

DRAFT AGENDA

Briefing Session City of Joondalup

A BRIEFING SESSION
WILL BE HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP

MEETING DATE



to be held on
TUESDAY, 11 JULY 2006

PUBLIC QUESTION TIME



Public Question Time

Members of the public are requested to lodge questions in writing by close of business on Monday 10 July 2006. Answers to those questions received within that timeframe will, where practicable, be provided in hard copy form at the Briefing Session.



GARRY HUNT
Chief Executive Officer
7 July 2006

PROTOCOLS FOR BRIEFING SESSIONS

The following protocols for the conduct of Briefing Sessions were adopted at the Council meeting held on 9 August 2005.

INTRODUCTION

The modern role of the Elected Council is to set policy and strategy, and provide goals and targets for the local government (City of Joondalup). The employees, through the Chief Executive Officer, have the task of implementing the decisions of the Elected Council.

A well-structured decision-making process that has established protocols will provide the elected body with the opportunity to:

- have input into the future strategic direction set by the Council;
- seek points of clarification;
- ask questions;
- be given adequate time to research issues;
- be given maximum time to debate matters before the Council;

and ensure that the elected body is fully informed to make the best possible decision for all the residents of the City of Joondalup.

PURPOSE OF BRIEFING SESSIONS

Briefing Sessions will involve Elected Members, staff, and external advisors (where appropriate) and will be open to the public.

Briefing Sessions will provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next ordinary meeting of Council for formal consideration and decision.

Protocols for Briefing Sessions

The following protocols will apply to Briefing Sessions that are conducted by the City of Joondalup.

- 1 Briefing Sessions will be open to the public except for matters that relate to a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the Local Government Act 1995.
- 2 Dates and times for Briefing Sessions will be set well in advance where practicable, and appropriate notice given to the public.
- 3 The Chief Executive Officer will ensure timely written notice and an agenda for each Briefing Session will be provided to all Elected Members, Members of the public and external advisors (where appropriate).

- 4 The Mayor is to be the Presiding Member at Briefing Sessions. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Briefing Session. If the Deputy Mayor is unable or unwilling, those Elected Members present may select one from amongst themselves to preside at the Briefing Session.
- 5 The Presiding Member at the commencement of each Briefing Session shall:
 - (a) Advise Elected Members that there will be no debate on any matters raised during the Sessions;
 - (b) Ensure that the relevant employee, through liaising with the Chief Executive Officer, provides a detailed presentation on matters listed on the agenda for the Session;
 - (c) Encourage all Elected Members present to participate in the sharing and gathering of information;
 - (d) Ensure that all Elected Members have a fair and equal opportunity to participate in the Session; and
 - (e) Ensure the time available for the Session is liberal enough to allow for all matters of relevance to be identified;
- 6 Elected Members, employees and relevant consultants shall disclose their interests on any matter listed for the Briefing Sessions. When disclosing an interest the following should be considered:
 - (a) Interests are to be disclosed in accordance with the provisions of the Local Government Act 1995 and the City's Code of Conduct;
 - (b) Persons disclosing a financial interest will not participate in that part of the Session relating to the matter to which their interest applies and shall depart the room;
 - (c) An exception shall be applied to the disclosing of interests by consultants where the consultant will be providing information only, and will be able to remain in the Session;
 - (d) As matters raised at a Briefing Session are not completely predictable, there is some flexibility in the disclosures of interests. A person may disclose an interest at such time as an issue is raised that is not specifically listed on the agenda for the Session.
- 7 Elected Members have the opportunity to request matters to be included on the agenda for consideration at a future Briefing Session by:
 - (a) A request to the Chief Executive Officer; or
 - (b) A request made during the Briefing Session.
- 8 A record shall be kept of all Briefing Sessions. As no decisions are made at a Briefing Session, the record need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the record is to be forwarded to all elected members.

- 9 Members of the public may make a deputation to a Briefing Session by making a written request to the Mayor by 4pm on the working day immediately prior to the scheduled Briefing Session. Deputations must relate to matters listed on the agenda of the Briefing Session.
- 10 Other requirements for deputations are to be in accordance with the Standing Orders Local Law where it refers to the management of deputations.

PUBLIC QUESTION TIME

The following protocols for the conduct of Public Question Time were adopted at the Council meeting held on 11 October 2005

Members of the public are invited to ask questions, either verbally or in writing, at Briefing Sessions.

The Council encourages members of the public, where possible, to submit their questions at the earliest opportunity.

Public question time will be limited to the legislative minimum of fifteen (15) minutes and may be extended in intervals of up to ten (10) minutes by resolution of the Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed thirty five (35) minutes in total.

PROCEDURE FOR PUBLIC QUESTION TIME

Members of the public are invited to ask questions, either verbally or in writing, at Briefing Sessions. Questions asked at a Briefing Session must relate to a matter contained on the draft agenda.

- 1 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 2 Each member of the public wanting to ask questions will be encouraged to provide a written form of their question(s) to the Chief Executive Officer (CEO) or designated City employee.
- 3 Public question time will be limited to two (2) minutes per member of the public, with a limit of two (2) questions per member of the public.
- 4 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 5 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.

- 6 Where the number of required questions exceeds the number able to be asked, the member of the public may submit the unasked questions to the Council, where they would be 'taken on notice' and a written response provided.
- 7 Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 8 To enable prompt and detailed responses to questions, members of the public are encouraged to lodge questions in writing to the CEO by close of business on the working day immediately prior to the scheduled Briefing Session.
- Responses to those questions received within the above timeframe will, where practicable, be provided in hard copy at the meeting.
- 9 The Mayor or presiding member shall decide to:
- Accept or reject the question and his/her decision is final;
 - Nominate a member of the Council and/or City employee to respond to the question;
 - Due to the complexity of the question, require that it be taken on notice with a written response provided as soon as possible, and included in the agenda of the next briefing session.
- 10 Questions are to be directed to the presiding member and should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- 11 Where a response has been provided to a question asked by a member of the public, and where that response, in the opinion of the presiding person, adequately deals with the question, there is no obligation to further justify the response.
- 12 Where an elected member is of the opinion that a member of the public is:
- asking a question at a Briefing session, that is not relevant to a matter listed on the draft agenda, or;
 - making a statement during public question time;
- they may bring it to the attention of the meeting.
- 13 Questions and any response will be summarised and included in the notes of the Briefing Session.
- 14 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

PUBLIC STATEMENT TIME

The following protocols for the conduct of Public Statement Time were adopted at the Council meeting held on 11 October 2005

Members of the public are invited to make statements, either verbally or in writing, at Briefing Sessions of the City.

Public statement time will be limited to a maximum of fifteen (15) minutes. Individual statements are not to exceed two (2) minutes per member of the public.

PROCEDURE FOR PUBLIC STATEMENT TIME

Members of the public are invited to make statements, either verbally or in writing, at Briefing Sessions. Statements made at a Briefing Session must relate to a matter contained on the draft agenda.

- 1 A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 2 Public statement time will be limited to two (2) minutes per member of the public.
- 3 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 4 Public statement time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further statements.
- 5 Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- 6 Where an elected member is of the opinion that a member of the public is making a statement at a Briefing session, that is not relevant to a matter listed on the draft agenda, they may bring it to the attention of the meeting.
- 7 Statements will be summarised and included in the notes of the Briefing Session.
- 8 It is not intended that public statement time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

DISCLAIMER

Responses to questions not put in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

DEPUTATION SESSIONS

Council will conduct an informal session on the same day as the Briefing Session in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup, commencing at 6.30 pm where members of the public may present deputations by appointment only. (Please note that deputation requests are to be received by no later than 4.00 pm on the Monday prior to a Briefing Session.)

A time period of fifteen (15) minutes is set-aside for each deputation, with five (5) minutes for Elected members' questions. Deputation sessions are open to the public.

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

CITY OF JOONDALUP – BRIEFING SESSION

to be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 11 JULY 2006** commencing at **6.30 pm**

ORDER OF BUSINESS

1 OPEN AND WELCOME

2 DEPUTATIONS

3 PUBLIC QUESTION TIME

The following questions were submitted verbally at the Briefing Session held on 20 June 2006.

Mr J Hollywood, Burns Beach:

Q1 *Further to the questions I raised at Council, are there any more swales going into the public open space in Burns Beach, where are they and are there any more going into the dunal system?*

A1 There is no additional drainage going into the dunal system but there is drainage going into the adjacent reserve. A detailed response to the earlier questions is being prepared.

Q2 *Regarding Item 6 – In relation to the amount of 89 hectares, can I have details of where this land is?*

A2 This detail can be provided.

Mrs M Zakrevsky, Mullaloo:

Q1 *Re Item 5 – Cheque No 75322 for Synergy; monthly account for lighting, including two floodlights in Korella Park, Mullaloo. There is a dead tree and another eucalypt that block the light onto the cricket nets, and children's play area, preventing the use of the cricket nets after dark. Can the trees be removed and replacement trees planted in more appropriate places, or alternatively, could the floodlight be moved so that the nets are lit?*

A1 The matter relating to the dead tree will be investigated, however the City would not allow small ball sports to be played at night.

4 PUBLIC STATEMENT TIME

The following statement was submitted verbally at the Briefing Session held on 20 June 2006.

Mr M Caiacob, Mullaloo:

Mr Caiacob spoke in relation to Item 9 – Western Australian Planning Commission Draft Statement of Planning Policy – Network City.

5 APOLOGIES AND LEAVE OF ABSENCE

Leave of absence previously approved:

Cr M John 4 July 2006 – 28 July 2006 Inclusive

Cr A Jacob 3 July 2006 – 14 July 2006 inclusive

6 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

Disclosure of Financial Interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

Disclosure of interest affecting impartiality

Elected members and staff are required under the Code of Conduct, in addition to declaring any financial interest, to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected member/employee is also encouraged to disclose the nature of the interest.

Name/Position	Mr Michael Smith – Acting Director Governance & Strategy
Item No/Subject	Item No 14 – Proposed Three Storey Office Development at Lot 519 (5) Davidson Terrace, Joondalup
Nature of interest	Interest that may affect impartiality
Extent of Interest	Mr Smith is a client of the Accounting Firm who is the owner.

Name/Position	Mr Michael Smith – Acting Director Governance & Strategy
Item No/Subject	Item No 16 – Western Australian Cricket Association (WACA) – Draft Facilities Strategic Plan
Nature of interest	Interest that may affect impartiality
Extent of Interest	Mr Smith is a life member of the Joondalup Cricket Club, which is a member of the Western Australian Cricket Club (WACA).

Name/Position	Mr Chris Terelinck – Manager Approvals Planning and Environmental Services
Item No/Subject	Item No 14 – Proposed Three Storey Office Development at Lot 519 (5) Davidson Terrace, Joondalup
Nature of interest	Interest that may affect impartiality
Extent of Interest	Mr Terelinck is a client of the Accounting Firm who is the owner.

7 REPORTS

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- 8 REPORT OF THE CHIEF EXECUTIVE OFFICER**
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- 10 BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS**
- 11 REPORTS/PRESENTATIONS REQUESTED BY ELECTED MEMBERS**

LATE ITEMS / ADDITIONAL INFORMATION

In the event that further documentation becomes available prior to this Briefing Session, the following hyperlink will become active:

[Additional Information 110706.pdf](#)

ITEM 1 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [18576]

WARD: All

RESPONSIBLE A/DIRECTOR: Mr Mike Smith
Governance and Strategy (Acting)

PURPOSE

To provide a listing of those documents executed by means of affixing the Common Seal for noting by the Council for the period 21 March 2006 to 27 June 2006.

EXECUTIVE SUMMARY

The City of Joondalup enters various agreements by affixing its Common Seal. The Local Government Act 1995 states that the City is a body corporate with perpetual succession and a common seal. Those documents that are executed by affixing the Common Seal are reported to the Council for information on a regular basis.

BACKGROUND

Not Applicable.

DETAILS

Document: Deed
Parties: City of Joondalup and State of WA
Description: Deed of Indemnity for use of Courthouse land for Joondalup Festival
Date: 21.03.06

Document: Copyright
Parties: City of Joondalup and Tony Pyke
Description: Recording of historical importance
Date: 12.04.06

Document: DPS Amendment
Parties: City of Joondalup and Minister for Planning and Infrastructure
Description: Amendment No 34 to DPS 2 and modification to Kinross Neighbourhood Centre Structure Plan
Date: 12.04.06

Document: DPS Amendment
Parties: City of Joondalup and Minister for Planning and Infrastructure
Description: Amendment to DPS 2 – building height controls in non-residential adjacent to the coast
Date: 12.04.06

Document: Debenture
Parties: City of Joondalup and WA Treasury
Description: Debenture document for loan funds for Sorrento Beach
Date: 12.04.06
Document: Contract

Parties:	City of Joondalup and Garry Hunt, Chief Executive Officer
Description:	Revised Employment Contract for CEO
Date:	19.04.06
Document:	Easement
Parties:	City of Joondalup, C A and J P Kemsley and E P and A W Poray-Wilczynski
Description:	Partial Surrender of Easement to remove pedestrian and vehicular access rights – Lot 5 Constellation Drive, Ocean Reef
Date:	19.04.06
Document:	Caveat
Parties:	City of Joondalup, Simply Life Chiropractic, Michael Blair and Warren Genders
Description:	Lodgement of Caveat to ensure reciprocal rights of access and parking – 7/265 Eddystone Avenue, Beldon
Date:	19.04.06
Document:	Deed
Parties:	City of Joondalup and Peet and Co
Description:	Restrictive Covenant to limit location of vehicular access to Lots – Lot 9017 (now Lot 100) Burns Beach Road, Burns Beach
Date:	26.05.06
Document:	Land Transfer
Parties:	City of Joondalup and Minister for Training
Description:	Deed for payment of road construction costs – 500 Kendrew Crescent, Joondalup
Date:	27.06.06
Document:	Deed
Parties:	City of Joondalup and City of Wanneroo
Description:	Deed of Variation and Extension of Lease – part of Wanneroo Works Depot, Wanneroo Road, Ashby
Date:	27.06.06

Issues and options considered:

Not Applicable.

Link to Strategic Plan:

Some of the documents executed by affixing the common seal may have a link to the Strategic Plan on an individual basis.

Legislation – Statutory Provisions:

Sub-sections (2) and (3) of section 2.5 of the Local Government Act 1995 states:

- (2) The local government is a body corporate with perpetual succession and a common seal.
- (3) The local government has the legal capacity of a natural person.

Risk Management considerations:

Not Applicable.

Financial/Budget Implications:

Some of the documents executed by the City may have financial and budget implications.

Policy implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability implications:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

The various documents have been executed by affixing the Common Seal of the City of Joondalup and are submitted to the Council for information.

ATTACHMENTS

Nil.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the schedule of documents executed by means of affixing the Common Seal for the period 21 March 2006 to 27 June 2006 be NOTED.

ITEM 2 MINUTES OF AUDIT COMMITTEE MEETING HELD ON 20 JUNE 2006 – [50068]

WARD: All

**RESPONSIBLE
A/DIRECTOR:** Mr Mike Smith
Governance and Strategy (Acting)

PURPOSE

To submit the unconfirmed minutes of the Audit Committee to Council for information.

EXECUTIVE SUMMARY

Following the appointment of representatives to the Audit Committee, a meeting of the Committee was held on 20 June 2006.

It is recommended that Council:

1 *NOTES the unconfirmed Minutes of the Audit Committee meeting held on 20 June 2006, forming Attachment 1 to this Report;*

2 *AMENDS the Audit Committee Charter forming Attachment 2 to this Report as follows:*

(a) *Clause 1.0 – Introduction: Deleting the words “At least three (3) of the members, and the majority of members of the committee are to be elected members;”*

(b) *Clause 4.0 – Membership: Replacing Clause 4.1 with the following words:*

“The committee will consist of eight (8) members as follows:

<i>Mayor</i>	
<i>North Ward</i>	<i>– one representative and one deputy</i>
<i>North-Central Ward</i>	<i>– one representative and one deputy</i>
<i>Central Ward</i>	<i>– one representative and one deputy</i>
<i>South-West Ward</i>	<i>– one representative and one deputy</i>
<i>South-East Ward</i>	<i>– one representative and one deputy</i>
<i>South Ward</i>	<i>– one representative and one deputy</i>
<i>One Representative</i>	<i>– external to the operations of the City of Joondalup”.</i>

BACKGROUND

The Council’s Audit Committee was established in May 2001 to oversee the internal and external Audit, Risk Management and Compliance functions of the City. The City has also employed an internal auditor since May 2002.

At its meeting held on 26 April 2006 (Item C22-04/06 refers) Council adopted the Audit Committee Charter, subject to a number of amendments.

At its meeting held on 24 May 2006 (Item JSC01-05/06 refers) Council appointed the following delegates to the Audit Committee:

	Members	Deputy Members
	Mayor T Pickard	-
North Ward	Cr T McLean	Cr K Hollywood
North-Central Ward	Cr S Magyar	Cr A Jacob
Central Ward	Cr G Amphlett	Cr J Park
South-West Ward	Cr M John	Cr M Evans
South-East Ward	Cr S Hart	Cr B Corr
South Ward	Cr R Currie	Cr R Fishwick

DETAILS

A meeting of the Audit Committee was held on 20 June 2006 to appoint the Presiding Person and Deputy Presiding Person, and to set meeting dates for the Committee. The meetings of the meeting of 20 June 2006 form Attachment 1 to this Report.

The Audit Committee Charter was adopted by Council at its meeting held on 26 April 2006 and a copy of the Charter is provided at Attachment 2 to this report.

Clause 4.1 of the Charter states as follows:

“4.1 The committee will consist of five (5) members with four (4) being elected members of the City of Joondalup and one (1) being external to the operations of the City of Joondalup.”

An amendment is required to be made to the Audit Committee Charter to reflect the current elected member representation on the Committee as resolved by Council at its meeting held on 24 May 2006, being:

Mayor	- one representative and one deputy
North Ward	- one representative and one deputy
North-Central Ward	- one representative and one deputy
Central Ward	- one representative and one deputy
South-West Ward	- one representative and one deputy
South-East Ward	- one representative and one deputy
South Ward	- one representative and one deputy

A report will be presented to the next meeting of the Audit Committee on the recruitment of the external membership of the Committee.

Issues and options considered:

As detailed in the minutes of the meeting held on 20 June 2006.

Link to Strategic Plan:

- 4.2.1 Provide efficient and effective service delivery
- 4.3.3 Provide fair and transparent decision-making processes

Legislation – Statutory Provisions:

Section 5.8 of the Local Government Act 1995 provides for a local government to establish a committee to assist Council.

Local Government Amendment Act 2004

Amendments to the Act regarding audit include the insertion of a new division 7.1A entitled “Audit Committee”. The new division deals with the establishment, membership, decision-making and duties that a local government can delegate to an Audit Committee. It also includes a new section 7.12A dealing with “Duties of local government with respect to audits”.

Local Government (Audit) Amendment Regulations 2005

Amendments have been made on several minor issues such as definitions and interpretations. The most significant change has been the inclusion of new regulation 16, which deals with the “Functions of the Audit Committee”

Risk Management considerations:

Not applicable.

Financial/Budget Implications:

Not applicable.

Policy implications:

Not applicable.

Regional Significance:

Not applicable.

Sustainability implications:

Not applicable.

Consultation:

Not applicable.

COMMENT

The unconfirmed minutes of the Audit Committee meeting held on 20 June 2006 are submitted to Council for information. The items of business that were considered by the Committee were:

- Election of presiding person and deputy presiding person;
- Setting of meeting dates.

It is recommended that the Audit Charter be amended, as outlined on Attachment 2, to reflect the revised membership of elected members and that application be sought for the one external position.

ATTACHMENTS

Attachment 1	Minutes of the Audit Committee meeting held on 20 June 2006.
Attachment 2	Audit Committee Charter, with proposed amendments.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council:

- 1 **NOTES** the unconfirmed Minutes of the Audit Committee meeting held on 20 June 2006, forming Attachment 1 to this Report;
- 2 **AMENDS** the Audit Committee Charter as outlined on Attachment 2 to this Report as follows:
 - (a) **Clause 1.0 – Introduction:** Deleting the words “At least three (3) of the members, and the majority of members of the committee are to be elected members;”
 - (b) **Clause 4.1 – Membership, to be amended to read as follows:**

“The committee will consist of eight (8) members as follows:

Mayor	
North Ward	– one representative and one deputy
North-Central Ward	– one representative and one deputy
Central Ward	– one representative and one deputy
South-West Ward	– one representative and one deputy
South-East Ward	– one representative and one deputy
South Ward	– one representative and one deputy
One Representative	– external to the operations of the City of Joondalup”.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf10706.pdf](#)

ITEM 3 MINUTES OF POLICY COMMITTEE MEETING HELD ON 20 JUNE 2006 – [01435]

WARD:	All
RESPONSIBLE A/DIRECTOR	Mr Mike Smith Governance and Strategy (Acting)

PURPOSE

To submit the unconfirmed minutes of the Policy Committee to Council for information.

EXECUTIVE SUMMARY

A meeting of the Policy Committee was held on 20 June 2006.

It is recommended that Council NOTES the unconfirmed Minutes of the Policy Committee meeting held on 20 June 2006, forming Attachment 1 to this Report.

BACKGROUND

Council at its meeting held on 26 April 2005 resolved to:

“ESTABLISH a Policy Committee comprising membership of the five Commissioners with the following terms of reference:

- (a) To make recommendations to Council on the development and review of strategic (Council) policies to identify the direction of the Council;*
- (b) To Initiate and formulate strategic (Council) policies;*
- (c) To devise and oversee the method of development (level and manner of community consultation) for the development of strategic (Council) policies;*
- (d) To review the Council Policy Governance Framework in order to ensure compliance with provisions of the Local Government Act 1995.”*

DETAILS

A meeting of the Policy Committee was held on 20 June 2006 to appoint the Presiding Person and Deputy Presiding Person, and to set meeting dates for the Committee. The meetings of the meeting of 20 June 2006 form Attachment 1 to this Report.

