



MINUTES OF COUNCIL MEETING
HELD ON 13 MARCH 2001

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CITY OF JOONDALUP

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY, 13 MARCH 2001

OPEN AND WELCOME

The Mayor declared the meeting open at 1901 hrs.

ATTENDANCES

Mayor

J BOMBAK, JP

Elected Members:

CR P KADAK	Lakeside Ward	<i>Absent from 2220 hrs to 2223 hrs</i>
Cr L A EWEN-CHAPPELL	Lakeside Ward	<i>Absent from 1912 hrs to 1914 hrs; 2253 hrs to 2300 hrs</i>
Cr D S CARLOS	Marina Ward	
Cr S P MAGYAR	Marina Ward	
Cr A NIXON	North Coastal Ward	
Cr J F HOLLYWOOD, JP	North Coastal Ward	
Cr A A WALKER	Pinnaroo Ward	
Cr P ROWLANDS	Pinnaroo Ward	<i>From 1909 hrs to 2253 hrs</i>
Cr T BARNETT	South Ward	
Cr A W WIGHT, JP	South Ward	<i>to 2253 hrs; Absent from 2128 hrs to 2131 hrs</i>
Cr A L PATTERSON	South Coastal Wards	<i>to 2253 hrs</i>
Cr G KENWORTHY	South Coastal Ward	<i>to 2253 hrs; Absent from 2210 hrs to 2212 hrs</i>
Cr J A HURST	Whitfords Ward	
Cr C MACKINTOSH	Whitfords Ward	<i>Absent from 2235 hrs to 2239 hrs</i>

Officers:

Chief Executive Officer:	L O DELAHAUNTY	<i>Absent from 2007 hrs to 2128 hrs</i>
Director, Resource Management:	J TURKINGTON	<i>Absent from 1945 hrs to 2128 hrs</i>
Director, Planning & Development:	C HIGHAM	<i>Absent from 1945 hrs to 2128 hrs; 2132 hrs to 2134 hrs</i>
Director, Infrastructure Management:	D DJULBIC	<i>Absent from 1945 hrs to 2128 hrs</i>
Director, Community Development:	C HALL	<i>Absent from 1954 hrs to 1958 hrs; from 2130 hrs to 2134 hrs</i>
Executive Manager, Strategic Planning:	R FISCHER	<i>Absent from 1945 hrs to 2128 hrs</i>
Manager, Executive Services:	K ROBINSON	<i>Absent from 1945 hrs to 2128 hrs</i>

Manager, Council Support Services:	M SMITH	<i>Absent from 1945 hrs to 2128 hrs</i>
Manager, Human Resources:	M LOADER	<i>Absent from 1945 hrs to 2128 hrs</i>
Publicity Officer:	L BRENNAN	<i>Absent from 1945 hrs to 2128 hrs</i>
Committee Clerk:	J AUSTIN	<i>Absent from 1945 hrs to 2128 hrs</i>
Minute Clerk:	L TAYLOR	<i>Absent from 1945 hrs to 2128 hrs</i>

In Attendance

Mr Scott Ellis, Solicitor – Freehill Hollingdale & Page *to 2130 hrs*

Ms Diane Guise, MLA - Member for Wanneroo *to 1945 hrs*

The Mayor welcomed Ms Diane Guise, MLA - Member for Wanneroo as tonight's invited guest.

Ms Guise gave her thanks for the invitation to attend this evening, which gave her an opportunity to say how honoured she felt to represent the Wanneroo electorate. Ms Guise stated she had lived locally for 17 years and has represented the community in Recreation Associations, playgroups, sporting clubs and schools, and is best known as having served as President of the Western Australian Council of State Schools organisations for a number of years.

Ms Guise stated that Wanneroo is the largest State metropolitan seat, covering 681 square kilometres, and has approximately 38,000 electors, encompassing three Federal seats of Cowan, Moore and Pearce and two local government authorities, being the Cities of Wanneroo and Joondalup. It is still recognised as the fastest growing region in Australia, which places great pressure on the decision-makers in terms of providing infrastructure. Ms Guise believed that the work undertaken by local government is very important, and affect the daily lives of people. She said her vision is that this area will showcase best practice in terms of friendly communities in which to live and work, and believed there is a marvellous base on which to build, being the natural assets in the area. Ms Guise said the decision-makers shared the challenge to ensure that by their actions, value is added to the quality of life in the area and hoped that Council would join her in achieving this objective.

APOLOGIES AND LEAVE OF ABSENCE

Nil

There were 56 members of the Public and 2 members of the Press in attendance.

Cr Rowlands entered the Chamber, the time being 1909 hrs.

Mayor Bombak raised a query in relation to the provision of information relating to the psychological profile of the Chief Executive Officer.

C10-03/01

REQUEST FOR SECOND PUBLIC QUESTION TIME

MOVED Cr Walker, SECONDED Cr Nixon that in accordance with Clauses 2.4 and 3.2 of the City's Standing Orders Local Law, Council permits a second public question at the end of this meeting.

Following a query from Mayor Bombak, the Chief Executive Officer stated that the independent legal advice had confirmed the original advice received from the City's solicitors, being:

- 1 Clause 3.2 of the Standing Orders empowers Council to alter the order of business by resolution and it is not necessary to comply with the requirements of Section 3.12 of the Local Government Act;
- 2 as the last sentence of Clause 2.4 does not create an obligation to conduct a second question time, Council's power under Clause 3.2 to delete that item of business is not affected by Clause 2.4.

The Motion was Put and

CARRIED

PUBLIC QUESTION TIME

The following question, submitted by Mr Cusack, was taken on notice at the meeting of Council held on 27 February 2001:

Q1 The answer to question two as provided to me and printed in the agenda for 27 February is not an adequate answer and is also misleading, as this was not the motion passed to "impose the property surveillance and security charge". At the special meeting on 2 August the motion to impose the security charge failed to receive an absolute majority and was therefore not carried.

Amazingly, on 8 August, just six days later the motion reappeared as part of a late item Chief Executive Officer's Report and was dealt with without public notification. The Councillors were placed under enormous pressure to pass the recommended security charge motion, as it was part of the overall budget. At this meeting the motion did achieve an absolute majority.

This brief summary of events does not support your conclusion that the Councillors were suitably and well informed before the vote to "impose" the property surveillance and security charge was taken. Or when you used the words Council members did you mean the administration rather than the Councillors were well informed?

As such, I wish to resubmit my questions and this time with respect, I specifically request the Mayor and each Councillor to provide answers to the ratepayers, on the following:

In relation to the two choices which Council had, for funding the "Safer Community Programme - security patrols", ie from General Rates or under Section 6.38 and Regulation 54 (d)

- (a) *Were the Councillors made fully aware of the different payment options and in particular the impact of the "flat tax" on pensioners and the less well off?*

- (b) *Were the Councillors made fully aware of the tax break given to the larger property and commercial owners by choosing the "flat tax" method in preference to the land valuation - proportional tax method?*
- (c) *If so can the Councillor's please explain to the ratepayers the precise reason (s) for choosing the flat tax method?*

A1 A copy of the questions seeking a response from the Mayor and individual councillors has been provided to the Mayor and all councillors. The Administration is not in a position to provide responses on behalf of individual elected members and as such it is suggested that Mr Cusack approach the Mayor and councillors directly to obtain their personal responses to the matters raised.

The following questions, submitted by Mr M Sideris, Mullaloo, were taken on notice at the Council meeting held on 27 February 2001:

Q1 CJ42-02/01- Consultancy Services: Could you provide me with a copy of the selection criteria and a copy of the Chairman of Tender Selection Committee's report dealing with the results of that selection process?

A1 As detailed in the body of the report CJ42-02/01, the conditions of tendering specified that all tenders would be assessed against the following criteria:

- (a) price for the services offered inclusive of disbursements for the production of designs, drawings & fee schedule;
- (b) tenderer's demonstrated ability to carry consultancy so that on a short notice to rectify a site problem and incorporate into the design;
- (c) tenderer's resources (example of specialised Consultants if any required to undertake this contract, manpower available to service this contract, organisation chart, resumes of key personnel available and to be dedicated for the proposed works);
- (d) tenderer's previous experience in carrying out similar works;
- (e) suitability of timing;
- (f) tenderer's references;
- (g) evidence of financial capacity to perform the contract;
- (h) customers services and communication.

The Tender Evaluation Committee's report is essentially Report No. CJ042 – Supply of Engineering Design Services that was presented to Council at its meeting held on 27 February 2001.

Q2 In relation to the response given by the CEO regarding the second public question time and the reference to legal advice. Could copies be provided of the written terms of reference that were provided at the time that the legal advice was sought.

A2 The City's solicitor was contacted by email on Wednesday 14 February 2001, following the point of order raised by Cr Magyar at the ordinary meeting of the Council held on the previous evening.

The City's solicitor was provided a copy of the email circulated by Cr Magyar at that meeting relating to the ability of the Council to alter the order of business. A copy of Cr Magyar's email reads as follows:

“Mr Mayor, I have a point of order regarding tonight’s agenda. I must draw your attention to Clause 2.4 of Standing Orders. Clause 2.4 deals with public participation. The last paragraph states:

“At the end of each Council meeting an additional segment of 15 minutes question time is allowed to permit the public to ask questions on decisions made at the meeting”

This is part of our local law that can not be changed without due process as detailed in Section 3.12 of the Local Government Act. Therefore I am now calling upon you to declare that we will comply with our own local law and allow the second public question time.”

The City’s solicitor was provided with a copy of the City’s Standing Orders Local Law along with a copy of their previous advice provided on ‘order of business’.

Cr Magyar again raised concerns regarding the legal advice that the City received in response to his initial concern. In an effort to find a resolution to Cr Magyar’s concern, the City’s solicitors were forwarded a copy of his second email.

Subsequent to receipt of Cr Magyar’s second email, the City’s solicitor forwarded his advice which confirmed the original advice dated 21 February 2001.

The following question was submitted by Mrs J Blenkinsop, Iluka:

Re: Iluka Structure Plan – Final Approval :

Q1 Can the Bush Act save the bush inside and around the seven year old Sir James McCusker Park, Iluka?

A1 The bush inside and around Sir James McCusker Park is not identified as a site in Bush Forever (formerly Bushplan) which is a policy position of the government to guide future decision-making and to protect and manage Bush Forever Sites.

The following questions were submitted by R and O Corbett, Iluka:

Q1 Why are the olive trees being removed from the park area near the amphitheatre and near Delgado Avenue?

A1 The olive trees are being removed due to the location of the proposed development, however the developers in consultation with the City will consider transplanting the trees.

Q2 Why is the park entrance being reduced to such a narrow opening in Naturaliste Boulevard opposite Manhattan Avenue, hiding the fountains from views?

A2 The developers submitted a revised structure plan addressing the concerns of the residents. As a result the area of park to be developed has been reduced and the “narrow opening” onto Naturaliste Boulevard no longer exists.

- Q3 Why has there been no provision for parking around the area adjacent to the fountains?*
- A3 The revised structure plan provides for a road interface with the park. This will enable the provision of on street parking.
- Q4 Why does the provisional plan show houses three rows deep into the park area on Naturaliste Boulevard between Manhattan Avenue and Shoalwater parkway?*
- A4 The revised plan deletes the houses three rows deep into the park area on Naturaliste Boulevard between Manhattan Avenue and Shoalwater Parkway.

The following question was submitted by Mrs S Leuzzi, Iluka:

- Q1 Regarding development of Sir James McCusker Park, Iluka: How do you think we feel when we were given their 'word' that greenery of at least five metres would always remain in front of our house, before we purchased our land? Now they totally disregard this. We were also told a different story about the development around the lake. Why should these people get away with telling lies? We need your support to stop this from happening to others in the future.
- A1 The developer of this area has been engaged in its planning for a considerable time and Council has not at any stage been presented with a final plan for approval. Any discussions and or undertakings between purchasers and the land developer have not in any way involved the Council and it is not uncommon or unexpected for this type of misunderstanding to arise where phased development occurs.

The structure plan has been advertised for public comment and will be considered by Council at its meeting on 13 March 2001.

The following question was submitted by Mr J Leuzzi, Iluka:

Re: Iluka Structure Plan – Final Approval :

- Q1 If they decide to build a large quantity of houses inside Mawson Park, Neil Hawkins Park (we also have kangaroos) or any other park people would be horrified. So why not our park (Sir James McCusker in Iluka which has been established for public use for seven years now.*
- A1 At present Sir James McCusker Park is located on freehold land and is yet to be created as a formal park. The land is currently zoned Urban Development under the scheme and previous plans for the site showed development of the park.

The modified Structure Plan shows a reduction in the area of land in the park to be developed for residential purposes.

The following question was submitted by Mr R and Mrs S Anderson, Iluka:

- Q1 For every 100 ha of bushland destroyed, up to 2000 birds die from starvation/exposure and stress. Therefore what will happen to all our black cockatoos and other wildlife when our bush in Iluka is ripped out? Please give me an answer.*

- A1 Of the recorded fauna, the Short-billed Black-Cockatoo is of greatest conservation significance. It is a seasonal visitor to the region during the non-breeding period, with breeding taking place in the Wheatbelt. The species that the Cockatoo feed on are represented in the existing Sir James McCusker Park. The Peregrine Falcon, Square-tailed Kite and the Southern Brown Bandicoot occur within the site in low numbers. Suitable habitats for fauna occurring are available within nearby regional reservations such as the Neerabup National Park and the foreshore reserve.

The modified Structure Plan for Iluka shows a reduction in the area to be developed in and around Sir James McCusker Park.

The following question was submitted by Mr Roy Phillips, Currambine:

- Q1 The Iluka Structure Plan includes an amount of Public Open Space. Could the City of Joondalup please confirm there would be no reduction to the amount of public open space which has been allocated, adjacent to the Currambine Market Place, due to the proposed Iluka Structure Plan development.*

- A1 It is confirmed that there will be no reduction of the amount of public open space, which has been allocated to the Currambine Market Place due to the Iluka Structure Plan. Further, this provision of public open space is covered by a separate legal agreement.

Cr Ewen-Chappell left the Chamber at 1912 hrs.

The following questions were submitted by Mr V Cusack:

- Q1 Did Council prepare and include a statement in the annual budget for the years 1999/2000 and 2000/2001, explaining the Objects and Reasons for the introduction of the prescribed service charge "property surveillance and security"?*

- A1 Yes.

- Q1(b) If yes, can council provide such a statement including all the details required in part 3 - clause 24 of the Local Government (Financial Management) Regulations 1996?*

- A1(b) Copies of the relevant details for each budget, are appended.

- Q2(a) It still appears to be increasingly difficult to get direct honest accurate answers to my questions. I am of course referring to my question number 2, which was printed in the agenda for 27 February and has since been on notice for answers by the Councillors. I have now been told, that I should approach each councillor directly, to obtain their personal response.*

Is this Council's idea of open and accountable government?

My question still remains but perhaps if I help you out by making the question more specific and simply request a yes or no response.

- A2(a) Individual views may not give a true indication of the Council's decision making process. The Council as a body corporate makes a collective decision based on a majority vote basis. That is the only legally recognised view of the Council.

Q2(b) In relation to the two choices which Council had for funding the “Safer Community Programme - security patrols”, ie from General Rates or under section 6.38 and regulation 54 (d)

Did the administration present to the full Council the two funding options - models so that the Councillors were made fully aware of the different payment options and in particular the impact of the “flat tax” on pensioners and the less well off? Yes or No.

A2(b) Yes. The City's Rates Working Group discussed on four occasions the funding the property security and surveillance service.

The group was of the firm view that it was "fair and equitable to fund this service via a flat charge across all properties rather than include it within the overall budget and fund it via rates. Members saw if it were included within the rates that high valued properties would carry a disproportionate rate burden"

This matter was discussed as an integral component of the Rates Working Group's report which was discussed at the 27 June 2000 meeting. The Council resolved, on a vote 13 / 1, as follows:-

MOVED Cr Carlos, SECONDED Cr Magyar that Council ADOPTS the following as 'guiding principles' for the 2000/01 rating year:

"The security charge be continued with funding to be via a universally applied charge as permitted by S6.38 of the Local Government Act 1995 and Regulation 54 of the Local Government (Financial Management) Regulations 1996".

Q2(c) Did the administration present to the full Council the two funding options - models so that the Councillors were made fully aware of the tax break given to the larger property and commercial owners by choosing the “flat tax” method in preference to the land valuation - proportional tax method? Yes or No.

A2(c) Yes. Refer to the answer 2(b) above.

Q2(d) Can the Councillors please explain to the ratepayers the precise reason (s) for choosing the “flat tax” method?

A2(d) The Council as a corporate entity made the decisions, having due consideration of the information presented.

Q3 Can Council please explain to the ratepayers where precisely the compulsory 27 dollar, security charge fits into the free market principles of individual freedom and choice?

A3 The Local Government Act 1996 and associated Regulations provide the option for a local government to fund the Property Security and Surveillance Service either by a flat charge which is universally applied or by including the costs as an integral component of the budget and funding it through the property valuation basis.

The Council of each local government is charged with the responsibility of adopting an Annual budget and the associated funding arrangements to fund the various works and services.

The following questions were submitted by Mr J Wood, Craigie:

Re: Craigie Open Space Study (currently being completed) from which information has been used in Item CJ061-03/01: Development of Skate Facilities:

Q 1 When will this report be completed and available to the ratepayers of COJ?

A1 It is anticipated that a draft report on the Craigie Open Space study will be presented to Council in May 2001, prior to being made available for public inspection and comment.

Q2 If the COJ is waiting for Final Report from the Consultant, when is it anticipated that that this report will be received?

A2 The City is currently examining a draft Consultant report and will be providing further comments to the consultant prior to the preparation of a final draft report.

Q3 On what date were the Consultants requested to finalise their report?

A3 As explained under question 2 above, the City is currently investigating the draft report and has not yet requested a final report from the consultant.

Q4 In view of the fact that there are strong objections to the current siting of the Craigie facility, will the Council ensure that no further development and/or improvement takes place until the final report has been received and is publicly available, and due consultation processes have been undertaken?

A4 The Administration would recommend to Council that no further development of the Craigie Open Space takes place prior to the Craigie Open Space study being made available for public comment.

Cr Ewen-Chappell entered the Chamber at 1914 hrs.

Mr N Gannon, Sorrento:

Q1 Re: CJ061-03/01: There has been 15 written requests for skateboard facilities at 8 locations. On page 35 of the agenda, the five year development timetable states that only 4 requests are acceded to and five are being built without any requests being received. What criteria does Council use for reaching this conclusion? In relation to Geneff Park, Sorrento, the report advises that advantages of this site are the close proximity to bus routes and it being opposite Sorrento Beach resort. What connection has the Sorrento Beach resort to a skateboard facility in Geneff Park? The report refers to an existing makeshift carparking area of Sorrento Community Hall; where is this carparking area?

- A1 These are recommendations for consideration by Council. The criteria for selection of the locations were based on demand in the community and also issues such as location, and those criteria are addressed in the report. The reference to Sorrento Beach resort is advising of the proposed or possible location for such a facility, and refers to a carparking area immediately behind the facility in that park.

Mr M Sideris, Mullaloo:

- Q1 CJ030-02/01: Will the marketing campaign prepared by Marketing Services for the community security patrol referendum present an unbiased, non-misleading, non- emotive for and against argument and is it available for public scrutiny prior to being released to the wider community?*

- A1 That would be the intention. The plan has been put to Council, and the details of advertising and the distribution of publications have not been finalised. The main purpose this evening is to seek Council's agreement on the proposal.

- Q2 Has Marketing Services allocated funds for providing a for and against argument into the public arena to assist the community in making an informed decision, and is some of those monies available to public groups?*

- A2 Details have been presented in reports to Council and are also provided this evening. The decision will need to be made by Council as to whether it proceeds with the matter.

- Q3 Who will prepare the for and against case to ensure it is not biased, misleading nor emotive?*

- A3 As indicated in the report tonight, an expert has screened all material presented to date and this will continue.

- Q4 Report CJ030-02/01 only refers to the consultant and WAEC reviewing the questions to make sure they are unbiased. I have not seen any copies of a for and against argument.*

- A4 This was discussed at an earlier stage and various advice has been taken. The matter has been discussed at Briefing Sessions and it has been suggested that the information statement included in tonight's report is the most apt way to go about the proposal, and the fairest way for the community to come to grips with the referendum. It is also fairly uniform with what has happened in other local government referendums and the Electoral Commission is happy with this. The information sheet has been screened by an expert to ensure that it is not biased.

- Q5 Will Council make available a copy of the contract between Chubb security and the City of Joondalup?*

- A5 This question will be taken on notice. The issue may need to be referred to Chubb Securities to ensure this is no confidentiality issues involved.

- *Mr Sideris requested a copy of this document or a Freedom of Information application form.*

- Q6 Will Council make available a copy of the proposed or currently signed lease between RANS and the City of Joondalup?
- A6 Mr Sideris has been provided with a Freedom of Information application to progress the request he made at the last meeting of Council.
- Q7 What are the grounds for refusing to provide a copy?
- A7 An application form has been provided to Mr Sideris, in order that he make application which will be determined by the City's FOI Officer.

Mr S Kobelke, Sorrento:

Regarding page 133 of the agenda for the meeting of Council held 19 December 2000:

- Q1 Why was a decision made to preclude special interests groups from the Sorrento concept plan, including groups such as the Sorrento Ratepayers Association, when the Mullaloo concept plan did allow a wider cross section of the community to be involved in the initial planning?
- Q2 Will Council move to set aside the Sorrento concept plan closing time and call for the formation of a local committee to allow input from the Sorrento Ratepayers into the planning stage of the concept?
- A1-2 The formation of the focus groups was based on getting together a group of people with a range of knowledge within the area. There was no particular move to restrict the membership of that group in any way but the Ward Councillors choose the members because of the range of interests that they would have and the ability of those people to contribute to the focus group. The focus group was simply a means of putting together a concept plan which contains some ideas, and those ideas would then go to all the interest groups. This has been taking place over the last couple of months and an enormous amount of public information has been provided on the opportunity for groups and individuals to become involved. The City has also sent officers to meet with the various interest groups. This is not in a statutory process, therefore there is no particular cut off period for comments, but it is hoped to draw this phase of the exercise to a close in order that a report may be submitted to Council on the comments received on the concept plan. Any comments or constructive criticism from Mr Kobelke are welcomed over the next couple of weeks.
- Q3 Is that a 'no' to the extension of the closing date and a formation of a local committee?
- A3 Council has adopted a process that the programme is to be taken thought. The answer is no for the time being, until the Council makes a different decision.

Mr V Cusack, Kingsley:

- Q1 How many Councillors were on the Rates Works Group and, to repeat my original question, did the administration present to the full Council the two funding options/models?

A1 The answer is yes, through the Rates Working Group. A meeting was held on 27 June where the Council considered all the matters associated with the 2000/01 budget. The security charge was one of the items discussed at that meeting.

5 or 6 Councillors were on the Rates Working Group but other Councillors were invited and attended meetings.

The Rates Working Group undertook the work and presented a report to full Council on the 27 June meeting.

Q2 *Regarding the City's interpretation of Section 6.38, and the answers provided to my question 3 of 13 February and question 4 of 27 February 2001: In light of the letter dated 21 February 2001 from the Director of Local Government Development to the CEO, can clarification be provided to Council on the precise position of the Department of Local Government on the City's imposition and interpretation of the security service charge, that is the Regulations and Section 6.38?*

A2 The Department of Local Government is undertaking a complete review of the service charge situation and has seen there is a need to give greater information so that there is no allowance for misinterpretation of the definition. The City is working with the Department, as are other local governments, on the issue. It is understood that the Department has undertaken some preliminary work which has been delayed by the change in government. The last communication received from the Executive Director of the Department stated that the matter would be taken up with the new Minister.

Q3 *As the most senior elected member of Council, does the Mayor have the power to direct the administration to be more forthcoming with information when answering questions from members of the public?*

Q4 *Does the Mayor have the power to direct the administration to provide direct, accurate and unbiased information in the reports and recommendations to Council?*

A3-4 The Mayor does not direct staff in any administration process; however should the Mayor feel there is an area where Council could improve on its relations, he does make suggestions and recommendations.

