



*City of*  
**Joondalup**

**NOTICE IS HEREBY GIVEN that the next Ordinary Meeting of the Council of the City of Joondalup will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on Tuesday, 8 August 2000 at 7.00 pm.**

**LINDSAY DELAHAUNTY**  
**Chief Executive Officer**  
**2 August 2000**

## **PUBLIC QUESTION TIME**

*Council allows a 15 minute public question time at each Council meeting which is open to the public.*

*To enable prompt and detailed responses to questions, members of the public are requested to lodge questions in writing to the Committee Clerk at least two days prior to the Council meeting at which the answer is required.*

*The Mayor is responsible for the conduct of public question time and ensuring that each member of the public has an equal opportunity to ask a question. The Mayor shall also decide whether a question will be taken on notice or alternatively who should answer the question.*

*The following general rules apply to question time:*

- *question time is not to be used by a member of the public to make a statement or express a personal opinion.*
- *questions should properly relate to Council business.*
- *question time shall not be used to require an Elected Member or an officer to make a personal explanation.*
- *questions are not to be framed in such a way as to reflect adversely on a particular Elected Member or officer.*

## **DEPUTATION**

*Elected Members will conduct an informal session on the same day as the meeting of the Council in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup, commencing at 5.00 pm where members of the public may present deputations by appointment only.*

*A time period of fifteen (15) minutes is set aside for each deputation, with five (5) minutes for Elected Members' questions. Deputations shall not exceed five (5) persons in number and only three (3) of those persons shall be at liberty to address the Elected Members and to respond to questions raised. Deputation sessions are, however, open to the public and other persons may attend as observers.*

## **MOBILE TELEPHONES**

*PERSONS ATTENDING MEETINGS are reminded that the use of Mobile Telephones during meetings is not permitted.*

*PLEASE ENSURE that mobiles are switched off before entering the Council Chamber.*

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

# CITY OF JOONDALUP

Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 8 AUGUST 2000** commencing at **7.00 pm**.

LINDSAY DELAHAUNTY  
Chief Executive Officer  
2 August 2000

Joondalup  
Western Australia

## AGENDA

### OPEN AND WELCOME

Invited Guest - Ms P Tassell – Lotteries House

### APOLOGIES AND LEAVE OF ABSENCE

#### LEAVE OF ABSENCE – CR P KADAK

Cr Kadak has requested Leave of Absence from Council duties for the period 10 September 2000 to 13 October 2000 inclusive.

### RECOMMENDATION

**That Council APPROVES the Leave of Absence requested by Cr P Kadak for the period 10 September 2000 to 13 October 2000 inclusive.**

### PUBLIC QUESTION TIME

**The following questions, submitted by Mr M Sideris of Mullaloo, were taken on notice at the Council meeting held on 25 July 2000:**

*Q1 Are the current procedures for procuring goods and services in strict accordance with State Government purchasing guidelines?*

*A1 The City of Joondalup's current purchasing procedure is not in accordance with State Government procedures. The City's procedures have been developed as required by the Local Government (Financial Management) Regulations 1996.*

The City's procedures are as follows:-

- <\$1,000 - Three verbal quotations
- Between \$1,000 and \$10,000 - Three verbal quotations (must be recorded)
- Between \$10,000 and \$50,000 - At least three (preferably five) written quotes.

The State Government's (State Supply Commission) Guidelines are as follows:

- <\$5,000 - 3-5 Verbal Quotations
- \$5,000 - \$50,000 - 3-5 Written Quotations

*Q2 Can I have a copy of your current procedures?*

A2 A copy of the City's current purchasing procedure has been provided to Mr Sideris.

**The following questions, submitted by Mr David Davies of Connolly, were taken on notice at the Council meeting held on 25 July 2000:**

*Q1 Regarding CJ184-07/00 Community Facilities, Connolly: Why has the administration of the City of Joondalup put this recommendation forward in the full knowledge that Connolly Residents Association are in the middle of a needs survey requested by the Mayor?*

A1 The original report on this proposal was written prior to the Association's meeting on 12 June 2000 with Council representatives and was deferred by Council awaiting further consideration.

The original recommendation on a deferred report remains intact until further consideration is given by the Council.

*Q2 Are the members of the Council aware that the facts in the agenda are, at the best, mistaken and at the worst a malicious attempt to further stall the people of Connolly? Why were the people of Connolly not invited to the meeting on 28 June 2000, as we were unaware of this meeting until viewing this report? (In support of this statement, Mr Davies referred to areas within the report and outlined his concerns.)*

A2 The report written by the Council staff is based on factual information in accordance with the Council's records.

The meeting held on the 28 June 2000 was to allow staff to brief the Ward Councillors on the full history of this project as agreed at the meeting held with the Residents Association on 12 June 2000.

The Council has made no attempt to delay the project which could have proceeded if the Association had decided to design a facility within the \$200,000 grant in accordance with the original submission made to the State Government.

- Q3 Are the Councillors aware of the petition, in excess of 800 pages, from Connolly residents which was submitted to Council approximately two years ago? There is a need for this centre, as demonstrated by the petition, as Connolly is possibly the only suburb within the City not to have a community facility.*
- A3 A thorough search of records back to 1996 has been made and Council has no record of a petition from Connolly Residents' Association on this matter. From research a petition – Community Centre, Connolly, Funding - bearing signatures of 312 persons was presented by Hon P R Lightfoot to the Legislative Council on 17 October 1996.
- Q4 With the procrastination of the administration, and previously the Commissioners, the existing \$200,000 granted by the Government has been eroded by 10% due to inflation, and 10% by the introduction of GST, an amount totalling \$40,000. By adding another \$40,000 from the City's dollar for dollar funding which we still hope to receive, we are now out of building power by \$80,000. Is the City prepared to make up the shortfall by granting Connolly Community Facilities Project the sum of \$280,000?*
- A4 This project has always been controlled by the Connolly Residents Association and the facility could have been constructed in 1996 for \$200,000 in accordance with the original grant, with the Council's contribution being the land component.

## **DECLARATIONS OF FINANCIAL/NON FINANCIAL INTEREST**

### **CONFIRMATION OF MINUTES**

#### **MINUTES OF COUNCIL MEETING, 25 JULY 2000**

##### **RECOMMENDATION**

**That the Minutes of the Council Meeting held on 25 July 2000 be confirmed as a true and correct record.**

#### **MINUTES OF SPECIAL COUNCIL MEETING, 2 AUGUST 2000**

##### **RECOMMENDATION**

**That the Minutes of the Special Council Meeting held on 2 August 2000 be confirmed as a true and correct record.**

### **ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION**

### **PETITIONS**

**REPORTS****FINANCE AND COMMUNITY DEVELOPMENT**

<b>CJ196 - 08/00</b>	<b>AUSTRALIAN CENTRE FOR REGIONAL AND LOCAL GOVERNMENT STUDIES ELECTED MEMBERS COURSE NO 55, 18 - 22 SEPTEMBER 2000, CANBERRA – [18058].....</b>	<b>1</b>
<b>CJ197 - 08/00</b>	<b>MINUTES OF THE ENVIRONMENTAL ADVISORY COMMITTEE MEETING – 19 JULY 2000 - [00906].....</b>	<b>3</b>
<b>CJ198 - 08/00</b>	<b>CRIME MAPPING: ADDING VALUE TO CRIME PREVENTION &amp; CONTROL CONFERENCE AND WORKSHOP 19–22 SEPTEMBER 2000 – [39870].....</b>	<b>6</b>
<b>CJ199 - 08/00</b>	<b>APPOINTMENT OF NEW MEMBERS TO THE JOONDALUP SOUTH AND NORTH YOUTH ADVISORY COUNCILS – [38245].....</b>	<b>8</b>
<b>CJ200 - 08/00</b>	<b>MINUTES OF JOONDALUP YOUTH ADVISORY COUNCILS MEETINGS – JULY, 2000 – [38245].....</b>	<b>13</b>
<b>CJ201 - 08/00</b>	<b>THE TRANSFER OF SERVICES TO THE COMMUNITY BASED SECTOR AND A NEW ROLE FOR COMMUNITY SERVICES – [40958].....</b>	<b>14</b>
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**INFRASTRUCTURE MANAGEMENT**

<b>CJ203 - 08/00</b>	<b>TENDER NO 103-99/00 - SUPPLY OF UNDERGROUND BORING SERVICES - [44847].....</b>	<b>34</b>
<b>CJ204 - 08/00</b>	<b>TENDER 104-99/00 - HIRE OF PLANT, AUXILIARY PLANT AND VEHICLES - [45847].....</b>	<b>36</b>
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<b>CJ206 - 08/00</b>	<b>TENDER 106-99/00 - SUPPLY &amp; DELIVERY OF PRECAST STORMWATER DRAINAGE PIPES, FITTINGS AND ANCILLARY PRODUCTS - [47847].....</b>	<b>42</b>
<b>CJ207 - 08/00</b>	<b>CONTRACT EXTENSION - CONTRACT 034-99/00 SUPPLY &amp; LAYING OF ASPHALT PRODUCTS - [39821].....</b>	<b>45</b>

**PLANNING AND DEVELOPMENT**

<b>CJ208 - 08/00</b>	<b>PROPOSED ANCILLARY ACCOMMODATION TO EXISTING SINGLE HOUSE: LOT 542 (33) TILLER ROAD, OCEAN REEF - [49341].....</b>	<b>48</b>
<b>CJ209 - 08/00</b>	<b>REQUESTS FOR CANCELLATION AND SUBSEQUENT PURCHASE OF PORTIONS OF RESERVE 33747: MINCHIN RESERVE, PADBURY - [41156].....</b>	<b>53</b>

**REPORT OF THE CHIEF EXECUTIVE OFFICER**

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**DATE OF NEXT MEETING**

**CLOSURE**

**CJ196 - 08/00 AUSTRALIAN CENTRE FOR REGIONAL AND LOCAL GOVERNMENT STUDIES ELECTED MEMBERS COURSE NO 55, 18 - 22 SEPTEMBER 2000, CANBERRA – [18058]**

**WARD - All**

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CJ000801\_BRF.DOC:ITEM 1

**SUMMARY**

The Australian Centre for Regional and Local Government Studies is a faculty of the University of Canberra which conducts professional development courses for Elected Members.

Expressions of interest have been received from Councillors Kenworthy, Mackintosh, Patterson and Walker to attend Elected Members Course No 55 at the University of Canberra from 18 to 22 September 2000.

In order to ensure the business of Council is not adversely affected, it is recommend that only two Elected Members attend the Elected Members Course No 55 in September 2000 and that Council consider sending two Councillors in 2001.

**BACKGROUND**

The Australian Centre for Regional and Local Government Studies has been providing training for Elected Members in Australia and New Zealand for twenty years.

The centre has established two specialised courses for Local Government Elected Members.

The introductory course (No 55) focuses on developing skills that Elected Members require to best represent their community's needs.

**DETAILS**

The objective of the Elected Members Course is to improve an Elected Member's effectiveness and to make the community a vital part of the change process. The course focuses on Local Government as a national industry and is of great benefit to both newly elected and more experienced representatives.

The course offers topics which relate directly to an Elected Member's needs. Sessions will cover management skills, financial management, local government knowledge and communication skills in the areas of negotiation and media management.



A sample of the topics to be covered include:

- ◆ Roles and responsibilities of Elected Members
- ◆ How to read financial statements
- ◆ Dealing with the media
- ◆ Financing infrastructure projects for your Council

### COMMENT/FUNDING

Whilst it would be ideal to send all Elected Members to development courses such as this, it is essential that Elected Members are available for the conduct of urgent Council business.

Accordingly, it is recommended that two Elected Members attend the above course in September 2000 and that Council give consideration to sending delegates to the 2001 course.

Account No:	11-05-05-052-3523-0001
Budget Item:	Elected Members Training
Budget Amount:	\$25,000
Actual Cost	
Air Fares	2 @ \$1,422
Registration (includes all meals and accommodation)	2 @ \$2,145
Daily allowance	2 @ \$90 per day (5 days)
<b>Total Cost</b>	<b>\$8,034</b>

### RECOMMENDATION

**That Council AUTHORISES the attendance of two Elected Members at Elected Members Course No 55, University of Canberra from 18 to 22 September 2000 at a cost of \$8,034 to be funded from Elected Members Training - Account No 11-05-05-052-3523-0001.**

## **CJ197 - 08/00      MINUTES OF THE ENVIRONMENTAL ADVISORY COMMITTEE MEETING – 19 JULY 2000 - [00906]**

**WARD** - All

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CJ000801\_BRF.DOC:ITEM 2

### **SUMMARY**

A meeting of the Environmental Advisory Committee was held on 19 July 2000 and the unconfirmed minutes of the meeting are submitted to Council for noting and endorsement of motions.

### **BACKGROUND**

The Environmental Advisory Committee meeting held on 19 July 2000 achieved a quorum, and considered a range of business arising items outstanding from the previous (informal) meeting held on 21 June 2000.

Discussions centered around the nomination of community representatives to the committee, a briefing paper reviewing the issue of atmospheric haze, a discussion item regarding a fauna study undertaken by M J and A R Bamford, and a discussion on a briefing paper relating to Local Agenda 21.

Consideration of a discussion paper on the Cities for Climate Protection campaign (Item 7) was deferred to the next Environmental Advisory Committee.

### **DETAILS**

The unconfirmed minutes of the Environmental Advisory Committee held on 19 July 2000 are included as Attachment A.