Issues and options considered:

As detailed in the minutes of the meeting held on 20 June 2006.

Link to Strategic Plan:

This item has a general connection to the Strategic Plan.

Legislation – Statutory Provisions:

Section 5.8 of the Local Government Act 1995 provides for a local government to establish a committee to assist Council.

Risk Management considerations:

Not applicable.

Financial/Budget Implications:

Not applicable.

Policy implications:

The review and development of policies will align with the strategic directions established by Council and outlined in the Strategic Plan 2003 – 2008. Council's vision is to be '*A sustainable City and community that are recognised as innovative, unique and diverse*'. The Strategic Plan was designed to reflect the themes of economic, social and environmental sustainability as well as good governance.

Regional Significance:

Not applicable.

Sustainability implications:

Not applicable.

Consultation:

Not applicable.

COMMENT

The unconfirmed Minutes of the Policy Committee meeting held on 20 June 2006 are submitted to Council for information. The items of business that were considered by the committee were:

- Election of presiding person and deputy presiding person;
- Setting of meeting dates.

ATTACHMENTS

Attachment 1 Minutes of the Policy Committee meeting held on 20 June 2006.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council NOTES the unconfirmed Minutes of the Policy Committee meeting held on 20 June 2006, forming Attachment 1 to this Report.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf110706.pdf](#)

ITEM 4 MINUTES OF STRATEGIC FINANCIAL MANAGEMENT COMMITTEE MEETING HELD ON 20 JUNE 2006 – [51567]

WARD:	All
RESPONSIBLE A/DIRECTOR:	Mr Mike Smith Governance and Strategy (Acting)

PURPOSE

To submit the unconfirmed minutes of the Strategic Financial Management Committee to Council for information.

EXECUTIVE SUMMARY

A meeting of the Strategic Financial Management Committee was held on 20 June 2006.

It is recommended that Council NOTES the unconfirmed Minutes of the Strategic Financial Management Committee meeting held on 20 June 2006, forming Attachment 1 to this Report.

BACKGROUND

At its meeting held on 2 November 2004 (Item CJ249-11/04 refers) Council established the Strategic Financial Management Committee (SFMC), comprising the Joint Commissioners, with the following terms of reference:

- 1 Promote and advocate sound financial management within the City and provide advice to the Council on strategic financial management issues;
- 2 In particular advise Council on:
 - (a) How funding can be achieved for any major capital works project before the Council makes a commitment to a project;
 - (b) Levels of service delivery – determine:
 - (i) which services to be provided;
 - (ii) Standards of service. Such standard will be determined with reference to:
 - best industry practice standards where applicable;
 - internally agreed standards which will be determined with reference to local community expectations;
 - (c) Preparation of the Plan for the Future with high priority being given to ensure that the Plan is achievable in the long term;
 - (d) Alignment of the Plan for the Future to the Council's Strategic Plan;
 - (e) Consideration of public submissions to the Plan for the Future;
 - (f) Final acceptance of the Plan for the Future'

- 3 Policy development and review of policies with financial implications for the City.

DETAILS

A meeting of the Strategic Financial Management Committee was held on 20 June 2006 to appoint the Presiding Person and Deputy Presiding Person, and to set meeting dates for the Committee. The meetings of the meeting of 20 June 2006 form Attachment 1 to this Report.

Issues and options considered:

As detailed in the minutes of the meeting held on 20 June 2006.

Link to Strategic Plan:

Key Focus Area 4 - Organisational Development

- 4.1 To manage the business in a responsible and accountable manner;
- 4.1.1 Ensure financial viability and alignment to plan.

Legislation – Statutory Provisions:

In accordance with Section 2.7 of the Local Government Act 1995, included in the role of the Council is the responsibility to oversee the allocation of the local government's finances and resources.

Section 5.8 of the Local Government Act 1995 provides for a local government to establish a committee to assist the Council.

Risk Management considerations:

The main risk considerations related to the SFMC are of an economic nature and pertain principally to issues of sustainability.

Financial/Budget Implications:

The terms of reference of the SFMC include promoting and advocating sound financial advice to the Council on strategic financial management issues.

Policy implications:

Not Applicable.

Sustainability Implications:

The terms of reference of the SFMC are consistent with establishing a sustainable financial plan for the future by advising Council on funding for capital works projects, levels of service and preparation of the Strategic Financial Plan.

Sustainability implications:

Not applicable.

Consultation:

Not applicable.

COMMENT

The unconfirmed Minutes of the Strategic Financial Management Committee meeting held on 20 June 2006 are submitted to Council for information. The items of business that were considered by the committee were:

- Election of presiding person and deputy presiding person;
- Setting of meeting dates.

ATTACHMENTS

Attachment 1 Minutes of the Strategic Financial Management Committee meeting held on 20 June 2006.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council NOTES the unconfirmed Minutes of the Strategic Financial Management Committee meeting held on 20 June 2006, forming Attachment 1 to this Report.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf110706.pdf](#)

ITEM 5 INVITATION TO SCHOOLS – LOCAL GOVERNMENT WEEK 2006 - [02154]

WARD: All

RESPONSIBLE A/DIRECTOR: Mr Mike Smith
Governance and Strategy (Acting)

PURPOSE

To extend an invitation to high school students within the City of Joondalup to attend the Council Meeting to be held on 8 August 2006, coinciding with Local Government Week which runs from 5 – 7 August 2006.

EXECUTIVE SUMMARY

To extend an invitation to six local schools to attend a Council meeting during the course of Local Government Week in August 2006.

The purpose of the invitation is to involve students in the running of Council meetings. Students will also gain knowledge of Council's decision-making process whilst also promoting the newly elected members.

The recommendation is for Council to amend the commencement time of its meeting scheduled to be held on 8 August 2006 to accommodate attendance by high school students within the City of Joondalup.

BACKGROUND

The Council at its meeting held on 28 June 2005 resolved as follows:

"That Council:

- 1 in order to increase the profile and importance of civic issues amongst local students, INVITES Student Council members from all high schools within the district to attend the Council meeting due to be held on Tuesday, 9 August 2005 during Local Government Week 2005;*
- 2 REQUESTS the Chief Executive Officer to investigate the possibility of holding the Council meeting scheduled for Tuesday 9 August 2005 during school hours."*

The Council further resolved at its meeting held on 28 June 2005 as follows:

"That Council:

- 1 AMENDS Point 2 of its resolution CJ122-06/05 of 28 June 2005 to read:
"2 In order to increase the profile and importance of civic issues amongst local students, INVITES a maximum of ten (10) students from each of the high schools within the district to attend the Council meeting due to be held on Tuesday, 9 August 2005 during Local Government Week 2005";*
- 2 INVITES members of the Joondalup Youth Advisory Council to attend the Council meeting outlined in Point 1 above;*

- 3 *in accordance with the Local Government (Administration) Regulations 1996, AMENDS the commencement time of the Ordinary Meeting of Council scheduled to be held on Tuesday, 9 August 2005 from 7.00 pm to 12 noon;*
- 4 *in accordance with the Local Government Act 1995, GIVES local public notice of the change of meeting time as detailed in (3) above."*

The Council previously invited high school students to attend its Council Meeting held on Tuesday, 9 August 2005. The purpose of students attending the Council Meeting held during Local Government Week was to provide information/education and an opportunity to highlight the decision-making processes of local governments.

A total of 68 students and teachers attended the Council Meeting from six schools within the City of Joondalup, which included:

- Greenwood Senior High School
- Ocean Reef Senior High School
- Kinross Community College
- Padbury Senior High School
- Mater Dei College
- Woodvale Senior High School.

Each school was offered the opportunity to have one or two student representatives ask a question of the Council during Public Question Time.

Due to the excellent response and participation from the high schools within the district last year, it is proposed that an invitation again be extended to schools this year to attend the Council Meeting coinciding with Local Government Week. It is an excellent opportunity to not only promote the decision-making process of local governments, but to also promote the City's newly elected members.

DETAILS

Issues and options considered:

The options available to the Council are:

- extend an invitation to high schools to attend a meeting of the Council at either normal commencement time of 7pm, or at a revised time (will require a decision to change commencement time).
- not to invite students to a meeting of the Council.

Link to Strategic Plan:

The proposal is consistent with the following Strategic Objectives as outlined in the City's Strategic Plan 2003-2008;

- 1.1.3 Support whole-of life learning and creation of knowledge opportunities;
- 1.3 To continue to provide services that meet changing needs of a diverse and growing community; and
- 4.3 To ensure the City responds to and communicates with the City.

Legislation – Statutory Provisions:

Regulation 12 (2) of the Local Government (Administration) Regulations 1996 requires a local government to give local public notice of any change to the date, time and place of a meeting:

“12. Public notice of council or committee meetings – s.5.25(g)

- (1) *At least once each year a local government is to give local public notice of the dates on which and time and place at which –*
- (a) *the ordinary council meetings; and*
- (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.*
- (2) *A Local Government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).”*

This is the only statutory provision to be adhered to when considering this proposal. The Council has previously resolved its meeting schedule for 2005, any change to this would require an amendment to the original decision and appropriate advertising.

Risk Management considerations:

Nil.

Financial/Budget Implications:

Account No:	
Budget Item:	Advertising
Budget Amount:	\$500.00
YTD Amount:	\$500.00
Actual Cost:	\$500.00

Policy implications:

No Applicable.

Regional Significance:

No Applicable.

Sustainability implications:

Not Applicable.

Consultation:

Feedback from last year’s function was positive and it was requested at that time that it be an ongoing event. When planning for the 2005 meeting it was clearly indicated by the schools that to ensure their attendance that the meeting needed to commence prior to 12 noon. Commencement time, any later than that, would cause issues with such things as transport, student after-hours activities.

COMMENT

In order to facilitate the presence of students from all high schools within the district it is preferable to change the time of the Council Meeting on Tuesday 8 August 2006 from 7.00pm to 12 noon.

Notification of this change of meeting time will require advertising in the local community newspaper and also to be displayed on the City's notice boards.

There are a total of 16 high schools and 48 primary schools within the City of Joondalup.

Due to the seating capacity of the Chamber it is suggested that invitations be restricted to ten students and two staff members from each high school. It will be left to the discretion of each school as to those students that attend, but attendance at the Council meeting should have some relevance to studies the students may be undertaking at the time e.g. political studies.

Prior to the Council meeting in August 2005, students and staff members were provided with a light lunch as well as an opportunity to meet and converse with elected members, employees and other members of the public following the meeting.

ATTACHMENTS

Nil.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1 INVITES a maximum of ten (10) students from each of the high schools within the district to attend the Council meeting due to be held on Tuesday, 8 August 2006 during Local Government Week 2006;**
- 2 in accordance with the Local Government (Administration) Regulations 1996, AMENDS the commencement time of the Ordinary Meeting of Council scheduled to be held on Tuesday 8 August 2006 from 7 pm to 12 noon;**
- 3 GIVES local public notice of the change of meeting time as detailed in (2) above.**

ITEM 6 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2006 – [07882]

WARD: All

RESPONSIBLE DIRECTOR: Mr Mike Tidy
Director Corporate Services

PURPOSE

The May 2006 financial activity statement is submitted to Council to be noted.

EXECUTIVE SUMMARY

The May 2006 year to date report shows an overall variance (under spend) of \$16m when compared to the year to date revised budget approved by Council at its meeting of 21 February 2006 (CJ029-02-06).

This variance can be analysed as follows:

- The **Operating Surplus** is \$13.5m compared to a budgeted surplus of \$10.9m at the end of April 2006. The \$2.6m variance is primarily due to additional interest income and lower than budgeted expenditure in employee costs and materials and contracts. This is partially offset by reduced revenue from government grants and subsidies.
- **Capital Expenditure** is \$16.1m against the year to date budget of \$29.5m. The \$13.4m under spend is due to delays in purchasing heavy and light vehicles and in the construction of infrastructure assets and council projects.

It is recommended that Council NOTES the Financial Activity Statement for the period ended 31 May 2006.

BACKGROUND

The Local Government (Financial Management) Regulations 1996 requires the production of financial activity statements. Council approved at the 11 October 2005 meeting to accept the monthly Financial Activity Statement according to nature and type classification.

DETAILS

The financial activity statement for the period ended 31 May 2006 is appended as Attachment A.

Issues and options considered:

Not Applicable

Link to Strategic Plan:

Objective 4.1.1 – Ensure financial viability and alignment to plan.

Legislation – Statutory Provisions:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed.

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 as amended, requires the local government to prepare each month a statement of financial activity reporting on the sources and applications of funds as set out in the annual budget.

Risk Management considerations:

In accordance with section 6.8 of the Local Government Act 1995, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.

Financial/Budget Implications:

Refer attachment A.

Policy implications:

All expenditure included in the Financial Activity Statement is drawn from the City's accounting records.

Regional Significance:

Not Applicable

Sustainability implications:

Expenditure has been incurred in accordance with budget parameters which have been structured on financial viability and sustainability principles.

Consultation:

In accordance with Section 6.2 of the Local Government Act 1995, the annual budget was prepared having regard to the Strategic Financial Plan, prepared under Section 5.56 of the Local Government Act 1995, which was made available for public comment from 21 May to 20 June 2005.

COMMENT

All expenditures included in the Financial Activity Statement are incurred in accordance with the revised 2005/06 Annual Budget or have been authorised in advance by Council where applicable.

ATTACHMENTS

Attachment A Financial Activity Statement for the period ended 31 May 2006.

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

That Council NOTES the Financial Activity Statement for the period ended 31 May 2006.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf110706.pdf](#)

ITEM 7 2007/2008 STATE AND NATIONAL BLACKSPOT PROGRAM – [08151]

WARD: All

RESPONSIBLE DIRECTOR: Mr Dave Djulbic
Infrastructure Services

PURPOSE

The purpose of this report is to seek the Council's formal endorsement of projects submitted for the 2007/08 State and National Black Spot Programs.

EXECUTIVE SUMMARY

On 17 February 2006, Main Roads WA called for submissions for the 2007/08 State and National Black Spot Programs. Submissions are required by 28 July 2006. In order to meet this deadline, project submissions require formal endorsement by the Council.

A list of the proposed projects, including total project costs, possible State Black Spot Program funding and the mandatory Council one-third contributions should funding be approved, are shown on Attachment 1. The formal endorsement of the short-listed projects are supported on the basis that they may significantly improve safety of the local road network for all road users.

This report recommends that Council ENDORSES the listed projects shown on Attachment 1 to this Report for submission to the 2007/08 State and National Black Spot Programs.

BACKGROUND

In August 2000, the State Government announced a new initiative targeting black spots and road improvements around Western Australia. The program is now moving into its seventh year. The State and National Black Spot Programs are aimed at further improving road safety on local roads across Western Australia, thereby reducing the significant trauma and suffering of crash victims, family and friends.

The program targets road locations where crashes are occurring and aims to fund cost-effective and safety orientated projects by focusing on locations where the highest safety benefits and crash reductions can be achieved.

All submissions are considered on their merits and are evaluated against the criteria set by the State and National Black Spot Program Development and Management Guidelines.

The State Black Spot Program will allocate two-thirds funding towards the cost of successful projects, with the remaining one-third project cost to be met by Council. The National Black Spot Program will allocate 100% of the funding towards the cost of successful projects.

Projects are submitted under both State and National programs and can be funded from either program.

DETAILS

Issues and options considered:

On 17 February 2006, Main Roads WA called for submissions for the 2007/08 State and National Black Spot Programs. To enable the submissions to be presented to the Metropolitan Regional Road Group Technical Members meeting, the submission deadline was set for 28 July 2006.

As part of this 2007/08 program, approximately 170 eligible sites in the City of Joondalup (5 crashes in 5 years ending December 2005) were evaluated on a preliminary basis. Of these, 39 sites were subject to a more detailed assessment.

The projects are prioritised on a statewide basis, utilising an economic indicator known as the BCR (Benefit Cost Ratio). The BCR is the comparison of cost savings to the community as a result in the reduction of crashes, compared to the cost of installing a particular traffic treatment type. In simple terms, the greater the cost effectiveness, the greater the BCR value, which results in a higher project ranking. It is also noted that some of the State and National Black Spot Program funds will be allocated towards projects that have undergone a safety audit procedure. The extent of these funds is yet to be determined, however it is unlikely to be more than 20% of the program funding. Safety audits have been undertaken for various sites to take into consideration the traffic volumes and the intersection layouts.

On the basis of the detailed assessment, twenty-one sites have been short-listed. A list of the short-listed projects, including total project costs, possible State Black Spot Program funding and the mandatory Council contributions, should funding be approved, are shown on Attachment 1.

Since the inception of the State and National Black Spot Programs, the City has addressed the major black spots within its jurisdiction.

The emphasis now is on addressing conflict areas at T-intersections of local roads with arterials.

The installation of “Seagull Islands” within the median space at intersections channels vehicular movements and improves traffic safety at these locations (refer Attachment 2).

In accordance with the previous year, it is envisaged that the Minister for Transport will announce the approved projects early to mid 2007.

Link to Strategic Plan:

The projects fit into the Strategic Plan for the City by improving infrastructure. The major benefit for the community is a safer road network. The use of the State and National Black Spot programs enables the City to source grant funds in combination with its own funds. The following objectives and strategies apply:

- 1.4.2 Contribute to the protection of human health
- 3.1 To develop and maintain the City of Joondalup’s assets and built environment
- 4.1.3 Develop a risk management strategy
- 4.2 To provide quality services with the best use of resources

Legislation – Statutory Provisions:

Not Applicable

Risk Management considerations:

The State and National Black Spot Programs will assist in improving safety considerations associated with the City's local road network.

Financial/Budget Implications:

The successful funding of Black Spot projects will require Council to allocate funds in the 2007/08 Program. The grants are provided on the basis of two-thirds contribution from the State to one-third by the City. Any successful National Black Spot projects will not require any Council contribution.

An amount of \$180,000 has been listed as Council's contribution (2007/08) of the City's Five Year Capital Works - Black Spot Program. Should Council be successful in all its submissions, then a budget adjustment will be undertaken as part of the 2007/08 Draft Budget deliberations.

Policy implications:

Not Applicable

Regional Significance:

Not Applicable

Sustainability implications:

Not Applicable

Consultation:

Not Applicable

COMMENT

The State and National Black Spot Programs are administered by Main Roads WA and provide funding to improve the road network.

The short-listed projects shown on Attachment 1 are presented for formal endorsement by the Council. Subject to endorsement and approval for State and National Black Spot funding, the City's contribution for each successful project will be listed for funding consideration as part of the City's 2007/08 budget deliberations.

ATTACHMENTS

- | | |
|--------------|---|
| Attachment 1 | Proposed 2007/08 State and Natural Black Spot Program Project Submission List |
| Attachment 2 | Typical "Seagull Island" Layout |

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council ENDORSES the listed projects shown on Attachment 1 to this Report for submission to the 2007/08 State and National Black Spot Programs.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf110706.pdf](#)

ITEM 8 TRIPARTITE AGREEMENT FOR THE UPGRADE OF THE MATERIALS RECOVERY FACILITY, WANGARA – [53119]

WARD: All

**RESPONSIBLE
DIRECTOR:** Mr Dave Djulbic
 Infrastructure Services

PURPOSE

To seek Council's approval to enter into a new tripartite agreement with the Cities of Wanneroo, Swan and Joondalup for an upgrade of the Materials Recovery Facility (MRF) at Wangara.

EXECUTIVE SUMMARY

Council adopted the Waste Management Strategy 2005 in December 2005. One of the cornerstones of the strategy is to introduce a universal kerbside recycling system for the City in 2007. In order to achieve this it was recognised that the MRF needed an upgrade to cope with the projected tonnages being collected and its ageing condition.

The MRF is currently under a Tripartite Agreement with the Cities of Swan, Joondalup and Wanneroo and this will expire in December 2006. It is proposed to amend the current agreement to bring it up to date so the project can be implemented. A draft updated Agreement is attached and features include:

- A 5-year period commencing on or before 1 January 2007 with options to extend;
- An upfront capital contribution to modify the MRF. The total cost of the modifications is estimated to be \$3.6M split three ways;
- A capital repayment plan is incorporated in the agreement whereby \$1.2M is repaid over 5 years. However, rather than the capital being physically repaid, it is offset against the Council's obligation to meet its operational costs, therefore reflected in a lower tonnage sorting cost;
- A Senior Management Team (SMT) will oversee the operation of the agreement, handle disputes and set strategic directions for the operation of the agreement;
- A commercial land lease, payable to the City of Wanneroo, is to be included as an operating expense. This is for the approximate 23,000 m² at the Motivation Drive, Wangara currently being used for the MRF and its non-exclusive access including weighbridge;
- Operating costs will include (but not limited to) sorting costs, depreciation, lease, insurance, utilities, lease fees, composition audits, all repairs, maintenance and minor capital purchases (up to \$20,000), commodity preparation and selling costs and other items agreed by the SMT;
- City of Wanneroo will allocate to the operation as an expense, \$100,000 per year of the actual annual operating costs and distributed overheads of its Environmental Waste Services Business Unit.