Q5 *Can Council confirm that approximately 45,000 ratepayers have been overtaxed for the past two years as a result of the Commissioners' and this Council's decision to impose the \$27 security service charge?*

A5 No. The provisions of the Act allow the option to any Council to either make any expenditure covered under the general rate, or Clause 54 of the Financial Regulations allows for service charges. The Council, and previously the Joint Commissioners, have made a decision on which alternative they wished to select to fund that service.

A Council has the alternative under a rubbish charge, to charge under a general rate or make a flat rate charged on per household. Most Councils select the flat rate and if a simple exercise were undertaken on the rubbish charge, a similar argument could be raised that a good part of the community may pay less and you could say they were overtaxed on the issue. It must be emphasised that the choice is with the Council when it constructs its budget.

Mrs M Zakrevsky, Mullaloo:

Q1 CJ052-02/01: Liveable Neighbourhood Community Design Code. Could an explanation be given on the terms 'legible movement network' and 'rat running' and also included in the glossary?

A1 This document has been prepared by the State Government and an approach will be made to see whether a definition can be included. 'Legible movement network' refers to it being easy for people to move through a suburb and access facilities. 'Rat running' relates to inappropriate routes which are taken, usually by drivers, as a short cut through a suburb.

Mr N Gannon, Sorrento:

Q1 In the additional information to CJ054-03/01, there is a proposed referendum ballot paper. If a person votes 'no' to the first question, how is the second question answered as this would then be irrelevant? If the second question was not answered, would the vote be considered informal?

A1 This question will be taken on board and clarification will be sought.

C11-03/01 MOTION TO GO BEHIND CLOSED DOORS

MOVED Cr Ewen-Chappell **SECONDED** Cr Walker that in accordance with Section 5.23(2) of the Local Government Act 1995 the meeting be held behind closed doors, to give consideration to Item C12-03/01 - annual review and contract extension of the Chief Executive Officer.

Mayor Bombak advised that Mr Scott Ellis of Freehill Hollingdale and Page was in attendance to provide assistance on this issue.

The Motion was Put and**CARRIED**

It was requested that the tape recording equipment be turned off at this point.

Members of staff, public and press left the Chamber at this point, the time being 1945 hrs.

C12-03/01 CHIEF EXECUTIVE OFFICER'S ANNUAL REVIEW AND CONTRACT EXTENSION – [02154] [08122]

The Director Community Development was recalled into the Chamber at 1958 hrs to act as minute taker.

The Chief Executive Officer left the meeting at 2007 hrs, following questions asked by elected members.

Extensive discussion ensued.

MOVED Cr Patterson, SECONDED Cr Wight that Council offers the current Chief Executive Officer, Mr Lindsay Delahaunty, the following offer of contract:

A package consisting of:

- A salary component valued at \$146,808 per annum
- A vehicle valued at \$11,500
- Superannuation valued at 15% in accordance with the Council's current matching contribution policy.
- A term of three years from 5 September 2001.
- All other entitlements to be treated as continuous employment, for example, annual leave, sick leave and long service leave.
- An annual review to be carried out with a view to applying an annual increment in accordance with the CPI
- All other conditions to be in accordance with the Local Government Officer's Award and the City's EBA.

AMENDMENT MOVED Cr Wight, SECONDED Cr Barnett that the paragraph commencing "All other conditions..." and concluding "... and the City's EBA" be replaced with "The balance of the terms and conditions of the offer be on such terms as the City's solicitors recommend for a senior executive contract".

The Amendment was Put and

CARRIED

SECOND AMENDMENT MOVED Cr Kadak, SECONDED Cr Patterson that the paragraph commencing "An annual review..." and finishing with "... CPI" be replaced with "There be an annual performance review at which the CEO may be given a salary increase of up to the preceding year's CPI increase."

The Second Amendment was Put and

CARRIED

The Original Motion, as amended, BEING:

That Council offers the current Chief Executive Officer, Mr Lindsay Delahaunty, the following offer of contract:

A package consisting of:

- A salary component valued at \$146,808 per annum
- A vehicle valued at \$11,500
- Superannuation valued at 15% in accordance with the Council's current matching contribution policy.
- A term of three years from 5 September 2001.
- All other entitlements to be treated as continuous employment, for example, annual leave, sick leave and long service leave.
- There be an annual performance review at which the CEO may be given a salary increase of up to the preceding year's CPI increase.
- The balance of the terms and conditions of the offer be on such terms as the City's solicitors recommend for a senior executive contract.

was Put and

LOST

MOVED Cr Magyar, SECONDED Cr Carlos that Council NOTES:

- (a) Discussions have been held with the Chief Executive Officer concerning the possibility of the City entering into a new contract of employment with the Chief Executive Officer. That proposal is not acceptable to the City. As a result, the City and the Chief Executive Officer have not come to an agreement concerning further employment. In addition, the City has considered a proposal from the Chief Executive Officer as per his further employment.
- (b) Absent any agreement, the Chief Executive Officer's contract of employment will come to an end on 4 September 2001 by agreement of the parties, in accordance with the terms of the contract of employment and the agreement between the Chief Executive Officer from the City recorded in the letter dated 29 December 2000.

In light of the above the Council resolves that:

1. the City not enter into a further contract with Mr Delahaunty extending his existing contract of employment.
2. the Council further consider, at its next meeting, the most appropriate means by which the most suitable candidate for the position of Chief Executive Officer after 4 September 20001 could be identified.
3. Mr Lindsay Delahaunty be invited to apply for the position of Chief Executive Officer once the selection process has been determined.

The meeting was ADJOURNED at 2110 hrs and RESUMED at 2118 hrs.

Discussion ensued.

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Walker that Standing Orders be resumed and the meeting be held with the doors open, the time being 2128 hrs.

The Motion was Put and

CARRIED

Cr Wight was not present at this point.

The Chief Executive Officer, members of staff, 34 members of the public and 1 member of the press entered the Chamber at this point. In accordance the City's Standing Orders Local Law, the Director Community Development read the above Motion.

DECLARATIONS OF FINANCIAL/NON FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES**C13-03/01****MINUTES OF COUNCIL MEETING – 27 FEBRUARY 2001**

MOVED Cr Ewen-Chappell, **SECONDED** Cr Walker that the minutes of the Council meeting held on 27 February 2001 be confirmed as a true and correct record, subject to the inclusion of the following amendment on Page 119, under the heading “C09-02/01 - Chief Executive Officer’s Annual Review and Contract Extension”:

“MOVED Cr Carlos, SECONDED Cr Hollywood that Council NOTES:

- (a) discussions have been held with the Chief Executive concerning the possibility of the City entering into a new contract of employment with the Chief Executive Officer. The City and the Chief Executive Officer have not come to an agreement;*
- (b) absent any agreement, the Chief Executive Officer’s contract of employment will come to an end on 4 September 2001 by agreement of the parties in accordance with the terms of the contract of employment and the agreement between the Chief Executive Officer from the City recorded in the letter dated 29 December 2000*

In light of the above the Council RESOLVES that:

- (1) The Manager Human Resources be instructed to do all things necessary to seek candidates for the position of Chief Executive Officer with a view to filling the position on or before 4 September 2001, and to report to the Council from time to time concerning the progress. It is contemplated that the Manager Human Resources will provide to the Council a short list of employment consultants to carry out this process together with relevant recommendations to the next Council meeting;*
- (2) Mr Lindsay Delahaunty be invited to apply for the position of Chief Executive Officer.”*

The Motion was Put and

LOST”

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION**PROSPECTIVE COUNCILLORS**

People interested in standing for Council at the coming elections in May 2001 have attended the first of two workshops for prospective Councillors.

The first workshop was held at the Joondalup Civic Centre last evening and there will be another one to be held next week at Greenwood/Warwick Community Care Centre, near the Warwick Cinemas, on Monday 19 March 2001, commencing at 6.30 pm.

GRANTS COMMISSION

A reminder that next Monday, 19 March 2001, the WA Local Government Grants Commission will be holding a public hearing at the City of Joondalup at 11.00 am in Conference Room 1 at the Civic Centre.

Mr Scott Ellis, Solicitor of Freehill Hollingdale and Page left the Chamber, the time being 2130 hrs.

Director, Community Development left the Chamber, the time being 2130 hrs.

SCHOOL PARKING

Many City of Joondalup schools are having parking and traffic problems before and after school.

The City's Rangers, Traffic Engineer and Education Co-ordinator, in partnership with the Department of Transport, have met with parents, principals and teachers at six schools to help eliminate some of these problems.

The cause of the problem lies with Education Department policy not to provide any off-street parking for parents.

The City is taking up the issue with the Western Australian Municipal Association.

Cr Wight entered the Chamber, the time being 2131 hrs.

COMMUNITY VISION

The City of Joondalup is asking people for ideas about how their suburb and City should look in the future.

At a series of forums, consultants will present ideas about the future of our City and the challenges it faces.

The forums will be held from Wednesday, 28 March 2001 to Wednesday, 11 April 2001, following an extensive marketing program which will include a mail drop to every household in the City.

The City has been divided into five districts for the purpose of these forums, and one workshop will be held in each district.

EXTREME YOUTH FESTIVAL

The 2001 Extreme Youth Festival was held on Sunday, 4 March 2001 at Craigie Leisure Centre.

Although the 40-degree temperature may have put some people off, a healthy number of about 4,000 young people attended the day and reported having had a fantastic time.

COMMUNITY FUNDING

The second round of funding under the City's 2000/2001 Community Funding Program will be advertised in the Wanneroo Times Community and Joondalup Community newspaper today Tuesday, 13 March 2001 and Thursday, 15 March 2001.

The closing date for applications will be Friday, 30 March 2001.

The information and funding application package will be available on the City's website.

Director, Planning and Development left the Chamber, the time being 2132 hrs.

JOONDALUP FESTIVAL

The countdown to the festival on Saturday, 24 March 2001 and Sunday, 25 March 2001 is in full swing.

Please come along and help us make it a great success as it was last year!

Director, Community Development entered the Chamber, the time being 2134 hrs.

PETITIONS

C14-03/01

PETITIONS SUBMITTED TO THE COUNCIL MEETING – 13 MARCH 2001

1 PETITION OBJECTING TO PROPOSED SKATEBOARD PARK TO BE LOCATED BEHIND BURNS BEACH CARAVAN PARK – [07016]

A 67-signature petition has been received from residents of the City of Joondalup objecting to the proposed skateboard park to be located behind the Burns Beach Caravan Park.

The petitioners state many of the residents of the Park are both retired and elderly and the noise such a facility would create would interfere with the every day lives of the residents of the caravan park.

The petition will be referred to Community Development for action.

2 PETITION - HORSE AREA, ANIMAL EXERCISE BEACH, HILLARYS – [00819]

A 20-signature petition has been received requesting that the horse area of the Animal Exercise Beach, Hillarys remain open.

The petitioners state the area in question is used during the summer months to exercise their horses.

It is noted that all petitioners reside outside the boundaries of the City of Joondalup.

This petition will be referred to Community Development (Leisure and Ranger Services) for action.

3 PETITION OBJECTING TO PROPOSED SINGLE HOUSE (INCLUDING HEIGHT IN EXCESS OF BUILDING HEIGHT AND BULK POLICY): LOT 65 (16) VOLANTE ELBOW, OCEAN REEF – [37326]

Cr Carlos submitted a 211-signature petition strongly objecting to the proposed single house to be constructed at Lot 65 (16) Volante Elbow, Ocean Reef for the following reasons.

- to be built on a level of 735m² residential block;
- 1200m² of living area (6 times larger than the average house);
- 370m² underground garage (10 times larger than the average garage);
- will require the equivalent of 15 plus swimming pools of earth removed, so that the underground carpark can be installed under the dwelling.

Cr Carlos pointed out that some of the 211 petitioners did not reside within the City of Joondalup.

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

MOVED Cr Walker, SECONDED Cr Rowlands that the petitions:

- 1 objecting to the proposed skateboard park to be located behind the Burns Beach Caravan Park;**
- 2 requesting that the horse area of the Animal Exercise Beach, Hillarys remain open;**
- 3 strongly objecting to the proposed single house to be constructed at Lot 65 (16) Volante Elbow, Ocean Reef;**

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

The Motion was Put and

CARRIED

Director, Planning and Development entered the Chamber, the time being 2134 hrs.

FINANCE AND COMMUNITY DEVELOPMENT
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CJ054-03/01 REFERENDUM 2001 - [55262]

WARD - All

SUMMARY

The City is required to provide the Western Australian Electoral Commission with an Information Sheet and associated Question or Questions on the forthcoming Community Security Patrol Service Referendum. A draft Information Sheet and Referendum Questions have been prepared, and is attached for the Council's consideration.

BACKGROUND

At the 12 September 2000 Council Meeting, it was resolved to *'Endorse a review of the CityWatch Service in order to determine community views prior to the end of the financial year by: conducting a referendum of electors during the May 2001 election for the City'*.

It was subsequently resolved at the 28 November 2000 Council Meeting *'that Council requests a further report be submitted to Council in February 2001 to seek approval of the statement and provide further information on the schedule of events for advertising and publicity dates in the lead up to the May 2001 Council election and referendum'*.

The requested report was then submitted to the 27 February 2001 Council Meeting, where the Council resolved *'that the matter pertaining to the Referendum 2001 be deferred in order that the following matters be further considered by Elected Members'*:

- *the questions to be included in the Referendum;*
- *the Information Campaign Statement;*
- *financial aspects'.*

DETAILS

Questions

Advice previously received from the Western Australian Electoral Commission indicated that the City could only ask questions which were framed towards a Yes or No response. However, the City has now received advice that it is able to ask questions, which have answers other than Yes or No.

The 27 February 2001 report to the Council recommended that the Referendum canvas only one question – Do you want the City of Joondalup to continue providing a Community Security Patrol Service? The Council indicated at that meeting that it wished to consider alternative questions.

Cr Magyar recently submitted an alternative question *'Would you prefer to pay for the community security patrol service through: a Flat Service Charge OR General Rates? This question was subsequently referred to the Head of the School of Communication at Curtin University, who has suggested that the following question would be understood by the community and give the Council a clear indication as to the community's preference: Would you prefer to pay for the community security patrol service through an: Annual Charge OR General Rate?'* This question has also been discussed with the Western Australian Electoral Commission, and its initial indications are that this question is satisfactory. The Electoral Commission did advise that asking such a question would present the situation where some voters would tick both boxes as they would not have a preference either way, even though the ballot paper would highlight to tick one box only.

In light of the proposed second question on funding, further information has since been included in the draft Information Sheet and this has been reviewed and prepared by the Dr Russell. The information provided simply states that there are two ways to fund the continuation of the service, and provides adequate information for voters to determine which way they would like the service to be funded. Dr Russell advised against providing too much

further additional information in the Sheet, so as to keep potential voters interested, and still well informed.

Cr Magyar also proposed a third question ‘Do you agree to part of the community security patrol service charge being used to fund crime reduction programs other than the actual community security patrols?’ Dr Russell has reviewed this question and thinks that this question would confuse the electorate if dealt with at the same time as the other two questions, and would require further information to be provided in the Information Sheet, which would probably discourage and potentially confuse some constituents in the electorate.

General Rate vs. Annual Charge

The Council has requested information on the financial impact of including the community security patrol service funding under the general rate. To continue the community security patrol service next financial year under the general rate, financial modelling has now shown that 45,324 properties would pay less than the current \$27 security charge, and 10,263 properties would pay more than the current \$27 security charge.

There are large discrepancies in what the City’s 55,000 properties would pay for the community security patrol service under the general rate, and general information on this could be published in the Council News closer to the forthcoming Referendum.

A random sample has been undertaken of how much more or less selected properties would pay in 2001/02, if the community security patrol service were funded under the general rate:

12 Kooringa Place Currabine (vacant land):	- \$10.50
22 Oatley Turn Duncraig (vacant land):	+\$1.67
2 Carbridge Way Duncraig (residential improved):	- \$6.27
28 West Coast Dve Marmion (residential improved):	+ \$41.90
117 Ellersdale Ave Warwick (carwash):	+ \$178.92
60 Arnisdale Rd Duncraig (medical centre):	+ \$200.07
107 Eddystone Ave Craigie (service station):	+ \$260.58
65 Boas Ave Joondalup (office):	+ \$356.43
57 Joondalup Dve Joondalup (shops):	+ \$1,002.02
66 Creaney Dve Kingsley (commercial centre):	+ \$1,169.59
39 Country Club Bld Connolly (golf course/hotel):	+ \$2,103.18
38 Gwendoline Dve Beldon (Belridge S/Centre):	+ \$2,635.30
931 Whitfords Ave Whitfords (Woodvale S/Centre):	+ \$3,248.80
58 Southside Dve Hillarys (Hillarys Marina):	+ \$3,461.10
1244 Marmion Ave Currabine (Currabine S/Centre):	+ \$6,404.44
643 Beach Rd Warwick (Warwick S/Centre):	+ \$22,141.93
420 Joondalup Dve Joondalup (Lakeside S/Centre):	+ \$29,122.72
470 Whitfords Ave Hillarys (Whitfords S/Centre):	+ \$50,720.39

The issue of funding the community security patrol service from a service charge or under the general rate is a policy matter. The service charge is a user pays principle where each property pays the same amount for the provision of the service. Paying for the service under the general rate can be viewed as discriminatory in the sense that although each property receives the same service, each property pays a varied amount according to the valuation of the property.

For and Against

As mentioned previously, it is recommended not to provide a For and Against argument on the Information Sheet for a number of reasons. It would be very difficult to provide definitive and concise arguments for the For and Against cases, and attempting to do so would provide members of the community with the ability to criticise the arguments contained, as the arguments are very subjective in nature. Such arguments may only serve to distract and undermine the purpose of the Referendum.

Providing only factual information on the Community Security Patrol Service will ensure that there can be no criticisms as to the contents of the Information Sheet prior to and after the Referendum. It is also better to keep the information concise and pertinent on the Sheet, so as not to make it confusing for the members of the community, or discourage them from voting.

Another reason for not providing a For and Against argument is that the security charge is a decision of the Council, and it would not be in the Council's interest to appear divided on this issue.

The City of Perth's recent Referendum on the Gay and Lesbian Pride Parade did not provide a For and Against argument on the Information Sheet. Their question was 'Should the City of Perth support the staging of the Gay and Lesbian Pride Parade?'

Electoral Commission

The final date for providing the Information Sheet and Questions to the Western Australian Electoral Commission is 22 March 2001. The Information Sheet and Question will be included in the May 2001 postal voting election package.

The Electoral Commission was requested to provide a quotation for the Referendum, inclusive of what it would cost depending on the number of questions asked. The City is yet to receive this advice.

OFFICER'S RECOMMENDATION: That Council ENDORSES:

- 1 the Information Sheet shown as Attachment 1 to Report CJ054-03/01, subject to the final acceptance of the Commissioner of the Western Australian Electoral Commission;
- 2 the Referendum Questions, subject to the final acceptance of the Commissioner of the Western Australian Electoral Commission:

"Do you want the City of Joondalup to continue providing a Community Security Patrol Service?"

Would you prefer to pay for the community security patrol service through an:

Annual Charge OR General Rate?"

- 3 the Information Campaign shown as Attachment 2 to Report CJ054-03/01.

ADDITIONAL INFORMATION

Following discussions at the 6 March 2001 Briefing Session, the following information is provided as requested.

Cost of Referendum

The Western Australian Electoral Commission has estimated that the cost for the City of Joondalup 2001 Postal Election and Referendum will be \$205,000. They are unable to provide a direct cost for the Referendum because much of the costs and work normally required to hold a Referendum by itself will also be undertaken as part of the Postal Election process.

General Rate – Information Sheet

Below is a sample of properties illustrating the impact of funding the Safer Community Program through the general rate. The sample indicates the effect on properties when funding is through the general rate as opposed to the current uniform charge per property. The properties have been selected from across the seven wards.

The list details the **reduction in cost or additional cost** from what is currently paid.

PROPERTY	COST		TYPE
	REDUCTION	ADDITIONAL	
CHRISTINA CT CRAIGIE	\$10.50		RESIDENTIAL
STURT PL PADBURY	\$10.50		RESIDENTIAL
CRAIGIE DR CRAIGIE	\$9.00		RESIDENTIAL
PERILYA RD CRAIGIE		\$1,791.18	COMMERCIAL (CRAIGIE SHOPPING CENTRE)
EDDYSTONE AVE CRAIGIE		\$260.58	COMMERCIAL (SVCE STATION)
THE LOOP EDGEWATER	\$7.69		RESIDENTIAL
THE GATEWAY EDGEWATER		\$16.31	COMMERCIAL (1 SHOP ONLY)
WINTON RD JOONDALUP		\$3.00	INDUSTRIAL -VACANT
ALOE CT WOODVALE		\$0.56	RESIDENTIAL
WOONONA PL KALLAROO		\$8.79	RESIDENTIAL
GLENFERN PL HILLARYS		\$12.76	RESIDENTIAL
WHITFORDS AVE HILLARYS		\$50,720.39	COMMERCIAL (WHITFORDS SHOPPING CENTRE)
ROSS AVE SORRENTO		\$5.09	RESIDENTIAL
BONCHESTER CT DUNCRAIG		\$8.22	RESIDENTIAL
ARNISDALE RD DUNCRAIG		\$1,466.11	COMMERCIAL (GLENGARRY SHOPPING CENTRE)
MARRI RD DUNCRAIG		\$235.72	COMMERCIAL (SVCE STATION)
MANAKOORA RISE SORRENTO		\$39.03	RESIDENTIAL
GALVESTON LOOP ILUKA		\$4.95	RESIDENTIAL

PROVIDENCE DR CURRAMBINE	\$5.70		RESIDENTIAL
MARMION AVE CURRAMBINE		\$6,404.44	COMMERCIAL (CURRAMBINE SHOPPING CENTRE)
MEADOW LARK RISE KINGSLEY		\$10.63	RESIDENTIAL
AVIEMORE LOOP KINGSLEY	\$7.97		RESIDENTIAL
BEACH RD WARWICK		\$22,141.93	COMMERCIAL (WARWICK SHOPPING CENTRE)
MARINA BLVD OCEAN REEF		\$83.77	RESIDENTIAL (CHILD CARE)
GLENELG PL CONNOLLY		\$42.58	COMMERCIAL (1 SHOP)
SOUTHERN CROSS CIRCLE OCEAN REEF		\$4.81	RESIDENTIAL

The rate model developed indicates that of the 55,000 properties within the City, 45,324 properties would pay less than the current \$27 security charge and 10,263 properties would pay more.

The Western Australian Electoral Commission has recommended that the City's Information Sheet be limited to one A4 page. The inclusion of the sample above would require that the information be spread over two A4 Information Sheets, with the sample being on the back of the Information Sheet. An alternative Information Sheet is attached for the Council's consideration should the Council wish to include the above information in the Postal Election Package – Appendix 12 refers.

MOVED Cr Magyar, SECONDED Cr Walker that Council ENDORSES:

- the Information Sheet shown as Appendix 12 hereto subject to the final acceptance of the Commissioner of the Western Australian Electoral Commission;**
- the Referendum Questions, subject to the final acceptance of the Commissioner of the Western Australian Electoral Commission:**

“Do you want the City of Joondalup to continue providing a Community Security Patrol Service?”

If the City continues to provide a community security patrol service, would you prefer to pay for the community security patrol service through an:

Annual Charge OR General Rate?”

- the Information Campaign shown as Attachment 2 to Report CJ030-02/01.**

Discussion ensued.

Cr Magyar advised an amendment would be required to the Information Sheet to reflect the above decision.

AMENDMENT MOVED Cr Kenworthy, SECONDED Cr Patterson that wording be included on the front page as a means of explanation that an annual charge is a flat rate of (example - \$27.00) or have the cost included in the general rate where it would be raised through the valuation system with higher valuations paying proportionately more than lower valued properties.

Discussion ensued.

The Amendment was Put and

CARRIED

The Original Motion, as amended, BEING:

That:

1 Council ENDORSES:

- (a) the Information Sheet shown as Appendix 12 hereto, subject to the final acceptance of the Commissioner of the Western Australian Electoral Commission;
- (b) the Referendum Questions, subject to the final acceptance of the Commissioner of the Western Australian Electoral Commission:

“Do you want the City of Joondalup to continue providing a Community Security Patrol Service?”