The following motions were carried and require consideration by the Council:

- That the advertisement seeking nominations for community representation on the Environmental Advisory Committee be placed in an appropriate community newspaper for a period of two weeks, with an option for a further two week extension pending the response to the advertisement. The Manager Organisation & Strategic Development contact key stakeholder groups in relation to the committee nomination opportunity.

Council endorsed the advertising for nominations from interested community representatives to become members of the Environmental Advisory Committee at the Council meeting held on 11 July 2000 (Item CJ171–07/00 refers).

- **That a report be prepared on a review of the Perth's Air Quality Management Plan and the recommendations of the 1998 Select Committee report on Perth's Air Quality, for consideration at the next Environmental Advisory Committee meeting.**

- That an article be prepared for submission to the Council News, in relation to Council Policy 4.6.1 (Burning of Garden Refuse and Cleared Vegetation).
- That a report be prepared for consideration at the next Environmental Advisory Committee meeting, reviewing local examples of fauna protection programmes (such as Karakamia Sanctuary) and an investigation into the opportunities for a privately operated fauna protection programme, at Craigie Open Space.
- That Item 6 be prepared as a “Green Paper” for consideration by Council, with the recommendation being for Council to endorse the workplan and the strategic direction of the Local Agenda 21 process.

The next meeting of the Environmental Advisory Committee will be held at 5.30 pm on 16 August 2000.

## **RECOMMENDATION**

### **That Council:**

- 1 NOTES the unconfirmed minutes of the Environmental Advisory Committee meeting held on 19 July 2000 forming Attachment A to Report CJ197-08/00;**
- 2 ENDORSES:**
  - (a) the advertisement seeking nominations for community representation on the Environmental Advisory Committee be placed in an appropriate community newspaper for a period of two weeks, with an option for a further two week extension pending the response to the advertisement and contact be made with the key stakeholder groups in relation to the committee nomination opportunity;**
  - (b) the preparation of a report reviewing Perth’s Air Quality Management Plan and the recommendations of the 1998 Select Committee report on Perth’s Air Quality, for consideration at the next Environmental Advisory Committee meeting;**
  - (c) an article being prepared for submission to the Council News, in relation to Council Policy 4.6.1 (Burning of Garden Refuse and Cleared Vegetation);**
  - (d) that a report be prepared for consideration at the next Environmental Advisory Committee meeting, reviewing local examples of fauna protection programmes (such as Karakamia Sanctuary) and an investigation into the opportunities for a privately operated fauna protection programme, at Craigie Open Space;**

- (e) **that the Local Agenda 21 discussion paper as submitted to the Environmental Advisory Committee at its meeting held on 19 July 2000 be presented to the Council for consideration with a recommendation being for the Council to consider the workplan and the strategic direction of the Local Agenda 21 process;**
- (f) **the letters sent to Mr De Piazzì and Ms James thanking them for their efforts and involvement on the Environmental Advisory Committee.**

*For the attachment to this report, see Appendix 1 at the rear of the agenda.*

*To access this attachment on electronic document, click here: [Attach1brf080800.pdf](#)*

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## **CJ198 - 08/00 CRIME MAPPING: ADDING VALUE TO CRIME PREVENTION & CONTROL CONFERENCE AND WORKSHOP 19-22 SEPTEMBER 2000 – [39870]**

**WARD** - All

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CJ000801\_BRF.DOC:ITEM 3

### **SUMMARY**

The purpose of this report is to recommend attendance of the Strategic Co-ordinator Community Security & Safety at the Crime Mapping: Adding Value to Crime Prevention & Control Conference and Workshop to be held in Adelaide from 19-22 September 2000.

### **BACKGROUND**

The Australian Institute of Criminology (AIC) is a national organisation that aims to explore and explain issues of public policy significance in crime prevention and criminal justice. The Institute's work is communicated to government, media and the public through its conferences, seminars, workshops and publications. This conference is one means of exploring and communicating ideas and strategies about the significant issues, to the public, of crime prevention and crime mapping.

The Australian Institute of Criminology, in conjunction with the University of Adelaide Key Centre for Social Applications of GIS, have combined to establish a conference which aims to discuss current and potential uses of computerised mapping and associated GIS technologies in adding value to public policy and practice in the fields of crime prevention and crime control.

### **DETAILS**

The aims and objectives of the conference are based around 3 major topics:

- Mapping for Crime Prevention;
- Mapping for Crime Control;
- Mapping for Regional Comparisons of Crime.

A number of speakers have been scheduled to discuss a number of crime mapping and crime prevention issues plus an address by the Director of the Australian Institute of Criminology Dr Adam Graycar on the topic of "Local Government and Crime Prevention". The Federal Minister for Justice and Customs, Senator Amanda Vanstone, will also be in attendance.

In addition to the conference, the University of Adelaide Key Centre for Social Applications of GIS is conducting a one-day conference workshop on mapping using MapInfo which has been designed for people to learn and obtain an insight into the application of crime mapping and strategies that can be applied.

Whilst in Adelaide the Strategic Co-ordinator Community Security & Safety has requested to visit the City of Onkaparinga to learn more about their successful graffiti campaign. The program, a comprehensive model based on rapid clean-up strategies, volunteer support and community education, tracks and identifies more frequent tags and taggers, seeks restoration justice on behalf of the community and provides tangible consequences and offers counselling to offenders. This model was developed over a period of nine years and is marketed world wide as a unique benchmark for graffiti control.

## COMMENT/FUNDING

As Council would be aware community security and safety remains one of the highest concerns for the community and the City has embraced these concerns by creating the Safer Community Program. Part of the role of the Strategic Co-ordinator Community Security & Safety is to keep abreast with industry developments and initiatives in crime prevention measures and the conference and workshop is primarily targeted for administrative, operational and technical applicants.

Account No:	11 20 22 222 3302 0001
Budget Item:	Conferences
Budget Amount:	\$ 2,500
Actual Cost:	\$ 2,300 (approximate)

## RECOMMENDATION

**That Council APPROVES the attendance of the Strategic Co-ordinator Community Security & Safety at the Crime Mapping: Adding Value to Crime Prevention and Control Conference and Workshop and visit to the City of Onkaparinga from 19-22 September 2000 to be held in Adelaide, at an estimated cost of \$2,300.**

MC

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**CJ199 - 08/00 APPOINTMENT OF NEW MEMBERS TO THE  
JOONDALUP SOUTH AND NORTH YOUTH  
ADVISORY COUNCILS – [38245]**

**WARD - All**

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CJ000801\_BRF.DOC:ITEM 4

**SUMMARY**

At the Council meeting of 22 December 1998 (Item CJ298-12/98 refers), approval was given for the development of a Youth in Government Program for the City of Joondalup.

A component of the Program is the operation of two (2) locally based Youth Advisory Councils. These Youth Advisory Councils have been operational for one year and vacancies have arisen. A selection process to fill these vacancies has been completed for the Joondalup South and North Youth Advisory Councils and appointment of the new members to these Youth Advisory Councils is required.

**BACKGROUND**

At the Council meeting held on 22 December 1998, it was resolved that the Joint Commissioners:

- “1 ENDORSE in principle the Youth in Government Program as put forward in Report CJ298-12/98;**
- 2 DISBAND the Junior Council in its current form and replace it with the Junior Council Program as put forward in Report CJ298-12/98.”**

The City’s Youth In Government Program draws together and integrates the City’s Youth Action Plan, the Youth Parliament Programs of the Federal and State Governments and the State Government’s Youth Advisory Council Program (YAC’s).

The Youth in Government Program includes a range of initiatives that incorporate:

- the development of two Youth Advisory Councils;
- a revised Youth Council Program;
- participation in State Youth Parliament;
- participation in Federal Youth Parliament.

Report CJ25-06/99 refers to the appointment of the Councils.

The main objectives of the Youth in Government Program are:

- To provide an opportunity for young people throughout the City of Joondalup to raise, discuss and advocate on issues that are of significance to them.
- To provide opportunities for young people to learn about and participate in the decision making process of all levels of Government.
- To implement a meaningful and effective Youth Advisory Council structure that is accessible to the wider youth community.

### **Promotional Strategies**

A key objective of the Program is to encourage participation from all sectors of the youth community and this has been reflected in the promotional strategies to recruit members. These strategies included:

- an advertisement in University Newspapers (Harrabee , The Voice)
- detailed letters and promotional materials to school principals
- detailed letters and promotional materials to youth service providers in the local area
- school visits
- liaison with disability support groups and service providers
- promotional materials sent to local employment agencies

These advertisements invited young people to apply for membership of the Youth Advisory Councils.

### **DETAILS**

#### **Term of Office**

Members of the Youth Advisory Councils are selected to serve a one or two year term. The purpose of this is to ensure that there is a continuity of experience through the Youth Advisory Councils. For this reason, there are eight vacancies on each of the Youth Advisory Councils. The vacancies occurred as a result of natural attrition and members volunteering to step down.

The outgoing members of the Youth Advisory Councils are listed below.

<b>JOONDALUP SOUTH</b>		<b>JOONDALUP NORTH</b>	
<b>Name</b>	<b>Suburb</b>	<b>Name</b>	<b>Suburb</b>
Neil Van Drunen	DUNCRAIG	Anne Ngo	CONNOLLY
Janelle Van Sant	SORRENTO	Megan Smolders	OCEAN REEF
Natasha Burns	WARWICK	Heather Gibbons	JOONDALUP
Nina Calogero	MARMION		
Janelle Budge	GREENWOOD		
Kristy Pickett	WOODVALE		
Aaron Tait	WOODVALE		



### **Selection Process**

Fourteen (14) nominations were received for the 8 available places on the Joondalup South Youth Advisory Council and eight (8) applications were received for the 8 available places on the Joondalup North Youth Advisory Council.

Applications for each Council were reviewed by a peer panel of current Youth Advisory Councillors based on selection criteria including age, residential address, school attended, employment status and community involvement. These criteria were developed in order to ensure that there was a wide representation of young people and that one group was not over-represented. Once the applications were assessed referees were contacted for 8 suitable applicants for each Youth Advisory Council and a recommendation made that the 16 applicants be assessed.

### **Terms of Reference**

An umbrella Terms of Reference (adopted CJ352-10/99) for both Youth Advisory Councils in the City is attached. (See Attachment 1)

### **Future Directions**

Following appointment to the Councils, the Youth Advisory Councillors will begin meeting on a monthly basis.

### **Current Members**

<b>JOONDALUP SOUTH</b>		<b>JOONDALUP NORTH</b>	
<b>Name</b>	<b>Suburb</b>	<b>Name</b>	<b>Suburb</b>
1. Steven Baron	PADBURY	1. Aman Pabla	OCEAN REEF
2. Hayley Brooks	WARWICK	2. Tracey-Lee McDonald	OCEAN REEF
3. Ryan Clapp	KINGSLEY	3. Philippa Brown	MULLALOO
4. Rachel Curtis	PADBURY	4. Timothy Lee	EDGEWATER
5. Heidi Delaney	HILLARYS	5. Sara McMillan	OCEAN REEF
6. Garrath Dingley	DUNCRAIG	6. Emma Nolan	EDGEWATER
7. Robert Harwood	PADBURY	7. Joshua King	HEATHRIDGE
8. Andrew Logan	CRAIGIE	8. Emma Dee	CURRAMBINE
9. Jayne Miller	HILLARYS	9. Tara Lee Brayshaw	EDGEWATER
10. Natasha Newman	GREENWOOD		
11. Andrew Wallis	WARWICK		

<b><u>New Members</u></b>		<b><u>New Members</u></b>	
12. Jared Robb	DUNCRAIG	10. John Saratsis	OCEAN REEF
13. Michelle McFarlane	SORRENTO	11. Anna Kim	BELDON
14. Tegan Smith	DUNCRAIG	12. Jennifer Dedman	OCEAN REEF
15. Amanda Benfall	KINGSLEY	13. Adam Wade	JOONDALUP
16. Enid Chua	KINGSLEY	14. Lauren Kotce	CURRAMBINE
17. Ryan Kukura	DUNCRAIG	15. Natalie Marsh	BELDON
18. Julian Tompkin	WOODVALE	16. Suzanne Akila	CONNOLLY
19. Luke Williams	GREENWOOD	17. Viet Nguyen	OCEAN REEF

The age ranges of the nominees for Joondalup Youth Advisory Councils are as follows:

JOONDALUP SOUTH		JOONDALUP NORTH	
Age	Frequency	Age	Frequency
15 Years	3	15 Years	3
16 Years	6	16 Years	5
17 Years	5	17 Years	6
18 Years	2	18 Years	1
19 Years	1	19 Years	3
21 Years	1		

## RECOMMENDATION

**That Council:**

- 1 BY AN ABSOLUTE MAJORITY REMOVES and THANKS the following outgoing members of the Youth Advisory Councils;**

**Joondalup South**

**Neil Van Drunen  
Janelle Van Sant  
Natasha Burns  
Nina Calogero  
Janelle Budge  
Kristy Pickett  
Aaron Tait**

**Joondalup North**

**Anne Ngo  
Megan Smolders  
Heather Gibbons**

- 2 BY AN ABSOLUTE MAJORITY, APPOINTS the following nominees as members of the Joondalup Youth Advisory Councils;**

**Joondalup South**

**1. Steven Baron  
2. Hayley Brooks  
3. Ryan Clapp  
4. Rachel Curtis  
5. Heidi Delaney  
6. Garrath Dingley  
7. Robert Harwood  
8. Andrew Logan  
9. Jayne Miller  
10. Natasha Newman  
11. Andrew Wallis  
12. Jared Robb**

**Joondalup North**

**1. Aman Pabla  
2. Tracey-Lee McDonald  
3. Philippa Brown  
4. Timothy Lee  
5. Sara McMillan  
6. Emma Nolan  
7. Joshua King  
8. Emma Dee  
9. Tara Lee Brayshaw  
10. John Saratsis  
11. Anna Kim  
12. Jennifer Dedman**

**Joondalup South**

- 13. Michelle McFarlane
- 14. Tegan Smith
- 15. Amanda Benfall
- 16. Enid Chua
- 17. Ryan Kukura
- 18. Julian Tompkin
- 19. Luke Williams

**Joondalup North**

- 13. Adam Wade
- 14. Lauren Kotce
- 15. Natalie Marsh
- 16. Suzanne Akila
- 17. Viet Nguyen

**3 THANKS all nominees who nominated for memberships of the Joondalup Youth Advisory Councils;**

**4 SETS the following quorums for Joondalup Youth Advisory Councils:**

**Joondalup South Youth Advisory Council – 10**

**Joondalup North Youth Advisory Council - 9**

*For the attachment to this report, see Appendix 2 at the rear of the agenda.*

*To access this attachment on electronic document, click here: [Attach2ag080800.pdf](#)*

**CJ200 - 08/00      MINUTES OF JOONDALUP YOUTH ADVISORY COUNCILS MEETINGS – JULY, 2000 – [38245]****WARD - All**

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CJ000801\_BRF.DOC:ITEM 5

**SUMMARY**

Meetings of the Joondalup North and South Youth Advisory Councils were held on 17 and 19 July, 2000 and the minutes of both meetings are submitted for noting by Council.