It is recommended that Council:

- 1 *AGREES IN PRINCIPLE to the continuation of a joint arrangement with the Cities of Swan and Wanneroo to upgrade and operate the Wangara Material Recovery Facility.*
- 2 *AUTHORISES the Chief Executive Officer to enter into a joint agreement for the Materials Recovery Facility at Wangara with the Cities of Wanneroo and Swan in accordance with the conditions outlined in the report.*
- 3 *NOTES that the City's contribution totalling \$1.2M for the proposed upgrading of the Materials Recovery Facility at Wangara will be listed for Council's consideration as part of the 2006/07 Budget deliberations.*

BACKGROUND

During 2000 the Cities of Wanneroo, Joondalup and Swan negotiated a joint agreement to upgrade and use the City of Wanneroo's Wangara Material Recovery Facility (MRF), which was built in 1992. The capital expenditure of \$645,000 was equally funded by the three Cities and recovered progressively over a five-year period, based on the tonnes of material delivered for processing. This agreement expires 31 December 2006.

The number of tonnes processed at the MRF has grown over the period and deliveries for the last four calendar years are shown below. The table also shows predicted deliveries next year using current growth and the change to the City of Joondalup's collection system from bags to carts.

City		Tonnes 2002	Tonnes 2003	Tonnes 2004	Tonnes 2005	Est. Tonnes 2007
City of Wanneroo	of	1,688	2,125	2,514	3,106	3,800
City of Joondalup	of	5,563	6,275	6,487	6,095	13,600
City of Swan		5,516	6,147	6,418	6,610	8,000
Total		12,767	14,547	15,419	15,811	25,400

The current plant is operating near maximum capacity of 16,000tpa.

The current sorting contract expires in December 2006.

DETAILS

The City of Joondalup has undertaken a public consultation process in relation to the future of its recycling programme. This identified a strong interest in the provision of a kerbside recycling collection cart service to replace the current bag service. The Council resolved on 13 December 2005 that this system would be introduced during the 2006/07 financial year with collection scheduled to commence 1 January 2007. This will greatly increase the amount of recyclables that Joondalup collects and the capacity of the current MRF (16,000t) to process the available material will be exceeded (refer table above).

A review of the location of the current MRF in relation to land development proposals in Wangara indicates that it would be appropriate for the facility to remain at its current location for at least the next five years.

A review was undertaken to determine if the current facility could be economically upgraded with current sorting equipment technology to handle up to 32,000 tpa in a single shift operation. The recommendation was that the current ageing equipment be scrapped and a

new plant be installed inside the current building. This is expected to require a 5-week shut down period. The option giving the lowest operational cost over a 5-year period has a capital cost estimate of \$3.6m.

Provision of \$1.2m has been included in the City's draft capital works 2006/2007 budget towards the upgrade of the MRF. The City of Joondalup has made provision for the project and discussions are continuing with the City of Swan.

A draft updated Agreement is attached and the main features include:

- 5 year period commencing on or before 1 January 2007 with options to extend;
- An upfront capital contribution to modify the MRF. The total cost of the modifications is estimated to be \$3.6M split three ways with the capital contribution being repaid over 5 years;
- A capital repayment plan is incorporated in the agreement whereby \$1.2M is repaid over 5 years. However, rather than the capital being physically repaid, it is offset against the Council's obligation to meet its operational costs, therefore reflected in a lower tonnage sorting cost;
- A Senior Management Team (SMT) will oversee the operation of the agreement, handle disputes and set strategic directions for the operation of the agreement;
- A commercial land lease, payable to the City of Wanneroo, is to be included as an operating expense. This is for the approximate 23,000 m² at the Motivation Drive, Wangara currently being used for the MRF and its non-exclusive access including weighbridge;
- Operating costs will include (but not limited to) sorting costs, depreciation, lease, insurance, utilities, lease fees, composition audits, all repairs, maintenance and minor capital purchases (up to \$20,000), commodity preparation and selling costs and other items agreed by the SMT;
- Budget agreed annually by all parties to the agreement. Should a Council object to two successive budgets, then it has the option to withdraw from the contract and forego its annual capital repayment;
- City of Wanneroo will allocate to the operation as an expense, \$100,000 of the actual annual operating costs and distributed overheads of its Environmental Waste Services Business Unit;
- Depreciation of fixed assets will be charged as an operating expense, based on straight line basis;
- All actual operating costs will be proportioned in accordance with the gross tonnes of material delivered to the facility for sorting, based on open book principles overseen by the SMT;
- The composition of each Council's deliveries shall be determined by audit of incoming loads to the satisfaction of the SMT;
- All income from the sale of sorted material will be proportioned in accordance with the estimated recoverable net tonnes of saleable material delivered to the facility;
- During the period of the contract the surplus or shortfall shall be accounted for on a quarterly basis and overseen by the SMT;

- Major Capital Works include capital purchases greater than \$20,000 and requires the agreement of all Council representatives on the SMT followed by endorsement by the City of Wanneroo if purchases are not budgeted prior to works proceeding;
- Depreciation on approved major capital purchases is amortised over the remaining period of the agreement.

Issues and options considered:

The Wangara MRF is at the end of its useful life and in need of an urgent upgrade. The MRF is operating to near or at full capacity and the proposed move of the City to increase tonnages through the introduction of recycling MGBs will result in the MRF not being able to cope.

There are two MRFs north of the river, Wangara and the Cleanaway MRF at Bayswater. The Bayswater MRF is operating to near capacity and could not cope with the Joondalup tonnages.

Link to Strategic Plan:

Review and further development of the City's Waste Management Strategy is consistent with the Strategic Plan. Under the Key Focus Area 'To care for the Environment' the City has a strategy to effectively and efficiently manage the waste by:

- Further develop and implement recycling strategies;
- Plan for the development of waste management.

Legislation – Statutory Provisions:

None for the City. The City of Wanneroo will need to determine if the Agreement constitutes a major trading undertaking, if so, then the City of Wanneroo will be required to conform the requirements under the Local Government Act 1995.

Risk Management considerations:

The cost per tonne charged is dependant on the price that is received for the commodities. A number of commodities are sold overseas and is therefore dependant on world markets. Given the resources boom and the stable prices received for commodities over the past few years, risks of not achieving the projections are considered low.

Financial/Budget Implications:

The proposed upgrade is \$3.6M and the City's share will be \$1.2M. The Universal Recycling Project is provided for in new projects and will be part of the budget deliberation for 2006/07.

Considerable work has been completed on the best options for the parties and the considered view is that the MRF needs a major upgrade rather than a maintenance upgrade previously thought adequate. The upgrade will provide for the introduction of the City's MGBs, the City of Wanneroo's growth and enough capacity for its MGB cart option if it decides to introduce MGBs as well. The City of Swan is considering its options but current indications are that it is willing to be involved.

On a conservative projection, sorting costs will be in the range \$0 to \$12 per tonne. The current Agreement has produced a sorting cost range for the City of approximately \$25 per tonne. It should be noted the MRF cost efficiencies are very dependant on the tonnes processed.

Policy implications:

The City will be able to introduce the universal recycling cart system in 2007, implementing the commitment made in the Waste Strategy 2005.

Regional Significance:

The MRF arrangements are on the same basis as the last Tripartite Agreement. The upgrade will be automated and will employ approximately 8 people.

The MRF will provide the major sorting facility in the northern suburbs, providing employment and environmental outcomes consistent with strategic directions.

Sustainability implications:

The adopted Waste Management Strategy is consistent with City's sustainability outcomes and will assist in achieving the City's waste diversion targets.

Consultation:

Consultation has been undertaken with senior officers from the Cities of Swan and Wanneroo.

COMMENT

The Cities will need to be able to have their recycling products processed after December 2006 when the current joint operations agreement expires. It will be more cost effective to use an upgraded sorting system at the Wangara MRF than the current plant.

The processing cost per tonne decreases with increased tonnes processed and the best option for the City of Joondalup is to continue the tripartite arrangements for the provision of a MRF.

There is a need to progress discussions on a joint agreement so that the participating Councils can finalise their positions and make appropriate provision in their budgets.

ATTACHMENTS

Attachment 1 Draft Agreement

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION**That Council:**

- 1 AGREES IN PRINCIPLE to the continuation of a joint arrangement with the Cities of Swan and Wanneroo to upgrade and operate the Wangara Material Recovery Facility;**
- 2 AUTHORISES the Chief Executive Officer to enter into a joint agreement for the Materials Recovery Facility at Wangara with the Cities of Wanneroo and Swan in accordance with the conditions outlined in the Report;**

- 3** **NOTES that the City's contribution totalling \$1.2M for the proposed upgrading of the Materials Recovery Facility at Wangara will be listed for Council's consideration as part of the 2006/07 Budget deliberations.**

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf110706.pdf](#)

ITEM 9 PROPOSED PARKING SCHEME AMENDMENT - ON-STREET PARKING LAKESIDE DRIVE, JOONDALUP – [07076] [29136]

WARD: North

RESPONSIBLE DIRECTOR: Mr Dave Djulbic
Infrastructure Services

PURPOSE

To amend the City of Joondalup Parking Scheme by the introduction of a half hour time limit in four on-street bays in Lakeside Drive to provide opportunity for increased use by customers in support of adjacent business.

EXECUTIVE SUMMARY

The City is in receipt of a 60-signature petition for the provision of clearly identified customer on-street parking bays adjacent to the Lakeside Convenience Store, Lakeside Drive, Joondalup.

Whilst the City does not provide for identified on-street customer parking bays, it can, in accordance with the City of Joondalup parking Scheme, provide for time restricted on-street parking bays within the vicinity of the local business, achieving the desired outcome of providing opportunity for increased use of customers in support of the adjacent business.

Accordingly, it is recommended that Council AMENDS the City of Joondalup Parking Scheme, in accordance with Clause 33 of the City's Parking Local Law 1998, by the installation of a half hour parking restriction covering four (4) parking bays on the eastern side of Lakeside Drive, Joondalup, as outlined in Attachment 1, between the hours of 8.00 am to 5.30 pm Monday to Friday and from 8.00 am to 12.00 pm Saturday.

BACKGROUND

The City of Joondalup has received a 60-signature petition, requesting the provision of short-term on-street parking suitable for customers of the Lakeside Convenience Store in Lakeside Drive, Joondalup.

The development of this new business has created additional demands for short-term on-street parking within the adjacent vicinity. Parking demand, particularly during business hours, has been exacerbated by spillover of long-term parking from the nearby businesses and educational facilities.

DETAILS

Issues and options considered:

The Lakeside Convenience Store has no on-site parking facilities for customers and therefore relies on the availability of adjacent on-street facilities to meet needs for its short-term customer parking. On-street parking is available as a public facility for general use on a "first come, first served" basis.

The City does not set aside on-street parking bays to meet the needs of any one business. However, the City can, in accordance with the City of Joondalup Parking Local Law, provide for time restricted on-street parking bays within close proximity of the local business.

Link to Strategic Plan:

The recommendation in this report is supported by the following objective and strategy in the City's Strategic Plan 2003 – 2008:

Objective: 3.3 to continue to meet changing demographic needs.

Strategy: 3.3.2 integrate plans to support community and business development.

Legislation – Statutory Provisions:

The City of Joondalup Parking Local Law 1998 was made in keeping with the requirements of the Local Government Act (1995):

33 The local government may by resolution constitute, determine, vary and indicate by signs:

- (a) Prohibitions;
- (b) Regulations; and
- (c) Restrictions,

on the parking and stopping of vehicles of a specified class or classes in all roads, specified roads or specified parts of roads in the parking region at all times or at specified times, but this authority shall not be exercised in a manner inconsistent with the provisions of this local law or any other written law.

Risk Management considerations:

Not applicable.

Financial/Budget Implications:

The cost to erect the necessary signage is approximately \$150 each, and sufficient funds exist in the operational budget for this work to occur.

Policy implications:

Not applicable.

Regional Significance:

Not applicable.

Sustainability implications:

Not applicable.

Consultation:

The owner of the business was consulted on the provision of half hour time restricted bays, as outlined in Attachment 1, and was supportive of the proposal.

COMMENT

The requirement for on-street time restricted parking, as depicted at Attachment 1, will provide formalised parking for motorists wishing to patronise the adjacent business by ensuring that more opportunity exists for on-street parking during business hours.

ATTACHMENTS

Attachment 1 Parking Restrictions – Lakeside Drive, Joondalup

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council AMENDS the City of Joondalup Parking Scheme, in accordance with Clause 33 of the City's Parking Local Law 1998, by the installation of a half hour parking restriction covering four (4) parking bays on the eastern side of Lakeside Drive, Joondalup, as outlined in Attachment 1 to this Report, between the hours of 8.00 am to 5.30 pm Monday to Friday and from 8.00 am to 12.00 pm Saturday.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf110706.pdf](#)

ITEM 10 METROPOLITAN REGIONAL ROAD PROGRAM 2007/2008 TO 2011/2012– [08151]

WARD: All

**RESPONSIBLE
DIRECTOR:** Mr Dave Djulbic
Infrastructure Services

PURPOSE

This report is submitted for the consideration by Council for submission to Main Roads WA for the 2007/2008 Five Year Metropolitan Regional Road Program.

EXECUTIVE SUMMARY

Main Roads WA (MRWA) has sought submissions for the 2007/2008 to 2011/2012 Metropolitan Regional Road Program for Improvement Projects and Rehabilitation Projects.

This report outlines the guidelines for the assessment of, and recommends projects for consideration by the Metropolitan Regional Road Group.

This report recommends that Council:

- 1 *SUBMITS Burns Beach Road – Mitchell Freeway to Joondalup Drive for consideration for funding as part of the 2007/2008 Metropolitan Regional Road Program and as shown at Attachment 1 and Attachment 2 to this Report;*
- 2 *SUBMITS the Road Rehabilitation Projects to Main Roads WA for consideration for funding as part of the 2007/2008 Metropolitan Regional Road Program as shown at Attachment 3 to this Report..*

BACKGROUND

Each year, MRWA invites project submissions from local governments for funding consideration as part of the Metropolitan Regional Road Program. The program allocates funds derived from the State Road Funds to Local Government Agreement. MRWA requests detailed project submissions up to two years in advance to allow Councils to program approved projects into their Budgets with certainty of grant funding. Less detail is required for projects submitted in the following years.

The project types are separated into two categories as outlined below:

Road Improvement Projects, which are:

- (a) those which would involve upgrading of an existing road to a higher standard than currently exists, i.e. pavement widening, new overtaking lanes, traffic control measures, etc;
- (b) new works where a road pavement does not currently exist at the proposed standard, e.g. dual carriageway or new carriageway construction.

A multi-criteria analysis, (taking into consideration road capacity, geometry, crashes, benefits and costs) is used to score and prioritise road improvement projects on urban arterial roads submitted by Councils within the metropolitan area.

Road Improvement Projects are audited, scored and approved for the first year only, 2007/08, with any projects submitted for future years beyond 2007/08 to provide MRWA with information on project proposals rather than detail and future cash flows.

Road Rehabilitation Projects

Road rehabilitation projects are those proposed for existing roads where the pavement is to be brought back to as new physical condition, e.g. resealing, reconstruction, re-sheeting and reconditioning. A one-year programme only is required for these submissions – 2007/08.

The distribution of the MRRP funds is based on 50% of the pool to Improvement Projects and 50% to Rehabilitation Projects. A limit of \$1 million per Council per year has been set for Improvement Projects and \$500,000 for Rehabilitation Projects. Funding approval is based on Council's contribution of at least a third to each project.

DETAILS

Road Improvement Projects

The proposed Road Improvement Project submitted for 2007/08 is Burns Beach Road – Mitchell Freeway to Joondalup Drive as shown on Attachment 1 and 2. This project is listed in the Major Road Construction Program in the Draft 2006/07 Five Year Capital Works Program.

This project ties in with the dualling of the section of Burns Beach Road from Marmion Avenue to the Mitchell Freeway which is planned for construction in the second half of 2006/07. The project has been re-evaluated from previous years' submissions and submitted to achieve part funding in 2007/08 and committed funding in 2008/09. It is shown in the Major Road Construction Program of the Five Year Capital Works Program but in the 2008/09 year subject to the available funds in the metropolitan pool and how the project rates against all other submissions on a point score basis. This project (and other arterial roads) are re-evaluated on an annual basis as a result of changing traffic patterns, volumes and crashes. The five-year MRRP programme is adjusted in accordance with the results of the multi-criteria analysis and MRWA audited scoring. Construction of a dual carriageway on this section of Burns Beach Road provides increased capacity for the traffic accessing the Mitchell Freeway, safe turning movements and better facilities for buses, cyclists and pedestrians.

MRWA also requests information on future road improvement projects and these are listed at Page 2 on Attachment 1. This list provides some guidance on the future funding requirement of the MRRG program by all metropolitan Councils.

Road Rehabilitation Projects

An assessment and mechanical study was undertaken for a number of roads, which provides the technical details and recommendations to comply with the criteria for assessing projects. A review is also undertaken on other works such as the traffic management program where traffic islands are located in a red asphalt median on local distributor roads. The resurfacing component of these construction works can be funded via this program if it meets the specified criteria. The inspections, analysis, scoring and documentation were undertaken by a specialist pavement consultant. The Road Rehabilitation Program recommended for submission to MRWA for funding consideration in the 2007/08 financial year is shown at Attachment 3.

Link to Strategic Plan:

The projects fit into the Strategic Plan for the City by improving infrastructure, which leads to an improved lifestyle and an integrated transport system – Strategies 3.1.1 and 3.4.1. Under the MRRP Road Improvement Program, the dualling of arterial roads, such as Burns Beach Road, means that these million dollar plus projects can be undertaken using an external funds source, and include upgrading junction treatments, installing bus embayments and adding smooth asphalt seal to reduce traffic noise on an existing chip seal carriageway.

The extension of the Mitchell Freeway to Shenton Avenue and Burns Beach Road is tentatively scheduled within the timeframe 2006 to 2008. This project ties in with that extension and in conjunction with the dualling of Burns Beach Road from Marmion Avenue to the freeway, the City's arterial road network is well placed to accommodate the increased traffic volumes resulting from the freeway extension.

The major benefit for the community is a more efficient road network as a result of better roads and paths, reduced travel times, less crashes and easier access to facilities. Moreover, using the MRRP process in this way enables the City to construct major roads using the best combination of grant income and its own funds.

For Road Rehabilitation projects, roads can be resurfaced using the MRRP grant as an external funds source that can offset the prohibitive cost of resurfacing and refurbishment of arterial, major and local distributor roads. These treatments prolong the life of the road pavement by resurfacing when it is most beneficial to do so rather than waiting until the pavement fails, which may require more expensive reconstruction.

Legislation – Statutory Provisions:

The funds for these programs come from the State Road Funds to Local Government Agreement. There are no statutory provisions applicable to the funds application but there are procedural requirements as outlined below:

Process for 2007/2008 Metropolitan Regional Road Program

- 1 Project submission to be forwarded to MRWA by 1 May 2006.
MRWA will accept submissions with later endorsement by Council.
- 2 Submissions are checked for omissions and errors in computations.
- 3 Submissions are audited:
 - Rehabilitation projects by Materials Engineering Branch, MRWA
 - Improvement projects by an independent consultant auditor
- 4 Audit queries are discussed with affected Councils.
- 5 Final audited projects are sent to MRWA for collation and priority listing based on points score.
- 6 Lists of audited projects distributed to all Councils in August 2006.
- 7 The Sub Groups of the Metropolitan Regional Road Group each have technical meetings to discuss and approve projects within the Sub Group only. The Cities of Wanneroo, Joondalup, Stirling and Town of Vincent form the North West Sub Group.

- 8 Recommendations are forwarded to the Technical Members Committee of the Metropolitan Regional Road Group. The Director Infrastructure Services from the City is the Chairman of this Technical Group which then recommends the projects to be funded across the metropolitan area to the Metropolitan Regional Road Group.
- 9 The Metropolitan Regional Road Group, which is comprised of elected representatives from metropolitan Councils, considers funding submissions in accordance with the guidelines and makes recommendations to the Advisory Committee. This committee forwards those recommendations to the Commissioner of Main Roads who in turn forwards recommendations to the Minister For Planning and Infrastructure who approves the funding.
- 10 Councils would expect advice of approval of projects during November/December 2006.

Risk Management considerations:

The City has previously received advice from MRWA, and from its own experience with Hodges Drive and other east-west arterial roads to the south, that when the Mitchell Freeway is extended to Burns Beach Road, an increase in traffic can be expected on that road. Besides connecting to the Mitchell Freeway, this section of Burns Beach Road provides easier access to Wanneroo Road and the growing urban region further to the east.

The City also benefits by reducing its financial risk as the project will be two thirds funded by the State Government as detailed at Attachment 1. The City will fund the other one third of the cost from municipal revenue.

The extension of the freeway northwards from Hodges Drive to Shenton Avenue will reduce the traffic impacts on Hodges Drive and its adjacent residents. The increased traffic will be transferred to Shenton Avenue and then to Burns Beach Road. This project provides a means of managing the impacts in the medium to longer term and provides benefits for the growing population in the region.

Financial/Budget Implications:

The successful grant funding of the road improvement project will require Council to allocate funds in the 2007/08 Capital Works Budget – Major Road Construction Program (as well as 2008/09) and Road Preservation and Resurfacing Program as shown on Attachments 1 and 3. The grants are provided on the basis of a two thirds contribution by Main Roads WA to one third by the City. The maximum annual grant for Rehabilitation Projects is \$500,000 and \$1,000,000 for Road Improvement Projects. The City's contribution is funded from the Municipal Fund for road improvement projects and the Federal Local Roads component (FLRG) of Federal Assistance Grants (FAG) for road rehabilitation projects.

