fees. Appropriate action is required to adjust/transfer these bank guarantees between the City of Joondalup and the new City of Wanneroo.

BACKGROUND

The division of the former City of Wanneroo resulted in all the property, rights and liabilities of the former City becoming vested in the City of Joondalup pending a determination by the Commissioners. Clause 8 of the Joondalup and Wanneroo Order 1998, provides that the Commissioners are to determine any adjustment or transfer that is to be made between the City of Joondalup and the then Shire of Wanneroo of property, rights and liabilities of the former City of Wanneroo. In making that determination, the Commissioners are to have regard to the interests of the City of Joondalup and the new City of Wanneroo.

DETAILS

The assets and liabilities of the former City of Wanneroo have been identified and categorised. As a result of this process, a list of bank guarantees held by the former City has been made. Most of these bank guarantees relate to specific locations falling within one or other of the new local governments. The adjustment/transfer of these specific bank guarantees is therefore being recommended on the basis of geographic location.

To give effect to the Commissioners' determination in respect to these bank guarantees, the City to which the bank guarantee is transferred would need to advise the bank of the of the relevant provisions of the Joondalup and Wanneroo Order 1998, highlighting the Commissioners powers pursuant to clause 8. In addition, it should provide the bank with evidence of the determination made by the Commissioners (an extract from the Minutes of this meeting of Joint Commissioners) and request that the bank note their records accordingly.

The bank guarantees being held, as security deposits are, by nature, different. However, both new cities have recently decided to discontinue the system of offering credit facilities (secured by bank guarantee) in respect of building licence fees. The City of Joondalup (as custodian awaiting a clause 8 determination) has contacted the respective customers to advise that the system of providing credit facilities secured by bank guarantee has been discontinued and bank guarantees have been relinquished accordingly.

Attachments A and B to this report list the bank guarantees, held by the former City, that relate specifically to the cities of Joondalup and Wanneroo respectively. Those bank guarantees that are held as a security deposit in relation to council fees have been listed separately on Attachment C.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners, pursuant to Clause 8 of the Joondalup and Wanneroo Order 1998:

- 1 DETERMINE the adjustment/transfer of the bank guarantees held by the former City of Wanneroo as follows:**
 - (a) all bank guarantees listed in Attachments A and C to Report C51-11/99 become the property of the City of Joondalup;**
 - (b) all bank guarantees listed in Attachment B to Report C51-11/99 become the property of the new City of Wanneroo;**
- 2 CONFIRM the action taken by the City of Joondalup to relinquish the bank guarantees listed in Attachment C to Report C51-11/99.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix 13 refers – click here: [Att13min2311.pdf](#)

C52-11/99 DETERMINATION PURSUANT TO CLAUSE 8 OF THE JOONDALUP AND WANNEROO ORDER 1998 - LEASE AGREEMENTS [38634]

SUMMARY

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

During the process of scheduling the assets and liabilities of the former City of Wanneroo, various lease agreements for facilities on land not owned by or vested in the former City of Wanneroo have been identified. This report deals with such Lease Agreements, some of which related to land owned by or vested in Government authorities, whilst others were held with private organisations. Appropriate action is required to adjust/transfer these lease agreements between the City of Joondalup and the new City of Wanneroo.

BACKGROUND

The division of the former City of Wanneroo resulted in all the property, rights and liabilities of the former City becoming vested in the City of Joondalup pending a determination by the Commissioners. Clause 8 of the Joondalup and Wanneroo Order 1998, provides that the Commissioners are to determine any adjustment or transfer that is to be made between the City of Joondalup and the Shire of Wanneroo of property, rights and liabilities of the former City of Wanneroo. In making that determination, the Commissioners are to have regard to the interests of the City of Joondalup and the Shire of Wanneroo.

DETAILS

The assets and liabilities of the former City of Wanneroo have been identified and categorised. As part of this process, a list of leases held by, and in the name of the former City of Wanneroo has been compiled. All of these leases relate to land utilised by the former City for the benefit of the adjacent community. The transfer/adjustment is therefore being recommended on the basis of geographic location.

The adjustment/transfer of lease agreements will require the relevant new local government to write to the respective government authority or private organisation (the lessors) advising of the Commissioners' determination and seeking the lessor's agreement to enter into an appropriate Deed of Amendment. Attachments A and B to this report list the leases held by the former City over properties located in the new cities of Joondalup and Wanneroo respectively.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners, pursuant to Clause 8 of the Joondalup and Wanneroo order 1998:

- 1 DETERMINE the adjustment/transfer of the leases held by the former City of Wanneroo as follows:**
 - (a) all lease agreements listed in Attachment A to Report C52-11/99 become the property of the City of Joondalup;**
 - (b) all lease agreements listed in Attachment B to Report C52-11/99 become the property of the new City of Wanneroo;**
- 2 AUTHORISE the City of Joondalup and the new City of Wanneroo to take all steps necessary to give effect to the respective adjustment/transfers determined in 1(a) and 1(b) above.**

The Motion was Put and

CARRIED

Appendix 14 refers – click here: [Att14min2311.pdf](#)

Items CJ401-11/99 to CJ404-11/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley.

CJ401-11/99 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [15876]

SUMMARY

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 8.10.99 to 5.11.99:

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

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

Document: Withdrawal of Caveats
Parties: City of Joondalup and Silkchime Pty Ltd
Description: Warwick Commercial Park
Date: 21.10.99

Document: Lease
Parties: City of Joondalup and Telstra
Description: Mobile Phone Base Lease - Warwick
Date: 21.10.99

Document: Service Agreement
Parties: City of Joondalup and City of Wanneroo
Description: Information Services
Date: 25.10.99

Document: Deed
Parties: City of Joondalup and Maria Salpietro, Anatonina Agnello and Angelina Zagari and Salvatore Salpietro
Description: Town Planning Scheme No 6 - Greenwood
Date: 25.10.99

Document: Scheme Amendment
Parties: City of Joondalup and WA Planning Commission
Description: TPS No 1 – Amendment No 824
Date: 5.11.99

Document: Copyright Agreement
Parties: City of Joondalup and Andrea Wharton
Description: Local Studies – Oral History
Date: 5.11.99

Document: Copyright Agreement
Parties: City of Joondalup and Ron Waters
Description: Local Studies – Oral History
Date: 5.11.99

Document: Copyright Agreement
Parties: City of Joondalup and Henrietta Waters
Description: Local Studies – Oral History
Date: 5.11.99

Document: Copyright Agreement
Parties: City of Joondalup and Bruce Moreing
Description: Local Studies – Oral History
Date: 5.11.99

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

The Motion was Put and

CARRIED

CJ402-11/99 MINUTES OF JOONDALUP YOUTH ADVISORY COUNCIL MEETINGS - SEPTEMBER 1999 - [38245]

SUMMARY

Meetings of the Joondalup North and South Youth Advisory Councils were held on 13 and 15 September, 1999 and the minutes of both meetings are submitted for noting by the Joint Commissioners.

DETAILS

The minutes of the Joondalup North Youth Advisory Council held on 13 September 1999 at Anchors Youth Centre are included as Attachment 1.

The minutes of the Joondalup South Youth Advisory Council held on 15 September 1999 are included as Attachment 2.

No action is required from these minutes.

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

- 1 the Joondalup North Youth Advisory Council meeting held on 13 September 1999 forming Attachment 1 to Report CJ402-11/99;**
- 2 the Joondalup South Youth Advisory Council meeting held on 15 September 1999, forming Attachment 2 to Report CJ402-11/99.**

The Motion was Put and

CARRIED

Appendix 4 refers – click here: [Att4min2311.pdf](#)

CJ403-11/99 WANNEROO EISTEDDFOD WORKING PARTY - [37228]

SUMMARY

A meeting of the Wanneroo Eisteddfod Working Party was held 14 October 1999 and the minutes are submitted for noting by the Joint Commissioners. The Working Party also discussed changing the title of the Eisteddfod given that the project is now entirely funded by the City of Joondalup.

