



MINUTES OF COUNCIL MEETING  
HELD ON 10 APRIL 2001

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# CITY OF JOONDALUP

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBERS,  
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY,  
10 APRIL 2001

## OPEN AND WELCOME

The Mayor declared the meeting open at 1900 hrs.

## ATTENDANCES

### Mayor

J BOMBAK, JP

### Elected Members:

Cr L A EWEN-CHAPPELL	Lakeside Ward	
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 P ROWLANDS	Pinnaroo Ward	<i>from 1952 hrs</i>
Cr T BARNETT	South Ward	
Cr A W WIGHT, JP	South Ward	
Cr A L PATTERSON	South Coastal Ward	<i>to 2018 hrs</i>
Cr G KENWORTHY	South Coastal Ward	<i>to 2018 hrs</i>
Cr C MACKINTOSH	Whitfords Ward	

### Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Resource Management:	J TURKINGTON
Director, Infrastructure Management:	D DJULBIC
Director, Community Development:	C HALL
Manager, Executive Services:	K ROBINSON
Manager, Council Support Services:	M SMITH
Acting Executive Manager, Strategic Planning:	J KIRTON
Acting Director Planning and Development:	D BUTCHER
Manager, Human Resource Services:	M LOADER
Publicity Officer:	L BRENNAN
Committee Clerk:	J AUSTIN
Minute Clerk:	L TAYLOR

### In Attendance

Ms Margaret Quirk, MLA – Member for Girrawheen

The Mayor welcomed Ms Quirk as tonight's invited guest.

Ms Quirk stated the electorate of Girrawheen encompassed three local governments, one of which being the City of Joondalup.

She gave an overview of her background and also how she envisaged both the Gallop Labour government and herself would work with local government in the ensuing years.

Ms Quirk advised she was a lawyer of some 20 years experience, having worked with the National Crime Authority for the last 10 years investigating organised crime, in particular such matters as drug importation, money laundering and tax evasion.

In that capacity, Ms Quirk stated she also developed an interest in crime prevention and felt the concerns of local government matched particularly well with some of the issues surrounding crime prevention.

She has also had a range of experience in various community activities, including a time on the Board of Sir Charles Gairdner Hospital, as well as representation on other community boards.

Ms Quirk believed there was a challenge in the early part of this century for government at all levels in providing effective delivery of service on the one hand, and to be fiscal and accountable on the other. The expectations of the community are very high, and it needs to be determined with the community as to what its priorities are.

Ms Quirk commended the City of Joondalup for precinct planning initiatives currently being undertaken by the City.

Ms Quirk offered her best wishes to those elected members seeking re-election and to those who have nominated as candidates for the upcoming election.

### **Order of Business**

Cr Magyar believed that the agenda for this evening's Council meeting did not comply with the Local Government Administration Regulations 1996, Clause 7 (2) which states the time allocated to the asking of and responding to questions raised by members of the public at a meeting referred to in sub regulation 6 (1) is to precede the discussion of any matter that requires a decision to be made by Council or by the committee as the case may be.

Considering there is a recommendation that required a decision to be made by Council regarding Leave of Absence, Cr Magyar believed the correct process according to the regulations was to have Public Question Time before dealing with Leave of Absence.

Mayor Bombak felt the granting of Leave of Absence was not a decision that would affect the decision-making process.

Chief Executive Officer referred to the publication distributed to all Councillors which laid down the Order of Business recorded as Attendances, Apologies, Approved Leave of Absence as the second item as listed, followed by Public Question Time.

Cr Magyar stated he believed the regulations were the proper law to be followed by Council and that the publication by the Department of Local Government basically neglected this regulation.

## **APOLOGIES AND LEAVE OF ABSENCE**

Apologies for Absence: Crs Kadak and Walker

Late Apology: Cr Rowlands

[Leave of Absence previously approved:](#)

Cr J Hurst: 2 April 2001 to 14 April 2001

There were 27 members of the Public and 1 member of the Press in attendance.

### **C20-04/01 LEAVE OF ABSENCE – CR A WALKER AND CR A NIXON**

Cr Walker has requested Leave of Absence from Council duties for the period 20 April 2001 to 28 April 2001 inclusive.

Cr Nixon requested Leave of Absence from Council duties for the period 21 May 2001 to 3 June 2001 inclusive.

**MOVED Cr Hollywood, SECONDED Cr Barnett that Council APPROVES the following requests for Leave of Absence:**

**Cr A Walker for the period 20 April 2001 to 28 April 2001 inclusive;  
Cr A Nixon for the period 21 May 2001 to 3 June 2001 inclusive.**

**The Motion was Put and**

**CARRIED**

## **PUBLIC QUESTION TIME**

**The following questions, submitted by Mr Roy Phillips of Currambine, were taken on notice at the Briefing Session held on 20 March 2001:**

*In relation to the 13 March 2001 Council meeting, at which members of the public, invited guest and Council officers were asked to vacate the Chamber within 45 minutes from commencement of proceedings, to allow an item to be discussed behind closed doors:*

*Q1 If this item was such an important issue to discuss, why was it not published in the agenda notices?*

*A1 The matter was not finalised until after the agenda was printed.*

*Q2 What was the urgency to have this matter resolved, considering that the contract for the position of the CEO is current and does not expire until September 2001, some six months from now?*

- A2 The process was taken in order for the Council to receive legal advice, and the Council was obligated to make a decision six months in advance on contractual grounds.
- Q3 *Could extraordinary items in the future that are expected to take a considerable time to debate and resolve by Council, be discussed at another time and not included in the time set for ordinary Council meetings?*
- A3 The comments have been noted and consideration will be given to dealing with such matters outside ordinary Council meetings in future.

**The following questions, submitted by Mr M O'Brien of Padbury were taken on notice at the meeting of Council held on 27 March 2001:**

- Q1 *With knowledge that Sorrento Duncraig Ratepayer Association is not charged for meeting rooms at the Duncraig Recreation Centre, in light of tonight's decision CJ080-03/01 will the Council consider the lifting of the charge of \$11.00 per hour charged to a ratepayer group for the use of an unused meeting room on the night of 21 March 2001 on this occasion and for future ratepayer and elector meetings?*
- A1 The City's practice is not to charge ratepayer groups to hold meetings in Council facilities, including Warwick Leisure Centre. It is understood a new ratepayers group has formed in Greenwood Warwick and hired Warwick Leisure Centre for the first time on 21 March 2001. If the organiser of the group contacts the Manager Leisure and Ranger Services, reimbursement of the hire fee will be arranged.
- Q2 *CJ075-03/01: In light of the Committee Recommendation on Appendix 14, page 14, Minutes of the Occasional Committee of 19 March 2001, will the Council consider promulgating a by-law of the municipality to protect whistle blowers within the employees of the City of Joondalup who have information that they are frightened to bring forward for fear of reprisal action by the upper levels of this municipality's administration?*
- A2 No, such action is considered unwarranted, given the safeguards to employees contained in the Code of Conduct, the Industrial Relations Commission Act and Anti Corruption Commission Act.

**The following questions, submitted by Mr A Bryant of Craigie, were taken on notice at the meeting of Council held on 27 March 2001:**

- Q1 *In February 1998 I raised the subject of the Eddystone Avenue bridge. At that time there was the suggestion that the Council may contribute to its construction. I wrote to the then Minister for Transport asking him to consider the bridge construction when extending the Mitchell Freeway to Hodges Drive. This he agreed to do and advised me by letter dated 14 August 1998 that he would let me know his decision. I have not received this decision and he is no longer the Minister for Transport. Is this Council endeavouring to have the bridge constructed, as it would have many advantages to traffic flow between the western suburbs and the City of Joondalup CBD?*
- A1 At this point in time, the bridge project will proceed, however the construction works have been delayed due to the longer than anticipated public consultation period resulting in design amendments.

Main Roads of WA are the project managers and have recently advised that the tentative revised project timelines are:

- Tender period – April/May/June 2001
- Commencement of contract – July/August 2001
- Anticipated project completion – April/May 2002

*Q2 In 1998 I asked whether luminaires presently of mercury vapour could be replaced by luminaries of sodium vapour which use less power and give good illumination. I was advised that Western Power was looking into this issue. Has this issue be concluded and what was the outcome?*

A2 A response has been requested from Western Power regarding this matter. As soon as this response is received, Mr Bryant will be advised.

**The following question, submitted by Mr S Kobelke of Sorrento, was taken on notice at the meeting of Council held on 27 March 2001:**

*Q1 In relation to the resort and restaurant in Padbury Circle, Sorrento which is catering for non-accommodation activities. The Council advised me, when I queried the use of the facility for the public, that the owners have previously provided a written undertaking that public facilities were not intended and that Council officers will pursue the matter. Following the advertising of the facilities to the general public, Council wrote to me advising that formal notification had been given to the owners to cease advertising and supplying meals to the public. Will Council move to advise the resort and restaurant to cease public advertising of their facilities for non-residential guests and if so, does this mean that the proposed reclaiming of Geneff Park for car parking will not be required?*

A1 The restaurant and function rooms were approved, without limitation on the use of the restaurant. The function rooms are limited to being able to be used by the patrons of the resort. City officers are in the process of contacting the owners of the resort to discuss the issue of its use.

Mr Kobelke is invited to liaise directly with City staff to discuss any specific concerns as to when advice may have been given, or as to the detailed nature of his current concerns.

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

*Q1 In relation to the recruitment process for the CEO's position, I understand that five companies were selected. How did you obtain those five companies, did you have a brief that was sent to them and do you have quotations?*

A1 Five companies were selected by the Manager Human Resources on the basis of experience in placing senior staff in both the public and private sectors, and reputation in the recruitment industry.

As their brief, all consultants were given a copy of the current Position Description, draft Strategic Plan and the Council resolution of 27 February 2001 from which to document a process in recruitment and selection of a new CEO.

*Q2 Can I have a copy of the formal brief?*

A2 Mr Sideris has been provided with a copy of the documentation which formed the brief.

**Questions from Mr V Cusack, Kingsley:**

*Q1 When precisely did Council become aware that 45, 324 property owners would pay less for "security surveillance" under the gross rental value (GRV) system, than under the current \$27 flat security tax?*

*According to the information provided in the Autumn Council newsletter, the overall majority (marginal) in only two Suburbs, namely Sorrento and Iluka would pay more for the "security surveillance" under the GRV system. The overall majority in all of the other suburbs would be charged less under the GRV system than they would under the current \$27 "security surveillance" flat tax system.*

A1 In February/March 2001 council staff ran models to gauge the impact of putting the Property Surveillance and Security costs under the rate in the \$. This permitted a comparison between what properties would pay through rates rather than through the security charge.

*Q2 Were the Councillors provided with these figures (as printed in the newsletter) before they voted to impose the \$27 flat security tax, on the ratepayers?*

A2 No, not in this format, however various similar models were undertaken for the rates working group prior to the Council's decision.

*Q3 If not why not?*

A3 The Council at its 27 June 2000 meeting, based on the recommendation of the rates working group, resolved to adopt as one of its "guiding principles" for the 2000/01 rating year as follows:



"the security charge to be continued with funding to be via a universally applied charge as permitted by Section 6.38 of the Local Government Act 1995 and Regulation 54 of the Local Government (Financial Management) Regulations 1996".

*Q4 If yes, can the Councillors please explain to the ratepayers why they chose the flat tax method, to benefit only 10,263 property owners out of a total of 55,000 property owners in the City of Joondalup?*

If the intention of the information in the newsletter was to fully inform the ratepayers regarding the breakdown of properties in each suburb, that would pay more or less for security surveillance under the GRV system, compared to the current \$27 flat tax.

*A4 The Council preferred to treat the service as a user pay charge under the service charge provisions of the Local Government Act.*

*Q5 Why did Council **not** include the following in the examples shown?*

***Beldon***

*24 properties would pay more under the GRV system, than the current \$27 security charge.*

*1,638 properties would pay less under the GRV system, than the current \$27 security charge. (And so on).*

*A5 This information is provided in the first green box of the Council News article.*

*Q6 Does Council agree that the above example would provide greater clarity to the ratepayers than the wording chosen and printed in the newsletter?*

*A6 No, the newsletter version of the same information is quite easy to understand.*

**Questions from Mr M Sideris, Mullaloo:**

*Q1 With respect to the Chubb Security contract for the Provision of Security and Patrol Services Tender No 018-00/01, can you advise if Chubb have sought any variations to the contract, if so what are the specifics of the variation sought and were the variations granted?*

*A1 Yes one written variation of contract was sought by Chubb. This variation related to additional costs incurred on daily kilometers. The variation was not granted under the terms and conditions of the contract.*

*Q2 With respect to the same, advise if Chubb have sought written consent to vary the provisions of their services, if so what are the specifics of the variation sought and was the variation granted.*

*A2 No.*

- Q3 With respect to the services provided by Chubb, can you provide copies of all the performance reviews conducted on the services discharged by the contractor?*
- A3 A performance review of the service will be completed during May 2001. This performance review will be subject to the normal commercial confidentiality requirements between the contractor and principal. Also, the overall performance of the security service will be reported by Council as part of its Annual Report.
- Q4 With respect to the services provided by Chubb, can you advise if there have been any changes in personnel provided by Chubb, and if so how many have been involved?*
- A4 The employment of personnel is a matter for Chubb not the City.
- Q5 With respect to the Chubb Security contract for the Provision of Security and Patrol Services Tender No 018-00/01, has there been any changes or modifications to the Service Specifications, if so what are they?*
- A5 No.