Following auditing, some of the Rehabilitation Projects may not be funded in 2007/2008 and may need to be re-evaluated for submission with further projects for funding in subsequent years. It is also possible that the City may not receive funding for the Improvement Project. These circumstances occur because projects from all metropolitan councils compete for the limited funds each year. At this time, the City has received confirmation that the 2006/07 MRRG Program Fund allocation will be \$13.96M. It is anticipated to be the same amount in 2007/08 with around \$6.98M for each program. The scores of all projects are independently audited leading to some projects not achieving the required score or being below the funding cut off level for each Council or the program pool.

For the road improvement project, Burns Beach Rd – Mitchell Freeway to Joondalup Drive, the maximum grant the City can obtain in 2007/08 is \$133,333. This is because the City has a grant of \$866,667 committed for Moore Drive/Connolly Drive duplication in 2007/08. As the

maximum grant per Council per year is \$1M, the difference is \$133,333. Refer to Attachment 1.

However, if the project does achieve an audited score that secures the grant of \$133,333 in 2007/08, the remaining grant amount of \$933,339 is committed for 2008/09 without a further submission by the City. This submission therefore, takes advantage of the funding commitment system and the relatively large amount of the MRRG Program allocation which in turn guarantees funding for the project. The City then budgets for its contributions in the Capital Works Program.

Policy implications:

There are no policy implications.

Sustainability implications:

The multi-criteria analysis of major improvement projects submitted for MRRP funding requires that Environmental, Social and Economic factors be considered. This section of Burns Beach Road has been scored using these sustainability factors.

The Environmental factors are the physical environment, visual quality and cultural and heritage issues.

- physical environmental impacts are those that may damage the area and require approvals from relevant authorities – Burns Beach Road is a designated District Distributor A Road in the Perth Metropolitan Functional Road Hierarchy published by MRWA in 1999. The road has been designed, earthworked and formed for dual carriageway construction as part of the original subdivision. The project area has been transformed from a natural physical environment to one that is man made and its impact is minimal. There will be some additional noise from increased traffic, however, this will be managed by resurfacing the existing chip seal surface, and surfacing the new carriageway, with a low noise asphalt.
- Visual quality impacts are those such as removal of bushland, reduced scenic views and altering the landscape in a negative way. As described above, the existing road has been constructed to accommodate the second carriageway. However landscaping of the medians and verges will be undertaken to ameliorate the impact of the second carriageway and additional pavement area.
- Cultural and Heritage issues are also considered in the environmental issues area. The project is within the existing road reserves created as part of a greenfields subdivisional development and therefore, there are no cultural or heritage sites in the area.

The Social factors are displacement of people, accessibility and community cohesion.

- Displacement of people deals with home and land acquisition and owners consent. The dual carriageway project is totally within existing road reserve boundaries and does not affect existing private property.
- Accessibility to and from connecting local roads is improved by providing greater carriageway capacity and the use of right turn lanes and median openings for vehicle storage while waiting to turn right.
- Community cohesion relates to land use changes and traffic patterns that improve or disrupt the community. Turning movements into and out of local roads onto busy single carriageways are a factor in many crashes in the area. The project addresses these

crashes with left and right turn lanes and islands and the rear end crashes by using asphalt with anti-skid properties. As well, side swipe, rear end and u-turn crashes are totally eliminated with the construction of a median and two lanes in each direction to improve carriageway width and capacity.

Economic factors are considered on a local and regional basis and deal with accessibility to or displacement of business and increased business activity.

- At a local level the project improves accessibility to businesses by providing greater capacity to allow people to reach their destination. This includes not only local shops but also schools, Currambine Train Station and Arena Sports Complex.
- On a regional basis, the project provides for the increased traffic and access to the Mitchell and Kwinana Freeways, the primary north south transport route in Perth; and easier access to Marmion Avenue and Wanneroo Road, the two major arterial roads in the northwest corridor. These strong transport links provide a regional improvement for business activity and business prospects.

Consultation:

The City is a member of the community consultation working group (CCWG) for the Mitchell Freeway extension to Shenton Avenue and Burns Beach Road and remains aware of both community and traffic concerns for that project and how it applies to the construction of a new carriageway on Burns Beach Road.

The City also liaises with MRWA on a technical basis on the Mitchell Freeway extension and how it impacts on the dual carriageway construction east and west of the freeway on/off ramps. This includes design and construction issues such as kerb alignments, stormwater drainage and tie-ins and staging of the works.

COMMENT

The Metropolitan Regional Road Program is administered by MRWA using well established formulae, conditions and procedures that are outlined in the State Road Funds to Local Government Agreement. The City has received grant funding in the past from the program and subject to priorities and auditing of other projects from metropolitan councils, would anticipate some funding of the project in 2007/08 leading to committed funding in 2008/09.

ATTACHMENTS

Attachment 1	Road Improvement Projects Details
Attachment 2	Locality plan
Attachment 3	Road Rehabilitation Projects Details

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That Council:

- 1 **SUBMITS Burns Beach Road – Mitchell Freeway to Joondalup Drive for consideration for funding as part of the 2007/2008 Metropolitan Regional Road Program and as shown at Attachments 1 and 2 to this Report;**
- 2 **SUBMITS the Road Rehabilitation Projects to Main Roads WA for consideration for funding as part of the 2007/2008 Metropolitan Regional Road Program as shown at Attachment 3 to this Report.**

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf110706.pdf](#)

ITEM 11 TENDER 044-05/06 FOR TOM SIMPSON PARK LIGHTING UPGRADE – [88581]

WARD: North Central

RESPONSIBLE DIRECTOR: Mr Dave Djulbic
Infrastructure Services

PURPOSE

This report is to seek the approval of Council to accept the tender submitted by SMB Electrical Services for Tom Simpson Park Lighting Upgrade for the City of Joondalup (Tender 044-05/06).

EXECUTIVE SUMMARY

Tenders were advertised on 15 February 2006 through statewide public notice for Tom Simpson Park Lighting Upgrade for the City of Joondalup. Tenders closed on 2 March 2006. Four submissions were received from:

- High Speed Electrics
- Longmont Group
- Shamrock Electrics
- SMB Electrical Services

It is recommended, in relation to Tender Number 044-05/06 that Council:

- 1 *ACCEPTS the tender submitted by SMB Electrical Services for the provision of services for the Tom Simpson Park Lighting Upgrade in accordance with the statement of requirements in Tender 044-05/06 for a lump sum of \$247,875 (excluding GST) with any agreed variations to be in accordance with the Schedule of Rates as outlined in attachment 1 to this Report;*

- 2 *Authorises expenditure from Project No. 2346, PLR1040 – Tom Simpson Park Lighting (carry forward from 2005/06 - Municipal Fund) - \$130,000 and the reallocation of funds from Project No. 6680, STL115 - Joondalup City Centre Street Lighting (Carry forward from 2004/05) - \$80,000 and Project No. 6814, STL115 - Joondalup City Centre Street Lighting (carry forward from 2005/06) - \$60,000, up to a maximum amount of \$270,000 including contingencies, for the expenditure on this project.*

BACKGROUND

The required Works are comprised of the supply and installation of the Electrical Services to the Tom Simpson Park, Lighting Upgrade at Mullaloo as follows:

- Mobilisation and Site Establishment
- Traffic Management
- Electricity Supply
- Disconnection and Removal of Redundant Equipment
- Trenching and Backfilling and Directional Drilling
- Inspection, Testing & Commissioning
- Earthing

- Switchboards
- Relocation of Main Switchboard (Optional)
- Cabling & Access
- Lighting Installation including Installation of Luminaries
- Supply of Luminaries
- Supply of Light Poles
- Painting of Light Poles (Optional)
- Installation of Light Poles Including Concrete Footings
- Manuals and “Record” Drawings
- Maintenance During the Defects Liability Period
- Sundries - That is all minor and incidental work and materials, specified or unspecified, which are required for proper completion of the works to the true intent and meaning of the Specification and to the satisfaction of the Superintendent.

Respondents were required to submit a lump sum price for these items and, as part of their offer, a schedule of rates for potential variations.

DETAILS

Tenders were advertised on 15 February 2006 in the West Australian newspaper with the tenders closing on 2 March 2006. Four submissions were received from:

Tenderer	Tendered Price (Excluding GST) for Lump Sum Component
High Speed Electrics	\$267,115.00
Longmont Group	\$242,065.00
Shamrock Electrics	\$290,052.00
SMB Electrical Services	\$247,875.00

The first part of the tender evaluation process is to check conformance to the Compliance Criteria, in order to ensure that all essential requirements have been met. Tenders not meeting all the essential requirements are deemed to be non-conforming and are eliminated from further consideration.

All four submissions received were considered compliant and remained for further consideration.

The four submissions met all the essential requirements for the supply and installation of the Electrical Services to the Tom Simpson Park, Lighting Upgrade were therefore carried forward into the second part of the evaluation process, which involves an independent assessment of the qualitative and quantitative criteria by each member of the evaluation panel. Each member of the evaluation panel assessed the submissions individually against the selection criteria using the weightings determined during the tender planning phase. The evaluation panel then discussed their assessments, leading to their recommendation to award the tender.

Under the City’s Contract Management Framework, the tender was assessed by the Evaluation panel using a weighted multi-criterion assessment system and AS 4120-1994 ‘Code of Tendering’, ensuring compliance with *Regulation 18(4)* of the *Local Government (Functions and General) Regulations 1996*.

The Selection Criteria for Tender Number 044-05/06 is as follows:

Demonstrated Understanding of the Required Tasks

- Appreciation of the requirements
- Outline of the proposed methodology

Capacity

- A brief history of the company
- The structure of the business
- Specialised equipment used
- Local infrastructure
- Safety Management Policy

Social and Economic Effects on the Local Community

- Maintain or increase opportunities for local employment
- Maintain or increase arrangements with local service providers
- Provide value added services to the City

Demonstrated Experience in Completing Similar Projects

- Scope of work
- Similarities between those contracts and this requirement

The evaluation panel carried out the evaluation of the above submissions in accordance with the Qualitative Criteria. The offer submitted by SMB Electrical Services was assessed as representing the best offer for the City. This outweighed the fact that it was not the lowest price tender with the price difference of \$5,810, representing a variance of only 2.4% from the lowest tender offer.

Issues and options considered:

If the City does not proceed with the contract at this time, options are:

To recall Tenders with reduced scope of work to reduce cost – this is possible but is unlikely to yield a generally cheaper rate for the work as most of the machinery involved has a mobilisation/demobilisation cost which is fixed regardless of whether the work is for, say 10 metres or 100 metres. Whilst a reduced scope will reduce cost, the requirement to stage and construct a considerable part of the work for future portions means that larger cabling, conduits and new switchboards will still be required increasing the general rate and cost.

Revise the design to a lesser standard to reduce cost – this proposed design has been through a consultation process and it is not the preferred way forward to reduce the scope of works.

Not proceeding with the work is an option, however the Community has been consulted on this project and is expecting it to proceed so that an improved level of service is available for all park and community users.

Link to Strategic Plan:

This requirement is linked to the Strategic Plan in accordance with the following items:

3 City Development.

Objective 3.1

To develop and maintain the City of Joondalup's assets and built environment.

Strategy 3.1.2

Facilitate the safe design, construction and approval of all buildings and facilities within the City of Joondalup.

Strategy 3.1.3

Create and maintain parklands that incorporate nature and cultural activities accessible to residents and visitors.

Legislation – Statutory Provisions:

A statewide public tender was advertised, opened and evaluated in accordance with the *Local Government (Functions & General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$50,000. The consideration for this contract exceeds the Chief Executive Officer's Delegated Authority in relation to the acceptance of tenders to \$250,000.

Regulation 20 – Variation of requirements before entry into contract states as follows:

- (1) If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied required subject to such variations in the tender as may be agreed with the tenderer.
- (2) *In sub regulation (1) "minor variation"* means a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to supply.

Risk Management considerations:

It is considered that the contract will represent a low risk to the City of Joondalup, as the successful tenderer is an established locally based company with technical resources to provide the required services. The successful supplier has recently provided similar services to the City of Joondalup.

Financial/Budget Implications:

This project was approved by Council at its meeting of 28 July 2005 as part of the 2005/06 Capital Works Program. Project No 2346, PLR1040 – Tom Simpson Park Lighting, (Municipal Fund) - \$130,000. This project will now be carried forward to 2006/07.

The recommended tender price of \$247,875 from SMB Electrical Services exceeds the Budget.

However, Council has unused funds in the 2005/06 Street Lighting program due to delays with the assessment of alternative lighting fittings for City Centre trial installation.

Project No. 6680, STL115 - Joondalup City Centre Street Lighting (Carry forward from 2004/05) - \$80,000 and Project No. 6814, STL115 - Joondalup City Centre Street Lighting - \$60,000.

It is recommended that Council use these project funds for the Tom Simpson Park Lighting project to enable completion of the project to the required standard.

As well, it is recommended that the City approve an additional amount of 8.9% of the tender amount, for contingency works. Whilst a survey of all existing underground cables and conduits has been undertaken and was made available to tenderers, it is not unreasonable on a project of this scale to allow for contingent works and unseen variations.

Therefore, the funding details are:

Expenditure

Tender Price	\$247,875
<u>Recommended Project Contingency</u>	<u>\$ 22,125</u> (approx. 8.9%)
Total Project Price	\$270,000

Budget

Project No 2346, PLR1040 – Tom Simpson Park Lighting, (Municipal Fund)	\$130,000
Project No 6680, STL115 - Joondalup City Centre Street Lighting	\$ 80,000
<u>Project No 6814, STL115 - Joondalup City Centre Street Lighting</u>	<u>\$ 60,000</u>
Total Budget	\$270,000

The City has sufficient funds to undertake the works and enable completion in accordance with the plans and specification.

Approval is now sought to proceed with this project in 2006/07 prior to the adoption of the 2006/07 budget.

Policy implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability implications:

Not Applicable.

Consultation:

The community has been consulted on this project and is expecting it to proceed so that an improved level of service and a more secure environment is available for all park users.

The City met with representatives of the Mullaloo Surf Club and Mullaloo Progress Association during August 2005 to discuss the concept lighting layout. There were no major objections to the scheme and a revised concept plan was developed from these discussions for further advertising.

An accompanying letter and the revised concept plan was then sent to the 25 adjacent property owners surrounding the park as well as to the Surf Club and Progress Association in November 2005.

A large scale plan of the scheme was also on display in the foyer of the Surf Club during November 2005 so that function room and casual users and visitors to the Surf Club could comment on the lighting scheme.

Following this advertising and comment period, the City received one adverse and seven positive responses.

COMMENT

The recommended respondent achieved the highest qualitative score of 75% in the evaluation process and is an established company locally based in Joondalup. It has recently completed a couple of contracted projects for the City of Joondalup such as the Ocean Reef Harbour and the Iluka Car Park lighting upgrades. The Contractor's performance for both projects was very satisfactory. The evaluation panel considered that the selected company has the technical resources to provide the required services on a value for money basis and therefore recommends it as the preferred supplier.

ATTACHMENTS

Attachment 1	Schedule of Rates.
Attachment 2	Consultation and Scheme Plan

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council, in relation to Tender 044-05/06:

- 1 ACCEPTS the tender submitted by SMB Electrical Services for the provision of services for the Tom Simpson Park Lighting Upgrade in accordance with the statement of requirements in Tender 044-05/06 for a lump sum of \$247,875 (excluding GST) with any agreed variations to be in accordance with the Schedule of Rates as outlined in Attachment 1 to this Report;**
- 2 AUTHORISES BY AN ABSOLUTE MAJORITY expenditure from Project No. 2346, PLR1040 – Tom Simpson Park Lighting (carry forward from 2005/06 - Municipal Fund) - \$130,000 and the reallocation of funds from Project No. 6680, STL115 - Joondalup City Centre Street Lighting (Carry forward from 2004/05) - \$80,000 and Project No. 6814, STL115 - Joondalup City Centre Street Lighting (carry forward from 2005/06) - \$60,000, up to a maximum amount of \$270,000 including contingencies, for the expenditure on this project.**

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf110706.pdf](#)

ITEM 12 TENDER 046-05/06 FOR THE CITY OF JOONDALUP ADMINISTRATION CENTRE AIR-CONDITIONING CHILLER REPLACEMENT – [88581]

WARD: North

**RESPONSIBLE
DIRECTOR:** Mr Dave Djulbic
 Infrastructure Services

PURPOSE

This report is to seek the approval of Council to accept the tender submitted by Direct Engineering Services Pty Ltd for the City of Joondalup Administration Centre Air-conditioning Chiller Replacement (Tender 046-05/06).

EXECUTIVE SUMMARY

Tenders were advertised on 25 February 2006 through statewide public notice for the City of Joondalup Administration Centre Air-conditioning Chiller Replacement. Tenders closed on 22 March 2006. Three submissions were received from:

- Direct Engineering Services Pty Ltd (*DESAIR*)
- Diamond Industries Pty Ltd
- Mechanical Project Services Pty Ltd

It is recommended, in relation to Tender Number 046-05/06 that Council:

- 1 *ACCEPTS the tender submitted by Direct Engineering Services Pty Ltd for the City of Joondalup Administration Centre Air-conditioning Chiller Replacement in accordance with the statement of requirements in Tender 046-05/06 for the fixed lump sum of \$242,200 (excluding GST) for completion of services within six (6) months;*
- 2 *Authorises reallocation of funds from Project No 2295 – Lakeside Park Access Paths and lighting (carry forward from 2005/06) - \$82,200 to Project No 4251 – Chiller Replacement to cover the shortfall required for this contract.*

BACKGROUND

The City of Joondalup requires the provision of services for the replacement of old reciprocating chillers with more efficient centrifugal chillers for the Administration Centre Air-conditioning at Boas Avenue, Joondalup.

The services required are for the supply, installation, testing, commissioning, placing into service, maintenance and warranty of the Mechanical Services installation for the City of Joondalup Administration Centre Air-Conditioning Chiller Replacement.

DETAILS

Tenders were advertised on 25 February 2006 through statewide public notice for the City of Joondalup Administration Centre Air-Conditioning Chiller Replacement. Tenders closed on 22 March 2006. Three submissions were received from:

Tenderer	Tendered Price (GST Exclusive)
Direct Engineering Services Pty Ltd (<i>DESAIR</i>)	\$242,200.00
Diamond Industries Pty Ltd	\$291,000.00
Mechanical Project Services Pty Ltd	\$280,000.00

The first part of the tender evaluation process is to check conformance with the Compliance Criteria, in order to ensure that all essential requirements have been met.

One of the tenderers, Mechanical Project Services Pty Ltd, submitted an offer which did not comply with the Specification as its proposed services were to be provided by its sub-contractor in accordance with the sub-contractor's Terms and Conditions of Sale.

This Offer is deemed to be non-conforming and was not considered further.

The tenders submitted by Direct Engineering Services Pty Ltd (*DESAIR*) and Diamond Industries Pty Ltd met all the essential requirements and were carried forward into the second part of the evaluation process, which involves an independent assessment of the qualitative and quantitative criteria by each member of the Evaluation Panel. Panel members assessed each of the submissions individually against the selection criteria using the weightings determined during the tender planning phase. The Evaluation Panel then convened to submit and discuss their assessments in order to ensure that the tenderers had the capability and resources to provide the Services and to make a recommendation.

Under the City's Contract Management Framework, the tender was assessed by the Evaluation Panel using a weighted multi-criterion assessment system and AS 4120-1994 'Code of Tendering', ensuring compliance with *Regulation 18(4)* of the *Local Government (Functions and General) Regulations 1996*.

The Selection Criteria for Tender Number 046-05/06 is as follows:

Capacity

- A brief history of the company and the structure of the business
- Details of specialised equipment that will be used
- Local Infrastructure
- Safety Management Policy

Demonstrated Understanding of the Required Tasks

- Appreciation of the requirements
- Outline of the proposed methodology

Demonstrated Experience in Completing Similar Projects

- Scope of work
- Similarities between those Contracts and this requirement
- Period and dates of Contracts

Social and Economic Effects on the Local Community

- Maintain or increase opportunities for local employment;
- Maintain or increase arrangements with both Goods and Services providers within the City
- Provide value added services to the City

The evaluation panel carried out the evaluation of the above submissions in accordance with the Qualitative Criteria and concluded that the offers submitted by Direct Engineering Services Pty Ltd (*DESAIR*) represented value for money to the City.

Issues and options considered:

The existing chillers are 27 years old and only have a design life of 25 years. The risk of failure of the existing chillers will increase significantly if not replaced in the short term. The work was programmed for the 2005/06 budget and is part of the Building Asset Management Programme.

Link to Strategic Plan:

This requirement is linked to the Strategic Plan in accordance with the following items:

3 City Development.

Objective 3.1

To develop and maintain the City of Joondalup's assets and built environment.

Strategy 3.1.2

Facilitate the safe design, construction and approval of all buildings and facilities within the City of Joondalup.

Legislation – Statutory Provisions:

A statewide public tender was advertised, opened and evaluated in accordance with the *Local Government (Functions & General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$50,000. The consideration for this contract does not exceed the Chief Executive Officer's Delegated Authority in relation to the acceptance of tenders to \$250,000. However, reallocation of funds from Project No 2295 – Lakeside Park Access Paths and lighting -\$82,200 to Project No 4251 – Chiller Replacement to cover the shortfall required for this contract requires Council approval.

Regulation 20 – Variation of requirements before entry into contract states as follows:

- (1) If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied required subject to such variations in the tender as may be agreed with the tenderer.
- (2) *In sub regulation (1) "minor variation"* means a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to supply.

Risk Management considerations:

It is considered that awarding the contract to the recommended Respondent will represent a low risk to the City based on it being a very well established service provider with the expertise and resources to complete the required services. It is a third party accredited company to ISO9001.

Financial/Budget Implications:

The City of Joondalup is a registered business entity for GST purposes. The nett effect on the price submitted by the successful Tenderer is that the City pays GST but is able to claim an input tax credit for the amount of GST paid.