The Wanneroo Eisteddfod Working Party has recommended that the title of the Eisteddfod be changed from the *Wanneroo Eisteddfod* to the *Joondalup Eisteddfod*.

All other matters raised in the minutes are of an administrative nature and will be dealt with by the Administration.

BACKGROUND

The Wanneroo Eisteddfod has been operating since 1988. Originally the event was run by a Wanneroo Eisteddfod Organising Group and sponsored by the City of Wanneroo. In 1995, the City of Wanneroo officially adopted the Eisteddfod and has developed the event further.

The event has developed into one of the largest Eisteddfods in Western Australia. It is well respected and has a traditional format focusing on classical music achievement.

In 1999, 730 entries were received resulting in over 2,000 people taking part in over 36 sessions.

Members of the Wanneroo Eisteddfod Working Party are:

Mr G Major, Chairman
Mrs A Major
Mrs F Muir
Mrs M Erneste
Ms K Yelland

Mr A True
Mrs J Ruscoe
Mrs R Morrison
Mr J Boyd

DETAILS

A meeting of the Wanneroo Eisteddfod Working Party was held on 14 October 1999.

The Committee has recommended that the name of the Eisteddfod be changed from the *Wanneroo Eisteddfod* to the *Joondalup Eisteddfod*. The Committee felt that since the project is now entirely funded by the City of Joondalup the name change would be appropriate.

The name change should also be reflected in the Working Party's title which would be known as the Joondalup Eisteddfod Working Party.

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

- 1 NOTE the minutes of the Wanneroo Eisteddfod Working Party held 14 October 1999 forming Attachment 1 to Report CJ403-11/99;**
- 1 ENDORSE the name change of the Eisteddfod from the Wanneroo Eisteddfod to the Joondalup Eisteddfod;**
- 3 BY AN ABSOLUTE MAJORITY, change the name of the Wanneroo Eisteddfod Working Party to Joondalup Eisteddfod Working Party.**

The Motion was Put and

CARRIED

Appendix 5 refers – click here: [Att5min2311.pdf](#)

CJ404-11/99 WARRANT OF PAYMENTS FOR THE PERIOD TO 31 OCTOBER 1999 - [09882]

SUMMARY

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

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	016718-017399	4,926,253.38
Municipal	000175-000177	4,926,253.38
Trust		
Reserve Account		
	TOTAL	\$ 9,852,506.76

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 October 1999, the amount was \$432,136.79.

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

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$9,852,506.76 which is to be submitted to each Joint Commissioner on 23 November 1999 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

ALEXANDER SCOTT
Manager Accounting Services

J B TURKINGTON
Director Resource Management

CERTIFICATE OF CHAIRMAN OF COMMISSIONERS

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$9,852,506.76 submitted to the Joint Commissioners on 23 November 1999 is recommended for payment.

.....
Commissioner Campbell Ansell

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners **PASS** for payment the following vouchers, as presented in the Warrant of Payments to 31 October 1999, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$9,852,506.76.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	016718-017399	4,926,253.38
Municipal Trust Reserve Account	000175-000177	4,926,253.38
	TOTAL	\$ 9,852,506.76

The Motion was Put and

CARRIED

Appendix 6 refers – click here: [Att6min2311.pdf](#)

Items CJ405-11/99 to CJ407-11/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley. Cmr Clark-Murphy stated her intention to speak on these Items.

CJ405-11/99 ANNUAL REPORT & AUDITED 1998/99 FINANCIAL REPORTS - [07882]

SUMMARY

The City's auditor, Mr Graham McHarrie, Deloitte Touche Tohmatsu, has completed the audit of Council's records for the 1998/99 financial year. Mr McHarrie has given his assurance that the Audit Report will be available following the Joint Commissioners determination on the split of the assets which form part of this agenda (Items CJ397-11/99, CJ398-11/99, CJ399-11/99 and CJ400-11/99 refer).

This Audit Report, together with the Annual Financial Report will form an integral part of Council's Annual Report to the ratepayers at the Annual General Meeting.

The Local Government Act 1995 (Section 5.27) requires that the Annual General Meeting is to be held on a day selected by the local government, but not more than 56 days after the report is accepted by the local government.

The Joint Commissioners have indicated that the most appropriate date for the holding of the Annual General Meeting of Electors is Tuesday 7 December 1999 at 8.00 pm.

BACKGROUND

The City's auditor, Mr Graham McHarrie, Deloitte Touche Tohmatsu, has completed the audit of Council's records for the 1998/99 financial year.

This year's financial reports have been compiled taking cognisance of the normal revenues and expenditures and also the Joint Commissioners determinations on the various asset classes between the City of Joondalup and City of Wanneroo.

The Annual Report and Annual Financial Statements for the year ending 30 June 1999 will be made available from 1 December 1999.

DETAILS

Pursuant to the provisions of Section 5.54 of the Local Government Act 1995, the Annual Report for the financial year is to be accepted by the local government by no later than 31st December after that financial year. Further, at Section 5.27, the Act requires that the Annual General Meeting of Electors be held on a day selected by the local government but not more than 56 days following the acceptance by the local government of the Report. In addition, the Chief Executive Officer must give public notice of the availability of the report as soon as practicable after the report has been accepted.

The most appropriate date for the convening of the Annual General Meeting of Electors has been determined to be Tuesday 7 December 1999 at 8.00 pm.

COMMENT/FUNDING

The Local Government (Administration) Regulations 1996 at Clause 15 details the matters for discussion at the Annual General Meeting. They are the contents of the Annual Report for the previous financial year and then any other general business.

It is suggested therefore, that the Agenda format for the Annual Meeting of Electors be:-

- **Attendances and Apologies**
- **The Receiving of the 1998/99 Annual Report, including the Financial Statements**
- **General Business**

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

- 1 ACCEPT the 1998/99 Annual Report and Financial Reports of the City of Joondalup as laid on the table (attached hereto in the Minute Book);**
- 2 CONVENE the Annual General Meeting of Electors on 7 December 1999 at 8.00 pm in the Council Chambers;**

- 3 ADVERTISE by public notice that the City of Joondalup's 1998/99 Annual Report will be available from the Civic Administration Building from 1 December 1999.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix 15 refers

**CJ406-11/99 FINANCIAL REPORT FOR THE PERIOD ENDING 30
SEPTEMBER 1999 - [07882]**

SUMMARY

The Statutory Financial Reports for the three months ending 30 September 1999 has been completed. They are appended as Attachment A.

The September quarter's accounts are the first to be completed using the new Oracle Financial Accounting System. The system went live on 1 July 1999 and encompasses input from the new Proclaim Property System, Payroll, Maximo and Oracle Projects, as well as the traditional sub ledgers for accounts payable, accounts receivable and assets.

As expected with any new system, a number of teething problems have been encountered during the period which have, and continue to be, addressed.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Financial Reports for the three month period ended ended 30 September 1999 be NOTED.

Cmr Clark-Murphy spoke in support of the Motion and commended Director, Resource Management and staff on both the compilation of the financial accounts, together with the new look format and quality of information provided brought about by the recent installation of a new financial system.

The Motion was Put and

CARRIED

Appendix 7 refers

**CJ407-11/99 FINANCIAL REPORT FOR THE PERIOD ENDING 31
OCTOBER 1999 - [07882]**

SUMMARY

The monthly reports for the four months ending 31 October 1999 have been completed. They are appended as Attachment A.