**DETAILS**

The minutes of the Joondalup North Youth Advisory Council held on 17 July, 2000 at Anchors Youth Centre are included as Attachment 1.

The minutes of the Joondalup South Youth Advisory Council held at Joondalup Library on 19 July, 2000 are included as Attachment 2.

No action is required from these minutes.

A report on the Telstra Youth Rally Project advising of the latest developments will be submitted to Council in due course.

**RECOMMENDATION**

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

- 1      Joondalup North Youth Advisory Council meeting held on 17 July, 2000 forming Attachment 1 to Report CJ200-08/00;**
- 2      Joondalup South Youth Advisory Council meeting held on 19 July, 2000 forming Attachment 2 to Report CJ200-08/00.**

*For the attachments to this report, see Appendices 3 and 4 at the rear of the agenda.*

To access this attachment on electronic document, click here: [Attach3brf080800.pdf](#)  
[Attach4brf080800.pdf](#)

## **CJ201 - 08/00 THE TRANSFER OF SERVICES TO THE COMMUNITY BASED SECTOR AND A NEW ROLE FOR COMMUNITY SERVICES – [40958]**

**WARD - All**

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CJ000801\_BRF.DOC:ITEM 6

### **SUMMARY**

This report seeks Council's in principle endorsement for the establishment of a new community based organisation to undertake the delivery of the majority of aged and disability and children and family services currently provided by the City's Community Services Business Unit. The transfer of services to this organisation would not involve contracting out, but a formal transfer of Commonwealth and State funds to the new organisation which would take total responsibility for the running of the services.

The transfer of the City's services to such an organisation would free up staff in Community Services to largely focus on the following:

- consulting with the community to assess its service and lifestyle needs;
- planning for services to meet those needs;
- lobbying Commonwealth and State governments to develop funding programs to meet those needs;
- developing community infrastructure;
- mentoring and supporting community groups;
- playing a coordination role with other levels of government to ensure that adequate funds and services are provided within the City;
- playing a coordination role with non-government agencies and other levels of government to ensure that the best use is made of the resources available in the City, and
- initiating innovative responses to community need.

In articulating these changes, this report:

- provides a brief history to the proposed changes;
- provides a picture of what currently exists in Community Services and its cost;
- provides a picture of what Community Services could look like by January 2001;
- presents options for the provision of community services in the City of Joondalup;
- looks at the advantages of the transfer of services; and
- suggests a way forward.

This report deals only with the Community Services component of the Community and Health Services Business Unit and does not deal with the Whitford and Ocean Ridge Outside School Hours Care (OSHC) Services which are the subject of a separate report to be reconsidered by Council on 22 August 2000. These services are being dealt with separately because of:

- the low numbers of children using both after school care services and the impact of this on their viability;
- the high cost of these services to the ratepayers and the subsequent need to transfer these services sooner rather than later; and
- the capacity to ensure the long term viability of these services by transferring Whitfords to an existing service in the same suburb thus avoiding duplication of service and Ocean Ridge to a service provider currently offering 8 OSHC services in the North Metropolitan area thus gaining economies of scale.

## **BACKGROUND**

### **Joondalup – a maturing City**

The former City of Wanneroo played a pioneering role in the development of community services in the region. As Wanneroo became one of the fastest growing local government authorities in the country with very little in the way of community services and no service provision organisations, Council performed a crucial role as the almost sole provider of community services in the region.

In relatively recent times, there has been a significant growth in non-government agencies in the City, particularly with the establishment of the Joondalup Lotteries House. The City of Joondalup has matured and now has different community needs and expectations. The split of the former City of Wanneroo and the creation of the Cities of Wanneroo and Joondalup has provided an ideal opportunity for Council to reconsider the role of the City of Joondalup in the provision of community services.

### **Current role and the City's strategic direction**

Community Services currently provides a large range of human services, particularly in the areas of aged, disability, children's and family services. These direct service delivery programs employ 23 staff members of whom 19 are permanent members of staff. Currently, almost all staff time in Community Services is focused on service provision which leaves very little time for any sort of development and leadership role within the City. In accordance with the City's Strategic Plan.

The City's Strategic Plan clearly identifies the important role of leadership the City must play in developing and implementing models to involve the community in identifying and meeting community needs. Currently, the Business Unit's focus prevents it from actively and appropriately undertaking this key role. In order to meet the objectives of the City's Strategic Plan, there is a need to develop a better balance between the roles of service provision and community development.

Re-engineering the Business Unit to focus on its community development role is seen as being critical to the level of success the unit has in contributing to the City's strategic direction. Re-focusing to a role of facilitation rather than service delivery will enable staff to address local and sub-regional issues rather than operational management issues and will provide a model for the development of future service delivery through more effective utilisation of resources.

## **Current programs in Community Services**

Currently, Community Services has two main sub-units:

- Aged and Disability Services; and
- Children and Family Services.

Within Community Services is also responsibility for the infrastructure for a number of early childhood centres, child health centres and community centres. This area is currently under review because the responsibilities were transferred to Community and Health Services without processes and systems in place and without resources to manage these facilities.

The sub-units are supported by an administrative team.

Aged and Disability Services currently consists of:

- Joondalup Client Support Services (Home and Community Care Funded - HACC);
- Joondalup Day Centre (HACC);
- Joondalup Food Services (HACC);
- Joondalup Home Support Services (HACC);
- Joondalup Podiatry Service (HACC);
- Joondalup Voluntary Services (HACC)
- Community Aged Care Packages (Health and Family Services);
- Child Respite (Disability Services Commission);
- Podiatry; and
- Community Transport.

Children and Family Services currently consists of:

- Family Day Care (Family and Community Services – Cmth FCS);
- Occasional Care (Family and Children’s Services State FCS);
- Outside School Hours Care (Cmth FCS);
- Financial Counselling (Cmth FCS and State FCS);
- Family Liaison Counselling (Cmth FCS); and
- Youth Services.

The current organisational chart for Community Services appears as show in Attachment 1.

The total budgeted income and expenditure for all services and facilities in Community Services is as follows:

Sub-unit/area	Income	Expenditure	Council Contribution to Operations	Service Contribution to Council
Aged and Disability	1,194,657	1,129,088		65,569
Children and Family	1,354,340	1,657,660	303,320	
C & HS Admin	0	282,141	282,141	
Community Buildings	13,490	301,687	288,197	
Community Funding	0	14,800	14,800	
<b>TOTAL</b>	<b>2,562,487</b>	<b>3,385,376</b>	<b>888,458</b>	<b>65,569</b>

#### Key to Columns in above table

<b>Income -</b>	This column represents the income received from fees and from Commonwealth and State government grants.
<b>Expenditure -</b>	This column represents the expenditure on each program excluding profit/loss on asset disposal, depreciation and corporate overheads.
<b>Council Contribution Service Contribution to Council</b>	This column represents the amount that Council contributes towards the expenditure in each program
	This column indicates that, in the case of Aged and Disability Services, expenditure before profit/loss on asset disposal, depreciation and corporate overheads is less than the grants provided to these programs.

As can be seen from this table, the total contribution made by Council, less the overall contribution of the services to Council, is **\$822,889**. These funds would be used to continue to employ management and administrative support staff, research and development staff, youth services staff and local areas development staff. The exact numbers of staff and structure of the business unit will not be decided until information is available from the community consultations and needs analyses.

Please note that these figures are based on the adopted budget for 1999/2000 and do not include:

- Non operating grants/contributions
- Profit/loss on asset disposal
- Depreciation
- Corporate overheads
- 1999/2000 operational strategic initiatives.

#### Community Services in 2001

It is proposed that by January 2001, Community Services have one main team - Local Areas Development Team with appropriate administrative and research support. In addition, a resource to administer the community buildings has been recommended as a strategic initiative in the 2000/2001 budget.

The Local Areas Development Team will be responsible for:

- consulting with the community to assess its service and lifestyle needs;
- planning for services to meet those needs;



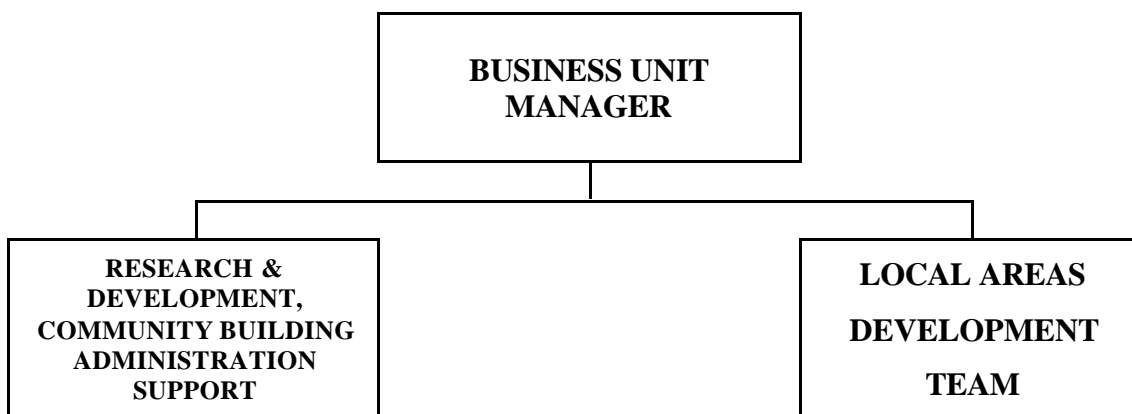
- lobbying Commonwealth and State governments to develop funding programs to meet those needs;
- developing community infrastructure;
- mentoring and supporting community groups;
- playing a coordination role with other levels of government to ensure that adequate funds and services are provided within the City;
- playing a coordination role with non-government agencies and other levels of government to ensure that the best use of the resources available in the City is made;
- initiating innovative responses to community need; and
- providing a small amount of direct service provision. (For example, Anchors Youth Service and the Holiday Programs for young people).

This means that the majority of Aged and Disability Services and Children and Family Services would be transferred to the non-government sector. At this stage, Volunteer Services and Community Transport are being reviewed and their future will be determined following the review. Youth Services will need to remain a service provided by Council because of the lack of State and Commonwealth resources currently targeted at this area. The Whitford and Ocean Ridge Outside School Hours Care (OSHC) Services are the subject of a separate report to be reconsidered by Council on 22 August 2000. These services are being dealt with separately because of:

- the low numbers of children using both after school care services and the impact of this on their viability;
- the high cost of these services to the ratepayers and the subsequent need to transfer these services sooner rather than later; and
- the capacity to ensure the long term viability of these services by transferring Whitfords to an existing service in the same suburb thus avoiding duplication of service and Ocean Ridge to a service provider currently offering 8 OSHC services in the North Metropolitan area thus gaining economies of scale.

While actual staffing arrangements and management structure are yet to be determined, the new organisational chart could look something like the one that appears below:

## **CITY OF JOONDALUP COMMUNITY SERVICES**



## **DETAILS – TRANSFER OF SERVICES**

### **Options for service provision**

There are four broad options available for the City, as follows:

1. Call for tenders from existing agencies to take over the services and/or negotiate with existing services to take over the services on a service by service basis;
2. Advise the funding bodies that the City will no longer provide direct service and leave it to the funding agencies to go through the process of calling for tenders and renegotiating with other agencies;
3. Retain the status quo; and
4. Establish a new community based organisation in consultation with staff to undertake the delivery of services.

### ***Preferred option***

It is proposed to establish a new community based organisation to service the City of Joondalup, with, in the short term, the following services currently provided by the City being transferred to that agency:

- Joondalup Client Support Services (Home and Community Care Funded - HACC);
- Joondalup Day Centre (HACC);
- Joondalup Food Services (HACC);
- Joondalup Home Support Services (HACC);
- Joondalup Podiatry Service (HACC);
- Community Aged Care Packages (Health and Family Services);
- Child Respite (Disability Services Commission).
- Family Day Care (Family and Community Services – Cmth FCS);
- Occasional Care (Family and Children’s Services State FCS); and
- Financial Counselling (Cmth FCS and State FCS).

