

# MINUTES

City of Joondalup

MINUTES OF  
ORDINARY MEETING OF THE COUNCIL  
OF THE CITY OF JOONDALUP  
HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP

MEETING DATE



**TUESDAY, 7 AUGUST 2007**



**MINUTES OF COUNCIL MEETING  
HELD ON TUESDAY 7 AUGUST, 2007**

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# CITY OF JOONDALUP

## MINUTES OF COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY, 7 AUGUST 2007

### DECLARATION OF OPENING

The Mayor declared the meeting open at 1204 hrs.

### ANNOUNCEMENT OF VISITORS

Mayor Pickard welcomed the guests attending the Council Meeting, being two members of staff from the National Ombudsman Commission of Indonesia, Mr Muhadjirin and Ms Aldebaria, and approximately 60 students and teachers representing seven local high schools.

### ATTENDANCES

#### Mayor:

TROY PICKARD

#### Councillors:

Cr KERRY HOLLYWOOD	North Ward
Cr STEVE MAGYAR	North-Central Ward
Cr ALBERT JACOB	North-Central Ward
Cr MARIE MACDONALD	Central Ward
Cr GEOFF AMPHLETT	Central Ward
Cr MICHELE JOHN	South-West Ward
Cr SUE HART	South-East Ward
CR BRIAN CORR	South-East Ward
Cr RUSS FISHWICK	South Ward
Cr RICHARD CURRIE	South Ward

#### Officers:

MR GARRY HUNT	Chief Executive Officer
MR MIKE TIDY	Director, Corporate Services
MR CLAYTON HIGHAM	Director, Planning & Community Development
MR DAVID DJULBIC	Director, Infrastructure Services
MR IAN COWIE	Director, Governance & Strategy
MR MIKE SMITH	Manager, Marketing Communications & Council Support
MR TERRY O'BRIEN	Acting Media Advisor
MS JANET HARRISON	Administrative Services Coordinator
MRS JILL HEWISON	Administrative Secretary

#### In Attendance

There were 95 members of the Public and 1 member of the Press in attendance.

**PUBLIC QUESTION TIME**

The following questions were taken on notice at the Council meeting held on 17 July 2007:

**Mrs K Ludzik, Connolly:**

*Q1 Why did the City's weed spraying contractors, on Monday 9 July 2007, the first day of the school holidays, spray herbicides in St Michael's Park without leaving any notification of spraying being conducted and within minutes of completion there were children and dogs playing in the area? There were no markings on the vehicle that indicated chemicals were being used, I did question the people as they were leaving and they said they had sprayed.*

A1 The spraying that occurred within St Michaels Park was only within the natural bushland areas and was undertaken by the City's Natural Areas crew. The work undertaken included spraying the bushland edges utilising Glyphosate to prevent invading weeds.

The City's vehicle has a tank which contains water only, and accordingly no chemical labeling is required. Chemical is stored in original packaging in the locked toolbox on the back of the vehicle. Chemical is applied via a backpack. The user's backpack is filled as follows:

- Water is placed in the backpack sprayer.
- Chemical is then added at correct ratio.
- Dye is added.
- The backpack is then topped up with water to correct level.

(The backpack is filled this way to ensure evenly mixed chemical/dye/water combination).

Four signs were erected prior to the commencement of spraying and removed following its completion.

**Mrs M Zakrevsky, Mullaloo:**

*Q1 On what dates in the last twelve months have herbicides been applied round or in the vicinity of the Illyarrie Eucalyptus Erythrocorys trees and/or to the verge on the southern side of Mullaloo Drive being the northern side of Dampier Park, Kallaroo and what herbicide has been used on each particular date?*

A1 The City of Joondalup undertook kerb line spraying in January 2007 and spraying around posts and rails in February 2007 using Glyphosate. An on-site inspection has revealed that whilst the trees are not in the best of health, their condition is not attributed to the herbicide spraying as Glyphosate would not cause any adverse impact on the trees in the locations applied; also the condition of these trees is not consistent with the condition of the rest of the trees on that reserve where adjacent spraying had occurred.

*Q2 On what dates in the last twelve months have herbicides been applied to the verge and the Eucalyptus trees on the northern side of Aristrade Avenue? This verge, with near dead trees, is on the southern side of the church in Kallaroo on the intersection with Dampier Avenue.*

A1 City of Joondalup has not undertaken spraying at this location.

**Mr S Griffiths, Iluka:**

*Re: ECU Joondalup Soccer Club - Application for funding of \$1000, of total investment of \$44,000 for soccer clinics, coaches and equipment.*

**Q1** *Will the use of the Council-provided funds be monitored by Council to ensure funds are applied in the appropriate intended use by ECU and the club's \$26,000 portion of funding is provided for the same specific purpose, and will the funding agreement be open to public scrutiny to ensure not-for-profit or personal benefit is maintained?*

**A1** As part of the City's Sports Development Program, all successful applicants are required to enter into a formal funding agreement and submit an acquittal report following the completion of the project.

The acquittal process requires recipients to provide evidence that the grant funding has been spent as indicated on the application and in accordance with the funding agreement. In addition, the City checks the not-for-profit status of all clubs during the application process and all applicants are required to provide a copy of the club's audited financial statements. Funding agreements are developed between the City and the successful applicant and are not made available to the public.