During the month of October 1999 the various issues surrounding the introduction of the Oracle Financials and supporting sub systems have received attention. While not all fully resolved, the issues continue to receive attention with staff committed to clearing the backlog of timesheet processing and problem identification. The processing of costs associated with the Service Level Agreements between the Cities of Wanneroo and Joondalup are high on the agenda.

It is anticipated that the reports for the November 1999 period will be available in early/mid December 1999.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley That the Financial Reports for the Period Ended 31 October 1999 be NOTED.

Cmr Clark-Murphy spoke in support of the Motion and commended Director, Resource Management and staff on both the compilation of the financial accounts, together with the new look format and quality of information provided brought about by the recent installation of a new financial system.

Commissioner Ansell advised the financial statements and annual report would be available to the public from 1 December 1999 to allow ample time to review these prior to the Annual General Meeting to be held on 7 December 1999.

The Motion was Put and

CARRIED

Appendix 8 refers

Items CJ408-11/99 to CJ411-11/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley. Cmr Clark-Murphy stated her intention to speak on Items CJ410-11/99 and CJ411-11/99.

**CJ408-11/99 TENDER 052-99/00 FIVE 6CYL FOUR DOOR SEDANS
– [47343J]**

SUMMARY

The City's 1999/00 budget provided for the purchase of vehicles, as detailed in the Light Vehicle Replacement Programme, the funding of which is from the Municipal Fund.

The City's 1999/00 budget provided for the purchase of five (5) six cylinder 4 door sedans with the trade of the following vehicles;

- Plant Number 99709 Magna Sedan allocated to Infrastructure Management Services
- Plant Number 99097 Lantra Sedan allocated to Approval Services
- Plant Number 99316 Magna Sedan allocated to Urban Design Services
- Plant Number 99101 Magna Sedan allocated to Contract Management
- Plant Number 99327 Magna Sedan allocated to Accounting Services

This report outlines the submissions received in relation to Tender 052-99/00. It recommends the purchase of five six cylinder Mitsubishi Magnas from Southside Mitsubishi.

BACKGROUND

Tender number 052-99/00 pertaining to these acquisitions was advertised on Wednesday, 6 October and closed on Wednesday, 20 October 1999. The five vehicles to be traded were presented for inspection on October 12, and were evaluated by all tenderers.

DETAILS

There were eleven submissions received for the supply and trade of five six-cylinder sedans as per Tender 052-99/00, the details of which are shown on Attachment A.

The Mitsubishi Magna was found to be the lowest cost vehicle offered before and after trade of council vehicles. A “whole of life” costing comparing the three makes of vehicles offered also revealed that the Magna was the most cost effective vehicle after consideration of estimated resale prices at two years of age and estimated fuel consumption at 40,000kms of travel. References used for the comparative data were:

- Glasses Guide- Residuals Sept-Nov 1999
- R.A.C. Fuel Consumption figures Nov 1999

The residuals guide reinforced the cost effectiveness of Council’s fleet replacement policy at 2yrs or 40,000kms, by showing that major value decreases occurred at the time of purchase (30%-40% reduction) and thereafter at three years of age (further 10% reduction) with only minor depreciation between these two conditions. Consequently best trade vehicle returns are achieved by replacing vehicles before they reach 3yrs in age.

It is recommended that the lowest cost tender as submitted by Southside Mitsubishi be accepted.

COMMENT/FUNDING

Based on the **Southside Mitsubishi** tender the financial position is:

Plant No	Recommended Tender – Changeover	Budget Provision	Budget Savings/(Shortfall)
99709	\$8,275	\$10,000	\$1,725
99097	\$12,275	\$7,500	(\$4,775)
99316	\$8,275	\$10,000	\$1,725
99101	\$8,275	\$10,000	\$1,725
99327	\$8,275	\$10,000	\$1,725
TOTAL	\$45,375	\$47,500	\$2,125

Accepting this, the overall 1999/00 budget saving on tender 052-99/00 is \$2,125. The significant shortfall on the replacement of plant number 99097 is due to the upgrading of the vehicle from a 4cyl to a 6cyl as part of a recruitment package.

Commissioners will recall that the Chief Executive Officer has delegated authority to accept tenders up to a figure of \$100,000. As this tender exceeds that figure, it requires approval of the Joint Commissioners.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners ACCEPT the tender from Southside Mitsubishi for the purchase of five (5) six cylinder 4 door sedans at a net change over figure of \$45,375 after trade in, as detailed in tender 052-99/00.

The Motion was Put and

CARRIED

**CJ409-11/99 SUPPLY AND DELIVERY OF MEALS SERVICES -
SUMMARY EVALUATION REPORT FOR TENDER NO
051-99/00 - [41341J]**

SUMMARY

Tenders for the supply and delivery of up to 33,000 meals to aged people and people with disabilities living in the City of Joondalup closed on 26 October 1999. Only one tender was received. This report outlines the way in which the tenderer meets the selection criteria and recommends the acceptance of the tender from Home Chef of \$6.20 per meal. Of this amount, \$2.20 will be subsidised by the City of Joondalup with funds from the Home and Community Care (HACC) Program and \$4.00 will be met by the people receiving the service. Should all of the 33,000 meals be provided, the total worth of the outsourced procurement of meal services over the three year period of the contract will be \$613,800 (excluding GST if applicable). The Contract will commence from 1 December 1999.

BACKGROUND

The former City of Wanneroo, and subsequently the newly created City of Joondalup, has been involved in the provision of meals to aged people and people with disabilities since 1975. The City's delivered meals service is funded through the HACC Program. The aim of the service is to provide nutritionally balanced and varied meals to aged people and people with disabilities within the City of Joondalup. During the 1998/99 financial year, 35,374 meals were provided to 246 clients living in the 22 suburbs of the City. The sum of \$72,600 (or \$2.20 by 33,000) has been allocated for expenditure in the annual budget of 1999/2000 to again provide the necessary meals. The City has contracted out its delivered meals service since February 1995 and Home Chef has been the contractor since that time. The current arrangement ceases on 30 November 1999.

DETAILS

The Invitation to Tender was advertised on 9 October 1999 under the provision of Regulation 14 of the Local Government (Functions & General) Regulations 1996 and tenders closed on Tuesday 26 October. Only Home Chef submitted a tender.

Home Chef has been in operation since 1985. Home Chef is a private food company with extensive experience in providing all aspects of a home delivered food service. Its current contract programs include:

- City of Wanneroo and City of Joondalup meals service;
- University of WA Medical Department Protein and Fibre Study;
- Australian Aged Care Services – meals provided to clients through Aged Care Packages;
- Access Home Care – meals provided for clients on early release from Hospital;
- Domino Midwifery Service – meals provided for post natal clients with HBF vouchers;
- St John of God Murdoch – meals provided for early release clients with HBF vouchers; and
- Provision of hot lunches for five adult day centres.

Home Chef was assessed against the following selection criteria:

- secure financial base;
- schedule of rates;
- relevant experience;
- quality of meals and packaging;
- tenderer's resources; and
- quality accreditation;

Assessment of the tender was performed by a tender evaluation committee made up of Manager Contract Management, Manager Community and Health Services and an Environmental Health Officer.

A multi-criterion selection evaluation method was used by the committee to assess the tender under the general guidelines AS4120-1994 Code of Tendering. Home Chef fully met all but one of the selection criteria. Since the contract was last put out to tender in October 1997, an additional selection criterion has been added, namely “quality accreditation”. Under this criterion, tenderers were asked to present proof of achievement of:

- the Food Safe Food Handler Training Program; and
- the Food Safe Plus Food Safety Program.

Home Chef has achieved the Food Safe Food Handler Training Program and is progressing towards the Food Safe Plus Food Safety Program. The contract will incorporate a clause requiring Home Chef to complete the latter program.

