

DRAFT AGENDA

FOR ELECTED MEMBERS'

BRIEFING SESSION

TUESDAY, 19 MARCH 2002

PUBLIC QUESTION TIME

Council allows for public question time at each Council meeting or Briefing Session which is opened to the public. Questions must relate to the ordinary business of the City of Joondalup or the purpose of the Special Meeting, as appropriate.

The Mayor or the presiding person is responsible for the procedures and conduct of the public question time.

To enable <u>prompt</u> and <u>detailed</u> responses to questions, members of the public are requested to lodge questions in writing to the Committee Clerk two (2) days prior to the Council meeting or Briefing Session at which the answer is required. Answers to those questions received within that time frame will be provided in hard copy form at that meeting.

Those questions that are to be asked at the meeting are requested to be submitted in writing and placed in the 'question tray' prior to the commencement of the meeting. Those questions submitted in writing will be read aloud by the Chief Executive Officer and answers provided where possible. Verbal questions may be asked by members of the public and the period of time for verbal questions will be a minimum of fifteen (15) minutes.

The Mayor or presiding person shall decide to:

- accept or reject the question;
- nominate a member of the Council and/or officer to answer the question; or
- determine that any complex question which requires research shall be taken on notice with a response provided as soon as possible and included in the agenda for the next ordinary meeting of the Council.

The following rules apply to question time:

- question time is not to be used by a member of the public to make a statement or express a personal opinion.
- questions should properly relate to Council business.
- question time shall not be used to require an Elected Member or an officer to make a personal explanation.
- questions should be asked politely and are not to be framed in such a way as to reflect adversely on a particular Elected Member or officer;
- where an elected member is of the opinion that the question is not relevant to the business of the City of Joondalup or that a member of the public is making a statement, they may bring it to the attention of the meeting.

CITY OF JOONDALUP – BRIEFING SESSION

to be held in the Council Chambers, Joondalup Civic Centre, Boas Avenue, Joondalup on TUESDAY, 19 MARCH 2002 commencing at 6.00 pm

ORDER OF BUSINESS

1 OPEN AND WELCOME

2 PUBLIC QUESTION TIME

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of absence previously approved:

Cr J Hurst	18 March – 22 March 2002 and 28 March – 14 April 2002
Cr Mackintosh	25 March – 19 April 2002
Cr P Kadak	3 April – 24 May 2002
Cr T Barnett	20 April – 28 April 2002

4 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

5 REPORTS

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ITEM 1 POLICY FOR DISPOSAL OF SURPLUS PERSONAL COMPUTERS – [38510]

WARD - All

PURPOSE

To adopt a policy for the disposal of the City's surplus personal computers to schools and community groups.

EXECUTIVE SUMMARY

The City of Joondalup purchases personal computers (PC) annually in accordance with its PC replacement schedule. The City will replace a PC after it has reached its useful life of 3 years. The City's current practice for disposal of PCs is by auction.

At its meeting of 13 November 2001 Council resolved to develop a policy that will enable the donation of surplus PCs to interested schools and community groups within the City of Joondalup. This report presents the recommended policy.

BACKGROUND

The City's personal computers are currently replaced under a three-year rolling replacement program. Under this program up to one third of corporate PCs are replaced each year.

At present all computer equipment is fully depreciated over a three-year period. When computer equipment is replaced or made obsolete it is disposed of at public auction by the City, with any profits realised recorded against the City's Profit on Asset Disposal account. While the PCs are fully written off in the City's asset register, the PCs may realise up to \$100 per unit at auction depending on specification. Before PCs are sent to auction their hard drives are reformatted to remove all software licences and data, which remains the property of the City.

DETAILS

Most of 85 PCs replaced this year will be recycled for use within the City's Libraries for public use, with approximately 30 PC's being surplus to requirements. Rather than dispose of the surplus PCs at auction, it is proposed that these PCs be donated to schools and community groups within the City of Joondalup.

It is proposed that the overall approach for this process for 2001/2002 and subsequent financial years will be as follows:

- The City will prepare a list of PCs that are surplus to requirements. This list will detail the specification of each computer and the date the equipment is available.
- Submissions will be invited from schools interested in the PCs. Guidelines for submissions are in line with the City's Community Funding guidelines and distribution decisions will be made by a panel consisting of both staff and elected

members. In the event that insufficient interest is received from schools, then community groups will be offered the equipment.

- Any equipment that is not donated to schools and community groups will be auctioned.
- The hard drives of all PCs will be reformatted to remove all software and data before they are either donated or auctioned.
- A schedule of all PCs donated showing their identification details will be removed from the City's Asset Register.

Financial Implications:

The surplus PCs have been written off in the City's asset register but may realise up to 3,000 (30 units @ 100 each) if disposed by auction.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council ADOPTS the Policy for Disposal of Surplus Personal Computers forming Attachment 1 to this Report.

Appendix 1 refers

To access this attachment on electronic document, click here: Attach1brf190302.pdf

ITEM 2 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [15876]

WARD - All

PURPOSE

To provide a listing of those documents executed by affixing the Common Seal for noting by Council.

EXECUTIVE SUMMARY

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 14.02.2002 to 28.02.2002, not previously listed.

Document:	Copyright
Parties:	City of Joondalup and Kevin Merifield
Description:	Recording of historical importance – Kevin Merifield
Date:	14.02.02
Document:	Lease
Parties:	City of Joondalup and Minister for Education
Description:	Craigie Pre-School
Date:	14.02.02
Document:	Deed
Parties:	City of Joondalup and van Gogh Holdings Pty Ltd
Description:	Access and Parking Agreement – Lot 100 (4) Elcar Lane, Joondalup
Date:	14.02.02
Document:	Agreement
Parties:	City of Joondalup
Description:	Amendment to District Planning Scheme No 2 – Amendment No 11
Date:	18.02.02
Document:	Agreement
Parties:	City of Joondalup
Description:	Amendment to District Planning Scheme No 2 – Amendment no 8
Date:	18.02.02
Document:	Copyright
Parties:	City of Joondalup and June Lyndhurst
Description:	Recording of historical importance – June Lyndhurst
Date:	26.02.02
Document:	Copyright
Parties:	City of Joondalup and Ken Mann
Description:	Recording of historical importance – Ken Mann
Date:	26.02.02

Document:	Deed
Parties:	City of Joondalup and State of Western Australia
Description:	Deed of Indemnity for City of Joondalup to use Law Courts grassed
	area for Joondalup Festival – 23 and 24 March 2002
Date:	28.02.02

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Schedule of Documents executed by means of affixing the Common Seal be NOTED.

ITEM 3 REVIEW OF THE COUNCIL'S DECISION-MAKING PROCESS - [02154] [08122] [27456] [23184]

WARD – All

PURPOSE

For the City to ensure it is meeting best practice principles by reviewing its decision making process.

EXECUTIVE SUMMARY

Section 5.25(g) of the Local Government Act 1995 and Clause 12 of the Local Government (Administration) Regulations 1996 require a local government to set its meeting dates and at least once each year give local public notice of the time, date and place of its ordinary meetings.

The Council at its Special Meeting held on 7 May 2001 agreed to meet on the second and fourth Tuesdays of each month, supported by informal briefing sessions on the first and third Tuesdays of the month (with the exception of December – one round of meetings; and January – Council recess). This meeting cycle was set for the period May 2001 to April 2002.

This mode of decision making is regarded as a modern approach that meets the needs of best practice principles and effectively provides better customer service to the community that local government serves.

In an effort to enhance the decision making process of the City, this paper has been prepared to further review the process and suggest improvements. The major reason for the review is due to the concerns relating to the ability to discuss issues of a strategic nature behind closed doors. The following options are suggested.

- Strategy Session/Briefing Session/Council Meeting per month;
- Strategy Session and Briefing Session/two Council Meetings per month;
- Two Strategy Sessions/two Council Meetings per month.

It is recommended that the option of Strategic Session, Briefing Session, ordinary Council meeting be adopted on a 'rolling' three week cycle, with the Council recessing for the Christmas/New Year period.

BACKGROUND

Section 5.25(g) of the Local Government Act 1995 and Clause 12 of the Local Government (Administration) Regulations 1996 require a local government to set its meeting dates and give local public notice of the time, date and place of its ordinary meetings.