**Q2** *What is Council's position regarding reimbursement of funds donated where 'ECU Players' past or future, are transferred to larger clubs where 'ECU' may receive player transfer or development fees often amounting to in excess of \$50,000 per transfer? What is a definition of not-for-profit in this case?*

**A2** The purpose of the Sports Development Program is to 'To provide financial assistance to local district sporting clubs for projects, programs and events that benefit the development of a particular sport and enhance its delivery to residents of the City of Joondalup.' In the situation that is described above, if players are of a high enough quality that they are transferred to larger clubs for a fee, it shows that the program is working, and the sport is being 'developed' and 'enhanced' in the City of Joondalup.

The Australian Tax Office '*...accepts an organisation as non-profit if its constitution or governing documents prohibit distribution of profits or gains to individual members and its actions are consistent with the prohibition.*' Financial statements are required at the application phase of the program to ensure that club funds are not distributed to individuals, and at the completion of the project, evidence will be required to show that the funds were spent on the project as intended.

**The following questions were submitted in writing prior to the Council meeting to be held on 7 August 2007:**

**Mr K Robinson, Como:****Expenditure on Legal Services**

**Q1** *In respect to each of the items of expenditure on legal fees listed below please indicate for each item the Business Unit(s) that incurred the expenditure:*

<i>Minter Ellison</i>	<i>1408.00</i>
<i>Minter Ellison</i>	<i>5728.80</i>
<i>Minter Ellison</i>	<i>2644.40</i>
<i>Minter Ellison</i>	<i>70.40</i>
<i>McLeods</i>	<i>4400.00</i>
<i>McLeods</i>	<i>343.75</i>

McLeods	2885.85
McLeods	1174.92
McLeods	1243.24
McLeods	2347.40
McLeods	465.63
McLeods	610.50
McLeods	1365.10
McLeods	4219.60
McLeods	515.90
Woodhouse Legal	457.60
Woodhouse Legal	528.00
Woodhouse Legal	1971.20
Woodhouse Legal	513.60
Woodhouse Legal	5456.00
Woodhouse Legal	495.00

- Q2 *The City's internal guidelines for seeking legal advice set out a process to be followed before legal advice can be sought by officers in each of the above cases was the legal advice sought in accordance with the guidelines;*
- Q3 *If not, why not?*
- Q4 *If yes, how is this determined?*
- Q5 *In respect of each of the items of expenditure on legal services did the City request any of the firms to provide more detailed breakdowns of their invoices?*
- Q6 *If yes, how many?*
- Q7 *Did any of the legal expenditure detailed above relate to advice provided in respect to former employees of the City?*
- Q8 *If yes, what was the cost of that advice?*

#### Telecommunications Expenditure

- Q9 *Does the City meet the cost of the Manager Library Services home phone, home broadband connection and Council mobile phone?*
- Q10 *Does the City consider it appropriate to provide a manager with a council mobile phone as well as meet the cost of the managers home phone?*
- Q11 *Does the City require managers to reimburse the City for private calls made on their Council allocated mobile phones?*
- Q12 *If yes, do all managers reimburse the City for the cost of private calls on their Council issued mobile phones?*
- Q13 *Do all managers review their individual mobile accounts and identify private call and the cost to be reimbursed before submitting the account to their Director for authorisation?*
- Q14 *What was the total amount reimbursed for managers during the year ended 30 June 2007?*



Mayoral allowance

Where the questions relate to providing expenditure figures I am referring to the 12 month period ending 30 June 2007.

- Q15 Does the Mayor receive a Mayoral allowance?
- Q16 If yes, what is the amount of the allowance?
- Q17 Does the Mayor receive any other allowances?
- Q18 If yes, what is the total of these other allowances?
- Q19 What is the purpose of the Mayoral allowance?
- Q20 Does the Mayoral allowance fund the out of pocket expenses of the Mayor?
- Q21 What items of expenditure is the Mayor entitled to be reimbursed for under the Local Government Act and its Regulations as a matter or right?
- Q22 What are the maximum amounts set by the Regulations for those items of expenditure?
- Q23 Has the Mayor claimed any expenses for items the Regulations require to be reimbursed?
- Q24 What were the items and the value of the claims for reimbursement?
- Q25 Is the Mayor required in relation to the Mayoral allowance provided required to provide details of how the funds provided were expended on Council related business?
- Q26 Is the Mayor required to refund any portion of the mayor allowance if it is not incurred in relation to Council related matters?
- Q27 What other items is the Mayor entitled to claim reimbursement for in accordance with Council Policy?
- Q28 What items has the Mayor claimed reimbursement for under Council Policy?:
- Q29 What is the value of those claims?
- Q30 If in addition to the allowances received by Councillors the Mayor also receives a mayoral allowance why does the City need to reimburse him for the \$15 it cost to clean his car?

A1-30 Due to the number of questions received, these questions will be taken on notice.

**Mrs M Zakrevsky, Mullaloo:**

- Q1 What targeted areas and on what dates has Hexazinone (Velpar) been used during the three-year period prior to April 2006 (April and May 2006 was when City of Joondalup drainage sumps were treated with the weed herbicide Hexazinone)?

Please be specific as to:

- (i) whether Hexazinone was used before April 2006 in sumps and if so, when;

- (ii) *whether Hexazinone or any other triazine herbicide such as Simazine was applied to street paths, medians, verges and PAWs and if so when;*
- (iii) *whether Hexazinone or any other triazine was used before April 2006 along bike paths & Dual Use Paths and when.*

A1 According to the contractor (Turfmaster) hexazinone was used in sumps of the City of Joondalup from 2003 through to 2006 inclusive. Hexazinone was sprayed once a year prior to the wet season, in either April or May.