A random sample of ten clients who receive the meals service from Home Chef was surveyed and asked questions relating to the selection criteria. Eight out of the ten clients felt that Home Chef met all criteria and were very complimentary of Home Chef's services. One client had concerns about the quality of some reheated vegetables and another found the Food Safe logo confusing as it is very similar, in his view, to the Heart Foundation's endorsement.

Home Chef was assessed as being capable of delivering the meals service for the City of Joondalup in a competent manner. The Coordinator Aged and Disability Services at the City of Joondalup will meet bi-monthly with Home Chef to discuss quality assurance issues, complaints, performance measures and other matters related to the contract. Financial checking has been undertaken through Dun and Bradstreet revealing that financial risks associated with West Zone Corporation Pty Ltd trading as Home Chef are low and within the industry average.

COMMENT/FUNDING

The proposed unit cost for the period 1 December 1999 to 30 June 2000 remains the same as Home Chef's previous two year contract. The only liability to the City is the \$2.20 per meal contribution. It appears that the GST will apply to the meals service, however, the consumer will bear this cost, not the City. The estimated financial structure for the meals tender, excluding GST, is:

	Principal's Contribution (HACC funds paid out by COJ)	Net price per meal to be charged to client (Total clients' contributions)	Total price per meal (including Principal's contribution) (Estimated total)
Per annum	\$2.20 per meal (\$72, 600 per year)	\$4.00 per meal (\$132,000 per year)	\$6.20 per meal (\$204,600 per year)
For three year contract	\$2.20 per meal (\$217,800 for three year contract)	\$4.00 per meal (\$396,000 for three year contract)	\$6.20 (\$613,800 for three year contract)

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

- 1 ACCEPT the tender from Home Chef to provide a delivered meals service to aged people and people with disabilities at a unit cost of \$6.20 per meal for the period 1 December 1999 to 30 June 2002 plus GST if applicable;**
- 2 AGREE to the execution of contract documents under Common Seal.**

The Motion was Put and

CARRIED

CJ410-11/99 SERVICE AGREEMENT BETWEEN CITY OF JOONDALUP AND CITY OF WANNEROO FOR IMPOUNDING OF DOGS AND VEHICLES – [48118]

SUMMARY

As a result of the establishment of the two new local government authorities of the City of Joondalup and City of Wanneroo on 1 July 1998, it has been necessary for the City of Joondalup to negotiate with the City of Wanneroo to access the Dog Pound & Abandoned Vehicles Pound which are currently located in the City of Wanneroo. A Service Agreement has been negotiated with the City of Wanneroo to reflect this arrangement.

The following functions were considered as part of the exercise:

- Pound access
- Staffing of pound
- Administration
- Authorisation of officers
- Maintenance of dogs
- Disposal of dogs
- Documentation
- Reporting processes
- Signage

This report seeks the Joint Commissioners' endorsement of the proposed contractual arrangements and authorisation of City of Wanneroo rangers to act on behalf of the City.

BACKGROUND

On 1 July 1998, the former City of Wanneroo was divided into two new local government authorities: the City of Joondalup and the Shire of Wanneroo (now City of Wanneroo). Since 1 July 1999, transitional arrangements have been in place to enable the City of Joondalup to access and use the Dog & Abandoned Vehicle Pounds which now fall within the boundaries of the new City of Wanneroo.

More formal arrangements need to be put in place to reflect this arrangement which includes the City of Joondalup purchasing certain services from the City of Wanneroo under a purchaser/provider arrangement.

DETAILS

A Service Level Agreement for the provision of services to the City of Joondalup by the City of Wanneroo in relation to the impounding of dogs and abandoned vehicles has been developed. The service will be provided at the City of Wanneroo Works Depot, 1204 Wanneroo Road, Ashby.

In essence, the City of Wanneroo Rangers will administer, manage and maintain all animals impounded and placed at the site, on behalf of the City of Joondalup, for fees as prescribed in Schedule 3 of the Service Level Agreement. The Agreement also includes arrangements for the storage of impounded vehicles.

The Agreement specifies each of the parties' rights and obligations. The services to be provided are set out in detail together with any relevant service standards. These are clearly specified and the service is to be provided on a full cost recovery basis with no profit or loss components.

Dog Pound

The Agreement sets out the framework of procedures including impounding of dogs, administration, maintenance and disposal. Provision is made for the customer (City of Joondalup) to access the facility for impounding purposes. Documentation, record keeping and reporting requirements are identified.

Abandoned Vehicles Pound

The Service Provider (City of Wanneroo) undertakes to provide access to the Abandoned Vehicles Pound for the storage of the City's impounded abandoned vehicles at a specified rate.

Summary of Service Agreement Arrangements

Service	Purchaser	Provider	Period	Annual Approx. Value
Impounding of dogs and vehicles	City of Joondalup	City of Wanneroo	To 30 June 2000 with an option to renew for up to six months with further extensions subject to 3 months notice by either party.	\$27,000.00

COMMENT/FUNDING

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

- No local government profiting from the venture
- No local government suffering loss from the venture
- Customer focused services

This service agreement meets these criteria.

The Agreement is for a period ending 30 June 2000 with an option to renew for up to six months by the City of Joondalup with options to further extend the period of the agreement subject to 3 months notice being given by either party. The City of Joondalup will reimburse the City of Wanneroo for an agreed sum of monies for access and use of the facilities from 1 July 1999 to the date of the commencement of the Service Agreement. This payment will be based on the value of the rental component only of the dog pound facility and on a per unit cost for the number of abandoned vehicles stored in the abandoned vehicles pound from 1 July 1999.

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

Due to the lesser value of the Agreement and that the service agreement arrangements are based on full cost recovery of service delivery with no profit, Section 3.59 of the Local Government Act does not apply.

Authorisation of City of Wanneroo Rangers under the Dog Act 1976 will enable each Officer to act on behalf of the City of Joondalup.

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

- 1 AGREE to the terms and conditions contained within the Service Agreement Relating to Impounding of Dogs and Vehicles as laid on the table for the Meeting of Joint Commissioners held on 23 November 1999 (attached hereto in the Minute Book);**
- 2 AUTHORISE the Chairman of Commissioners and Chief Executive Officer to execute under Common Seal the Service Agreement mentioned in Point 1 above;**
- 3 in accordance with the Justices Act 1902, AUTHORISE the following officers to make complaints and act under and enforce the Dog Act 1976 and Regulations thereunder for the municipality of the City of Joondalup:**

**Anthony Gerard McTAGGART
Callum Jon ARNOLD
Jeffrey Ronald ALLEN
Michael John O'REGAN
Wesley Albyn MILLER
Paulo Pombilio DI GIROLAMI
Terrence Keith OLDEN
Sharnelle Nyree BEANLAND
Alexander George MORRISON
Gregory Howard KENT**

Cmr Clark-Murphy spoke in support of the Motion and commended staff on the formulation of this service agreement which would provide a basis for services to the community of both the City of Joondalup and City of Wanneroo.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 16 refers

CJ411-11/99 SERVICE AGREEMENT BETWEEN CITY OF JOONDALUP AND CITY OF WANNEROO FOR LIBRARY AND INFORMATION SERVICES - [48118]

SUMMARY

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

The provision of Library and Information Services was included in this review which concluded it would be appropriate for the City of Joondalup to continue to provide select administrative support functions to the City of Wanneroo in order to maintain existing levels of customer service, economies of scale and to allow for the retention of the current administrative efficiencies.