It is general practice that at a May meeting of each year, the Council reviews its meeting dates and timetable. The Council at its Special meeting held on 7 May 2001 resolved to:

"1 hold two Ordinary Council meetings per month on the second and fourth Tuesdays of each month commencing at 7.00 pm;

- 2 hold two informal briefing sessions per month, that are open to the public, on the first and third Tuesdays of each month commencing at 6.00 pm;
- 3 SET the following meeting dates for the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup;

Month	<u>Briefing Sessions</u> to be held in Conference Room 1	<u>Council Meetings</u> To be held in the Council Chamber
May 2001	Tuesday 15 May 2001	Tuesday 22 May 2001
June 2001	Tuesday 5 June 2001 Tuesday 19 June 2001	Tuesday 12 June 2001 Tuesday 26 June 2001
July 2001	Tuesday 3 July 2001 Tuesday 17 July 2001	Tuesday 10 July 2001 Tuesday 24 July 2001
August 2001	Tuesday 7 August 2001 Tuesday 21 August 2001	Tuesday 14 August 2001 Tuesday 28 August 2001
September 2001	Tuesday 4 September 2001	Tuesday 11 September 2001
	Tuesday 18 September 2001	Tuesday 25 September 2001
October 2001	Tuesday 2 October 2001 Tuesday 16 October 2001	Tuesday 9 October 2001 Tuesday 23 October 2001
November 2001	Tuesday 6 November 2001	Tuesday 13 November 2001
	Tuesday 20 November 2001	Tuesday 27 November 2001
December 2001	Tuesday 11 December 2001	Tuesday 18 December 2001
January 2002	Recess	Recess
February 2002	Tuesday 5 February 2002	Tuesday 12 February 2002
	Tuesday 19 February 2002	Tuesday 26 February 2002
March 2002	Tuesday 5 March 2002 Tuesday 19 March 2002	Tuesday 12 March 2002 Tuesday 26 March 2002
April 2002	Tuesday 2 April 2002 Tuesday 16 April 2002	Tuesday 9 April 2002 Tuesday 23 April 2002

4 in accordance with the Local Government Act 1995, GIVE local public notice of the meeting dates as detailed in (3) above."

The two ordinary meetings of the Council per month, supported by two informal briefing sessions were introduced by the Joint Commissioners as from July 1998. This mode of decision making has continued by the newly elected Council for the City of Joondalup since December 1999.

The Council has also continued the practice of holding informal deputation sessions between the hours of 5.00 pm and 6.00 pm, prior to the Council meetings. This concept was introduced by the Joint Commissioners in an effort to allow members of the community to present their case on particular matters before the Council. Requests for deputations are to be submitted by 4.00 pm on the Friday prior to the Council meeting.

In an effort to assist the Council in its decision-making process, the former City of Wanneroo and the now City of Joondalup established numerous committees of an advisory nature. These were predominantly established in 'specialised areas' to assist the Council in its decision-making. A majority of these types of committees consisted of some elected member membership.

DETAILS

The state of Western Australia is divided into districts and these local governments are governed by an elected Council. The role of the Council is to:

- direct and control the local government's affairs;
- be responsible for the performance of the local government's functions;
- oversee the allocation of the local government's finances and resources; and
- determine the local government's policies.

A local government is a body corporate with perpetual succession and a common seal. The elected Council consists of a Mayor, Deputy Mayor and Councillors.

The Local Government Act 1995 specifically explains the role and function of the Council, Mayor, Deputy Mayor, Councillor and the Chief Executive Officer. The role of the Council is as stated before and primarily focusing on policy setting and strategic initiatives for the organisation. Whereas, the role of the Chief Executive Officer is primarily focusing on implementing the decisions of the Council and being responsible for the day to day management of the organisation.

The decision making takes place when the Council meets as a whole in order to make informed decisions and such meetings are to be held so they are not more than three (3) months apart.

The Act details that the Council may make decisions through ordinary and/or special meetings of the Council. The Act also states that in order to assist the Council in its decision making process, it may delegate certain powers to either a committee or the Chief Executive Officer.

Option 1: Strategy Session/Briefing Session/Council Meeting – three weekly cycle.

This option would effectively move the 'green papers' from after the draft agenda briefing, to a separate evening where the strategic session would be closed to the public. The strategy session would be held on the first Tuesday of the month, followed by the briefing session on the second Tuesday, followed by the ordinary meeting of the Council held on the third Tuesday. This would continue on a 'rolling' three weekly cycle, with the exception of the Christmas and New Year period. Advantages:

- all elected members and the public are briefed at the same time on all issues on notice paper items;
- allows the administration to brief members on issues of a strategic nature in a conducive environment;
- does not tailor elected members into specialised access of the Council's operations, eg expert in Technical Services items etc;
- no greater in meeting times (over period of the month) for elected members.

Disadvantages:

- Slower decision making times for the customers, deferred items are delayed by a minimum of three weeks and not the current delay of a fortnight;
- may be an increase in late and urgent business;
- potentially longer Council meetings;
- no 'spare' Tuesdays to deal with other matters that may arise.

Option 2: Strategy Session and Briefing Session/two Council Meetings per month

This would see a continuation of the current meeting/briefing sessions cycle, however this option suggests that the 'green papers' of a strategic nature be discussed first, followed by the draft agenda items. More time and consideration would be given to the strategy issues, with points of clarification being sought on the draft notice paper items. These sessions would be closed to the public.

Advantages:

- improves the decision making time for the customer;
- shorter meetings for elected members;
- all elected members are briefed at the same time;
- allows for elected members to ask questions, points of clarification in a conducive environment and reduce the potential for confrontation;
- does not tailor elected members into specialised areas of the Council for example, expert in Technical Services items;
- if items are deferred, they are only deferred for a two week period;
- reduces the need for late and urgent business;
- closed briefing sessions may allow members to more 'openly' discuss matters.

Disadvantages:

• Possibly inadequate time to deal with all issues in one evening.

Option 3: Two Strategy Sessions/two Council Meetings per month

This would involve two strategy sessions on the first and third Tuesdays of the month, with ordinary meetings of the Council on the second and fourth Tuesdays. The strategy sessions would be closed to the public and the briefing sessions for the notice paper items would no longer occur with items being presented direct to the ordinary meeting.

Advantages:

- improves the decision making time for the customer;
- shorter meetings for elected members;
- all elected members are briefed at the same time;
- allows for elected members to ask questions, points of clarification in a conducive environment and reduce the potential for confrontation;
- does not tailor elected members into specialised areas of the Council for example, expert in Technical Services items;
- if items are deferred, they are only deferred for a two week period;
- reduces the need for late and urgent business.

Disadvantages:

• No opportunity for elected members to be briefed on 'draft' notice paper items in a group environment prior to consideration at a full Council meeting, therefore may lead to more items being deferred.

In an effort to ascertain what practices other leading local governments are following, the following information is forwarded:

City of Wanneroo

Comprises of an elected Council of 15 (Mayor and 14 elected members from seven wards). A three weekly meeting cycle comprising a Councillors/Staff Policy Forum in week one; briefing session in week two and a full Council meeting in week three. This continues with no break in the cycle with the exception of the Christmas/New Year recess. The City of Wanneroo has advised that it is undertaking a review of its decision making process.

City of Melville

Comprises of an elected Council of nineteen (Mayor and 18 elected members from six wards). Three Standing Committees, two meet at the same time on same evening and the other meets a week later and then report to the one Council meeting per month. Each Standing Committee comprises the Mayor and six members, one member from each ward, with the other two ward members serving as deputies. The City of Melville has experienced difficulties in obtaining deputies to serve on a committee when the committee meetings are held on the same evening as the other Ward member would be attending the other committee meeting.

City of Stirling

Comprises of an elected Council of fifteen (Mayor and 14 elected members). Four Standing Committees are established, with two meeting in the first week of the month and reporting to an ordinary meeting of the Council held in the second week. The remaining two committees would meet in the third week and report to the Council meeting scheduled for the last week of the month. Each committee comprises seven members, including the Mayor. Such a decision-making process is similar to having one Council meeting per month as items are required to go to the committee prior to being submitted to the Council for consideration.

Comprises an elected Council of nine (Lord Mayor and eight elected members). The City of Perth operates the same decision making process as the City of Joondalup, the two Council meetings/two briefing sessions per month. The only difference being the briefing sessions are held during the day and are not open to the public. This process has been operating since the inaugural elections of the new City of Perth in 1995.

City of Swan

Comprises an elected Council of fourteen (Mayor and 13 elected members). The City of Swan holds Briefing Sessions on an as-required basis, to consider those items which are to be submitted to Council in the longer term.

City of Bunbury

Comprises an elected Council of thirteen (Mayor and 12 elected members). The City of Bunbury operates one Committee/one Council meeting twice per month. The Council itself comprises the Committee and reports to the Council itself, this happens twice per month.

City of Manningham (Victoria)

Below is the comment received from the City of Manningham:

On the Tuesday the week before and the Tuesday the week after a Council meeting, Council holds a strategic briefing session. This session considers draft policies and strategies at an early stage and has input into their development. It also considers the significant issues being reported to Council. The strategic briefing sessions are attended by all Councillors and our Executive Management Team. The Strategic Briefing Sessions do not formally resolve on issues. The system works very effectively as it has the advantage of overcoming the confrontation between officers and Councillors over the contents of reports because there is a conducive environment in which they can discuss the issues, there is a cohesive working relationship between Councillors as they can discuss issues without feeling the need to grandstand in front of constituents and it generally improves the working relationship between Councillors and Officers.

COMMENT

Over the past decade, the focus of all manner of business has been concentrated on improved customer service. This relates as much to local governments as any other business, as our customers increasingly expect an improved quality of service.