To the City's knowledge, hexazinone is not and has not ever been used on any street path, median strip, verge, PAW, bike path or dual use path in the City of Joondalup.

The City's schedule of rates, which is currently under review, allowed for the application of a range of herbicides including; glyphosate, sulfometuron and simazine for total weed control along footpaths, traffic islands, kerbing, PAWs and sumps.

The City is currently reviewing its weed control program including the range of herbicides. Alternative methods of weed control, including hydro-thermal, are being considered.

The herbicides that have been approved for use in the City of Joondalup in the interim period until the review is complete includes:

- bushland areas - glyphosate, metsulfuron (spot spraying only), triclopyr (brush, wick or injection only) and clethodim or quizalofop.
- locations outside of bushland areas - pendimethalin, clopyralid, diflufenican, MCPA and glyphosate.

These are the only herbicides used at this point in time which have been signed off by the City's expert. In doing so, the expert has taken into account (i) public health, (ii) environmental protection and (iii) effective weed control, in that priority.

**Mr K Robinson, Como:**

Q1 *As at 30 June 2007 had the review of the City Watch Service been completed?*

Q2 *If not, why not?*

Q3 *As at 30 June 2007 had a revised recovery plan been submitted to the Local Emergency Management Committee?*

Q4 *If not, why not?*

Q5 *As at 30 June 2007 had an annual progress report on GAP been submitted to Council?*

Q6 *If not, why not?*

Q7 *As at 30 June 2007 was the Material Recovery Facility fully operational?*

Q8 *If not, why not?*

Q9 *As at 30 June 2007 had there been final acceptance of the financial guarantees by member Councils?*

- Q10 *If not, why not?*
- Q11 *As at 30 June 2007 had construction of the Joondalup depot commenced?*
- Q12 *If not, why not?*
- Q13 *As at 30 June 2007 had the structure planning for the Ocean Reef Marina Redevelopment been undertaken?*
- Q14 *If not, why not?*
- Q15 *As at 30 June 2007 had the Asset Management Strategy been adopted?*
- Q16 *If not, why not?*
- Q17 *As at 30 June 2007 had the Road Asset Management Plan been adopted?*
- Q18 *If not, why not?*
- Q19 *As at 30 June 2007 had progress against the Tourism Action Plan been reported to Council?*
- Q20 *If not, why not?*
- Q21 *As at 30 June 2007 has the Parking Strategy been adopted by Council?*
- Q22 *If not, why not?*
- Q23 *As at 30 June 2007 had feedback on the District Planning Scheme Issues Paper been presented to Council?*
- Q24 *If not, why not?*
- Q25 *As at 30 June 2007 had the Council endorsed the direction for the Local Planning Strategy?*
- Q26 *If not, why not?*
- Q27 *As at 30 June 2007 had a progress report on the Travel Smart program been presented to Council?*
- Q28 *As at 30 June 2007 had a report been presented to Council on the Think/Learn Project Outcomes?*
- Q29 *If not, why not?*
- Q30 *As at 30 June 2007 had the Grant Acquittal been presented to Council?*
- Q31 *If not, why not?*
- Q32 *As at 30 June 2007 had an Economic Development Strategy been presented to Council?*
- Q33 *If not, why not?*
- Q34 *As at 30 June 2007 had the 20 year Financial Projection been reported to Council?*

- Q35 *If not, why not?*
- Q36 *As at 30 June 2007 had a new Strategic Plan been developed?*
- Q37 *If not, why not?*
- Q38 *As at 30 June 2007 had an Audit Plan be endorsed by the Audit Committee?*
- Q39 *If not, why not?*
- Q40 *As at 30 June 2007 had the implementation of the recommendations of the business continuity plan commenced?*
- Q41 *If not, why not?*
- Q42 *As at 30 June 2007 had implementation of the document management system commenced?*
- Q43 *If not, why not?*
- Q44 *As at 30 June 2007 had the implementation of the Geographical Information System commenced?*
- Q45 *If not, why not?*
- Q46 *For the 12 months ending 30 June 2007 were monthly citizenship ceremonies held?*
- Q47 *How many milestones from the 1st, 2nd and 3rd quarters have yet to be implemented?*
- Q48 *Given the paucity of milestones achieved on schedule is the City concerned with the ability of the Administration to achieve set objectives?*
- Q49 *How many milestones listed in the plan had already been adjusted from previous target dates? For instance the finalisation of the transfer of land for the proposed cultural facility was scheduled to be completed approximately 12 - 18 months ago?*
- Q50 *Is the achievement of milestones on schedule linked to the CEO's performance and remuneration?*

A1-50 Due to the number of questions received, these questions will be taken on notice.

**The following questions were submitted verbally at the Council meeting held on 7 August 2007:**

**Ms Erin Doyle, Sacred Heart College, Sorrento:**

Q1 *What are the amenities for young people in the City of Joondalup, and do you see a need for it?*

A1 *Response by Mayor Pickard:* The City provides two Youth Centres and a "Youth Mobile" which was recently launched that provide leisure and recreation activities, information, support, advocacy and referral for all young people aged 12 – 18 years. These are:

Anchors Youthlinx – Ocean Ridge Recreation Centre, Sail Terrace, Heathridge

Warwick Youth Activities Program – Dorchester Hall, Cnr Dorchester Avenue and Dugdale Street Warwick

*Youth-Mobile - Mobile Youth Service - This service operates from a converted bus and can be found at Kinross and Burns Beach on Thursdays and Padbury and Woodvale on Fridays between 4.00 to 6.30pm.*

The City has a Youth Service team, which provides a variety of recreation, support and referral services for young people in the community. The City's budget for the provision of direct services to youth is approximately \$900,000 per year, which demonstrates the City's commitment to young people.