The following administrative support functions were considered as part of the exercise:

- Stationery and printing
- Relief staff
- Mail handling
- Borrower accounts for lost and damaged stock
- Courier service
- Local Studies Oral History and Archives
- Books on Wheels to the Housebound
- Children's library regional programmes
- Automated library system support
- On-line catalogue records
- Data entry quality control
- Library and Information Service of Western Australia (LISWA) records control
- Local stock orders and acquisition control

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

BACKGROUND

On 1 July 1998, the former City of Wanneroo was divided into two new local government authorities: the City of Joondalup and the Shire of Wanneroo (now the City of Wanneroo). Since 1 July 1999, transitional arrangements have been in place for the delivery of library and information services by the City of Joondalup to the City of Wanneroo.

It has been agreed that more formal arrangements need to be put in place for the provision of a specified library administrative and centralised support service using a purchaser/provider model, with City of Wanneroo purchasing the services from City of Joondalup.

DETAILS

The overall focus of the Service Agreement is to recommend service delivery options that result in:

- No local government to profit from the venture
- No local government to suffer loss from the venture
- The services being efficient, cost effective and openly accountable
- The services to be customer focused.

The salient points concerning the agreement are set out below.

Although the City of Joondalup will be wholly responsible for the delivery of specified functions, the integrated infrastructure of the library and information service will be best supported by continued close communication.

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

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

Provision is made for the service administration fees to be adjusted to reflect variations to the level of service provided. In addition, there will be a monthly invoicing component to recoup expenditure made by the service provider to a third party supplier on behalf of the purchaser. The service provider's representative may give an adjustment notice if it is considered that the service fee no longer represents the best estimate of the service provider's costs.

COMMENT/FUNDING

The following table summarises the Service Agreement provisions.

LIBRARIES SERVICE AGREEMENT

		Scope	Cost Criteria
1.	Automated library system	Development and maintenance of automated library server, administration of all user accounts and privileges, server support during complete opening hours of all libraries	Costing combination of number of item records, number of terminals, number of annual loans
2.	On-line catalogue records	Maintenance of automated catalogue authority files	Costs apportioned by stock size
3.	Data entry quality control	Monitoring stock and member data entry across all libraries	Costs apportioned by sample of new data entries
4.	LISWA records control	Records upload, amendments, LISWA communications	Costs apportioned by sample of new data entries

		Scope	Cost Criteria
5.	Mail handling (excludes mail items – direct charge)	Computer generated daily mail service via Australia Post (excluding interlibrary loan resources) negotiation of bulk discount rates	Costs apportioned by quantity processed
6.	Stationery and printing	Design, supplier negotiation, supplier orders control, library stock supplies storage and provision	Design, supplier negotiation, supplier orders control, library stock supplies storage and provision
7.	Relief staff	Administration of relief staff	Charges based on staff hours administration time supporting City of Wanneroo libraries
8.	Accounts – lost and damaged	Generate notices, process payments, adjust records. Administer LISWA and Council account process for stock write-offs and credits	Service costs apportioned by number of transactions
9.	Courier service	Daily delivery service between all libraries and Council administration	Service costs apportioned by delivery time committed to City of Wanneroo service.
10.	Local History programme	Administer and promote regional programs, train interviewers, process tapes and transcripts, preserve original interviews, produce loan tapes	Service costs apportioned by local government population size.
11.	Books on Wheels	Resource collection development. Fortnightly customer deliveries	Service delivery costs apportioned by time committed to City of Wanneroo service
12.	Children's library service	Regional programs e.g. Children's Book Week, guest authors, school liaison, external meeting attendance. Co-ordination at regional level.	Percentage of Children's Services Librarian salary apportioned by workload.
13.	Stock	Library stock orders and acquisition control. Supplier negotiation, online ordering control, automated records creation, physical processing. Stock donations control.	Costs based on sample staff time in ordering and processing City of Wanneroo stock.

The scope of each service has been determined and standard annual charges negotiated. The total annual charge to administer these services is \$182,317.62 plus a unit rate for the processing of stock.

In addition to the standard monthly administration rates outlined, the following prices, charges, fees and other payments incurred by the City of Joondalup in providing the services to the City of Wanneroo will be added to the Service Fee:

- a) the cost price of stationery and printing purchased from third party suppliers
- b) salaries paid to relief staff provided to the Wanneroo libraries
- c) postage costs
- d) charges for lost and damaged stock made by LISWA
- e) the cost price of all stock purchased for Wanneroo libraries
- f) a proportion of the annual computer software maintenance fees
- g) the cost price of any computer related license fee payable for any license requested by the City of Wanneroo additional to those specified in the contract.

The Agreement is for 5 years for those services associated with the provision of the Automated Library System Support which reflects the life of the new automated library management system which was purchased to support the needs of both Councils. Other services as specified in the agreement will be for 2 years.

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

Due to the lesser value of the Agreement and that the service agreement arrangements are based on full cost recovery of service delivery with no profit, Section 3.59 of the Local Government Act does not apply.

The term of the Service Agreement commenced 1 July 1999. Agreement has been reached between the two Councils for the City of Joondalup to be recompensed for the following services which were provided in the period from 1 July until the signing of the contract, and are outside the scope of the Agreement:

- | | | |
|----|--|-------------|
| 1. | Stock processing
LISWA Yanchep and Mobile Library exchanges, purchased and
donated Adult Fiction and Junior | \$4,610.40 |
| 2. | Implementation of Geac automated library management system | \$8,970.00 |
| 3. | Data extraction from the current Library 39 system in a format
suitable for Geac to translate for the Plus library system | \$13,550.00 |

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

- 1 AGREE to the terms and conditions contained within the Library and Information Service Agreement as laid on the table for the Meeting of Joint Commissioners held on 23 November 1999 (attached hereto in the Minute Book);**

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

Cmr Clark-Murphy spoke in support of the Motion and commended staff on the formulation of this service agreement which would provide a basis for services to the community of both the City of Joondalup and City of Wanneroo.

The Motion was Put and

CARRIED

Appendix 17 refers

INFRASTRUCTURE MANAGEMENT

Items CJ412-11/99 to CJ414-11/99 inclusive were Moved by Cmr Morgan and Seconded by Cmr Rowell. Cmr Morgan stated his intention to speak on CJ412-11/99 and CJ414-11/99.

CJ412-11/99 WESTERN POWER AGREEMENT FOR STREET LIGHTING - [00311]

SUMMARY

The City's Budget has allowed for the provision of Street Lighting Tariff. Western Power has proposed a fixed price Contract for the provision of Street Lighting for an annual consideration of \$1,1212,279 payable monthly subject to a review at every 12 months with the first review on 30 June 2000.

The Contract unless terminated earlier, will be in place until 30 June 2004. As Western Power is a statutory organisation, the City of Joondalup is not required to go to public tender under the provision of Regulation 11(2)(e) of the Local Government (Functions & General) Regulations 1996.

BACKGROUND

Western Power Corporation, under the provision of the Electricity Act, is obligated to provide Street Lighting Services in Western Australia. The City has been receiving Street Lighting Services for a consideration as provided under TARIFF W2, by law 4(1) SCHEDULE 3 – Street Lighting. There is no formal signed Contract, stipulating specific terms and conditions, in place at the present time.

DETAILS

Since 1923, Western Power introduced gazetted street light tariffs. These covered the capital cost, fault maintenance and electricity supply for street lights in City areas. There is an increased requirement for a higher level of security, reliability and maintenance. The charges the supply of street lighting based on the above tariff, which is not only variable but also with additional cost of replacement of bulks as and when, requested.

Since the enactment of the Electricity Corporation Act, Western Power has been streamlining its business operations through one to one Contracts with 600 large and medium scale Customers. Western Power considers the City as one of its medium scale customers. As a part of its strategies, Western Power has offered the City a formal fixed price Contract popularly called Street Vision Contract. Following the meetings held between Western Power and the City's staff, the terms and conditions of the proposed draft agreement have been modified to balance the risk allocation between the City and Western Power. The changes made in the proposed draft agreement are minimal, with the fundamental consideration that Western Power being a public utility and statutory organisation has far reaching duty of care obligation than any other commercial organisation and to prepare a detailed document will be an onerous task for both parties.