**C21-04/01 REQUEST FOR SECOND PUBLIC QUESTION TIME**

**MOVED Cr Magyar, SECONDED Cr Hollywood that a second public question time be permitted at the conclusion of the meeting in accordance with the City's Standing Orders Local Law.**

**The Motion was Put and**

**CARRIED**

**DECLARATIONS OF FINANCIAL/NON FINANCIAL INTEREST**

*Cr Wight declared a non-financial interest in C26-04/01 - Notice of Motion, Cr S Magyar as he has an association with the Beaumaris Sports Club.*

*Cr Hollywood declared a non-financial interest in C26-04/01 – Notice of Motion, Cr S Magyar as he is a member of the Beaumaris Sports Club.*

**PUBLIC QUESTION TIME**

**Mrs C Wood, Craigie**

*Re: Leasing of Leisure Centres:*

- Q1 Has a pre-lease inspection and condition report been carried out for each of the leisure centres?*
- A1 Yes.
- Q2 What is the cost to the City of Joondalup ratepayers of the maintenance required to bring each centre up to a standard acceptable to RANS?*

A2 Those costs have not yet been finalised.

Q3 *Will the costs be published in the Council newsletter for the benefit of ratepayers?*

A3 The costs will be public and will be provided to Council as required.

Q4 *What will the costs be?*

A4 The costs have yet to be determined. At this stage only a draft copy of the condition report has been received. Finalisation of some costs need to be addressed.

**Mr T O'Brien, Padbury:**

Q1 *In regard to the current local government elections, the recent Council newsletter states that seven of the City's current Councillors, one from each ward, is up for re-election. It does not apply that there is an acknowledgement of authorisation from those Councillors who are up for re-election in their nominated wards. Why was this printed in such a manner, as it does not apply to the Local Government Act 1995 according to Dr K W Evans? On the 3 April 2001, nominations for Councillors current at that time were not posted by this Council or in the public library and the Council newsletter was printed prior to that.*

A1 It is quite normal, the local newspaper would have stated that there are seven positions which are up for election. It does not make any prediction other than that, but it is a statement of fact. As has been seen, not all sitting Councillors have chosen to nominate.

**Mr M Sideris, Mullaloo:**

Q1 *Re: Previously asked questions (see page 6 of these minutes) in relation to brief for selection of new Chief Executive Officer. (Mr Sideris tabled a Position Description which had been provided to him).*

*When will I receive a copy of the brief? Will I receive the copy of the formal brief in a short, prompt time in view of the fact that the request is now an outstanding issue from the Council meeting held 27 March 2001?*

A1 This question will be taken on notice.

Q2 *In relation to Question 4 (see page 8 of these minutes, when will I receive a proper answer to this question? What has the turnover in staff been?*

A2 The employment of Chubb is for a security service. With regard to the turnover in staff, Chubb provides the City with a number of personnel to carry out a specific service. The City does not employ those personnel.

Q3 *With regard to Question 3 in relation to a performance review on the services provided by Chubb. Is a review of these services carried out on a regular basis, or is the review not carried out until the services have been completed? When will the City conduct a performance review in accordance with the contract that the City has entered into with Chubb for those services?*

- A3 A performance review of the service will be completed during May 2001.
- Q4 *The review of Chubb's performance has not been undertaken since the signing of the contract in October/November 2000. Is this good contract management?*
- A4 Good contract management is that the City undertakes a meeting once a month where all the performance indicators of that particular contract are reviewed, but a formal review will be conducted in May 2001. Also, ratepayers and the community will be provided with a full discussion on that service by Chubb via the Annual Report.
- Q5 *If monthly review meetings have been held with Chubb, can I be provided with a copy of the proceedings of those review meetings which would then answer Question 3?*
- A5 This question will be taken on notice.
- Q6 *Does this Council agree that there is no truth to the rumour that Chubb have sub-contracted the services and do not actually provide the security services directly? According to responses, there has been no contract variation or written consent sought by Chubb?*
- A6 There has been no variation of the contract.
- Q7 *Does Chubb provide the security services directly, or has Chubb sub-contracted those services?*
- A7 Chubb has sub-leased the contract. This situation was negotiated at the start of the contract.
- Q8 *When was the contract variation sought? When was this agreed to?*
- A8 The contract was entered into in November 2000 and there was no variation from that date on.

This question will be taken on notice.

**Mr V Cusack, Kingsley:**

- Q1 *Would it be possible for the IT staff to change the format of the Council website regarding the opening of agendas and minutes, in particular the amount of time it takes to open these?*
- A1 Your comments will be noted.
- Q2 *Regarding an article in this evening's Wanneroo Times in relation to a meeting being sought between Ms Michelle Roberts and yourself (Mayor Bombak), is there any truth to the article implying that you are seeking executive powers, different from the administrative powers towards the Mayor himself? Is this true or false?*

A2 That is a false premise.

- *In explanation, Mayor Bombak gave an overview of a conversation with City of Melville Mayor Katie Mair during a church function held on Riverside Drive immediately after the State elections. Mayor Bombak advised there was no substance in the story which suggested or inferred he would be seeking executive powers for the Mayor and stated he did not have a particular stance on the issue.*

Q3 *In relation to questions submitted earlier this evening, the response given suggests that Councillors were not provided with a full breakdown of the impact on property owners prior to voting to impose the \$27.00 flat charge. Is that correct?*

A3 It is believed the question has been adequately answered. The model may not have been as detailed as is printed in the newsletter. Certainly the Rates Working Group had a variation. Some of the comparisons have been discussed by Councillors and particularly the Rates Working Group for some time and certainly before a decision was made on the principles and the resolution that was passed in June 2000 as reported to you.

Q4 *From a previous request, two Councillors have contacted me in response to why they chose that particular method. Could I have an answer from Councillors as to whether they were informed on this issue, or explain in detail why they voted a particular way?*

A4 Your comments are noted.

Q5 *With reference to my earlier Question 5, why did Council not include the following in examples shown? Could I have clarification on the following?*

*Beldon*

*24 properties would pay more under the GRV system than the current \$27.00 security charge;*

*1638 properties would pay less under the GRV than the current \$27.00 security charge.*

*What information will be provided in April and will that be amended to provide the ratepayers with absolute clarity on what they are voting on?*

A5 The newsletter quite clearly states “the list below indicates the number of properties in each suburb that would pay more than the current \$27.00 security charge if the community security patrol service were to be funded through general rates.”

Q6 *Could the words “would pay more under the GRV system than the current \$27.00 charge” be added to provide additional clarification?*

A7 If the Council considers it appropriate, this could be done.

#### **Mr David Lloyd, West Australian Horse Industry Council:**

Q1 *Petition in relation to horse exercise area, Hillarys Animal Exercise Beach - What happened to the rest of the petition containing some 200-300 signatures which was delivered to the main office by a ratepayer?*

A1 This was tabled at the Council meeting held on 27 March 2001.

## **CONFIRMATION OF MINUTES**

### **C22-04/01 MINUTES OF COUNCIL MEETING – 27 MARCH 2001**

**MOVED** Cr Mackintosh, **SECONDED** Cr Wight that the Minutes of the Council Meeting held on 27 March 2001, be confirmed as a true and correct record.

**The Motion was Put and**

**CARRIED**

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

### **2001 ELECTIONS**

Council elections are looming fast and I urge you all to exercise your democratic right to vote on 5 May 2001.

With postal voting now available, it is much easier and more convenient to have your say about who will represent you in important Council matters.

You will be sent voting material in due course.

One Councillor from each of the seven wards will be chosen in this election.

Nominations closed Thursday, 5 April 2001 and it is great to see the strong interest in community matters in the City of Joondalup reflected in the field of 20 candidates putting forward their names.

### **COASTAL MANAGEMENT**

The Minister for Planning has released a Coastal Zone Management Policy for Western Australia for public comment, closing on 4 May 2001.

The policy identifies threats and pressures on the coast, planning and management systems and challenges.

The City is preparing a response to the policy which will form the basis for setting strategies for the coast. Comments are welcome.

### **SKATE ACTION**

After two successful competitions at the Extreme Youth Festival and the Joondalup Festival, skate action for the City's young people has gained momentum.

Following a successful competition run with the Whitfords Lions Club for 200 young skaters, a grant of \$2,800 has been secured through the Whitford Local Drug Action Group to run and develop skate competitions for young people in the Joondalup area.

Competition details are still to be determined and will be announced in the near future.

**PETITIONS****C23-04/01 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 10 APRIL 2001****1 PETITION - HORSE AREA, ANIMAL EXERCISE BEACH, HILLARYS – [00819]**

A 57-signature petition has been received requesting that the horse area of the Animal Exercise Beach, Hillarys remain open now and in the foreseeable future.

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

**2 PETITION OBJECTING TO THE INSTALLATION OF FOOTPATH/CYCLEWAY, BERNEDALE WAY, DUNCRAIG - [09646]**

A 53-signature petition has been received from residents of Duncraig objecting to the installation of a footpath/cycleway, Bernedale Way, Duncraig.

This petition will be referred to Infrastructure Management (Operations Services) for action.

**3 PETITION REQUESTING REMOVAL OF RUBBISH EMANATING FROM GREENWOOD VILLAGE SHOPPING CENTRE – [14949]**

A 6-signature petition has been received from residents of Calectasia Street, Greenwood requesting removal of rubbish that blows into front gardens of residences from the Greenwood Village Shopping Centre.

This petition will be referred to Infrastructure Management for action.

**4 CLEARANCE OF AREA OF BUSH ON THE WEST SIDE OF ROBIN RESERVE, SORRENTO - [05098]**

Cr Magyar submitted an e-mail sent to all Councillors from Mr L and Mrs M Arbuckle of Sorrento expressing concern at the clearance of an area of bush on the west side of Robin Reserve to accommodate a 40 bay car parking area. Cr Magyar requested that this email be recorded as a petition.

**MOVED Cr Hollywood, SECONDED Cr Carlos that the petitions and e-mail:**

- 1 requesting that the horse area of the Animal Exercise Beach, Hillarys remain open now and in the foreseeable future;**
- 2 objecting to the installation of a footpath/cycleway, Bernedale Way, Duncraig;**
- 3 requesting removal of rubbish that blows into front gardens of residences from the Greenwood Village Shopping Centre;**

- 4 expressing concern at the clearance of an area of bush on the west side of Robin Reserve to accommodate a 40 bay car parking area.**

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

Cr Magyar requested that the petitions in relation to the animal exercise beach, Hillarys be referred to the Urban Animal Management Committee.

**The Motion was Put and**

**CARRIED**

**C24-04/01 QUESTIONS WITHOUT DUE NOTICE**

Cr Magyar requested that in accordance with Standing Orders Local Law, Clause 3.2 – Order of Business time be permitted for questions with/without due notice from Councillors.

Manager, Council Support Services advised that it was necessary to give ten hours notice in relation to questions with due notice.

**MOVED Cr Magyar, SECONDED Cr Nixon that, in accordance with Clause 3.2 of the City's Standing Orders, a period of time be allowed in order that questions without due notice may be received from Councillors.**

**The Motion was Put and**

**CARRIED**

**Questions Without Due Notice - Cr S Magyar:**

*Q1 Question to Director Infrastructure Management: With reference to the email received from Mr L and Mrs M Arbuckle of Sorrento (see Petitions), I have asked what public consultation will take place with local residents before any action is taken in relation to the bushland at Robin Reserve. Can I have an assurance that there will be at least 28 days advertising of any proposed works on that Reserve with appropriate signage placed on the Reserve?*

**A1** At this stage officers are considering options for Robin Reserve and a report will be presented to Council within the draft Five Year Capital Works Programme. If Council decides to include any works, public consultation will be undertaken.

*Q2 Can I have an assurance that if there is any proposed works at Robin Reserve, it be reported to Council and not be considered under delegated authority.*

**A2** It is a decision for Council whether any works are included in the Five Year Capital Works Programme. If that decision is made, there is no requirement for delegated authority.

**Questions Without Due Notice - Cr A Nixon:**

*Q1 Does Mayor Bombak, now or in the future during his tenure as Mayor, intend to seek to extend the powers of Mayor?*

**A1** Mayor Bombak referred to a statement he made earlier during Public Question Time. Mayor Bombak again reiterated earlier comments that he has no view or stance in relation to this issue.



Q2 *Should the current Chief Executive Officer seek to reapply for his position in September, would he have your (Mayor Bombak's) support?*

A2 The Chief Executive Officer has been invited to apply for the position.

*Cr Rowlands entered the Chamber at this point, the time being 1952 hrs.*

### **TRIAL OF 'EN BLOC' VOTING**

In an effort to speed up the resolution of the business of the Council meeting, the Council has agreed to trial a method of voting on items 'en bloc' this evening and at the next meeting of the Council to be held on 24 April 2001.

The process for this evening is that the Mayor will introduce each item by item number only and will continue to do so until there is a:

- requirement for an absolute or special majority decision;
- member that has declared a financial interest;
- need to debate the item where there is conjecture or if there is a disagreement with the recommendation(s).

Once there is the need to discuss or debate an item separately the Mayor will call for a mover and seconder for the items that he has previously read out by item number, then put the motion for those items and declare them carried en bloc.

The Council will then debate the next item individually. Once that item has been determined the Mayor will then continue to read items by item number until an item again requires individual debate. This will continue to occur until the meeting concludes.

Manager, Council Support Services gave an overview of the procedure of 'en bloc' voting for the benefit of members of the public in the gallery.