If the City continues to provide a community security patrol service, would you prefer to pay for the community security patrol service through an:

Annual Charge OR General Rate?”

- (c) the Information Campaign shown as Attachment 2 to Report CJ030-02/01;

2 wording be included on the front page as a means of explanation that an annual charge is a flat rate of (example - \$27.00) or have the cost included in the general rate where it would be raised through the valuation system with higher valuations paying proportionately more than lower valued properties.

was Put and

CARRIED

Appendices 1(a), 1(b) and 12 refer

To access this attachment on electronic document, click here: [Attach1aag130301.pdf](#)
[Attach1bag130301.pdf](#) [Attach12min130301.pdf](#)

**CJ055-03/01 COUNCIL MEETINGS - ITEMS EN BLOC - [02154]
[08122]****WARD - All**

CJ010306_BRF.DOC:ITEM 1

SUMMARY

Following the ordinary meeting of the Council held in December of last year, a request has been received to prepare a brief paper on the possibility of establishing procedures of moving items 'en bloc'. A report was presented to the briefing session held 6 February 2001, where it was agreed that more information be prepared and presented to Council for further consideration.

BACKGROUND

A request has been received to investigate the possibility of moving items at Council meetings 'en bloc'. Moving items 'en bloc' would mean that all items that require no discussion or debate would be moved and seconded and carried by the Council. Those items that are to be discussed would need to be listed and those present advised of the situation. The suggestion has come following the December meeting and in an effort to make the meetings shorter, but more effective on debating the select number of items.

DETAILS

The Department of Local Government has recently circulated an updated version of its handbook entitled "The Preparation of Agendas and Minutes". The handbook states *'en bloc' is used to describe the practice of adopting the recommendations of a committee, or a number of officer recommendations, by the use of only one resolution or the adoption of the recommendations in groups, without a separate resolution for each recommendation. The recommended practice is that each item of business that is put before a Council for deliberation is considered individually by the Council.*

The handbook further states *"The practice of adopting recommendations 'en bloc' is intended to speed up the resolution of the business of the Council meeting where elected members have no reason to disagree with particular recommendations. While the intent in adopting the procedure is obvious, it is extremely important that the outcome of every item in the agenda is clear".*

It should be noted that there are various ways to conduct meetings when dealing with items 'en bloc'.

The City's current Standing Orders Local Law allows for items to be moved 'en bloc', however it is suggested that, should the practice be endorsed, a policy be adopted in the interim to set down guidelines on how the process should operate. A provision will be required to be made in the revised draft set of standing orders.

It should be noted that if the intent of moving items ‘en bloc’ is to make the meetings shorter, Clause 4.2(2) of the current Standing Orders allows for the Chairperson (once a motion has been moved/seconded) to declare the motion carried, without taking a vote, if no one signifies opposition to the motion.

In an effort to ensure that all elected members are comfortable with the change in meeting process, a form of guidelines should be established through the policy. Such procedures should include for example, a possible deadline where the Mayor and/or the Chief Executive Officer are advised of those items that require debate. This would then enable any duplication to be cleared and a list prepared in order for the meeting to be advised.

In order to draw a comparison of the meeting procedures, contact was made with other significant metropolitan local governments, with the following information provided:

City of Swan

Elected members are asked which items they wish to discuss individually. These items are ‘withdrawn’ and dealt with first, then the Council deals with all remaining items ‘en bloc’.

The City of Swan has no standing committees.

City of Melville

Items are considered individually at all standing committee and Council meetings.

City of Perth

Items are generally considered individually. However, some standard items (such as the noting of committee minutes) are marked in the agenda with a notation which says the Mayor may move these items ‘en bloc’.

The City of Perth has no standing committees.

City of Stirling

The City of Stirling votes on items both individually and ‘en bloc’, whilst generally retaining the order of business as given in its agenda. This applies for both standing committees and Council meetings.

As stated earlier, the guide prepared by the Department of Local Government for the preparation of agendas and minutes does not endorse the practice of moving items ‘en bloc’. It does state if a local government wishes to use the ‘en bloc’ method of dealing with and recording the outcome of decisions relating to recommendations, the guide recommends the following two options:

Option 1

Before commencing the process, the presiding person should give a brief explanation of the en bloc method of decision making for the benefit of the members of the public in the gallery.

The presiding person then introduces the recommendations by reading the heading for each item. This practice makes it easier for elected members and members of the public to follow the business of the meeting. Groups of recommendations are then adopted by the Council with the groups interspersed with resolutions relating to particular recommendations that must be dealt with separately due to:

- *the requirement for absolute or special majority votes;*
- *a disclosure of financial interest;*
- *the need to debate items of public interest that may have been the subject of a deputation or a presentation to the Council; or*
- *the need to debate items about which there is some conjecture or if there is disagreement with the recommendation(s).*

The following example is provided to illustrate the method described above.

Example

<i>Items 1 – 4</i>	<i>Adopted by en bloc resolution</i>
<i>Item 5</i>	<i>Considered separately as absolute majority required</i>
<i>Item 6</i>	<i>Considered separately due to an interest disclosure</i>
<i>Item 7</i>	<i>Debated and resolved</i>
<i>Items 8 – 15</i>	<i>Adopted by en bloc resolution</i>
<i>Item 16</i>	<i>Considered separately as a public interest item</i>
<i>Items 17 – 23</i>	<i>Adopted by en bloc resolution</i>

The recommended method of en bloc voting achieves, as near as can reasonably be expected, the consideration of each report item individually.

The alternative method of en bloc voting, while it is not the method recommended by the Department of Local Government in the guide, is considered to be acceptable and is described as follows:

Option 2

Before commencing the process, the presiding person should give a brief explanation of the en bloc method of decision making for the benefit of the members of the public in the gallery.

The presiding person then introduces each of the recommendations by reading the heading for each item. This practice enables elected members and members of the public to follow the business of the meeting. Each item that must be dealt with separately due to:

- *the requirement for absolute or special majority votes;*
- *a disclosure of financial interest;*
- *the need to debate items of public interest that may have been the subject of a deputation or a presentation to the Council; or*
- *the need to debate items about which there is some conjecture or if there is disagreement with the recommendation(s),*

is dealt with as it arises by way of formal resolution.

When all of the items have been introduced those that remain unresolved are then adopted by one en bloc resolution.

To illustrate the method, the following example is offered:

Example

<i>Items 1 – 4</i>	<i>Introduced (no action at this time)</i>
<i>Item 5</i>	<i>Considered and resolved as absolute majority required</i>
<i>Item 6</i>	<i>Considered and resolved due to an interest disclosure</i>
<i>Item 7</i>	<i>Debated and resolved</i>
<i>Items 8 – 15</i>	<i>Introduced (no action at this time)</i>
<i>Item 16</i>	<i>Considered and resolved as a public interest item</i>
<i>Items 1-4, 8-15 and 17-23 adopted by en bloc resolution</i>	

COMMENT

The practice of moving items ‘en bloc’ was employed by the Commissioners during their term for both Cities. At the commencement of the newly elected Council, it was felt in order for all members to become familiar with Council meetings and associated procedures, that each item be moved, discussed and voted upon individually.

If the practice of passing motions ‘en bloc’ is accepted and is to be a success, greater emphasis by elected members should be placed on briefing sessions. It is critical that all elected members feel free to openly discuss and ensure they are fully informed on matters scheduled to be forwarded to the Council for consideration. If the briefing sessions are not fully utilised and elected members are not fully informed and motions are carried ‘en bloc’, then to alter resolutions of the Council would require rescission motions.

As the Council is now more familiar with Council meetings it may be an opportune time to explore ways in improving the procedures associated with them. The only concern is that moving items ‘en bloc’ may be a little confusing for first time members of the public if their item is included ‘en bloc’. With the pending introduction of the computerised meeting software, and if the Council agrees to move items ‘en bloc’, it is suggested that it be done in a phased approach.

It is preferred that the Council maintains its current practice of voting on each item on an individual basis. This would be in line with best practice principles that the City strives to maintain and is in line with the principles laid down in the guidelines prepared by the Department of Local Government relating to the preparation of agendas and minutes.

Moving items individually will also benefit those members of the public who are not familiar with meeting procedure to better follow the proceedings.

It should also be noted that with fortnightly Council meetings, the number of items per meetings are less than if the Council was meeting on a monthly basis. It should also be noted that traditionally the agendas for the December and February meetings is larger than the agendas for the remainder of the year. This is due mainly to the Christmas and New Year recess. Those meetings have been compounded due to some significant items before the Council which were subject to lengthy debate.

It is suggested that if the Council desires to pursue the method of voting on items ‘en bloc’, that a policy be adopted along the following lines:

- 1 ADOPTS the following policy – ‘Voting on items ‘en bloc’ as a guide to the ‘en bloc’ method as detailed in (1) above:

OBJECTIVE

To provide a better and more effective and efficient decision making process for the City of Joondalup.

STATEMENT

The Council may decide to, at its Council meetings, to consider to deal with and record the outcome of decisions relating to recommendations via the ‘en bloc’ voting method as detailed below:

“Before commencing the process, the presiding person should give a brief explanation of the en bloc method of decision making for the benefit of the members of the public in the gallery.

The presiding person then introduces the recommendations by reading the item number. This practice makes it easier for elected members and members of the public to follow the business of the meeting. Groups of recommendations are then adopted by the Council with the groups interspersed with resolutions relating to particular recommendations that must be dealt with separately due to:

- *the requirement for absolute or special majority votes;*
- *a disclosure of financial interest;*
- *the need to debate items of public interest that may have been the subject of a deputation or a presentation to the Council; or*
- *the need to debate items about which there is some conjecture or if there is disagreement with the recommendation(s).” “*

OFFICER’S RECOMMENDATION: That Council REFERS the matter of moving items ‘en bloc’ at Council meetings to the Standing Orders Review Committee for consideration.

MOVED Cr Magyar, SECONDED Cr Rowlands that Council:

- 1 **AGREES to trial the ‘en bloc’ method of voting on items at Council meetings as per the options detailed in Report CJ055-03/01 with Option 1 being trialled for the ordinary meeting of Council scheduled to be held on 10 April 2001, and Option 2 being trialled for the ordinary meeting of Council scheduled to be held on 24 April 2001;**
- 2 **REQUESTS that the necessary meeting procedures be prepared prior to the trial commencing on 10 April 2001;**
- 3 **REQUESTS a further report following the two trial meetings scheduled for 10 and 24 April 2001 be presented to the Council meeting scheduled to be held on 8 May 2001.**

The Motion was Put and

CARRIED

**CJ056-03/01 MINUTES OF MEETING OF THE COMMITTEE
FORMED TO ADDRESS RATEPAYERS' CONCERN
IN RELATION TO THE ANNUAL GENERAL
MEETING OF ELECTORS OF DECEMBER 2000 –
[55264]**

WARD- All

SUMMARY

A meeting of the Committee to address the concerns raised by ratepayers at the Annual General Meeting of Electors of December 2000 was held on Thursday 22 February and on Wednesday 28 February 2001.

The Minutes of the meeting are submitted for noting and consideration by Council.

BACKGROUND

The City's Annual General meeting of Electors was held on 18 December 2000 in accordance with Section 5.27 of the Local Government Act 1995. The Act requires that all decisions made at an Electors' Meeting if practicable are to be considered at the next ordinary meeting of Council. A report was submitted to the Council meeting held on 13 February 2001 detailing each of the motions passed at the Electors' Meeting and providing comments and a suggested response to each matter raised (Item CJ004-02/01 refers).

The recommendation of Item CJ004-02/01 was as follows:

“OFFICER’S RECOMMENDATION: That in response to the Annual General Meeting of Electors held 18 December 2000:

1 Council:

- (a) NOTES Motion 1 of the Annual General Meeting of Electors and seeks a further legal opinion on the legality of the security charge from an alternative legal firm, or from Queens Counsel;
- (b) NOTES Motion 2 of the Annual General Meeting of Electors, and takes the motion into consideration during the 2001/02 budget workshops;
- (c) NOTES Motion 3 of the Annual General Meeting of Electors, and considers future options for the Operational Management and Lease of the Leisure Centres, in conjunction with the public submissions received and its existing contractual obligations;

- (d) NOTES Motion 4 of the Annual General Meeting of Electors, and authorises the Mayor and Chief Executive Officer to have an initial meeting with the Combined Residents Groups to discuss the groups intended Terms of Reference, and report back to the Council with further detail;
- (e) NOTES Motion 5 of the Annual General Meeting of Electors, and endeavours to hold future Annual General Meetings of Electors as early as possible where practical;
- (f) NOTES Motion 6 of the Annual General Meeting of Electors, and seeks a report examining innovative ways that it can improve its communications and interaction with the community on specific issues;
- (g) NOTES Motion 7 of the Annual General Meeting of Electors, and continues to encourage community participation where possible and continues to consider advice received from the community prior to making decisions; and that the Council reinforces its commitment to local industry through its Strategic Plan and Regional Purchasing Policy;
- (h) NOTES Motion 8 of the Annual General Meeting of Electors, reaffirms its commitment to the security referendum and indicates that the time to consider any future funding for property surveillance and security should be considered in conjunction with the adoption of the annual budget;
- (i) STATES that there are no valid grounds available to it to return the security charge funds raised to ratepayers in 1999/00 and 2000/01;
- (j) NOTES Motion 10 of the Annual General Meeting of Electors, and seeks a further definition from the Department of Local Government on the prescribed service of property surveillance and security, and the expenditure areas such funds may be utilised;
- (k) NOTES Motion 11 of the Annual General Meeting of Electors, and considers this request in conjunction with its review of the Standing Orders Local Law;
- (l) ADVISES Mr O'Brien that there is insufficient grounds on which it can approach the Minister for Local Government in relation to his claims of Motion 12, and that Mr O'Brien be advised that he has a right to approach the Minister direct should he feel that he has matters to warrant such action;
- (m) NOTES Motion 12 of the Annual General Meeting of Electors and the information subsequently received from Mr O'Brien, and continues to develop new initiatives and programs to assist with staff morale where possible;

2 the mover and seconder of each motion of the Annual General Meeting of Electors be advised of the relevant outcomes, with the appropriate actions to be taken.”

This recommendation was not adopted by Council, and the following alternative motions were moved and carried:

“MOVED Cr Carlos, SECONDED Cr Walker that the matter pertaining to various issues arising as a result of the Annual General Meeting of Electors held on 18 December 2000 be DEFERRED pending further consideration by elected members.

AMENDMENT MOVED Cr Patterson, SECONDED Cr Hollywood that an additional point be added to the Motion as follows:

- 2 that Council forms a committee consisting of three Councillors, being Crs Magyar, Carlos and Walker to meet with community representatives to address the concerns raised by ratepayers at the Annual General Meeting.”**

DETAILS

A meeting of this committee was held on Thursday 22 February 2001. Following discussion of Motions 1 –3 inclusive, the meeting was adjourned at 1947 hrs due to a lack of quorum, and resumed at 1700 hrs on Wednesday 28 February 2001.

The unconfirmed minutes of the Committee are included at Attachment 1 hereto and the motions of the Committee are presented for consideration by Council:

OFFICER’S RECOMMENDATION: That Council:

- 1 NOTES the unconfirmed minutes of the Committee to Address Ratepayers’ Concerns in relation to the Annual General Meeting of Electors of December 2000, held on 22 and 28 February 2001 forming Attachment 1 to Report CJ056-03/01:**
- 2 CONSIDERS the following Committee recommendations:**
 - (a) in relation to Motion 1: Receiving of the 1999/00 Annual Report and Financial Statements, to support the ratepayers and refer to the State Attorney General or State Auditor General to validate the legality of the Commissioners’ decision through the Minister for Local Government;**
 - (b) in relation to Motion 4: Combined Residents Group, to authorise the Mayor and Chief Executive Officer to have an initial meeting with the Combined Residents Group to discuss the group’s intended Terms of Reference and thereafter convene regular monthly meetings and report back to the Council with further details;**
 - (c) in relation to Motion 5: Date of Annual General Meeting of Electors, to endeavour to hold future Annual General Meetings prior to 31 October if practicable, but not later than the third week in November;**
 - (d) in relation to Motion 6: Community Consultation:**
 - (i) to note the positive feedback from ratepayers regarding the notice boards at Sorrento and Mullaloo;**
 - (ii) to seek to further improve its communication with ratepayers by utilising free-standing public notice boards in local shopping centres,**

community facilities and at train stations, advertising specific issues and events;

- (iii) to focus on ensuring that the advertising literature is produced in a format which is easily read by persons with visual disabilities;

(e) in relation to Motion 7: Community Participation:

- (i) to encourage greater community participation within the decision making process and consider the advice received from the community before making decisions;

- (ii) to reinforce its commitment to local industry wherever possible through its Strategic Plan, and Regional Purchasing Policy;

- (iii) to allocate competent personnel and funding to support:

- (A) Ranger and Security Services;

- (B) community and leisure centres;

- (C) bush and dune regeneration and dry parks maintenance;

- (D) all community volunteer groups, eg community kindergartens and pre-school groups, environmental groups, residents and ratepayers groups.

- (f) in relation to Motion 8: Security Charge, to support the view of the motion expressed by the electors of the City of Joondalup that it expects Council to fund all the important initiatives such as graffiti control, neighbourhood watch, Constable Care, mural arts and urban design from general rates;

- (g) in relation to Motion 9: Refund of Security Charge, that the imposition of a security levy by the Joint Commissioners of the City of Joondalup on 7 September 1999 failed to explain how it complied with written advice of the Department of Local Government, as published in "Update" March 1999, and as such the committee believes it to be an improperly applied levy, and the 1999/00 levy should be returned to the ratepayers as a credit against the 2001/02 rates;

- (h) in relation to Motion 10: Security Charge – Legislation, that the wishes raised by the electors at the Annual General Meeting be acted upon and the Minister for Local Government, the Western Australian Municipal Association and the Department of Local Government be advised accordingly;

- (i) in relation to Motion 11: Public Question Time, to advise Council of the requirements of the Local Government (Administration) Regulations 1996, Clause 7, Subsection 3 that each member of the public who wishes to ask a question is to be given an equal and fair opportunity to ask the question and receive a response, and inform Council of the requirements of the current Standing Orders Local Law regarding second public question time;

- (j) in relation to Motion 12: Administration Performance, to forward the issue to the Minister for Local Government for clarification and her recommendations.

ADDITIONAL INFORMATION

Councillors will be aware that this matter was discussed as a 'Green Paper' at the Briefing Session on 6 March 2001.

The motion being presented to Council at its meeting on Tuesday 13 March 2001 seeks to return the security charge imposed in 1999/2000 as a credit against the 2001/2002 rates.

It is important for Councillors to understand the ramifications if this decision is carried.

It has been reported on previous occasions that City officers have, over the last eighteen months, had numerous discussions with officers of the Local Government Department relating to the security charge. In addition the City has had legal advice on various issues in relation to this matter and as recent as February 2001, received notification from the Department that the matter will be discussed shortly with the new Minister for Local Government, in an effort to clarify the various issues and reduce the potential for disputes over the interpretation of the law.

Details of the Department's letter are as follows:-

'Following our conversation of 13 February 2001, I wish to confirm the Department's position in relation to Financial Management Regulation 54 which enables a service charge to be imposed for property surveillance and security.

The Department has noted the legal advice that the City of Joondalup has obtained in relation to the imposition of its service charge and the use of the revenue raised. Some elements of the approach used by the City were not envisaged by this Department when the service charge provisions were being developed. However, because the City has legal advice which supports its actions and the Department does not have specific advice to the contrary, it is open for the City to follow its own legal advice.

The Department proposes to raise the issue of the property surveillance and security service charge with the new Minister shortly. The Department will be arguing that the provisions of Section 6.38 and Regulation 54 need to be clarified in one way or another to reduce the potential for disputes over the interpretation of the law in this area.'

The City has acted responsibly in seeking legal advice and in taking advice from the Local Government Department.

The new Minister for Local Government will determine this matter shortly. This will provide direction for the future.

The City's Administration is of the firm view that no refunds should be made.

During discussion on the matter, it was requested that each part of the motion be voted upon separately.

MOVED Cr Carlos, SECONDED Cr Walker that Council:

- 1** **NOTES the unconfirmed minutes of the Committee to Address Ratepayers' Concerns in relation to the Annual General Meeting of Electors of December 2000, held on 22 and 28 February 2001 forming Attachment 1 to Report CJ056-03/01;**

Discussion ensued.

The Motion was Put and

CARRIED

MOVED Cr Carlos, SECONDED Cr Walker that Council:

- 2** **CONSIDERS the following Committee recommendations:**

- (a) in relation to Motion 1: Receiving of the 1999/00 Annual Report and Financial Statements, to support the ratepayers and refer to the State Attorney General or State Auditor General to validate the legality of the Commissioners' decision through the Minister for Local Government;

Discussion ensued, following which this motion was not pursued.

MOVED Cr Hollywood, SECONDED Cr Rowlands that the matter pertaining to Minutes of Meeting of the committee formed to address ratepayers' concern in relation to the Annual General Meeting of Electors of December 2000 be DEFERRED pending further consideration by elected members.

Discussion ensued.

The Motion was Put and

CARRIED

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6ag130301.pdf](#)

**CJ057-03/01 MINUTES OF MEETING OF HOUSE COMMITTEE -
[59064]**

WARD - All

CJ010306_BRF.DOC:ITEM 2

SUMMARY

A meeting of the House Committee was held on 19 February 2001 and the unconfirmed minutes are submitted for noting by Council and endorsement of the recommendations contained therein.

DETAILS

The unconfirmed Minutes of the House Committee meeting held on 19 February 2001 are included as Attachment 1.

MOVED Cr Hurst, SECONDED Cr Mackintosh that Council NOTES the unconfirmed Minutes of the House Committee Meeting held on 19 February 2001, forming Attachment 1 to Report CJ057-03/01.

The Motion was Put and

CARRIED

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf060301.pdf](#)

**CJ058-03/01 JOONDALUP PERFORMING ARTS COMPLEX -
[41119] [43370]**

WARD - All

CJ010306_BRF.DOC:ITEM 3

SUMMARY

The proposal to construct a Performing Arts Centre for Joondalup and its region has resulted in a number of studies since 1992. Over the past nine years the initial recommendations about content, cost and site have changed little despite much testing against changing potential users and emerging state, local and federal policies. The studies demonstrate a clear demand and recent work on capital funding, although still in progress, is encouraging.

The proposed Performing Arts Complex (PAC) is a major undertaking with a number of options available for its implementation. It is proposed that Council establish a Joondalup Regional Performing Arts Complex Steering Committee for the purpose of developing the project and making recommendations to Council.

BACKGROUND

The need for a performing arts facility for Joondalup and its region was defined in the 1992 Joondalup Cultural Plan which was commissioned by the former City of Wanneroo and LandCorp. It indicated that the facilities should be located adjacent to the Administration Centre and contain a 600 seat dance/drama centre and a 1000 seat concert hall. This report also produced an outline design by identifying the size of each room required and this enabled a capital cost of \$ 49M to be estimated (this at 1992 prices and including other civic facilities since constructed). The 1992 report was also able to estimate operating costs again based on a model in square metres although no income projections were made. Finally this report also included guidance on management models and strategies for raising capital. Council endorsed the 'Joondalup ... A Cultural Plan' in November 1992 (Item G91127 refers). The Regional Library and the Civic facilities buildings were Stage 1 of the project.

In 1996, Hames Sharley were commissioned by the Council and prepared a '*Planning and Architectural Brief*' for the facility, again which included other civic amenities. Much of the 1992 work was revisited and the capital required was estimated at \$69 million although this included five other commercial spaces costing \$18 million. Again both local and regional arts organisations were consulted and the report included recommendations about staffing structures. This document was used to lobby the then Minister for the Arts.

In September 1998, the Joint Commissioners authorized the formation of a Reference Group. The Group comprised industry experts, key stakeholders and other public figures interested in Joondalup. The Deputy Mayor, Councillor Carlos, has been a member since being appointed to the Committee in 2000. The purpose of the Reference Group was to provide advice and to champion the project. It has met on an occasional basis.

The Reference Group recommended a feasibility study. This resulted in the engagement of Graham Walne, Theatre Consultant who prepared a brief for the feasibility. Following a tender process in 1999, Australian Pacific Projects (APP) were commissioned to undertake a keynote study designed to inform Council about how the proposed Centre is to be constructed, managed and utilised.