**Ms Bernadette Tracey, Sacred Heart College, Sorrento:**

*Q1 What percentage of the local budget goes to local libraries?*

*A1 Response by Mayor Pickard: 7.2% of the City's operating expenditure is spent on Library Services. Libraries spend \$134,600 on books, music CDs and DVDs, which equates to 91c per resident in the City of Joondalup. The City also purchases magazines and newspapers. Money allocated in the budget to be spent specifically on young adult literature includes graphic novels, DVDs and fiction.*

**Ms Amber Nicholson, Greenwood Senior High School:**

*Q1 Given the alarming results of the recent Department of Water study into the City's beaches, which indicated high levels of contaminants, what is the Council doing to investigate the sources of pollution?*

*A1 The City does not allow stormwater drainage to directly outfall into natural areas and any new development in the City has to have appropriate pre pollutant treatments, which is to track the water before it goes into any localities other than the site.*

The City has a number of historic drainage outlets, which is what the Department of Water report related to. The City does need to improve its pre-treatment and discharge in these localities. The City has an ongoing programme of installing pollutant traps on the existing outfalls, of which there are six in the City.

The source of the contaminants tends to be fertiliser use and metals and oils from vehicles that use the road predominately along West Coast Drive and along the coast as far as Burns Beach. The City also has plans to install pollutant traps as part of the stormwater drainage system along this area with a project which goes out to public comment this weekend.

**Mr Scott Donatti, Greenwood Senior High School:**

*Q1 How has the Council assisted schools in implementing the Community Service Programme and does it have any plans to increase involvement of the students?*

*A1 Currently the City offers students the opportunity to fulfil their Community Service obligations in the Library Service and there are a number of students that do that. The City is currently investigating avenues and opportunities to expand the program in other areas within the City and hopefully the City can engage with students in some of its environmental programmes. Any students interested in any of the programmes can add their names to a register by calling the School Liaison Officer on 9400 4207.*

**Ms Andrea Playforth, Woodvale Senior High School:**

Q1 *Having just returned from a school tour to our sister city, Jinan in China, the Woodvale Senior High School delegation has seen some of the great benefits of this relationship.*

*What specific aims do you hope to achieve in the planned tour in September to help deepen the relationship?*

A1 The delegation that the Mayor is leading to Jinan in September will be looking at a number of exchange proposals. The City hopes to highlight particularly the Woodvale Senior High School link with the school in Jinan.

These proposals will include more delegations of students taking up study opportunities in Joondalup, as well as possibilities for new business and commercial trade opportunities between the two Cities. The City already has some business proprietors that have been able to make significant links and the City as part of the delegation will be attending the Jinan International Tourism Expo to promote Joondalup as a place for people from Jinan to visit.

*Response by Mayor Pickard:* Your teacher has flagged with me that Jinan Middle School No 9, which is your Sister School, would be delighted if the delegation visited the school, so I will be asking the City to flag the City's delegation's intent to visit Middle School No 9 to reciprocate their contribution that Middle School No 9 has made to your high school.

**Mr Adam Byass, Woodvale Senior High School:**

Q1 *In relation to our Sister City relationship with Japan, would the City of Joondalup consider future initiatives such as:*

(a) *Commissioning a physical representation of our Sister City relationship with Jinan, such as a special garden, water feature or art form; or*

(b) *Inviting a delegation of Jinan children to the City of Joondalup Festival in 2008.*

A1 *Response by Mayor Pickard:* I think it is a delightful idea to have some presence in our City such as a native garden of indigenous species, and I will ask the delegation to consider that. For your information, as part of our delegation we will be inviting the Mayor of Jinan to visit our City next year and it has been proposed that we coincide this with the Joondalup Festival. I like the concept of also incorporating some children and performers from Jinan into that delegation and the City will ask them to be part of our Joondalup Festival in April 2008.

**Ms Jaymii Knierum, Kinross Community High School:**

Q1 *Some students live on the western side of Marmion Avenue, close to Burns Beach, therefore, many students have to cross the busy Marmion Avenue to reach Kinross. With the opening up of the new Burns Beach Estate the number of students will be increasing. What provisions is the Council making to enable students to move safely across Marmion Avenue into Kinross?*

A1 Currently pedestrians can cross Marmion Avenue at the traffic signals, at the intersection of Burns Beach Road that have 'walk/don't walk' pedestrian crossing on all four approaches including audio-tactile facilities to assist sight impaired pedestrians. There are also pedestrian crossing locations within the roundabout at

the intersection of Marmion Avenue and Edinburgh Avenue. The City will be looking at future demands in that area as the area develops

*Response by Mayor Pickard:* The City will continue to advocate for Kinross residents to address this problem. I wrote to the State Member, Mr Quigley last week to seek support to generate a controlled crossing for the interim measure.

**Mr David Brenner, Kinross Community High School:**

- Q1 Many students travel around and through the suburb of Kinross. One of our major concerns is that the major roadway, Connolly Drive, passes directly through our suburb. This increases the chance of major car and pedestrian accidents occurring in this area. What remedies, provisions or ideas do Council have for improving the safety of this area and aiding the movement of pedestrians when crossing this very busy road?*
- A1 There is an existing underpass that is just north of Selkirk Road that provides a safe crossing point for the whole community and the City encourages students to use that. In addition the City is working in association with the Kinross Primary and Community High School to apply for a guard controlled crossing on Connolly Drive, near Geoff Russell Road.