The salient features of this Street Vision Contract are as follows:

1. It has a Bulk Globe Replacement (BGR) Program, which undertakes replacement of the 50 Watt (W) MV (mercury vapour) globes by 80 W MV and also to replace the 80 W MV lamps by likewise lamps on a proactive basis over the period of four years;
2. Proactive replacement of the 50 W street lamps with 80 W lamps without any additional expenditure;
3. Proactive replacement of the 80 W street lamps with 80 W lamps without waiting for them to fail;
4. The price remains fixed for every 12 months until the annual review. This means if the tariff increases or the City puts in any new number of streetlights, no running costs will be charged until the date of next review;
5. The City will have the opportunity to review the terms, negotiate and decide to exit at every annual review period should the proposed arrangement appear to be not in favour of the City's business operation or the prevailing arrangement
6. Present Tariff Arrangement do not have any BGR program and the cost of such lamp replacement is on a case by case basis, depending on number of bulbs to be replaced, location of the street lights and various other factors
7. The City does not need to seek a market testing or a public tender as Western Power is a Statutory Organisation under Regulation 11(2)(e) of the Local Government (F & G) Regulations 1996;
8. The Contract price is \$1,212,279 on a pro rata basis for the first year and thereafter as negotiated in the annual review. The current tariff charge arrangement is **estimated** at \$1,188,800 per annum calculated each month based on the actual number and type of lights installed in the City's district. The additional expenditure of approximately \$23,500 will be offset by the accrued benefits within the Street Vision contract as follows:
 - Western Power will manage lighting levels to the appropriate standards with an ongoing four year bulk globe replacement program

- Price held constant for 12 months and no extra operational charge for annual capital growth of asset base
- The maintenance provision in the contract includes storm damage to the street lights but excludes the provision under force majeure
- The Street Vision contract is pro-active where as the old tariff system was a very reactive scenario from an asset management perspective.

COMMENT/FUNDING

The annual budget has allocated sufficient funds towards the tariff for electricity for Street Lights and the proposed contract will require monthly payments of \$101,023 until 30 June 2000 and \$1,212,279 annually or as negotiated on the annual review period for four years thereafter.

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

- 1 ACCEPT the offer from Western Power for the provision of electricity lighting for a consideration of \$1,212,279 per annum, payable monthly until 30 June 2004, with an annual review as detailed in the contract;**
- 2 EXECUTE the contract under common seal.**

Cmr Morgan spoke in support of the Motion and commended staff on the negotiation of a favourable agreement for the City of Joondalup.

The Motion was Put and

CARRIED

**CJ413-11/99 PROVISION OF PATH IN WILLOW ROAD, WARWICK
- [37673J]**

SUMMARY

Funds were allocated in the 1998/99 Capital Works Budget for the provision of a footpath in Willow Road, Warwick. On notifying residents of the proposed works, a petition was submitted objecting to the construction of the path on the eastern side of the road. In order to ascertain whether the provision of a footpath had the support of the Willow Road residents a questionnaire was distributed. The results of the questionnaire revealed majority support for the provision of the footpath; however, equal objection to the provision of the path on the eastern and western sides of the street was conveyed. It is recommended, therefore, that the footpath be constructed on the eastern side of the street as originally intended.

BACKGROUND

Funds were allocated in the 1998/99 Capital Works Budget for the provision of a footpath in Willow Road, Warwick. Prior to commencing construction residents on the eastern side of the street were advised of the proposed works and several objections were raised. An eight-signature petition was subsequently submitted objecting to the construction of the path on the eastern side of the road. The works have subsequently been put on hold whilst the petition is resolved.

In order to ascertain whether the provision of a footpath had the support of the residents a questionnaire was drafted and distributed to all residents in Willow Road. The level of response to the questionnaire was high with thirty responses out of fifty questionnaires distributed. The questionnaire revealed 70% support for the provision of a footpath, 34% objection to the path being constructed on the eastern side and 36% objection to the construction of the path on the western side. Whilst the questionnaire has established general support for the provision of a footpath, unfortunately, it has not helped resolve the issue of which side of the street it ought to be constructed.

It was originally intended that a 1.5 metre wide path be constructed on the eastern side of the street directly behind the kerb. The construction of the path directly behind the kerb is considered to have minimal impact on the aesthetics of the verge.

There are valid reasons to locate of the path on either side of the street and the City would not object to the path being located on the western side of the street. The eastern side was selected as there are fewer side streets across which the path would have to cross, and therefore, less potential for conflict between pedestrians and vehicles. Furthermore, it avoids the necessity of having the path located on the inside of a 90° bend in the road that may be considered hazardous.

The main advantage in constructing the path on the western side of the street is that this is the side on which the streetlights are located. However, there are several examples of streets where paths are located on the opposite side of the street to the streetlighting and it is considered a workable solution when taking into account that the path will be located to the back of the kerb.

COMMENT/FUNDING

Account No:	11.60.72.724.4230.0505
Project No:	6014
Budget Amount:	\$20,000

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

- 1 APPROVE the construction of a 1.5 metre wide footpath directly behind the kerb and on the eastern side of Willow Road, Warwick, funding to be allocated from Account No 11.60.72.724.4230.0505;**
- 2 ADVISE the petitioners accordingly.**

The Motion was Put and

CARRIED

CJ414-11/99 TENDER NO 050-99/00 SUPPLY OF CONTRACT LABOUR [48340J]

SUMMARY

Tenders were advertised for the Supply of Contract Labour in accordance with the specification supplied. Tenders closed on 12 October 1999 and the Schedule of Prices is detailed on Attachment 1.

Fourteen tenders were received. The tender submissions have been evaluated based on the selection criteria and it is recommended that Council accepts the tender from Lo-Go Appointments.

BACKGROUND

Due to the expiry of the existing contract, the City invited tenders for the supply of contract labour. The tender covers the supply of contract labour for construction/maintenance personnel (Levels 3 to 6), park maintenance personnel (Levels 3 to 6) and tradespersons and general. The City expends approximately \$250,000 per annum for contract labour.

Contract labour is utilised to supplement Council's day labour force during peak workload periods. Council has found that the practice of utilising contract labour in preference to hiring temporary staff has worked well in the past and is more cost effective.

DETAILS

The tender was advertised on 25 September 1999 and 35 companies requested tender documents. Fourteen tenders were received from the following companies:-

Extraman	Skilled Engineering
Task Force	Baines Harding Industries
Municipal Contractors	Forrest Consultancy Services Pty Ltd
Integrated Workforce	Flexistaff Pty Ltd
Blue Collar People	Lo-Go Appointments
Workpac	Access Personnel
National Workforce	Win Technical Resources Pty Ltd

Tender evaluation has been undertaken and completed by a committee consisting of the Manager Operations Services, Manager Contract Management and Operations Services Technical Officer. The evaluation is based on the Schedule of Rates, reliability of tenderer and relevant skills and experience.

The Tender Evaluation Committee recommends that Lo-Go Appointments be recommended for all the categories.

COMMENT/FUNDING

Funding is available from the 1999/2000 Maintenance Budget.

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

- 1 ACCEPT the tender schedule of prices submitted by Lo-Go Appointments for Tender Number 050-99/00 Supply of Contract Labour forming Attachment 1 to Report CJ414-11/99 in all categories for a period of 12 months from 1 November 1999 to 31 October 2000;**
- 2 AUTHORISE signing of the contract documents.**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix 9 refers – click here: [Att9min2311.pdf](#)

PLANNING AND DEVELOPMENT

Items CJ415-11/99 to CJ418-11/99 inclusive were Moved by Cmr Rowell and Seconded by Cmr Buckley.