This study is due to be completed by March 2001 and is comprised of four stages, the first two of which are available to Council upon request. The final two stages, which are currently in progress, are concerned with assessing the impact of the facility and recommending future steps.

In 2000, Graham Walne, who has acted as overall consultant to the project since 1998, was engaged to support the City in the preparation and execution of a Capital Funding Strategy. This work builds upon the outcomes of APP's work to date. The strategy has resulted in approaches to senior politicians at the state level and a representation to the Federal Government Minister for the Arts. In addition a number of key public servants and significant players in the Arts industry have been contacted. This process of consultation is on-going.

The potential opportunities available though this project will mean that the funding options need to remain fluid until the partnerships are crystallized and the final specifics of spaces and roles have been determined.

DETAILS

The 1992 study indicated that;

- (a) "There is almost an entire lack of purpose-built facilities;
- (b) There is no facility capable of accommodating touring theatre or dance;
- (c) Facilities lag behind urban growth".

Other related studies or City policy documents after 1992 echoed the above.

The first two stages of the APP study have indicated;

- (a) a significant demand within the local community for quality performing arts facilities;

- (b) a strong demographic argument for the provision of facilities within the region;
- (c) strong support for the concept of a centrally located performing arts centre;
- (d) strong support for a range of facilities within the centre;
- (e) significant and immediate demand for quality facilities in which to develop;
- (f) demonstrated interest by young people in participating more actively in the performing arts;
- (g) significant interest by professional performing arts companies to work in the region;
- (h) interest by training providers in new facilities for the provision of new courses.

On the basis of their Stage 1 findings APP then recommended that the facility contain;

- (a) a 300-400 seat flexible theatre for dance and drama;
- (b) a 1,000-seat community auditorium (adaptable from concert hall to a lyric theatre);
- (c) individual rehearsal studios for dance, drama and music;
- (d) a state-of-the-art music recording studio with a digital recording and editing suite;
- (e) a set construction and properties workshop facility;
- (f) a wardrobe facility for costume making, maintenance and storage;
- (g) offices for both the Centre's administration and for permanent and/or visiting companies;
- (h) a green room for performers.

It was also recommended that the Centre serve as a Performing Arts Laboratory (PAL) through which the region's young people can develop their interests and skills within the performing arts. The concept of a PAL is a unique concept that has created a high level of interest from secondary and tertiary institutions and senior politicians from both State and Federal Governments. It opens the opportunity for creative funding arrangements and on-going partnerships.

The above recommendations were given preliminary endorsement by the Reference Group, with the consultant team proceeding to the second stage of the study. The findings were also outlined to Councillors via a presentation in mid 2000. The key findings of this stage were;

- (a) the Centre, as envisaged, has the potential to attract and sustain a year-round program;
- (b) the capacity of concert hall/lyric theatre should be 1,500 seats to make it more viable;

- (c) likewise the capacity of the dance/drama theatre should be flexible between 300 and 500;
- (d) a smaller studio venue seating up to 100 is also needed for experimental and youth work;
- (e) the preferred site is on Boas Avenue, making it a core component of the City's civic precinct.

Working within the parameters established by the City's Masterplan for the precinct, architects Jones Coulter Young (JCY) evolved a preliminary design concept for the Centre as a single, fully integrated structure. This enable Ralph Beattie Bosworth (RBB) Quantity Surveyor, to estimate the cost of the project based on the preliminary plans.

RBB's indicative cost estimates total \$46 million. Not only is this cost estimate comparable with those in the earlier studies but also with similar recently constructed performing arts centres elsewhere in Australia and overseas. The Mandurah Performing Arts Centre, being only half the scale of the proposed Joondalup Centre (with 1,000 seats compared with 2,100) cost \$23 million in 1997-98. This was an average cost per seat of \$23,000. The average cost per seat for Joondalup would be in the vicinity of \$22,000.

Operating costs

On the basis of projected income from the draft sample program and indicative costs related to staffing and operational overheads etc., various income and expenditure projections demonstrating a range of sensitivities have been made for the Centre's first eight years of operation. Generally, whether best case or worst case scenarios, the projections show a decreasing level of annual subsidy on the part of the City. With the initial annual subsidy being in the range of \$288,000 (best case) to \$452,000 (worst case), decreasing over eight years to between \$127,000 (best case) to \$345,000 (worst case). As with the capital estimates these figures can vary as the design varies and work in progress is testing these assumptions and assessing the impact of items such as depreciation. Corporate overheads may also impact on the costing structure depending on how the PAC is managed.

COMMENT/FUNDING

The consultants recommend a stand-alone facility costed at \$46 million. A scenario for funding might be:-

Complete Project:

- Performing Arts Laboratory;
- Adaptable theatre space;
- Community auditorium/concert hall.

Expenditure (\$M)

City of Joondalup	10.00
State Government	25.00
Federal Government	9.00
Sponsors/supporters	2.00
	<u>46.00</u>

However, there are a range of options for the delivery of the services and facilities the performing arts complex is designed to offer. These options range from staging the project, to directing the project so that other partners assume some responsibility for parts of the facility.

An option for staging could be:

Stage 1

Performing Arts Laboratory and adaptable theatre spaces.

Focus - Community, Stage companies, training and employment opportunities.

Expenditure (\$M):

City of Joondalup	8
State Government	12
Federal Government	7
Sponsors/supporters	<u>1</u>
	<u>28</u>

Stage 2

Community Auditorium/Concert Hall.

Focus – Commercial opportunities and major community events.

Expenditure (\$M):

City of Joondalup	5
State Government	13.5
Sponsors/supporters	<u>1.5</u>
	<u>20.00</u>

These funding scenarios rely upon negotiations with other parties. Nonetheless, it demonstrates that in each of the options the City could managed the project over 3-4 years so as to assist with the cash flow.

Partnership options may involve joint projects with the University and/or other agencies to deliver education/training etc. Preliminary discussions on this matter should be pursued.

As part of the funding strategy, the Mayor, Deputy Mayor and Council Officers have met with a number of senior politicians. The outcome of these discussions has revealed that there is a high recognition of the need for these facilities in Joondalup and that both political parties committed to further discussion post the election.

The discussions also demonstrated the opportunity to develop flexible funding arrangements following the forming of the partnerships that could be developed and the services to be provided in the complex.

Capital and Revenue-Raising Strategies

Initial findings support the current work to investigate the impact on both capital and operating costs of implementing the project in a single or in consecutive phases.

There is also a need to further develop the relationships with local high schools and as a regional facility and that other local governments, in particular the City of Wanneroo, be approached to ascertain its level of interest and potential support.

Project Management

The Joondalup performing arts project was recognised within the Strategic Plans of both the former City of Wanneroo and the new City of Joondalup.

The significance, potential and scale of the project requires the close involvement of the Council, particularly now that the benchmark APP report is becoming available, and the level of interest from the Arts industry and Federal and State Government is high.

As discussed previously there are a range of options for the implementation of the project.

The establishment of a Joondalup Regional Performing Arts Complex Steering Committee is considered essential. The Committee should consist of Councillors, expert advisors from the Arts industry, officers, other stakeholders and have the power to seek other expertise as required. The Committee would oversee the development of the project. In undertaking this role it would work with the Reference Group, Consultants and others. Draft Terms of Reference are attached (Attachment A refers). It is proposed that the Committee at its initial meeting identifies key stakeholders to invite on to the Committee.

Community Support

At the Council meeting on 13 February 2001 during public questions time it was proposed that a question be included in the forthcoming referendum on support for the Performing Arts Complex.

The APP study has undertaken a range of consultation including the following:

- Survey of participation by young people in Arts Activities within the Wanneroo/Joondalup region.
 - Involved 446 students.
- Performing arts audience survey.
 - 300 randomly selected ratepayers in the City of Joondalup;
 - 200 members of the Limelight Theatre audience;
 - 150 attendees at one of the City of Joondalup's free outdoor Summer Concerts.
- Survey of performing arts activity and venue within Joondalup-Wanneroo region.
 - 85 questionnaire

- Survey of performing arts companies and festival organisations regarding potential use of performing arts facilities proposed for the City of Joondalup.

These surveys indicated strong support for the project. Full details can be found in the APP Stage 1 report: Data Acquisition.

Nonetheless this project is a very major project and further community consultation should be undertaken as the shape of the project develops.

It is considered premature at this stage to address this project in the referendum as important financial details of the project are unknown.

Options for seeking community input may include:

- Survey;
- Market research;
- Web site and registration of support; and
- Focus groups.

Benefits

The project offers a number of benefits including those as follows:

BENEFIT	COMMENT
Cultural Development	Builds on the significant cultural development of the City.
Community Development	Creates opportunities for groups to work together and help build self-sustaining communities
Economic Development	<ul style="list-style-type: none"> • Supports Joondalup as the Regional Centre • Positive benefit to the restaurants and services in the immediate vicinity of the PAC • Create jobs
Employment	The PAL will contribute to training opportunities.
Arts Related Business	Provide/create opportunities for arts related business to develop.
Professional Performance	Provide a venue for professional performance – music, dance, drama, etc.
Young People	Provide a place for entertainment and engagement in the Arts.
Professional Development	Provides an opportunity for artists to further develop their artistic skills
Education	Provide opportunities for linking secondary and tertiary education sectors.
Training	Create opportunities for training in lighting, sound, stage set, design, theatre management, etc.
Regional City Centre	The PAC will reinforce Joondalup as a regional City Centre and as an alternative to Perth CBD.

Conclusion

The City is in a strong position to continue progress towards the development of Performing Arts Facilities in the region for the following reasons:

- Extensive research over the past nine years has resulted in the development of an informed ‘vision’ of the facility in-line with community and cultural industry needs;
- Strong support for the facility has been identified within professional Western Australian arts organisations and the local cultural industry in support of the development;
- Initial approaches for funding to State and Federal Government towards the construction of the facility have been encouraging;
- Feedback suggests that nine years of research and development on this project by the City has put the JPAF in a *very strong* position when compared to similar regional facilities planned for Melville and Fremantle;
- Research has painted a picture of the likely on-going costs of the facility to the City should the development take place.

The political climate, and state of the arts industry in Western Australia, suggests that Council would be wise to keep options open as to final decisions on the site, facility components and construction staging of the development.

Opportunities to blend the development of the facility into the priorities of the State and Federal governments exist. This, combined with plans on the drawing board for capital works for the arts in the metropolitan region, are likely to raise additional arguments for the facility and increase State and Federal commitment to the project.

These issues are the focus of current research and will guide the continued development towards a successful outcome.

The establishment of a Joondalup Regional Performing Arts Complex Steering Committee would enable a greater Council involvement in this major project. The Committee should also include stakeholder and expert advisor members.

OFFICER’S RECOMMENDATION: That Council:

- 1 AUTHORISES continued discussions and pursuit of funding and development opportunities for the proposed Joondalup Regional Performing Arts Complex;
- 2 ESTABLISHES BY AN ABSOLUTE MAJORITY a Joondalup Regional Performing Arts Complex Steering Committee for the purpose of investigating, developing options, preparing proposals and making recommendations for the development of the Regional Performing Arts Complex to be built in Joondalup;
- 3 NOMINATES three Councillors and deputies and AUTHORISES the Chief Executive Officer to nominate appropriate Council officers to the Committee;
- 4 REQUESTS the Steering Committee to make recommendations inviting stakeholders and other expert advisors onto the Committee.

Cr Ewen-Chappell made the following nominations:

<u>Councillor</u>	<u>Deputy</u>
Cr Kadak	Cr Ewen-Chappell
Cr Wight	Cr Barnett
Cr Carlos	Cr Magyar

Cr Magyar declined the nomination as deputy to Cr Carlos.

Cr Magyar nominated Cr Walker as deputy to Cr Carlos

MOVED Cr Ewen-Chappell, SECONDED Cr Walker that Council:

- 1 AUTHORISES continued discussions and pursuit of funding and development opportunities for the proposed Joondalup Regional Performing Arts Complex;**
- 2 ESTABLISHES a Joondalup Regional Performing Arts Complex Steering Committee for the purpose of investigating, developing options, preparing proposals and making recommendations for the development of the Regional Performing Arts Complex to be built in Joondalup;**
- 3 NOMINATES the following Councillors and deputies and AUTHORISES the Chief Executive Officer to nominate appropriate Council officers to the Committee;**

<u>Councillor</u>	<u>Deputy</u>
Cr Kadak	Cr Ewen-Chappell
Cr Wight	Cr Barnett
Cr Carlos	Cr Walker

- 4 REQUESTS the Steering Committee to make recommendations inviting stakeholders and other expert advisors onto the Committee.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf060301.pdf](#)

**CJ059-03/01 MINUTES JOONDALUP FESTIVAL AND SUMMER
EVENTS COMMITTEE - [50027]****WARD - All**

CJ010306_BRF.DOC:ITEM 4

SUMMARY

A meeting of the Joondalup Festival and Summer Events Committee was held on 21 February 2001 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the Joondalup Festival and Summer Events Committee meeting held 21 February 2001 are included as Attachment 1.

No action is required from these minutes.

MOVED Cr Kadak, SECONDED Cr Hurst that Council NOTES the unconfirmed minutes of the Joondalup Festival and Summer Events Committee meeting held on 21 February 2001 forming Attachment 1 to Report CJ059-03/01.

The Motion was Put and**CARRIED**

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf060301.pdf](#)

**CJ060-03/01 MINUTES URBAN ANIMAL MANAGEMENT
COMMITTEE - [50027]****WARD - All**

CJ010306_BRF.DOC:ITEM 5

SUMMARY

A meeting of the Urban Animal Management Committee was held on 26 February 2001 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the Urban Animal Management Committee which, was held 26 February 2001 are included as Attachment 1.

No action is required from these minutes.

MOVED Cr Barnett, SECONDED Cr Mackintosh that Council NOTES the unconfirmed minutes of the Urban Animal Management Committee meeting held on 26 February 2001 forming Attachment 1 to Report CJ060-03/01.

The Motion was Put and

CARRIED

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf060301.pdf](#)

CJ061-03/01 DEVELOPMENT OF SKATE FACILITIES - [08096]

WARD - All

CJ010306_BRF.DOC:ITEM 6

SUMMARY

At the briefing session of elected members which was held 12 December 2000 a Skate Facility Progress Report was presented. It detailed options in relation to skating equipment and possible configurations of skate park facilities, including mobile skate ramps, semi permanent modular, permanent concrete and premier regional facilities.

A review of potential sites has been concluded having addressed the criteria outlined in the briefing paper. This report recommends approval of the proposed sites for the current financial year and listing of the balance of the sites for consideration in the City's five year works plan. The report incorporates a summary of provision, type of equipment, recommended locations, costs and planning notes. Justification for each proposed site, has been included together with proposed future upgrades and amenity provision for the various locations.

At the conclusion of the fifth year the City will have increased the provision of skate park facilities from one to nine, incorporating 6 low to medium skill, level facilities, 2 medium, skill level and 1 higher skill, level facility.

It is also recommended that further community consultation be conducted with residents adjacent to proposed facilities to consider the views and concerns of local residents.

BACKGROUND

A Skate Facility Progress Report was presented at the briefing session of elected members held on 12 December 2000. The report outlined the directions for future skate facility provision in the City. It reviewed the current Craigie Skate Park facility and outlined the community consultation process undertaken to determine possible locations for the construction of wheel sports or skate, blade or bike facilities within the City. The contents of the briefing paper are incorporated in this report.

Discussions were also held with the Ministry for Sport and Recreation centering on the future development of skating as a bona fide sport. Currently, the Ministry is consulting with the Skateboarding Association of Western Australia to assist its efforts to establish a statewide competition. While the Association is not currently recognised as a sport in its own right such as hockey and is therefore ineligible to receive State funds, the Ministry recognises the activity is increasing popularity and acknowledges its development potential.

A Skate Park is defined as a purpose built facility that provides opportunities for active participation, at varying levels, in the four recognised styles of skating:

- Vertical Skating
- Lip Trick Skating
- Freestyle Skating
- Street Style Skating

Skate Parks are used extensively for in-line skating, skateboarding and BMX cycling. It is anticipated that scooter riders will also make use of these facilities in the future.

In recent times there has been a significant increase in the number of local government authorities and community groups endeavouring to establish skate parks in their communities. In December 1999, the City constructed a semi permanent skate park facility at Craigie Leisure Centre. Funds to the value of \$48,000 have been listed in the 2000/2001 budget for the construction of further skate park facilities.

Organised skating competitions have also flourished throughout metropolitan and region areas highlighting the progressive development of this activity. For example, the Office of Youth Affairs has recently funded Police and Citizens Youth Clubs to coordinate 'State Championships'.

The City has run three competitions to date, all being extremely successful and popular. Funding has recently been sought from the WA Strategy Against Drug Abuse to establish a series of regular skate competitions at Craigie Skate Park. Encouraging young people to participate in extreme sports has the dual effect of providing an alternate activity to taking drugs, it also requires young people to be fit and not under the influence of drugs to perform at their best level.

Since opening the Craigie skate park facility (December 1999), Council has received 15 written requests for similar facilities to be developed in various suburbs within the City. Approximately 240 local young people have petitioned Council seeking consideration to be given to the construction of skate and BMX facilities. Requests and/or letters of support have also been received from various Residents Associations, Neighbourhood Watch groups, schools and local Members of Parliament. Enquiries have also been received from developers concerning the provision of skating structures within shopping complexes. Table 1 details these submissions:

Table 1: Written Requests for Skate Park Facilities

SUBURB	SUBMITTED BY	DETAILS	DATE RECEIVED
KINROSS	1. Kinross Residents Association Bart Boelen, JP, President	Request to develop a skateboard track in MacNaughton Park Kinross. Support from Kinross Residents Association + children of Kinross Primary School (Sept 2000)	30 October 2000
	2. Iain Maclean, MLA then Member For Wanneroo	A 49-signature petition received on behalf of children residing in Kinross requesting the construction of a skatepark within that suburb.	26 April 2000 Petition to Council
	3. Diane Guise then Labour Candidate For Wanneroo	A 143-signature petition received on behalf of children residing in Kinross requesting the construction of a skatepark within that suburb	5 February 2001 Petition to Council
GREENWOOD	4. West Greenwood Primary School Parents and Citizens Association	Skaters currently using school and concern that there is damage occurring to property and see a skate facility as a measure decrease in vandalism	24 Oct 2000
	5. Cheryl Edwards MLA Member for Kingsley	As above	Nov 2000
KALLAROO	6. Mr Michael Hartley	Letter – Requesting Skatepark in Kallaroo area.	10 Mar 2000
	7. Mr Michael McLean	Email – Requesting recreation facilities be constructed in Kallaroo area (BMX, Skatepark)	31 May 2000
OCEAN REEF	8. Councillor Carlos	167- signature petition submitted from residents of the City of Joondalup -request similar to those built at Margaret River and Mandurah.	10 Oct 2000 Petition to Council
	9. Mr Furtado	As above	27 Sep 2000
	10. Ocean Reef Residents Association Vic Harman, President	Letter - Co-location of skate park with current BMX track at Mirror Park.	12 June 2000
BURNS BEACH	11. Councillor Hollywood	20-signature petition submitted from residents of Burns Beach request skatepark be constructed there.	4 Dec 2000
HILLARYS	12. Mr Nicholas Allott	Letter – A skatepark in Hillarys would promote increased social interaction, fitness, self-confidence and self discipline for youth.	5 Oct 2000
WOODVALE	13. Mr Chris Spencer	Letter – Requesting skatepark for Woodvale area	4 Dec 2000
	14. Mr Dale Teagle	Email – Requesting skatepark for Woodvale	5 Jun 2000
HEATHRIDGE	15. Neighbourhood Watch Bob Davidson, Suburb Manager	Letter - requested a BMX + skateboard type facility that would minimise crime and anti-social behaviour	5 June 2000

In summary, approximately 220 local young people have petitioned Council seeking consideration to be given to the construction of skate and BMX facilities. Requests and/or letters of support have also been received from various Residents Associations, Neighbourhood Watch groups, schools and local Members of Parliament.

The Progress Report also indicated that an assessment had commenced of all potential skate facility sites in the City, bearing in mind the comments and concerns raised by young people and other stakeholders. This assessment has now been completed.

DETAILS

The provision of skate park facilities by Local Authorities differs considerably. A universal best practice model is hard to determine as local factors strongly influence the objective requirements each facility fulfils.

Skating Structures

There are three basic types of skate facilities: portable, semi portable and permanent.

Portable structures are transportable with the intent of being situated on a temporary basis and allowing for reconfiguration of the site. They are usually wooden and stored undercover. At the other extreme, permanent structures are immobile once in place. Portable and permanent structures meet different objectives and often compliment each other. Portable structures are framed and clad units, while permanent structures are generally inground concrete structures.

Between these extremes are semi permanent facilities. That is, mobile skate equipment that is designed to be located permanently outdoors. The equipment’s riding surfaces are constructed from galvanised steel sheeting treated with a sound dampening material. Primarily, this ‘middle ground’ approach to skate facility provision caters for removal if an area’s needs change or problematic anti social behaviour ensues. It also allows for relative flexibility in site selection as the main requirement is a smooth, hard surface; and transforms existing facilities that may receive little use into functional areas or alternatively purpose built skate surfaces may be modified to more traditional tennis or basketball court facilities if necessary.

The City has opted to develop semi mobile skate facilities due to the reasons outlined above.

The matrix below, Table 2, illustrates various types of skating equipment and highlights the number of possible forms in which Council may provide skate park facilities.

Table 2: Matrix of skate facility provision

Type of Equipment	Cost	Access	Operational Management	Challenge
Mobile skate ramps	\$20,000 per set (added vehicular transportation + storage costs)	Supervised Temporary Free	Commercial or Council	Low to Medium
Semi permanent modular	\$50,000 construction \$25,000 amenities	Unsupervised Semi permanent Free	Council	Low to Medium

Permanent concrete	\$130,000 construction \$50,000 to \$100,000 amenities	Both: Supervised and unsupervised, Permanent Both: Free and fee for use	Commercial or Council	Medium to High
Premier regional facility	\$200,000 construction \$100,000 amenities	Supervised Permanent Fee for use	Commercial or Council	Medium to High Suitable to host State Championships

Council is well positioned to monitor the advancement of various methods of facility provision and balance these with the progress and development of skating as an activity.

Based on external factors such as the current value of investment in and volume of skate parks, sophistication of facility design and proliferation of regional skating competitions, there is clear evidence supporting the potential for further growth in the activity's popularity.

Insurance

With the increase in proliferation of unsupervised, freely available wheel sports facilities that is the norm for Local Authorities in Western Australia, Council insurer's in 1998 reviewed its position and now consider wheel sports facilities as being akin to playgrounds.

Provision of skate parks requires the following:

- the structure to be built to Australian Safety Standards;
- adequately sign posted encouraging the wearing of protective equipment, acceptable activity and so on; and
- weekly maintenance checks to be undertaken.

The facility is required to be listed with the insurers to ensure it is covered under Council's Public Liability Insurance Policy.

Inventory of Existing Facilities

One semi mobile skate park facility is listed in Council's annual list of assets for the insurance returns. It is located on the outside of the western side of the Craigie Leisure Centre at a cost of \$41,750 of which \$10,000 was acquired from the Office of Youth Affairs, Skate Park Grants Program, with the remainder funded by Council.

There is one commercial skate facility in operation within the City. The 'God Park', located on the corner of Hocking and Wanneroo Roads, has been in operation since 1993. It is owned and managed by the West Coast Christian Outreach Centre.

Joondalup Roller Skating Rink is a commercial operation located on Winston Avenue in the main Joondalup Business District. The user pays facility is in its first year of operation and caters solely for roller skating.

Both facilities are well utilised and compliment each other. That is, the indoor commercial facility operates on a user pays basis – it conducts supervised three hour skate sessions at a cost of five dollars per session – whilst Council's outdoor facility is free for use and unsupervised.

Review Framework

Consultations has been undertaken with the following:

- Local community through newspaper article and advertisement calling for public comment;
- Local young people by way of a series of three Young Peoples Forums conducted at Ocean Reef Senior High School, Anchors Youth Centre (Heathridge) and Greenwood Senior High School;
- Key staff by way of face to face interview;
- Discussion with other agencies (Ministry of Sport and Recreation and Office of Youth Affairs) and various Local Authorities.