**This is the preferred option because it avoids the disadvantages of the other options.**

The calling for tenders **to sub-contract the service delivery to one large existing agency was not chosen because of:**

- **The likelihood that the City would be required to pay redundancy monies to the staff in the order of \$205,000.**
- **The City having little influence in the service delivery issues or priorities of the successful bidder.**

Negotiating with a range of existing agencies and splitting the services **across those agencies using a transmission of business model was not chosen because:**

- **Again, the requirement to pay redundancy to staff.**
- **Negotiating with a range of organisations and the implications for Local Government tender regulations.**
- **A potential for confusion within the community regarding who was delivering what service.**

- **The City acting as a ‘middleman’ with a funding agreement from the funding agencies and a further agreement with the delivery agents.**
- **An unnecessarily complicated model.**

Withdrawing from program delivery by simply writing to the funding bodies and advising that Joondalup is no longer prepared to deliver the services was not chosen because:

- **Redundancy payments would still be required.**
- **Funding bodies would probably seek the return of any capital equipment purchased through the funds provided.**
- **There would probably be a time lag between the City withdrawing its service and the various funding agencies developing alternative delivery agencies within the City.**
- **This option was seen to have a potentially deleterious impact on service continuity and on the community.**

**Retaining the status quo** was not chosen because it does not resolve the problems facing Community Services or assist in developing the opportunity to refocus on local area development and facilitation within the community.

#### **Other factors in choosing the “new organisation” model**

The “Transmission of Business” Federal Court Full Bench decision which effectively states that conditions of employment must transfer, together with entitlements, in the event of a transmission of business to another agency, was considered as a key factor in choosing this model.

The “new organisation” model has also been chosen because of the existing funding levels of the services. At this stage, there appears to be sufficient Commonwealth and State funding to establish an organisation with the necessary infrastructure to manage all services.

The model has also been informed by successful experiences in other local government areas. For example, in the southern suburbs Care Options was formed in July 1997 to link three organisations who were previously under individual sponsorship from either Local Government or Community Based management. The three organisations, Rockingham Home Support, South West Community Options and the Rockingham Respite and Support Service, had all been operating since the early 1980s and were HACC funded. By merging to form Care Options, they now offer flexible community care services to residents in the Local Government Areas of Fremantle, South Fremantle, Melville, Cockburn, Kwinana and Rockingham. A measure of the success of Care Options is that other agencies have approached the organisation wishing to come under the same umbrella.

It should be noted that the development of the Care Options organisation involved absolutely no public criticism whatsoever.

The City of Swan has also had success with the development of new community based organisations for the provision of services. Swan has clearly defined its role in the community services area as one of community development. Rather than taking on the administration of new services, Council has adopted a policy of community development through establishment of partnerships with the local community, all tiers of government, non-government agencies and the private sector in the planning and development of services and facilities. Staff work with existing organisations or assist in the establishment of new

organisations to provide community services in the Swan area. The recent development of a 50 bed aged persons' hostel provides an example of the "new organisation" model. In developing this service, Swan established a steering committee and ultimately a separately incorporated organisation – *The Aged Persons' Homes Trust* which has two places on its Board for Council.

### **Advantages of the "new organisation" model**

- The organisation would be self-sufficient, have the capacity to attract additional funding from agencies such as the WA Lotteries Commission, be a registered Public Benevolent Institution under the Australian Taxation Office and be managed by a Board of Directors determined through a constitution established under the Associations Incorporation Act 1987. Through attracting additional funding to develop additional services it will be employing more people in the Joondalup area.
- The new organisation would also be able to offer the existing services at a lower cost than Council because of lower overheads. This would eventually result in greater service provision for the community.
- The City would also have the opportunity to influence the service delivery process or priorities if it has involvement in the establishment of a new organisation. This would not be the case if the services were taken over by an existing agency.
- The "new organisation" model would also maintain consistent and high levels of customer service with existing staff remaining the contact points for clients.
- The new organisation would have the capacity for greater responsiveness to its customers because a smaller organisation allows for more direct participation in decision making with the consequent responsiveness to needs that accompanies this opportunity.

### **Advantages of transferring services to a new community based organisation**

The transfer of services to this new organisation would free up staff and resources to:

- Build on strategic initiatives such as:
  - the Youth in Public Space Project with its implementation of a range of strategies to improve relationships between young people and other members of the community;
  - the Community Consultation and Needs Analysis Project with its identification of all existing community and health services and its involvement of the community in the assessment of gaps in services; and
  - the Community Buildings Project with its goal of administering community buildings in ways that give greatest benefit to the communities in which they are located.

- Develop innovative service responses to issues identified by the community through the Crime and Community Safety Study and the Customer Satisfaction Monitor 2000, particularly in relation to youth and their perceived involvement in criminal and antisocial behaviour.
- Take a more proactive planning, development, coordination and leadership role within the community in line with the organisation's strategic plan.
- Through being more proactive in the planning and development of services, rather just providing services, the City's exposure to public criticism would be reduced – Council would have the capacity to respond in a planned and effective manner and would be fully informed of community issues before they reach crisis point.
- Through having the time to consult with the community, to work with it to develop services, to mentor and support community groups, to develop partnerships and to play a coordination role, additional services will be able to be developed.
- The transferring of a large proportion of the service delivery components of the Community Service business sub-unit will also assist the Resource Management Directorate. It will no longer be required to administer the sometimes complex, and by necessity flexible, financial arrangements inherent in the various funding programs, thus freeing up valuable corporate overhead time and resources.

## **Principles**

In developing the proposal to transfer the services to a new organisation, there are a number of key principles to be considered.

### ***Service delivery should not suffer:***

The funding agencies will expect the level of service to continue at its current level and, indeed, there is the potential to increase service delivery through the separation from the administrative requirement's inherent in the Local Government Act and a large organisation. In creating a new organisation it will be necessary to ensure that all parties are fully aware of the process and the expected outcome and be in agreement with the philosophical basis for the change.

### ***Staff should not lose entitlements:***

The relevant Industrial Award for community based workers in the Community Services area is the Social and Community Service Award (SACS) WA. Occasional Care staff are paid under the Children's Services (Private) Award 1990. By ensuring that existing staff retain their existing entitlements, any industrial difficulties will be minimised. With this in mind, it is proposed that existing staff be transferred to the nearest level on the SACs Award regardless of the normal award level of the position they fill. The transfer should ensure that there is no reduction in annual salary or benefits and so some staff may have a small increase in salary, of around \$500 - \$800 per annum in the short term while others may incur over award payments to ensure no loss of entitlement. The accrued entitlements of Long Service Leave, Sick Leave and Annual Leave should transfer with the staff.

Similarly, the Superannuation contributions should not reduce. This can be addressed through the budgetary process and, to simplify the transfer, the new organisation can seek to retain membership to the Local Government Superannuation Fund, as a number of organisations related to Local Government have done.

In terms of the change of staff over time, new staff appointed by the new organisation should be appointed under the SACs Award with the appropriate entitlements. It is envisaged that this changeover will take between 5 and 7 years to complete. While there may be some salary anomalies for a period of time, it is considered that this is a better option than facing possible industrial action or the expense of redundancy payments and the accompanying disorder during a transition period.

***The new organisation should be a viable functioning agency from its inception***

It is important that the new organisation is fully equipped with all the accoutrements required to ensure that it is both fully functional and efficient. With this in mind, it is considered that the most appropriate way to achieve this is through two mechanisms:

- Transfer of assets from within the City that are currently utilised by the services; and
- Provision of a one-off grant for the purchase of additional infrastructure requirements if necessary, such as a photocopier and printers.

Details of these requirements would be communicated to Council for the appropriate approvals.

***The City should support the further development of the new organisation***

After the transfer of services to the new organisation, the City would continue to play a supportive role in the new organisation's development and service delivery. This would be best managed through an involvement in the organisation's Board of Management. This could either be in an exofficio capacity or in a manner similar to the role played by Council with the Joondalup Lotteries House. However, it should be emphasised that the new organisation would be a separately incorporated body and so Council would have involvement but no risk or liability exposure.

**Issues involved in the development of the new organisation**

There is a range of issues which require addressing in the development of a new incorporated body if it is to function effectively for the benefit of the community.

***Location***

The services are not centre-dependent, in that they provide services either in a facilitatory capacity or in the homes of clients. Therefore, the distribution of the client group through the City is not a key feature of the service's location.

**Bearing in mind the accommodation needs, it may be possible for the new organisation to operate from the Kingsley Community Centre, currently occupied by the City of Wanneroo, which is due to vacate the premises in mid-December 2000 and within the Kingsley Family Day Care building currently occupied by the City's Family Day Care Playgroups, Toy Library and Occasional Care Service.**

This location has a history of involvement with community services, being the location of the City's Community Services until prior to the recent refurbishment of the administration centre at Boas Avenue. It is close to other community facilities including a child care and child health centre. The location is also readily accessible to the City as a whole. It has the capacity to provide meeting facilities for agencies within the City and, importantly, the facility provides confidential interview rooms for all clients, families and carers.

**However, if Council has other priorities for the use of the Kingsley location, further work will be undertaken to locate appropriate premises for the new organisation. An amount for rent has been included in the budget.**

### ***Budget***

The preliminary budget for the project provides for an income of \$2,276,391 and expenditure of \$2,251,535 giving the organisation a small surplus of \$24,856.

The income includes:

- an increase in fees from HACC Programs as the Coordinator Aged and Disability Services calculates that the new fees policy will bring such an increase;
- an increase in fees from the Podiatry Program as current receipt of fee income warrants this;
- staffing transferred to the equivalent level of the SACs Award with no loss of entitlements for each position;
- 15 percent employer contribution for each staff member's superannuation;
- rent of \$30,000 per annum;
- Governance costs of \$8,000;
- an increase in Family Day Care Operational Subsidy to equal the amount allowed for all equivalent full time places;
- all positions with employee on-costs at 23% to include superannuation, leave loading sick leave etc.

### **Implementation of new organisation**

An amount of \$29,500 has been included in strategic initiatives in the City's 2000/2001 draft budget to employ a project officer for six months to undertake the work associated with the establishment of a new organisation and the transfer of the City's services to that organisation.

### ***Steps In The Process***

1. Discussions with the Health Department of Western Australia (HACC Program), the Commonwealth Department of Family and Community Services and the Disability Services Commission to address management and operational issues;
2. Preparation of a Constitution for the new body (a model is available from care Options Incorporated, based in the South West metropolitan area)
3. Determination of the Interim Board of Management, to include one elected member from the City of Joondalup, Manager Community Services & Health, City of Joondalup, 4 community representatives, to be selected through a process of calling for expressions of interest, and the Transfer Project Officer (ex-officio)
4. At the first interim committee meeting outline the committee's role and establish a work plan to:

- commence incorporation process,
  - seek relevant legal and industrial advice,
  - work on industrial relations issues and develop staff management practices,
  - make application for a Lotteries Commission grant to enable a business plan to be developed,
  - work on financial management issues; and
  - to ensure that policies and procedures are developed for the new organisation.
5. At subsequent committee meetings:
- develop vision, mission and values statement for the new organisation;
  - finalise and gain endorsement for rules (constitution) and gain endorsement to send rules to Corporate Affairs;
  - resolve any outstanding Industrial Relations matters and determine required action;
  - finalise organisation's inaugural budget;
  - finalise policy and procedures and endorse policy and procedure statements;
  - work with consultant contracted with Lotteries funds to develop a business and marketing plan for the new organisation.
6. Consolidate loose ends.

## COMMENT

In order to assist the City in meeting its strategic objectives, it is considered an appropriate time to divest the City of the majority of its direct delivery role in a range of community services, specifically aged and disability services, children's services and financial counselling.

There are a number of ways in which this could be undertaken and the most appropriate and productive is considered to be the establishment of a new organisation which has as its focus, the delivery of community services within Joondalup.

The existing staff, employees of the City of Joondalup, would be transferred to the new organisation, taking with them their accrued leave entitlements, by agreement. They would retain their benefits for the term of their employment with the new organisation. The City would be responsible for that portion of sick leave and long service leave accrued during their service with the City. The new organisation would be responsible for any leave entitlements accrued subsequent to the organisation becoming the employer. However, for existing staff, entitlements would accrue at the rate they would have had the service remained with the City.

New staff employed by the organisation following its incorporation would be taken on under the SACs Award and accompanying entitlements. The City would carry no responsibility for any new staff.

The service would employ approximately 24 staff and would require an office which has access to parking and child care and is reasonably central and accessible. The Kingsley Community Centre, currently occupied by the City of Wanneroo but due to be vacated in mid December, is considered the most appropriate and convenient location at this time.



Transferring the services to the non-government sector would require the transfer of a range of assets to ensure that the new organisation is fully operational. The funding agencies, which currently support the programs, will be approached to continue to fund the services. The preliminary budget indicates that this can be undertaken without subsidisation from the City.

It is envisaged that the implementation of this direction would be undertaken in stages. The Implementation Project Officer (funding for position included in the draft 2000/2001 budget as a strategic initiative) would develop a detailed implementation plan and undertake some preliminary development work. A progress report would then be submitted to Council. Provided that Council endorses the implementation plan, the next stage would commence and would involve more detailed work. Nearing the completion of that work, a further report would be submitted to Council to gain formal approval for the transfer and requesting approval for matters such as:

- the transfer of staff provisions and assets to the new organisation;
- the relinquishment of State and Commonwealth Government grants so that they can be transferred to the new organisation;
- a leasing arrangement if the new organisation is located in a Council building; and
- a one off grant for equipment if required.

An indication of Council's general endorsement of this future direction is sought to enable further work to be completed. As part of the budget process, Council will consider the funding for the project officer to undertake the work associated with the establishment of a new organisation and the transfer of the City's services to that organisation.