CJ415-11/99 HILLARYS STRUCTURE PLAN – SIGNING OF DOCUMENTS [16047J]

SUMMARY

The Hillarys Structure Plan controls the density and form of development on two areas of land in Hillarys. It was advertised for public comment for a 30 day period which closed on 20 December 1998, was found to be satisfactory by Council at its meeting on 8 June 1999 and was submitted to the Western Australian Planning Commission for adoption and certification. The Structure Plan has now been endorsed by the Western Australian Planning Commission with modifications which do not affect its intent. Council is recommended to adopt, sign and seal the documents.

BACKGROUND

Lot No	Lot 475 and Part Lots 7 and 158
Street Address	Flinders Avenue and Hepburn Avenue
Land Owners	WR Carpenter Properties P/L and Estates Development Company
MRS Zoning	Urban
TPS Zoning	Special Development A and Urban Development
Density Code	R20
Land Use	Vacant
Lot Area	45.64 hectares

The Hillarys Structure Plan applies to the area adjacent to the intersection of Whitfords and Hepburn Avenues (See Attachment 1).

Previous Council Decisions

At its meeting on 8 June 1999, Council resolved that, following advertising, the Hillarys Structure Plan was satisfactory with modifications and that copies should be submitted to the Western Australian Planning Commission (WAPC) for adoption and certification in compliance with Clause 10.6.1 (b) of the City of Joondalup Town Planning Scheme No 1 ('the Scheme').

DETAILS

Current Proposal or Issue

Modifications have been made to the Hillarys Structure Plan in response to a request by the WAPC as follows:

- Addition of a statement: "Part 1 of this Structure Plan has been endorsed by the Western Australian Planning Commission as a general guide to future subdivision, zoning and development of the land included in the Hillarys Structure Planning area."
- Deletion of the word '*Draft*' in the title and at the bottom of pages.
- Modification of the Summary on Page 3 to reflect the current zoning of Pt Lots 7 and 158 as 'Uncoded' in the Scheme.
- Addition of the Structure Plan boundary to all plans.
- Deletion of the definition for 'Holiday Village'.
- Amendment of Plan 3: Residential Code Map to delete the R40 code shown for Lot 475 Flinders Avenue
- Amendment of Clause 4.0 to read: *Residential land within the Structure Plan area shall be developed in conformity with the provisions of the Residential Planning Codes, unless otherwise provided for by specific requirements in this Structure Plan. Pursuant to Clause 5.39 of the Scheme, the enclosed Plan 3: 'Residential Code Map' identifies the Residential Density Codes that apply to Part Lots 7 and 158.'* Lot 475 Flinders Avenue is coded R40 in the Scheme and the Structure Plan does not need to specify an R-Code.
- Modification of Plan 4 to be consistent with the diagram of survey for the land, addition of a legend and lot boundaries, garages and courtyards being clearly defined.

Two copies of the modified Structure Plan documents were signed by the Chairman of the WAPC on 28 September 1999 and returned to Council.

Relevant Legislation

Clause 10.6.5 of the Scheme requires that as soon as practicable after receiving the certified copies of the Structure Plan documents the Council shall adopt, sign and seal the Structure Plan in the form illustrated in Schedule 10, which has been incorporated on the second page of the document.

COMMENT

Assessment and Reasons for Recommendation

The Agreed Hillarys Structure Plan conforms with the requirements of Part 10 of the City of Joondalup Town Planning Scheme No 1 and is considered to be acceptable for the control of development within the Structure Plan area. The changes requested are considered to be clarifications of the Structure Plan provisions which do not alter their intent.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, pursuant to Clause 10.6 of Town Planning Scheme No 1, ADOPT, sign and seal the certified Hillarys Structure Plan.

The Motion was Put and

CARRIED

**CJ416-11/99 REQUESTED CLOSURE OF SECTION OF ROAD
RESERVE: AMBASSADOR DRIVE, CURRAMBINE -
[29475J]**

SUMMARY

Whelans Survey and Mapping Group on behalf of LandCorp who are the developers of Part Lot 998 (96) Connolly Drive, Currambine, have requested to close a redundant road truncation on the north eastern corner of Currambine Primary School site, Ambassador Drive, Currambine. Pt Lot 998 (96) Connolly Drive is a major land parcel in the Currambine area having undergone various stages of subdivision. It is proposed to amalgamate this small section of road reserve into Carlton Park (Reserve 45754) as shown on Attachment 1.

The closure of the road is supported at this stage and the proposal is required to be advertised for a thirty-five day period in accordance with the provisions of the Land Administration Act 1997. Subject to there being no objection to this proposal at the close of the advertising period, it is requested that the Joint Commissioners authorise a request to be made to the Minister for Lands to permanently close this section of road reserve and amalgamate it into Reserve 45754.

BACKGROUND

As part of the first stage of development in this area, it was originally anticipated that a road would abut the eastern boundary of Currambine Primary School. In the course of reviewing the adjacent stage layout, the proposed road was deleted and replaced by public open space (Carlton Park) and as a result of this action, this truncation is no longer required.

DETAILS

The provisions of Section 58 of the Land Administration Act 1997 state that the local government must give notice of a proposal to permanently close a road or a portion of road by advertising the proposal in a local newspaper for a period of thirty five days. Thereafter due consideration must be given to any submissions received prior to resolving to request the

Minister for Lands to close the road. The proposal must also be referred to the Western Australian Planning Commission (WAPC) and the service authorities to ascertain if any service is affected.

The proposed road closure has been referred to the service authorities and the WAPC for comments. Services will not be affected and the WAPC has no objection to the road closure.

COMMENT

The existing subdivision design now makes this road truncation redundant to requirements and in the interests of orderly planning in the area, it appears rational to close this small section of road reserve and amalgamate it into the adjoining Public Recreation Reserve. If objections are not received to this proposal during the 35-day public advertising period, a request to the Minister of Lands to close this redundant road truncation and amalgamate it into the adjoining reserve should be considered.

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

- 1 AGREE to advertise the proposed closure of the portion of Ambassador Drive, Currumbine on the north eastern corner of Lot 166 (28) Ambassador Drive (Currumbine Primary School Site) in accordance with the provisions of the Land Administration Act 1997;**
- 2 subject to no objection being received during the advertising period, AUTHORISE a request to be made to the Minister for Lands to close this section of road reserve and amalgamate it into Reserve 45754.**

The Motion was Put and

CARRIED

CJ417-11/99 REQUEST TO CLOSE PORTIONS OF THE 0.1 METRE PEDESTRIAN ACCESSWAY OF LOTS 18, 19 AND 25 HALLIDAY GROVE, HILLARYS - [32779J]

SUMMARY

Koltasz Smith and Partners who are consultants acting on behalf of the owners of Lot 18 (45) Halliday Grove, Lot 19 (22) Halliday Grove and Lot 25 (2) Halliday Grove, Hillarys, have requested the Joint Commissioners' support for the closure of sections of the 0.1 metre wide pedestrian accessway (PAW) at various locations on the above lots. The above three properties are at different stages of the subdivision process and closure of the requested sections of PAW is requested to facilitate design concepts in relation to the subdivision by providing physical road frontage for some of the proposed lots. If this application is approved, it is intended to amalgamate these sections of 0.1 PAW into the road reserve.

A 0.1 PAW restriction has been put in place on the northern boundary of the above properties to prevent vehicular access onto Flinders Avenue when the land is further subdivided. This action is for traffic safety reasons. Of the seventeen proposed new lots created by the subdivision of Lots 18, 19 and 25, twelve abutt Flinders Avenue, Hillarys. Provided the sections of PAW to be closed that abut Flinders Avenue are restricted to one metre in length to retain this traffic control, this application should be supported.