<b>FINANCE AND COMMUNITY DEVELOPMENT</b>
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**CJ088 - 04/01 PUBLIC SECTOR RISK MANAGEMENT  
CONFERENCE - 29 - 31 MAY 2001 - [09047]**

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CJ010403\_BRF.DOC:ITEM 1

### **SUMMARY**

A Public Sector Risk Management Conference is to be held in Brisbane from 29 - 31 May 2001. The theme of the Conference is "The Public Sectors in Australia - Turning Risk into Opportunity".

The Conference Program covers a broad range of topics and looks at risk management practices in a number of Councils in Victoria, New South Wales and Queensland. A number of international speakers will also be addressing delegates on overseas trends in risk management.

It is recommended that Cr Gerry Kenworthy and the Manager Executive Services attend the Conference.

## BACKGROUND

A Public Sector Risk Management Conference is to be held in Brisbane from 29 - 31 May 2001. The theme of the Conference is "The Public Sectors in Australia - Turning Risk into Opportunity".

## DETAILS

The Conference Program features a number of sessions targeted specifically at local governments including: -

- Public Sector Risk Manager of the Year 2000 *Diane Ferguson, City of Wodonga, VIC*
- Public liability issues facing local councils *Milton Orkopoulos, Public Bodies Review Committee, NSW*
- Public liability issues from the local council perspective *Kevin Spiller, Maroochy Shire Council, Qld and Sean O'Brien, Baulkham Hills Shire Council, NSW (invited)*
- A profile for success – systematic management of risk *Simon Liffie, Wollongong City Council, NSW*
- Crisis management for a major city *Michael Byrne, Brisbane City Council, Qld*
- Implementing a risk management program in a regional council *Dianne Ferguson, City of Wodonga, VIC*

The other Conference sessions are also considered relevant including presentations on: -

- Strategic risks in outsourcing and tendering *Conrad Lohe, Crown Law, Qld*
- Risk management and outsourcing – an integrated approach *Dennis Goodwin, Broadleaf Capital International, ACT*
- Risk management within a competitive tendering model *Dennis Goodwin, Broadleaf Capital International, ACT*

The estimated costs for the Manager Executive Services attending the Conference are as follows:

Registration Fees	\$845
Economy Airfare	\$600
Accommodation	\$400
Incidentals	\$360
 Total	 \$2205

Cr Kenworthy has indicated an interest in attending the Conference, subject to his re-election in May 2001. In this event, the estimated cost for Cr Kenworthy and the Manager Executive

Services to attend would be \$6,580, as follows. (Airfares are calculated on business class travel in accordance with Council's Policy 2.2.3.)

	<u>Cr Kenworthy</u>	<u>Manager Executive Services</u>
Registration Fees	\$915	\$845
Business Class Airfare	\$1650	\$1650
Accommodation	\$400	\$400
Incidentals	\$360	\$360
Total	\$3325	\$3255

Funding is available under Budget Items 'Elected Members – Conferences' and "Executive Services – Conferences".

## **FUNDING**

Funding for the Conference is available as follows:

Account No: 11-10-12-121-3302-0001  
 Budget Item: Conference Expenses  
 Budget Amount: \$5,000

Account No: 11-05-05-052-3521-0001  
 Budget Item: Elected Members - Conferences  
 Budget Amount: \$35,000

### **OFFICER'S RECOMMENDATION: That:**

- 1 Council APPROVES the attendance of Cr G Kenworthy (subject to his re-election in May 2001) and the Manager Executive Services at the Public Sector Risk Management Conference to be held in Brisbane from 29 - 31 May 2001 at an estimated cost of \$6580.00;
- 2 the expenditure in (1) above be charged to Budget Item No. 11-10-12-121-3302-0001 - Conference Expenses and 11-05-05-052-3521-0001 Elected Members – Conferences.

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

### **MOVED Cr Magyar, SECONDED Cr Carlos that:**

- 1 Council APPROVES the attendance of Cr G Kenworthy (subject to his re-election in May 2001) and the Manager Executive Services at the Public Sector Risk Management Conference to be held in Brisbane from 29 - 31 May 2001 at an estimated cost of \$6580.00.

The Motion was Put and

**CARRIED**

**MOVED Cr Magyar, SECONDED Cr Carlos that:**

- 2 the expenditure in (1) above be charged to Budget Item No. 11-10-12-121-3302-0001 - Conference Expenses and 11-05-05-052-3521-0001 Elected Members – Conferences.**

**The Motion was Put and**

**CARRIED**

**MOVED Cr Magyar, SECONDED Cr Carlos that:**

- 3 a joint report be prepared and presented to Council no later than 31 July 2001 by the Manager, Executive Services and any Councillor attending the Public Sector Risk Management Conference 2001. The presentation of the report at the Briefing Session by the Councillor attending be no shorter than five minutes and no longer than 10 minutes.**

Discussion ensued. Cr Mackintosh queried whether there was provision for another elected member to attend the Conference should Cr Kenworthy not be re-elected.

Chief Executive Officer advised there was no provision for this to occur.

**The Motion was Put and**

**CARRIED**

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf030401.pdf](#)

**CJ089 - 04/01 PERFORMANCE MEASURES FOR STATE AND LOCAL GOVERNMENT - CONFERENCE IN BRISBANE 29 TO 31 MAY 2001 - [09557]**

**WARD - All**

CJ010403\_BRF.DOC:ITEM 2

**SUMMARY**

A Conference entitled “Performance Measures for State and Local Government” is to be held in Brisbane on 29 and 30 May 2001. The Conference has been designed for practitioners in the areas of performance measurement and evaluation; corporate and strategic planning; organisational development; finance and administration; business development; and best value practice among other topics. This report recommends the Manager Organisation and Strategic Development be authorised to attend the Conference.

**BACKGROUND**

The Conference includes speakers from both State and Local Government addressing a range of issues concerning performance measurement and associated topics. There will be 18 case studies during the Conference on issues presented by 11 State Department and 7 Local

Government organisations. The Manager Organisation and Strategic Development has been invited to present a case study on how the City is using the Intranet to support planning and performance strategies in the session on “*Implementing Performance Measures to Refine your Corporate Strategies*”. The presentation will be based on the City’s Business Plans Online, which won this year’s WAMA best practice award for innovation, and other applications. In addition to the Conference there are separate post Conference workshops covering areas such as “*implement and sustain the balanced scorecard*”, “*The essential stages of defining and specifying outcomes, hierarchies and outputs and linking performance information*” and “*How to create strategies that targets, measures and improves customer satisfaction*”. A copy of brochure is at Attachment A.

## DETAILS

As the Manager Organisation and Strategic Development has been invited to present at the Conference, the organisers, International Quality Productivity Centre (IQPC) have extended an invitation to him to attend the Conference as their guest, in lieu of reimbursement of travel and accommodation expenses. The cost for the Conference only is \$2,199 plus GST, a total of \$2,418.90 per delegate. The cost of the Conference plus part or all of the post Conference workshops range from \$3,078 to \$5,058, GST included. Groups of three or more receive a \$500 discount from the total registration fee.

The total cost would be:

• Conference and two half day workshops for one officer.	Nil
• Airfares for one officer.	\$605
• Accommodation and travel allowance for one officer, 4 nights @ \$122 per person per night.	\$488
• Travel allowance for one officer @ \$90 per day.	\$360
	Total <u>\$1,453</u>

## COMMENT/FUNDING

Budget allocated to Items: ‘Organisation and Strategic Management’ include sufficient funds to cover this expense. There are sufficient funds under Budget Item ‘Governance Costs: Elected Members – Conference Expenses’ to cover Councillor attendance.

### OFFICER’S RECOMMENDATION: That Council AUTHORISES:

- 1 the attendance of the Manager Organisation and Strategic Development at the Performance Measures for State and Local Government Conference in Brisbane from 29 to 31 May 2001;
- 2 the estimated expenditure of \$1,453 to be charged to Budget Item: Organisation and Strategic Development - Conference Expenses, Account Number 11.20.22.221.3302.0001.

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

**MOVED Cr Magyar, SECONDED Cr Hollywood that Council AUTHORISES:**

- 1 the attendance of the Manager Organisation and Strategic Development at the Performance Measures for State and Local Government Conference in Brisbane from 29 to 31 May 2001.**

**The Motion was Put and**

**CARRIED**

**MOVED Cr Magyar, SECONDED Cr Hollywood that Council AUTHORISES:**

- 2 the estimated expenditure of \$1,453 to be charged to Budget Item: Organisation and Strategic Development - Conference Expenses, Account Number 11.20.22.221.3302.0001.**

**The Motion was Put and**

**CARRIED**

**MOVED Cr Magyar, SECONDED Cr Hollywood that:**

- 3 a report be prepared and presented to Council no later than 31 July 2001 by the Manager, Organisation and Strategic Development detailing the information gained at the Performance Measures for State and Local Government Conference.**

**The Motion was Put and**

**CARRIED**

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf030401.pdf](#)*

**C25-04/01 COUNCIL DECISION – EN BLOC RESOLUTION NO 1**

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council ADOPTS en bloc the recommendations of Items CJ090-04/01 to CJ098-04/01 inclusive.**

**The Motion was Put and**

**CARRIED**

**CJ090 - 04/01 2001 SPECIAL CONFERENCE OF THE CUCA, LGA AND CSCA - 22 AND 23 APRIL 2001 - [00033, 18879]**

**WARD - All**

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CJ010403\_BRF.DOC:ITEM 3

## **SUMMARY**

The Western Australian Municipal Association (WAMA) formed a taskforce some time ago to examine the possibility of forming a single association. A single association will amalgamate the existing CSCA (Country Shire Council Association), CUCA (Country Urban Councils Association) and LGA (Local Government Association) and represent all 144 local

governments in WA. In order to discuss the matter of a single association, a special conference has been arranged for 22 and 23 April 2001. The LGA will gather on 22 April 2001 at the City of Stirling. WAMA has requested LGA members to forward to it details of those persons who are to represent the City of Joondalup as voting delegates at the special conference. It is recommended that the City's current representatives on the LGA – North Metropolitan Zone be nominated, being Mayor J Bombak, Cr P Kadak, Cr G Kenworthy and Cr S Magyar.

## **BACKGROUND**

The Single Association Taskforce recommends that the 144 Western Australian local governments assume membership of a single association of local government. This single association is designed to meet today's challenges but to also incorporate the former entities of CSCA, CUCA and LGA, as a basis for consolidation of local government's long standing political and financial investment towards advancing the interests of the sector. The City of Joondalup is a member of the LGA.

In order to give consideration to the proposed single association, a special conference of the CUCA, LGA and CSCA has been scheduled over the weekend 22 and 23 April 2001, at the City of Stirling and the Ascot Race Course. The matters relevant to the LGA will be discussed at the City of Stirling on Sunday 22 April 2001.

## **DETAILS**

The special conference will debate 19 recommendations. The following is a list of the proposed recommendations.

### Recommendation 1

That a single association incorporating a 24-Member State Council be established. The State Council to be determined with an equal representation of 12 metropolitan and 12 country delegates elected by the zones.

### Recommendation 2

That Portfolios and Policy Development Review Forums be established and reflect the core and emerging issues as determined by the State Council from time to time.

### Recommendation 3

The Policy Development Review Forums should be structured to also include representation from Local Government staff and representatives of stakeholder organisations and special interest groups. Under the models, Local Government staff members and representatives of stakeholder organisations and special interest groups (eg: State Planning Commission, Main Roads WA etc) would serve in an advisory capacity only (ie without voting rights), to assist the Policy Development Review Forums in considering strategic and policy matters.

#### Recommendation 4

The model for a single association should provide for the division of the State into metropolitan and country groupings, based upon variations of the existing CSCA Wards and LGA Zones.

The term 'electoral college' should be dispensed with and all Wards and Zones should be referred to as Zones.

#### Recommendation 5

The metropolitan and country electoral zones would elect delegates to the State Council and be empowered by delegated authority to determine issues affecting Members at the local level.

#### Recommendation 6

The President should be elected from among the 24 member State Council and the President's term of office be two (2) years.

Transitional arrangements should be implemented with regards to the mode and term of election of the President. Under the transitional arrangements, the current WAMA President will continue as the President for one year after the incorporation of a single association. Upon conclusion of this period, the Presidency should be rotated to facilitate election of a metropolitan delegate on the State Council to the position of President.

In 2003, member Local Governments will be requested to vote on whether the election of the President is to continue on a rotational basis involving the metropolitan and country constituencies after the conclusion of the President's term of office in 2004.

#### Recommendation 7

The President should be maintained as an 'Ex-Officio' member of State Council with a casting vote only.

Under this proposal, upon election of the President, the constituency from which the President originates, is entitled to elect a further delegate, so as to ensure that equality of representation on State Council is maintained.

#### Recommendation 8

The single association structure should incorporate one Vice President, who may be elected from among delegates representing either the metropolitan or the country constituency, irrespective of the constituency from which the President is drawn.

The Vice President's term of office would be two (2) years.

#### Recommendation 9

The term of office for delegates elected to the State Council be two (2) years, with no limit on the number of terms of office.



### Recommendation 10

That member Local Governments of the respective Ordinary Member Associations be requested to endorse a proposal that CSCA, CUCA and LGA not be wound up, but be retained as dormant entities for a twelve month period, following adoption of the single association proposal.

### Recommendation 11

With regard to the Annual General Meeting of a single association, it is recommended that:

Plenary Forums be convened within the overall Annual General Meeting structure, for the consideration of business which is specific to the metropolitan and country constituencies.

Core or 'mandatory' business sessions should be convened within the overall Annual General Meeting structure which would be attended by delegates of the metropolitan and country constituencies.