**C44–08/07**

**EXTENSION OF PUBLIC QUESTION TIME – [01122] [02154]**

**MOVED Cr Hart, SECONDED Cr Corr that public question time be extended for a period of fifteen minutes.**

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Pickard, Crs Hollywood, Magyar, Jacob, John, Macdonald, Hart, Corr, Fishwick, Currie and Amphlett

**Mr Jordan Lose, Montessori School:**

- Q1 What is being done about the spread of algal blooms in Lake Goollelal?*
- A1 The City has been undertaking engineering works to stormwater drains to help address algal blooms in Lake Goollelal, however further work is still needed in order to address this issue. Many people are unaware that one of the major causes for algal blooms is the use of household fertilizers and detergents that flow into the lake through ground water and stormwater drains, as these provide nutrients that algae requires to grow.

The City will be launching a project this year that will involve school students. The City will be looking for school students who are willing to volunteer their time to work with the City to paint green frogs (Mr John Chester has come up with this proposal) on our road sides above all of our drainage inlets and to highlight to residents that they need to be considerate about what they put into drainage systems and what ultimately ends up in the lake. The City is hoping through the education programme, brochures and representations to the schools to progress this issue and encourages any students that are here today to be involved.

**Mr Domenic D'Adamo, Mater Dei College:**

- Q1 Should a salary be award to the Councillors?*

A1 *Response by Mayor Pickard:* The Local Government Act allows for Elected Members to receive an allowance while performing their duties. The allowances vary from the Mayor, Deputy Mayor and Councillor. The Mayor receives an allowance of \$60,000 per annum, the deputy Mayor \$15,000 per annum and Councillors \$7,000 per annum. Elected members are also compensated for expenses such as telecommunication, information technology, childcare and travel.

In the eastern seaboard, Councillors earn approximately \$60,000 in most of the big Cities. The State and Local Governments are looking at opportunities to better recompense Elected Members for their time and effort.

**Mr Kieran Mullee, Montessori School**

Q1 *When do you expect the extension of the Mitchell Freeway to be completed - and how far will it go?*

A1 *Response by Mayor Pickard:* The Mitchell Freeway extension is expected to be completed by August or September 2008 and the terminating point for the freeway will be Burns Beach Road.

**Ms Hannah Lucas, Mater Dei College:**

Q1 *Why was the Council reluctant to fund a fifty-metre pool at Craigie Leisure Centre in the original plans, when it was made clear that it had the highest support of many schools and would be well used by the community?*

A1 *Response from Mayor Pickard:* This decision was made by a former Council to refurbish the 25m pool and not include the 50m pool. Subsequent to that decision, Council has authorised a feasibility study, which was warmly received by the community including local school communities and indicated that a 50m outdoor pool would be very well utilised. Council has allocated \$3M in this year's budget, the final cost is estimated at approximately \$7M. The City is in the final stages of detailed designs for Council to consider before making a final determination on whether to proceed

**Mr Hendrick Taljaard, Ocean Reef Senior High School:**

Q1 *When will the proposed Ocean Reef marina be finished?*

A1 *Response by Mayor Pickard:* The City has commenced the formal stage of public consultation. It is anticipated that the public consultation will take about 18 months. There are four rounds of public consultation that will conclude with a structure plan that would determine what type of use is proposed for the site. It will take approximately five years after the Structure Plan is endorsed until the site is developed.

**Ms Lauren Hill, Ocean Reef Senior High School**

Q1 *When the Burns Beach development extends further towards Mindarie, which precautions will Council take to prevent the crossing of kangaroos along Marmion Avenue as this will result in traffic hazards?*

A1 There is currently no fencing along Marmion Avenue north of the existing Burns Beach development and this has been the situation along there for some time. With the significant development there will be some movement to the north of any of the fauna that is in that locality. The link between the land just north of Burns Beach, the current development, is a green belt that goes in a west/east direction. Unfortunately



that means that if the kangaroos go across the road then they are going to be a hazard. The City expects that the kangaroos will move onto what is currently known as the Mindarie rubbish tip site in the longer term and that will become the habitat for them.

**Mr D Caphorn, Edgewater:**

*Q1 Along Joondalup Drive, there has been a large piece of land that has been demolished, what is going to go there?*

*A1 Response by Mayor Pickard:* That piece of land is known as the Southern Business District, it is owned by LandCorp, which is the State Government agency that was responsible for the initial development of Joondalup. At this stage only one of the lots has been finalised; the Motor Industry Training Association will be building a facility for 600 students at that site. The remainder of the lots will be sold and the City is actively involved with LandCorp to determine what type of usages appear there. The City is advocating for more office style development rather than bulky retail which is in existence south of that location.

**PUBLIC STATEMENT TIME**

**Mrs J Smith, Hillarys**

Mrs Smith spoke in opposition to the proposed extension of Hillarys Animal Beach.

**Ms L McLeod, Carine**

Ms McLeod spoke in opposition to the proposed extension of Hillarys Animal Beach.

**Mr P Cooper, Girrawheen**

Mr Cooper spoke in opposition to the proposed extension of Hillarys Animal Beach.