Public Comment

Two advertisements were placed in the Joondalup Times inviting comment from local residents. Fourteen submissions were received. Eight strongly objected to the upgrade of the Craigie facility. Two were supportive of the provision of low level facilities in the areas of Kinross and Greenwood and two were supportive of upgrading the Craigie facility.

Invitations were personally addressed by post to all listed petitioners seeking a skate or BMX facility and to attendants at skate competitions. Posters promoting the forums were also issued to all primary and senior high schools, and were located in various retail outlets throughout the City.

In all, 76 young people and 3 parents attended the workshops. The workshops ascertained the future aspirations participants in these activities, addressed their perceived need for facilities, and possible location of any such facility. A strong local focus was expressed.

Demand for Skate Facilities

Based on the consultative process undertaken to review the City's future provision of skate facilities, there is a need by young people and residents for quality skate equipment to be provided at a local level. It is proposed therefore, for the 2000/2001 financial year, a further two, low to medium skill level skate facilities are constructed within the City.

After an extensive 'skate park site assessment' process, incorporating sixteen possible locations, the two recommended parks for development this financial year are as follows:

1. MacNaughton Park, Kinross, and
2. Kanangra Park, Greenwood.

These skate facilities, as well as any other future sites, will only be developed subject to a number of considerations including concept plan designs and outcomes of local area community consultation.

It is proposed that the City's skateparks be developed as semi permanent facilities ie, mobile skate equipment that is designed to be located outdoors. The equipment's riding surfaces are constructed from galvanised steel sheeting, treated with a sound dampening material. Primarily, this 'middle ground' approach to skate facility provision caters for removal if an area's needs change or problematic anti social behaviour ensues.

This approach also allows for relative flexibility in site selection, as the main requirements are a smooth, hard surface, enabling the transformation of existing facilities that may receive little use into functional areas.

Site Assessment Criteria

Site assessment criteria to determine the suitability of a particular site have been developed as follows:

- physical (site location/ area/ land form/ shade)
- use/purpose (current uses/future purposes/access barriers/surrounding environs/public transport)
- safety (personal safety/ visibility to public/public telephone)
- amenities (seating/toilets/lighting/power/drink fountain/parking/shops/playground equipment)

Craigie Skatepark

Given the high usage of Council's Craigie facility, the lack of amenity needs to be remedied. The issue of bush degradation and the proliferation of litter is however a concern. As an immediate solution, a perimeter fence is being installed to limit access between the skate facility and Craigie Open Space, which will be supported by an education programme with young people using the skate facility.

A Draft Report for the Craigie Open Space Study, dated November 2000, currently being completed has recommended that:

"Craigie Skate Park facility should either be moved to an active open space reserve within the vicinity, or be relocated within Craigie Open Space. If relocated it needs to be in a position that is visible from both the Leisure Centre and Whitfords Avenue, thereby discouraging anti-social behaviour and uncontrolled access over the sensitive dune environment. The skate park should also be upgraded to enhance safety and usability for all age groups and be inclusive of BMX bike users as well".

Investigations have revealed that there are no other suitable sites within the external areas of Craigie Leisure Centre to relocate the existing skatepark due to the need to preserve car parking space and traffic safety issues for both participants of the skate facility and the general public. It is preferable to continue to have a skate facility at Craigie Leisure Centre rather than relocate to an active park in the vicinity, as it is easily accessible by train and bus. As previously indicated, an education programme targeting the young people to minimise the use of short cuts through the bush is being implemented.

It is considered that the environmental concerns in relation to the impact of the users of the skate park on Craigie Open Space should be noted and monitored along with the participation rates at the Craigie skate facility and in the broader community. Should demand for skate

facilities increase, development of alternative venues to take the pressure off the Craigie site will need to be considered.

It should be noted that concern has been expressed from some nearby residents regarding the rise of anti social behaviour, and undesirable individuals attracted to the area due to the facility. These sentiments are not reflected by a rise in the number of complaints to the police or rangers from the surrounding area. The police and rangers advise that in fact there has been a reduction in complaints suggesting that the facility provides a relevant recreational opportunity for the same young people often associated with anti social and criminal behaviour.

Premier Skate Facility

In the five year time frame Council can monitor the recommended indicators of change to assess if the provision of a premier regional facility is warranted. Craigie Leisure Centre, along with Edgewater Quarry, is a potential site for a premier regional facility if one were to be developed.

At present, the following national statistics, generated from an ABS Report dated April 2000, represent a good starting point from which to monitor participation rates:

- Skateboarding or rollerblading was undertaken outside of school hours by 31% of children in the past two school weeks.
- The activity was more popular with boys (36%) than girls (26%).
- The percentage of children skateboarding or rollerblading peaked at 39% for children aged 8 years; this compares with 20% of 5 year olds and 21% of 14 year olds.
- Skateboarding or rollerblading was most popular in the Northern Territory, where it was undertaken by 46% of children aged 5 to 14 years, and least popular in South Australia (26%). 38.6% of children in WA undertook this activity.
- Children born in Australia (32%) and in the main English-speaking overseas countries (29%) were more likely to skateboard or rollerblade than those born in other countries (19%).
- Children living in one-parent families were more likely to skateboard or rollerblade than those living in couple families (37% and 30% respectively).
- Of the skateboarders and rollerbladers, boys spent more time on this activity than girls. The average time spent skateboarding and rollerblading in the past two school weeks was 6 hours for boys and 4 hours for girls.

[Ref: (APRIL 2000) ABS 4901.0 CHILDREN'S PARTICIPATION IN CULTURAL AND LEISURE ACTIVITIES AUSTRALIA]

Given the current scenario, the following 5-year timetable, detailed in Table 3, is proposed:

Table 3: 5-year skate facility development timetable

	Year 1 - 2000/01	Year 2 – 2001/02	Year 3 – 2002/03	Year 4 – 2003/04	Year 5 – 2004/05
Recommended Skate Locations	MacNaughton Park, Kinross Cost \$24,000 Kangra Park, Greenwood Cost \$24,000	Lexcen Park, Ocean Reef Cost \$34,000 Geneff Park, Sorrento Cost \$24,000	Edgewater Quarry, Edgewater Cost \$55,000 Tom Simpson Park, Mullaloo Cost \$55,000	Percy Doyle Reserve, Duncraig Cost \$24,000 Chichester Park, Woodvale Cost \$24,000	Edgewater Quarry, Edgewater Cost \$50,000
Type of Skate equipment	Modular Semi permanent	Modular Semi permanent	Modular Semi permanent	Modular Semi permanent	Modular Semi permanent
Recommended Amenity Development		Craigie Skate Park Cost \$3,000	MacNaughton Park, Kinross Cost \$2,000 Kangra Park, Greenwood Cost \$5,000	Lexcen Park, Ocean Reef Cost \$2,000 Geneff Park, Sorrento Cost \$2,000	Percy Doyle Reserve, Duncraig Cost \$2,000 Chichester Park, Woodvale Cost \$2,000 Edgewater Quarry, Edgewater Cost \$5,000
Type of Amenity		Seating and shade	Seating, shade, lights & power	Seating, shade, lights & power	Seating, shade, lights & power
Total Cost to Council	\$48,000	\$67,100 (includes contingency- \$6,100)	\$128,700 (Includes contingency- \$11,700)	\$57,200 (Includes contingency- \$5,200)	\$64,900 (Includes contingency- \$5,900)
Planning Notes	- Both skateparks to be smaller than Craigie - Kinross shops to be constructed within 18 months	- Both skateparks to be smaller than Craigie - Upgrade support facilities at Craigie Skate Facility	- Edgewater Quarry skatepark to be similar to Craigie skatepark (size, equipment) - Mullaloo skatepark to be similar to Craigie skatepark (size, equipment) - Upgrade support facilities at Kinross & Greenwood Skate Facilities	- Both skateparks to be smaller than Craigie - Upgrade support facilities at Ocean Reef & Sorrento Skate Facilities	Edgewater skatepark to be developed into a larger facility - Upgrade support facilities at Duncraig, Woodvale & Edgewater Skate Facilities

The annual ongoing operating costs that will result from the establishment of these facilities are detailed below as follows:

PARKS	ANNUAL OPERATING COSTS
Craigie Leisure Centre (current)	\$1,500
MacNaughton, Kinross	\$1,000
Kanangra, Greenwood	\$1,000
Lexcen, Ocean Reef	\$1,000
Geneff, Sorrento	\$1,000
Edgewater Quarry	\$1,500
Tom Simpson, Mullaloo	\$1,500
Percy Doyle, Duncraig	\$1,000
Chichester, Woodvale	\$1,000
TOTAL	\$10,500

Site Selection Justification

All of the following sites are proposed for construction subject to a local area, community consultation process, and valuable input for concept design from local youth:

Year 1. MacNaughton Park, Kinross:

Advantages

- Area can comfortably accommodate all three sports (skate, blade and bike) with ancillary infrastructure and services. The current BMX track located at Menteith Park, Kinross can easily be relocated at relatively minimal costs. The area has got excellent children's playground equipment.
- No landform impediments, enabling ease of construction.
- The site is readily accessible as MacNaughton Park is situated on a bus route and is approximately a 10-minute walk or 5 min skate from the Currambine train station.
- There are buffer zones (oval, clubroom and road) minimising any intrusive noise and lights to the nearest residents.
- The site is regarded as a safe area in regards to personal safety with high visibility to the public.
- Good amenities are present with a potential shopping centre to be built increasing the number of toilets and car parking spaces.

Disadvantages

- Until the proposed shops are constructed, there are limited opportunities to utilise a public telephone.
- Potential adverse comment from nearby residents

Year 1. Kanangra Park, Greenwood:

Advantages

- Area can comfortably accommodate all three sports with ancillary infrastructure and services. A new BMX track has recently been constructed in the park. The area has got children's playground equipment on site.
- No landform impediments, enabling ease of construction.
- The site is easily accessible as buses stop along Hepburn Avenue, there is a foot/cycling bridge over the freeway connecting Duncraig, also the proposed Greenwood train station is planned to be built (2003) very close by.

- There are buffer zones (freeway, oval and road) minimising any intrusive noise and lights to the nearest residents (approx 200 metres away).

Disadvantages

- The site is regarded as a safe area in regards to personal safety with visibility to the public, however there are currently no lighting and power facilities on site.
- Potential adverse comment from nearby residents

Year 2. *Lexcen Park, Ocean Reef:*

Advantages

- Area can comfortably accommodate all three sports with ancillary infrastructure and services. The current BMX track located at Mirror Park, Ocean Reef can easily be relocated at relatively minimal costs. The area has got excellent children's playground equipment.
- The site is readily accessible as it is situated opposite a high school, close to a primary school and on a bus route.
- There are buffer zones (oval, trees and roads) minimising any intrusive noise and lights to the nearest residents.
- The site is regarded as a safe area in regards to personal safety as it is a school thoroughfare, with good visibility to the public as local sporting teams utilise the oval for training and playing.
- Good amenities are present.

Disadvantages

- The site has natural banking enabling innovative designs, however resulting in increased costs of construction.
- Potential adverse comment from nearby residents

Other alternatives in this area that have been considered are Mirror Park and Ocean Reef Senior High School which is opposite Lexcen Park. Use of these sites will be considered further if there is adverse comment from local residents. Discussions will be held with the High School to explore the location of a skatepark at the school if necessary.

Year 2. *Geneff Park, Sorrento:*

Advantages

- As site is very close to popular beach location and holiday resorts, an atmosphere of "zest" and "action" can be exemplified.
- Area can comfortably accommodate all three sports with ancillary infrastructure and services. The area has got children's playground equipment on site.
- No landform impediments, enabling ease of construction.
- The site is close to bus routes and directly opposite the Sorrento Beach Resort. It is proposed to be installed in the existing "make shift" car parking area of Sorrento Community Hall.
- There are buffer zones (Sorrento Community Hall and roads) minimising any intrusive noise and lights to the nearest residents.
- There is a public telephone on site with excellent emergency vehicle access.
- Good amenities are present (shops) or have good potential (lighting, power).

Disadvantages

- Potential adverse comment from nearby residents

Year 3. *Tom Simpson Park, Mullaloo:***Advantages**

- Site location is highly compatible (surf lifesaving club, family park, beach location, BBQ's).
- Skatepark facility fits with the philosophy of Mullaloo precinct plan (to increase activity).
- The area has got excellent children's playground equipment.
- No landform impediments, enabling ease of construction.
- Public transport makes the site easily accessible.
- There are buffer zones (road, car park, existing popular park) minimising any intrusive noise and lights to the nearest residents.
- The site is highly visible to the public with public telephones in the immediate vicinity.
- Excellent amenities currently present (toilets, seating, lighting, power and shops).
- Currently the site is undergoing a community consultation process for the Mullaloo Precinct Plan.

Disadvantages

- The site is a known anti-social "hot spot".
- Potential adverse comment from nearby residents.

Establishment of a skate park at Tom Simpson Park will be subject to further consideration as part of the planning and development of the Mullaloo Precinct Plan.

Year 3. *Edgewater Quarry, Edgewater:***Advantages**

- This site has great potential to be the City's regional skatepark site.
- A proposed concept plan for future purposes of the site include recreational pursuits such as mountain bike and BMX tracks as well as a skatepark facility.
- Area can comfortably accommodate all three sports with ancillary infrastructure and services. The current BMX track located at Edgewater Drive, Edgewater can easily be relocated at relatively minimal costs.
- The site is currently vacant cleared land.
- The site is readily accessible as a bus stop is situated immediately outside it and Edgewater train station is in close proximity.
- The area has a large buffer zone as its location is in the old quarry minimising any intrusive noise and lights to the nearest residents.
- Good amenities are proposed in the above concept plan.

Disadvantages

- Potential adverse comment from nearby residents

Year 4. *Percy Doyle Reserve, Duncraig:***Advantages**

- Area can accommodate a skatepark facility with ancillary infrastructure and services. There is a current BMX track, within very close proximity, located at Galston Park, Duncraig.
- No landform impediments, enabling ease of construction.
- Public transport is readily available along Warwick Road and Marmion Avenue.
- There are buffer zones (oval, clubroom and road) minimising any intrusive noise and lights to the nearest residents.

- The site is very highly visible to the public and has public telephones located in the nearby buildings (Leisure Centre, library).
- Potentially good lighting and power sources.

Disadvantages

- This site is a known anti-social “hot spot” and there will more than likely be comments from nearby residents against the idea of a skatepark being located in this location.
- Potential adverse comment from nearby residents.
- Potential adverse comment from clubs based at Percy Doyle Reserve.
- Vehicular access through Percy Doyle Reserve could cause traffic congestion and noise complaints.

Year 4. Chichester Park, Woodvale:

Advantages

- Area can comfortably accommodate all three wheel sports. An existing BMX track is already constructed in the park as well as a children’s playground and Basketball keyway.
- The proposed site is situated between 2 active reserves, one of which doubles as a school oval.
- No landform impediments, enabling ease of construction.
- The site is easily accessible by buses.
- Buffer zones comprise of trees, roads and at least 150 metres to the nearest residents minimising any intrusive noise and lights.
- Woodvale is regarded as a “hotspot” for anti-social behaviour, however Chichester Park is not recognised as an area in which this type of behaviour is always present. The main areas include the high school, library, tennis courts and the Woodvale shops nearest to Whitfords Avenue.
- There is a good buffer zone (trees) for residents

Disadvantages

- The trees and the fact that there are no lights in this particular area of the park reduce visibility to the public.
- Potential adverse comment from nearby residents.

Year 5. Edgewater Quarry, Edgewater:

- Refer Year 3 Site Selection justification for Edgewater Quarry.

COMMENT/FUNDING

Determining Priority

The proposed timing of development for each skate site has been based on the level of assessed need within a particular area, access to other skate facilities, other City planning initiatives being developed such as precinct plans to ensure integrated facility development and feedback from other City business units.

Funding

As indicated in the Skate Facility progress report, a standard practice appears to be that the majority of the capital costs for wheel sports facilities are being borne by Councils. To recover some of these costs, corporate sponsorship may be realised by selling signage rights on the slopes of skating structures.

Potential external funding sources for future facilities include:

- Ministry for Sport and Recreation (MSR) through the “Community Sporting and Recreation Facility Fund (CSRFF)”. Applicants can request up to one third of the total cost of the project. Applications must be sent to the MSR during October of each year.
- Lotteries Commission. Council can seek funding under their “General Funding” category. Applicants must first consult the WA Skateboarding Association to gain a recommendation for the project (i.e. the WA Skateboarding Association must consider it a “central” or regional facility). Council can request up to \$20,000 for the project, and a four-month lead up time must be provided.
- Office of Youth Affairs (OYA) under their “Skating Facilities Grant Program”. Applicants can request up to a maximum of \$10,000, and a four-month lead up time is required. Notification was received on the 29 November 2000 from the OYA that until further notice new applications would not be considered under this program. The re-opening of the program and the level of funding available will depend on budget allocations for the coming financial year.
- Corporate Sponsorship – Contra sponsorship partnerships could be offered to suppliers involved in the construction of the skating facility. Corporate groups could be offered signage rights at the facility, in exchange for savings in labour and material costs of the project. Any sponsorship partnerships should be developed before the project commences.

Funding for the current financial year for skateparks is included in this year’s budget and it is recommended that the proposed locations for skateparks in this financial year be approved with the balance listed for consideration in the five year works plan.

Should a site encounter significant levels of anti social behaviour, a programme can be implemented where youth services staff work with the young people to minimise anti social behaviour. This approach has worked successfully at other skate facilities in the region.

Should there be significant community opposition to a proposed skate park location a further review of potential sites in the immediate area will be conducted with a report to Council advising of the outcomes of the community consultation and other potential sites for consideration.

OFFICER’S RECOMMENDATION: That Council:

- 1 **ENDORSES** the development of skateparks at MacNaughton Park, Kinross and Kanangra Park, Greenwood in the 2000/2001 financial year subject to a local community consultation process being conducted at each site prior to development;
- 2 **LISTS** for consideration in the five year works plan the balance of the proposed sites as detailed in this Report subject to a local community consultation process to be conducted at each proposed site in the twelve months prior to proposed development.

ADDITIONAL INFORMATION

At the briefing session for elected members held 6 March 2001, further information was requested in relation to the available options for skate facilities for young people in the City.

Essentially, Council has three options in relation to the development of skate facilities in the City. These are as follows:

- Development of small local facilities as proposed in the report to Council (CJ 061-03/01 refers);
- Development of fewer but larger facilities; or
- Development of small facilities which can be upgraded at a future date as necessary.

It should be noted that the feedback received from skate participants during the community consultation process indicated a strong preference for skate facilities to be developed locally and for these facilities to be constructed of concrete.

If Council wishes to consider building fewer but larger skate facilities in the City, it is considered that three sites would be needed along the central spine of the City, ie adjacent to the Mitchell Freeway and railway line, in order to cater for demand and to allow for ease of access.

Large size concrete facilities would cost approximately \$128,000 each depending on the location and may also require additional ancillary facilities such as shade, lighting, water and toilets which would cost up to an additional \$135,000 per site. Annual maintenance costs per site are estimated at \$2,000 per annum.

The following locations would be suitable for large scale skate facility developments.

SKATE LOCATIONS

Edgewater Quarry

This site is ideal for development as a premier regional facility to cater for regional championships incorporating participants from within the northern corridor.

- A proposed concept plan for future purposes of the site includes recreational pursuits such as mountain bike and BMX tracks, as well as a skatepark facility;
- Area can comfortably accommodate all three sports with ancillary infrastructure and services. The current BMX track located at Edgewater Drive, Edgewater can easily be relocated at relatively minimal costs;
- The site is currently vacant cleared land;
- The site is readily accessible as a bus stop is situated immediately outside it and Edgewater train station is in close proximity;
- The area has a large buffer zone minimising any intrusive noise and lights to the nearest residents; and
- Good amenities are proposed in the concept plan.

Kanangra Park, Greenwood:

- This site would cater for skaters in the City's southern suburbs;
- A new BMX track has recently been constructed in the park. The area has children's playground equipment on site;
- No landform impediments, enabling ease of construction;
- The site is easily accessible as buses stop along Hepburn Avenue. There is a foot/cycling bridge over the freeway connecting Duncraig. Also, the proposed Greenwood train station is planned to be built (2003) very close by; and

- There are buffer zones (freeway, oval and road) minimising intrusive noise and lighting to the nearest residents (approx 200 metres away).

The site is considered to be a safe area in regards to personal safety with visibility to the public. However, there are currently no ancillary facilities on site. It is likely with a larger facility, there will be increased potential for adverse comments from nearby residents.

Craigie Leisure Centre

The facility at Craigie Leisure Centre is well used but, as previously reported, the bushland in Craigie Open Space has experienced some degradation as a result of young people walking through it to the skate facility. Expanding this facility may result in increased degradation to the local environment.

Total Cost Comparison

The report to Council proposes to construct 8 additional semi-mobile skate facilities at a total estimated cost of up to \$365,900. Estimated annual operating costs would be \$12,000 per annum.

To build 3 permanent concrete facilities it is estimated it could cost up to \$789,000, plus operating costs of \$6,000 per annum.

OTHER SKATE FACILITIES IN THE METROPOLITAN AREA

The following information has been obtained from the Ministry for Sport and Recreation and is based on development in particular localities rather than by local governments in the Perth metropolitan area.

Concrete Skate Facilities

Belmont: Construction cost-\$128,000. Ancillary facilities-\$112,000	
Canning: Construction cost-\$120,000. Maintenance Costs-\$10,000p/a. Size 500sq m.	
Leederville (concrete & modular facility): Construction cost-\$200,000	
Cockburn: Construction cost-\$128,000 Maintenance Costs-\$2,000p/a. Size 350sq m.	
Bullcreek: Concrete bowl	Construction Costs are unavailable
Forrestfield	"
Kalamunda	"
Maida Vale	"
High Wycombe	"
Victoria Park	"
Subiaco (Police & Citizens Youth Club)	"
Rockingham	"
Mosman Park	"
Mandurah	"
Ellenbrook	"

Semi Mobile Skate Facilities

Wanneroo (2x semi mobile facilities): Construction cost-\$80,000

Balga	Construction Costs are unavailable
Bassendean	"
Byford	"
Kambalda	"
Kingsley (West Coast Christian Outreach Centre)	"
O'Connor (commercially run indoor facility)	"
Subiaco (Market Square Park)	"
Roleystone	"
Midland	"
Ballajura	"
Beechboro	"

POPULATION DEMOGRAPHICS

The following demographic information is based on Australian Bureau of Statistics (ABS) 1996 Census for young people aged 5 to 24 years. The catchment areas vary depending on the proposed size of the facility and number of facilities available.

The demographics for **three larger skate facilities only** are as follows.

Skatepark, Kanangra Park, Greenwood

There are 14,523 young people living in the catchment area for this proposed facility who make up 35% of the total population.

Skatepark, Craigie Leisure Centre

There are 8,587 young people living in the immediate catchment area for this proposed facility who make up 34% of the total population.

Skatepark, Edgewater Quarry

There are 10,454 young people living in the immediate catchment area for this proposed facility who make up 34% of the total population.

The population demographics of the **local sites listed for development in the report to Council** are as follows.

MacNaughton Park, Kinross

There are 2,326 young people living in the immediate catchment area for this proposed facility who make up 32% of the total population.

Lexcen Park, Ocean Reef

There are 6,853 young people living in the immediate catchment area for this proposed facility who make up 40% of the total population.

Tom Simpson Park, Mullaloo

There are 3,949 young people living in the immediate catchment area for this proposed facility who make up 34% of the total population.

Geneff Park, Sorrento

There are 3,156 young people living in the immediate catchment area for this proposed facility who make up 33% of the total population.

Percy Doyle Reserve, Duncraig

There are 7,118 young people living in the immediate catchment area for this proposed facility who make up 35% of the total population.

Craigie Leisure Centre

There are 7,676 young people living in the immediate catchment area for this proposed facility who make up 33% of the total population.

Edgewater Quarry, Edgewater

There are 4,983 young people living in the immediate catchment area for this proposed facility who make up 34% of the total population.

Chichester Park, Woodvale

There are 8,386 young people living in the immediate catchment area for this proposed facility who make up 35% of the total population.