Project Code:	4251 – Chiller Replacement
	Excluding GST
Budget Amount:	\$160,000.00
Tendered Contract Price:	\$242, 200.00

There is a shortfall of \$82,200 from the budget amount.

Following a reassessment to the scope of works for Project No 2295 Lakeside Park Access Paths and lighting within the 2005-2006 Budget, \$82,200 can be carried forward from 2005/06 and reallocated to complete the Chiller Air-Conditioning Replacement project.

The cost escalation for the Administration building chiller replacement and upgrade is due to that the mechanical services industry is limited in resources associated with this type of work as they are fully engaged on other projects throughout the market place. Additionally, other issues contributing to the cost increase are:

Cost of copper worldwide has increased creating further pressure on industry and driving prices of raw materials up. One of the main metals used in Air Conditioning systems is copper and also the main conductor in all electrical systems.

The Electrical Switchboard replacement formed a major component as far as cost in the replacement of the chiller. Electrical sub-contractors have recently also been inundated with work and as a result prices have tended to increase in the market.

Marginal increases in the cost of chillers, parts and importing of these items would also have attributed to the increase in costs.

Policy implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability implications:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

Direct Engineering Services achieved the highest qualitative score and was the lowest priced offer received.

Direct Engineering Services has been in the mechanical services industry since 1961 and has completed many large projects in both metropolitan and regional WA, as well as projects

across Australia and overseas. The company offers a full range of skills in the field of mechanical services, specifically air conditioning, heating, refrigeration, ventilation, process cooling and medical gases. It has a well equipped office and workshop in the Malaga Industrial Estate, WA.

ATTACHMENTS

Attachment 1 Schedule of Rates.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council, in relation to Tender 046-05/06:

- 1 ACCEPTS Direct Engineering Services Pty Ltd as the successful tenderer for the City of Joondalup Administration Centre Air-conditioning Chiller Replacement in accordance with the statement of requirements in Tender 046-05/06 for the fixed lump sum of \$242,200 (excluding GST) for completion of services within six (6) months;**

- 2 AUTHORISES BY AN ABSOLUTE MAJORITY reallocation of funds from Project No 2295 – Lakeside Park Access Paths and lighting (carry forward from 2005/06) - \$82,200 to Project No 4251 – Chiller Replacement to cover the shortfall required for this contract.**

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf110706.pdf](#)

The subject site is located at 77 Winton Road, western side of the "T" intersection with Delage Street, Joondalup (refer to Attachment 1). The western boundary of the site is the Mitchell Freeway Reserve.

The site and surrounding properties are within the Service Industrial Zone. The land area of the lot is 2051m². The site has previously been developed as three showroom/warehouse units with a combined floor area of 900m². There are 28 car parking bays servicing the three units with the change of use proposed to units 1 and 2.

A company providing pool fences and balustrades is currently using unit 3. The business comprises of a display area with examples of various fencing and balustrades, a warehouse for stock and an incidental office.

The site was originally approved for a Showroom/Warehouse use in 1989 under the City of Wanneroo Town Planning Scheme No. 1 (TPS1). A total of 28 car parking spaces were required (and provided) to satisfy the car parking requirements of TPS1.

The Royal Automobile Club of Western Australia (RAC) has used units 1 and 2 since November 2005. Nu-ford auto repair centre previously operated within these units and undertook similar activities as the proposed land use; however, historical information could not be found showing Council approval for this use.

Retrospective approval under DPS2 relates to building construction and not land use. As such, a change in land use is dealt with as a planning application for the future use of the site, even though the use has already commenced. It does not prevent the Council from taking legal action for the commencement of the use without obtaining the necessary approval.

DETAILS

The details of the proposal include the following:

- general inspection and servicing of motor vehicles for standard repairs, including tuning, filter changes, oil change, brake adjustment.
- Hours of operation are from 8.00am to 5.00pm, Monday to Friday;
- An average of six to seven staff will be employed at any one time; and
- The service centre will have a courtesy vehicle to drive customers to other locations if they do not wish to wait for their car to be serviced.

Consultation:

The application was advertised to the adjoining landowners to the north and south for comment. One response was received, being a letter stating no objection to the proposal.

Policy implications:

Not Applicable.

Risk Management considerations:

Not Applicable.

Legislation – Statutory Provisions:

The subject site is zoned Service Industrial under DPS2. Clause 3.10 of DPS2 states:

The Service Industrial Zone is intended to provide for a wide range of business, industrial and recreational developments which the Council may consider would be inappropriate in Commercial and Business Zones and which are capable of being conducted in a manner which will prevent them being obtrusive, or detrimental to the local amenity.

The objectives of the Service Industrial Zone are to:

- (a) accommodate a range of light industries, showrooms and warehouses, entertainment and recreational activities, and complementary business services which, by their nature, would not detrimentally affect the amenity of surrounding areas;*
- (b) ensure that development within this zone creates an attractive façade to the street for the visual amenity of surrounding areas.*

With regard to the vehicle inspection centre being a use class not listed, Clause 3.3 of the Scheme states:

If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:

- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted: or*
- (b) determine that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the procedures set down for an 'A' use in Clause 6.6.3 in considering an application for planning approval: or*
- (c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.*

When considering this application for Planning Approval, Council is required to have regard to clause 6.8 of DPS2:

6.8 MATTERS TO BE CONSIDERED BY COUNCIL

6.8.1 *The Council when considering an application for Planning Approval shall have due regard to the following:*

- (a) interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) any relevant submissions by the applicant;*
- (c) any Agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
- (d) any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) any other matter which under the provisions of the Scheme the Council is required to have due regard;*

- (f) *any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*
- (g) *any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) *the comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) *the comments or wishes of any objectors to or supporters of the application;*
- (j) *any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) *any other matter which in the opinion of the Council is relevant.*

Clause 4.8 of DPS2 addresses car parking requirements:

4.8 CAR PARKING STANDARDS

4.8.1 *The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS 2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the Council;*

4.8.2 *The number of on site car parking bays to be provided for specified development shall be in accordance with Table 2. Where development is not specified in Table 2 the Council shall determine the parking standard. The Council may also determine that a general car parking standard shall apply irrespective of the development proposed in cases where it considers this to be appropriate.*

Issues and options considered:

Council is required to determine whether the proposed land use is an unlisted land use class under DPS2. If Council considers that the proposed land use is a use class not listed, Council then needs to determine whether the proposed use:

- (i) is a permitted use;
- (ii) may be consistent with the objectives and intent of the zone, and advertising of the proposal is required before a decision can be made on the development application;
or
- (iii) is a prohibited land use.

If Council determines it to be an unlisted use, the application must be determined in accordance with the permissibility of that use in the Service Industrial zone under DPS2.

Once the land use classification has been determined, Council is then required to make a determination on the application for Planning Approval. In this situation, a car parking standard needs to be established. That being the number of parking bays required for a particular land use, whether it is based on, for example, the gross floor area of the building, the number of staff members or the number of clients that can be accommodated.

Having determined the land use classification and the car parking standard, Council can then make the following decision in relation to the application for Planning Approval:

- Approve the application without conditions;
- Approved the application with conditions; or
- Refuse the application.

Link to Strategic Plan:

Council approval of the proposed use will address Strategy 3.5.2 of the Strategic Plan by assisting the facilitation of local employment opportunities.

Financial/Budget Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability implications:

Not Applicable.

COMMENT

Consideration of the Permissibility of the Proposed Use

The proposed use of the land is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories.

The two land use categories the proposed use falls closest to are 'vehicle repairs' and a 'service station'. However, it is considered the definition of both of these do not accurately reflect the proposed use.

'Vehicle repairs' are defined in DPS2 as:

land and buildings used for, or in connection with, vehicle body repairs including panel beating, spray painting, chassis reshaping, application and sanding down of vehicle body filler.

The proposed use comprises of minor mechanical repairs and the servicing of motor vehicles but does not include any vehicle body repair works. Accordingly, the proposed use does not reasonably fall within this land use category.

A 'service station' is defined in DPS2 as:

premises used for the retail sale of petroleum products and motor vehicle accessories and goods of an incidental/convenience retail nature, and for carrying out greasing, tyre repairs or minor mechanical repairs to motor vehicles, but does not include a transport depot, panel beating, spray painting, major repairs or wrecking.

The proposed use meets the portion of the definition relating to motor vehicle repairs, however it does not propose the retail sale of petroleum products. Accordingly, the proposed use does not reasonably fall within this land use category.

Based on the above, it is considered that a vehicle inspection centre is an unlisted use and is therefore subject to the provisions of clause 3.3 of DPS2.

Under clause 3.3, it is necessary for Council to determine whether:

- (i) *The application meets the objectives of Service Industrial zone and is therefore permitted; or*
- (ii) *The proposed use may be consistent with the objectives and purpose of the Service Industrial zone and can therefore be advertised for public comment in accordance with clause 6.7; or*
- (iii) *The use is not consistent with the objectives and should therefore be refused.*

The objectives of the Service Industrial zone are to:

- (a) accommodate a range of light industries, showrooms and warehouses, entertainment and recreational activities, and complementary business services which, by their nature, would not detrimentally affect the amenity of surrounding areas;
- (b) ensure that development within this zone creates an attractive façade to the street for the visual amenity of surrounding areas.

The proposed land use is considered to be consistent with the objectives and purposes of the Service Industrial zone. The land use will not generate significant noise, light, vibration, fumes or other waste products that will prejudicially affect the amenity of the area. The clause relating to the visual amenity of the development is not relevant to the proposal as no external modifications to the existing building are proposed aside from new signage.

A two week consultation period was undertaken to adjoining land owners. The City received no objections to the proposal and additionally, no complaints have been received regarding the use which has been in operation for seven months.

Car Parking

As the proposed use is not listed in DPS2 there is subsequently no specified parking requirement for a vehicle inspection centre. The subject site has 28 car parking bays with no additional bays proposed.

Under Table 2 'Car Parking Standards' of DPS2 a 'showroom' use has a parking requirement of 1 bay per 30m² of net lettable area. The showroom/warehouse in unit 3 has a floor area of 330m², which equates to a car parking requirement of 11 bays, leaving a total of 17 bays available for use by units 1 and 2.

The proposed vehicle inspection centre contains seven car hoists or service bays and will employ a maximum of seven employees. These details give a good indication of the likely intensity of the proposed land use and subsequent parking demand.

Given the above, a maximum of seven of the 17 available parking bays will be used by employees, thus leaving ten bays for use by customers. Further, as seven cars can be worked on inside the building at any one time there are effectively 17 parking spaces available for customers in addition to the seven available to employees.

The applicant has provided justification for the provision of car parking based on a comparison with other existing approved RAC vehicle inspection centres in the Perth Metropolitan Region (refer to Attachment 3). This justification compares the number of on-site parking bays to the number of vehicle service bays within the premises. The result of this comparison is that the ratio of car parking bays to service bays is higher at the subject site than at any RAC outlet in the Perth Metropolitan Region.

City officers have made six site visits to the property at different times of the day. On each occasion there have been vacant bays in the car parking area and no vehicles parked in the street. These site visits indicate that there is sufficient parking on-site to cater for the proposed use.

Car Parking Standard

Clause 4.8.2 of DPS2 requires that Council determine a car-parking standard for a use where none is specified in Table 2 of DPS2.

The analysis of other like centres suggests that the projected parking demand generated by one service bay would be three bays, consisting of one staff parking bay plus two customer bays. As one of the customer cars can be parked in the service bay there is subsequently only a requirement for two on-site parking bays for every service bay.

Accordingly, it is considered that an appropriate car-parking standard for a 'vehicle inspection centre' be the provision of two on-site parking bays per one service bay.

Number of Service Bays	Number of On-site parking bays <u>required</u> (excluding internal service bays)	Number of On-site parking bays <u>provided</u> (excluding internal service bays)
7	14	17

On the basis that an appropriate car-parking standard for a vehicle inspection centre is the provision of two parking bays for every service bay, there is sufficient on-site parking to adequately cater for the proposed use.

Conclusion

The proposed change of land use to a 'Use Not Listed – Vehicle Inspection Centre' is considered to be consistent with the objectives of the Service Industrial zone, and is therefore a permitted use. A car parking standard requiring the provision of two parking bays per service bay is considered appropriate and on this basis, the subject site has an adequate number of parking bays to cater for the parking demand the land use will generate. Accordingly, it is recommended that Council conditionally approves the application for planning approval.

ATTACHMENTS

Attachment 1	Locality Plan
Attachment 2	Development Plan
Attachment 3	Table identifying car parking at other sites within the metropolitan area

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

That Council:

- 1 **DETERMINES** under Clause 3.3(a) of District Planning Scheme No 2 that:
 - (a) Vehicle Inspection Centre is deemed to be an unlisted use;
 - (b) The proposed use meets the objectives and purpose of the Service Industrial zone, and therefore, is a permitted land use.
- 2 Having regard to clause 4.8.2 of the City of Joondalup District Planning Scheme No 2, **DETERMINES** that:
 - (a) the car parking standard for the use 'Vehicle Inspection Centre' shall be two car parking bays per service bay;
 - (b) the number of existing car parking bays meets the standard referred to in 2(a);
- 3 Subject to Part 1 above, **APPROVES** the application for planning approval received on 29/11/2005, submitted by Birch Group on behalf of the landowner, All City Property Holdings Pty Ltd, for the proposed change of land use to the existing unit one and two at Lot 91 (77) Winton Road, Joondalup, subject to the following condition:
 - (a) Any advertising signage shall be subject to a separate application for Planning Approval.

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf110706.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Mr Michael Smith – Acting Director Governance & Strategy
Item No/Subject	<i>Item No 14 – Proposed Three Storey Office Development at Lot 519 (5) Davidson Terrace, Joondalup</i>
Nature of interest	<i>Interest that may affect impartiality</i>
Extent of Interest	<i>Mr Smith is a client of the Accounting Firm who is the owner.</i>

Name/Position	Mr Chris Terelinck – Manager Approvals Planning and Environmental Services
Item No/Subject	<i>Item No 14 – Proposed Three Storey Office Development at Lot 519 (5) Davidson Terrace, Joondalup</i>
Nature of interest	<i>Interest that may affect impartiality</i>
Extent of Interest	<i>Mr Terelinck is a client of the Accounting Firm who is the owner.</i>

ITEM 14 PROPOSED THREE STOREY OFFICE DEVELOPMENT AT LOT 510 (5) DAVIDSON TERRACE, JOONDALUP – [13250]

WARD: North

**RESPONSIBLE
A/DIRECTOR:** Ian Cowie
Planning and Community Development (Acting)

PURPOSE

To request Council's determination of an application for Planning Approval for a three-storey office development at Lot 510 (5) Davidson Terrace, Joondalup.

EXECUTIVE SUMMARY

The applicant proposes to construct a three-storey office development on the south-eastern corner of the Davidson Terrace and Shenton Avenue intersection. Council's discretion is sought in this instance as the proposal exceeds the plot ratio requirements of the Joondalup City Centre Development Plan and Manual (JCCDPM). In addition, the applicant has requested that a cash-in-lieu payment for a shortfall of 55 parking bays be provided.

While the proposal meets most of the statutory requirements of the JCCDPM, the proposed car parking shortfall is considered to be excessive and is not supported. The proposed plot ratio variation contributes to the car parking shortfall for the development and is also not supported.

On this basis, it is recommended that the application be refused.

BACKGROUND

Suburb/Location: Joondalup
Applicant: Spark Projects
Owner: Mr Nigel Bruce Plowman, Reef Property Holding Pty Ltd, Gibon Holding Pty Ltd
Zoning: **DPS:** Centre
MRS: Central City Area
Site Area: 1035 m²
Structure Plan: Joondalup City Centre Development Plan and Manual

The subject site is located on the south-eastern corner of the intersection of Shenton Avenue and Davidson Terrace. The property is located within the Joondalup City Centre zone and is subject to the provisions of the JCCDPM.

Under the JCCDPM, the site is located within the Central Business District and is designated for “General City Uses”. ‘Office’ is a preferred use under the “General City Uses” designation.

Council has previously approved three applications for planning approval for this site, however none of the approvals have been acted upon.

In 1996, the City conditionally approved a proposal for five commercial units on the subject land. The proposal included a shortfall of 2 car bays. The City approved the provision of cash-in-lieu for the car parking deficit.

In 2003 development approval was granted for a two-storey hotel, consisting of 30 rooms with bathrooms, an office, reception area and laundry facilities. Later that year, a third storey addition to the hotel was approved with a shortfall of 3 car parking bays for which a cash-in-lieu payment was required.

In 2004 development approval was granted for a four storey mixed use development comprising two commercial tenancies on the ground floor with 15 residential units above. The development was approved with a shortfall of five car parking bays with a cash-in-lieu payment to be made.

DETAILS

The proposed development includes the following features:

- Eleven (11) office units ranging in size from 96m² to 272m², with a total floor space of 1951sqm;
- The height of the building is 13.5m (three storeys);
- The total number of parking bays provided is 10, including one disabled bay;
- Service vehicle access and car parking is provided from a rear laneway, accessible from Davidson Terrace;
- The upper levels are proposed to be accessed by a centrally located lift;
- The ground and upper floors address the street frontages with nil setbacks to Shenton Avenue and Davidson Terrace;
- Both street frontages (Shenton Avenue and Davidson Terrace) have pedestrian shelter awnings that extend over the road reserve;
- A bin storage area has been located at the rear of the site abutting the right of way.

As depicted in the table below, the proposal meets most of the requirements of the JCCDPM, except plot ratio and car parking.

Standard	Required	Proposed
Front Setback	0m	0m
Side Setbacks	As per BCA which can be 0m	0m
Rear Setbacks	As per BCA which can be 0m	0m
Plot Ratio	1.0	1.88
Height	13.5m at boundary	13.5m at boundary
Car Parking	65	10 (cash in lieu payment proposed for 55 bays)

The applicant has submitted a traffic study in support of the application, which details the anticipated impact of the proposed parking shortfall on the local road network and nearby public parking areas.

The traffic study states that there are approximately 47 to 78 parking bays unoccupied during various periods of the day within close proximity of the subject site. These bays include on-street bays on Davidson Terrace and Shenton Avenue, and a public car park at the rear of the subject property.

The traffic study also states that given the transport facilities that service the site, the local nature of the employment and the available parking bays within the vicinity, it is not unreasonable to seek a reduction in the number of car parking bays required for the development.

The owner has also submitted justification in support of the development and the proposed car parking shortfall. The justification states that the development would be purpose built for an accounting practice, which is largely used for storage of client files and records, reducing the number of staff per square metre of office space. The owner further states that the majority of the staff who work at the accounting practice live locally and therefore walk, cycle or use public transport to get to work.

With regards to the proposed plot ratio variations, the owner has stated that these variations would ensure that the proposed development will not be dwarfed by nearby multi-storey residential development, and will provide an appropriately scaled development at a key entry point into the Joondalup CBD.

Consultation:

The proposal has not been advertised, as Office is a preferred land-use as stipulated in the JCCDPM. If Council was to exercise discretion under Clause 4.5 of DPS2 to support the proposed plot ratio variation, public advertising would be required.

Policy implications:

Not applicable.

Risk Management considerations:

The proponent has a right of appeal against Council's decision, or any conditions included therein, in accordance with the State Administrative Tribunal Act 2004 and the Planning and Development Act 2005.

Legislation – Statutory Provisions:

Development within this area is controlled by the provisions of DPS2 and the JCCDPM. The development includes a proposed variation to the plot ratio provisions of the JCCDPM. Clause 4.5 of DPS2 gives Council discretion to exercise such variations to plot ratio as follows:

4.5 *Variations to Site and Development Standards and Requirements.*

- 4.5.1 *Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*
- 4.5.2 *In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*
- (a) consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1; and*
 - (b) have regard to any expressed views prior to making its decision to grant the variation.*
- 4.5.3 *The power conferred by this clause may only be exercised if the Council is satisfied that:*
- (a) approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
 - (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

In exercising discretion under Clause 4.5, the matters listed under Clause 6.8 of DPS2 require consideration:

6.8 *Matters to be Considered by Council*

- 6.8.1 *The Council when considering an application for Planning Approval shall have due regard to the following:*
- (a) interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
 - (b) any relevant submissions by the applicant;*
 - (c) any Agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
 - (d) any planning policy of the Council adopted under the provisions of clause 8.11;*
 - (e) any other matter which under the provisions of the Scheme, the Council is required to have due regard;*
 - (f) any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*

- (g) *any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) *the comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) *the comments or wishes of any objectors to or supporters of the application;*
- (j) *any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and any other matter which in the opinion of the Council is relevant.*

Clause 4.8 of DPS2 allows the City to consider appropriate car parking standards for all types of development within the City as follows:

4.8 Car Parking Standards

- 4.8.1 *The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS 2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the Council.*
- 4.8.2 *The number of on-site car parking bays to be provided for specified development shall be in accordance with Table 2. Where development is not specified in Table 2 the Council shall determine the parking standard. The Council may also determine that a general car parking standard shall apply irrespective of the development proposed in cases where it considers this to be appropriate.*

Pursuant to Clause 4.11 of DPS2, Council may permit the payment of cash-in-lieu of car parking, as follows:

4.11 Car Parking – Cash in Lieu or Staging

- 4.11.1 *The Council may permit car parking to be provided in stages subject to the developer setting aside for future development for parking the total required area of land and entering into an agreement to satisfactorily complete all the remaining stages when requested to do so by the Council.*
- 4.11.2 *Council may accept a cash payment in lieu of the provision of any required land for parking subject to being satisfied that there is adequate provision for car parking or a reasonable expectation in the immediate future that there will be adequate provision for public car parking in the proximity of the proposed development.*
- 4.11.3 *The cash payment shall be calculated having regard to the estimated cost of construction of the parking area or areas suitable for the proposed development and includes the value, as estimated by the Council, of that area of land which would have had to be provided to meet the car parking requirements specified by the Scheme. The cash payment may be discounted and may be payable in such manner as the Council shall from time to time determine.*

4.11.4 Any cash payment received by the Council pursuant to this clause shall be paid into appropriate funds to be used to provide public car parks in the locality as deemed appropriate by Council.