### Recommendation 12

Each Member Local Government should be entitled to two votes at the Annual General Meeting of the single association.

### Recommendation 13

The Association should reduce or consolidate its current policy areas and key result strategies, enabling the Association to direct its focus and resources to pursuing core issues which will be identified by Member Local Governments, State Council and Secretariat from time to time.

### Recommendation 14

The State Council should be given authority to determine strategic and policy matters, based on non-binding, advisory recommendations arising from Policy Development Review Forums.

Included in the draft model is provision for a 'trigger' mechanism enabling either a Member Local Government or a group of Members to petition that strategic and policy matters be considered directly by State Council.

### Recommendation 15

The Forums should generally be centrally based in the metropolitan area, with scope for them to be convened on a regional basis, subject to need, resources and cost considerations. The Secretariat should be encouraged to make use of emerging technology to conduct meetings.

Recommendation 16

The Association Secretariat should be empowered to deal directly with Member Local Governments in order to progress policy and strategic matters according to guidelines that have been resolved by State Council

Recommendation 17

That Local Government Managers Australia (formerly IMM) should be invited to the State Council as an Associate Member.

Recommendation 18

The Lord Mayor of the City of Perth (Capital City) should be invited to the State Council as an 'Ex-Officio' member. In addition, the Lord Mayor should have the option of sending a representative to attend State Council meetings (rather than an automatic right).

Recommendation 19

That the name of the Association be changed to 'Local Government WA'.

The Western Australian Municipal Association (WAMA) has advised that limitations are placed on the attendance at the special conference to include visiting delegates and the CEO of member local governments. This was necessary due to budgeting and resource constraints associated with the single association project.

The WAMA Secretariat requests that member local governments provide advice as to the names of their voting delegates to facilitate the distribution of voting cards for use at the special conferences, thereby ensuring that voting entitlements are fully exercised. The number of voting delegates for each member local government is determined by the constitutions of CSCA, CUCA and LGA. In accordance with LGA constitution, each local government is entitled to be represented at the conference on the same basis as exists in respect of the LGA Zones.

The City of Joondalup is currently a member of the LGA – North Metropolitan Zone and the voting delegates are:

**Member**

Mayor J Bombak  
Cr P Kadak  
Cr S Magyar  
Cr G Kenworthy

**Deputy**

Cr D Carlos  
Cr L Ewen-Chappell  
Cr D Carlos  
Cr A Patterson

**COMMENT**

WAMA has advised that the single association model proposed will ensure that all elements of WAMA membership are represented in key decision making and policy formulation processes undertaken at various levels of the structure.

A single association will provide the political strength and flexibility required for WAMA to maintain its interests as the peak body representing the interests of all 144 local governments in WA.

Maintenance of this position will be assured through the promotion of relevance, effectiveness and a strong service ethic, both politically and commercially, with the aim being to achieve maximum political and economic dividends to members.

It is therefore recommended that the Council nominates its current representatives for the LGA –North Metropolitan Zone to attend the special conference.

Proxies are permissible under the LGA Constitution, but these must be advised in writing/signed by CEO of Council and delivered to the WAMA Secretariat prior to the meeting.

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council:**

**1 broadly SUPPORTS the concept of a single association, and the single association taskforce be advised that the City’s support is based on the principle that of the 12 metropolitan delegates on the proposed State Council, the current North Zone of the Local Government Association has the right to nominate three delegates from the commencement of the Single Association;**

**2 NOMINATES the following members as its voting delegates to attend the Special Conference of the Local Government Association to be held on 22 April 2001 at the City of Stirling Administration Centre:**

**Member**

**Mayor Bombak  
Cr P Kadak  
Cr S Magyar  
Cr G Kenworthy**

**Deputies**

**Cr D Carlos  
Cr L Ewen-Chappell  
Cr J Hollywood  
Cr A Patterson**

**The Motion was Put and**

**CARRIED BY  
EN BLOC RESOLUTION NO 1**

**CJ091 - 04/01 APPOINTMENT OF REPRESENTATIVE - BUSINESS AND COMMUNITY DIRECTORY WORKING GROUP - [00004]**

**WARD – All**

**SUMMARY**

It is recommended that Council appoints a representative on the Business and Community Directory Working Group.

## BACKGROUND

At its meeting held on 27 March 2001 (Item CJ072-03/01 refers), Council resolved to:

- “1      **ENDORSES** the concept of a Business and Community Directory;
- 2      **APPROVES** a subscription to the Business and Community Directory to the amount of \$32,000 to acquire 16 pages of Council-related information (at \$2,000 per page) for inclusion into the Business and Community Directory;
- 3      **CHARGES** the amount in Point 2 above to the account nominated in Report CJ072-03/01;
- 4      **SUPPORTS** the Business and Community Directory by not producing a separate Council Services Directory in 2001;
- 5      **NOMINATES** an elected member and the Manager Marketing Services as its representatives on the combined working group to oversee the final content of the Business and Community Directory to ensure the high standard of communication by the City of Joondalup is maintained.”

## DETAILS

It is appropriate that Council appoints a representative on the Business and Community Directory Working Group. Cr Paul Kadak has indicated an interest in being appointed to this Working Group.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Wight that Council **APPOINTS** Cr Paul Kadak as representative on the Business and Community Directory Working Group.

The Motion was Put and

**CARRIED BY  
EN BLOC RESOLUTION NO 1**

**CJ092 - 04/01      SELECTION PROCESS FOR A NEW CHIEF  
EXECUTIVE OFFICER - [20006] [91115] [12879]**

**WARD - All**

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## SUMMARY

Following the resolution from Council to commence a process to recruit, select and appoint a new Chief Executive Officer, Council members held a workshop to hear presentations given by the invited HR consultants. As a result of these presentations and the documentation provided a preferred consultant is being recommended to assist the City in this process.

The preferred consultant is Recruiters Australia Limited.

## BACKGROUND

The recommendation from the Council meeting 27 March 2001 invited Gerard Daniels, Lyncroft and Recruiters Australia Ltd to give a presentation to Council members at the next briefing session.

This workshop was held on Tuesday 3 April 2001. Each consultant was allocated 30 minutes for its presentation and question time with 15 minutes interval so that council members may consider and evaluate the presentations.

## DETAILS

Each consulting firm was provided the following criteria on which it could be assessed:-

- ❑ Demonstrated knowledge of local government legislation
- ❑ Demonstrated Experience in selection of CEO's for organisations comparable to City of Joondalup
- ❑ Demonstrated Skill Base
- ❑ Methodology
- ❑ Willingness to provide value for money
- ❑ Time for completion of the selection process
- ❑ Replacement warranty of a candidate
- ❑ Total Cost of Consultancy
- ❑ Professional Indemnity Cover
- ❑ Willingness to entering into a contract with the City under the City's standard terms and conditions (not the Consultant's own terms)

## COMMENT/FUNDING

Recruiters Australia offered a two-tier approach:

- ❑ Tier One-Advertised Recruitment: A flat fee of \$16, 000.
- ❑ Tier Two-Should advertised response not deliver the calibre of candidate required for the position then Executive Search processes would be commenced on authorisation.

An additional fee structure (if required) was \$4,000. The Maximum total fee for Advertised/Search assignment \$20,000. This does not included costs associated with advertising, travel, relocation and incidental expenses. These costs vary in accordance with the amount of extra processes are involved in attracting potential applicants. It is estimated that the advertising and relocation costs may reach \$38,000.00

Advertising Nationally	Relocation Costs	Interstate Visits	Local Advertising	Incidental Costs
\$7,500	\$20,000	\$5,000	\$2,500	\$3,000

This does not include legal costs. The total cost of the project ranges from approximately \$30,000-\$40,000 for a successful placement from WA to approximately \$50,000-\$70,000 for an interstate placement.

On balance the preferred provider is Recruiters Australia Ltd on the condition that Mr Warren Reynolds oversees the assignment and plays an active role in the process. Recruiters Australia have confirmed that Mr Warren Reynolds will be the principle contact person in assisting in the process to recruit a new Chief Executive Officer.

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council:**

- 1 ENGAGES Recruiters Australia Ltd to assist the City in the process to recruit select and appoint a new Chief Executive Officer with Mr Warren Reynolds overseeing the assignment;**
- 3 ALLOCATES costs associated with the recruitment of a Chief Executive Officer to Account No 11.10.11.111.4201.0001 – CEO Administration – Consultancy.**

**The Motion was Put and**

**CARRIED BY  
EN BLOC RESOLUTION NO 1**

**CJ093 - 04/01 MINUTES - JOONDALUP FESTIVAL AND SUMMER EVENTS COMMITTEE - [58046]**

CJ010403\_BRF.DOC:ITEM 4

**SUMMARY**

A meeting of the Joondalup Festival and Summer Events Committee was held on 14 March 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 on 14 March 2001 are included as Attachment 1.

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that COUNCIL NOTES the unconfirmed minutes of the Joondalup Festival and Summer Events Committee held 14 March 2001 forming Attachment 1 to Report CJ093-04/01.**

**The Motion was Put and**

**CARRIED BY  
EN BLOC RESOLUTION NO 1**

*Appendix 3 refers. To access this attachment on electronic document, click here:*  
[Attach3brf030401.pdf](#)

**CJ094 - 04/01 MINUTES SKATEPARK COMMITTEE - [08096]****WARD - All**

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CJ010403\_BRF.DOC:ITEM 5

**SUMMARY**

A meeting of the Skatepark Committee was held on 21 March 2001 and the unconfirmed minutes are submitted for noting by Council.

**DETAILS**

The unconfirmed minutes of the Skatepark Committee meeting held 21 March 2001 are included as Attachment 1.

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council NOTES the unconfirmed minutes of the Skatepark Committee meeting held 21 March 2001 forming Attachment 1 to Report CJ094-04/01.**

**The Motion was Put and****CARRIED BY  
EN BLOC RESOLUTION NO 1***Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf030401.pdf](#)*

**CJ095 - 04/01 YOUTH COUNCIL WEEK 2001 - PROJECT BRIEF - [45637]****WARD - All**

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CJ010403\_BRF.DOC:ITEM 6

**SUMMARY**

Members of the City of Joondalup Youth Advisory Councils are currently planning the Youth Council Week Program. This program forms an integral part of the Youth in Government Program and the Youth Advisory Council Action Plan for 2001. The purpose of this report is to present the Joondalup Youth Council Week Project Brief for endorsement by Council.

**BACKGROUND**

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

- 1 **ENDORSES in principle the Youth in Government Program as put forward in Report CJ298-12/98;**
- 2 **DISBANDS the Junior Council in its current form and replaces it with the Junior Council Program as put forward in Report CJ298-12/98.**

Following this decision, a Junior Council Program was successfully conducted in July 1999 with 16 participants. Topics of discussion included graffiti control, public space, planning for young people and road safety. The outcomes of the program were reported to Council in report CJ274-08/99.

In this report, it was also recommended that the program name be changed from Junior Council Week to Youth Council Week to avoid confusion with the previous Junior Council Program.

## **DETAILS**

The 2001 Youth Council Week will be a five-day intensive residential program based at the City of Joondalup Civic Chambers.

The main objectives of the Youth Council Week are:

- To provide a meaningful mechanism for young people throughout the City of Joondalup to raise, discuss and advocate on issues that are of significance to them.
- To provide opportunities for young people to learn about and participate in the decision making process at the local level of government.

Project aims, a program and implementation plan are contained in the project brief that forms Attachment 1 of this report.

Planning for the 2001 Youth Council Week Program will begin in April with members of the City's Youth Advisory Councils determining and conducting a number of consultation processes with young people from the City. This will include surveys at youth events and forums at local schools. From these consultations, four topics of discussion will be determined and researched in order to be presented at Youth Council Week. The bulk of this research phase will take place prior to the July program and will provide opportunities for the participants to develop a strong understanding of their chosen topic. Council staff and other professionals will be asked to provide information and perspective on the topics, in the form of briefings, prior to, and during, the program. This will ensure that the participants have a clear and realistic perspective of their chosen topic prior to attendance at the July program.

The process followed during the Youth Council Week Program is designed to reflect the City's normal decision-making processes as closely as possible. This allows participants to develop a strong understanding of these processes.

The culmination of the program is the Youth Council Meeting that takes place on the Thursday afternoon of the program. It is intended that this meeting be conducted in the Civic Chambers according to standing orders adapted from those used during a normal City of Joondalup Council meeting.



It is intended that the outcome of this meeting will be a set of recommendations on each topic that have been developed through active consultation, thorough research and informed debate. These recommendations will be reported to Council for consideration following the program.

## COMMENT

The Youth Council Week is a four month project which culminates in a week long residential program. The program will provide Council and staff with a number of benefits. These benefits include:

1. The opportunity to be associated with an activity that promotes a positive image of young people in the region.
2. The development of strategies on chosen topics that have resulted from consultation, research and informed debate.
3. The establishment of a group of young participants with a strong understanding of council processes.

The program provides the opportunity to conduct a level of consultation, research and debate that cannot be achieved in the normal cycle of Youth Advisory Council meetings. For this reason, the program will allow participants to deal with issues that cannot normally be addressed at the Youth Advisory Council level. These topics will be the result of active consultation and therefore will be relevant to the young people of the City of Joondalup.

The processes outlined in this report will ensure that the Youth Council Week Program provides valuable outcomes to both participants and the City. In addition, the program will provide many opportunities for positive interaction between staff and Elected Members and the members of the City's Youth Advisory Councils.