## **RECOMMENDATION**

### **That Council:**

- 1 ENDORSES, in principle, a future direction for the City's Community Services of establishing a new community based organisation to undertake the delivery of the majority of aged and disability and children and family services currently provided by the Community Services Business Unit;**
- 2 NOTES that a further report will be submitted to Council which will provide a detailed implementation plan for approval by Council.**

*For the attachment to this report, see Appendix 11 at the rear of the agenda.*

*To access this attachment on electronic document, click here: [Attach11brf080800.pdf](#)*

**CJ202 - 08/00 GRANNY SPIERS COMMUNITY HOUSE - APPLICATION FOR FINANCIAL ASSISTANCE FOR THE CRÈCHE FACILITY – [37505]**

**WARD - All**

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CJ000801\_BRF.DOC:ITEM 7

**SUMMARY**

On Friday 2 June 2000, the City of Joondalup received a letter from the Chairperson of Granny Spiers Community House (Inc) requesting deficit funding for a projected shortfall in income for the operation of its crèche. The sum requested was \$7,695. The receipt of the application for funding was communicated to elected members and, following the Council meeting of 13 June 2000, a more detailed application for funding was requested from Granny Spiers in accordance with the City's Community Funding Program Guidelines. The more detailed application was received on 5 July 2000 and the amount listed as income required from the City of Joondalup was \$6,695.

Given the need to fast track this application so that it could be considered by Council as part of the 2000/2001 budget process, and in view of accusations of bias made against Council officers who have been dealing with the matter of Granny Spiers, an independent assessment was made of the funding application by the consulting firm Jill Cameron and Associates. Based on the consultant's report and on the facts that the request falls outside of the Community Funding Program Guidelines and the City should not be funding the expansion of the crèche, it is recommended that Council rejects this application for funding.

This report is concerned only with the crèche facility at Granny Spiers Community House which is the subject of the funding application.

**BACKGROUND**

A report was considered at the 11 May 1999 meeting of the Joint Commissioners (Item CJ153-05/99 refers) and approval given for negotiation with the Commonwealth Department of Health and Family Services. The aim of negotiations was to transfer the funds which had been provided to the City for the employment of a crèche worker at Granny Spiers to Granny Spiers Community House with effect from 1 July 1999. Approval was also given to invite Granny Spiers to submit an application through the Community Funding Program for a one off grant to subsidise the salary of a crèche worker for one year.

A further report was considered at the 13 July 1999 meeting of the Joint Commissioners (Item CJ242-07/99 refers) and approval given to provide a one off grant of \$8,695 to Granny Spiers to subsidise the salary of a crèche worker for 30 hours per week for 42 weeks of the 1999/2000 financial year. It should be noted that Granny Spiers requested \$11,835 which included:

- An extension of the position from 42 to 45 weeks;
- Provision of 8 days sick leave relief; and
- An Administration Fee;

none of which the City had previously paid.

At the 14 February and 6 June 2000 Council Briefing Sessions supplementary information was provided to Elected Members on the Community Funding Program, a changing role for Council in supporting community organisations, the Council support already provided to Granny Spiers, the funding sources of the crèche and the current climate surrounding grant funding and administration by Federal and State Government departments. Detailed information was provided to elected members via a briefing paper on 6 June 2000 and subsequent memorandum of 6 June 2000 and 12 June 2000.

On Friday 2 June 2000, the City of Joondalup received a letter from the Chairperson of Granny Spiers Community House (Inc) requesting funding of \$7,695 for a projected shortfall in income for the operation of its crèche for the 2000/2001 financial year. The application for funding was communicated to elected members. At the Council meeting of 13 June 2000 the following resolution was made:

That Council LISTS as an item of high importance in the 2000/2001 draft budget, gap funding of \$7,695 for a crèche worker at Granny Spiers Community House, for the financial year 2000/01.

Subsequently, a more detailed application for funding was requested from Granny Spiers in accordance with the City's Community Funding Program Guidelines. The more detailed application was received on 5 July 2000 which listed an amount of \$6,695 as the income required from the City of Joondalup and which included all information requested except for a statement of income and expenditure to date for the 1999/2000 financial year. This has still not been received.

Due to the need to fast track the application to allow it to be considered as part of the 2000/2001 budget process and due to accusations regarding bias previously made against Council Officers, Jill Cameron and Associates was engaged by the City to assess the funding application. Ms Cameron's expertise in the children's services area is unique in Western Australia and includes the following:

- Director Lady Gowrie Child Centre Perth 1980 to 1986;
- Department for Community Development, (formerly Department for Community Services and now Department of Family and Children's Services) Western Australia. Positions included: Assistant Director, Family & Children's Services, Manager, Children's Services Senior Programmes Officer (Family and Individual Services Programme), Consultant. As a consultant Ms Cameron reviewed the Child Care Regulations in 1987. In other positions Ms Cameron developed and implemented the new child care regulations together with a separate support and resourcing structure that is still in place today. In addition she had carriage of the planning and implementation of a growth strategy for children's services that saw some 250 services established during her time there;

- Consultant in her own business since 1993 – relevant projects include:
  - Business planning and financial and management assessment of some 20 children’s services including being subcontracted by the YMCA to undertake a review of the former City of Wanneroo Outside School Hours Care services;
  - Subcontracted to Deloitte Consulting Group to undertake national child care projects;
  - Children’s Services projects for the ACT, SA, QLD and WA governments;
  - Attendance Patterns and Fee Charging Practices in Long Day Child Care Centres and Family Day Care Schemes (with Deloitte Touche Tohmatsu) for Commonwealth Department of Human Services and Health, Canberra;
  - Evaluation of the Lotteries Commission Promoting Excellence Program;
  - Immunisation Review for the City of Joondalup – recently completed.

Ms Cameron was also the recipient of an Edith Cowan Women’s Fellowship to study international trends in children’s services.

Jill Cameron and Associates charged \$600 for the assessment of this funding application.

## **DETAILS**

### **Analysis of capacity of Granny Spiers to operate crèche on a break even basis**

The consultant’s report provides an analysis of the capacity of Granny Spiers Community House (Inc) to operate its crèche on a break even basis in 2000-2001. The sample crèche budget on which the consultant’s report is based was determined by Ms Cameron in consultation with the Coordinator and Chairperson of Granny Spiers Community House Inc and with information provided by them.

The conclusion reached in the consultant’s report is that, on the basis of information provided by the Granny Spiers Community House (Inc), the crèche is now more generously funded than occasional child care services in Western Australia. Ms Cameron notes that the sample budget which she developed to assist with the analysis indicates that Granny Spiers Community House (Inc) could operate the crèche and achieve a break even position by:

- reallocation of a percentage of income to the crèche budget from the Family and Children’s Services funded Family Support Program or other Government funded programs and from amenities fees;
- careful monitoring and detailed recording of child attendance information to enable the staffing structure and levels to be finely tuned while maintaining appropriate staff:child ratios; and
- development of cash flow projections to facilitate accurate monitoring of the crèche financial position. This would build onto the Management Committee’s development of the 2000-2001 crèche budget (the first specifically for this service component) and provide a basis for effective future planning and long term viability.

The consultant’s report suggests that no further action to fund the crèche facility operated by Granny Spiers Community House (Inc) is required by Council given that:

- Council's Community Funding Policy and Program Guidelines do not include provision for recurrent funding;
- it is possible for the Granny Spiers Community House crèche to maintain its current level of service and achieve a break even position; and
- resources are available through the Lotteries Commission Promoting Excellence Program to assist not for profit community organisations to undertake strategic and business planning with a view to achieving viable and sustainable services.

### **Sources of government funding**

The consultant's report notes Granny Spiers Community House (Inc) current sources of Government funding as:

- Family and Children's Services Family Support Program (\$56,000 per annum)
- Family and Children's Services Financial Counselling Program (\$44,106 per annum)
- Family and Children's Services Occasional Care Program (\$3,315 per annum for two and a half years)
- Disability Services Commission (\$8,000 for SKIPS - Special Kids Integrated Parent Support Group)
- Commonwealth Department of Family and Community Services (\$10,616 for the salary of a crèche worker - this information was obtained from the Department).

In 2000-2001 the crèche will receive funding from the Commonwealth Department of Family and Community Services Occasional Care Program and the State Family and Children's Services Occasional Care Program.

### **Focus of assessment by consultant**

The consultant focused her assessment on the capacity of Granny Spiers to operate the crèche on a break even basis and to identify sources of funding and support which would assist the organisation to achieve sustainable financial viability in its operation of the crèche. The sample budget which Ms Cameron developed using information provided to Council officers by Granny Spiers Community House, together with notes she prepared to explain where the budget varies from the draft budget prepared by the Management Committee, can be found at Appendix 1. For ease of comparison, the budget prepared by the Management Committee has been included in the Appendix.

The significant differences are summarised below.

### ***Salary related costs for the crèche workers***

The Consultant's budget includes a total of \$31,052 for crèche workers' salary related costs while the Management Committees' budget includes only \$23,780 for the same costs. The consultant notes that no details were available to indicate the basis of the salary budget developed by Granny Spiers, nor were the 1999/2000 financial year's actual expenditure figures available. Ms Cameron estimated the salaries budget on the basis of information provided by Granny Spiers about the operation of the crèche. On this basis, the salary component of the budget is higher than that in the Management Committee's budget. The consultant has provided a table showing the hours of operation and staffing levels for Term 3 2000 as part of her note 1 (found in Appendix 1) **This table shows 8 staffed sessions per week.**

It should be noted here that the one off funding provided by the City for the 1999/2000 financial year was for crèche worker hours of **30 per week for 42 weeks**, the consultant's budget is based on **50 per week for 42 weeks** and the budget provided by the Management Committee appears to be based on approximately **40 per week for 42 weeks**. Furthermore, in March 2000 Granny Spiers provided information that the crèche operated **seven staffed sessions per week** as follows:

Day of Week	Name of Group	Time
Monday	Playgroup	9.30 - 11.30
Monday	Teenage Mums	1.00 - 3.00
Tuesday	Positive Parenting	10.00 - 12.00
Tuesday	Young Mums' Friendship Group	1.00 - 3.00
Wednesday	SKIPS	9.45 - 11.45
Thursday	Post Natal Depression Group	10.00 - 12.00
Friday	Post Natal Depression Group	10.00 - 12.00

As can be seen, Granny Spiers has increased its service provision in the knowledge that the grant from Council was provided as a one off and while working with officers at Family and Children's Services to review and restructure the management, financial arrangements and operation of its child care services with a view to making efficiencies.

#### ***Reception costs***

The consultant's budget does not include an amount for a receptionist on the basis that it is not practice for occasional care services to employ a receptionist. The Management Committee's budget includes an amount for \$3,000.

#### ***Sources of income***

The budget prepared by the Management Committee includes an amount of \$6,695 as income from the City of Joondalup and the consultant's budget does not. The consultant's budget includes an amount of \$10,181 as income from the Family Support Program and the Management Committee's does not.

The consultant notes that Granny Spiers receives approximately \$56,000 from State Family and Children's Services for the operation of the Family Support Program, of which the crèche is an integral component. Further, she notes that Family and Children's Services have indicated that it is legitimate for Family Support Program funds to be used in the operation of the crèche. In her sample budget, 18% of the Family and Children's Services Grant has been allocated as crèche income. She notes most importantly that, **if the Management Committee's estimate of all crèche workers' salary related costs (\$23,780) is accurate and is \$7,272 less than the estimate in the sample budget (\$31,052), then the contribution towards the operation of the crèche from Family Support Program or other funds would be reduced to \$2,909 (5% of the FSP grant).**

#### ***Letter from the State Minister for Family and Children's Services***

A letter was sent to the State Minister for Family and Children's Services, Mrs June van de Klashorst MLA requesting information on the outcome of the advice provided to Granny Spiers by officers of the Department of Family and Children's Services. The following response to the Mayor was received on 18 July 2000 (quoted in full):

Thank you for your letter of 7 June 2000 requesting information about Granny Spiers Community House.

Further to the meeting held on 23 March 2000, I am able to confirm that the management committee of Granny Spiers Community House accepted the offer of assistance to refine the administrative practices of the creche service. They also accepted the offer of Occasional Care funding of \$3,315 per annum to provide 2080 hours of child care each year. The organisation submitted a Letter of Offer to provide the service and has been awarded Preferred Service Provider status. The funding period will be from 1 July 2000 to 31 December 2002.

The funding through the Occasional Child Care Program is a subsidy towards the operating costs of the child care service and it is the responsibility of service management to establish a level of fees which results in a viable service.

The local Children's Services Officer has worked with the organisation to develop the service model and to refine several administrative practices of the creche. A break-even budget has now been prepared and this will enable the service to manage within defined budget parameters. The Children's Services Officer will continue to monitor the service to ensure compliance with the agreement.

The Department values the contribution of the non-government sector and will continue to support Granny Spiers to ensure quality outcomes for the local community.

## **COMMENT/FUNDING**

The consultant notes that until recently, Granny Spiers Community House Inc did not operate with a separate budget or cash flow projections for its crèche which has been treated as an integral component of the overall operation of the house. The organisation has therefore had limited information on which to base its budget projections or to undertake detailed performance monitoring. Independent analysis has been undertaken in an effort to better understand the operation of the crèche and its financial situation. The analysis is based on information provided by Granny Spiers Community House (Inc). It suggests that the crèche is now more generously funded than comparable occasional child care services in Western Australia and could be provided on a break even basis within current funding levels. The consultant notes that her analysis is in no way intended to question the honesty or integrity of the Management Committee or staff of the Community House or the crèche.