BACKGROUND

The Western Australian Planning Commission granted approval for the subdivision of Pt Lot M1362 Flinders Avenue, Hillarys on 13 July 1997 incorporating the PAW's to prohibit vehicular access to Flinders Avenue. The subdivision resulted in the creation of 21 lots ranging in size from 281m² to 288m² and four grouped dwelling sites, Lots 7, 18, 19 and 25. On 25 August 1999 the City supported the subdivision of one of the grouped dwelling sites, Lot 19 Halliday Grove, Hillarys, into eight single residential lots and on 28 September 1999 the subdivision of Lot 18 Halliday Grove was supported by the City (Item No.CJ336-09/99 refers). The City received an application on 1 November 1999 to subdivide Lot 25 Halliday Grove, Hillarys into four new lots.

Lot No	18	19	25
Address	45 Halliday Grove, Hillarys	22 Halliday Grove, Hillarys	2 Halliday Grove, Hillarys
Land Owner	Sayed H Aly and 2XL Investments Pty Ltd	Delkara Pty Ltd	Webb and Brown-Neaves Pty Ltd
MRS Zoning	Urban	Urban	Urban
TPS Zoning	Residential	Residential	Residential
R Code	R40	R40	R40
Lot Area	1529m ²	2015m ²	1293m ²

Koltasz Smith and Partners are consultants acting on behalf of the three separate owners of Lot 18 (45) Halliday Grove, Lot 19 (22) Halliday Grove and Lot 25 (2) Halliday Grove. These parcels of land are located on the south-western corner of Flinders Avenue and Waterford Drive, Hillarys. Subdivision applications have been lodged for these lots and as part of the design of the proposed subdivisions the consultants have requested sections of 0.1 PAWS to be closed.

DETAILS

Lot 18 (45) Halliday Grove, Hillarys

With regard to Lot 18 Halliday Grove, the applicants have requested one-metre lengths of the 0.1 PAW to be closed on proposed Lots 1 and 2 (see Attachment 1). However, the subdivision application indicates that these lots do have legal access from Halliday Grove via battle-axe legs and therefore closure of the 0.1 PAW at the points shown on Lot 18 is not necessary and consequently not supported.

Lot 19 (22) Halliday Grove, Hillarys

In respect of Lot 19 Halliday Grove (see Attachment 2), the applicant requests the closure of a 5.5 metre length of the 0.1 PAW on proposed Lot 1 which will be the required vehicular access from Halliday Grove. Closure of the remaining four metre length of 0.1 PAW on Lot 2 will leave this proposed new lot unencumbered by any PAW on Halliday Grove, Hillarys.

Proposed Lots 5, 6 and 7 will have vehicular access from a right of carriageway from within the proposed development. However it is necessary for these proposed lots to have legal frontage to a dedicated road and therefore the applicants have requested that one-metre lengths of the 0.1 PAW be closed on proposed Lots 5, 6 and 7 to facilitate this.

Lot 25 (2) Halliday Grove, Hillarys

Lot 25 Halliday Grove (see Attachment 3) requires a one-metre length of the 0.1 PAW to be closed on proposed Lot 1. Again, this is only to acquire a legal frontage to Flinders Avenue; the remaining three new lots proposed in this subdivision application having legal access from Halliday Grove, Hillarys.

The City's contact with the service authorities determined that there is not any service plant that would be affected by this proposal and therefore no objections were raised.

The Western Australian Planning Commission (WAPC) was also requested to comment. The Commission advised that it did not raise any objection to the proposal, provided that the partial closure of the 0.1 PAW was restricted to one-metre lengths on Flinders Avenue, in order to prevent driveway access within the vicinity of the roundabout. Further, the WAPC stated that approval for the proposed subdivisions of Lots 18, 19 and 25 Halliday Grove, Hillarys were to be determined separately by the Commission in the normal way.

An advertisement was placed in the local newspaper advising the public that this proposal was being advertised for public comment for a period of thirty days. The City did not receive any submissions during this time.

COMMENT

From the subdivision applications for Lots 18, 19 and 25 Halliday Grove, Hillarys presently being considered it appears vehicular access is from either Halliday Grove or a private right of way. Provided that the proposed new lots that abut Flinders Avenue on Lot 19 and 25 are restricted to one-metre lengths to maintain the original intent of the PAW by ensuring vehicular access is not enabled at these points, the application should be supported to close the 0.1 PAWS on these lots.

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

- 1 DO NOT SUPPORT the application by Koltasz Smith and Partners on behalf of the owners of Lot 18 Halliday Grove, Hillarys to close a one-metre strip on proposed new Lot 1 and a one-metre strip on proposed new Lot 2 due to these proposed lots already having legal access to a dedicated road;**

- 2** **SUPPORT** the application submitted by Koltasz Smith and Partners on behalf of the owners of Lots 19 and 25 Halliday Grove, Hillarys to close six sections of the 0.1 metre wide pedestrian accessway at the locations as indicated on Attachments 2 and 3 to Report CJ417-11/99;
- 3** **REQUEST** the Department of Land Administration to formally close the sections of 0.1 pedestrian accessway as indicated on Attachments 2 and 3 to Report CJ417-11/99 and amalgamate them into the road reserve.

The Motion was Put and

CARRIED

Appendix 10 refers – click here: [Att10min2311.pdf](#)

CJ418- 11/99 DELEGATED AUTHORITY REPORT - [07032]

SUMMARY

This report provides a resumé of the development applications processed by Delegated Authority from 1 October 1999 to 31 October 1999

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners NOTE the determinations made under Delegated Authority in relation to the applications described in Report CJ418-11/99.

The Motion was Put and

CARRIED

Appendix 11 refers – click here: [Att11min2311.pdf](#)

REPORT OF THE CHIEF EXECUTIVE OFFICER
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The Chief Executive Officer advised that the City of Joondalup has been recognised by the Federal Minister for the Environment for its decision to tackle greenhouse gas emissions.

The Minister, Senator Robert Hill, stated the certificate recognised the City of Joondalup's formal commitment to become a participant in the "Cities for Climate Protection Australia" Program.

In doing so, the City of Joondalup has undertaken to complete an action agenda which will reduce greenhouse gas emissions within the Council area.

Chairman of Commissioners presented the certificate to the City of Joondalup's Executive Manager of Strategic Planning, Ray Fischer.

The Chief Executive Officer advised the City was pleased with recognition of its efforts to help the environment.

The certificate recognises just one of our strategies in this very important area.

In this initiative, the City is committed to:

- undertake a greenhouse gas emissions survey and forecast future emissions;
- establish an emissions reduction goal;
- develop and adopt a local action plan;
- implement policies and measures to reduce emissions
- monitor and report on emissions reductions and implementation of measures.

Chairman of Commissioners requested the Chief Executive Officer to comment on the initiatives being undertaken by Western Australian Municipal Association in the area of rates and the method of calculation.

Chief Executive Officer advised a great deal of dissatisfaction had been expressed within the community in relation to the impact on a number of rates which had occurred due to the valuations in some prime areas, in particular along the coastal line.

Chief Executive Officer stated he was a member of the executive of the Western Australian Municipal Association, who would be meeting next week, and made reference to an item on the agenda for discussion titled “Gross Rental Values in metropolitan area impact Valuer General’s assessment process”.

Complaints have been received from a number of Councils within the metropolitan area as there has been a dramatic rise in Gross Rental Values, particularly as mentioned previously along the coast line.

A recommendation has been proposed that the Valuer General’s department be requested to provide an explanation to the problems experienced by many local authorities arising out of the application of Gross Rental \values in 1999.

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **7.00 pm** on **TUESDAY, 7 DECEMBER 1999** to be held at the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1833 hrs; the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
MORGAN
CLARK-MURPHY
ROWELL
BUCKLEY