In an attempt to achieve best practice principles, a modern approach that meets these requirements and effectively provides better customer service, has been adopted by many local governments. The administration of the City of Joondalup has been for some time striving to achieve best practice principles, including various benchmarking exercises. An example would be the combining of the building and planning approval process in an effort to better serve the customer. The modern approach involves the introduction of briefing sessions. The application of such meeting processes, provides the opportunity for all elected

members to be equally informed, initially on an informal basis at the Briefing Session, where matters can be thoroughly discussed before any formal decision is to be made by full Council.

The document prepared by the Department of Local Government "The Preparation of Agendas and Minutes" states:

"A well functioning local government is an excellent example of the elected body and the supporting administration working together to produce the best results for those that they serve, the community, the elected body and the administration come together at meetings of the Council, where the elected members knowledge and experience, and the advice from staff to make decisions.

With a well structured decision making process, this will lead to the elected body having efficient and effective meetings in order that they produce good decisions that are made following analysis of sound advice and constructive debate."

As stated before, the modern role of the elected body is to set policy and strategy, and provide goals and targets for the local government. The staff have the task of implementing the decisions. A well structured decision making process will provide the elected body with the opportunity to seek points of clarification, ask questions, adequate time to research issues and maximum time to debate matters before the Council. It would be fair to say that the time spent on briefing sessions could be better utilised discussing those matters of a strategic nature. This would allow the administration to make presentations and consult with the Council and seek direction on policy and strategic issues.

In an effort to allow members to better focus on the strategic direction of the Council, it is suggested to better achieve a more conducive environment to allow free flowing conversation amongst elected members and officers, that the strategy sessions be held behind closed doors and at a time which allows members to clearly focus on the issues before them. The current process of having the 'strategic' green papers discussed late on the evening following the draft notice paper items does not 'justify' the importance of the matters. Closing the strategy sessions will allow officers to make detailed presentations and seek feedback, direction and guidance from elected members.

It is still intended to hold briefing sessions which would be open to the public where the draft notice papers would be discussed.

The proposed meeting cycle does not include any form of session on the Tuesday evening following the Easter holiday period in 2003. Therefore there will be a two week period from the scheduled briefing session (15 April 2003) to the ordinary meeting of Council (29 April 2003).

Deputation sessions

It is opportune to also raise the concerns relating to deputation sessions. It is evident that there appears to be difficulty for some elected members to attend the sessions in their current time slot. There is also a concern that having deputations immediately prior to a Council meeting may raise issues that need addressing prior to the Council meeting, with the current timeframe this cannot be done and may lead to the item being deferred for a two week period, or the Council making a decision potentially without all the matters being addressed.

In an effort to overcome this, it is suggested that deputations be moved to immediately prior to or as part of the briefing session, which will then allow issues raised at the sessions to be addressed prior to the matter being discussed by the full Council.

It should be noted that as the Council has set its meeting dates up to 16 April 2002, any change to this may require the original decision to be revoked, by an absolute majority.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1 ADOPTS Option 1 as detailed in this Report, being a strategy session (closed to the public), briefing session (draft notice paper) and ordinary Council meeting;
- 2 AGREES to hold informal deputation sessions for those requesting them in conjunction with the briefing session;
- **3** SETS the following meeting dates for the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:

Strategy Sessions	Briefing Session	Council Meetings	
To be held at 6.00 pm in	To be held at 6.00 pm in	To be held at 7.00 pm in the	
Conference Room 1	Conference Room 1	Council Chamber	
Tuesday 7 May 2002	Tuesday 14 May 2002	Tuesday 21 May 2002	
Tuesday 28 May 2002	Tuesday 4 June 2002	Tuesday 11 June 2002	
Tuesday 18 June 2002	Tuesday 25 June 2002	Tuesday 2 July 2002	
Tuesday 9 July 2002	Tuesday 16 July 2002	Tuesday 23 July 2002	
Tuesday 30 July 2002	Tuesday 6 August 2002	Tuesday 13 August 2002	
Tuesday 20 August 2002	Tuesday 27 August 2002	Tuesday 3 September 2002	
Tuesday 10 September 2002	Tuesday 17 September	Tuesday 24 September	
	2002	2002	
Tuesday 1 October 2002	Tuesday 8 October 2002	Tuesday 15 October 2002	
Tuesday 22 October 2002	Tuesday 29 October 2002	Tuesday 5 November 2002	
Tuesday 12 November 2002	Tuesday 19 November	Tuesday 26 November 2002	
	2002		
Tuesday 3 December 2002	Tuesday 10 December	Tuesday 17 December 2002	
	2002		
January 2003 - Council recess			
Tuesday 4 February 2003	Tuesday 11 February	Tuesday 18 February 2003	
	2003		
Tuesday 25 February 2003	Tuesday 4 March 2003	Tuesday 11 March 2003	
Tuesday 18 March 2003	Tuesday 25 March 2003	Tuesday 1 April 2003	
Tuesday 8 April 2003	Tuesday 15 April 2003	Tuesday 29 April 2003	
Footnote: there is no meeting scheduled for the Tuesday after the Easter holiday			
period.	-	-	
<u>·</u> •			

4 in accordance with the Local Government Act 1995, GIVES local public notice of the meeting dates as detailed in (3) above.

ITEM 4 WARRANT OF PAYMENTS - 28 FEBRUARY 2002 – [09882]

WARD - All

PURPOSE

The Warrant of Payments as at 28 February 2002 is submitted to Council to be noted.

EXECUTIVE SUMMARY

This report details the cheques drawn on the funds during the month of February 2002. It seeks Council's approval for the payment of the February 2002 accounts.

DETAILS

FUNDS	VOUCHERS	AMOUNT	
		\$ c	
Director Resource Management Advance Account	037607-038304	4,164,338.12	
Municipal	000300A-000303	4,884,613.17	
	TOTAL \$	9,048,951.29	

The difference in total between the Municipal and Director of Resource Management Advance Account is attributable to the direct debits by the Commonwealth Bank for bank charges, credit card charges, investments and dishonoured cheques being processed through the Municipal Fund.

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of February 2002, the amount was \$505,505.20.

The cheque register is appended as Attachment A.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$9,048,951.29 which is to be submitted to each Councillor on 26 March 2002 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

ALEXANDER SCOTT Manager Financial Services J B TURKINGTON Director Corporate Services & Resource Management

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$9,048,951.29 submitted to Council on 26 March 2002 is recommended for payment.

..... Mayor John Bombak

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 28 February 2002, certified by the Mayor and Director Corporate Services & Resource Management and totalling \$9,048,951.29.

FUNDS	VOUCHERS	AMOUNT	
		\$ c	
Director Resource Management Advance Account	037607-038304	4,164,338.12	
Municipal	000300A-000303	4,884,613.17	
	TOTAL \$	9,048,951.29	

Appendix 2 refers

To access this attachment on electronic document, click here: <u>Attach2brf190302.pdf</u>

ITEM 5 FINANCIAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2002 – [07882]

WARD - All

PURPOSE

The February 2002 financial report is submitted to Council for noting.

EXECUTIVE SUMMARY

The February 2002 report is the seventh financial report for the 2001/2002 year. The report shows a variance of \$4.3m when compared to the Adopted Budget for the year to date. This variance reflects differences attributable to the timing of revenue and expenditure and does not represent net savings for the year. This February 2002 report compares the actual results to the Adopted Budget and does not include the amendments arising from the half-year financial review. Reporting against the Revised Budget has not been possible for the February 2002 report, however changes arising from the half-year review will be included in the March 2002 report.

This variance can be analysed as follows-

- The **Operating** position shows an Operating surplus of \$1.9m to budget at the end of February 2002 due to revenue received in arrears of \$0.2m and the underspending in Labour and Materials & Contracts of \$2.1m.
- **Capital Expenditure** for the year-to-date is \$0.6m and is below the year-to-date budget of \$1.1m, a variance of \$0.5m at the end of February 2002.
- **Capital Works** expenditure for the year-to-date amounted to \$5.5m against a year-to-date budget of \$7.4m, a variance of \$1.9m at the end of February 2002. However, the City has committed expenditure through raised purchase orders of \$2.30m.

DETAILS

The financial report for the month ending 28 February 2002 is appended as Attachment A

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That the Financial Report for the month ended 28 February 2002 be noted.

Appendix 3 refers

To access this attachment on electronic document, click here: <u>Attach3brf190302.pdf</u>

ITEM 6 TENDER NO. 027-01/02 - DESIGN AND CONSTRUCTION OF WHEEL SPORTS FACILITY – [74519] [027-01/02]

WARD – North Coastal

PURPOSE

To accept the tender from Skatetech WA of \$103,785 for the design and construction of a Wheel Sports Facility at MacNaughton Park, Kinross.

The location has previously been agreed and the scope of works submitted conforms to the Skatepark Committee requirements.

EXECUTIVE SUMMARY

Council advertised Tender No. 027-01/02 Statewide for Design and Construction of a Wheel Sports Facility.

One tender was received from Skatetech WA based in Margaret River, Western Australia. Evaluation of the tender confirms that Skatetech WA has the capacity and expertise to construct a wheel sports facility in accordance with the scope of works documentation.