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council ENDORSES the 2001 Youth Council Week Project Brief submitted as Attachment 1 to Report CJ095-04/01.**

**The Motion was Put and**

**CARRIED BY  
EN BLOC RESOLUTION NO 1**

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf030401.pdf](#)*

**CJ096 - 04/01      IMPLEMENTATION OF THE REVIEW OF THE  
PODIATRY SERVICES - [00190]**

**WARD - All**

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CJ010403\_BRF.DOC:ITEM 7

## SUMMARY

A review of the Podiatry Services provided by the City was carried out by COTA Consulting between January and March 2000.

The review raised a number of issues relating to:

- provision of service;
- quality of service;
- reporting and accountability;
- client bookings;
- volunteer role; and
- implementation plan.

Many of the recommendations made by the reviewers related to the administrative arrangements within the service and have been acted upon. This report identifies strategic directions for the future of podiatry services in the City, outlines the reviewer's recommendations in this regard and documents the further investigation that has been carried out.

While the reviewers have made a range of recommendations which will lead to more responsive and higher quality services in the long term, a number of the recommendations are sensitive and have been either modified or rejected to ensure that clients are not in any way inconvenienced. Consequently, this report recommends that:

- existing service locations be maintained at Warwick and Whitfords and a new clinic be opened at the Woodvale Community Centre ;
- changes to the space at the Whitfords clinic be negotiated and implemented to improve the standards of privacy and client confidentiality;
- a staged approach be taken to the closure of the Duncraig clinic so that the employed podiatrist can discuss preferences with clients before any changes are made; and
- the feasibility of opening a podiatry clinic in the City's northern suburbs be investigated.

The report also notes that this service is one of the services included in the transfer of services to the new community based service delivery organisation (Council Report CJ368-12/00 refers). In addition, it provides some brief information on the way in which the City's podiatry service compares with a number of other local government authorities.

## **BACKGROUND**

The City of Joondalup (and the former City of Wanneroo) has been involved in the provision of a podiatry service for aged people and people with disability since 1975. Prior to January 1998, the podiatry service was provided by the City using employed podiatrists. In 1997, a decision was taken to contract out the service and on 10 September 1997, a tender was called for the supply of a podiatry service for aged people and people with disabilities living in the former City of Wanneroo. SJW Podiatry Pty Ltd was the successful tenderer and the contract period was 16 January 1998 to 31 December 1999 (CS320 – 12/97 refers).

In December 1999, a decision was made to review the City's Podiatry Service because the contract was about to conclude and the City needed information to assist it with the next tendering process and to assist the City to make decisions regarding future needs in the context of its strategic plan. The areas to be included in the review were:

- Administration of the service, both contractor and Council involvement;
- Organisation and delivery of the service including quality and customer satisfaction;

- Whether the Contractor delivered a domiciliary service that embraced the Home and Community Care (HACC) National Service Standards; and
- Future needs and options.

The Project Brief for the consultancy also asked for the successful consultant to benchmark the service with five other Local Government Authorities and to provide a written report and a presentation on the findings and the analysis, including recommendations and options to assist with future planning.

COTA Consulting was the successful organisation. COTA Consulting operates under the auspices of the Council on the Ageing (WA) Inc, which is a non profit charitable organisation with offices in every state and territory in Australia and which is recognised at State and Federal level as a peak body in the “seniors sector”.

The methodology for the review included:

- Interviews with:
  - Staff of the City of Joondalup;
  - Volunteers who support the Podiatry Service;
  - SJW Podiatry Pty Ltd and the two podiatrists practising in the three clinics; and
  - Domiciliary clients and the domiciliary podiatrist.
- The analysis of information provided by the City’s Community Services Officer who had reviewed and reported on the client details of the domiciliary client base;
- The distribution of client satisfaction questionnaires to clients at the three podiatry clinics;
- Contact with, and collection of reference material from, Home and Community Care, the Australasian Podiatry Council, the Australian Podiatry Association and various Internet Websites and Journal articles; and
- The analysis of some statistical data on the client base of the service that was made available to the Consultants.

COTA Consulting presented its final report on 13 March 2000 and the following administrative recommendations have been actioned:

- In line with budget provisions, the creation of a new position of podiatrist, to be employed by the City, was approved on 15 September 2000 and the podiatrist commenced duties on 5 February 2001;
- All active client files have been entered into the SMS system (the system used in Aged and Disability Services to meet government grant accountability requirements);
- The purchase of a laptop computer at a cost of \$4,326 in line with the approved half yearly budget review; and
- An Implementation Plan for all other recommendations has been developed.

## **DETAILS**

### **CURRENT SERVICE**

The number of clients seen at the clinics of Duncraig, Warwick and Whitfords is 509 with 2,734 visits to the centres occurring per annum (see table below for figures). The number of clients receiving Home and Community Care (HACC) funded domiciliary podiatry is

approximately 45 with the podiatrist making 570 home visits per annum. Eligibility for the service includes:

- Aged 55 and over and retired; and/or
- Holder of a Disability Pension Card

and the domiciliary clients must meet the HACC program's criteria of frailty, disability and inability to access the clinic-based services.

A doctor's referral is necessary to access the podiatry services.

The table below further details the break down of clients and sessions available at each clinic.

The cost of the current service is \$57,311 per annum excluding corporate overheads. An annual grant of \$6,500.00 is received from the Health Department of Western Australia and fee income is budgeted at \$50,000.

### **FIT WITH PROPOSAL TO TRANSFER SERVICES TO A NEW COMMUNITY BASED ORGANISATION**

This service has been included in the transfer of services to the new community based service delivery organisation (Council Report CJ368-12/00 refers). Podiatry is an integral part of the Aged and Disability sub-unit and supports, and is supported by, the other services provided in this area. Its link with the Home and Community Care funded domiciliary podiatry makes it essential to keep these services together.

### **IMPLEMENTATION PLAN**

A clearly documented plan with timelines for the implementation of the Podiatry Review recommendations has been developed and is being actioned. It takes into account all issues that may cause some concern to clients of the service and addresses a number of service quality issues associated with the previous model of contracted service provision.

#### **Level of fees**

The current fees for podiatry are \$17 per ongoing visit and \$25 for an initial visit for both domiciliary podiatry and centre podiatry. The review recommended that consideration be given "to raising the routine home visiting fee to \$25.00 and the initial consult fee to \$30.00" to "move the service to a more commercial business focus." The review report did not provide a detailed rationale for this recommendation. The City's fees are at the top end relative to various other Councils. The City charges similar fees to those charged by the Cities of Stirling and Wanneroo. These Cities, like the City of Joondalup provide domiciliary podiatry services. Wanneroo and Stirling have recently increased their fees slightly. This information is provided in the section of this report that provides brief information on the way in which the City's podiatry service compares with a number other local authorities.

The employment of a podiatrist will enable the City and the new community based organisation to plan and manage the podiatry service on an ongoing basis and to increase the overall level of income from client fees through ensuring that all sessions are filled, without increasing fees to users. Given this, it is not considered necessary to implement this recommendation.

### Location of podiatrist

A Podiatry Clinic has been included in the new Woodvale Community Care Centre at 5 Trappers Drive. It has been suggested that the podiatry clinic be opened at Woodvale. In order to promote the Woodvale Podiatry Clinic as the City's main clinic, it is intended that the podiatrist be based in this Centre. The accommodation is modern and the Centre has excellent facilities. Basing the Podiatrist in this Centre will also promote a professional image for the service.

### Rationalisation of Service

The following chart outlines client numbers and centre usage as at June 2000.

Centre	Number of Patient Visits	Number of Patients (as at June 2000)	Number of sessions	% Patients per Centre
Duncraig	330	42	55	12%
Warwick	691	101	101	25%
Whitfords	1713	269	252	63%
TOTAL	2734	509	408	

It is clear from this chart that the majority of clients use the Whitfords and Warwick services. The review recommended that the services provided at each of the clinics be rationalised as outlined in the following sections. However, it is proposed that the current services at Warwick and Whitfords remain open, that the new Woodvale facility be opened and that the Duncraig clinic be closed over time. This would allow the newly appointed Podiatrist to settle into the role and talk to clients regarding their preferences and options.

#### *Close Duncraig Clinic*

Because the Duncraig Centre operates only one session a week, has only eight people per week receiving treatment and is located five minutes away from the Warwick Centre by car, the reviewers recommended that the Duncraig Clinic be closed. It can be noted from the above chart that 330 patient visits per annum (12%) are serviced at Duncraig. The Duncraig Clinic is approximately five minutes drive from the Warwick Centre and can be accessed by public transport. However, it is not known how many clients access the clinic via personal or public transport. Accordingly, it may not be too disruptive for the present Duncraig clients to relocate to Warwick. The Podiatrist would discuss this with clients in order to assess their preferred options for transfer to another clinic.

#### *Recommendation to close Whitfords Clinic and open a Podiatry Clinic at Woodvale*

The reviewer also recommended the closure of the Whitfords Clinic and relocation of clients to the new Woodvale Community Centre. This centre has provision for a Podiatry service including a vacant room that has been set up for a podiatry service. It also has a very comfortable foyer that would be suitable for a reception area. A new autoclave has been purchased in preparation for the commencement of this service.

The facilities at Whitfords are inadequate and breach best practice standards of privacy and client confidentiality in that the waiting area and the volunteer receptionist are located in the same room as the podiatry clinic. The information on best practice standards was gained from the Australian Podiatry Association (WA).

However, clients are currently choosing this service because many of them use public transport and carry out their shopping and banking at Whitfords on the day of their appointment. There is no doubt that removal of the services offered at Whitfords would inconvenience a number of the existing users of that service who would see the changes as

disruptive. In addition, advice from the Municipal Liability Scheme (the City's Public Liability and Professional Indemnity Insurer) reveals that any claim against the City for lack of privacy at the facility in question would be highly unlikely. However, should such a claim be made, the City would be indemnified.

Given the numbers of clients that currently use the Whitfords Centre (63% of the total patient visits) and the fact that new clients are joining the service every week, an alternative approach is suggested.

- Maintain the Whitfords Clinic;
- Negotiate with the Whitfords Senior Citizens Centre to improve the reception and waiting room facilities for the Whitfords Clinic;
- Open the Woodvale Clinic to offer an alternative choice for clients;
- Refer new clients to either Warwick or Woodvale where practical;
- Increase Woodvale and Warwick session times to accommodate new clients and those transferring from Duncraig as needed.

#### *Feasibility Study for new service for City's northern suburbs*

The City's Podiatry Clinics are all currently located in the southern suburbs of the City. There is a need to determine whether a podiatry clinic is required in the City's northern suburbs. Should this be the case, the City would recommend to the Board of the new community based organisation that a new clinic be opened in the northern suburbs of the City. The Interim Board of the new organisation has already indicated an interest in offering services where the need exists. The eventual closure of Duncraig would release a portion of the podiatrist's time which could be used for an additional service.

#### **Volunteer Role**

The recruitment and support of volunteers is an administrative function. Consequently the following information is provided for the information of elected members. There are currently 6 volunteers providing a receptionist/administration role for the podiatry clinics. Three are employed at Whitfords (one for each day of the week that the service operates), one at Warwick and one at Duncraig.

Discussions with the Podiatrists indicated that the role of the Volunteer Receptionist is critical to the efficient operation of the service. If the tasks undertaken by the volunteers were allocated to the Podiatrist, the time available to deal with clients would be greatly reduced. The Volunteers who carry out this service are very committed to their roles and play an important part in communicating with the elderly patients as well as providing an efficient receptionist/administration role.

In order to provide administrative services for the new Woodvale Podiatry Clinic, an additional volunteer will be recruited. In addition, the volunteer handbook will be updated to bring it up to date with changes to the service.

#### **COMPARISON WITH OTHER LOCAL GOVERNMENT AUTHORITIES**

The following table presents information on podiatry services provided by other Councils as reported in the Review Report.

City of	Overheads/on costs	Domiciliary Service	Service Provision	Client costs
Canning	City picks up these costs	No Domiciliary Service offered	Contracts with two podiatrists - \$89.65 per session and \$29.88 per hour if session runs over. No Domiciliary provided	Clients pay \$11.00 per visit
Fremantle	City picks up costs	No Domiciliary Service offered	Service provided on sessional basis - \$89.65 per session	Clients pay \$13.00
Gosnells	City picks up these costs	No Domiciliary Service offered	Contracts on sessional basis \$89.60 per session	Clients pay \$12.50
Joondalup	City picks up these costs	Domiciliary Service offered	City was paying a fee of \$125.00 per session of which the podiatrists received \$89.65.	Clients pay – Initial Visit - \$25.00, Consultation - \$17.00 for both Domiciliary and Centre Visits
Stirling	City picks up on costs and contributes \$20,000 per year to service	Domiciliary Service offered	Podiatrist paid per visit	Clients pay – Initial Visit - \$25.00, Extended Visit - \$25.00, Normal Consultation - \$17.00 Brief Visit - \$7.00 Domiciliary Visit - \$25.00
Swan			No service offered – Room made available to Podiatrist	
Wanneroo	City picks up costs	Domiciliary Service offered	City was paying a fee of \$125.00 per session of which the podiatrists received \$89.65.	Clients pay – Initial Visit - \$25.00, Consultation - \$17.00 for both Domiciliary and Centre Visits

Since the review, three of the local authorities have increased the podiatry fees as follows:

- City of Canning from \$11.00 to \$12.00 per visit;
- City of Stirling from \$25.00 to \$26.00 for the initial visit, from \$17.00 to \$18.00 for the ongoing visits in the centre and \$25.00 to \$26.00 for home visits; and
- City of Wanneroo from \$17.00 to \$18.00 for the ongoing visits with the initial visit remaining at \$25.00.