Kanangra Park, Greenwood

There are 3,714 young people living in the immediate catchment area for this proposed facility who make up 35% of the total population.

USAGE

The following national statistics, generated from an ABS Report dated April 2000, represent a good starting point from which to monitor participation rates:

- Skateboarding or rollerblading was undertaken outside of school hours by 31% of children in the past two school weeks.
- The activity was more popular with boys (36%) than girls (26%).
- The percentage of children skateboarding or rollerblading peaked at 39% for children aged 8 years; this compares with 20% of 5 year olds and 21% of 14 year olds.
- Skateboarding or rollerblading was most popular in the Northern Territory, where it was undertaken by 46% of children aged 5 to 14 years, and least popular in South Australia (26%). 38.6% of children in WA undertook this activity.
- Children born in Australia (32%) and in the main English-speaking overseas countries (29%) were more likely to skateboard or rollerblade than those born in other countries (19%).

- Children living in one-parent families were more likely to skateboard or rollerblade than those living in couple families (37% and 30% respectively).
- Of the skateboarders and rollerbladers, boys spent more time on this activity than girls. The average time spent skateboarding and rollerblading in the past two school weeks was 6 hours for boys and 4 hours for girls.

[Ref: (APRIL 2000) ABS 4901.0 CHILDREN'S PARTICIPATION IN CULTURAL AND LEISURE ACTIVITIES AUSTRALIA]

A recent survey of the usage of the skate facility at Craigie Leisure Centre during after school hours and on weekends indicated the number of participants range from 7 to 22 skaters per hour.

PETITION - BURNS BEACH CARAVAN PARK RESIDENTS

The City has received a petition from the residents of the Burns Beach Caravan Park opposing the establishment of a skate facility in the area of the caravan park. The stated locality, land behind the Caravan Park, was not one of the sites assessed for the construction of a proposed skatepark. It was considered that demand for skate facilities in Burns Beach could be accommodated at MacNaughton Park, Kinross

SPONSORSHIP

Comments that commercial sponsorship may be available to assist in the development of skate facilities have been noted. Any opportunity to obtain funds to assist with the development of skate facilities will be investigated.

CONCLUSION

Feedback from the community suggests that that by building larger but fewer skate facilities it may be more difficult to gain public acceptance of the proposed facilities especially if they are located close to residential areas. During the community consultation process, the community expressed concern that larger facilities may attract larger groups of young people congregating in the one location and may result in increased levels of anti social behaviour. This would then act as a deterrent to younger skaters from accessing the skate facilities, who would also experience greater transport difficulties in getting to and from such facilities.

A number of the sites currently listed for consideration, such as MacNaughton Park in Kinross, may not address the concerns of the community if a larger facility was to be located on these sites.

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 1 ENDORSES the development of skateparks at MacNaughton Park, Kinross and Kanangra Park, Greenwood in the 2000/2001 financial year subject to a local community consultation process being conducted at each site prior to development;**
- 2 REMOVES both Geneff Park, Sorrento and Percy Doyle Reserve, Duncraig from the five year skate facility development timetable;**

- 3** **LISTS for consideration in the five year works plan the balance of the proposed sites as detailed in this Report subject to a local community consultation process to be conducted at each proposed site in the twelve months prior to proposed development.**

Discussion ensued.

During discussion, Cr Kenworthy left the Chamber at 2210 hrs, returning at 2212 hrs.

Cr Hollywood moved the following Amendment as one. During discussion on the matter, it was requested that each part of the Amendment be voted upon separately.

AMENDMENT MOVED Cr Hollywood, SECONDED Cr Walker that additional Points 4 and 5 be added as follows:

That Council:

- 5** **ALLOWS in the 2001/2002 Budget an amount of \$300,000 for the construction of a skateboard park in Kinross and another facility to be advised;**

The Amendment was Put and

LOST

AMENDMENT MOVED Cr Hollywood, SECONDED Cr Walker that Council:

- 4** **ESTABLISHES a Skatepark Committee consisting of Crs Hollywood, Carlos and Mackintosh and two staff members appointed by the Chief Executive Officer for the purpose of investigating, developing and making recommendations for the construction of skateboard facilities in the City of Joondalup;**

Cr Hollywood requested that the committee report back to Council within six weeks to allow the Committee's recommendations to be considered as part of the 2001/02 budget process.

The Amendment was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

The Original Motion, as amended, BEING:

That Council:

- 1** **ENDORSES the development of skateparks at MacNaughton Park, Kinross and Kanangra Park, Greenwood in the 2000/2001 financial year subject to a local community consultation process being conducted at each site prior to development;**
- 2** **REMOVES both Geneff Park, Sorrento and Percy Doyle Reserve, Duncraig from the five year skate facility development timetable;**
- 3** **LISTS for consideration in the five year works plan the balance of the proposed sites as detailed in this Report subject to a local community consultation process to be conducted at each proposed site in the twelve months prior to proposed development;**

- 4 ESTABLISHES a Skatepark Committee consisting of Crs Hollywood, Carlos and Mackintosh and two staff members appointed by the Chief Executive Officer for the purpose of investigating, developing and making recommendations for the construction of skateboard facilities in the City of Joondalup.**

was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr Magyar requested that his name be recorded as voting against the motion.

Cr Kadak left the Chamber, the time being 2220 hrs.

**CJ062-03/01 EMERGENCY FLASHING LIGHTS ON COUNCIL
OPERATED VEHICLES - [08178] [00513]**

WARD - All

CJ010306_BRF.DOC:ITEM 7

SUMMARY

The Road Traffic Code has been recently amended (December 2000) and now includes a comprehensive section on the restriction of Emergency Flashing Warning Lights on vehicles. The amendments to this code were initiated by the Director General of Transport and are administered by the Police Service, in particular the newly formed Traffic Division operating at both Warwick and Joondalup Police Stations.

The Director General of Transport is also requesting that Local Governments or agencies that operate vehicles with flashing warning lights keep an accurate register of such vehicles and submit a copy of such a register to the Director General so that endorsement can be made upon the vehicle licence.

The amendments to the Road Traffic Code impact on all Local Governments, and in particular vehicles that operate primarily for the purposes of mobile security patrols. The City is currently researching the practices of other local authorities as well as liaising with the Joondalup Police District Office for guidance and clarification.

It is recommended that this matter be referred to the next meeting of the Western Australian Municipal Association (WAMA) North Metropolitan Zone for consideration in terms of the impact on Local Government operations.

BACKGROUND

On 31 March 1999 WAMA called for a member to sit on the Management of Warning Devices Advisory Committee. Committee membership consists of representatives from the following agencies:

- Transport;
- Police Service;
- Fire and Emergency Service Authority;
- WA Road Transport Association;
- Ambulance Service;
- RAC; and
- WA Municipal Association.

The WAMA representative for this advisory committee is Councillor Lou Magro from the City of Bayswater.

The general terms of reference for this committee are:

- Be responsible for maintaining the accepted guidelines and updating them as necessary;
- Advise on the usage of any new lighting systems that may be developed;
- Mediate on the particular usage categories allocated;
- Be an avenue for individuals to air their grievances regarding their allocated usage category;
- Mediate on appropriate training requirements for emergency lamp operations; and
- Be involved in appropriate general public awareness/education campaigns on the significance of emergency lamps and their operation.

It is understood that this Advisory Committee has met on regular occasions. However, little information has been forwarded through to the City as to the progress and findings of this Advisory Committee.

DETAILS

It is understood that Council vehicles used for road construction and operations services will be approved by the Director General under a provision of special purpose vehicles. An application outlining the purpose and role of the vehicles with an accompanying register will still need to be completed by the City and forwarded for the information and approval by the Director General. It is also understood that Ranger vehicles may fall under this category and should receive approval for the use of flashing warning lights.

The City Watch vehicles fall under the category of security and it is believed that the reason for the review (guidelines initially drafted in December 1998) was specifically to target and regulate security vehicles in general. From an informal document obtained from the Police the following is stated:

Vehicles that are not approved by the Director General of Transport are illegal and a vehicle defect notice should be issued. These include such vehicles as:

Security – regardless of whether private, government or local government owner or operator. The Director General of Transport specifically denied the use of flashing lamps on local government vehicles in line with the rule as applied to all security vehicles. Any use on a local government vehicle primarily used for security patrols is therefore illegal.

Lawn mowing and other similar type private contractors not engaged in road maintenance on behalf of Main Roads WA or a local government authority and, if under contract, then not unless specifically authorized by the relevant authority to operate as such for the duration of the contract. (On completion of contract the authority also ends).

The matter is being progressed with both the Department of Transport and the Joondalup Police District Office. Furthermore, preparations have already been undertaken to start conducting an audit of all Council vehicles that are required to operate using flashing lights. Once completed, this report and accompanying application will be forwarded to the Director General of Transport requesting approval of Council vehicles.

MOVED Cr Ewen-Chappell, SECONDED Cr Hurst that Council REFERS the matter of emergency lighting on local government vehicles to a meeting of the Western Australian Municipal Association North Metropolitan Zone expressing concern about the amendments made to the Road Traffic Act in relation to emergency lighting on local government vehicles and seeking Western Australian Municipal Association's support to have the amendments reviewed.

The Motion was Put and

CARRIED

CJ063-03/01 MINUTES OF DRY PARKS, MEDIAN & VERGE COMMITTEE MEETINGS – 5 FEBRUARY 2001 AND 26 FEBRUARY 2001 - [44697]

WARD - All

CJ010306_BRF.DOC:ITEM 8

SUMMARY

Meetings of the Dry Parks, Median and Verge Committee were held on 5 February 2001 and 26 February 2001 and the minutes of both meetings are submitted for noting by Council.

DETAILS

The confirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 5 February 2001 are included as Attachment 1.

The unconfirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 26 February 2001 are included as Attachment 2. The following motion was put and carried:

“that it be recommended that Council expends the project funds of \$220,000 allocated in the Capital Works Program C.641 Streetscape Works Project No 2101 Various Major Roads, Median & Verge, be allocated for the landscape enhancement of the Whitford Avenue median, from the Freeway junction west to the Marmion Avenue junction.”

OFFICER'S RECOMMENDATION: That Council:

- 1 NOTES the confirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 5 February 2001 forming Attachment 1 to Report CJ063-03/01;
- 2 NOTES the unconfirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 26 February 2001 forming Attachment 2 to Report CJ063-03/01;
- 3 ENDORSES the recommendation of the Dry Parks, Median and Verge Committee that Council expends the project funds of \$220,000 allocated in the Capital Works Program C.641 Streetscape Works Project No 2101 Various Major Roads, Median & Verge, be allocated for the landscape enhancement of the Whitford Avenue median, from the Freeway junction west to the Marmion Avenue junction.

The Motion was Put and**CARRIED***Cr Kadak entered the Chamber, the time being 2223 hrs.***MOVED Cr Magyar, that Council:**

- 1 NOTES the confirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 5 February 2001 forming Attachment 1 to Report CJ063-03/01;
- 2 NOTES the unconfirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 26 February 2001 forming Attachment 2 to Report CJ063-03/01;
- 3 DOES NOT ENDORSE the recommendation of the Dry Parks, Median and Verge Committee that Council expends the project funds of \$220,000 allocated in the Capital Works Program C.641 Streetscape Works Project No 2101 Various Major Roads, Median & Verge, be allocated for the landscape enhancement of the Whitford Avenue median, from the Freeway junction west to the Marmion Avenue junction;
- 4 RETAINS the remaining funds of \$220,000 for projects to be considered in conjunction with the formulation of the 2001/02 Budget.

Discussion ensued.

There being no SECONDER, the Motion**LAPSED****MOVED Cr Ewen-Chappell, SECONDED Cr Hurst that Council:**

- 1 NOTES the confirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 5 February 2001 forming Attachment 1 to Report CJ063-03/01;
- 2 NOTES the unconfirmed minutes of the Dry Parks, Median & Verge Committee meeting held on 26 February 2001 forming Attachment 2 to Report CJ063-03/01;

- 3 ENDORSES the recommendation of the Dry Parks, Median and Verge Committee that Council expends the project funds of \$220,000 allocated in the Capital Works Program C.641 Streetscape Works Project No 2101 Various Major Roads, Median & Verge, be allocated for the landscape enhancement of the Whitford Avenue median, from the Freeway junction west to the Marmion Avenue junction.**

The Motion was Put and

CARRIED

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf060301.pdf](#)

INFRASTRUCTURE MANAGEMENT

**CJ064-03/01 PETITION - MANAGEMENT OF NATURAL AREAS -
[07377]**

WARD - All

CJ010306_BRF.DOC:ITEM 9

SUMMARY

At its meeting held on 14 November 2000, Council received a 253 signature petition from electors of the City of Joondalup, requesting Council to manage natural areas. The petition is structured in two parts, as follows:

Part 1 - That Council:

- 1 ensures all natural areas (conservation areas, bush remnants and coastal dunes) within the City of Joondalup are all prioritised for an effective maintenance program;
- 2 increases budget allocation and employs personnel qualified in the care and rehabilitation of natural vegetation areas.

Part 2 - Petitions are concerned that:

- 1 lack of management of bushland areas is allowing weed invasion to reduce the quality of the bushland, reducing the educational, passive recreational, aesthetic and natural heritage values of the bushland;
- 2 the City of Joondalup employs very few people with bush rehabilitation skills to maintain the natural values of our bushland compared to other comparable local government authorities;

- 3 the financial benefits of lower maintenance costs of well-managed bushland, compared to turf maintenance, are currently being foregone to the cost of all ratepayers.

BACKGROUND

Council officers have met with representatives of the petitioners to outline the current practices and procedures and the annual budgeting process.

Council officers and community representatives of the Conservation Advisory Committee have previously discussed the option of utilising specialist contract labour for revegetation projects. Within the 2000/2001 financial year, the City has undertaken two projects to evaluate this option and the results will be considered in the preparation for the 2001/2002 Draft Maintenance Budget submissions.

DETAILS

The conservation values of remnant vegetation within the City of Joondalup have been thrust into a focal position due to the draft “Bush Forever” (previously Bushplan) document and the division of the former City of Wanneroo.

Bushland calculations previously reflected larger amounts for possible conservation due to a large number of undeveloped Public Open Space within the rural areas. The amount of bushland remaining within this City’s control is now clearly defined and the petitioners are requesting that Council recognises its importance during the budget process.

Within the Operations Business Unit there are three personnel who undertake the major portion of bushland maintenance, being:

Conservation Officer - Conservation Area Maintenance
 Foreshore Restoration & Maintenance
 Foreshore Pathway Maintenance
 Green Plan Co-ordination
 Community Projects/Landscape/Environmental
 Corrective Services Co-ordination

Two - Senior Leading Hands

The two Senior Leading Hands supervise the Corrective Services crews that undertake a variety of basic work functions. These works incorporate the daily maintenance of designated areas of conservation, as follows:

Warwick Open Space Bushland	57ha
Hepburn Heights Bushland	20.88ha
Lilburne Park Bushland	5.87ha
Korella Park Bushland	2.5ha
Shepherds Bush	16.44ha
Periwinkle Park Bushland	3.72ha
Foreshore Dunes	990ha

The following areas of natural vegetation recorded by Bush Forever are not currently vested with the City:

Lot 2 Burns Beach Road – Private Property (Bush Forever Site 322)

Lot 17 Mindarie Tamala Part Ownership (Bush Forever Site 323)

Lot 1029 Ocean Reef Road Freehold – City of Joondalup

Maintenance of these areas, if vested with the City, will significantly impact on the operating budget expenditure in future years. A report is currently being prepared regarding the Bush Forever implications for Council.

Foreshore dunes are vested with the Ministry for Planning, however the ongoing maintenance has historically been undertaken by the former City of Wanneroo and currently by the City of Joondalup Operations Services unit. Council has total responsibility for developed reserves within this area and these are vested with the City.

In addition, Council's Operations' workforce maintains remnant areas, which are integrated with developed Public Open Space, such as:

Beaumaris Park -	1ha irrigated 3ha bushland
Clermont Park -	.60ha irrigated 1.37ha bushland

The City has recently engaged Eco Job to undertake bushland regeneration works in Clermont Park in Currabine. Four qualified bush regenerators worked for 10 days, removing exotic weeds resulting from a fire in March 2000. This work will be monitored to determine the effectiveness and cost benefit. Current expenditure is \$6,000.

In addition to the above, the City has undertaken a comparison survey with the City of Stirling to determine whether a significant variation exists.

The results must be viewed with caution as the information being assessed may differ or vary significantly by way of definition and work processes adopted by each Council.

Conservation area maintenance (specifically designated conservation)

City of Joondalup	\$1,123.63 (100.19ha)
City of Stirling	\$1,027.60 (352ha)

These figures give the impression that conservation of bushland can be achieved by provision of approximately \$1,100 per hectare, which a successful result achieved. This fails to recognise the variety of other factors that impact, eg. weather, fires, previous degradation and the area involved.

There are examples of existing natural bushland where preservation has been achieved with minimal capital expenditure or ongoing maintenance costs, eg. Lilburne Park Duncraig, due to the quality of the bushland at commencement.

There is a variation in the staff and labour component of the survey and this has been only identified in the overall calculation, as follows:

City of Joondalup	Parks Staff –10	Employees - 87
City of Stirling	Parks Staff – 17	Employees – 123

These figures must be assessed with caution as the overall duties vary significantly, eg. City of Stirling maintains large areas of wetlands and the City of Joondalup has none. Alternatively, the City of Joondalup has 16.5km of coastline, as opposed to 6.5km for the City of Stirling, with variation in development.

COMMENT/FUNDING

The Operations Services annual maintenance budget provides direct funding for designated conservation areas. This funding provides for the maintenance of fences, signs, access tracks and chemical control of selected weeds.

On-ground maintenance is also undertaken via Friends' Group participation.

The remnant Public Open Space vegetation currently has limited maintenance undertaken. Areas are actioned as and when required and costs for this work are debited direct to the Parks Annual Maintenance allocation and Dry Park and Conservation area maintenance. The Corrective Services group carries out the major portion of maintenance works undertaken in this area, with minimal labour costs reflected.

It must also be recognised that the conservation values of remnant bush areas within Public Open Space are often not supported by surrounding residents due to antisocial activities. Residents value the trees, but request irrigated grass understorey. There is a tendency by residents to dump their domestic prunings in the bushland.

The work undertaken by the Friends groups should not be underestimated, as they form a valuable resource for Council and the community, however the scope of work involved is greater than can be achieved by volunteer. It is therefore recommended that bushland regeneration teams are employed for specific locations, at the appropriate time, to achieve maximum benefit to the bushland.

The impact of the Western Australian Planning Commission Bush Forever legislation is yet to be recognised and understood. The preservation of existing indigenous bushland will incur additional maintenance costs, irrespective of who undertakes the works. It is therefore recommended that the maintenance of natural areas be listed as a separate item in the Operations Maintenance budget submissions for consideration by Council in the 2001/2002 Budget. Annual expenditure to \$70,000 would be anticipated and it is considered that with these additional maintenance funds, Council will formalise its maintenance of natural areas into an ongoing program that will enable maintenance activities to occur over a three year rolling program.

This program will be reviewed annually in conjunction with the Conservation Advisory Committee to determine priorities and works required.

It is recommended that Council lists the objectives identified within the petition for consideration when assessing the Draft Maintenance Budget for the 2001/2002 financial year.

MOVED Cr Magyar, SECONDED Cr Rowlands that Council:

- 1 NOTES that this report was considered by the Environmental Advisory Committee at its meeting on 22 February 2001;**
- 2 LISTS the objectives contained in the petition for consideration as part of the 2001/2002 Draft Maintenance Budget submissions;**
- 3 LISTS the Maintenance of Natural Bush Areas as a specific item in the Operations Maintenance Budget for 2001/2002.**

The Motion was Put and**CARRIED****CJ065-03/01 STATE UNDERGROUND POWER PROGRAMME - [040396]****WARD - All**

CJ010306_BRF.DOC:ITEM 10**SUMMARY**

The State Government has a long term goal of having underground power distribution to half of Perth's houses by 2010. Except for transmission lines, this will place the power and lighting distribution and connection network underground saving costs in maintenance and storm damage across the metropolitan area as well as renewing aging infrastructure. For local government and ratepayers/householders, the benefits can include a safer environment, secure power supplies, improved civic and aesthetic facilities and a tax free capital gain on property and improvements.

There are significant areas of the City that require Underground Power, and for the City to participate in the programme, financial criteria and community support has to be established.

It is proposed that a survey be undertaken of those areas in Duncraig with overhead power to determine community support for this project on a user pays principle.

BACKGROUND

The State Government has a strong commitment to and a long term goal of having underground power distribution to half of Perth's households by 2010. The programme is expected to produce savings on maintenance and storm damage, replace the aging infrastructure and improve civic and aesthetic facilities for the City's ratepayers.

A presentation was received by Council at its Briefing Session dated 20 February 2001 from Mr John Lack, Manager Underground Power Programme for Western Power at which he gave an overview of the State's Underground Power Programme. Mr Lack advised that he considered that with the change of government there still remains a commitment to this programme.

DETAILS

The areas of the City that have existing overhead power lines are highlighted on Attachment 1.

It is estimated that approximately 19,000 properties would be required to be converted to underground power.

COSTS

The State Government including Western Power will contribute half of the funding for the programme with the Local Government to arrange the remaining 50%. Currently the State Government has total funding programmes of \$50 million available every two years. This results in around 10 projects of \$5 million funded with local authorities required to arrange a contribution of \$2.5 million for each project. Generally the preference is for projects to be of discrete areas of approximately \$5 million being around 1,200 properties.

Based on an average budget cost of \$4,000 per lot to upgrade approximately 19,000 properties, the total cost to underground power in the City is \$76 million. With the State Government current commitment to contribute 50% of the costs, the City's contribution is \$38 million on present values. These figures are detailed on Attachment 2.

The street lighting scheme in the City's areas requiring underground power is not to the required Australian Standard. The City would be required to supply an extra \$1.9 million on present values over the programme period to upgrade the lighting to the required standard. If the area is to be enhanced with decorative street lighting, additional costs are applicable and the responsibility of the City.

The City would also be responsible for costs associated with its facilities (clubrooms, pumps and buildings) in the underground power scheme.

The administration costs and customer service/communication input for the direct local authority involvement can be funded from a successful project. These costs together with reinstatements are treated as "in kind" costs (the financial value of contributions in a form other than a direct cash payment) with a figure of about 5% of the total budget generally allocated as the Council's contribution.

The overall project funding will require the City's cash flow to be assessed to fund a successful programme. Generally the project is completed within 12 months and Councils are expected to fully fund their contribution in this period through payments every two months of around \$400,000.

Selection criteria for project prioritisation

In discussions with Western Power, it has been indicated that whilst detailed applications are not required, the main selection criteria needs to be addressed.

The proposals for residential projects are required to satisfy the main selection criteria as follows:

- The size and budget of the project being 1000-1250 lots with the State's funding share not exceeding \$2.5 million (total cost approximately \$5 million)

- Commitment by the local authority to fund at least half of the cost of the jointly funded works included proposals for raising the share of finance
- Evidence of community willingness to participate in and contribute if required to the project
- The age and condition of the existing infrastructure, its area in relation to other parts of the scheme and vulnerability to storm damage

Issues

From the selection criteria, the major factor to progress the underground power programme application is the support and acceptance from the general and affected community and ratepayers to establish the funding arrangements. The City of Cottesloe having participated in the underground power programme had a 78% acceptance from its ratepayers, Town of Cambridge 80% and City of Melville 85% respectively. These Councils have adopted a user pays principle.

The next round of the underground power applications is programmed in August 2001 with notification of successful projects prior to January 2002. These projects would commence in March 2002 and therefore any funding allocations would need to be part of the 2001/2002 annual budget.

To enable the City to make a successful application for the next round of the State Underground Power Programme, the following main issues will need to be addressed:

- 1 Establish funding arrangement principles with the possibility of a user pays basis;
- 2 Undertake a professional survey on the feasibility of the programme with public comment and consultation;
- 3 Consider the coastal areas being upgraded first due to potential storm damage and higher corrosion and maintenance costs.

Funding Arrangements

The two main options are for the City to fund the cost of the underground works or adopt a user pay principle.