This report recommends that Council:

- *ACCEPTS the tender from Skatetech WA of \$103,785 for the Design and Construction of a Wheel Sports Facility at MacNaughton Park, Kinross;*
- *2 AUTHORISES signing of the contract documents.*

BACKGROUND

Council included in the 2001/2002 adopted budget funding for the construction of Skateboard facilities amounting to \$276,465 (Account No. 4092).

Council, at its meeting of 12 March, 2002 received Report No (CJ054-03/02) accepting Tender No. 38-01/02 Design and Construction of an insitu Skate Facility at Carine Regional Open Space in a joint venture with City of Stirling.

This report authorised expenditure of \$75,000 from Account No. 4092 in accordance with recommendations from the Skatepark Committee.

DETAILS

MacNaughton Park was the agreed location for a Skatepark facility. Tender Documentation was prepared and advertised on 9 February, 2002 in The West Australian newspaper.

The tender for design and construction provided the opportunity for suppliers to provide "something different" in Skatepark options. The scope of works requires the tenderer to:

- a) provide detailed construction drawings for approval by the Principal within 20 calendar days of acceptance of tender
- b) Provide a detailed works program within 7 days of acceptance of the design by the **Project Committee**
- c) Construction works shall be completed within 40 calendar days from acceptance of the detailed design plans.

Skatetech WA has provided concept plans and preliminary construction plans for consideration. These concepts and preliminary plans conform to the requirements identified by the Skatepark Committee's Needs Analysis.

Skatetech WA and Conquest Skate Parks, Queensland have combined to form Convic International Pty Ltd. This company brings together experience and expertise in Skatepark construction. Skatetech WA has listed 33 locations in WA where it has provided facilities.

Selection Criteria

- Fitness of preliminary design submitted with the tender along with Principal's • purpose statement, competitive advantages of design features, spares availability in Western Australia
- Tenderer's design and construction methodology and implementation strategy •
- Tenderer's resources (people, software, equipment and capability), experience and ability to deliver a cost effective solution and customer services within time
- Tenderer's safety record, safety design, and quality control and management • process
- Local content in the Tenderer's selection of materials, resources and understanding local community needs

Skatetech WA has complied with the above tender evaluation criteria.

Financial Implications:

Account No: Budget Item: Budget Amount: YTD Amount: Balance of Budget	492 \$276,465 \$75,000 for joint venture with City of Stirling \$5,000 preliminary design fees	\$196,465
Tender 027-01/02		
Net Price Plus GST Total	\$ 94,350 \$ 9,435	\$103,785

Additional Expenditure anticipated

Access Paths Lighting Water Furniture	 \$ 9,000 \$ 2,600 \$ 1,860 \$ 5,000
Project Total Contingency 5% Grand Total	\$122,245 \$6,112

\$128,357

COMMENT

The information provided by Skatetech WA for the Carine Open Space facility and the MacNaughton Park facility confirms the Company's position as the major provider of Skatepark facilities in Australia. It is therefore recommended that Tender No. 027-01/02 Design and Construction of Wheel Sports Facility be awarded to Skatetech WA.

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

That Council:

- 1 ACCEPTS the tender from Skatetech WA for \$103,785 for the Design and Construction of Wheel Sports Facility at MacNaughton Park, Kinross;
- 2 **AUTHORISES the signing of the Contract documents.**

ITEM 7 PARKING RESTRICTIONS - NEWPORT GARDENS, HILLARYS – [47608]

WARD - Whitfords

PURPOSE

Residents of Newport Gardens and Greenmount Heights are seeking approval for the installation of a parking restriction at the intersection of Newport Gardens and Greenmount Heights adjacent to Mawson Park.

EXECUTIVE SUMMARY

Residents of Newport Gardens and Greenmount Heights are seeking to restrict parking at the intersection of Newport Gardens and Greenmount Heights adjacent to Mawson Park to alleviate parking congestion problems associated with users of Mawson Park. Implementation of a parking restriction is presented for Councils consideration.

This report recommends that Council APPROVES no stopping parking restriction on the eastern side of Newport Gardens at the intersection of Greenmount Heights as shown on Attachment 2

BACKGROUND

At the 13 August 1997 Council meeting, a report was considered regarding residents and motorists concerns about the parking congestion problems in Newport Gardens caused by users of Mawson Park. A "NO PARKING ANYTIME CARRIAGEWAY OR VERGE" restriction on the residential side of Newport Gardens and Greenmount Heights was recommended and approved.

The existing parking restriction strategy is shown on Attachment 1.

DETAILS

Mawson Park is bounded by Flinders Avenue, Mawson Crescent and Newport Gardens in Hillarys. Mawson Park attracts a substantial number of users from the surrounding localities and as a result the majority of users travel to the park by motor vehicle.

At present, the majority of users of Mawson Park are parking in accordance with the existing parking restrictions on the reserve side of Newport Gardens. However, street residents have become concerned that parking during peak demand on the reserve side adjacent to the intersection of Newport Gardens and Greenmount Heights restricts traffic flow at the intersection.

In view of this, street residents have requested that consideration be given to restrict parking on the reserve side at the intersection of Newport Gardens and Greenmount Heights. Generally, a "NO STOPPING" restriction would be the most appropriate to reduce the congestion caused by parked vehicles, maintain the general traffic flow at all times and therefore increase the level of safety at this intersection. It is envisaged that a "NO STOPPING" restriction be delineated by a continuous yellow edge line.

The proposed parking restriction is shown on Attachment 2.

COMMENTS

The proposal to restrict parking on the reserve side adjacent to the intersection of Newport Gardens and Greenmount Heights as per Attachment 2, will maintain the general traffic flow at all times and therefore increase the level of safety at the intersection.

On this basis, it is recommended that the proposed parking restriction be supported.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION

That Council APPROVES no stopping parking restriction on the eastern side of Newport Gardens at the intersection of Greenmount Heights as shown on Attachment 2 to this Report.

Appendix 4 refers

To access this attachment on electronic document, click here: Attach4brf190302.pdf

ITEM 8 TENDER NUMBER 026-01/02 – CONSTRUCTION OF ON-STREET PARKING AND MINOR ROAD MODIFICATIONS AT SCHOOLS – [56519]

WARD – Marina, Whitfords and South Coastal

PURPOSE

To seek approval for the acceptance of Works Infrastructure as the successful tenderer for Tender Number 026-01/02 – Construction of on-street parking and minor road modifications at schools.

EXECUTIVE SUMMARY

As part of the 2001/02 Capital Work Program, Budget funds of \$180,000 were listed for the construction of on-street parking embayments and minor road modifications adjacent to schools. These projects are anticipated to improve safety for all road users by formalising parent parking and pedestrian access adjacent to schools.

In order to meet the Capital Works Construction timeframe, these projects have been programmed for construction by an external Civil Engineering Contractor. Accordingly a public tender was advertised and subsequently closed on 27 February 2002.

The Tender Evaluation Committee (TEC) has evaluated the tenders and recommends that Works Infrastructure be considered as the successful tenderer. As the tender price from Works Infrastructure is \$248,083 additional funding will be required.

In accordance with its written commitment, the Education Department will be invoiced for 50% of the project tendered amount of \$124,042.

It is proposed to allocate the additional amount of \$44,041 from funds available in the State Blackspot Programme.

It is recommended that Council:

- 1 AUTHORISES BY AN ABSOLUTE MAJORITY in accordance with Section 6.8(1) of the Local Government Act 1995, re-allocation of \$17,020 from State Blackspot Project Number 6307 Warwick Road / Dorchester Avenue and \$17,021 from State Blackspot Project Number 6310 Whitfords Avenue / Kingsley Drive to Various Schools Street Parking Project Number 6298;
- 2 ACCEPTS Tender No. 026-01/02 submitted by Works Infrastructure for Supply and Construction of On-street Parking Embayments and minor road works for the lump sum price of \$248,083 plus GST of \$24,808;
- *3 AUTHORISES the contract documents be executed.*

BACKGROUND

As part of the 2001/02 Capital Work Program, Council has listed construction of on-street parking embayments and minor road modifications adjacent various schools. These high profile projects are anticipated to improve safety for all road users by formalising parent parking adjacent to schools.

Funding priority is currently given to schools that have actively participated in a recognised Road Safety and Parking Program in the last twelve months.

However, final priority for funding of short-listed schools is subject to a 50% joint funding arrangement with the Education Department.

As part of the City's 2001/02 Capital Works Program, the Education Department has agreed to jointly fund the following projects;

- Ocean Reef Senior High School Venturi Drive, Ocean Reef
- Mullaloo Heights Primary School Charonia Road, Mullaloo
- Davallia Primary School Juniper Way, Duncraig

The location of these projects are shown on attachments 1, 2 and 3.

In order to meet the 2001/02 Capital Works Construction timeframe, these projects have been programmed for construction by an external Civil Engineering Contractor.

Accordingly a public tender was advertised and subsequently closed on 27 February 2002.

DETAILS

At the close of tenders, three tenders had been received from the following Civil Engineering Contractors.