## COMMENT/FUNDING

Whilst many of the proposals of the review conducted by COTA Consultancy have already been implemented, Council needs to consider the following recommendations intended to ensure that a more cost effective, high quality podiatry service is offered within the City of Joondalup.

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council:**

### 1 APPROVES:

- existing service locations being maintained at Warwick and Whitfords and a new clinic being opened at the Woodvale Community Centre;
- a staged approach being taken to the closure of the Duncraig clinic so that the employed podiatrist can discuss preferences with clients before any changes are made;

**2 NOTES that:**

- (a) officers will negotiate with the Whitfords Senior Citizens Centre to improve the reception and waiting room facilities for the Whitfords Clinic;
- (b) a feasibility study into the need for a podiatry clinic in the northern suburbs of the City will be undertaken;
- (c) a recommendation will be made to the Board of the new community based organisation that it open such a clinic, should the need be confirmed.

**The Motion was Put and****CARRIED BY  
EN BLOC RESOLUTION NO 1****CJ097 - 04/01 TENDER 042-00/01 PURCHASE OF FIVE 3 TONNE  
DUAL CAB TRUCKS WITH SIDELIFTERS AND  
TRADE OF FIVE SIMILAR TRUCKS - [56263]****WARD - All**

CJ010403\_BRF.DOC:ITEM 8

**SUMMARY**

The City's 2000/01 budget provided for the purchase of five three tonne dual cab trucks with sidelifter upgrade and with the trade of the following vehicles:

- 95455 Mitsubishi Canter (allocated to Parks Mowing Operations Services)
- 95462 Mitsubishi Canter (allocated to Parks Mowing Operations Services)
- 95465 Mitsubishi Canter (allocated to Parks Mowing Operations Services)
- 95466 Mitsubishi Canter (allocated to Parks Mowing Operations Services)
- 95467 Mitsubishi Canter (allocated to Parks Mowing Operations Services)

This report outlines the submissions received in relation to Tender 042-00/01. It recommends accepting the Tender from Skipper Trucks, for the supply of five Mitsubishi FE647 EW trucks at \$235,575 and the trade of Mitsubishi Canters as listed above for \$124,545, resulting in a net changeover cost to Council of \$111,030.

The Chief Executive Officer has delegated authority to accept tenders to a limit of \$100,000. However, as Tender 042-00/01 exceeds that figure, it requires approval of the Council.

**BACKGROUND**

Tender number 042-00/01 pertaining to this acquisition was advertised on Wednesday, 28th February 2001 and closed on Thursday 15th March 2001. The vehicles to be traded were presented for inspection on the 8th of March 2001, and were evaluated by all tenderers.



## DETAILS

Two submissions were received for the supply of five three tonne dual cab trucks with sidelifters and trade of Mitsubishi Canters #95455, #95462, #95465, #95466 & #95467 as per Tender 042-00/01.

Odometer readings at inspection were approximately 39,000 kms on #95455, 31,000 kms on #95462, 37,000 kms on #95465, 33,000 kms on #95466 and 33,000 kms on #95467. All five trucks were purchased in 1998 and were exempt from sales tax. The low odometer readings are due to the City boundaries being decreased since the split with The City of Wanneroo. However, the trucks have been used consistently on short haul operations in towing and cartage work situations.

The replacement of these trucks was approved in the 2000/01 Budget and were subject to custom and practice whereby the vehicles were programmed for replacement after 3 years of service. This practice is due for review and a report will be submitted in the near future.

Although the trucks are low kilometre units they are required to tow 6 metre trailers carrying two ride on mowers predominately within residential areas and are required to present a professional corporate image to ratepayers. As these are work trucks moving men and equipment involved in the mowing of all the City's parks on a short haul work cycle they are subjected to constant wear and tear. The trucks are dual cab units and are used as lunch rooms during inclement weather. As such the interior of these vehicles has been subjected to high rate of wear and tear and together with the high loads of towing are recommended for replacement.

The sidelifters fitted to these trucks are used to load heavy mowing equipment onto the truck tray. They have previously been fitted to trucks that were replaced and the original sidelifters carried over to the new trucks. It is estimated that they have been in service close to 12 years. They are in poor condition and are a possible safety hazard. The hydraulic pump, cable and pulley configuration together with platform hinges and side runners have all worn past acceptable limits. The units require urgent replacement as they are uneconomical to repair. The option of replacing the sidelifters only was examined but the cost of removal and refitting to another truck makes this an uneconomic proposal. The replacement of the sidelifters is best done when the trucks are replaced. This also achieves the best possible resale value for the trades as they are sold as a complete unit.

Two submissions were received for the supply only of the truck bodies and sidelifters. These were quotations only and could not be considered as Tender submissions.

The details of the two tender submissions are shown on Attachment A.

The two Tenderers offered two makes of vehicles. A whole of life costing comparing the two makes of vehicles was undertaken to compare the whole of life costs. The Mitsubishi FE 647 EW was found to be the most cost effective vehicle tendered after considering the estimated resale values at three years of age and estimated fuel consumption at 40,000kms of travel.

References used for the comparative data were:

- Glasses Guide – Commercial Vehicles Jan-Feb 2001 and actual trade offers in this tender.
- Suppliers estimated fuel consumption figures

The methodology used in the whole of life comparison was reviewed by the R.A.C. and confirmed to be sound.

It is recommended that the lowest changeover tender as submitted by Skipper Trucks be accepted.

## COMMENT/FUNDING

Based on the Skipper Trucks tender the financial position is:

Plant No	Recommended Tender Changeover	Budget Provision	Budget Savings (Shortfall)
95455	\$22,206	\$24,613	\$2,407
95462	\$22,206	\$24,613	\$2,407
95465	\$22,206	\$24,613	\$2,407
95466	\$22,206	\$24,613	\$2,407
95467	\$22,206	\$24,613	\$2,407
<b>TOTAL</b>	<b>\$111,030</b>	<b>\$123,065</b>	<b>\$12,035</b>

Accepting the above, the overall 2000/01 budget surplus on tender 042-00/01 for the supply of five three tonne dual cab trucks fitted with sidelifters and the disposal of the trade vehicles is \$12,035. The budget surplus is due a higher than budget trade valuation as shown below:-

Plant Number	Budget Purchase	Budget Trade	Actual Purchase	Actual Trade	Variance Purchase	Variance Trade	Budget Savings
95455	\$44,750	\$20,137	\$47,115	\$24,909	(\$2,365)	\$4,772	\$2,407
95462	\$44,750	\$20,137	\$47,115	\$24,909	(\$2,365)	\$4,772	\$2,407
95465	\$44,750	\$20,137	\$47,115	\$24,909	(\$2,365)	\$4,772	\$2,407
95466	\$44,750	\$20,137	\$47,115	\$24,909	(\$2,365)	\$4,772	\$2,407
95467	\$44,750	\$20,137	\$47,115	\$24,909	(\$2,365)	\$4,772	\$2,407
<b>Total</b>	<b>\$223,750</b>	<b>\$100,685</b>	<b>\$235,575</b>	<b>\$124,545</b>	<b>(\$11,825)</b>	<b>\$23,860</b>	<b>\$12,035</b>

The replacement of the sidelifters is to be funded from the Capital Expenditure Budget as item D864 at \$38,500.

## GST IMPACT

GST can be claimed as a full 100% tax credit on the new supply and 1/11<sup>th</sup> of the Trade Valuation must be remitted to the Tax Office

	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$235,575	\$259,132.50	YES	\$23,557.50
				Tax Debit
Trade	\$124,545	\$137,000	NO	(\$12,455)

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council in accordance with the General Conditions of Tendering:**

- 1 ACCEPTS the tender from Skipper Trucks for the supply of five Mitsubishi FE647 EW dual cab trucks with sidelifers at \$235,575 (without GST) and the trade of Mitsubishi Canters #95455, #95462, #95465, #95466 & #95467 at \$124,545 (without GST) as detailed in Tender 042-00/01;**
- 2 NOTES the replacement of trucks #95455, #95462, #95465, #95466 & #95467 will incur a cost to Council of \$111,030 with funding from the \$38,500 Capital Allocation for sidelif platforms and vehicle replacement from the Light Vehicle Reserve account.**

**The Motion was Put and**

**CARRIED BY  
EN BLOC RESOLUTION NO 1**

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf030401.pdf](#)*

**CJ098 - 04/01 TENDER 043-00/01 PURCHASE OF TWO EIGHT TONNE TRUCKS FITTED WITH WATER TANKS AND TRADE OF ONE TIP TRUCK AND ONE WATER TRUCK - [57263]**

**WARD - All**

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CJ010403\_BRF.DOC:ITEM 9

## **SUMMARY**

The City's 2000/01 budget provided for the purchase of vehicles, as detailed in the Heavy Vehicle Replacement Programme. The funding for the changeover cost is to be sourced from the Heavy Vehicle Reserve Account.

The City's 2000/01 budget provided for the purchase of two eight tonne trucks fitted with water tanks and the trade of the following vehicles:

- 96380 Mitsubishi FM 658 H Tipper (allocated to Operations Services)
- 96383 International Acco 1850 Water Truck (allocated to Operations Services)

This report outlines the submissions received in relation to Tender 043-00/01. It recommends accepting the Tender from Skipper Trucks, for the supply of two Mitsubishi FM 658 HV trucks at \$176,660 and the trade of Tipper #96380 and Water Truck #96383 for \$84,840, resulting in a net changeover cost to Council of \$91,820.

The Chief Executive Officer has delegated authority to accept tenders to a limit of \$100,000. However, as Tender 043-00/01 exceeds that figure, it requires approval of the Council.

## **BACKGROUND**

Tender number 043-00/01 pertaining to this acquisition was advertised on Wednesday, 28 February 2001 and closed on Thursday 15 March 2001. The vehicles to be traded were presented for inspection on the 8 March 2001, and were evaluated by all tenderers.

Truck #96380 was found to be under utilized as a Tipper truck and at the request of the Operations Manager its replacement was specified as a standard tray truck with water tank. This configuration will allow the truck to be used as a standard plant watering truck for duties within the City Central area.

## **DETAILS**

Three submissions were received for the supply of two eight tonne trucks with water tanks and the trade of Tipper #96380 and Water Truck #96383 as per Tender 043-00/01.

Odometer readings at inspection were approximately 82,000 km on #96380 and 127,000 km on #96383. The two units were purchased in 1996 and were exempt from sales tax.

The replacement of these trucks was approved in the 2000/01 Budget and were subject to custom and practice whereby the vehicles were programmed for replacement after 5 years of use. This practice is due for review and a report will be submitted in the near future

One submission was received for the supply only of the truck bodies and fittings. This submission was a quotation only and could not be considered as a Tender submission.

The details of the three tender submissions are shown on Attachment A.

The three Tenderers offered two makes of vehicles with WA Hino Sales offering the Ranger 9 and 10 models. A whole of life costing comparing the makes and models of vehicles was undertaken to compare the whole of life costs. The Mitsubishi FE 658 HV was found to be the most cost effective vehicle tendered after considering the estimated resale values at five years of age and estimated fuel consumption at 110,000 kms of travel.

References used for the comparative data were:

- Glasses Guide – Commercial Vehicles Jan-Feb 2001
- Suppliers estimated fuel consumption figures

The methodology used in the whole of life comparison was reviewed by the R.A.C. and confirmed to be sound.

It is recommended that the lowest changeover tender as submitted by Skipper Trucks be accepted.

**COMMENT/FUNDING**

Based on the Skipper Trucks tender the financial position is:

Plant No	Recommended Tender Changeover	Budget Provision	Budget Savings (Shortfall)
96380	\$40,970	\$46,351	\$5,381
96383	\$50,850	\$49,884	(\$966)
<b>TOTAL</b>	<b>\$91,820</b>	<b>\$96,235</b>	<b>\$4,415</b>

Accepting the above, the overall 2000/01 budget surplus on tender 043-00/01 for the supply of two 8 tonne water trucks and the disposal of the trade vehicles is \$4,415. The budget surplus is due a higher than budget trade valuation as shown below:-

Plant Number	Budget Purchase	Budget Trade	Actual Purchase	Actual Trade	Variance Purchase	Variance Trade	Budget Savings
96380	\$84,275	\$37,924	\$91,150	\$50,180	(\$6,875)	\$12,256	\$5,381
96383	\$90,698	\$40,814	\$85,510	\$34,660	\$5,188	(\$6,154)	(\$966)
<b>Total</b>	<b>\$174,973</b>	<b>\$78,738</b>	<b>\$176,660</b>	<b>\$84,840</b>	<b>(\$1,687)</b>	<b>\$6,102</b>	<b>\$4,415</b>

**GST IMPACT**

GST can be claimed as a full 100% tax credit on the new supply and 1/11<sup>th</sup> of the Trade Valuation must be remitted to the Tax Office

	Without GST	With GST	Claim GST	Tax Credit
New Supply	\$176,660	\$194,326	YES	\$17,666
Trade	\$84,840	\$93,324	NO	(\$8,484)

**MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council in accordance with the general conditions of Tendering:**

- 1 ACCEPTS the tender from Skipper Trucks for the supply of two Mitsubishi FM658 HV trucks with water tanks at \$176,660 (without GST) and the trade of Mitsubishi FM658 H #96380 and International ACCO #96383 at \$84,840 (without GST) as detailed in Tender 043-00/01;**
- 2 NOTES the replacement of trucks #96380 and #96383 will incur a cost to Council of \$91,820 with funding from the Heavy Vehicle Reserve Account.**

**The Motion was Put and**

**CARRIED BY  
EN BLOC RESOLUTION NO 1**

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf030401.pdf](#)

<b>PLANNING AND DEVELOPMENT</b>
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**CJ099 - 04/01      PROPOSED                      SHOWROOMS/OFFICE/RETAIL  
DEVELOPMENT AT LOT 5 (15) DWYER TURN/  
DAGLISH WAY AND      LAWLEY COURT,  
JOONDALUP - [40009]**

**WARD** - Lakeside

CJ010403\_BRF.DOC:ITEM 10

## SUMMARY

An application has been received for a Showroom/Office/Retail building at Lot 5 (15) Dwyer Turn/Daglish Way and Lawley Court, Joondalup.