Council resolved to adopt the Joondalup City Centre Public Parking Strategy on 12 February 2002, which has several underlying principles, some which are summarised below:

- *provide up to fifty percent (50%) of parking in the Joondalup CBD strategy area in the long term as public parking under the control of the City of Joondalup;*
- *ensure that the provision of public parking is efficient and cost effective to the City.*
- *minimise financial risk to the City arising from the provision and management of parking in the Joondalup CBD.*
- *use monies received from cash in lieu of providing parking in the CBD only for the purchase of land for or the development of parking facilities for the Joondalup CBD.*

Where a developer decides to provide a lesser number of parking bays than is required in a development, the option is available under District Planning Scheme No 2 for a cash payment to be made for each parking bay that is not provided. Any cash-in-lieu payment must be quarantined for parking purposes. This provision should not be relaxed or varied for City Centre development because the funds are essential for the construction of future multi level parking facilities in the CBD.

At the same Council meeting, it was resolved that the cash payment in lieu of the provision of on-site parking within the City Centre would be \$8,100 per parking bay.

A reviewed cash-in-lieu policy was considered by Council at its meeting of 4 April 2006, where it was resolved that a revised cash-in-lieu payment of \$25,440 per bay should apply in the Joondalup City Centre. The increased rate is reflective of the increasing land values and construction costs within the City Centre. At this meeting, it was also resolved that Council:

DETERMINES that development applications received prior to the date from which the proposed fees in (2) above will be imposed being Monday 17 April 2006, shall be determined in accordance with the policy and cash-on-lieu figures applying at the date of lodgement, except where Council has specifically determined the cash-in-lieu figure applicable to a development application;

As the subject application was lodged as a complete application in September 2005, the previous figure of \$8,100 per bay applies to this development.

Link to Strategic Plan:

The proposal is consistent with Clause 3.5.2 (*Assist the facilitation of local employment opportunities*) of the City's Strategic Plan 2003-2008.

Financial/Budget Implications:

The applicant has requested a cash payment in lieu of 55 car parking bays. Based on the applicable rate of \$8100 per bay (when the proposal was lodged), this amounts to a cash-in-lieu requirement of \$445,500 for 55 car bays.

Regional Significance:

Not applicable.

Sustainability implications:

The proposed office development could be considered beneficial to the economic development of the Joondalup CBD in the long term.

COMMENT

A variation is sought to the plot ratio provision for the proposed development. The applicant has also requested that only 10 bays be provided, with a cash payment to be made in lieu of the shortfall of 55 on site. The other aspects of the proposal generally comply with the requirements of the JCCDPM.

Land Use

The proposed development is for an “Office”, which is a preferred use in the Central Business District precinct of the JCCDPM.

Car Parking

The JCCDPM specifies that 1 car bay is to be provided per 30m² NLA. With a total NLA provision of 1951m², the proposed development requires the provision of 65 car parking bays. The applicant proposes to provide 10 car parking bays on site and make a cash payment in lieu of the remaining 55 bays.

Clause 4.11 of DPS2 states that Council may accept a cash payment in lieu of the provision of any required land for parking subject to being satisfied

“...that there is adequate provision for car parking or a reasonable expectation in the immediate future that there will be adequate provision for public car parking in the proximity of the proposed development.”

The applicant’s traffic study states that there are some “47 to 78 parking bays unoccupied during various periods of the day which are available for use by the general public or staff and customers of the proposed development.”

The bays included in the applicant’s traffic study include on-street parking on Shenton Avenue and Davidson Terrace, and public parking areas on Shenton Avenue and at the rear of the subject site. It should be noted that the on-street bays on Davidson Terrace are short term only, and restricted to a period of one hour.

The parking report fails to address the fact that development within this precinct of the Joondalup CBD is still incomplete. Several landholdings within proximity of the subject site remain undeveloped, and are currently being used for informal parking by CBD workers, residents and visitors. The current situation acts to increase the number of public parking bays that are currently unused within this locality.

As these sites are developed in the future, informal parking will not be available and the resulting land uses on these sites will create their own parking demands. This will further decrease the level of public parking available within the CBD.

It is acknowledged that the proposed office land use, in terms of hours of operation and differing demand times for parking, will be complementary to the predominately residential uses surrounding the public car parking area at the rear of the development site. However, it is not considered reasonable that the majority of available public car bays in this locality be used to offset the lack of bays proposed to be provided by this development.

The Joondalup City Centre Public Parking Strategy (JCCPPS) recognises that up to fifty percent of parking in the Joondalup CBD strategy area should be under the control of the City. This would take the form of on-street parking, and large public parking areas, which could become multi-storey at a future stage, should such demand arise. The Strategy also identified that cash payments in lieu of private parking provision, where car parking shortfalls are proposed, would be used to fund City parking.

Cash-in-lieu arrangements are commonly implemented where minor shortfalls of parking are proposed. A recent example is the Sentiens Hospital and Medical Centre, which was approved by Council at its meeting of 26 April 2006 (refer Item C21-04/06). The approved development included the provision of 254 bays, with a cash payment in lieu for a shortfall of 43 bays.

The cash in lieu component of this development was approximately 17% of the overall parking provision. The cash-in-lieu arrangement was supported due to the cross-utilisation of land uses within the development and the construction of a double storey parking area that would also be provided to service the development. Such factors do not apply to the subject development proposal.

The applicant has further quoted the example of The Old Bailey tavern on McLarty Avenue, Joondalup, which provided no parking on site and paid for all of its required car parking as cash-in-lieu. However, this is not considered to be a relevant example, given the different nature of the two land uses and their peak hours of operation, compared to nearby land uses.

The current application proposes a cash-in-lieu component of approximately 85% of its parking requirement. This is considered to be excessive, considering the nature of the land use, anticipated staff and customer numbers, and the amount of public parking available within reasonable proximity of the subject site, which will steadily reduce as surrounding landholdings are developed.

Consequently, it is considered that Clause 4.11 of DPS2 has not been satisfied. There is not adequate provision of public parking within close proximity of the development site for the proposed cash payment in lieu of 55 bays to be supported.

Plot Ratio

The JCCDPM permits a maximum plot ratio of 1.0 for this site. The plot ratio is measured in terms of gross leasable area (GLA) for retail and commercial uses. The proposal includes a gross leasable area of 1951m², which represents a plot ratio of 1.88.

Pursuant to Clause 4.5 of DPS2, Council may approve the plot ratio variation if it is considered that the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.

The proposed plot ratio of 1.88 will result in the development addressing both street frontages and will not result in any overlooking or privacy impacts on adjoining residential properties. However, the increased plot ratio would result in the site being overdeveloped, thereby directly affecting the amount of car parking required for the development. As addressed earlier in this report, the proposed car parking shortfall is not supported, as it is considered that there is insufficient public parking in the locality to cater for a shortfall of 55 car bays.

In this regard, it is recommended that plot ratio variation not be supported under Clause 4.5 of DPS2.

Glazing/Awnings

The JCCDPM requires that a least 50% of the area on the ground level façade shall be glazed and the horizontal dimension of the glazing shall comprise 75% of the total building frontage for uses other than residential. The development complies with these requirements. Pedestrian awnings are provided to both street frontages. The glazed office fronts and pedestrian shelter will ensure that active frontages face the street and will contribute to the use of the public spaces adjacent to the building.

Height

The proposed building height complies with the requirements of the JCCDPM, being a maximum of 13.5m at the property boundary.

Setbacks

The JCCDPM requires nil setbacks to the site's Davidson Terrace and Shenton Avenue frontages. The proposal meets these requirements.

The JCCDPM also requires that the side and rear setbacks meet the requirements of the Building Codes of Australia (BCA). The BCA permits nil setbacks to the side and rear boundaries. The proposal meets these requirements.

Conclusion

The proposed cash-in-lieu payment for 85% of parking to service the development will place a strain on public parking availability within the Joondalup CBD and is not supported. The proposed plot ratio variation would result in the site being developed at almost double its intended size. This would further contribute to the car parking shortfall of the development, to the detriment of the surrounding area.

While most other aspects of the proposal generally comply with the relevant statutory requirements, the proposed variations to plot ratio and car parking provision do not meet the requirements of Clause 4.5.3 and 4.11 of the DPS2, respectively.

On this basis, it is recommended that the application for planning approval be refused.

ATTACHMENTS

Attachment 1	Location Plans
Attachment 2	Development Plans
Attachment 3	Traffic Report

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council REFUSES the application for Planning Approval dated 14 September 2005 submitted by Spark Projects, the applicant, on behalf of the owners, Mr Nigel Bruce Plowman, Reef Property Holding Pty Ltd, Gibon Holding Pty Ltd for a three storey office development at Lot 510 (5) Davidson Terrace, Joondalup for the following reasons:

- 1 There is inadequate public parking within the proximity of the proposed development to support the proposed shortfall of 55 parking bays;
- 2 The proposed plot ratio variations would result in the site being over-developed, creating further demand for car parking in the locality and having an adverse affect on residents and businesses in the locality.

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf110706.pdf](#)

ITEM 15 STATEMENT OF PLANNING POLICY 3.1 RESIDENTIAL DESIGN CODES – [17169]

WARD:	All
RESPONSIBLE A/DIRECTOR:	Mr Ian Cowie Planning and Community Development (Acting)

PURPOSE

The purpose of this report is for Council to provide comments to the Western Australian Planning Commission on its draft amendment to the Statement of Planning Policy 3.1 - Residential Design Codes.

EXECUTIVE SUMMARY

The Residential Design Codes (R-Codes) is the primary planning control document for the assessment of applications for residential development in Western Australia. The Western Australian Planning Commission (WAPC) prepares the R-Codes, and all local governments are required to incorporate them in their Planning Schemes. The WAPC has conducted a minor review the R-Codes and an amendment to the Statement of Planning Policy 3.1 - Residential Design Codes is now proposed.

The WAPC has identified the main aspects of the proposed amendment as follows:

- Separation of the R-Codes manual and explanatory text;
- Changes to:
 - provisions relating to local planning policies;
 - the method of calculating site area of battleaxe lots;
 - provisions relating to grouped dwellings in R20 coded areas;
 - provisions relating to boundary setbacks in R20 & R25 coded areas;
 - provisions relating to excavation and fill;
 - the Design element 6.8 Privacy; and
 - provisions relating to Aged and Dependents Persons' Dwellings.

There are other minor changes proposed to the R-Codes to improve the document.

The WAPC is seeking public comments on the proposed amendments particularly in relation to the eight aspects outlined above.

A number of proposed amendments to the R-Codes are considered to be of concern to the City, while others provide appropriate improvements. The main areas where the WAPC is seeking comments are discussed within this report, while the additional issues have been addressed in a table as Attachment 2.

This report serves to inform Council of the content and issues raised through the current review of the R-Codes, and to allow an opportunity for comments to be forwarded to the WAPC. It is recommended that Council forwards a submission based on the comments and issues raised in this report and attachments.

BACKGROUND

The R-Codes provide the basis for controlling the siting and design of residential development throughout the State, and are formally adopted as a Statement of Planning Policy (SPP). A SPP is a state level policy, primarily directed towards broad general planning and facilitating coordination of planning.

The Residential Planning Codes were first introduced in 1985 and were reviewed and subsequently adopted as the Residential Design Codes (R-Codes) in 2002.

The R-Codes introduced a number of design requirements in relation to promoting attractive streetscapes, safer streets, minimising overlooking and overshadowing of neighbouring properties, and included or added provisions for aged and dependent persons dwellings, mixed use and inner city developments.

The R-Codes introduced a method of assessment whereby a development can be assessed against a set of 'acceptable development' criteria, or against a set of a 'performance criteria'. For instance, 'development' provides a straight-forward 'as-of-right' (no discretion required) method of development approval. 'Performance criteria' is a method of assessment whereby a proposed development is assessment against a set of outcome-based amenity measures and objectives.

The WAPC commenced a review of the R-Codes over two years ago, appreciating that there would be a need to review the document, and address problems that may arise during implementation, and also in response to suggested shortfalls in the current document.

DETAILS

Phase 1 of the review comprises a review of the current Statement of Planning Policy 3.1 - Residential Design Codes. Phase 1 has resulted from a consultation process with industry representatives through a series of workshops, commencing in March 2003. A number of major issues were raised at these workshops relating to:

- Local planning policies
- Element 1 Housing Design
- Element 2 Streetscape
- Element 3 Access and Parking
- Element 7 Building Height
- Element 8 Privacy
- Element 9 Design for Climate
- How the R Codes are used
- Design principles and trends not covered

The issues are described in Attachment 1. A full copy of the R-Codes document showing the proposed amendments has been placed in the Councillors' reading room.

The input from the workshops was collated and considered in relation to similar interstate residential design policies and guidelines to form the basis for the proposed amendment.

In addition to addressing issues raised over time regarding the R-Codes, the proposed amendment is aimed at minimising the need for local governments to utilise local planning policies or variations to address residential development matters.

It is noted that the numbering of parts and clauses in the existing R-Codes differs from the numbering in the draft due to existing parts being adjusted and new parts created.

Phase 2 of the review is intended to address a number of other important issues and trends that were not recognised by the R-Codes and that are beyond the scope of the Phase 1. These issues and trends relate to the following areas:

- Independent adjudication body - guidance on the provisions.
- Subdivision control under the R-Codes – appropriateness of this mechanism.
- Local Planning Policies - greater guidance.
- Residential design trends - dwellings types, setbacks and lot locations and orientations.
- Sustainable development - design for solar access and heat loads, ventilation, natural light, water-sensitive design and social spaces.
- Detailed area plans (DAPs) - shortfall between DAPs and R-Codes.
- Design for climate – to encompass regional areas.

Phase 2 is not the subject of this report. No timeframe for the implementation of Phase 2 has been determined by the WAPC at this stage.

Consultation:

The WAPC, as the author of the R-Codes, has sought public comment prior to further consideration of the draft amendment. Any public comments would be directed to the WAPC for its consideration. The closing date for submissions is 23 June 2006, however the WAPC has advised that it will accept a submission within a reasonable period after that time from the Council.

Policy implications:

It will be necessary to review relevant City and Council town planning policies to ensure that they are cognisant of the R-Codes requirements.

Risk Management considerations:

Not applicable

Legislation – Statutory Provisions:

The R-Codes are a Statement Planning Policy of the WAPC that Local Governments are compelled to introduce into local Town Planning Schemes.

Link to Strategic Plan:

The City's submission on the review of the R-Codes is supported by the following objective and strategy of the City's Strategic Plan 2003-2008:

Objective 3.3 To continue to meet changing demographic needs

Strategy 3.3.1 To provide residential living choices

Financial/Budget Implications:

Not applicable

Regional Significance:

The R-Codes guide residential development throughout the City of Joondalup, and is therefore regionally significant.

Sustainability implications:

The R-Codes contain objectives aimed at allowing a diverse range of housing choices to meet the needs of the community, ensuring appropriate standards of amenity, and encouraging environmentally sensitive design.

COMMENT

The following comments are provided on the eight aspects of the proposed amendment on which the WAPC has particularly sought comments:

1 Separation of the R-Codes manual and explanatory text*Proposal*

The existing R-Codes contain explanatory text at the start of each section that assists in clarifying the specific provisions.

The proposed amendment seeks to separate the explanatory text from the statutory part of the document to provide clarity. The change would allow the explanatory document to be amended over time to more readily clarify the purpose and intent of the provisions of the R-Codes as needed, without the need to formally review the whole document via a statutory process.

Comment

This is a desirable situation from an administrative point of view, provided that any further amendments to the statutory R-Codes provisions are appropriately reviewed and made available for public comment.

2 Changes to provisions relating to local planning policies (Clauses 5.3.1 & 5.3.2)*Proposal*

The existing R-Codes provide for Councils to prepare Local Planning Policies to address streetscape, building design and height, boundary walls and inner city housing requirements. These policies can provide alternative Acceptable Development provisions, and may also impose additional requirements on development than the R-Codes.

The proposed amendments clarify that R-Codes will prevail over any inconsistency in a pre-existing local planning policy.

Comment

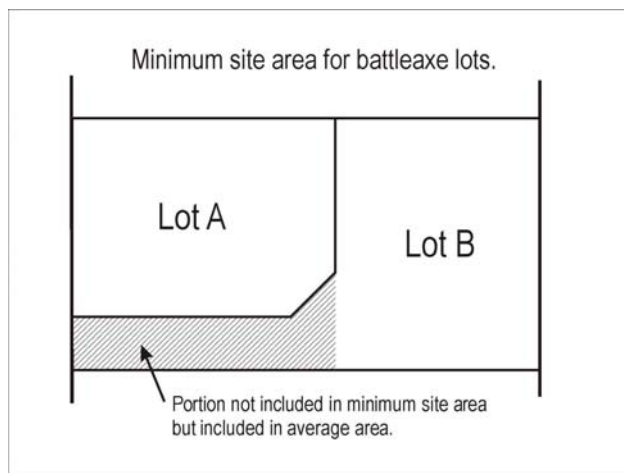
Whilst this aspect of the revised R-Codes is supported, it will be necessary for Council to review all policies relating to residential development and amend these or formulate additional policies as necessary to address any shortfalls between its policies and the R-Codes.

3 Changes to the method of calculating site area of battleaxe lots (Clause 6.1.2 A2 ii)*Proposal*

Changes are proposed to the method of calculating the minimum site area of a battleaxe lot (lots located behind another with access via an access 'leg'). In calculating the minimum site area for battleaxe lots, the 2002 R-Codes require a

greater land area for a battleaxe lot than a normal lot, with the area of the access leg permitted to be a maximum of 20% of the area of the rear lot.

The proposed amendment allows the lot to be the same size as a non-battleaxe lot, however, would exclude the access leg in the land area calculation. This will create a minimum 'effective lot' area that is the same as for conventional lots fronting streets.



Comment

Assessment of the 'effective lot' area for battleaxe lots in the same manner as conventional lots fronting a street would provide consistency and, therefore, the proposed amendment has merit. However, the proposal does not allow for additional space to compensate for the sense of confinement associated with development on battleaxe lots, which was the basis for the current provision. The increased site area requirement maintains standards of amenity for this type of lot arrangement, particularly in the medium and high density coded areas (R40 and above). There is concern about the impacts of this proposal on the residential amenity provided to battleaxe lots.

4 Changes to provisions relating to grouped dwellings in R20 coded areas (Clause 6.1.3 A3 iv)

Proposal

The 'R' code is a guide to the permissible maximum density of development. For example, the R20 code generally indicates a density of 20 houses per hectare, or 1 dwelling per 500m² of land. However, there has been an historic acceptance of duplex development on lots of 900m² in the metropolitan area in areas coded R20, rather than the 1000m² that the R20 code would indicate. With the introduction of the Residential Planning Codes and then the Residential Design Codes, this concept was continued due to the widespread acceptance of this standard.

The draft amendment proposes a limitation on the time during which this requirement may continue to apply. After that time, grouped dwellings would have the same site area requirements as single houses (ie. 1 dwelling per 500m²). The Explanatory Guidelines note this end date as until 31 October 2008.

Comment

The proposal provides a consistent approach to the R20 code and there is no objection to this limitation. A typographic error appears in the draft amendment and the end date is not correctly written.

5 Changes to provisions relating to boundary setbacks in R20 & R25 coded areas (Clause 6.3.2 A3 ii)

Proposal

The current R-Codes permit one wall of a dwelling to be a maximum of 9 metres in length and 3 metres in height on one side boundary at the R20 and R25 density codes. The draft amendment to the R-Codes would permit walls of 9 metres in length and 3 metres in height 'as-of-right' on one side boundary and the rear boundary.

In addition, the proposed amendment allows a boundary wall to a garage to be located a minimum of 4.5 metres from the front boundary as-of-right in lieu of the current standard, being an average of 6 metres (R20 area).

Comment

This amendment appears to be a response to the general decrease in lot sizes in recent years, and would allow more flexibility in siting a house, and therefore better utilisation of the lot.

The proposed amendment would enable two boundary walls to be built in the low density areas of R20 and R25, while medium and high density areas (R30 and above) would only allow one boundary wall. This would seem to be at odds with the level of amenity that should be expected in lower density areas.

The proposed amendments have implications for neighbour amenity, given that two boundary walls (one side and one rear) would be permitted as-of-right. Currently, a request for second boundary wall is routinely the subject of neighbour consultation.

In addition, the reduced setback provision for garages with a boundary wall may adversely affect the streetscape. The proposed amendments are therefore not supported.

6 Changes to provisions relating to excavation and fill (Clause 6.6.1 A1.4)

Proposal

The R-Codes currently allow a site to be filled (increase the ground level) by 0.5 metre behind the street setback line as-of-right. It is proposed to increase this allowance to 1.0 metre.

Comment

The proposed amendment does not take into account existing adjoining development and therefore enables a new dwelling or additions to an existing dwelling in an established street to be raised 1.0 metre above the existing ground level. This may have undesirable impacts on the amenity of the streetscape and adjoining neighbours.

The current provisions relating to these elements are considered to be appropriate, and allow for appropriate neighbour consultation. It is suggested that the current provisions be retained.