It is estimated that 35,000 existing dwellings (65% of the City) currently has underground power with developers of new subdivisions required to install this facility, although residents pay for the underground power as part of the purchase price of the land.

A user pay principle for the remaining 19,000 properties appears consistent with the likely direct benefits provided to the affected residents and this funding principle being adopted by other Councils.

User Pay Principle

Based on the average budget cost of \$4,000 per lot, on a jointly funded 50:50 basis with the State Government, the cost for each single residence within the scheme would be \$2,000.

This component is made up as follows:

Network Charge (Street works)	\$1,550
Service Charge (Property connection)	<u>\$ 450</u>
Total	<u>\$2,000</u>
GST is not included in these costs	

It is to be noted that these figures are only budget costs and can be refined once advice has been received from the Underground Power Steering Committee that a project has been approved. A detailed audit is then usually undertaken at this stage and the information gathered used in the City's financial costing model.

It is to be noted that the GST issue is currently being addressed with the Australian Taxation Office to determine whether it is applicable.

Charge Options

If the funding is proposed to be raised directly from the affected ratepayers, consideration needs to be given as to whether:

- Using a fixed service fee for the consumer connection (\$450)
- Using a GRV approach to the network costs with a minimum and a maximum charge
- Giving discounts (50%) to pensioners
- Providing payment options;
- Full payment with discount or providing a repayment period (3 to 7 years) with interest charges
- Making no charge for the service fee (consumer connection) where the connection is already underground
- Providing a discount to owners of properties adjacent to transmission lines (66,000V or more), as these will not be placed underground
- Charging strata title properties on one lot as a single property in relation to the cost of placing the distribution line underground
- Charging commercial or business premises based on the electrical load requirements (for example a Bakery/Deli \$5,000, large restaurant \$11,000 and Fast Food \$16,000)
- Charging non rateable properties including service utility facilities (telephone cabinets, water and sewerage pumps) Schools, Churches, Council Recreational Facilities, bores and pumps.

Information provided by other Councils shows that generally a fixed service fee is used for the consumer connection, a GRV approach is used for the network cost with a minimum and a maximum charge, discounts are provided and repayment periods are available. (The City of Stirling has a repayment period of 7 years with 7.5% pa interest).

For pensioners, a 50% rebate is provided on the network cost provided it is paid up front in full.

Community Consultation

The selection criterion requires documented evidence of the affected community willingness to participate and contribute to the project.

A strong acceptance from the community is required before a project will be accepted by the State Government.

The general approach is for a survey/questionnaire to be delivered to each residence in a proposed area requesting the owners in principle agreement to the installation of underground power and being prepared to contribute to the budget cost (approximately \$2,000). The preference of the owner is also sought on suggested options on payments with discounts or installments over a period of years. The estimated cost to conduct an initial survey in an area such as Duncraig (2,600 lots) would be around \$7,000.

Should an application be successful an integral part will be an ongoing communication strategy with the residents on the progress of works and expenditure. Experience has shown that it is essential that ratepayers who participate in a project are kept well informed of all the issues. This need for customer support can be a cost to the programme.

Priority of suburbs

The areas that require underground power within the City are shown on Attachment 1. Generally the areas closest to the coast are considered the highest priority. It is desirable that works program are co-ordinated with other infrastructure such as Water Corporation's infill sewerage program, which will affect Sorrento, Marmion, Mullaloo and part of Duncraig. This is shown on Attachment 1. The current program for this infill sewer indicates that these works will occur over 2001-2003. For these areas, the conversion of underground power can be programmed following the sewer infill.

On this basis, suggested suburbs for initial application for underground power are Hillarys (1468 lots) Kallaroo (1010 lots) or part of Duncraig (2659 lots). The suburb of Duncraig being one of the more established areas with aging infrastructure, can be considered as a priority for the initial underground power programme.

COMMENT

The State Underground Power Programme addresses the retrospective installation of underground power distribution to replace overhead systems. The City has a significant area and associated cost to underground power. The City is required to contribute 50% of the costs with the funding arrangement to be resolved between the Council and ratepayers.

It has been generally accepted throughout the metropolitan area that the Council contribution is on a user pays principle.

The next round of underground power applications is programmed for August 2001. To enable the City to make a successful application for the next round of the State Underground Power Programmes, a survey of residents is required to determine the acceptance to contribute to the project.

It is proposed that a survey of ratepayers be undertaken from those residences in Duncraig with overhead power to ascertain the community support to contribute to this project on a user pays principle.

It is also likely that the initial questionnaire of Duncraig will generate significant customer enquiries. Casual staff will be used to handle these enquiries.

MOVED Cr Patterson, SECONDED Cr Ewen-Chappell that Council:

- 1 SUPPORTS in principle an application being made to Western Power for the implementation of the Underground Power Programme throughout the City;**
- 2 SURVEYS the ratepayers of Duncraig with residences to be connected to underground power on the willingness to participate in and contribute to a user pays principle to the costs of these works;**
- 3 RECEIVES a further report in May 2001 on the response by Duncraig residents to the programme;**
- 4 SEEKS a further report in relation to payment options for Council's consideration.**

The Motion was Put and

CARRIED

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf060301.pdf](#)

**CJ066-03/01 CONTRACT EXTENSION (047-99/00) - SUPPLY AND
DELIVERY OF MOBILE GARBAGE BINS - [47253]
[101226]**

WARD - All

CJ010306_BRF.DOC:ITEM 11

SUMMARY

Contract No. 047-99/00 for the Supply, Maintenance and Delivery Service of Mobile Garbage bins was approved at the Council meeting on 7 December 1999. This contract forms part of the City of Joondalup's Waste Management contracts and, in accordance with the General Conditions of Contract Clause 24 Contract Period, the City has negotiated an appropriate extension with Brickwood Holdings Pty Ltd, the current contractor. The City of Wanneroo under its Service Level Agreement with the City of Joondalup, will continue to provide a maintenance and delivery service for the extension period.

DETAILS

The contractor, Brickwood Holdings has indicated it has no objection to extending the contract and in view of the satisfactory performance experienced from it, the recommendation is to extend the contract for 12 months from 16 December, 2000 to 17 December, 2001.

COMMENT/FUNDING

All rates remain as per the original contract price, with the application of 10% GST.

MOVED Cr Ewen-Chappell, SECONDED Cr Walker that Council:

- 1 AUTHORISES the extension of Contract 047-99/00 with Brickwood Holdings Pty Ltd for the supply & delivery of Mobile Garbage Bins for a period of 12 months, from the 16 December 2000 to 17 December 2001, in accordance with the price schedule accepted by Council for 1999/2000, and the application of 10% GST;**
- 2 NOTES that the City of Wanneroo, through its Service Level Agreement, will continue to provide a maintenance and delivery service to the City of Joondalup.**

The Motion was Put and

CARRIED

PLANNING AND DEVELOPMENT

CJ067-03/01 ILUKA STRUCTURE PLAN – FINAL APPROVAL - [48934]

WARD - North Coastal

CJ010306_BRF.DOC:ITEM 12

SUMMARY

At the Council meeting of 28 November 2000 it was resolved to adopt the Draft Iluka Structure Plan (Attachment 1) and make it available for public comment for a period of 28 days and request the applicant during the advertising period to address the following:

- a drainage management plan to be submitted to the City's satisfaction;
- a detailed landscaping and management plan to be submitted;
- the legal agreement for amendment No 641 being finalised and the details of that agreement forming part of the structure plan;
- a traffic management plan being submitted and addressing the issues raised in the City's letter dated 24 October 2000 and showing intersection controls and speed management;
- detail being submitted of the proposed street hierarchy and in particular proposed road reserve and pavement widths;
- Detail being submitted to substantiate the need for variation of height policy.

The submission period commenced on 7 December 2000 for a period of 28 days ending on 4 January 2001. The submission period was then extended for a further 2 weeks ending on 18 January 2001. A total of five signs were placed in strategic locations and two advertisements placed in the local newspaper.

At the closure of the submission period, a total of 209 submissions were received including personalised submissions, standard letters and standard petitions. One submission supports the proposal, while the others either object to all aspects or object to some and support others.

A revised structure plan has been submitted (Attachment 5) reducing the number of laneways and deleting a road connection to Delgado Parade. The traffic management plan submitted addresses the number of four way intersections. In light of public submissions the extent of development in and around the park has been reduced. This has resulted in some changes to the road design. In addition it is also proposed to reduce the density of the centre zone to R60 and apply a maximum height of 3 storeys.

It is considered that the revised Iluka Structure Plan conforms to the requirements of Part 9 of the City of Joondalup District Planning Scheme No 2 and is acceptable for the control of development within the Structure Plan area. It is considered to be satisfactory.

BACKGROUND

Lot No	Swan Location 1370 Lot M1722
Street Address	Bounded by Burns Beach Road to the west and north, Silver Sands Drive to the south and Naturaliste Boulevard and Delgado Parade to the east.
Land Owner	Roman Catholic Archbishop of Perth and Davidson Pty Ltd
MRS Zoning	Urban
DPS Zoning	Urban Development
Lot Area	95ha

Council initiated Amendment No 641 to Town Planning Scheme No 1 at its meeting in December 1992. This amendment sought to rezone the major part of Iluka to accommodate a residential development including a commercial component.

At its April 1993 meeting Council resolved to advise the applicant that in the interest of facilitating the prompt development of the subject land, prior to granting final approval to the amendment it would require a legal agreement ensuring the ceding, free of cost to Council, of 5000m² of land for community purposes and to secure obligations in respect to the provision of regional roads and associated facilities relating to their land holding but outside the area in question.

The legal agreement has been prepared but not yet finalised but is currently being progressed by the City's solicitors.

At the Council meeting of 28 November 2000 it was resolved to adopt the Draft Iluka Structure Plan (Attachment 1) and make it available for public comment for a period of 28 days and request the applicant during the advertising period to address the following:

- a drainage management plan to be submitted to the City's satisfaction;
- a detailed landscaping and management plan to be submitted;

- the legal agreement for Amendment No 641 being finalised and the details of that agreement forming part of the structure plan;
- a traffic management plan being submitted and addressing the issues raised in the City's letter dated 24 October 2000 and showing intersection controls and speed management;
- detail being submitted of the proposed street hierarchy and in particular proposed road reserve and pavement widths;
- detail being submitted to substantiate the need for variation of height policy.

DETAILS

Current Proposal or Issues

The developer seeks Council's approval of the Iluka Structure plan and has submitted additional detail in relation to traffic and road issues, drainage, landscaping and detail to substantiate the need to vary the height policy as requested. The legal agreement for Amendment No 641 however has not been finalised to enable it to form a part of the structure plan, but is with the City's solicitor awaiting finalisation..

A number of issues were raised during the submission period. The main issues are as follows:

- Objections to the proposed density of R100 and height limit of 5 storeys in the proposed centre zone and need for commercial development;
- Object to the development of and reduction in the area of the park;
- Object to proposed density of R30;
- Loss of flora and fauna;
- Road design - excessive use of laneways, number of four way intersections, road proposed opposite 182 Delgado Parade, increase in traffic, Cardiff Gate left in left out;
- Plan not in accordance with previous plans;
- Loss of a school site;
- Extent and timing of submission period not acceptable;
- Location of bus stops and need for embayments;
- Parking both on street and for the park.

These issues are discussed in further detail below including details previously raised by the City.

Road Design

It should be noted that Liveable Neighbourhoods outlines how greater safety, local employment, public transport and environmental sustainability can be supported by the proper design and layout of roads. In particular it limits excessively long or large street blocks and the use of cul-de-sacs where these would reduce walkability and limit movement within the neighbourhood. Pedestrian accessways are not promoted but closure of part of the street reserve through the creation of many parks, preventing through traffic movement, is allowed for. Further, Liveable Neighbourhoods promotes a connected street system with on street parking which has the additional benefit of creating a street environment that automatically slows down through traffic and allows circulation of local traffic. On street parking also enables commercial developments to front directly onto the street rather than be set back in car parks.

The issues are as follows:

- The proposed road opposite No 182 Delgado Parade – It has been advised that the road is required to accommodate services, including drainage. The location of the road relative to other intersections meets the City's requirements, however, the objections appear to be one of amenity.
- The issue of the number of four way intersections was previously raised with the developers and also raised in a number of the submissions.
- Traffic speeds along Delgado Parade and Naturaliste Boulevard – Submissions raise the issue of these roads being used by traffic avoiding Marmion Avenue.
- The continuation of the boulevard treatment for Burns Beach Road from Silver Sands Drive to Ocean Parade.
- Traffic management report identifies access streets carrying low traffic volumes as having 14 metre wide road reserves and is generally supported. However, it is considered that the need for on street parking, preferably in the form of parking embayments, needs to be considered adjacent to the smaller lots with laneway access.
- The reserve widths of these roads may need to be increased. The need for a substantial amount of parking embayments along O'Mara Blvd has also been identified.
- Cardiff Gate – Submissions raise the issue of Cardiff Gate which is outside the structure plan area being left out.
- The access to lots fronting Burns Beach Road, north of Silver Sands Drive, requires review as no provision for visitor parking is made and direct access should be avoided.
- Parking relating to the park – A number of the submissions identified the issue of lack of parking for the park, and cars parked on verges cause a traffic hazard and an unsafe situation.
- Laneways – Previously the developers were advised to re-examine the over use of laneways in their design and the resultant four way intersections. A number of the submissions also raise the issue of excessive use of laneways.

Footpaths and Dual Use Paths

The City previously requested a comprehensive plan to form part of the structure plan annotating the proposed dual use paths and footpaths required.

Public Open Space

The applicants are seeking a 2% reduction of the normal contribution of 10% of POS of the gross subdivisible area in accordance with Liveable Neighbourhoods. This reduction may be agreed to where:

- Element 1 Community Design Objectives have been satisfied to achieve the desired urban structure, lot layout and parkland distribution;
- Any local parks have the support of the local government and both the neighbourhood and any local parks are constructed in accordance with an approved landscaping and management plan to the satisfaction of the relevant local government; and
- Any regional open space or foreshore reserve is provided in accordance with Clauses 3.2 and 3.3 of Commission policy DC 2.3.

With respect to the first point the Structure Plan and accompanying report demonstrate compliance with the Community Design objectives outlined under Element 1 of Liveable Neighbourhoods. With regard to the second point, a Parkland Agreement is provided under

Appendix A which provides an undertaking to the City of Joondalup that development of the POS areas within the Structure Plan area will be carried out in accordance with an approved landscaping and management plan to the satisfaction of the City. With regard the last point of the above points, the regional coastal reserve complies with the WAPC's policy DC 2.3, the foreshore reserve is outside of the structure plan area.

Liveable Neighbourhoods provides that most dwellings should be within 400 metres of a park. The revised structure plan attempts to show 400 metre walkable distances, however some dwellings appear not to be within 400 metres of a portion of POS.

In March of 1999 the City advised the consultants at the time that there is an oversupply of 5000m² for the Beaumaris Estate located in Iluka, Currambine, Connolly and Ocean Reef. Given the proposed provision of public open space for the Iluka suburb there is an overall oversupply of 2.475ha.

Development of the Park

A number of objections were raised against the proposed development of the park. Development of the park has been identified in previous plans proposed by the developers (Attachment 6). Further clause 6 on the offer and acceptance reads *"The purchaser acknowledges that the vendor has advised the purchaser that the area of land at some time in the future be developed and the proposed use of the land (is) specified on the plan. The vendor reserves the right to use the land for such additional purposes as it determines and to amend and vary its plans for the use of the land."*

Several areas around the park to the east west and south are marked in the developer's document and the legend shows these sites as proposed R40/R20 residential. Several building footprints including a shopping village is shown at the northern edge of the park, extending south to a point adjacent to the existing lakes, a residential or retirement village is shown to the north of O'Mara Boulevard.

The lots backing onto the park are not supported, as Council policy requires a road interface. It should be noted, however, that this park is located on freehold land and its boundaries are not defined.

Drainage

Part 2 of the structure plan shows the land area required for drainage purposes. Further drainage detail will be submitted at the time of subdivision.

Community Purpose Site

It is intended to locate the 1000m² of community purpose land within the centre zone of the structure plan. A site area generally in the order of 0.5ha per 1250 dwellings (neighbourhood catchment) is used as a guide, the WAPC policy also provides for sites not less than 2000m² or greater than 20% of the POS requirement to be set aside for community purposes. A draft legal agreement for Iluka nominates that an area of 5000m² is to be ceded or transferred to the City for community purposes and located to the City's satisfaction. An area of 1000m² has previously been proposed to be located adjacent to, or in the vicinity of, the proposed commercial land use, which has now been relocated to the coast. The second site is within the district open space on Miami Beach Promenade.

Height and Scale

The structure plan proposes a variation to the City of Joondalup's Policy 3.1.9 – "Height and Scale of Buildings within a Residential Area". The Council's policy includes specifications for a maximum building threshold envelope for single dwellings to be able to be processed without development approval.

The applicants nominate that the difficulties with this policy for Iluka are as follows:

- The truncated roof characterising the maximum building threshold envelope restricts opportunities for variation of roof form and denies opportunities for steeply pitched roofs. The envelope would be particularly limiting for the narrow frontage lots proposed to front O'Mara Boulevard which will be dimensioned to accommodate buildings with a strong vertical element.
- The Policy implies that the building threshold envelope is to run parallel to the slope of the land. This will constrain two storey framed construction and 'cut and fill' development from occurring on natural sloping sites.
- Provision is not made for tower elements that contribute to the landmark quality of the building to exceed these limits.

Landscape Management Plan

The developers have submitted an additional landscape component. The landscape philosophy is broadly outlined with all proposals subject to final detail approval from Council. It is stated that existing vegetation is to be retained wherever possible mainly within allocated POS. A drainage component is proposed within the O'Mara POS. The form and size of the drainage area has not been determined.

Foreshore Reserve

The Beaumaris Foreshore Management Plan prepared by Alan Tingay and Associates is dated November 1993. The plan aims at providing access to the beach, limestone cliffs and heath while rehabilitating eroded areas and preventing further erosion and degradation of the vegetation. This plan may need to be reviewed in the future prior to any works being undertaken.

Environmental

A number of submissions raised the issue of the loss of flora and fauna on the site. Bush Forever does not include the subject land as a significant site, but identifies it as a site containing other native vegetation. A flora and fauna survey and assessment provided by the developer determines that there are no declared rare or priority flora recorded. One species of significant fauna, being the short billed Black Cockatoo, is known to occur at the site as a seasonal visitor to the area during the non-breeding period. Other significant fauna that could potentially occur includes the Peregrine Falcon, Carpet Python, Southern Brown Bandicoot and the Square-tailed kite.

Centre Zone

A number of objections were raised in relation to the proposed R100 site and five-storey development nominated for the proposed centre zone. Objections raised the issue of the height and density not being in accordance with the surrounding area and the precedent that this may

set. Previous plans for Iluka showed commercial activity to the north of the park. Objections were also raised in regards to the need for additional commercial area. Previous plans showed a commercial component and the City's Centre Strategy Policy nominates a village centre with a planned size of below 4500m² for Iluka provided it contains a "Main Street" component.

Extent and Timing of Submission Period

The provisions of the scheme refer to a period of not less than 21 days. It was resolved to advertise the structure plan for a period of 28 days. Due to time of the year of the submission period it was determined that an extension of that period by two weeks was warranted.

Proposed R30

The modified plan shows an additional pocket of R30 on the eastern side of the park, just to the north of Silver Sands Drive. General objections were raised to the proposed R30 development. Previous plans have showed development up to a density of R40, it is considered that a density of R30 provides for a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services.

School Site and Bus Embayments/Stops

The issue of the lack of a school site in this urban cell is for the consideration of the education Department. It has previously been advised that there is no requirement for a school site in this urban cell. The Department of Transport, which also advises that the preference is not to have separate bus embayments, determines the location of bus stops.

Relevant Legislation

Clause 9.6 of District Planning Scheme No 2 provides that the Council shall consider the submissions received and determine to refuse to adopt the structure plan or resolve that the structure plan is satisfactory with or without modifications and submit three copies to the Western Australian Planning Commission for adoption and certification.

Advertising and Summary

The submission period commenced on 7 December 2000 for a period of 28 days ending on 4 January 2001. The submission period was then extended for a further 2 weeks ending on 18 January 2001. A total of five signs were placed in strategic locations and advertisements placed in the local newspaper.

At the closure of the submission period, a total of 209 submissions were received. These consisted of:

- 144 personalised submissions;
- 60 submissions of a standard type (letter drop) as per Attachment 2; and
- 4 submissions forming part of the same petition (Attachment 3).

Five of the submissions of the standard format contained separate personalised submissions. The 4 submissions forming part of the same petition totaled 117 signatures. Two late

submissions were received containing 144 and 29 signatures respectively forming part of the same petition.

Attachment 4 contains the schedule of submissions including recommendations for Council. Only one submission supports the proposal, the other submissions either object to all aspects or object to some and support others.

COMMENT

Issues

The design being pursued generally reflects the aims of Liveable Neighbourhoods, which are summarised below:

1. To provide for an urban structure of walkable neighbourhoods clustering to form towns of compatibly mixed uses in order to reduce car dependence for access to employment, retail and community facilities.
2. To ensure that walkable neighbourhoods and access to services and facilities are designed for all users, including users with disabilities.
3. To foster a sense of community and strong local identity in neighbourhoods and towns.
4. To provide for access, generally by way of an interconnected network of streets which facilitate safe, efficient and pleasant walking, cycling and driving.
5. To ensure active street-land use interfaces, with building frontages to streets to improve personal safety through increased surveillance and activity.
6. To facilitate new development which supports the efficiency of public transport systems where available, and provide safe, direct access to the system for residents.
7. To facilitate mixed use urban development which provides for a wide range of living, employment and leisure opportunities; which is capable of adapting over time as the community changes; and which reflects appropriate community standards of health, safety and amenity.
8. To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services.
9. To ensure the avoidance of key environmental areas and the incorporation of significant cultural and environmental features of a site into the design of an area.
10. To provide for a more comprehensive approach to the design of open space and urban water management.
11. To ensure cost-effective and resource-efficient development to promote affordable housing.

Council considered a report on the topic of Liveable Neighbourhoods at its meeting on 27 February 2001.

The applicants have submitted a modified structure plan which aims to address the issues raised by the City including those raised in the submissions. This is outlined below.

Road Design

- The proposed road opposite No 182 Delgado Parade – The subject road could either be relocated further south to create a four way intersection or deleted. The creation of four way intersections is generally not supported for safety reasons, and deletion of the road would impact on the permeability of the subdivision. If the impact on the amenity

of 182 Delgado Parade is considered significant, it is recommended that the best course of action would be to delete the road.

- The issue of the number of four way intersections – The traffic management plan submitted shows how the four way intersections are to be treated.
- The area to the north of O'Mara Boulevard, the west of Naturaliste Boulevard and to the south of Miami Beach Promenade has been redesigned, deleting a laneway
- Traffic speeds along Delgado Parade and Naturaliste Boulevard – Submissions raise this concern nominating that this would be the case due to traffic trying to avoid Marmion Avenue. It is not considered that the road environment along these roads would make this an attractive alternative to Marmion Avenue traffic.
- The general issue of increased traffic was raised. There will naturally be an increase of traffic given the level of development proposed, however it is considered that this will not impact significantly on roads through existing development.
- The continuation of the boulevard treatment for Burns Beach Road from Silver Sands Dr to Ocean Pd is considered acceptable with a 26 metre wide road reserve excluding service roads.
- Cardiff Gate – Submissions raise the issue of Cardiff Gate being left in left out. Previous plans have shown Cardiff Gate as a left in and left out only road. No changes are recommended.
- The lots to the north of Silver Sands Drive fronting Burns Beach Road have been reoriented so that access from Burns Beach Road is not required.
- Parking relating to the park – A number of the submissions identified the issue of lack of parking for the park, leading to cars parked on verges causing a traffic hazard and an unsafe situation. The modified plan, which now provides for a road interface with the park enables car-parking embayments to be provided.
- Laneways – Previously the developers were advised to re-examine the over use of laneways in their design and the resultant four way intersections. A number of the submissions also raise the issue of excessive use of laneways. Laneways are supported where a particular streetscape is being aimed for and there is a need for vehicular access from the rear of properties, such as along O'Mara Boulevard. A number of the laneways have been deleted.