**Mr R Plumridge, Hillarys**

Mr Plumridge spoke in opposition to the proposed extension of Hillarys Animal Beach.

**Miss A Bracey, Hillarys**

Miss Bracey spoke in opposition to the proposed extension of Hillarys Animal Beach.

**Mrs A Cooper, Connolly**

Mrs Cooper spoke in opposition to the proposed extension of Hillarys Animal Beach.

**Mrs E Wood, Stirling**

Mrs Wood spoke in opposition to the proposed extension of Hillarys Animal Beach.

**Response to the above statements by Mayor Pickard**

The formal consultation period for the proposed extension to the dog beach has concluded and the City has received some 590 responses. The City is currently evaluating those responses and a report will be provided in due course. One comment I would like to make as Mayor of the City is that there is nothing wrong with the City going out with a proposal to seek public comment. In fact I think it is heartening, and good for Council to ask the community for their opinions and views. What is important now is that the Elected Members consider the public submissions made during the public advertising period and make a decision. The process of going out for public comment with a particular position is very sound; I encourage it and will continue to do so as Mayor so that we can continue to gauge the thoughts and opinions of our community. It is part of good governance and part of listening to the community. The City of Joondalup will continue to advertise proposals and concepts for public comment and listen to the community's view and take them on board prior to making formal decisions.

**APOLOGIES AND LEAVE OF ABSENCE**

**Apology** Cr Tom McLean

**Leave of Absence previously approved**

Cr Brian Corr 10 August 2007–1 September 2007 inclusive

**CONFIRMATION OF MINUTES****MINUTES OF COUNCIL MEETING, 17 JULY 2007**

**MOVED Cr Jacob SECONDED Cr John that the Minutes of the Council Meeting held on Tuesday, 17 July 2007 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Pickard, Crs Hollywood, Magyar, Jacob, John, Macdonald, Corr, Hart, Fishwick, Currie and Amphlett

**ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

As previously mentioned we have two staff from the National Ombudsman Commission of Indonesia, Mr Muhadjirin and Ms Aldebaria as part of the Indonesian-Australian Ombudsman linkages and strengthen program and they are obviously keen to learn about local government systems.

In fact the City of Joondalup is playing a key role in providing our guests with a sound understanding of the role of local government, how the Western Australian Ombudsman office works with local government to resolve complaints.

I am very pleased indeed that our City is able to help by demonstrating the benefits of an effective local government system.

Also welcome to Ms Rebecca Poole who is accompanying our Indonesian guests.

We also have 60 students and teachers from seven high schools in our district and in fact it is pleasing to see so many students taking an active interest in our City and I encourage the students to maintain an interest in Council affairs.

It is pleasing to see so many students taking an active interest in the City of Joondalup and I encourage all students to maintain their interest in the community.

I hope that today you will leave with a better understanding on the role of local government and how this Council makes many important decisions on behalf of the City's 160,000 residents.

### **City of Joondalup's Annual Community Art Exhibition**

Recently I opened the City of Joondalup's annual Community Art Exhibition at Lakeside Shopping City in July.

This is a very popular art exhibition, attracting more than 130 artists vying for a record prize pool of just over \$5,500.

It is in fact one of the best showcases of our local artists and their work and it is an excellent opportunity for the community to experience and appreciate the talent of our local artists.

### **City of Joondalup Business Leadership Award**

I was recently provided an opportunity to present the inaugural City of Joondalup Business Leadership Award at the annual North West Metro Small Business Awards and the winner of the City of Joondalup Business Leadership Award was Russell Poliwka.

Mr Poliwka has worked tirelessly to advance the economic development of our City and is a very passionate supporter of the Joondalup business community. Congratulations to Russell and also to the Joondalup Business Association for what was a fantastic night.

### **Four community consultation programs underway**

Currently we are in the process of four community consultation programs and this is in accordance with the City's Public Participation Policy.

Residents of the City are invited to comment on:

- the existing District Planning Scheme;
- plans to enhance the West Coast Drive dual use path and surrounds between Hillarys Marina and Beach Road;
- the City's proposed initiative to ban smoking on all of its beaches; and
- the proposed Ocean Reef Marina which is one of the most important developments in our City.

I encourage all residents again to afford themselves to comment during these public rounds and for Council then to consider their views and take them on board when making determination on the matter.

### **Annual Perth Wildcats basketball exhibition match**

The Annual Perth Wildcats basketball exhibition match is on Sunday August 19 and they are playing against the visiting US team called "Athletes in Action". The game is being held at Craigie Leisure Centre.

The City recently signed a three-year agreement with the Wildcats to continue these popular matches against visiting overseas teams. I encourage the community to wave the City's flag at that and support the Cats.

### **WALGA Conference**

Last weekend myself, the Chief Executive Officer and Cr Currie represented the City at the West Australian Local Government Association Conference and Convention. We were fortunate enough to receive a number of awards at that Convention. The City received Milestone Award Five as part of the biodiversity program. We were also awarded a Certificate for the Water Campaign Initiative which we have incorporated into our Landscape Master Plan. The City was one of only two Cities to have a stand at the Exhibition, which provided a wonderful opportunity for the City to showcase its achievements and our natural environs and I congratulate Christine Robinson, Executive Officer who was willing to manage the stand during the course of the weekend; the stand was very well frequented by all 600 delegates there and displayed the City in a good light.

### **DECLARATIONS OF INTEREST**

Nil.

### **IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS**

Nil.

### **PETITIONS**

Nil.