7 Changes to Design Element 6.8 Privacy

Proposal

A 'cone of vision' is principally a measure aimed at providing visual privacy to adjoining properties. It is used to assess the boundary setback requirements for different types of rooms 0.5 metre or more above natural ground level. It provides for a level of privacy protection from windows or other openings and areas such as balconies.

The 'cone' is technically measured in relation to a conical area emanating from a defined point of reference. The draft amendment proposes to replace the term 'cone of vision' with 'horizontal plane of vision'. The horizontal plane of vision is described in the Explanatory Guidelines and its accompanying figures.

Currently, a setback distance for a 'study' is not specifically identified, and has been added to the setback requirement for bedrooms, however no definition of a study has been provided.

Comment

The change of terminology from 'cone of vision' to 'horizontal plane of vision' does not materially change how the privacy requirements are assessed. The figures provided in the Explanatory Guidelines for assessment relate to measures and angles of vision that reflect a plane and, therefore, the use of the term 'horizontal plane of vision' is appropriate.

Whilst there is no objection to including specific setback provisions for a study for privacy reasons, the setback requirement would be 4.5 metres. This setback is considered insufficient to preserve neighbour privacy, and a greater setback is suggested.

Proposal

The Performance Criteria have been altered from dot points to statements that use the terms 'minimised', 'should' and 'preferred'.

Comment

The current dot points are considered to be useful. The context of this Performance Criteria has been altered and may have the effect of reducing the degree of compliance required in assessing privacy requirements. Should a statement be preferred, it is suggested that the wording be reconsidered to provide better guidance and increase the standards required to be met.

Proposal

An additional provision requires major openings and unenclosed outdoor active habitable spaces within the horizontal plane of vision of an upper level dwelling to not over look more than 50% of the outdoor living area of a lower level dwelling in same development.

Comment

It is unclear whether 'the same development' refers to the same building or development on a lot, which could comprise a number of buildings. It appears that this clause is aimed at multiple dwelling developments (ie where one dwelling is wholly above another), however, by definition, the term 'outdoor living area' only relates to

single houses and grouped dwellings. The new clause is therefore confusing in its application.

Under the current R-Codes, assessment of overlooking for each dwelling is in accordance a prescribed 'cone of vision' and setbacks from major openings such as living room windows or balconies. In the case of grouped dwellings in an R60 coded area, for example, an outdoor living area of 16m² in area could be approved, 8m² of which would be required to be private in terms of overlooking from adjoining properties. As the new provision would not facilitate residential amenity and would allow a reduced standard of privacy for developments on the same lot, it should not be included.

8 Changes to provisions relating to Aged and Dependents Persons' Dwellings

Proposal

The 2002 R-Codes enable aged or dependent dwellings to be considered where a minimum of five (5) dwellings are proposed within a single development. This provision was included to ensure that concessions provided for aged or dependent dwellings (eg reduced lot size and car parking requirements) were applied to legitimate developments.

The draft amendment removes the minimum number of dwellings in an aged or dependent persons development.

Comment

With an ageing population, the 'aging in place' concept is increasingly important. The proposed modifications would make it easier for the development of an aged persons' dwelling in an existing residential area.

Should this provision be adopted, the adequate provision of car parking and private open space is questioned with smaller developments. In addition, ensuring that aged persons' dwellings are used for that purpose is an issue that the draft R-Codes does not attempt to address.

The term 'preference' has been incorporated in the Acceptable Development provisions, and implies the need to exercise discretion. As Acceptable Development provisions are intended to be 'as-of-right' standards, it is appropriate that this wording be removed to avoid confusion.

Other Issues

In addition to the points noted above, there are other aspects of the draft amendment that are of concern. These additional issues relate to:

- Definitions of lot types.
- Street setbacks guidance.
- Solar access provisions.
- Location and details of driveways.
- Use of non-prescriptive terms in Acceptable Development provisions.
- Cross-referencing to other legislation.
- Issues not addressed in the current R-Codes.

These issues are summarised in Attachment 2.

There are also proposed amendments that are supported, as noted below:

- Additional wording to emphasise that meeting the Acceptable Development provisions is one way of meeting the requirement, addressing the Performance Criteria being the other.
- Changes involving:
 - Removal of plot ratio requirement.
 - Removal of rear battleaxe minimum lot area requirement.
 - Changes to minimum site area per dwelling for lots up to and including density R30 for single house and grouped dwelling lots i.e. minimum and average required for both types of developments.
 - Single house & grouped dwellings now have same requirements in terms of minimum and average lot sizes, frontage and setbacks.
 - Addition of multiple dwelling development option in low density areas (R10 density and more) and medium density R30 areas, with the same minimum open space and setback provisions for grouped dwellings as single houses.
- Improved and additional explanatory figures.
- Additional explanations of the intentions of the R-Codes in the Explanatory Guidelines.

The draft amendment to the R-Codes has in part addressed issues experienced in assessing residential development applications. The changes proposed, as outlined above and in Attachment 2, are aimed at providing greater flexibility in some design elements while providing more uniformity between dwelling types in others. It is considered that all matters of concern raised be forwarded to the WAPC in a submission.

ATTACHMENTS

Attachment 1	Planning Bulletin No 77 Review of the operation of the R-Codes
Attachment 2	Schedule of technical comments

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council FORWARDS a submission to the Western Australian Planning Commission on the Statement of Planning Policy 3.1 Residential Design Codes (Draft variation 1), based on comments and issues raised in this report and its attachment.

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf110706.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Mr Michael Smith – Acting Director Governance & Strategy
Item No/Subject	<i>Item No 16 – Western Australian Cricket Association (WACA) – Draft Facilities Strategic Plan</i>
Nature of interest	<i>Interest that may affect impartiality</i>
Extent of Interest	<i>Mr Smith is a life member of the Joondalup Cricket Club, which is a member of the Western Australian Cricket Club (WACA).</i>

ITEM 16 WESTERN AUSTRALIAN CRICKET ASSOCIATION (WACA) DRAFT FACILITIES STRATEGIC PLAN – [06182]

WARD: All

**RESPONSIBLE
A/DIRECTOR:** Mr Ian Cowie
 Planning and Community Development (Acting)

PURPOSE

To seek Council's endorsement for the City's comments on the Western Australian Cricket Association's (WACA) Draft Facilities Strategic Plan.

EXECUTIVE SUMMARY

The WACA's Draft Facilities Strategic Plan aims to assist Local Government Authorities to effectively manage community assets and provide a systematic approach to the provision of cricket facilities.

The plan makes 23 recommendations based on research conducted with local, district and regional clubs and participants and Local Government Authorities. The City has assessed the plan and each of its recommendations, and developed comments with a local and regional perspective. These will be forwarded to the Western Australian Cricket Association for consideration in the development of their final report.

It is recommended that Council ENDORSES the City's comments on the WACA's Draft Facilities Strategic Plan.

BACKGROUND

The WACA Draft Facilities Strategic Plan is the outcome of requests made by Local Government Authorities to the Department of Sport and Recreation for a planned and systematic approach to be adopted in the provision of sports facilities in the Perth Metropolitan area. This report is one of a number of similar studies by different sports, which have either recently been undertaken or are planned for the future.

There is a growing requirement for sport to strategically plan the long-term direction of facility provision and the development of appropriate approaches towards management, community access and ongoing improvements. This is the first attempt by cricket to provide a balanced approach to planning and the report aims to assist Local Government Authorities to effectively manage community assets.

In developing this report, the WACA conducted research with local, district and regional clubs and participants through a detailed questionnaire. Local Government Authorities were

consulted through a forum hosted by the Department of Sport and Recreation and via a representative working party that communicated information directly to the consultant.

The key components of the report include an overview of the organisational structure of cricket in Western Australia, a needs assessment analysing current and future facility requirements, strategic directions for facility development, a policy review and a proposed implementation plan.

DETAILS

The WACA's Draft Facilities Strategic Plan makes 23 recommendations based on the research compiled. In providing its feedback on the report, the City has elected to provide comment on the plan and address each of the recommendations.

A summary of the recommendations and the City's comments have been included as Attachment 1 - City of Joondalup's Comments on the WACA'S Draft Facilities Strategic Plan.

Issues and options considered:

In reviewing the WACA's Draft Facilities Strategic Plan, the City elected to base its comments on the benefits and impacts the plan and its recommendations will have on both the Joondalup region and the wider metropolitan area.

Link to Strategic Plan:

The City of Joondalup's Strategic Plan 2003 - 2008 identifies the following objectives and strategies that relate to the strategic planning of community facilities:

Key Focus Area 1 - Community Wellbeing

Objective 1.3

To continue to provide services that meet changing needs of a diverse and growing community.

Strategy 1.3.1

Provide leisure and recreational activities aligned to community expectations, incorporating innovative opportunities for today's environments.

Key Focus Area 1 - City Development

Objective 3.1

To develop and maintain the City of Joondalup's assets and built environment.

Strategy 3.1.1

Plan the timely design, development, upgrade and maintenance of the City's infrastructure.

In addition, the City of Joondalup's draft Community Development Plan, which is currently out for public comment, has identified the following issues, outcomes and strategies that relate directly to the strategic planning of community facilities:

Issue - Community Facilities

Outcome

Optimise equitable access and use of the City's community facilities.

Strategies

Develop a maintenance management strategy to ensure a high standard of facility provision.

Issue - Parks & Public Open Space

Outcome

Enhancement of community sport, leisure and recreational experiences through the provision of quality parks, reserves, beaches and infrastructure that are effectively managed and maintained.

Strategies

- Investigate shared use / alternative use of facilities with government, non government, community and education providers in the region;
- Investigate master planning opportunities for areas with multiple clubs and facilities provided in the one location;

Risk Management considerations:

In assessing the risks associated with the WACA's Draft Strategic Facilities Plan, it was identified that a number of the recommendations would commit the City to facility developments and upgrades over and above the current level of facility provision offered. In endorsing the City's comments on these particular recommendations, Council reduces the community's expectation of facility provision at an unsustainable level and reduces the risk of financial commitments that cannot be fulfilled.

Financial/Budget Implications:

The City's capital works program and annual budget process allocates funds for the development and improvement of parks and community facilities. The plan developed by the WACA makes recommendations that would potentially commit the City to facility developments and upgrades with extensive financial implications.

Policy implications:

No policy implications apply.

Regional Significance:

The plan has been developed to guide the strategic development of cricket facilities across the Perth metropolitan region. However, the Council's recommendations on this report are specific to the City of Joondalup.

Sustainability implications:

The City's ongoing capital works program and maintenance schedules for parks and community facilities are designed to ensure that the Joondalup community has access to high quality and affordable assets in the future.

Consultation:

In developing the Draft Strategic Facilities Plan, the WACA has consulted with local, district and regional cricket clubs and participants and Local Government Authorities. The City is now being asked to comment from a corporate perspective.

COMMENT

The City of Joondalup is supportive of the concept of developing strategic plans to assist sports to deliver quality services to their target markets in the future. Many of the principles addressed in the report will ensure that cricket continues to move forward in a positive direction. These include:

- The strategic approach required for facility development in WA;
- The continued commitment to provide cricket to juniors at affordable prices;
- Open lines of communication between stake holders (including Local Government Authorities);
- Joint provision or multi use of community facilities;
- Cooperation with the Education Department for the joint provision of facilities;
- Creating awareness of facility requirements for the future;
- Collaboration with other field sports to standardise season start dates; and
- The collation of policies to reduce wasted resources and develop consistency for the sport.

The response provided by the City on the draft, makes the point that the report presented represents a needs analysis more so than a strategic plan. The document alludes to many outcomes, but does not provide the necessary framework to achieve them. For the plan to be a useable document for the City, it needs to address what is specifically required by each Local Government in a clear and realistic way. In its current form the information presented requires interpretation, and this undermines the strategic planning process.

The plan creates an expectation that Local Government Authorities are the providers of all sporting facilities by presenting a hierarchy of facilities model that attempts to establish standards for different levels of play. This suggests that Local Governments should have a wide range of facilities available at varying standards to accommodate all levels of competition. The extent of the expectation from associations and clubs should be that Local Government Authorities provide suitable basic playing facilities and infrastructure. This level of provision is considered reasonable. Enhancement upon this minimum standard should only come as a result of clear planning and equitable financial contributions from stakeholders with vested interest. The report does not illustrate how this planning will occur, who will take the lead role, or how facility developments will be financed.

In addition to these comments, each specific recommendation raised in the report has been considered in Attachment 1 - the City of Joondalup's Comments on the WACA's Draft Facilities Strategic Plan. Due to size, the WACA Draft Facilities Strategic Plan has been placed in the Councillors' Reading Room for information.

ATTACHMENTS

Attachment 1 City of Joondalup's Comments on the Western Australian Cricket Association's Draft Facilities Strategic Plan

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council ENDORSES the City's comments on the Western Australian Cricket Association's Draft Facilities Strategic Plan forming Attachment 1 to this Report.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf110706.pdf](#)

**LATE ITEM CITY OF JOONDALUP – VOTING DELEGATES FOR
THE ANNUAL GENERAL MEETING OF THE
WESTERN AUSTRALIAN GOVERNMENT
ASSOCIATION (WALGA) – LOCAL GOVERNMENT
WEEK 2006**

WARD: All

**RESPONSIBLE
A/DIRECTOR:** Mr Mike Smith
 Governance and Strategy (Acting)

Report to be circulated under separate cover when available, and posted on the web page at that time.

When this Report become available, the following hyperlink will become active:

[Voting Delegates for WALGA.pdf](#)

8 REPORT OF THE CHIEF EXECUTIVE OFFICER

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR B CORR

In accordance with Clause 26 of Standing Orders Local Law 2005, Cr B Corr has given notice of his intention to move the following motion at the Council Meeting to be held on 27 June 2006:

“That the following policy be ADOPTED:

The City of Joondalup accepts that the transport, storage, treatment and use of radioactive substances could involve potential threats to the health and well-being of residents of the City and declares:

- 1 that approval will not be given for the building of any nuclear power stations, enrichment plants, weapons plants, or radio-active storage facilities within the City;*
- 2 that approval will not be given for the storage of uranium, nuclear waste, or other materials connected with the nuclear power industry within the City’s boundaries or transportation through the City;*
- 3 that the responsible use of radioactive material in hospitals, health facilities, and within smoke detectors is acceptable as the benefits to residents far outweigh the risks to the community at large;*
- 4 that the City of Joondalup be designated a ‘Nuclear-Free City’.”*

Cr Corr has submitted the following comments in support of his motion:

“I am concerned about the current nationwide discussions regarding nuclear power stations and nuclear waste disposal. I believe that the City should have a policy regarding this matter. I am strongly against nuclear activity within the boundaries of our City.

Countries such as France, Germany, UK, Canada, USA, Japan (and others) have been involved in nuclear power for years. The nuclear industry says it is safe (talk to people on the west coast of Scotland and Wales, and the east coast of Ireland, and you will hear stories of leukemia and other illnesses, plus the decimation of the fishing industry in the sea for miles and miles from the Sellafield nuclear plant on the west coast of England.) Such power stations are major terrorist targets and need massive protection - constantly. They did not tell us about the difficulties in de-commissioning power stations and such de-commissioning was not factored into the costs when the people were told about 'cheap safe electricity'.

Then there is the question of the storage of nuclear waste. This, of course, refers to other people's waste as we do not have any of our own. The suggestion is to bury it deep in the ground out in the bush. Remember that, until recently, miners in Tasmania felt safe underground. Then an earth tremor changed that. Australia should have learned from the results of the atomic bomb tests which laid waste large tracts of land for thousands of years.”

OFFICER'S COMMENT

The District Planning Scheme 2 does not allow heavy industry of any type to establish itself within the City's jurisdiction. This includes nuclear power stations or weapons and enrichment plants.

In terms of designating the City "Nuclear Free", making such a declaration and erecting signs for its purpose has no real legal significance, but it does aid in making a strong public statement on behalf of the community about nuclear activities.

On a technical front, local governments are unable to be 'totally' nuclear free. This is because radioactive materials are used in a variety of ways in society and local governments do not have the ability to limit transportation vehicles that may be carrying radioactive materials on public roads. It could therefore be argued that for the purposes of technical correctness, the City declares itself "Nuclear Safe" as an appropriate alternative to the "Nuclear Free" declaration.

In Western Australia the nuclear free debate at the local government level has been in a state of evolution for some time. The Shire of Chapman Valley was the first local government to embark on a nuclear free initiative when it sought approval to amend its Town Planning Scheme in 1999, declaring itself as a "Nuclear Free Zone". The Minister initially refused approval on the grounds that a Council had no right to make a blanket prohibition, such as a ban on nuclear activities. The Shire of Chapman Valley subsequently referred the matter to West Australian Local Government Association in 2001 to seek advice and support on the matter.

In 2003, the new State Government chose to approve the Shire of Chapman Valley's Town Planning Scheme (TPS) amendment and as a result the Shire has now implemented a Town Planning Scheme No.2. The amendment stipulates, "Any use or development which constitutes or includes a nuclear activity is not permitted on land within the Scheme Area". 'Nuclear activity' is defined in the TPS as "the handling, production, processing, treatment, use, mining, transportation, transfer, storage or disposal of a radioactive material or a radioactive mineral; and nuclear power generation". The amendment can legally prohibit the importation of radioactive waste and prohibit the mining and exploration of uranium; however, it does not affect the mining activities of minerals and sand mining that incidentally produce low levels of radioactive material in the area. Nor does the amendment prevent the use of radioactive materials recognized for acceptable domestic, commercial and medical uses.

As a result of the Shire of Chapman Valley's success, a number of other Councils including Geraldton and Esperance have also progressed TPS amendments in relation to limiting nuclear activity. Claremont, Fremantle, Cottesloe and Chittering have also made expressions of interests to do the same but at this stage their commitments are not evident in their current TPSs.

Albany's Council has recently rejected a motion to amend its TPS to reflect the same nuclear activity stance as Chapman Valley. However, the Council has announced its intention to consider including a statement on nuclear activity in its corporate plan. This may have similar ramifications to the "Nuclear Free" declaration proposal for the City of Joondalup if this is adopted.

The Town of Kwinana, who instead of amending its TPS as other Councils have chosen, has made a declaration designating the Town as a "Nuclear Free Zone" in its 2004 policy program. Kwinana declared as its objective "...a general policy of support for nuclear free zones". Again, an assertion such as this has no legal authority, but it does reflect the wishes of the elected members to limit nuclear activity in the area.

Since 1977, 115 Australian Local Governments have declared their cities and towns as Nuclear Free Zones. These include:

Adelaide City Council	Munno Para City Council
Elizabeth City Council	Noarlunga City Council
Gawler Town Council	Port Adelaide City Council
Gosford City Council – Central Coast	Prospect City Council
Hindmarsh Town Council	St. Peters Town Council
Kensington and Norwood City Council	Sydney City Council
Melbourne City Council	Unley City Council

One other avenue that may be of interest to the City of Joondalup is the “Australian Local Government Nuclear Free Zones and Toxic Industries Secretariat”. This organisation includes 21 Western Australian local governments, who as members, aim to strengthen their opposition to nuclear use by using the Secretariat as a means of organising local government responses to the issue. If the City of Joondalup should wish to reinforce a public declaration, then association with this organisation would certainly do so. Membership can either come in the form of ordinary, financial membership or associate financial membership. Ordinary financial membership would entitle the City to attend Secretariat meetings to discuss current nuclear debates affecting local governments at a cost of \$500 per annum. Associate membership costs \$20 per annum and entitles delegates to join the State Nuclear Free Zone Standing Committee with the right to speak at General Meetings, but does not entitle the member to a right to vote on motions.

The WA local governments involved in the Secretariat are:

Bassendean	Harvey
Chapman Valley	Koorda
Claremont	Mandurah
Cockburn	Mullewa
Cranbrook	Narambeen
Dardanup	Northampton
Denmark	Roebourne
Dundas	Subiaco
East Fremantle	Vincent
Fremantle	Wyalkatchem
Geraldton	

The City of Stirling resolved at its meeting held on Tuesday, 6 June 2006 as follows:

“Council Resolution

Moved Councillor Michael, Seconded Councillor Sebrechts

That the following policy be ADOPTED:

The City of Stirling accepts that the transport, storage, treatment and use of radioactive substances could involve potential threats to the health and well being of residents of the City and declares that:

- 1 Approval will not be given for the building of any nuclear power stations, enrichment plants, weapons plants, or radioactive storage facilities within the City.*

- 2 *Approval will not be given for the storage of uranium, nuclear waste, nor other material connected with the nuclear power industry within the City's boundaries or transportation through the City.*
- 3 *The responsible use of radioactive material in hospitals, health facilities or within smoke detectors is acceptable as the benefits to users outweigh the risks to the community at large.*
- 4 *The City of Stirling be designated a 'Nuclear Free Zone'.*

The motion was put and declared CARRIED.”

10 BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS

11 REPORTS/PRESENTATIONS REQUESTED BY ELECTED MEMBERS

BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS**DUE DATE** **MARCH 2006****SUBJECT** **LEGAL REPRESENTATION COSTS TO THE CITY IN RELATION TO THE MCINTYRE INQUIRY**

– ex CJ168-08/05 - Report on funding to date to the City of Joondalup pursuant to Policy 2.2.8 – Legal Representation for Elected Members and Employees

“5 NOTES that a further report be prepared by Administration at a later date that quantifies the legal representation costs to the City. This report will not be able to be completed until the McIntyre Inquiry hands down its final report.”