		Ocean Reef PS	Mullaloo PS	Davallia PS	Total
•	Works Infrastructure	\$57,650	\$88,842	\$101,591	\$248,083
•	Densford	\$71,330	\$101,070	\$99,620	\$272,020
•	Pavement Technology	\$85,473	\$126,277	\$120,000	\$331,750

The tender prices above do not include GST.

The lowest tender price includes provisional sums of \$43,643.

While these tender prices may reflect the current market rate, they are well in excess of the combined project estimates.

Notwithstanding, all conforming tenders were evaluated by the Tender Evaluation Committee (TEC) using a weighted multi-criterion assessment system based on the following selection criteria as specified in the Tender Information Document (TID).

- Lump Sum Price
- Construction Program
- Construction Methodology and Safety Management

- Previous experience with similar tasks
- Resources
- Contract Approach and Quality Management

By applying the above evaluation method, the TEC recommended that subject to additional funds being available that Works Infrastructure be awarded the tender for the lump sum price of \$248,083 (including provisional sums of \$43,643) excluding GST.

Financial Implications:

Account No: Budget Item:	Project No. 6298 Various Schools Street Parking	Maariainal	T-4-1
Budget Amount	Education Dept \$124,042	Municipal \$90,000	Total \$214,042
Budget Amount	\$12 4 ,0 4 2	\$70,000	\$214,042
Contract Costs	\$124,042	\$124,041	\$248,083

As shown, insufficient funds are available to proceed with the awarding of a contract.

In order to complete the project as scheduled, it is proposed that the additional funds of \$34,041 be re-allocated from State Blackspot Projects Whitfords Avenue / Kingsley Drive and Warwick Road / Dorchester Avenue. It is anticipated that these projects will have available funds given the change in scope to the projects from roundabouts to traffic signals as detailed in the report to Council on 12 March 2002 (Item CJ055-03/02 refers).

Given that the Education Department has committed \$124,042 the cost to Council to complete the project will be \$124,041 if all the provisional funds are fully expended.

COMMENT

While these tender prices may reflect the current market rate, they are well in excess of the project estimate.

Notwithstanding this, given that the works may significantly improve safety, traffic flow and pedestrian access to each school, the additional funding to complete the works to the anticipated standard is strongly supported.

On this basis it is recommended that Works Infrastructure be awarded the tender for the lump sum price of \$248,083 exclusive of GST.

In accordance with its written commitment, the Education Department will be invoiced for 50% of the project tendered amount of \$124,042.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council;

- 1 AUTHORISES BY AN ABSOLUTE MAJORITY in accordance with Section 6.8(1) of the Local Government Act 1995, re-allocation of \$17,020 from State Blackspot Project Number 6307 Warwick Road / Dorchester Avenue and \$17,021 from State Blackspot Project Number 6310 Whitfords Avenue / Kingsley Drive to Various Schools Street Parking Project Number 6298;
- 2 ACCEPTS Tender No. 026-01/02 submitted by Works Infrastructure for Supply and Construction of On-street Parking Embayments and minor road works for the lump sum price of \$248,083 plus GST of \$24,808;
- **3 AUTHORISES the contract documents be executed.**

Appendix 7 refers

To access this attachment on electronic document, click here: Attach7brf190302.pdf

ITEM 9 CLOSE OF ADVERTISING - PROPOSED AMENDMENT NO 10 TO DISTRICT PLANNING SCHEME NO. 2 -CENTRES STRATEGY - [09030]

WARD – All

PURPOSE

The purpose of the report is for Council to consider public submissions following advertising of Amendment No.10 to District Planning Scheme No.2 (DPS2).

EXECUTIVE SUMMARY

The City has proposed an amendment to District Planning Scheme No.2 (DPS2) to incorporate some of the recommendations of the Centres Strategy adopted by Council on 28 November 2000 (CJ351-11/00) and other associated amendments as follows:

- Modify the definition of 'shop', 'showroom' and 'bakery'.
- Permit 'shop' as a discretionary use subject to special conditions in the Business and Mixed-Use zones.
- Include provisions relating to the 'Development of Centres'.
- Modify the limits and net leasable area (NLA) in accordance with Schedule 3 of the 'Centres Strategy'.
- Include a definition of Centres Strategy.
- Delete definitions and references to 'Road House', 'Animal Husbandry' and 'Takeaway Food Outlet'.
- Include 'Dry-cleaning' as a discretionary use in Mixed-Use areas.
- Modify clauses 3.5, 3.6, 3.7 and 3.11, to enable shopping net lettable area to be distributed to all lots within 'Commercial', 'Centre', 'Business' and 'Mixed-Use' zones.
- Adjust boundaries of Kinross Local Centre and rezone Lot 199 (163) Kinross Drive Kinross from 'Residential' to 'Commercial'.
- Modify Schedule 3 which provides the net lettable area for commercial centres to delete references to specific lots.
- Include Lot 60 Warburton Avenue as a Local Centre.

The amendment was adopted by Council at its meeting on 23 October 2001 (CJ226–07/01) and was advertised for public comment for a 42-day period which closed on 9 January 2002.

Forty-two submissions were received, which includes two petitions, one signed by 246 people the other signed by 13 people, opposing the rezoning of lots 199 and portion lot 9000 Kinross Drive, Kinross.

Twenty-two individual letters were submitted opposing the rezoning of Lot 199 and portion of Lot 9000 Kinross Drive, Kinross from 'Residential' and 'Mixed-Use' to 'Commercial' due to concerns that commercial development will result in declining property values, cause an increase in traffic, noise, littering, crime, anti-social behaviour and loss of privacy. Additional comments related to adequate shopping facilities existing in the area and that purchase was based on Lot 199 Kinross Drive being developed as a residence with an incidental corner

store. Given the allocated commercial floor space in Kinross and public opposition, Lot 199 Kinross Drive, Kinross should remain 'Residential'.

Six submissions were received concerning Lot 60 Warburton Avenue. Four submissions object to the redevelopment of Lot 60 Warburton Avenue, whilst one submission raises issues concerning an existing development approval. Another submission supports Lot 60 Warburton Avenue becoming a Village Centre and has made a suggestion that proposed clause 3.2.2 should be modified to enable greater retail net lettable area (NLA) for 'Mixed-Use' zone. Issues concerning an existing development approval for Lot 60 Warburton Avenue do not form part of the amendment. Under the present 'Mixed-Use' zoning a number of land-uses are permitted such as restaurant and office. The new clause 3.2.2, in addition to including Lot 60 Warburton Avenue into Schedule 3, will ensure only limited retail floor space.

Four submissions were received relating to modifications to the definitions for 'shop', 'showroom' and 'bakery'. Three of the submissions questioned why the definitions for 'shop', 'showroom' and 'bakery' are required to be changed, recommended that the definition for 'Showroom' be modified, and questioned the implications on existing properties if the definitions of 'shop' and 'showroom' are modified. One submission has indicated support for the proposed changes. Submissions concerned with changes to definitions are acknowledged, however it is considered that the changes are necessary to improve both their interpretation and application to land use planning.

Four submissions were received concerning changes proposed to Schedule 3 of DPS2 which provides the net lettable area for commercial centres. One submission supported the revision of Schedule 3 but suggested that the inclusion of retail activity within 'Mixed-Use' and 'Business' zone be excluded. Three submission support changes to Schedule 3 however, requested that higher order centres have retail NLA determined by the implementation of a structure plan. Changes to Schedule 3 are required to reflect recommendations made by the Centres Strategy for retail floor space in all centres.

The proposed amendment to DPS2 will provide an improved way of distributing appropriate land uses and floor space to centres and will provide an improved strategy towards the future development, expansion and redevelopment of Centres. Adoption of DPS2 amendment No.10 subject to not proceeding with the rezoning of Lot 199 (163) Kinross Drive, Kinross from 'Residential' to 'Commercial' is recommended.

BACKGROUND

Suburb/Location:		Various City of Logardalan
Applicant:		City of Joondalup
Owner:		Various
Zoning:	DPS:	Various
	MRS:	Various
Strategic Plan:		Lifestyle – Strategy 2.6
		Promote and enjoy lifestyles that engender Environmental, Social and Economic balance.

DETAIL

Proposal

The proposed amendment follows an examination of the objectives, principles and recommendations of the 'Centres Strategy' adopted by Council on 28 November 2000 as a strategic policy document. The amendments and inclusions to DPS2 proposed are:

<u>Modify schedule 1 to include 'new' definition for 'shop', 'showroom' and 'bakery'</u> (Attachment 1 – refer to changes in Schedule 1)

The proposal to modify the definition for 'shop' and 'showroom' in schedule 1 of DPS2 follows an examination of the interpretation of both definitions and the need to accord the definitions with the Model Scheme Text.

Traditionally there was a clear distinction between 'shop' and 'showroom' with the later more akin to the sale or wholesale of 'bulky goods' and goods associated with home improvement. The current definitions however fail to make these distinct differences resulting in the experience of 'overlap' between the two definitions when applied. The 'new' definitions propose to alleviate these incursions by using 'scale' and 'product by example' as a basis to delineate the definitions. This is strengthened by the inclusion of a list of examples of goods included as part of a 'showroom' and the exclusion of a 'showroom' from the definition of 'shop'.