### **REPORTS**

#### **CJ142-08/07 EXECUTION OF DOCUMENTS - [15876]**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Garry Hunt Office of CEO

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### **PURPOSE**

To provide a listing of those documents recently executed by means of affixing the Common Seal or signed by the Mayor and Chief Executive Officer for noting by the Council for the period 10 July 2007 to 17 July 2007.

### **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 to be executed by affixing the Common Seal are reported to the Council for information on a regular basis.

## BACKGROUND

Not Applicable.

## DETAILS

The following documents have either been executed by affixing the Common Seal or signed by the Mayor and Chief Executive Officer prior to finalising the process. Once the process is finalised the Common Seal will be duly affixed and accordingly reported to Council.

<b>Document:</b>	Local Library Studies Collection – Copyright
<b>Parties:</b>	City of Joondalup and Jenny Fairclough
<b>Description:</b>	Local Studies Collection – Historical Record of Interview – Copyright legal document
<b>Date:</b>	10.07.07

<b>Document:</b>	Local Library Studies Collection – Copyright
<b>Parties:</b>	City of Joondalup and Nerida Clifford
<b>Description:</b>	Local Studies Collection – Historical Record of Interview – Copyright legal document
<b>Date:</b>	10.07.07

<b>Document:</b>	Amendment to DPS No 2 *
<b>Parties:</b>	City of Joondalup and Department of Planning and Infrastructure
<b>Description:</b>	Amendment No 38 to District Planning Scheme No 2 – Adding additional use 1-20 to Lot 100 (10) Oceanside Promenade, Mullaloo – Adopted at Council 19 June 2007 (CJ118-06/07 refers)
<b>Date:</b>	10.07.07

<b>Document:</b>	Lease Agreement
<b>Parties:</b>	City of Joondalup and Undercroft Bridge Club Incorporated
<b>Description:</b>	Renewal of Lease Agreement between the City and Undercroft Bridge Club Incorporated for portion of Reserve 33894 Percy Doyle Reserve, (46) Warwick Road, Duncraig. Council resolution CJ270-12/05 refers.
<b>Date:</b>	10.07.07

<b>Document:</b>	Caridean Street Structure Plan No 4
<b>Parties:</b>	City of Joondalup and WA Planning Commission
<b>Description:</b>	Amendment to City of Joondalup District Planning Scheme No 2 to adopt and certify the proposed amendment to the Caridean Street Structure Plan No 4 to modify the existing structure plan provisions to allow a maximum 1.8m high fence on the front boundaries of the site, with any fencing above 1m being permeable (open) – Lots 1-12 on Strata Plan 49689 (83) Caridean Street, Heathridge and Lots 1 and 2 on Strata Plan 12085 (79) Admiral Grove, Heathridge – Minutes of Council 24.04.07 – (CJ073-04/07 refers)
<b>Date:</b>	17.07.07

<b>Document:</b>	Offer of Preferred Service Provider Agreement
<b>Parties:</b>	City of Joondalup and Department for Community Development (Department for Child Protection)
<b>Description:</b>	Annual funding from the Department for Child Protection under this new agreement will be \$66,385.42
<b>Date:</b>	17.07.07

*\*Denotes these documents are only signed by the Mayor and Chief Executive Officer.*

**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 that have either been executed by affixing the Common Seal of the City of Joondalup or signed by the Mayor and Chief Executive Officer and are submitted to the Council for information.

**ATTACHMENTS**

Nil.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council NOTES the schedule of documents covering the period 10 July 2007 to 17 July 2007 executed by:

- 1 means of affixing the Common Seal; and
- 2 signature of the Mayor and Chief Executive Officer.

**MOVED Cr Magyar SECONDED Cr Macdonald that Council:**

- 1 **NOTES the schedule of documents covering the period 10 July 2007 to 17 July 2007 executed by:**
  - (a) means of affixing the Common Seal; and
  - (b) signature of the Mayor and Chief Executive Officer;
- 2 **NOTES the Common Seal cannot be affixed to "Amendment No 38 to District Planning Scheme No 2 – adding additional use 1-20 to Lot 100 (1) Oceanside, Promenade, Mullaloo" as Council's decision on 19 June 2007 (CJ118-06/07 refers) was only consent to advertise for 42 days and not for final adoption of the amendment.**

The Motion was Put and

**CARRIED (10/1)**

**In favour of the Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie and Amphlett **Against the Motion:** Cr Hollywood

**CJ143-08/07 ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 APRIL TO 30 JUNE 2007 – [20560]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Ian Cowie  
Governance and Strategy

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**PURPOSE**

To present the *Annual Plan 2006/2007 Quarterly Progress Report* for the period 1 April to 30 June 2007.

## EXECUTIVE SUMMARY

The Quarterly Progress Report provides information on the progress of projects and programs documented in the Annual Plan 2006/2007. This is the final progress report for the 2006/2007 Annual Plan.

*It is recommended that Council RECEIVES the Annual Plan 2006/2007 Quarterly Progress Report shown as Attachment 1 to Report CJ143-08/07.*

## BACKGROUND

The City's Corporate Reporting Framework, endorsed by Council at its meeting of 14 December 2004, requires the development of an Annual Plan and the provision of reports against the Annual Plan on a quarterly basis. (*Item CJ307-12/04 refers.*)

## DETAILS

### Issues and options considered:

The Annual Plan contains a brief description of the key projects and programs to be delivered by the City in the 2006/2007 financial year. The Quarterly Progress Report provides information on achievements against the milestones set during the year and a commentary is provided against each milestone to provide information on progress, or to provide an explanation where the milestone has not been achieved.