RESPONSIBLE DIRECTORATE Office of the CEO**ACTION NUMBER** 97788**STATUS** A report is currently being drafted, to be submitted to a future Council meeting.**DUE DATE** **MARCH 2006****SUBJECT** **REVIEW OF CODE OF CONDUCT – NON-VILIFICATION OF RATEPAYERS** - ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004

In relation to Motion 12 of the Annual General Meeting of Electors held on 22 November 2004, NOTE that recommendation No 25 referred to in the motion is a recommendation of the Governance Review Panel and cannot be altered by the City, however, the issue on non-vilification of ratepayers will be considered as part of the review of the Code of Conduct.

RESPONSIBLE DIRECTORATE Governance and Strategy**ACTION NUMBER** 85109**STATUS** Advice from the Department of Local Government and Regional Development is that the Local Government (Official Conduct) Amendment Bill was presented to the Parliament at the end of 2005. The legislation is to be debated by parliament and it is anticipated could be in place by the second half of 2006. It is intended that as part of the legislation there will be a uniform Code of Conduct applicable to the local government industry.

DUE DATE	MARCH 2006
SUBJECT	LONG-TERM STRATEGY AND FINANCIAL PLAN FOR PARKING IN THE JOONDALUP CBD – ex JSC3-07/05 -MINUTES OF THE STRATEGIC FINANCIAL MANAGEMENT COMMITTEE “2 REQUESTS that a report be submitted to Council in due course on a long-term strategy and financial plan for parking in the Joondalup CBD.”
RESPONSIBLE DIRECTORATE	Planning and Community Development
ACTION NUMBER	97081
STATUS	This has been referred to the internal Parking Strategy Working Group. Revised Status The Working Group is currently undertaking a review of the current Parking Strategy, analysing the parking supply and demand, as well as examining opportunities to increase the number of public parking bays in the CBD. A progress report will be presented to the Council in June 2006. Revised Status A report will be presented to the Strategic Financial Management Committee in August 2006.

DUE DATE **MARCH 2006**

SUBJECT **LOCATION OF 50 METRE POOL AT CRAIGIE LEISURE CENTRE OR AN ALTERNATIVE LOCATION – ex JSC29-08/04 – MINUTES OF 2004/05 BUDGET COMMITTEE MEETINGS**

“2 REQUEST that a report be submitted to Council as to whether a 50 metre pool should be located at Craigie Leisure Centre or at an alternative location;”

PETITION – Council 28 June 2005

Two petitions of 144 and 125-signatures respectively have been received requesting the City of Joondalup make provision for a 50 metre, 8 lane outdoor pool at the Craigie Leisure Centre in the City's financial budget for 2005/06.

RESPONSIBLE DIRECTORATE Planning and Community Development

ACTION NUMBER 77776 and 95549

STATUS The City has committed in September 2004 to a refurbishment project to the aquatic facilities at the Craigie Leisure Centre. The 50 metre pool, as part of the facilities offered at the Craigie Leisure Centre would require the following before the City could proceed:

- (1) Detailed analysis of the performance of the Craigie Leisure Centre once the refurbishment has been completed.
- (2) Detailed market research of the community's needs that considers all market segments.

The Craigie Leisure Centre redevelopment project is inclusive of a geothermal water heating system which will be able to cater for a further 50 metre water space.

Revised Status:

Completion of the assessment of the new facilities will occur once the facility is operating fully. Consideration has been given in the present redevelopment to future extensions of the aquatic facilities.

Revised Status:

The facility is now open to the public and the status of the 50metre pool will be the subject of discussion in the 2006/07 budget.

DUE DATE **APRIL 2006**

SUBJECT **PROPOSAL TO PROTECT NATIVE AREAS OF SIGNIFICANCE - ex CJ193-09/05 MEETING OF THE CONSERVATION ADVISORY COMMITTEE HELD ON 24 AUGUST 2005**

- 4 REQUESTS the Chief Executive Officer to provide a future report on the Conservation Advisory Committee's review and the process impact of the proposal to protect native areas of significance under Schedule 5 of the District Planning Scheme No 2;

PROPOSAL TO PROTECT NATURAL AREAS OF SIGNIFICANCE UNDER SCHEDULE 5 OF THE DISTRICT PLANNING SCHEME NO 2 - ex MINUTES OF THE CONSERVATION ADVISORY COMMITTEE MEETING HELD 26 OCTOBER 2006 – CJ256-11/05

- "3 NOTES that a further report will be provided on the Conservation Advisory Committee's recommended list of reserves and the process impact of the proposal to protect natural areas of significance under Schedule 5 of the District Planning Scheme No 2;"

RESPONSIBLE DIRECTOR Planning and Community Development

ACTION NUMBER 100428 and 104027

STATUS The Conservation Advisory Committee has identified reserves of significance. A report by Planning & Community Development on the DPS2 implications will be submitted to Council in April 2006.

Revised Status:

Advice is being sought from the Department of Planning and Infrastructure in relation to this matter. It is anticipated that Planning and Community Development will submit a report to Council in June 2006.

Revised Status

Advice is currently being sought on the best way of legally incorporating open space that contains both bushland areas of conservation and active parks. As a consequence, this report will now be submitted to Council in July 2006.

Revised Status

It was originally anticipated for this report to be presented to Council in July 2006, however the required advice is yet to be received. A report will be prepared upon receipt of the advice.

DUE DATE **APRIL 2006**

SUBJECT **LANDSCAPING PLANS FOR JOONDALUP REGIONAL CULTURAL FACILITY - ex CJ248-11/04 – JOONDALUP REGIONAL CULTURAL FACILITY SITE ACQUISITION**

“3 REQUIRE that a report detailing forward landscaping plans for the site be prepared for consideration of Council taking into account the cultural and performing arts needs of the community, which will be assessed through a collaborative consultation process involving educational institutions, performing arts groups, arts consultants and other stakeholders;

RESPONSIBLE DIRECTORATE Office of the CEO

ACTION NUMBER 82351

STATUS Consultation will take place as soon as is practicable following the finalisation of the purchase of the site which requires the lot to be formally subdivided. It is envisaged that a report will be submitted to Council once the purchase has been finalised.

Revised Status

Advice has been received that the subdivision requirements have been completed and settlement will occur following the creation of the title for the subject site. Consultation will take place as soon as is practicable following settlement. A report will be submitted to the Council after the consultation phase.

Revised Status

The City has executed transfer documents at the end of June 2006 and returned to the Department of Training for execution.

DUE DATE **JUNE 2006**

SUBJECT **CONSIDERATION OF POLICY – RECOVERY OF COSTS AWARDED TO THE CITY - ex CJ266-12/05 - REPORT ON THE COSTS AWARDED TO THE CITY IN THE MATTER OF THE MULLALOO PROGRESS ASSOCIATION AND THE CITY OF JOONDALUP AND RENNET PTY LTD CIV 1285 OF 2003**

“3 REQUESTS the Chief Executive Officer to draft a policy for consideration of the Council in relation to recovering costs awarded to the City in legal proceedings.”

RESPONSIBLE DIRECTORATE Office of the CEO

ACTION NUMBER 105477

STATUS A policy will be prepared in line with the decision of Council and forwarded for consideration.

DUE DATE	JUNE 2006
SUBJECT	LOT 1 OCEANSIDE PROMENADE, MULLALOO ex C83-05/03 NOTICE OF MOTION NO 4 – CR M CAIACOB “that Council AGREES and RESOLVES to incorporate Lot 1 Oceanside Promenade, Mullaloo into Tom Simpson Park reserve proper and makes any and all necessary changes to the status and zoning of the land as per the Council Officers recommendation in CJ118-05/02.” “that consideration of the Notice of Motion - Cr M Caiacob – Lot 1 Oceanside Promenade, Mullaloo be DEFERRED pending submission of a report.”
RESPONSIBLE DIRECTORATE	Planning and Community Development
ACTION NUMBER	51161
STATUS	This matter is to be reviewed in conjunction with the City’s asset portfolio.

DUE DATE	JUNE 2006
SUBJECT	TOM SIMPSON PARK AND TEN LOTS IN MERRIFIELD PLACE, MULLALOO ex CJ299 - 12/04 - Annual General Meeting of Electors held on 22 November 2004 In relation to Motion 16 of the Annual General Meeting of Electors held on 22 November 2004 NOTE that a report will be presented to the Council in early 2005 on the matter of including Lot 1 Oceanside Promenade and the grassed road reserve adjacent to Tom Simpson Park into Tom Simpson Park, and the reservation of 10 lots in Merrifield Place, Mullaloo;
RESPONSIBLE DIRECTORATE	Planning and Community Development
ACTION NUMBER	85111
STATUS	This item was originally listed for December 2005. A report will be presented to Council following a review of the City’s asset portfolio. Funding for the Strategic Asset Management Plan is listed for consideration in the 2005/06 Draft Budget.

DUE DATE	JUNE 2006
SUBJECT	PROVISION OF RETAIL LAND USES – CURRAMBINE LOCALITY - ex CJ088-04/04 - PROPOSED MODIFICATIONS TO CURRAMBINE STRUCTURE PLAN NO 14 – DELETION OF THE RESIDENTIAL MIXED USE PRECINCT AND REPLACEMENT WITH A SMALL LOT RESIDENTIAL PRECINCT AND MINOR MODIFICATIONS TO THE DEVELOPMENT PROVISIONS “3 a separate report giving further consideration to the provision of retail land uses for the Currambine locality in relation to the City’s Policy 3.2.8 – Centres Strategy, and retail floorspace allocations across the City, as noted in Schedule 3 of DPS2, be prepared;”
RESPONSIBLE DIRECTORATE	Planning and Community Development
ACTION NUMBER	71026
STATUS	Partially addressed in Report to Council 27 April 2004. Remainder to be reported as part of the Centres Strategy review, which is intended to be undertaken as soon as possible. It should be noted that review initiation is dependent on data release from the WAPC, and was anticipated to occur before December 2005. This item was originally listed for December 2005. It is noted that the WAPC has not initiated any review of its Commercial Centres Policy or the data contained within that Policy. It is therefore proposed to commence the review of the City of Joondalup Centres Strategy independently of the WAPC review.

DUE DATE **JUNE 2006**

SUBJECT **PETITION REQUESTING AN INCREASE IN THE LEVEL OF FUNDING – YELLAGONGA REGIONAL PARK - C28-06/06**

A 94-signature petition has been received on behalf of residents of the City of Joondalup requesting Council to increase the level of funding in the 2006/07 Budget towards improving the standard of facilities at Yellagonga Regional Park.

RESPONSIBLE DIRECTORATE Governance and Strategy

115353

ACTION NUMBER

STATUS

The Yellagonga Regional Park (YRP) including all the lands and water of the park is vested in the National Parks and Nature Conservation Authority (NPNCA) and managed by the Department of Conservation and Land Management (CALM). The Yellagonga Regional Park has a Plan, (The Yellagonga Regional Park Management Plan 2002-2012) which was developed by CALM in conjunction with the Cities of Joondalup and Wanneroo. Both Councils, in late 2002, endorsed the final plan, which now requires the two Cities and CALM to take joint responsibility for care, control and management of the areas of the park under their jurisdiction.

The City of Joondalup (CoJ) has care, control and management for approximately 10% of the park. This includes two key areas for use by the broader community (Neil Hawkins Park and Picnic Cove, Edgewater).

CALM have overall responsibility for most areas within the parks. The CoJ has an officer representative on the YRP Community Advisory Committee and more recently the Council has appointed Councillor Corr to this committee. Through this committee the works are discussed in relation to progression of the YRP Management Plan and is regularly reported to the committee by CALM. The CoJ has a role on the committee to advise and or influence the planning of works undertaken within the regional park.

The petition received has requested a number of specific areas be funded in 2006/7, which to a large extent are CALM responsibilities and many are currently in the planning or implementation stages as follows:

- 1 Extending the network of dual use pathways and sealing limestone trails.

The CoJ has, within its area of responsibility, completed sealing all the pathways in the YRP. Most areas currently left unsealed are on CALM land, for which CALM has work plans in place to complete these unsealed sections.

2. New boardwalks and nature/wildlife observation platforms

CALM has responsibility for the water body under the YRP Management Plan and all boardwalks and observation decks are CALM

responsibility. CALM has completed trails, boardwalks and lookout points around Goollelal Drive and Hocking Road, Kingsley and have other sites planned for construction within their works program.

3 Improved Interpretive signage at educational nodes

CALM have set up a special interpretative unit to develop materials for the park and that work is now finalised. CALM have advised recently that the interpretive materials are now ready to be installed and these works have commenced.

4 Family friendly visitor facilities to cater for 55,000+ visitors per year

The CoJ through the implementation of its Tourism Development Plan (TDP) has objectives and strategies that will cater for increasing visitors to the YRP and in particular maximising the potential of Neil Hawkins Park.

The CoJ in partnership with the City of Wanneroo is in the process of developing a feasibility study for an environment centre that would further enhance visitor opportunities to the lake system.

5 Better resourcing of conservation projects undertaken by volunteer groups.

Given that the majority of the YRP is under the management and control of CALM, community groups undertaking work in the park would need to work with CALM to determine what projects they wish to pursue. Following agreement with CALM, the community group could make submissions to the City for financial support for on ground projects which fall in areas managed by the CoJ, which would be assessed by the City on a case by case basis.

In conclusion, the lead petitioner will be advised that the issues raised are in the main the responsibility of the Department of Conservation and Land Management. This Item may therefore be removed from the agenda.

DUE DATE	TO BE ADVISED
SUBJECT	PROPOSED NEW STRUCTURES FOR CRIME PREVENTION IN WESTERN AUSTRALIA – ex CJ338-12/02
	“4 NOTES that Council will be advised as the matter progresses both through Desk of the CEO reports and a further report to Council.”
RESPONSIBLE DIRECTORATE	To be determined. Currently being addressed by Infrastructure Services.
ACTION NUMBER	41269
STATUS	<p>The matter of Crime Prevention, the City’s involvement, the role of local government and entering a proposed partnership agreement with the State Office of Crime Prevention (OCP), has been progressed through the North Metropolitan Zone Committee of WALGA comprising of the Cities of Joondalup, Stirling and Wanneroo. Concerns with inequitable funding, cost and responsibility shifts were raised in early considerations.</p> <p>Attempts to address these concerns and acknowledgement by the State that graffiti management and anti social behaviour as the key concerns of local government have not been successful to date.</p> <p>More recently, the City of Bayswater has joined the other Cities attempting to form a Regional Partnership with the OCP that included funding for a Regional Coordinator. This approach was not successful at the meeting of 16 January 2006, when the Cities were represented by elected members and senior Council officers and officers from the OCP.</p> <p>Together the four cities make up both the North West Metropolitan Police District and the West Metropolitan Police District representing over 500,000 people. The Cities approach was supported by the Police and was considered to provide significant advantages to all parties.</p> <p>A further meeting is to be held between the Cities to determine options to further progress this matter.</p> <p>Revised Status:</p> <p>The Chief Executive Officer and Director Infrastructure Services met this week with the Director of the Office for Crime Prevention in relation to the City of Joondalup and regional perspective on crime prevention.</p>

DUE DATE JUNE 2006

SUBJECT PETITION REQUESTING RETICULATION OF RIDGE PARK, EDGEWATER - ex C28-06/06 – PETITIONS SUBMITTED TO COUNCIL MEETING –6 JUNE 2006

RESPONSIBLE DIRECTORATE Infrastructure Services

ACTION NUMBER 115354

STATUS This matter has been investigated. A letter to the representative petitioner was sent on 15 June 2006 regards the development of dry parks and the process adopted by the corner Councillors in prioritising dry parks for consideration of in-ground reticulation. Ridge Park was classified as a Priority 2 park and only Priority 1 parks were considered. This matter may therefore be removed from the agenda.

DUE DATE JULY 2006

SUBJECT PETITION REQUESTING INSTALLATION OF SPEED CONTROL/TRAFFIC CALMING MEASURES – SCADDAN STREET/SYCAMORE DRIVE, DUNCRAIG - ex C07-03/06 – PETITIONS SUBMITTED TO COUNCIL MEETING – 14 MARCH 2006

RESPONSIBLE DIRECTORATE Infrastructure Services

ACTION NUMBER 110405

STATUS A meeting has been arranged for 23 March 2006 with representative petitioners to discuss the issues raised.

Revised Status:

A site meeting was held on 23 March 2006. Traffic data was collected and various issues were discussed. Strategies are to be investigated and reported back to residents by July 2006.

Revised Status:

Traffic counts have been requested for June 2006 to provide 7 day 24 hour data.

Revised Status:

Consultation with residents completed and a resolution has been reached. This will be implemented in July in conjunction with resurfacing of street. A letter will be sent to petitioners with advice by 7 July 2006. This matter may therefore be removed from the agenda.

DUE DATE **JULY 2006**

SUBJECT **PETITION REQUESTING INSTALLATION OF SPEED CONTROL/TRAFFIC CALMING MEASURES – TWICKENHAM DRIVE, KINGSLEY** - ex C07-03/06 – PETITIONS SUBMITTED TO COUNCIL MEETING – 14 MARCH 2006

“A 34-signature petition, together with five letters of support have been received from Kingsley residents requesting the installation of speed control/traffic calming measures in Twickenham Drive near the corner of St Johns Court.”

RESPONSIBLE DIRECTORATE Infrastructure Services

110407

ACTION NUMBER

STATUS A meeting has been arranged for 27 March 2006 with representative petitioners to discuss the issues raised.

Revised Status:

A site meeting was held on 27 March 2006. Various issues were discussed and immediate action was taken on signage. Other investigations and strategies are ongoing. Improvements to lighting will be reviewed in April 2006.

Revised Status:

Improvements to lighting will be reviewed in July 2006.

Revised Status:

Traffic counts have been requested for June 2006 to provide 7 day 24 hour data. The lighting can be undertaken in the 2006/07 Capital Works Budget – Street Lighting Program. The work would be undertaken by Western Power. The City will obtain a quote so that an order can be placed with Western Power after the budget is adopted.

Revised Status:

Resolution has been reached for petitioners. Signage relocated, lighting upgrade designed and will be installed in 2006/07. A letter will be sent with advice to petitioners by 7 July 2006. This matter may therefore be removed from the agenda.

DUE DATE **JULY 2006**

SUBJECT **PETITION REQUESTING CONSTRUCTION OF PARKING BAYS – BOAS AVENUE, JOONDALUP** – ex C36-06/06 – PETITIONS SUBMITTED TO THE COUNCIL MEETING – 27 JUNE 2006

“A 60-signature petition and a further petition containing 15-signatures, making a total of 75-signatures has been received requesting the construction of parking bays on either side of Boas Avenue, immediately outside Lakeside Convenience Store, located on the opposite side of the roundabout to the Central Library and Zest Fitness Club.”

RESPONSIBLE DIRECTORATE Infrastructure Services

116525

ACTION NUMBER A report will be submitted to Council Meeting 18 July 2006.

STATUS

DUE DATE **JULY 2006**

SUBJECT **ELECTED MEMBER WORKSHOP TO BE HELD IN RELATION TO DELEGATED AUTHORITY MANUAL** - ex CJ096-06/06

“That Council DEFERS the endorsement of the Delegated Authority Manual presented as Attachment 5 to Report CJ096-06/06, subject to an Elected Member workshop being held, followed by a Special Meeting of Council to endorse either this Delegated Authority Manual or a revised Delegated Authority Manual.”

RESPONSIBLE DIRECTORATE Acting Director, Planning and Community Development

116527

ACTION NUMBER

STATUS A workshop is being organised and background papers are currently being compiled in relation to this.

DUE DATE **JULY 2006**

SUBJECT **PRESENTATION TO BE PROVIDED TO COUNCIL ON THE DRAFT STATEMENT OF PLANNING POLICY** - ex CJ103-06/06 – WESTERN AUSTRALIAN PLANNING COMMISSION DRAFT STATEMENT OF PLANNING POLICY – NETWORK CITY

“3 REQUESTS that the Western Australian Planning Commission provides the Council with a presentation on the Draft Statement of Planning Policy and Network City, following which the Council will provide a final response from the City;”

RESPONSIBLE DIRECTORATE Planning and Community Development

ACTION NUMBER 116418

STATUS Correspondence has been sent to the Western Australian Planning Commission and a response and presentation date is awaited.

DUE DATE **JULY/AUGUST 2006**

SUBJECT **JOONDALUP – JINAN RELATIONSHIP PLAN – ex CJ224-11/05**

- 1 Council DEFERS the adoption of the Joondalup-Jinan Relationship Plan, until after completion of the workshop referred to in 2 and 3 below;
- 2 Council REFERS the plan to a workshop comprising the Joondalup Stakeholder Group and members of the last delegation to Jinan, not being members of the Stakeholder Group;
- 3 the workshop is to consider the long term strategic implications (over the next 20 years) of the plan, and to identify meaningful and appropriate long term strategic key performance indicators and appropriate measures to be included with the plan.

RESPONSIBLE DIRECTOR Governance and Strategy

ACTION NUMBER 102695

STATUS The matter will be referred to the next meeting of the Stakeholders. It is likely that stakeholders will meet in March/April 2006.

Revised Status

The Stakeholders Group met in March 2006 and comments are currently being collected to formulate a report to be submitted to Council in June 2006.

Revised Status

A report will be submitted to Council in July/August 2006.



**DECLARATION OF
FINANCIAL INTEREST/INTEREST THAT MAY AFFECT
IMPARTIALITY**

**To: CHIEF EXECUTIVE OFFICER
CITY OF JOONDALUP**

Name/ Position	
Meeting Date	
Item No/ Subject	
Nature of Interest	Financial Interest * Interest that may affect impartiality* <i>* Delete where not applicable</i>
Extent of Interest	
Signature	
Date	

Section 5.65(1) of the Local Government Act 1995 states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) *in a written notice given to the CEO before the meeting; or*
- (b) *at the meeting immediately before the matter is discussed.*