Changes to the definition of 'bakery' are due partly to changes proposed to 'shop' to enable related uses such as 'hot bread shops' to be considered under 'shop' rather than 'bakery'.

Modify Table 1 to permit 'Dry Cleaning Premises' subject to Council's discretion in a Mixed-Use Zone (Attachment 1 – refer to changes to table 1)

Currently 'Dry Cleaning Premises' is a non-permitted use in the Mixed-Use zone. During the preparation of DPS2 it was included as a discretionary use however was required to be deleted by the Minister for Planning. The use class is considered suitable in areas zoned Mixed-Use and is not considered to impact on the amenity of the surrounding area.

Modify clause 3.2.2 and Table 1 to include a new symbol 'AS' that would permit a 'shop' use in the Mixed Use and Business Zone subject to Council's discretion (Attachment 1 – refer to changes to part 3).

The proposal will promote the opportunity for greater land use variety in mixed-use environments, and provide for Council discretion to encourage the appropriate development to occur. Clause 3.2.2 will provide special standards to ensure that development occurs along 'Main Street' style.

Modify Part 4 to include a new clause (4.16) 'Development of Centres' (Attachment 1 – refer to changes to Part 4).

The proposal establishes new development standards in Part 4 of the scheme. Where revitilisation and re-modeling of existing centres may occur or new centres are proposed, the provisions require where practical development to include 'main street' principles, providing for integrated, mixed use, safe, attractive and vibrant centres with a community focus.

Include in schedule 1 a definition for 'Centres Strategy' (Attachment 1 – refer to changes to Schedule 1).

The proposal is to include in Schedule 1 of the scheme a definition for 'Centres Strategy' to provide legal recognition to the document wherever cited in the Scheme.

Delete the use classes 'Road House' and 'Animal Husbandry' from Schedule 1 and Table 1 and 'Takeaway Food Outlet' from schedule 1, Table 1 and Table 2 (Attachment 1 – refer to changes to Schedule 1, Table 1 and Table 2).

The proposal will remove the use classes 'Road House' and 'Animal Husbandry', which are no longer considered relevant to the scheme area. The definition of 'Take Away Food Outlet' is no longer required as it is considered part of the new definition of 'shop'

Adjust the zone boundary of Kinross Drive, Centre and include in Schedule 3 as Kinross 'Local Shop' (Attachment 2).

The proposal will rectify an oversight during the preparation of DPS2 whereby Lot 199 Kinross Drive, Kinross intended to be zoned for 'commercial' purpose. The property is a vacant corner lot used as a sales office and is abutting a lot zoned commercial. The Centres Strategy identifies this lot as a 'Local Shop' under Schedule 3. Lot 9000 Kinross Drive, Kinross is a minor zoning re-alignment to accord with lot boundaries.

Modify Schedule 3 to reflect recommendations for net leasable area (NLA) as per 'Centres Strategy' (Attachments 3, 4, and 6) and include all lots in each centre.

Centres Strategy

The proposal will ratify an inconsistency between the existing floor area and Schedule 3 of DPS2 in respect to NLA permitted for 9 of the 41 centres in the City (Attachment 3). The figures provided for Schedule 3 of DPS2 at the time the Scheme was being prepared were based on outdated data and in some cases derived from different interpretations of retail floor space. Figures obtained for the Centres Strategy are based on 1997 WAPC survey.

At the Council meeting on 19 December 2000, Amendment No.3 (CJ381-12/00) was initiated to modify Schedule 3 to increase the NLA for the 9 centres. As an interim measure it was proposed to permit development in these centres until the Centres Strategy was approved. The amendment was not processed by the WAPC with advice that it should be included in the Centres Strategy amendment.

The proposal will replace the current shopping NLA in Schedule 3 of DPS2 with that identified in Schedule 3 of the Centres Strategy (Attachment 4).

Include all properties zoned 'Commercial', 'Centre', 'Business' and 'Mixed-Use' zones in the calculation of shopping NLA

The proposal will modify Schedule 3 to include all properties zoned 'Commercial', 'Centre', 'Business' and 'Mixed-Use' in the calculation of shopping NLA for each centre.

Currently Schedule 3 distributes shopping net lettable area to selected lots in 'Commercial' and 'Centre' zones but not all lots. This results in some lots not being able to be developed for shopping purposes. For example a maximum 38,000m2 NLA is currently permitted over the

Warwick Grove Shopping Centre however this is restricted to only a number of lots identified in Schedule 3. The commercial land use survey indicates a total of 25,015m2 occupied as shopping floor space, 12,985m2 retail NLA is available for future expansion of the centre. As NLA distribution is restricted to a number of selected lots that have already been largely developed, the potential for further expansion of shopping net lettable area is restricted.

Accordingly the proposal will modify Schedule 3 by deleting the column headed 'Description of Centre and Commercial Zone' and modify Clauses 3.5, 3.6, 3.7 and 3.11 to enable shopping net lettable area to be distributed to all lots within these zones (Attachment 1 - refer to changes to Section 3).

Warburton Avenue.

The proposal is to include Lot 60 Warburton Avenue (Padbury – Warburton Avenue West) as a 'Centre' in Schedule 3 of DPS2 to enable 'shop' to be considered as a possible land use for the site. Under DPS2 the land is zoned Mixed-Use which accommodates small scale, low impact land uses. Prior to the finilisation of DPS2 a development approval was issued providing for shops, office and consultancy room. The property is well located on the corner of Warburton Avenue and Renou Street (Attachment 5) to take advantage of new provisions that permit 'shop' in the Mixed-Use zone subject to special conditions.

<u>Summary</u>

As a result of the number of changes proposed to Schedule 3 of DPS2, it is proposed it be replaced by the 'new' Schedule 3 (Attachment 6) that reflects all changes resulting from the proposals outlined in this report.

Previous Council Decision.

At its meeting on 23 October 2001, Council resolved to adopt the proposed amendment and advertised it for public comment for a period of 42 days, concluding on 9 January 2002.

Consultation

The proposed DPS2 amendment No.10 was advertised for public comment for a 42-day period, which closed on 9 January 2001. Letters were sent to landowners affected by the amendment and signs were erected at Lot 60 Warburton Avenue and Lot 199 Kinross Drive Kinross. An advertisement was also placed in the local newspaper on 28 November 2001. A total of forty-two submissions were received, which includes two petitions, one signed by 246 people the other signed by 13 people both opposing the rezoning of lots 199 and portion lot 9000 Kinross Drive, Kinross. A detailed summary of submissions is provided for in Attachment 7.

Twenty-two individual letters were submitted opposing the rezoning of lots 199 and portion lot 9000 Kinross Drive, Kinross from 'Residential' and 'Mixed-Use' to 'Commercial'. Common issues raised in the submissions were concerns that commercial development will result in declining property values, cause an increase in traffic, noise, littering, crime, antisocial behaviour and loss of privacy. Additional comments related to adequate shopping facilities existing in the area and that purchase was based on lot 199 Kinross Drive being developed as a residence with an incidental corner store. One submission was in support of the rezoning. Six submissions were received concerning Lot 60 Warburton Avenue. Four submissions objecting to the redevelopment of Lot 60 Warburton Avenue on the grounds of nuisances that would occur from commercial development such as increased noise and traffic. Additional comments suggested that adequate shopping already existed along Warburton Avenue and that development should be sensitive to the surrounding residential area. One submission provided two letters that relate to a development proposal for the site. The first objecting to the proposed development (dated 13th November 2001), the second letter (dated 30th November 2001) supports the development (DA01/0500) after modifications were made to access arrangements. One submission supported the inclusion of Lot 60 Warburton Avenue as a Village Centre and made a suggestion that proposed clause 3.2.2 should be modified to enable greater retail net lettable area (NLA) for 'Mixed-Use' zone.

Four submissions were received relating to modifications to definitions of 'shop', 'showroom' and 'bakery'. Submissions questioned why the definitions for 'shop', 'showroom' and 'bakery' are required to be changed, the legal ramifications in terms of existing developments and requested examples in the definition for 'showroom' being removed. One submission has indicated support for the proposed changes.

Four submissions were received concerning changes proposed to Schedule 3 of DPS2. One submission supported the revision of Schedule 3 but suggested that the inclusion of retail activity within 'Mixed-Use' and 'Business' zone be excluded. Three submissions support changes to Schedule 3 however, requested that Joondalup Centre, Town Centres and Small Town Centres have their retail NLA determined by the implementation of a structure plan.

One submission has objected to proposed amendment No.10 without detail, whilst another submission questioned a statement in clause 4.16.2. The remaining two submissions have indicated there general support for the amendment.

Statutory Provision

Section 7 of the Town Planning and Development Act 1928 (TPD Act 1928) together with Town Planning Regulations 1967 enable Local Authorities to amend a Town Planning Scheme and set out the process to be followed (Attachment 8).

Under provision of regulation 17 (2) of the Town Planning Regulations 1967, Council shall consider all submissions received during the advertising period. After considering all submissions the Council shall either resolve to not proceed or adopt the amendment, with or without modification and submit three copies to the WAPC for recommendation to the Minister for Planning.