Footpaths and Dual Use Paths

A suitable comprehensive plan forming part of the structure plan has been submitted for inclusion in the structure plan.

Public Open Space

Generally the objectives nominated to apply the 2% reduction of the normal contribution of 10% of POS of the gross subdivisible area have been met. The applicant will be required at the subdivision application stage to demonstrate the lots are within 400 metres of a portion of public open space to substantiate the claim for a 2% reduction.

As a result of the reduction of the area to be developed on and around the park the area of the portions of POS to the south and north of O'Mara Boulevard have been reduced. The area to the north from 0.97ha to .50ha and the portion to the south from 1.49 hectares to 1 hectare. However the area of Sir James McCusker Park has increased from 6.13ha to 7.693ha. Overall there is an oversupply of 3.275ha which is greater than provided for in the previous plan.

Development Adjacent to Park

Due to the number of submissions objecting to the development of and around the park the developers have decided to redesign this aspect of the proposal. The area to be developed has been reduced providing better amenity. The redesign also incorporates a road interface with the park in accordance with the City's policy.

Height and Scale

It is acknowledged that in some instances, for example, the narrow frontage lots proposed to front O'Mara Boulevard which will be dimensioned to accommodate buildings with a strong vertical element, that some variation to the City's policy may be required. However, at this stage, even given the additional information submitted, it is not considered that any variation should be made to the City's policy. Specific variations may be considered at the detailed area plan (DAP) stage of the subdivision if necessary. In any event, the Council's Policy does not restrict buildings exceeding the policy threshold envelope, buildings can be permitted to exceed the envelope under certain conditions.

Landscape Management Plan

A drainage component is proposed within the O'Mara POS, the form and size of the drainage area had not been clearly provided for in the plan, but is now reflected in the modified plan. Further Council will not support the construction of a lined lake unless detail is submitted demonstrating that it may be managed effectively, this detail has been included in the plan. In addition landscape management detail is to be provided prior to any proposed subdivision of the land to enable assessment.

Environmental

It needs to be acknowledged that the site is zoned Urban under the Metropolitan Region Scheme and is zoned Urban Development under Council's Scheme, therefore the applied zonings have designated this land for urban development.

All vegetation except for the Mallee which is naturally uncommon are considered to be well represented within the conservation and reservation estates (including the nearby Neerabup National Park and Coastal Foreshore Reserve, none of the vegetation is known to be of high conservation value. With respect to the fauna the Peregrine Falcon and Square-tailed Kite may occur as vagrants or opportunistically at the site. The site is not likely to be sufficient for populations of the Carpet Python to survive. This species is relatively common within Neerabup National Park and Yanchep National Park. Suitable habitats for fauna occurring on the site, including the bandicoot, are protected within existing and proposed reserves to the north and north-east of the site such as Neerabup National Park, linkage areas from the coast and the foreshore reserve.

Centre Zone

It is recommended that a maximum of three storeys and a density of R60 apply. A height of 3 storeys would be more in keeping with the surrounding area and the intended local nature of the uses. The modified structure plan reflects this situation, however, it also annotates the centre zone as subject to further structure planning. Future planning of the site will determine the subdivision and development guidelines that will apply.

Proposed R30

The additional R30 site to the south of the existing park is acceptable. It is considered that R30 sites are best located opposite parks or commercial centres, this provides for greater casual surveillance and provides for an outlook. Further a mix of lot sizes is supported as it allows for a variety of housing choice.

Assessment and Reasons for Recommendation

With the exception of the legal agreement not being finalised, the applicants have submitted the additional information previously requested. The modified structure plan also aims to address the issues raised in the submissions.

The legal agreement can be finalised at this stage of the process. In conclusion it is determined that the revised Iluka Structure Plan conforms to the requirements of Part 9 of the City of Joondalup District Planning Scheme No 2 and is acceptable for the control of development within the Structure Plan area. It is considered to be satisfactory.

OFFICER'S RECOMMENDATION: That Council:

- 1 pursuant to Clause 9.6 of the City of Joondalup District Planning Scheme No 2, **RESOLVES** that the modified Iluka Structure Plan is satisfactory subject to detail being included stating that aspects of the structure plan are subject to change at the detailed design stage;
- 2 following the receipt of the above **SUBMITS** the Structure Plan to the Western Australian Planning Commission for adoption and certification.
- 3 **ADVISES** the applicant that the legal agreement is required to be finalised prior to Council adopting, signing and sealing the structure plan.

During discussion on the matter, it was requested that each part of the motion be voted upon separately.

During discussion, Cr Mackintosh left the Chamber at 2235 hrs and returned at 2239 hrs.

MOVED Cr Hollywood, SECONDED Cr Nixon that Council:

- 1 pursuant to Clause 9.6 of the City of Joondalup District Planning Scheme No 2, **RESOLVES** that the modified Iluka Structure Plan is satisfactory subject to detail being included stating that aspects of the structure plan are subject to change at the detailed design stage;

AMENDMENT MOVED Cr Nixon, SECONDED Cr Rowlands that Point 1 be amended by the inclusion after the words "...RESOLVES that the modified Iluka Structure Plan" of the words "including the modifications as confirmed in the letter dated 13 March 2001 from Beaumaris Land Sales table at the Council meeting":

Discussion ensued. Director Planning and Development suggested appropriate wording for Point 1 which was agreed to by Cr Hollywood.

The Amendment was Put and

CARRIED

The Motion as amended, BEING

That Council:

- 1** pursuant to Clause 9.6 of the City of Joondalup District Planning Scheme No 2, **RESOLVES** that the modified Iluka Structure Plan including the modifications as confirmed in the letter dated 13 March 2001 from Beaumaris Land Sales tabled at the Council meeting is satisfactory subject to detail being included stating that aspects of the structure plan are subject to change at the detailed design stage;

was Put and

CARRIED

MOVED Cr Hollywood, SECONDED Cr Nixon that Council:

- 2** following the receipt of the above **SUBMITS** the Structure Plan to the Western Australian Planning Commission for adoption and certification.

The Motion was Put and

CARRIED

MOVED Cr Hollywood, SECONDED Cr Nixon that Council:

- 3** **ADVISES** the applicant that the legal agreement is required to be finalised prior to Council adopting, signing and sealing the structure plan;

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Ewen-Chappell that an additional Point 4 be added to the Motion as follows:

- “4** that the letter from Beaumaris Land Sales dated 13 March 2001 and forming Appendix 13 hereto be appended to the Minutes.”

The Motion was Put and

CARRIED

Appendices 9 and 13 refer

To access this attachment on electronic document, click here: [Attach9brf060301.pdf](#)
[Attach13min130301.pdf](#)

CJ068-03/01 REQUEST FOR THE CLOSURE OF THE PEDESTRIAN ACCESSWAY BETWEEN MALLARD RISE AND WANNEROO ROAD, KINGSLEY - [41539]

WARD - South

CJ010306_BRF.DOC:ITEM 13

SUMMARY

The City received a request for closure of the pedestrian accessway (PAW) between Mallard Rise and Wanneroo Road, Kingsley from one of the adjoining landowners. The grounds put forward for closure are that the PAW is a catchment for rubbish and the applicants experience youths ringing their doorbell at night and then running down the PAW.

This PAW links Mallard Rise directly to a bus stop on Wanneroo Road, Kingsley and there is a further PAW connection into Mallard Rise from Egret Heights. (See Attachment 1). This area in Kingsley is a special residential zone, generally known as Kingslake Estate. For the southern end of this estate, these PAWs provide convenient pedestrian movement to and from Wanneroo Road.

During the standard advertising period, a questionnaire was forwarded to the residents the City considered were the most affected should closure take place. The PAW is an important link in the area and this was recognised in a number of the submissions received. Because of its importance, including being a direct link to a bus stop, the PAW is not recommended for closure.

DETAILS

The City referred the application to the service authorities, the Western Australian Planning Commission (WAPC) and the Department of Transport (DOT) for comments. The Water Corporation, AlintaGas and Telstra advised that they do not object to closure, as they do not have any service plant within the PAW. The WAPC also advised that it did not object to the proposal, as closure would not have a significant negative impact on local residents.

Western Power raised an objection due to having underground cables within the PAW however, this objection will be withdrawn if the applicants agree to pay for modification to the cables and grant Western Power an easement free of charge to protect its plant. DOT also objected advising that closure will decrease permeability of the area as the subject PAW provides a short route for many residents to the bus stop on Wanneroo Road, Kingsley.

Should closure be the outcome, the City's footpath and bollards require removal and the applicants have agreed to this. The applicants have also agreed to meet all other associated costs and conditions to closure.

Public Advertising

The application for closure was advertised for public comment by way of one notice in a local newspaper and signs on site for a period of thirty days. Notification of the closure was also forwarded to forty-eight residents south of Kingfisher Drive, as it was considered that these residents were the most affected if closure proceeded. Along with notification was a request to complete a questionnaire on various matters concerning the subject PAW. Twenty-three questionnaires were returned during the advertising period, along with three letters of objection, one submission from a neutral party and a further supporting submission from the applicants.

The applicants' submission stated that they had parts from their vehicles stolen and the thieves had used the PAW to access their property. The applicants have removed their doorbell due to youths continually ringing it and then running down the PAW. Also, a woman involved in two recent thefts committed in Lakeway Drive, Kingsley was chased through the PAW.

The main concern expressed in the three letters of objection is the relationship of the PAW to the bus-stops on Wanneroo Road and the increased walking distances that would result should the accessway be closed.

Points raised in the letters of objection are:

- residents of Mallard Rise, Egret Heights, Spoonbill Grove and Lakeway Drive will have considerably longer walking distances to access public transport;
- the PAW is also a convenient pedestrian access for Kingsway Shopping Centre and Goollelal Medical Centre;
- vandalism and anti-social behaviour is not isolated to adjoining landowners of PAWs and many residents experience it in some form or another;
- closure would set a precedent for closure of other PAWs in the vicinity and this will reduce the amenity of the area generally.

The neutral submission came from a resident who lived near Spoonbill Reserve. He stated that he sympathised with the applicants but had concerns that if closure of the PAW took place, there is likely to be more pedestrian movement through Spoonbill Reserve, which is already used as an accessway. Youths have been seen congregating on the Reserve and looking over the fence into his property.

Summary of Questionnaires

Forty-eight questionnaires were forwarded to residents south of Kingfisher Drive, Kingsley and twenty-three were returned indicating:

Neutral – 5

Reasons for Remaining Neutral

2 - do not use the PAW	• reasons not given
3 - do use the PAW	2 - reasons not given 1 - improved security for area

Support Closure – 8	Reasons for Support
6 - do not use the PAW	5 - reasons not given 1 - improved security for the area
2 - do use the PAW	<ul style="list-style-type: none"> Improved security of the area PAWs are not necessary in residential areas

Object to Closure – 10	Reasons for Objection
3 - do not use the PAW	<ul style="list-style-type: none"> Do not want extra pedestrian traffic through their area Any increase in pedestrian traffic could result in a rise in the vandalism already being experienced Concern there would be more use of an “unofficial” entrance/exit to and from Wanneroo Road at the end of Verdin Lane.
7 - do use the PAW	<ul style="list-style-type: none"> 5 use PAW to access public transport/shops/exercise 2 use PAW for exercise only <p>All 7 objectors state that they would be inconvenienced if closure of the PAW was supported.</p>

Site Inspection

A site inspection of the PAW revealed very little in the way of rubbish or graffiti. Fence damage was not evident and vision through the PAW was good, though some trees on one adjoining property may need cutting back in the near future. There was also a light pole on the Mallard Rise end of the accessway.

Draft Paw Policy

Council adopted a draft PAW Policy at its meeting held on 13 February 2001 (CJ003-02/01). The draft Policy is being advertised for public comment until 15 March 2001, and will be reported back to Council for adoption following close of advertising.

Although a questionnaire similar to the one included in the policy was used in the evaluation of this request, it preceded consideration of the Draft Policy by Council and therefore the evaluation methodology contained in the Policy was not used in this instance.

COMMENT

The subject PAW is one of two PAWs in the southern section of Kingslake Estate that provide pedestrian access to Wanneroo Road; with the subject PAW being a direct link to bus stops. Information collected from the returned questionnaires indicates a degree of support for the closure, though many of these supporters do not use the accessway and therefore closure is unlikely to have any impact on them. This conclusion is confirmed by six of the eight supporters not providing a reason for supporting the proposal.

If the PAW was closed it would decrease the permeability of area and increase the walking distances to bus stops significantly for many local residents. In relation to the matter of unruly youths causing problems for the adjoining landowners, a request will be made to the City Watch Co-ordinator for increased patrols in the area, which will hopefully assist with this problem. Based on the above information, closure is not recommended.

MOVED Cr Kadak, SECONDED Cr Walker that Council DOES NOT support the application to close the pedestrian accessway from Mallard Rise to Wanneroo Road, Kingsley.

Cr Carlos advised a deputation had been received earlier this evening.

The Motion was Put and

CARRIED

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf060301.pdf](#)

CJ069-03/01 PROPOSED SINGLE HOUSE (INCLUDING HEIGHT IN EXCESS OF BUILDING HEIGHT AND BULK POLICY): LOT 65 (16) VOLANTE ELBOW, OCEAN REEF - [37326]

WARD - Marina

CJ010306_BRF.DOC:ITEM 14

SUMMARY

An application has been lodged for a 3 level single dwelling, including an undercroft garage, at 16 Volante Elbow, Ocean Reef. The height of the proposal exceeds the building height envelope permitted under the City's "Policy 3.1.9 – Height and Scale of Buildings Within a Residential Area." This policy requires dwellings over 8.5 metres in height to be advertised for public comment as part of the technical assessment. A portion of the proposed single house is proposed to be 8.85 metres in height.

The proposal was advertised in accordance with Policy 3.1.9. Nearby residents raised concerns in relation to:

- ◆ The proposed dwelling being out of character with the surrounding residential development;
- ◆ Roof height exceeding 8.5 metres in height; and
- ◆ The potential use of the house for other purposes.

Generally, the proposal conforms to the standards prescribed by the Residential Planning Codes and the District Planning Scheme. It is recommended that the proposal be approved, with a requirement that it be modified to conform to the Height and Bulk of Buildings Policy.

BACKGROUND

At its meeting held on 27 February 2001, Council resolved:

“that the matter pertaining to the proposed single house (including height in excess of building height and bulk policy): Lot 65 (16) Volante Elbow, Ocean Reef be DEFERRED pending further consideration by elected members in particular the amenity of surrounding residences.”

Lot No	Lot 65
Street Address	16 Volante Elbow, OCEAN REEF
Land Owner	Spire Corporation Pty Ltd
MRS Zoning	Urban
DPS2 Zoning	Residential
DPS2 Density Code	R20
Land Use	Single House
Permissibility	P
Lot Area	735m ²

The site (a vacant lot) is a corner lot on the bend in Volante Elbow (refer to attachments for detail). The lot has a cross-fall of approximately 1.5 metres down to the western side (secondary street) boundary. The lot offers substantial views westwards (over the Ocean Reef road reserve) toward the ocean.

The adjoining lots have been developed with a mixture of single and two storey dwellings, with most dating from the late 1980s and early 1990s. While adjoining lots contain single storey dwellings, there are a number of two storey dwellings on the same street, within close proximity of the development site.

The applicant has lodged plans for a substantial residence, comprising the following elements:

- ◆ Residence with 2 living levels plus an undercroft serviced by a lift;
- ◆ The undercroft can accommodate 8 cars;
- ◆ Four bedrooms, gymnasium, studies, lounge, dining, kitchen and laundry;
- ◆ Floor area of approximately 1100m² (3 floors); and
- ◆ The house is of a modular flat roofed style, although there is no access to the roof space at the top of the dwelling

The applicant has stated that the dwelling has been designed for the use of the extended family and not for any other purpose.

Advertising

A portion of the building exceeds the height envelope by 0.35 metres. Consequently, the proposal was advertised in accordance with Policy 3.1.9.

Written comments on the proposal were sought from affected landowners within 15 metres of the boundaries of the subject land and on the opposite side of the street. The comment period of 14 days ended on 24 January 2001. A total of 5 objections and an 18 signature petition against the proposal were received. One late objection was also received and has been included in the summary below.

The **objectors** have made the following statements and suggestions (in summary):

- ♦ The proposal exceeds the City's Height and Scale of Buildings Within a Residential Area Policy and therefore should not be approved as it serves no practical purpose and will cause a loss of views;
- ♦ The floor area of the house is approximately 3 to 4 times larger than the next big home and twice the size of any other house in the suburb and could be used as a small hotel;
- ♦ Inconvenience may occur during construction (ie noise, dust, etc) including inadequate parking of construction vehicles on the street;
- ♦ Noise from internal lift and requirement for industrial-sized air conditioning units;
- ♦ Overshadowing to the property on western side of 14 Volante Elbow; and
- ♦ During construction phase, impact on foundations of adjoining house

COMMENT

A number of objections have been received from the nearby landowners.

The plans conform to DPS2 and the Residential Planning Codes, however, the proposal is referred to Council as a variation to the Height and Bulk of Building Policy is proposed.

"The Council has the discretion to vary Policy 3.1.9 in respect to the building exceeding the building height envelope where the variation is unlikely to affect any owners or occupiers in the general locality or adjoining sites "

Policy 3.1.9 is not a statute, but a mechanism to guide Council in the determination of applications for large homes and criteria for assessing variations to the policy based on individual merit.

The scale of the building is such that it is built up to the maximum standards allowable, with an excess over the 8.5 metre height for a portion of the roof. The variation sought applies to approximately one-third of the roof. The roof is proposed to be in the form of a number of sections with parapets protruding to provide relief to its horizontal length. Most of the building is less than 8.5 metres above natural ground level. The area protruding outside the building height envelope is designed to contribute to the aesthetic appearance of the house, adding a sense of scale and detail to what would otherwise be a straight, flat roof. There is no structural reason for the protrusion.

This form and scale of single house development is becoming more prevalent in the western end portion of Ocean Reef, particularly in areas that are close to the ocean. Due to the western orientation, overlooking and large windows are concentrated to the west, rather than over adjoining homes to the east and north.

While the development could be further reduced in scale, the overall benefit or otherwise would not be significant or readily apparent, and there appears to be no planning justification for this departure from the normal parameters of the policy.

The applicant's comment suggest that the roof height variation is required to improve the appearance of the home.

Comments raised by objectors

House size

Maximum development of lots in this zoning (R20) is controlled by a requirement that 50% of the site be retained for open space. Uncovered balconies are also given credit as effective open space for the purpose of this calculation. The proposal has been checked and audited to ensure that the open space requirement is met.

Use of the House

The applicant has advised that the large garage will suit the family car parking requirements, thereby eliminating the need to park on the street. The house also contains 4 bedrooms with generous living areas. This is not uncommon and compares with larger homes commonly having 5 or more bedrooms, particularly in similar locations to the subject site. Air conditioning equipment is required to be installed so that it does not cause noise problems for neighbours.

Construction Period

The proposal may affect nearby residents in the short term during the construction period. Should problems arise, the City can assist to regulate problems, including claims of vibration damage, noise, dust, etc.

Property Values and Loss of View

The concerns raised regarding the possible affect on property values and loss of views have not been substantiated. City officers have also received anecdotal evidence that more investment in the area will increase the value of surrounding landholdings. Regardless, such concerns cannot be regulated or enforced through current planning policies or building codes.

Overshadowing

The proposal complies with the overshadowing requirements of the Residential Planning Codes.

CONCLUSION

Although the minor protrusion outside the building height threshold envelope is minor, there are no planning grounds for its support. Examination of the plans suggests that the articulation of walls and location of glazing and balconies will provide the major points of interest and will break up the length of walls without the need to lift the central roof section.

The comments raised by objectors are reflective of the existing streetscape, where housing has previously been developed at a reduced scale. The potential for development of this scale has been in place since the adoption of various policies and standards (that have withstood detailed examination and public advertising). This proposal is consistent with much of the new development arising in coastal locations.

It is recommended that the development be approved, subject to the height of the roof being reduced so that it fits entirely within the 8.5 metre building height envelope.

OFFICER'S RECOMMENDATION: That Council:

- 1 APPROVES the application and plans dated 22 December 2000 submitted by Grant Spire on behalf of the owners Spire Corporation Pty Ltd for a proposed three storey single house on Lot 65 (16) Volante Elbow, Ocean Reef subject to the following conditions:
 - (a) all stormwater must be contained on site to the satisfaction of the City;
 - (b) the downward slope for the driveway into the basement to be amended to the satisfaction of the City;
 - (c) the height of the building being reduced to comply with Council's Height and Bulk of Buildings Policy 3.1.9;
- 2 ADVISES those persons who made submissions of 1 above.

MOVED Cr Carlos, **SECONDED** Cr Ewen-Chappell that the matter pertaining to the proposed single house (including height in excess of building height and bulk policy): Lot 65 (16) Volante Elbow, Ocean Reef be **DEFERRED** pending further consideration by elected members, in particular the recently submitted petition.

Cr Carlos advised that in view of the petition he had tabled this evening, this matter should be deferred to allow further consideration to be given.

The Motion was Put and

CARRIED

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf060301.pdf](#)

REPORT OF THE CHIEF EXECUTIVE OFFICER
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Item C12-03/01 - annual review and contract extension of the Chief Executive Officer was considered earlier in the meeting, at the conclusion of Public Question Time.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 27 MARCH 2001** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

Crs Ewen-Chappell, Patterson, Kenworthy, Rowlands and Wight left the Chamber, the time being 2253 hrs.

SECOND PUBLIC QUESTION TIME

Mr D Davies, Connolly:

- Mr Davies pointed out that no agendas were available for members of the public, prior to the meeting and asked that copies be made available in future.*

Q1 Why was the item to discuss the CEO's salary, held behind closed doors, considered at the beginning of the meeting, as this caused inconvenience to members of the public? Why was this not the last item on the agenda?

A1 This was due to the need to have legal representation available, and also as it would not have been appropriate for such an issue to be considered at a late hour.

Mr T O'Brien, Padbury:

Q1 In relation to the horse exercise area, is there a proposal put forward in regards to a sought after area, or is it a case of reducing horses and horse-flies in the area to create a "Costa Del Joondalup" area of the City?

A1 The area is sought after, and is being developed, creating more traffic and more people using the beaches. There is no suggestion that the area is to be closed off.

Mr V Harman, Ocean Reef:

Re: Item CJ054-03/01 - Referendum

Q1 Would the result of the referendum be binding on the Council?

Q2 What percentage will the Council be looking for before the result would be considered valid?

A1&2 This question needs to be resolved by Council. Under normal circumstances the results of a referendum are not binding on Council, they are an indication of the community's view.

Q3 There has been instances in the past where a 15% result was required to be acceptable, but only 13% was attained, so the result was not valid. Is Council setting a percentage for the result to be valid, eg will Council ask for 50% to vote?

A3 This needs to be decided by Council. For instance if you had a 5% poll, and you took 50% of those who might have voted for it, or say it was just over 50%, it may be difficult for Council to see that as a fair indication from the community as to what their requirements are.

Mr M Sideris, Mullaloo:

- *In order to have a clearer understanding of the Motion considered Behind Closed Doors in relation to the Contract of Employment for the Chief Executive Officer, Mr Sideris requested that the Motion be again read aloud.*

Q1 Reports from Committees. The recommendations of the Dry Parks, Median & Verge Committee were reported to Council and it was requested that the recommendations of that committee be supported by other Councillors. When the motions that were passed at the Annual General Meeting of Electors went to committee and there were recommendations from that committee, why were they not also strongly supported by the other elected members?

A1 These comments will be taken on board by Council.

Cr Ewen-Chappell entered the Chamber, the time being 2300 hrs.

Mr M Charlton, Ocean Reef:

Q1 Re proposed development on Lot 65 (16) Volante Elbow, Ocean Reef. Should the proposed property prove to be used for a purpose other than for single residential, what would be the maximum penalty able to be imposed on the developer or owner of that property?

A1 This question will be taken on notice.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 2303 hrs; the following elected members being present at that time:

J BOMBAK, JP
P KADAK
L A EWEN-CHAPPELL
D S CARLOS
S P MAGYAR
A NIXON
J F HOLLYWOOD, JP
A A WALKER
T BARNETT
J A HURST
C MACKINTOSH