The letter from the Minister for Family and Children's Services quoted above confirms the consultant's view that the creche service can be provided on a break even basis within current funding levels.

The consultant also notes that resources are available through the Lotteries Commission Promoting Excellence Program to assist not for profit community organisations to undertake strategic and business planning with a view to achieving viable and sustainable services. Should Granny Spiers Community House (Inc) decide to seek Promoting Excellence funding, Council could support the organisation by providing an officer to assist with the preparation of the funding application.

The consultant has concentrated her efforts on the crèche and has made logical transfers of income into the sample budget from other areas of the centre's operation. However, as the income and expenditure statement for the whole organisation has not been made available, it is not known whether the transfer of these funds would have a negative impact on the other programs. The organisational budget provided by Granny Spiers in its funding application has a budgeted deficit of \$5,290. Therefore, even though it is logical and appropriate, allocating funds from other programs as crèche income may not assist the service overall.

The recommendation is to reject the application for funding because:

- the request falls outside of Council's Community Funding Program Guidelines;
- Granny Spiers has not provided a statement of income and expenditure to date for the 1999/2000 financial year\*;
- the City should not be funding the expansion of the crèche; and
- an independent consultant recommends against it.

(\*In the May 1999 application for funding Granny Spiers provided a year to date income and expenditure statement to 13 May 1999)

However, if Council wishes to consider a one off grant, this one off grant could acknowledge that Granny Spiers has correctly estimated its salary budget (their estimate of \$23,780, the consultant's \$31,052) and also acknowledge some of the industry standards pointed out by the consultant such as deleting the receptionist's costs. This would mean that the sample budget provided by the consultant would include an amount of \$2909 as income required from the Family Support Program to achieve a balanced budget. A one-off grant of \$2909 would alleviate the need to allocate funds from other programs and would enable Granny Spiers the time to seek Promoting Excellence funding and to use those funds to undertake strategic and business planning with a view to achieving viable and sustainable services.

## **RECOMMENDATION**

**That Council DOES NOT APPROVE the application for funding of \$6,695 made by Granny Spiers Community House Inc for a projected shortfall in income for the operation of its crèche for the following reasons:**

- 1 the request falls outside of Council's Community Funding Program Guidelines;**
- 2 Granny Spiers has not provided a statement of income and expenditure for the 1999/2000 financial year;**
- 3 the City should not be funding the expansion of the crèche;**
- 4 an independent consultant recommends against it.**

*For the attachment to this report, see Appendix 12 at the rear of the agenda.*

To access this attachment on electronic document, click here: [Attach12ag080800.pdf](#)



**CJ203 - 08/00 TENDER NO 103-99/00 - SUPPLY OF UNDERGROUND BORING SERVICES - [44847]****WARD - All**

CJ000801\_BRF.DOC:ITEM 8

**SUMMARY**

Tenders were advertised statewide for the Supply of Underground Boring Services, in accordance with the Conditions of Tender supplied. Tenders closed on 20 June 2000 and an extract from the Schedule of Prices is detailed on Attachment 1.

Four tenders were received as follows:-

Boss Earthmoving, 190 Berehaven Avenue, Thornlie;  
Georgiou Drilline Pty Ltd, 312 Victoria Road, Malaga;  
Samson Horizontal Boring, 18 Hanlin Way, Samson;  
Underground Services Australia Pty Ltd, 53 Buckingham Drive, Wangara.

This report recommends acceptance of the tender (including the price schedule) submitted by Underground Services Australia Pty Ltd, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval

**BACKGROUND**

This is a new tender for underground boring services and is required due to the increasing installation of inground reticulation within medians and road verges.

**DETAILS**

The Conditions of Tender require tenderers to submit a unit rate for 80mm and 200mm pipe within three locations, being:-

Residential - Standard Road Crossing;  
Arterial - 15-25 metre Road Crossing;  
Residential - Verge Crossover;

For a period of 12 months, commencing 1 September 2000, with an option to extend 2 x 12 months or part thereof, subject to Council's approval. These locations represent normal locations for the underground boring services anticipated for inground reticulation.

The City's Conditions of Tender provided the following selection criteria for acceptance of the tender:-

- Schedule of Rates
- Availability
- Resources
- Compliance with tender
- Previous experience
- Safety management.

All tenders received were evaluated against the selection criteria under the City's Contract Management framework.

The evaluation process highlighted that Underground Services were able to provide the best value for money tender, due to availability, price and satisfactory previous service record.

The tender from Boss Earthmoving lacked details and did not comply with the required performance and resources to undertake 200mm boring, which is a major component of the proposed underground boring services contract.

## **COMMENT/FUNDING**

Operations Services has previously engaged the services of various contractors for underground boring, following submission of quotes. Due to the increasing expenditure, and to ensure that better value for money is received, a public tender is now required.

Funds have been allocated on a project basis, as required. The major portion of these works is via the Capital Works Program for dry parks and medians inground reticulation.

## **RECOMMENDATION**

### **That Council:**

- 1 ACCEPTS the tender (including the price schedule) submitted by Underground Services Australia Pty Ltd for Tender Number 103-99/00 Supply of Underground Boring Services, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;**
- 2 AUTHORISES signing of the contract documents.**

*For the attachment to this report, see Appendix 5 at the rear of the agenda.*

To access this attachment on electronic document, click here: [Attach5brf080800.pdf](#)

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**CJ204 - 08/00      TENDER 104-99/00 - HIRE OF PLANT, AUXILIARY  
PLANT AND VEHICLES - [45847]****WARD - All**

CJ000801\_BRF.DOC:ITEM 9

**SUMMARY**

Tenders were advertised statewide for the Hire of Plant, Auxiliary Plant and Vehicles, in accordance with the Conditions of Tendering supplied. Tenders closed on 20 June 2000 and an extract from the Schedule of Prices is detailed on Attachment 1 and it is recommended to approve various tenderers.

**BACKGROUND**

This contract has previously been split between various suppliers and due to the variety of hired plant items and no single-source supplier that can provide the best value for money, this process should continue.

**DETAILS**

15 tenders were received as follows:-

Action Water Tankers, Hazelmere  
Aquaduct Reticulation, High Wycombe  
ATML Bobcat Service, Craigie  
Bobco Earthmoving, Hillarys  
Boss Earthmoving, Maddington  
Brooks Hire Service Pty Ltd, Canning Vale  
Coates Hire, Belmont  
Cockburn Wreckair Hire, Belmont  
Dalco Earthmoving, Osborne Park  
Executive Plant Hire, Osborne Park  
Kwik Crane Hire Services, Morley  
Mayday Earthmoving, Osborne Park  
Mini Excavators Pty Ltd, Bassendean  
Stampalia Contractors, Wanneroo  
M Vandertogt, Balga

The Schedule of Rates provided in the tender documentation has identified where mobilisation of plant can be included. Mobilisation charges are accepted for items of plant that specifically require transfer via a low loader/prime mover unit, eg. track excavator and roller 6 tonne - 30 tonne. All other items are for hourly hire charge only. The conditions of tender require tenderers to submit an hourly rate for various plant items (refer Attachment 1).

The following tenderers have submitted tenders for specific areas and prices appear to be of a consistent nature:-

Mayday Earthmoving  
Executive Plant Hire  
Dalco Earthmoving.

The above companies have submitted tenders for the major portion of plant items of the plant items indicated and the rates submitted are very competitive. These companies have all submitted similar prices and discussions with company representatives indicate that all are owned by Chivas Enterprises Pty Ltd and trade as individual subsidiaries.

Individual assessment of each plant item was required, with specific consideration given to availability, location and the Schedule of Rates. All tenders received have also been evaluated against the selection criteria contained within the City's Contract Management framework.

Due to the various categories requested within the Schedule of Rates, eg. mobilisation rates, minimum charge, stand-down charges and with or without operator, the evaluation process required detailed analysis.

Hourly rates often failed to reflect the additional charges applied. These were recalculated and evaluated to provide a direct comparison between all tenderers.

Each plant type was evaluated separately to ensure that value and availability were maximised.

As a result of the evaluation process, multiple tenderers have been recommended for the supply of equipment, due to availability, age of equipment and price.

It is recommended that the tender be awarded as follows:-

**Backhoe (supply of all types)**

Awarded to: Dalco Earthmoving @ \$56.10 per hour with operator.

**Loaders (bucket capacity 1.2 to 3.5m<sup>3</sup>)**

Awarded to: Stampalia Contractors @ \$71.50 per hour with operator.

**Loader (with clearing rake)**

Awarded to: Stampalia Contractors @ \$71.50 per hour with operator AND  
M Vandertogt @ \$70.00 per hour with operator.

Awarding this item to two contractors will provide an option for supply. Both contractors have a single loader with rake and availability is often a problem for specific works.

**Skid Steer Loader (all types)**

Awarded to: Mini Excavators @ \$56.25 per hour with operator and truck.

**Mini Excavators (all sizes)**

Awarded to: Mini Excavators @ \$45.00 per hour with operator.

**Crane (6-10 tonne)**

Awarded to: Kwik Earthmoving @ \$95.00 per hour with operator.

In accordance with Clause 27(b) of the General Conditions of Contract, it is recommended that part only of the tender be accepted, due to the changed nature of works undertaken by Operations Services and the requirement for various hired items being reduced. The items to be deleted are the track excavator and rollers and compactors (all types). These items, when required, will be hired via quotation for specific works.

**COMMENT/FUNDING**

Acceptance of various tenderers is preferred as this will ensure better supply and availability, as required. Due to the changes within the Operations Services unit the hire requirements are considerably lower than in previous years and many items listed would not now require a tender.

The major plant items where 1999/2000 costs have exceeded \$50,000 are mini excavators and skid steer loaders. Operations Services has listed purchase of a skid steer loader as a strategic initiative for the 2000/2001 Budget and, if purchased, this will eliminate the requirement to hire.

Mini excavator hire is specifically related to inground irrigation and as this work is essentially seasonal, the hire option is preferred. Crane loader and track excavator costs range between \$15,000 and \$30,000 annually.

Funds are allocated on a project basis, as required, or as maintenance funds listed in the annual maintenance budget for a specific location.

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

- 1 ACCEPTS the tender (including the price schedule) submitted by:**
  - (a) Dalco Earthmoving, for the supply of backhoes (all types) with operator, for Tender Number 104-99/00 Hire of Plant, Auxiliary Plant and Vehicles, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;**
  - (b) Stampalia Contractors, for the supply of loaders (bucket capacity 1.2 to 3.5m<sup>3</sup>) @ \$71.50 per hour with operator, for Tender Number 104-99/00 Hire of Plant, Auxiliary Plant and Vehicles, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;**

- (c) Stampalia Contractors, for the supply of loader (with clearing rake) @ \$71.50 per hour with operator, for Tender Number 104-99/00 Hire of Plant, Auxiliary Plant and Vehicles, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;
- (d) M Vandertogt, for the supply of loader (with clearing rake) @ \$70.00 per hour with operator, for Tender Number 104-99/00 Hire of Plant, Auxiliary Plant and Vehicles, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;
- (e) ACCEPTS the tender (including the price schedule) submitted by Mini Excavators, for the supply of skid steer loaders (all types), for Tender Number 104-99/00 Hire of Plant, Auxiliary Plant and Vehicles, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;
- (f) Mini Excavators, for the supply of mini excavators (all sizes) @ \$45.00 per hour with operator, for Tender Number 104-99/00 Hire of Plant, Auxiliary Plant and Vehicles, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;
- (g) ACCEPTS the tender (including the price schedule) submitted by Kwik Earthmoving, for the supply of cranes (6-10 tonne) @ \$95.00 per hour with operator, for Tender Number 104-99/00 Hire of Plant, Auxiliary Plant and Vehicles, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;

**2 AUTHORISES signing of the contract documents.**

*For the attachment to this report, see Appendix 6 at the rear of the agenda.*

To access this attachment on electronic document, click here: [Attach6brf080800.pdf](#)

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**CJ205 - 08/00      TENDER NO 105-99/00 LAYING OF BRICK PAVERS  
WITHIN THE CITY OF JOONDALUP - [46847]****WARD - All**

CJ000801\_BRF.DOC:ITEM 10

**SUMMARY**

Tenders were advertised statewide for the Laying of Brick Pavers Within the City of Joondalup, in accordance with the Conditions of Tender supplied. Tenders closed on 20 June 2000 and an extract from the Schedule of Prices detailed in this report.

This report recommends acceptance of the tender (including the price schedule) submitted by A-Line Brickpaving and Tapps Contracting Pty Ltd, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval

**BACKGROUND**

The 1998/99 contract for the laying of brick pavers was awarded to A-Line Brickpaving for a period of 12 months, with an option to extend for a further 12 month period subject to agreement by Council. The option was not progressed due to various issues, such as:-

- (a) Inability of contractor to complete works within the recommended timeframe;
- (b) The extent of the City's proposed 2000/2001 works program.

**DETAILS**

Two tenders were received as follows:-

A-Line Brickpaving, 6 Titicaca Court, Joondalup;  
Tapps Contracting Pty Ltd, 3/136 Balcatta Road, Balcatta.

The current works program contains a significant brickpaving component and the ability to commence and complete works within a specific time period is essential. The two tenders received have been utilised previously by Council and it is recommended that both are accepted and the works shared on a geographical basis. Acceptance of both tenders will allow the City the flexibility to allocate work to the available contractor.

Due to the extent of large brickpaving projects within the northern suburbs, reliance on a single contractor has previously affected the works program.