COMMENT

Lot 9000 Kinross Drive, Kinross is currently zoned 'Commercial' with a small portion of the lot zoned 'Mixed Use'. The amendment intends to correct this anomaly. Lot 199 Kinross Drive, Kinross was originally identified as a 'corner store residence' site. Given that community expectations for the development of the site was for a 'corner store residence' and that provision has been made for adequate commercial floor space in Kinross the site should not be rezoned.

Submissions for Lot 60 Warburton Avenue, are concerned largely with an existing development approval and the implications of redevelopment for the site that does not form part of this amendment. Under the current 'Mixed-Use' zoning a number of land-uses are

permitted such as restaurant and office. The amendment proposes to allow limited 'shop' use in the 'Mixed-Use' zone by proposing special provisions under clause 3.2.2 and including Lot 60 Warburton Avenue into Schedule 3 as a Village Centre. The limited retail uses will complement existing land uses approved for the site.

The submissions concerned with changes to definitions and Schedule 3 of DPS2 are acknowledged, however it is considered that the changes proposed to the definition's of 'shop', 'showroom' and 'bakery' are necessary to improve both their interpretation and application to future land use planning. The proposal does not impact on existing developments. Changes to Schedule 3 are required to reflect recommendations made by the Centres Strategy for retail floor space in all centres. General comments for and against amendment No.10 are acknowledged.

Adoption of DPS2 amendment No.10 subject to not proceeding with the rezoning of Lot 199 (163) Kinross Drive, Kinross is recommended.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 pursuant to Town Planning Regulations 17 (2) ADOPTS Amendment No.10 to the City of Joondalup District Planning Scheme No.2 subject to the following modification:
 - The rezoning of Lot 199 Kinross Drive, Kinross from 'Residential' to 'Commercial' not be proceeded with.
- 2 NOTES the submissions received and ADVISES submittors of Council's resolution;
- **3** AUTHORISES the affixation of the common seal to, and ENDORSES the signing of the amendment documents.

Appendix 5 refers

To access this attachment on electronic document, click here: <u>Attach5brf190302.pdf</u>

ITEM 10 DELEGATED AUTHORITY REPORT – [07032]

WARD - All

PURPOSE

To submit items of Delegated Authority to Council for noting.

EXECUTIVE SUMMARY

This report provides a resumé of the Development Applications processed by Delegated Authority from 1 February to 28 February 2002.

RECOMMENDATION

That Council NOTES the determinations made under Delegated Authority in relation to the applications described in this Report.

Appendix 6 refers

To access this attachment on electronic document, click here: Attach6brf190302.pdf

6 REPORT OF THE CHIEF EXECUTIVE OFFICER

7 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR C BAKER

In accordance with Clause 3.12 of the Standing Orders Local Law, Cr Chris Baker has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 26 March 2002:

"In view of the State Government's ongoing refusals to provide any equitable assistance to the Joondalup Falcons in respect of that Club's lease and licence at the State Government owned Arena Joondalup and the local community's strong desire to keep our region's premier sporting club in the City of Joondalup, the City of Joondalup Council gives consideration to formulating a sponsorship package for this Club to include, but not be limited to, the following provisions:

- 1 That the Council will match, dollar for dollar, any additional reduction in rent or licence fees granted by the State Government for this Club with the City's contribution as aforesaid to be capped at a maximum dollar contribution of \$20,000 per year, with CPI adjustments;
- 2 that the said sponsorship by Council be recognised and featured by the Club in all of the Club's written material, whatsoever, howsoever described, and its football jerseys;
- *3 that the said sponsorship be fixed for not less than 3 years; and*
- 4 that the Club market itself as The West Perth Football Club Inc trading as the "Joondalup Falcons".

8 DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on 9 April 2002 to be held in the Council Chambers, Joondalup Civic Centre, Boas Avenue, Joondalup

9 CLOSURE

BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS

OFFICE OF THE CEO

ANNUAL GENERAL MEETING OF ELECTORS - EX CJ379-11/01

"2 (c) (iii) REVIEWS the order of business, including the possible provision of an additional period of public question time prior to the closure of the meeting, as part of the overall review of the proposed draft Standing Orders Local Law;"

Status: A report will be submitted to the Standing Orders Review Committee for consideration.

REQUEST TO SUPPLY SENIORS DETAILS TO THE SELF FUNDED RETIREES ASSOCIATION (INC) – ex CJ407-11/01

"the City DEVELOPS and IMPLEMENTS a policy in relation to the provision of specific information relating to a particular group or groups, or individuals and that such a policy be implemented prior to the 2002/2003 financial year;

the matter be REFERRED to the relevant committee for further consideration"

Status: Policy issues are currently being investigated.

STRATEGIC PLANNING

NOTICE OF MOTION NO 2 – CR A PATTERSON – BUSINESS PLAN, REDUCTION OF ADMINISTRATION COSTS – ex C110-10/01

"that Council DIRECTS the Chief Executive Officer to prepare a business plan based on the shared services concept with a view to reducing the costs of administration for the City of Joondalup. The objective of this business plan is to outline how costs associated with corporate services such as information technology, finance and human resources can be shared across a number of interested Councils. The advantage of this would be the reduction of costs for these services across a number of municipalities."

Status: The methodology for addressing this matter is to be considered by the Executive in November following which the business plan will be developed. It is anticipated a report will be submitted to Council in March/April 2002.

TENDER NO 015-01/02 – SUPPLY OF TEMPORARY PERSONNEL – EX CJ426-12/01

"Cr Hollywood requested a report detailing costs to the City of Joondalup for temporary staff for the year.

Mayor Bombak advised this request would be taken on notice."

Status: It is anticipated that a report will be presented to the Council meeting to be held on 9 April 2002.

CORPORATE SERVICES AND RESOURCE MANAGEMENT

ALTERATIONS TO MULLALOO SURF CLUB, OCEANSIDE PROMENADE, MULLALOO – ex CJ449-12/01

"4 REQUIRES a further report outlining the details of the Deed of Variation to the current lease."

Status: This will be undertaken following completion of the alterations, to be reviewed June 2002.

INDUSTRIAL SPECIAL RISKS, MOTOR VEHICLES AND PLANT AND ANCILLARY INSURANCES FOR 2002/2003 - ex CJ433-12/01

"2 REQUESTS a report from Local Government Self Insurance Schemes on its proposal for a self insurance property scheme (ISR)."

Status: Feedback from the Local Government Self Insurance Schemes anticipated May/June 2002, at which time a report will be presented to Council.

PLANNING & COMMUNITY DEVELOPMENT

REQUESTED CLOSURE OF A PORTION OF A ROAD BETWEEN LOT 151 (88) CLIFF STREET AND LOT 113 (31) MARINE TERRACE, SORRENTO – ex CJ193-07/00

"REQUESTS that the Local Housing Strategy is completed and a report presented to Council by November 2000."

In view of the strong community reaction to precinct planning, and the need for a comprehensive community consultation policy, it is proposed to review this programme. A report on this review originally anticipated for July 2001 is unlikely to be completed before July 2002.

SORRENTO CONCEPT PLAN – ex CJ160-05/01

"REQUIRES a further report detailing relative priorities, indicative costings and phasing of the elements in the Sorrento Concept Plan;"

Status: A report which was originally anticipated to be presented to the Council following preliminary design work in August 2001, then November/December 2001 is now anticipated to be submitted to Council in June 2002.

MULLALOO CONCEPT PLAN REVISIONS - ex CJ315-09/01

"6 REQUIRES a further report detailing relative priorities, indicative costings and phasing of the elements in the Mullaloo Concept Plan paying specific attention to the points raised by detailed consultation with key community groups and others, particularly the need to ensure that there is no reduction in the recreational functionality and nett area of the useable surface of Tom Simpson Park proper."

Status: A report will be submitted to Council in June 2002.

BREACH OF DISTRICT PLANNING SCHEME NO 2 – STORAGE OF MORE THAN ONE COMMERCIAL VEHICLE IN A RESIDENTIAL ZONE: LOT 89 (19) BULLARA ROAD, CRAIGIE – ex CJ353-10/01

"that a review be conducted in conjunction with the executive of the Joondalup Business Association of the definition for commercial vehicles in relation to the City of Joondalup District Planning Scheme No 2 with a further report being submitted to a future Council meeting."

Status: A response has been received from Joondalup Business Association indicating its desire to be involved in the process. Programme to be put in place to carry out review.

2002 ROYAL AUSTRALIAN PLANNING INSTITUTE (RAPI) NATIONAL CONGRESS – ex CJ395-11/01

"2 REQUESTS an information report on the outcomes of the RAPI 2002 Joint National Congress."

Status:A report will be presented following attendance at the Congress in April2002.

COMMUNITY DEVELOPMENT

YOUTH SERVICES INITIATIVES - ex CJ245-07/01

- "8 NOTES that a further report will be submitted to Council outlining the Youth Advisory Councils' views on the Future Directions and Jumping at Shadows documents."
- Status The Strategic Advisory Committee Youth Affairs at its meeting held 4 February 2002 resolved to have a joint meeting of the Youth Advisory Councils to identify those projects that will be preferred to be carried out in the 2002/03 Financial Year.