The subject site is currently vacant and is subject to the requirements in the Joondalup City Centre Development Plan and Manual, which allows for a variety of land uses. The preferred use of the above site, which is located within the Western Business District, was identified as Regional Shopping Centre, when the Plan and Manual were prepared.

The applicant has requested a variation to the Joondalup City Centre Development Plan and Manual to approve the proposed Showroom/Office/Retail land uses and associated carparking standards.

The key elements of the proposal are:

- the proposal comprises two large single storey buildings, which have been designed to face two of the three streets surrounding the development;
- buildings have been designed to break the building bulk with the introduction of contrasting colours and architectural treatments to the building facades;
- adequate carparking bays provided in accordance with the proposed uses;
- pedestrian connectivity with the existing footpath network in the area.

Having regard to the merits of the proposal, it is recommended that Council exercise discretion under District Planning Scheme No 2 (DPS2) and the relevant provisions of the Joondalup City Centre Development Plan and Manual to allow the proposed development to proceed in this instance.

## BACKGROUND

Lot	5
Street Address	15
Applicant	Greg Rowe & Associates
Land Owner	Joondalup Commercial Centre (Lakeside) Pty Ltd
DA No	DA00/0547
MRS Zoning	Central City Area
DPS2 Zoning	Centre
Preferred Use	Regional Shopping Centre
Lot Area	9800m <sup>2</sup>

## DETAILS

The site is located within the Western Business District in the Central City Area bounded by Dwyer Turn, Dalglish Way and Lawley Court, Joondalup. The site is currently vacant and slopes in a north to south-west direction towards Dalglish Way and Lawley Court. The preferred use for the above site in the Western Business District is for Regional Shopping Centre use.

### Description of the Proposal

The proposal consists of two large buildings with a combined floor area of 3987m<sup>2</sup> in area. One of the tenancies is proposed to be taken up by "Officeworks" while other tenancies are still being finalised. The breakdown of the floor areas for the proposed buildings are as follows:

- ♦ **Tenancy 1**  
Officeworks Showroom with a total area of 2337m<sup>2</sup>.
- ♦ **Tenancy 2**  
Retail with a floor area of (860m<sup>2</sup>) and the showroom/office with a floor area of (790m<sup>2</sup>).

One crossover is proposed to each of the adjoining roads including the provision of two footpaths, which are to be connected to the existing footpath network.

The applicant has provided the following points in support of the application:

- ♦ 156 car parking bays, inclusive of disabled car bays, have been provided in accordance with the proposed uses.
- ♦ The development has been designed to address each street façade, wherever possible.
- ♦ Adequate colour mix is proposed for all external elevations to achieve a contrast between both proposed buildings to be identified as separate identities.
- ♦ Two pedestrian linkages have been provided, including a verandah for most of the building interface.
- ♦ As the development faces three streets, facades have been designed to minimise potential visual impact from public thoroughfares.

### Site Location

The Joondalup City Centre Development Plan and Manual (JCCDPM) is principally used to guide the future form of development within the City Centre and allow a range of land uses. The subject lot was part of a larger area within the Western Business District identified as Regional Shopping Centre. However, with recent subdivisions occurring in the area and the provision of infrastructure, this particular lot has now been separated from the shopping centre land by access roads resulting in a stand-alone lot with 3 road frontages and the railway reserve.

## COMMENT

### Issues

Land uses are intended to be determined by market forces resulting in changing demand patterns, with guidance and flexibility allowed by the Manual's adoption of a range of land uses, rather than a prescriptive list of preferred land uses. Since the preparation of the JCCDPM in late 1995, this district has been transformed with a variety of retail and commercial activity in response to market forces, in conjunction with the subdivision and release of land.

The above site is rather unique in the sense that it has been separated from the main Regional Shopping Centre originally intended for this area as a result of new roads being introduced in the area. The change in use is not likely to compromise the existing retail uses in the area and would be compatible and complimentary to other developments within the precinct.

With the above change in uses, it is recommended that the carparking standards used in other parts of the Central City Area for General City Uses (1 carbay per 30 m<sup>2</sup>) be applied, in lieu of the carparking standard of (1 carbay per 16.66 m<sup>2</sup>) applied to the Regional shopping Centre.

On that basis parking demand would be assessed as 132 bays in total. The proposal exceeds that requirement comfortably (ie by 24 bays).

### Conclusion

The proposal is indicative of the continued interest and confidence demonstrated by the business community in wanting to move into the Joondalup City Centre. The proposed design satisfies the main objectives and requirements of the Joondalup City Centre and Development Plan and Manual in terms of design, car parking and pedestrian movement for regional shopping centre location development.

The development has also been designed to be orientated towards the main streets with a robust introduction of colours and architectural improvements to the elevations so as to break up the building bulk.

The proposed variations to the Regional Shopping Centre usage to accommodate the above Showroom/Office and Retail would further contribute positively to the development of the Joondalup City Centre in providing a variety of uses and products for the increasing residential population within the City of Joondalup. The above proposed development in its current form can only reinforce investor confidence and attract more business to the City and is therefore supported.

## ADDITIONAL INFORMATION

Under the provisions of District Planning Scheme 2, a proposed variation to an approved Structure Plan shall be advertised, if, in the Council's opinion, the variation is likely to affect any adjoining owners or occupiers in the general vicinity (Clause 4.5.2). The clause requires that advertising under this part should be for a period of not less than 3 weeks.



Advertising would be required in the form of newspaper ads (cl 6.7.1.a), notice to affected ratepayers/ occupiers (cl 6.7.1.b), and other appropriate means at the Council’s discretion, which could include signage on site (cl 6.7.1.c).

In this case, the proposal includes:

- showroom and office land uses, which require a variation to the JCCDPM. The structure plan ordinarily requires regional shopping centre as preferred land uses, and
- the application of the car parking provisions applied to general city uses ( 1 bay per 30m<sup>2</sup> of floor space), as opposed to the regional shopping centre requirement (1 bay per 16.66m<sup>2</sup> of floor space).

However, those variations are considered not to have the potential for adverse impact upon any adjoining uses. Allowing the land uses in this location provides recognition that the subject land is effectively isolated from the regional shopping centre itself. The proposed development will provide for businesses where convenience of access and high visibility are equally important. Although, the scale of the building may seem unusual in this location, it is equivalent to that reasonably expected if a building of shopping centre scale was erected. The proposal also incorporates provision for other tenancies that would provide additional choices for business that may come to Joondalup as a preferred option.

The request for a variation to the regional shopping centre car parking standard also recognises the range of land uses provided in this proposal.

However, should the Council resolve to advertise the proposal, an alternate recommendation follows:

“ That Council:

- 1 **determines** that the proposal is likely to have an effect upon neighbouring ratepayers /occupiers, and
- 2 **advertises** the proposed development in accordance with the provisions of clause 4.5.2, and 6.7.1 of District Planning Scheme 2, for a period of 21 days”

**OFFICER’S RECOMMENDATION:** That Council:

- 1 **EXERCISES** discretion under clause 4.5 of the City of Joondalup District Planning Scheme No 2 to vary the requirements of the Joondalup City Centre Development Plan and Manual in respect to the following:
  - (a) allowing a change of use from Regional Shopping Centre to General City Uses for Lot 5 (15) Dwyer Turn/Daglish Way/Lawley Court, Joondalup;
  - (b) car parking being calculated for General City Uses at (1 carbay per 30 m<sup>2</sup>) instead of Regional Shopping Centre in this instance;
- 2 **RESOLVES** to approve the application and revised plans received on 19 March 2001 submitted by Greg Rowe & Associates on behalf of the owner, Joondalup Commercial Centre (Lakeside) Pty Ltd for Showroom/Office/Retail at Lot 5 (15) Dwyer Turn/Daglish Way/Lawley Court, Joondalup, subject to the following conditions:

- (a) the parking bays, driveways and point of ingress and egress to be designed in accordance with the Australian Standards for off-street car parking (AS2890) and the plan and manual as appropriate. Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the City, prior to the development first being occupied. These works are to be done as part of the building programme;
- (b) an on-site stormwater drainage system with a capacity to contain 1:100 year storm of a 24 hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. Alternatively, the stormwater can be disposed of via the City's existing stormwater disposal system. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;
- (c) the driveways and crossovers to be designed and constructed to the satisfaction of the City before occupation of buildings;
- (d) carbay grades are generally not to exceed 6% and disabled carbays are to be a maximum grade of 2.5%;
- (e) the existing crossovers not required as part of this development being closed, the kerblines reinstated and the verge graded, stabilised and landscaped to the satisfaction of the City prior to the development first being occupied;
- (f) Corners of buildings on the eastern side to be truncated to provide easier movements and better sight lines as indicated in red on the plans;
- (g) The lodging of detailed landscape plans, to the satisfaction of the City for the development site and the adjoining road verges with the Building Licence Application. For the purpose of this condition, a detailed landscaping plan shall be drawn to a scale of 1:100 and show the following:
  - (i) the location and type of existing and proposed trees and shrubs within the carpark area
  - (ii) any lawns to be established
  - (iii) those areas to be reticulated or irrigated
- (h) landscaping and reticulation be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the City;
- (i) any roof-mounted or free-standing plant or equipment such as air conditioning units, satellite dishes or radio masts to be located and screened so as not to be visible from beyond the boundaries of the development site;
- (j) should the development be staged, temporary landscaping and fencing must be installed prior to the development being occupied to the satisfaction of the City;

- (k) submission of a construction management plan, prior to commencing construction, detailing phasing of construction, access, storage of materials, protection of pedestrians, footpath and other infrastructure, to the satisfaction of the City;
- (l) the boundary walls and/or parapet walls being of a clean finish and made good to the satisfaction of the City.

### Footnotes

- 1 Compliance with the Building Code of Australia provisions for access and facilities for people with disabilities may not discharge any owner's or developer's liability under the Commonwealth Disability Discrimination Act (DDA). The Human Rights and Equal Opportunity Commission has developed guidelines to assist owners and developers in designing developments which may satisfy the requirements of the DDA. Copies of the guidelines may be obtained from the Disability Services Commission 53 Ord Street, West Perth, Telephone 9426 9200.
- 2 The existing site levels and design levels of all proposed development, including levels on top of the kerb at the crossover, are to be shown on the Building Licence Application.

### **MOVED Cr Magyar that Council:**

- 1 **DETERMINES that the proposal is likely to have an effect upon neighbouring ratepayers /occupiers;**
- 2 **ADVERTISES the proposed development in accordance with the provisions of clause 4.5.2, and 6.7.1 of District Planning Scheme 2, for a period of 28 days.**

This Motion was not pursued.

**MOVED Cr Hollywood, SECONDED Cr Wight that consideration of the matter pertaining to proposed showrooms/office/retail development at Lot 5 (15) Dwyer Turn/Daglish Way and Lawley Court, Joondalup be DEFERRED in order that the proposal be advertised for public comment for a period of 28 days; both through newspaper advertising and use of signs on the site in question.**

Cr Hollywood gave the following reasons in support of the Motion:

- concern regarding how the proposal fits with the planning identity of the City of Joondalup and the centre;
- opportunity to assess community opinion of those concerned prior to making final planning determination.

Manager, Urban Design and Policy Services advised the District Planning Scheme requires that the advertising be for a period of at least 21 days. If it is the wish of Council, the advertising could be for a longer period.

**AMENDMENT MOVED Cr Magyar, SECONDED Cr Rowlands that the following words be added after “ period of 28 days.....”**

*“in accordance with the provisions of clause 4.5.2, and 6.7.1 of District Planning Scheme 2,”*

**The Amendment was Put and**

**CARRIED**

**The Original Motion, as amended, BEING that consideration of the matter pertaining to proposed showrooms/office/retail development at Lot 5 (15) Dwyer Turn/Daglish Way and Lawley Court, Joondalup be DEFERRED in order that the proposal be advertised for public comment for a period of 28 days in accordance with the provisions of clause 4.5.2 and 6.7.1 of District Planning Scheme 2; both through newspaper advertising and use of signs on the site in question;**

**Was Put and**

**CARRIED**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf030401.pdf](#)*

**CJ100 - 04/01      URBAN AND REGIONAL PLANNING BILL - [45037]**

**WARD - All**

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CJ010403\_BRF.DOC:ITEM 11

## **SUMMARY**

State planning legislation is currently based on three primary Acts and numerous amendments. These Acts are the Town Planning & Development Act 1928, the Metropolitan Region Town Planning Scheme Act 1959 and the Western Australian Planning Commission Act 1985. The legislation is complex and fragmented.

The former State Government embarked on a programme to consolidate this legislation into one Act. The Bill was released as a Green Paper to allow public discussion prior to consideration of the Bill in parliament. The Western Australian Municipal Association (WAMA) has prepared a draft submission on the Bill (Attachment #1).