The price schedules submitted vary slightly in price, as depicted below:-

ITEM	DESCRIPTION	UNIT	Tapps Contracting	A-Line Brickpaving
1	Prepare site (boxing out), supply bedding sand, prepare bedding sand and lay brick pavers in accordance with Specification	m <sup>2</sup>	\$19.80	\$20.00
2	Supply bedding sand, prepare bedding sand and lay brick pavers in accordance with Specification	m <sup>2</sup>	\$15.40	\$16.50
3	Prepared bedding sand and lay brick pavers in accordance with Specification.	m <sup>2</sup>	\$13.20	\$12.50
4	Remove existing brick paving and stack on pallets (stacks supplied by Principal's representative	m <sup>2</sup>	\$7.70	\$6.00

The major portion of work incorporates Items 1 and 2 for new works. Items 3 and 4 apply for restoration works within existing paved areas, eg. City Centre repairs.

#### COMMENT/FUNDING

The prices submitted by A-Line Brickpaving are the same as the 1999/2000 contract price and this factor was recognised in the evaluation process.

Expenditure for this work involves capital works projects, particularly roadworks relating to school parking and safety and intersection treatments (major and minor).

#### RECOMMENDATION

##### That Council:

#### 1 ACCEPTS the tender (including the price schedule) submitted by:

- (a) **A-Line Brickpaving for Tender Number 105-99/00 Laying of Brick Paving Within the City of Joondalup, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;**
- (b) **Tapps Contracting Pty Ltd for Tender Number 105-99/00 Laying of Brick Pavers Within the City of Joondalup, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;**

#### 2 AUTHORISES signing of the contract documents.

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**CJ206 - 08/00      TENDER 106-99/00 - SUPPLY & DELIVERY OF  
PRECAST STORMWATER DRAINAGE PIPES,  
FITTINGS AND ANCILLARY PRODUCTS - [47847]**

**WARD - All**

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CJ000801\_BRF.DOC:ITEM 11

**SUMMARY**

Tenders were advertised statewide for the Supply & Delivery of Precast Stormwater Drainage Pipes, Fittings and Ancillary Products, in accordance with the Conditions of Tendering supplied. Tenders closed on 20 June 2000 and an extract from the Schedule of Prices is detailed on Attachment 1.

This report recommends acceptance of the tender (including the price schedule) submitted by Rocla Pipeline Products for the supply of stormwater pipes and well liners (items 1-13), and Tyson Precast Products for ancillary products (items 14-38), in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval.

**BACKGROUND**

The previous contract was held by CSR Humes for precast stormwater pipes, and CSR Wembley Cement for ancillary products, until 30 June 2000.

No tender has been submitted by CSR Wembley Cement for this tender for this year.

Both CSR Humes and CSR Wembley Cement have been the suppliers of various products over a number of years to the City of Joondalup and the former City of Wanneroo.

Supply problems have been experienced with ancillary products in recent years and Operations Services has initiated various trials with equivalent products from Tyson Precast Products to alleviate the shortages.

**DETAILS**

Five tenders were received as follows:-

CSR Humes, Victoria Park  
Georgiou Group Pty Ltd, Malaga  
Reinforced Concrete Pipes Pty Ltd, Spearwood  
Rocla Pipeline Products, Kewdale  
Tyson Precast Products, Malaga

Due to the variety of products listed within the tender, no company is able to supply all items. The Schedule of Prices lists all items and supply options.

All tenders received have been evaluated against the selection criteria contained within the City's Contract Management framework.

### **COMMENT/FUNDING**

The supply and delivery of ancillary products has been reviewed to ensure availability is satisfactory, given that the City of Joondalup's storage capacity is limited. Tyson Precast Products has demonstrated its capacity to supply on demand.

The supply and delivery of precast stormwater pipes is of minimal concern as Council has not previously encountered a supply problem. Supply is direct to site, thus minimising storage requirements.

The price increase for pipe and well liners is low and is slightly higher for ancillary items, eg:-

#### Well Liners

Former supplier - CSR Wembley Cement (\$168)  
Rocla Pipeline Products (\$172.20)

#### Circular Covers

Former supplier - CSR Wembley Cement (\$78)  
Tyson Precast (\$88)

#### 300mm Pipes

Former supplier - CSR Humes (\$13 per metre)  
Rocla Pipeline (\$14.85 per metre)

#### 375mm Pipes

Former supplier - CSR Humes (\$18 per metre)  
Rocla Pipeline (\$19.80 per metre)

#### 525mm Pipes

Former supplier - CSR Humes (\$32 per metre)  
Rocla Pipeline (\$35.75 per metre)

#### 900mm Pipes

Former supplier - CSR Humes (\$82 per metre)  
Rocla Pipeline (\$90.20 per metre)

#### 1500mm Pipes

Former supplier - CSR Humes (\$510 per metre)  
Rocla Pipeline (\$506 per metre)

300mm-525mm are the basic pipe sizes used by the City.

Funds have been allocated on a project basis, as required. A major portion of these works is carried out via the Capital Works Program.

## RECOMMENDATION

### That Council:

- 1 **ACCEPTS** the tender (including the price schedule) submitted by:
  - (a) **Rocla Pipeline Products** for supply of stormwater pipes and well liners (items 1-13), for Tender Number 106-99/00 Supply & Delivery of Precast Stormwater Drainage Pipes, Fittings and Ancillary Products, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;
  - (b) **Tyson Precast Products** for supply of ancillary products (items 14-38), for Tender Number 106-99/00 Supply & Delivery of Precast Stormwater Drainage Pipes, Fittings and Ancillary Products, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council's approval;
- 2 **AUTHORISES** signing of the contract documents.

*For the attachment to this report, see Appendix 7 at the rear of the agenda.*

*To access this attachment on electronic document, click here: [Attach7brf080800.pdf](#)*

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**CJ207 - 08/00      CONTRACT EXTENSION - CONTRACT 034-99/00  
SUPPLY & LAYING OF ASPHALT PRODUCTS -  
[39821]**

**WARD - All**

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CJ000801\_BRF.DOC:ITEM 12

**SUMMARY**

The contract for the Supply and Laying of Asphalt Products has been reviewed for extension, in accordance with the General Conditions of Contract Clause 23.

In accordance with the guidelines for GST, the contract is subject to minor variation following written agreement between the Contractor and the City of Joondalup.

The contract has been reviewed and recommended for an extension of 12 months, commencing 1 July 2000.

**BACKGROUND**

Contract No 034-99/00 Supply & Laying of Asphalt Products

Following a public tender the City entered into an agreement with Asphaltech Pty Ltd for the Supply and Laying of Asphalt Products for a period of 12 months, commencing 1 July 1999, with a provision for 2 x 12 month extensions.

Clause 45 Part B Special Conditions of Contract states:-

*“Subject to the satisfactory performance of the contract and under the provision of following sub clause d) of the clause 45, the Principal may consider to extend the contract further for two periods each of 12 months or a part thereof. Such extension of this contract shall be in accordance with the same terms and conditions, or with negotiated price adjustments for CPI as published by the Australian Bureau of Statistics and material cost increase/decreases, of this contract and shall be at the discretion of the Principal.”*

The Contractor requested the City to consider the extension for 12/24 months in accordance with the terms and conditions of the contract.

**DETAILS**

Since the contract first commenced the bitumen and asphalt industries have undergone substantial changes. Due to fluctuating fuel prices, the price of bitumen has risen substantially. The market price of bitumen in general has risen markedly. Extensive negotiations with the Contractor's representatives have been conducted to determine the following:-

- (a) CPI increase requested via negotiated price adjustment for material cost increase/decrease;
- (b) GST component agreement;
- (c) Establishment of a reasonable, negotiated pricing due to increase in material costs and CPI increase;

The contractor has submitted a new price structure considering the increase in CPI and the material price across the industry. The requested price increase was \$6.40 per tonne for all gap graded mixes and \$5.25 per tonne of all other standard mixes.

The increase has been investigated and attributed mainly to bitumen price increases. The price increase in gap graded mixes is slightly higher than the standard mixes due to a higher bitumen content contained in the mix. An industry wide benchmarking exercise has revealed that at the most recent round of Asphalt tenders, it is evident that the asphalt prices have increased. The following information was provided verbally by Council Officers from other authorities and is based on tenders that were advertised during 2000 for 10 mm granite, 50 blow asphalt:

City of Cockburn	\$96.00/tonne
Town of Cambridge	\$96.00/tonne
City of Melville	\$107.00/tonne
Shire of Mundaring	\$99.00/tonne
Town of Victoria Park	\$97.00/tonne
City of Rockingham	\$91.00/tonne

City of Joondalup's revised price for the equivalent mix is \$85.75 per tonne.

Therefore, it is recommended that Council extends the contract for a period of twelve months from 1 July 2000 to 30 June 2001.

## COMMENT/FUNDING

The contractor has complied with the contract period clause which requires the contractor to notify the principal in writing at least 120 days prior to expiry of the contract, expressing its intentions to be considered for renewal of the contract.

Funds are allocated via the Capital Works Program, in accordance with the works schedule identified for Road Preservation.

## RECOMMENDATION

### That Council:

- 1 AUTHORISES the extension of Contract 034-99/00 Supply & Laying of Asphalt Products, for a period of 12 months from 1 July 2000 to 30 June 2001 (10% GST rate to apply from 1 July 2000);**

**2 ACCEPTS the revised Schedule of Rates shown as Attachment 1 to Report CJ207-08/00.**

*For the attachment to this report, see Appendix 8 at the rear of the agenda.*

*To access this attachment on electronic document, click here: [Attach8brf080800.pdf](#)*

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**CJ208 - 08/00      PROPOSED ANCILLARY ACCOMMODATION TO EXISTING SINGLE HOUSE: LOT 542 (33) TILLER ROAD, OCEAN REEF - [49341]**

**WARD** - Marina

CJ000801\_BRF.DOC:ITEM 13

**SUMMARY**

An application has been received for the addition of ancillary accommodation to an existing house on Lot 542 (33) Tiller Road, Ocean Reef. The proposal exceeds the City's "Height and Scale of Buildings within a Residential Area" Policy 3.1.9. and has been advertised, with 2 objections being received.

Councillor Magyar has asked that Council list this matter for consideration. This request is made in accordance with the adopted delegated authority guidelines. The guidelines include provision for applications to be brought forward for Council deliberation, rather than being determined under delegated authority.

Technically, the proposal projects into the height envelope, described in the Height and Scale of Buildings Policy. The extent of the intrusion is minor (and is described hereunder).

It is recommended that Council exercises discretion by varying the policy and approves the proposed projection into the height envelope.

**BACKGROUND**

At its meeting held on 25 July 2000 (Item CJ190-07/00 refers) Council resolved:

**"That the matter pertaining to proposed ancillary accommodation to existing single house Lot 542 (33) Tiller Road, Ocean Reef be DEFERRED to give residents in the area the opportunity to present a deputation to Council."**

Lot No	Lot 542 D 73953 Vol 1805 Fol 218		
Street Address	33 Tiller Road, Ocean Reef WA 6027		
Land Owner	Margot R Denkinger & Max Denkinger		
MRS Zoning	Urban		
TPS Zoning	Residential Development R20		
Land Use	Single House	Permissibility of Use	P
Lot Area	819m <sup>2</sup>		

Site History

The site is located on the corner of Tiller Road and Spinnaker Drive. An existing single storey house has been developed, with minor additions being added to the ground floor level. A substantial brick fence surrounds the property and screens the house from both streets.

The site is situated on the west side of a hill. Homeowners in the immediate area enjoy views westward to the ocean. Often, views are obtained by looking over other neighbouring properties on the hillside.

## DETAILS

### Proposal

The proposal is comprised of an upper floor addition to be used as “ancillary accommodation”. Ancillary accommodation is defined in the R Codes as;

*“Self contained living accommodation on the same site as a single house and may be attached or detached from the single house existing on the lot.”*

The term has essentially replaced that of a “granny flat”.

The ancillary accommodation proposal contains 2 bedrooms, lounge, kitchen, bathroom, toilet, study and balcony and has an area of 143.6m<sup>2</sup>, which is in addition to the existing 218.6m<sup>2</sup> of the ground floor. The proposal has a separate entry point at ground level, and is self-contained.

### TPS1 and Policy

The City’s Height and Scale of Buildings in Residential Area Policy 3.1.9 was adopted under the City’s Town Planning Scheme No 1. The Policy identifies a three dimensional building envelope. If a development projects outside the envelope an application for Approval to Commence Development is required in addition to a building licence. Adjoining owners are invited to comment on applications that exceed the height envelope.

A portion of the upper floor projects into the side of the height envelope, due to its proximity to the side boundary. This is shown on the attachment plan. The proposal does not project through the top of the height envelope.

The proposed setbacks conform to the requirements of the Residential Planning Codes.

### Advertising and Submissions

At the close of the 14-day submission period, two letters of objection were received from the nearby owners. Concerns were raised in relation to the following aspects of the proposal:

- *The proposal exceeds the City’s Height and Scale of Buildings within a Residential Area Policy;*
- *The proposed addition blocks/impedes the ocean views of adjoining lots. The loss of these ocean views would adversely affect the owner’s rightful enjoyment and amenity of their property and the surrounding area;*
- *The loss of these ocean views would adversely affect property value by reducing it in any future sale; and*
- *The current owners/occupiers of the subject lot have purchased this building with full knowledge of the existing surrounding area and that any extension of the sort proposed would seriously affect the enjoyment of their properties by adjoining owners and the surrounding area generally.*

The objectors’ enjoy a view over the subject lot toward the ocean to the west.



Significantly, the adjoining property owner who is closest to the area of the upper floor in question has not objected to the proposed addition.