It is anticipated a report will be presented to Council in April 2002.

ANNOUNCEMENT BY CR P KADAK – ex C106-10/01

- 2 REQUESTS a report from the Joondalup North and South Youth Advisory Councils and the Strategic Advisory Committee – Youth Affairs on the conference and its recommendations.
- Status: The Youth Advisory Councils are to further consider the report recommendations with a view of determining those recommendations that the City's young people can realistically achieve.

It is anticipated a report will be presented to Council in April 2002.

ANNUAL GENERAL MEETING OF ELECTORS - ex CJ379-11/01

"2 (a) NOTES Motion 1 of the Annual General Meeting of Electors and AGREES that the consultation process undertaken regarding synthetic grass playing surfaces should include an elected member from each Ward where there is a bowling green located, and be finalised and reported to Council as part of the 2002/03 Budget preparation process;"

Status: As proposed, a representative group from the North Metropolitan Regional Recreation Advisory Committee has met with Bowls WA. It is proposed that a pilot study involving the North Metropolitan Regional Recreation Advisory Committee and Bowls WA be undertaken to develop an understanding of the strategic issues relating to the installation of synthetic grass bowling greens. The availability of funding to resource a study is being pursued with LA's and Bowls WA being the major contributors, with some Department for Sport and Recreation funding also being sought.

It is anticipated a report will be presented to Council in April 2002.

SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST INC – MANAGEMENT COMMITTEE MEMBERSHIP – ex CJ410-11/01

"defers any action at present in relation to representation on the Board of the Shire of Wanneroo Aged Persons' Homes Trust Inc until this matter has been referred to the Strategic Advisory Committee – Seniors Interests;

CHARGES the Strategic Advisory Committee – Seniors Interests with the responsibility to Advise Council in regards to those which the Committee considers are the appropriate ways to support the development of aged care residential facilities and services for seniors"

Status:This matter was referred to the Strategic Advisory Committee – Seniors
Interests at the meeting held 6 February 2002. The report was received
and the Committee resolved to arrange a visit to the Elderbloom
Complex to establish a working relationship with the Trust.

APPOINTMENT OF WARD MEMBERS – CONSULTATION PROCESS REGARDING SYNTHETIC GRASS PLAYING SURFACES - ex C139-12/01

"That Council APPOINTS the following Ward Members, with appropriate officers from the City to undertake a consultative process regarding synthetic grass playing surfaces with representatives from the bowling clubs within those wards, with a report to be presented to the Council as part of the 2002/03 budget process:

South Ward	
South Coastal Ward	
North Coastal Ward	

<u>Member</u> Cr M O'Brien Cr A Patterson Cr J Hollywood <u>Deputy</u> Cr T Barnett Cr G Kenworthy Cr A Nixon

Status: The Consultative Committee has recommended a policy for funding of synthetic bowling greens for bowling clubs within the City of Joondalup for consideration by Council.

It is anticipated that this matter will be the subject of the Council's budget deliberations in the first instance. A second course of action may be that the project will be considered as part of the CSRFF report considered by the Council in November 2002.

The North Metropolitan Regional Recreation sub committee is to meet with WA Bowls.

INFRASTRUCTURE AND OPERATIONS

NOTICE OF MOTION – CR C BAKER – REVIEW OF "VERGE" LOCAL LAWS – ex C45-06/01

- 1 "Council REVIEWS all existing local laws (and its powers to make new local laws) concerning Council's powers to actively encourage the owners and/or occupiers of rateable land to adequately maintain the verge area between their front property boundary line and the immediately adjacent road surface (proper) in the manner of a reasonable person ("the Review")
- 2 the Review be the subject of a report to Council."

Status: A report will be presented to Council on 9 April 2002.

WARWICK OPEN SPACE – PUBLIC TOILET FACILITY - ex CJ312-09/01

"That Council DEFERS the removal of the Warwick Open Space public toilet facility and calls a community consultation meeting with the Warwick Open Space Facility User Groups, at the Warwick Recreation Association facility, on site, and requests the Urban Animal Management Committee to inspect and comment on the area, which is a regular area for canine animal exercise, in order to see whether the facility should be upgraded, kept as a community asset and developed as a picnic and barbecue area, adjacent to the Bush Walking Trails with interpreter signage, as there are already shelters, park seats and a car park currently in place."

Status: This matter is to be referred to the Skatepark Committee for further consideration.

PETITION – OBJECTION TO INSTALLATION OF GOAL POST, RUTHERGLEN PARK, KINROSS – ex CJ019-02/02

"that the matter pertaining to petition – objection to installation of Goal Post, Rutherglen Park, Kinross be DEFERRED to a future meeting of Council to enable on-site consultation to occur."

Status: Arrangements being made to hold an on-site meeting with concerned parties.

TENDER 012-01/02 – LEASE FOR PART OF THE CIVIC CENTRE – ex CJ431-12/01

- "3 without impacting the lease and within 60 days of tender acceptance SEEKS a further report addressing the request for improved signage and exposure of the venue."
- Status: This matter is currently being investigated by Infrastructure Management Services in consultation with Fawn Holdings Pty Ltd to identify whether a Council report is required to be submitted to Council in April 2002.

URBAN ANIMAL MANAGEMENT COMMITTEE – ex CJ358-10/01

"4 SEEKS a further report and legal advice clarifying whether or not a local government may provide discounts on dog registrations for dogs that attend a recognised dog obedience course;"

"that consideration of the Urban Animal Action Plan – Cats forming Attachment 3 to Report CJ358-10/01 be:

- 1 REFERRED to the Urban Animal management Committee for further review;
- 2 Presented to Council for a further review;
- 3 Presented to Council for a final decision on the matter.

Status: A report will be presented in April 2002.

OUTSTANDING PETITIONS

Petition requesting construction of a bus shelter and bus bay on the inward route on Cockman Road between Mulligan Drive and	12 June 2001
Cobine Way, Greenwood.	Director Infrastructure and Operations
Comment: A report will be submitted to Council in April 2002.	and Operations
Petition requesting the limiting of hours of operation or	12 June 2001
relocation of dance studio – Batavia Place, Kallaroo.	Director Planning and
Comment: Approval has been given for a new building,	Community
with an estimated three-month completion date. The petitioners will be notified once building is complete.	Development.
Petition opposing construction of footpath – Sycamore Drive, Duncraig.	13 November 2001
Comment: It is proposed that a pedestrian survey be	Director Infrastructure
undertaken to determine the warrant of a footpath. It is	and Operations
anticipated that a report will be submitted to April 2002	
Council meeting.	
Petition requesting construction of a wall – Bute Court, Kinross.	13 November 2001
Comment: This matter is currently being investigated	Director Infrastructure
with the Developer and other directorates and a report will	and Operations
be submitted to Council in April 2002.	
A 7-signature petition has been received from residents of	27 November 2001
Oldham Street, Hillarys opposing the construction of a footpath in Oldham Street.	Director Infrastructure
in Oldham Sueet.	and Operations
Comment: An evaluation of the warrant for a footpath	
will be undertaken.	
Further information has now been provided to the resident. This matter will now be handled administratively.	
A 179-signature petition has been received from residents of the	27 November 2001
City of Joondalup requesting the City include in its 2001/02	Dimenter I.C. (
budget the cost of modifying the road design of Gibson Avenue to facilitate easier and safer driveway exiting for residents.	Director Infrastructure
	and Operations
Comment: An investigation of the proposed road	
treatment has been programmed and a report will be submitted to Council in April 2002.	
Petition requesting installation of boom gate, retractable bollards,	12 February 2002
Neil Hawkins Park, Joondalup.	
Comment: On completion of investigations, a report will	Director Infrastructure
be submitted to Council.	and Operations
Petition requesting installation of watering system to park -	12 February 2002
Chalcombe Way/Glenmere Road, Warwick.	
Comment: Will be referred to Dry Parks, Median and	Director Infrastructure
Verge Committee for its consideration.	Operations

REPORTS/PRESENTATIONS REQUESTED AT BRIEFING SESSIONS

	DATE OF REQUEST - REFERRED TO -
Cr Hollywood requested that consideration be given to a 'country town' relationship.	6 November 2001
Comment: Investigations into possible country town relationships has commenced. A report will be submitted in due course.	Strategic and Corporate Planning
Report to be submitted to Council on 9 April 2002.	

CITY OF JOONDALUP – DRAFT AGENDA FOR BRIEFING SESSION – 19.03.2002

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1	OPEN AND WELCOME	1
2	PUBLIC QUESTION TIME	1
3	APOLOGIES AND LEAVE OF ABSENCE	1
4 IMP	DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT ARTIALITY	1
5	REPORTS	1
6	REPORT OF THE CHIEF EXECUTIVE OFFICER	33

0	KEPORT OF THE CHIEF EXECUTIVE OFFICER	
7	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	
NOT	<u>FICE OF MOTION – CR C BAKER</u>	
8	DATE OF NEXT MEETING	
9	CLOSURE	
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