While the Bill is essentially a consolidation of existing legislation, it contains a number of new provisions and modifications which dilute the planning powers of local government, and which place greater control with the Minister or the State Government Planning agencies. The Bill contains a number of "call in" powers for the Minister. Some of these provisions represent major changes to the existing system and should not be introduced without wide general debate as to their validity or appropriateness.

The WAMA draft submission provides a comprehensive review of the major areas of concern in the Bill.

It is recommended that the Council forward this report and the WAMA draft as its submission on the Bill to the Ministry for Planning, and advise the Minister of its strong objection, and seek a new start to the preparation of a new Bill.

## **BACKGROUND**

Existing planning legislation dates back to 1928, and is based on three primary Acts (the Town Planning & Development Act 1928, Metropolitan Region Town Planning Scheme Act 1959 and Western Australian Planning Commission Act 1985). Over time, there have been many amendments to these Acts which have resulted in a very complex and fragmented legal framework. There is a need to consolidate the separate legislation into one Act that is simpler to understand and which more accurately reflects the planning system it supports.

The former State Government embarked on a programme to consolidate this legislation. As part of that consolidation programme, an advisory group was formed to provide advice and recommend any changes to improve and update the current legislation. The group was Chaired by Richard Lewis, a former Minister for Planning, and included members from diverse backgrounds and experience in planning and development matters.

A Discussion Paper outlining the proposed structure of the consolidated Bill and suggested changes to the current provisions was released for public comment on 16 October 1998. A total of 91 submissions were received. Where appropriate, modifications were made to reflect the outcome of the consultation process.

The former Minister for Planning and the legislative advisory group released the Bill as a Green Paper, to allow public discussion prior to the consideration of the Bill in parliament. Advice received from staff at the Ministry for Planning is that submissions on the Bill will be received up until the end of March 2001, however, it is not clear at this stage what the new Government's position on the new Bill will be, and it is considered desirable that a submission is made by Council in any event. The Director of Planning and Development has been a member of a WAMA reference group which has assisted WAMA in the preparation of a draft submission on the Bill (Attachment #1).

## **DETAILS**

The Bill contains some 250 clauses, together with a Consequential Provisions Bill, indicating necessary amendments to other legislation should the Bill proceed. The Bill is largely a consolidation of the existing principal Planning Acts, however, it does contain a number of new and amended provisions which further dilute the planning powers of local government, and place greater control with the Minister or the State Government Planning agencies. The more significant changes are referred to below, with greater detail contained within Attachment #1.

The Bill contains a number of "call in" powers. Clause 35 of the Bill allows the Minister to require that development applications be determined by the WA Planning Commission. This is, in effect, a "call in" power. Clause 84 greatly strengthens the Minister's ability to direct Council in their preparation and amendment of local planning schemes. This introduces of Right of Appeal on rezoning. This Appeal mechanism can be activated on "any representation" made to the Minister. Under the current Planning Act, a Council cannot be forced to amend its Town Planning Scheme if it chooses not to. The Minister can, however, intervene once a resolution is passed to amend the Scheme.

Under Clause 168, the Minister can have, through the Governor, an application declared as a matter of State significance. The application could not then be considered by Local Government, but would be determined by the Minister. No definition of 'State significance' is provided and a Minister could use this power to call-in any application without any justification.

The Bill imposes strict and often impractical time limitations on local government procedures without any corresponding time limits on the other parties in the process. At one point in the legislation, Clause 147(2) requires the Commission to "try to deal with the plan of subdivision" within 90 days. The instructions to local government throughout the Bill are that they **must** undertake certain planning functions within prescribed timeframes, usually 42 days.

The Bill fails to clarify the position with respect to binding the Crown under the Act. It has been the City's view in the past that the Crown should be obliged to submit applications for planning approval and, where they are on zoned land, these should be determined by the relevant local authority.

Clause 218 of the Bill enables the Minister to order a local government to force observance of the local Scheme, execute works or amend or revoke a development approval. This Clause introduces an appeal provision where an aggrieved party can approach the Minister and seek enforcement of the Scheme. The matter is then referred to the Appeals body, however, the Minister is not obliged to accept their advice. The current recourse for an aggrieved party is through the Courts. The new provision would require that Council must undertake that action if it disagrees with the Minister's decision on a matter. Such action could include the revocation of a planning approval, previously given by the local Authority, potentially leading to claims for compensation. The provision could greatly increase the cost and time taken to deal with planning approvals, as there will in effect be a right of third party appeal.

Attachment #1 contains the draft submission which has been prepared for WAMA. It provides detailed analysis of the Bill, and it is proposed that this form the basis of the Council's submission.

## COMMENTS

Although the Bill has been put forward as a consolidation of the existing planning legislation, it contains a number of new provisions which have significant impacts on the powers of local government. The Bill is attempting to introduce these powers without a fundamental review of the whole planning system. It is essential that the new government takes the opportunity of approaching the Bill from the perspective of the basic principles of planning, rather than attempting to draft on to the Bill significant changes in the way that the planning system operates. The Bill represents perhaps one of the most serious challenges to local government planning powers that have been made by any government to date. Some provisions within the Bill represent major changes to the existing system, and it is of great concern that these could be introduced without wide general debate as to the validity or appropriateness of such provisions within the State's planning system.

The comments contained in the WAMA submission in Attachment #1 provide a comprehensive review of the Bill and it is recommended that the draft submission, together with the comments contained in this report, be forwarded to the Ministry for Planning as Council's submission on the Bill.

It is further recommended that the Bill, in its present form, should be rigorously opposed by the Council. It is considered to be a direct attack on the planning powers of local government, and is designed to allow the State Government to interfere in what are, essentially, local planning matters. The Bill contains no substantial justification for the level of interference proposed, and can only serve to further centralise powers with the State Government. It is therefore further recommended that the Council write to the new Minister for Planning, expressing Council's concern and strong opposition to the Bill, and requesting a total reconsideration of the Bill with wider community involvement in its preparation.

**MOVED Cr Rowlands, SECONDED Cr Carlos that Council:**

- 1 DOES NOT support the Urban and Regional Planning Bill 2000;**
- 2 WRITES to the Minister for Planning:**
  - (i) expressing Council's strong opposition to the Urban and Regional Planning Bill 2000,**
  - (ii) seeking a new start to the preparation of a new Planning Bill, designed to meet the needs of local government and the community, with wider community involvement in its preparation.**
- 3 ADVISES Western Australian Municipal Association and the Ministry for Planning of Council's decision.**

**The Motion was Put and**

**CARRIED**

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf030401.pdf](#)*

<b>REPORT OF THE CHIEF EXECUTIVE OFFICER</b>
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Nil

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

*Cr Wight declared a non-financial interest in C26-04/01 - Notice of Motion, Cr S Magyar as he has an association with the Beaumaris Sports Club.*

*Cr Hollywood declared a non-financial interest in C26-04/01 – Notice of Motion, Cr S Magyar as he is a member of the Beaumaris Sports Club.*

**C26-04/01 [NOTICE OF MOTION – CR S MAGYAR](#)**

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Steve Magyar has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 10 April 2001:

“That the Council enforces the determination of the mediation between the Joondalup Brothers Rugby Club and the Joondalup Lakers Hockey Club in relation to the allocation of playing fields at the Beaumaris Sporting Club.”

**MOVED Cr Magyar that Council ASSISTS in the implementation of the mediation between the Joondalup Brothers Rugby Club and the Joondalup Lakers Hockey Club by providing and funding the construction of two additional light poles and fittings in the location in the location requested, if requested by the rugby club.**

Mayor Bombak advised that Cr Magyar’s proposed amended motion was in breach of Standing Orders, as the motion was required to be put as printed and seven clear days notice given.

**MOVED Cr Magyar that the Council enforces the determination of the mediation between the Joondalup Brothers Rugby Club and the Joondalup Lakers Hockey Club in relation to the allocation of playing fields at the Beaumaris Sporting Club.**

Director, Community Development gave an overview of the information provided to Council with respect to the mediation session conducted at a cost to the City by the Citizens Advice Bureau on Friday, 6 April 2001.

The outcomes of this session are still under consideration by two of the parties to this dispute, whilst the Joondalup Brothers Rugby Club has endorsed the draft agreement.

Director, Community Development explained the role of the City in disputes of this nature.

The allocation of parks for sporting purposes is an administrative function of the City and is best handled at this level.

In view of the fact that the dispute and the outcomes of the mediation to the dispute are still under consideration by the parties, Council needs to exercise caution in addressing this matter.

Cr Hollywood advised he had been approached by the sporting association with a view to deferring this matter this evening as it was still the subject of mediation. Should any action be required, this be considered at the next full Council meeting.

**There being no SECONDER, the Motion**

**LAPSED**

#### **DATE OF NEXT MEETING**

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY 24 APRIL 2001** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

*Crs Patterson and Kenworthy left the Chamber, the time being 2018 hrs.*



**SECOND PUBLIC QUESTION TIME****Mrs M Zakrevsky, Mullaloo:**

*Re: CJ088-04/01 and CJ089-04/01*

*Q1 Why is the Manager, Organisation and Strategic Development travelling to Brisbane at a cost of \$605.00 and the Manager, Executive Services for a similar cost, that is a cost of \$1,200.00. If Cr Kenworthy travels then the last two mentioned persons travel business class at a cost of \$1,650.00. Is the extra \$2,000.00 for luxury travel really warranted? Why shouldn't all three travel for a total cost of \$1,800.00 to the ratepayers instead of the proposed total cost of nearly \$4,000.00?*

*A1 Council policy is that elected members are entitled to travel business class and where officers accompany an elected member, they travel at the same class. It is up to each individual elected member whether or not they wish to accept that class of travel.*

*Q2 Is it necessary for the second officer concerned to have a Councillor travel with him to get the benefit of business class travel?*

*A2 That is true. An officer travelling alone would travel economy class, as per the policy of the Council.*

**Mr T O'Brien, Padbury:**

*Page 43 of agenda – Notice of Motion, Cr S Magyar:*

*Q1 In reference to a determination of this mediation process in relation to Joondalup Lakers Hockey Club, the Election Officer, Mr Brian Moore has a vested interest in this matter as a founding member of the Joondalup Lakers Hockey Club. Does that seem prudent under the election process?*

*A1 To the best of knowledge, Mr Brian Moore has nothing whatsoever to do with the mediation process between these clubs and has not participated whatsoever.*

**Mr M Sideris, Mullaloo:**

*Q1 With respect to an announcement made earlier in the meeting by Mayor Bombak in relation to A Coastal Zone Management Policy which will form the basis for setting strategies for the coast:*

*Will this Council forward the information to the Joondalup City Community Coastcare Forum for its input on this matter? For your information, the Secretary is Mr K Pearce, Oceanside Promenade.*

*A1 A Council officer attends those meetings and this information could be passed on to the Coastcare group for its comment and assistance to Council.*

*Q2 Who made the decision to allow Chubb to sub-contract the provision of security services?*

*Q3 Was this decision made before or after the contract was let to Chubb Security?*

Q4 *Were the elected members and the public made aware that Chubb intended to sub-lease the provision of those services?*

Q5 *Is this part of the reason why this Council has forced me to lodge an FOI application seeking further information on that particular tender?*

A2-5 These questions will be taken on notice.

**Mr D Davies, Connolly:**

*Re: CJ088-04/01 and CJ089-04/01*

Q1 *Would Cr Kenworthy consider flying economy class and thereby save the City's ratepayers \$2,000.00?*

A1 Your comments are noted.

### **REQUEST FOR ELECTED MEMBER TO MAKE A STATEMENT**

Following a request by Cr Ewen-Chappell, Mayor Bombak advised Standing Orders did not provide for an elected member to make a statement.

**Mrs C Wood, Craigie:**

*Re CJ096-04/01, Page 22 – Podiatry Services.*

- *In relation to the total of patients listed as 509, as at June 200; this should read 412.*
- *Mrs Woods advised there is a podiatry service at the Joondalup Health Clinic.*

**Mr T O'Brien, Padbury:**

Q1 *Regarding the proposed closure of the horse exercise area, it is noted there are vested interests or other parties with expressions of interest. Has there been any proposals tabled from the Whitford Yacht Club with regard to expanding their commitment to the area; or a water jetski park. As was tabled in 1982 to the former Shire of Wanneroo the area was proposed to be a nudist beach.*

A1 To the best of knowledge, there has been no expressions of interest in recent times along those lines.

### **PERSONAL EXPLANATION – CR L EWEN-CHAPPELL**

Cr Magyar referred to a request earlier in the meeting by Cr Ewen-Chappell that she be permitted to address the Chamber in accordance with her rights under Clause - 4.5 Personal Explanation.

Chief Executive Officer advised that the Standing Orders Local Law made provision for elected members to make a personal explanation.

Cr Ewen-Chappell offered her thanks to Chief Executive Officer, Directors and Business Unit Managers for the way in which the City of Joondalup is administered and for the expertise and knowledge held by all concerned.

Cr Ewen-Chappell gave special thanks to Messrs Allyn Bryant, Ron Chamberlain and Frank Nelson, all of whom have had a long involvement with the community.

Best wishes were offered to prospective candidates present in the gallery this evening, as well as sitting elected members up for re-election.

## **CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 2030 hrs; the following elected members being present at that time:

J BOMBAK, JP  
L A EWEN-CHAPPELL  
D S CARLOS  
S P MAGYAR  
A NIXON  
J F HOLLYWOOD, JP  
A A WALKER  
P ROWLANDS  
T BARNETT  
A W WIGHT, JP  
C MACKINTOSH