#### Applicant Justification

In order for the building to comply with the policy, the upper floor would need to be repositioned away from the boundary. Alternately, a 700mm portion would need to be removed from its side (which is nearest the side lot boundary) for the proposed building to comply with the policy. The applicant has advised that to reduce the proposal would make it too small and relocation is not viable. Furthermore the applicant has provided the following justification for the proposal:

- *We designed the two storey development generally in accordance with your building threshold envelope;*
- *The north western part of the development is up to 90% in compliance with the City's Policy;*
- *At the front corner the ground floor garage wall was followed for structural reasons for the second storey addition and this part of the first floor side wall exceeds the building envelope by 30-40cms;*
- *There are no major window openings on the northern side boundary which maintains privacy;*
- *The rear part of the proposed extension complies with the City's Policy and would block views, therefore the front portion of the extension would not add to the obstruction of views.*

The owners and their daughter occupy the existing residence. The extension would enable the owners to lead a somewhat independent life following their retirement.

#### **COMMENT**

The City's policy does not constitute a prohibition on the height and scale of buildings. It provides for an "as of right approval" if residential buildings are within the building envelope. The policy also provides guidance for the assessment of applications that may exceed the policy limits.

Requests for the exercise of discretion in regard to the policy are managed through the Development (Planning) Approval process.

The Height Policy seeks to regulate the height and scale of development by taking into account:

- The measurement from the natural ground level or levels after subdivision;
- Allowing a maximum wall height on the boundary of 3.5 metres, a roof sloping up at 45 degrees to a maximum height of 8.5 metres;
- Making provision for minor projections into the envelope. (Eaves and chimneys and the like may project).

The requested variation to the City's Height and Scale of Buildings in a Residential Area Policy 3.1.9 is minimal. The proposal would not exceed the maximum height allowable under the policy.

The proposal would project into the 'side' of the height envelope, due to its proximity to the side lot boundary. The near neighbour has not objected to the bulk of the proposal.

The proposal as submitted is considered to be in context with the existing streetscape and the general amenity of the area. The street is characterised by a mix of single and double storey dwellings.

The use of the ancillary accommodation aspect can be regulated by appropriate conditions of approval.

The view from the proposed extension and the interruption of view to be caused by the proposed building can also be considered pursuant to clause 3.20 (c) of TPS1. Notably, if the proposal were modified to comply with the City's standards, the proposal would have essentially the same impact on views.

Given that the development does not create excessive building bulk or scale, it is supported. The proposal conforms to the minimum setback and site requirements of the R-Codes. It is recommended that discretion be exercised to grant a variation to policy.

The use of the site for ancillary accommodation is typically regulated by way of a legal agreement between the applicant and Council. This is triggered by the adoption of a condition of development approval, as included below. The title for the property is proposed to be modified by the granting of an approval such that a notation is added to maintain the use of the site in keeping with the permissible uses of the Town Planning Scheme.

## **RECOMMENDATION**

**That Council APPROVES the application and plans dated 30 March 2000 and 8 June 2000, submitted by P R Developments on behalf of the owners Max and Margo Denkinger for ancillary accommodation to the existing single house on Lot 542 (33) Tiller Road, Ocean Reef, subject to the following conditions:**

- 1 the ancillary accommodation shall not be used otherwise as accommodation for dependent member(s) of the family of the occupier(s) of the principal dwelling on the same lot;**
- 2 that wherever possible, service utilities including sewer; water; telephone connections, electric power and gas shall be common and not separate from the existing single house on the subject land;**

- 3 a notification under Section 70a of the Transfer of Land Act is to be prepared in a form acceptable to the City and lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot, prior to the commencement of development works. This notification is to be sufficient to alert prospective purchasers of the use and restrictions of the ancillary accommodation as stipulated under condition 1 of this approval. The notification should (at the full cost of the applicant) be prepared by the City's solicitor McLeod & Co and be executed by both the landowner and the City;**
- 4 the materials and finishes of the ancillary accommodation must compliment the existing single house on the lot.**

*For the attachment to this report, see Appendix 9 at the rear of the agenda.*

*To access this attachment on electronic document, click here: [Attach9brf080800.pdf](#)*

## **CJ209 - 08/00      REQUESTS      FOR      CANCELLATION      AND SUBSEQUENT PURCHASE OF PORTIONS OF RESERVE 33747: MINCHIN RESERVE, PADBURY - [41156]**

**WARD** - Pinnaroo

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CJ000801\_BRF.DOC:ITEM 14

### **SUMMARY**

Two separate applications have been received for the cancellation and subsequent purchase of portions of Minchin Reserve, Padbury. They are identified as Access (1), portion of Minchin Reserve between Lot 7 (9) and Lot 6 (7) Minchin Court and Access (2) portion of Minchin Reserve between Lot 4 (3) Minchin Court and Lot 391 (60) Buchanan Way. (See Attachment 1) The report identifies a third access point (Access 3) between Lot 396 (50A and 50B) and Lot 395 (52) Buchanan Way to Minchin Reserve, because it is likely to be influenced by the treatment of the other two access points.

The first application from the landowner adjoining Access (2), stated that he endures frequent acts of anti-social behaviour and vandalism. The second application from the landowner adjoining Access (1) stated that the land is overgrown and unkempt and in summer months likely to be dangerous due to fire hazards and snakes. As any amendment to either Access (1) or (2) of Minchin Reserve may have an impact on Access (3), City officers sought the comments of the landowners adjoining Access (3). They stated that they do endure some minor nuisance with noise and rubbish from pedestrians using Access (3). However, if Access (1) or (2) were closed, it could make a dramatic difference to what they presently experience and this would be of concern to them. The Western Australian Planning Commission (WAPC) advised that it would support closure of one access only.

All three strips are used for pedestrian access to Marmion Avenue. Access (2), with its constructed footpath is used more than the other two. If Access (2) was closed, it may result in moving the anti-social problems to Access (1) and Access (3). If Access (1) was closed, those pedestrians using it would probably use the PAW further north to Nicholls Place or Access (2). All three pedestrian access points through Minchin Reserve to Marmion Avenue are used presently and rather than increase the pedestrian traffic for any particular access, the most reasonable course of action is for all three access points to remain. Based on the above, the applications to close portions of Minchin Reserve between Lot 7 (9) and Lot 6 (7) Minchin Court and Lot 4 (3) Minchin Court and Lot 391 (60) Buchanan Way, are not recommended to be supported for closure.

### **BACKGROUND**

At its meeting held on 25 July 2000 (CJ192-07/00 refers) Council resolved:

**“That the matter pertaining to requests for cancellation and subsequent purchase of portions of Reserve 33747: Minchin Reserve, Padbury be DEFERRED pending further consideration by elected members.”**

Minchin Reserve (Reserve 33747), a Section 20A Reserve, is Crown Land with a Management Order in favour of the City of Joondalup. It has been set aside for the purposes of Public Recreation. This linear strip of Public Open Space (POS) was set aside as part of the POS requirement for the area when the surrounding land was subdivided for residential purposes.

In general, the Department of Land Administration (DOLA) Section 20A Guidelines state that a reserve created under Section 20A is required to be retained for its designated purpose. DOLA will consider amending or cancelling and disposing of a reserve when it can be demonstrated that this action will have minimal impact on the vicinity. The determination of this would include taking account of comments received as a result of public advertising period. When the disposal of a reserve is supported, the funds received from the sale of the land must be used to fund the purchase of replacement recreation land or to undertake capital improvements to other recreation reserves in the general locality.

Should Council wish to progress the application, the proposal to amend the Reserve would need to be advertised by way of on site signs and a notice in the local newspaper. Residents living opposite or adjacent to the Reserve would also need to be advised in writing of the proposal to enable them to be given the opportunity to comment.

## **DETAILS**

### **Access (1) between Lot 6 (7) Minchin Court and Lot 7 (9) Minchin Court**

A new owner of a property adjoining Access (1) has written to the City requesting the cancellation and subsequent purchase of the portion of Minchin Reserve adjoining her property. She states in her letter that the area is frequently overgrown and could possibly be a fire hazard in the summer. The applicant advises that she has seen many reptiles in this portion of Minchin Reserve, which concerns her in the summer months. She refers to Access (2) as a proper accessway, as it is paved and has bollards, making it a safe, even, easy access between Minchin Court and Marmion Avenue.

Access (1) does not have a footpath, however tracks through the area indicate that people do use it to get to Marmion Avenue and out of all three access points, this is the nearest access to the bus stops on both sides of Marmion Avenue.

The City referred the application to the service authorities and was advised there is no plant within this portion of Minchin Reserve and therefore there were no objections to the proposal.

### **Access (2) between Lot 4 (3) Minchin Court and Lot 391 (60) Buchanan Way**

The landowner adjoining Access (2) requested cancellation of this portion of Minchin Reserve stating that he endures regular examples of anti-social behaviour relating to the accessway. These include graffiti attacks on his side and rear fence; gatherings of people behind his back fence to drink and use drugs; missiles such as bottles thrown over his fence smashing in his yard or on his roof; several instances of fence damage; bashing the fence to deliberately create noise which then disturbs his neighbour's dog. He states that he has telephoned the police on a number of occasions due to groups of 15 to 20 youths loitering in the walkway. Recently, a group of youths damaged his fence requiring five panels of super

six fencing to be replaced. He advises that the anti-social behaviour began following the installation of the footpath.

The applicant further stated that the walkway is not an essential route to shops or schools and though he uses the walkway himself when walking or cycling along Marmion Avenue, he states that there are other routes that he can take. He would rather put up with the inconvenience caused by its closure, than have to continue to put up with the vandalism and anti-social problems that take place.

This application has been referred to the service authorities and the Western Australian Planning Commission. Telstra, Alinta Gas and Western Power do not have any service plant within the PAW and therefore have raised no objections to the proposal.

The Water Corporation objected to the proposal due to having a sewer main located within the PAW. This objection will be withdrawn if the two adjoining landowners agree to two conditions. The Water Corporation requires an easement free of cost to protect its plant and the two adjoining landowners would also need to adhere to a condition regarding the location of new boundaries by existing sewer manholes. The two adjoining landowners have been advised of these conditions.

### **Access (3) – Lot 396 (50A and 50B) Buchanan Way and Lot 395 (52) Buchanan Way**

As any amendment to Minchin Reserve would likely impact on Access (3), City officers met with the owners of the above properties to ascertain their views. Adjoining landowners stated though they do get some noise from people using the access and there was some evidence of rubbish, however, the nuisance being experienced now was not significant. They stated that should either Access (1) or (2) be closed, it could dramatically affect the amount of pedestrian traffic between their properties and the likelihood of more anti-social problems. They advised that this would certainly be cause for concern and would wish the portion between their properties closed.

### **COMMENT**

The application received for Access (2) states anti-social behaviour as the reason for requesting closure; the application for closure of Access (1) is concerned that the subject land is unsightly and serves no real purpose. The Western Australian Planning Commission advises that it would support closure of only one access from Minchin Reserve.

If Council supports closure of Access (1), pedestrian usage and associated anti-social behaviour will possibly increase for Access (2). If Access (2) was closed, the anti-social behaviour may not necessarily cease, as adjoining fences are low and missiles could still be thrown over the fence; youths could still congregate at the back of the properties. It is also likely that the anti-social behaviour will be transferred to Access (1) or Access (3).

A convenient pedestrian route to Marmion Avenue from this area is necessary in relation to accessing bus stops and Access (2) presently appears to be the most convenient due to it having footpath. Pedestrians do use Access (1) and Access (3), although they have to walk through sand and scrub as can be seen from Attachments (2), (3) and (4). To close Access (2) on the grounds of anti-social behaviour, is likely to transfer the behaviour to the two remaining access points. In addition, the anti-social behaviour described may not be

completely eliminated if closure of this access was to take place, due to low fencing on the adjoining properties and the fact that the property still abuts Minchin Reserve at the rear.

The appearance of Access (1) can be improved by regular maintenance. To assist the landowners adjoining Access (2) with the anti-social problems, the City could conduct more frequent patrols in the Minchin Court area. Accordingly, it is recommended that the applications to close portions of Minchin Reserve between Lot 7 (9) and Lot 6 (7) Minchin Court, and Lot 4 (3) Minchin Court and Lot 391 (60) Buchanan Way, Padbury are not supported.

### **RECOMMENDATION**

**That Council DOES NOT SUPPORT the cancellation and subsequent purchase of either of the portions of Minchin Reserve between:**

- 1 Lot 7 (9) and Lot 6 (7) Minchin Court, Padbury;**
- 2 Lot 4 (3) Minchin Court and Lot 391 (60) Buchanan Way, Padbury.**

*For the attachments to this report, see Appendices 10(a) and 10(b) at the rear of the agenda.*

To access this attachment on electronic document, click here: [Attach10abrf080800.pdf](#)  
[Attach10bbrf080800.pdf](#)

**DATE OF NEXT MEETING**

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 22 AUGUST 2000** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

**CLOSURE**



**DECLARATION OF INTEREST FORM, CLICK HERE:** [declaration of interest.pdf](#)



City of  
Joondalup

**QUESTION TO MEETING OF COUNCIL**

**NAME** .....

**ADDRESS** .....

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**QUESTION** .....

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Please place this form in the tray provided at the meeting or post to:

The Chief Executive Officer  
City of Joondalup  
P O Box 21  
Joondalup WA 6919

**NOTE** Council is not obliged to respond to a question that does not relate to a matter affecting the municipality.

Questions at a Special Meeting of Council must relate to the stated purpose of the meeting.

**FOR SEATING PLAN OF THE COUNCIL CHAMBER, CLICK HERE: [Seatplan.pdf](#)**