The milestones being reported are the shaded sections of Attachment 1. Details of progress from the previous three quarters, which have already been received by Council, are provided for background information.

As this is the final quarterly progress report for the 2006/07 Annual Plan, the following provides an overall summary of significant achievements for the financial year:

### Community Wellbeing

- Delivery of a comprehensive program of cultural events throughout the year including:
  - Naidoc Week
  - Joondalup Eisteddfod
  - Invitation Art Award
  - Sunday Serenades
  - Joondalup Sunset Markets
  - Summer Concert Series
  - Little Feet Festival
  - Valentine's Day Concert
  - Joondalup Community Art Exhibition
- Feasibility study undertaken of aquatic facilities at Craigie Leisure Centre.
- Major review of Community Funding Program resulting in improvements to approval process. Funding of approximately \$45,000 distributed to applicants.
- Adoption of the Community Development Strategy.
- Major review undertaken of the City Watch Service to assist in the determination of future service provision.



- Major review of Library Management System and development of a business case for upgrades to the system.
- Adoption of the Joondalup-Jinan Relationship Plan.

#### Caring for the Environment

- Midge lava monitoring of Lake Joondalup.
- Participation in the *CCP (Cities for Climate Protection) Plus* Program, which involves the development of a Greenhouse Action Plan to assist the City achieve reductions in greenhouse gas emissions.
- Budget approval for progression of the Yellagonga Integrated Catchment Management Plan (a joint project with the City of Wanneroo).
- Feasibility Study for Yellagonga Regional Park Environment Centre completed and put out for public consultation.
- Recycling bin distribution to all households in the City.
- Progress on upgrade of the Materials Recovery Facility.

#### City Development

- Concept design completed for the new Works Depot and development approval granted. Site works commenced.
- Presentation to Council on the Ocean Reef Marina development. Community Participation Plan endorsed by Council.
- Completion of Major Capital Works Program projects during the financial year, including:
  - Sorrento Traffic Management Scheme, Sorrento
  - Chichester Drive Traffic Management Scheme, Woodvale
  - Prince Regent Standard Median Treatments, Heathridge
  - Traffic Signals at Black Spot Intersections, (Connolly, Joondalup and Duncraig)
  - Car Park at Davallia Pre-school, Duncraig
  - Upgrade of Tom Simpson Park, Mullaloo
- Development of an Asset Management Strategy and Policy.
- Implementation of the Tourism Development Plan including:
  - Development of a branding strategy for the City
  - Development of a tourism video
  - Development of relationships with key stakeholders
  - Participation in Home and Lifestyle Expo
- Parking Strategy prepared and released for public comment.
- Purchase of Lot 9, Lawley Court and construction of the car park. The car park is now fully operational.
- Process developed for the review of DPS2. Issue Papers prepared for public comment.

- Participation in the TravelSmart Program, including development of, and progress against, the Green Transport Plan.
- Continuing operation of the Joondalup CBD CAT Bus.
- Hosting of three Business Forums to promote business attraction and development.
- Launch of *ThinkLearn* Project, including accreditation of trainers and training delivered to a number of young local business owners and managers.
- Preparation of a Draft Economic Development Strategy.

#### Organisational Development

- Significant progress in development of new Strategic Plan.
- Regular progress reports provided to Council on Annual Plan 2006/07.
- Progression in development of Audit Plan.
- Development of Business Continuity Plan.
- Implementation of Human Resources and Payroll System.
- Annual Customer Satisfaction Monitor conducted.
- Development of a Workforce Plan.

#### **Link to Strategic Plan:**

Outcome:	The City is a sustainable and accountable business.
Objective 4.1	To manage the business in a responsible and accountable manner.
Strategy 4.1.2	Develop a corporate reporting framework based on sustainable indicators.

#### **Legislation – Statutory Provisions:**

The Local Government Act 1995 provides a framework for the operations of Local Governments in Western Australia. Section 1.3 (2) states:

*This Act is intended to result in:*

- (a) *better decision making by local governments;*
- (b) *Greater community participation in the decisions and affairs of local governments;*
- (c) *Greater accountability of local governments to their communities; and*
- (d) *More efficient and effective government.*

#### **Risk Management considerations:**

The quarterly progress reports against the Annual Plan provide a mechanism for tracking progress against milestones for major projects and programs.

#### **Financial/Budget Implications:**

Not applicable

**Policy implications:**

In accordance with Policy 8-6, Communications, the Council recognises and acknowledges the importance of consistent, clear communications and access to information for its stakeholders.

**Regional Significance:**

Not applicable

**Sustainability implications:**

Not applicable

**Consultation:**

Not applicable

**COMMENT**

Significant progress on most major projects and programs has been made during the quarter. Projects not completed will be carried forward to the 2007/2008 Annual Plan.

**ATTACHMENTS**

Attachment 1            Annual Plan Progress Report for the period 1 April 2007 – 30 June 2007.

**VOTING REQUIREMENTS**

Simple majority.

**MOVED** Cr Jacob **SECONDED** Cr Hollywood that Council **RECEIVES** the final Annual Plan Quarterly Progress Report for the period 1 April 2007– 30 June 2007 as shown in Attachment 1 to Report CJ143-08/07.

**The Motion was Put and CARRIED (11/0) by En Bloc Resolution following consideration of Item CJ156-08/07, Page 78 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Currie, Fishwick, Hart, Hollywood, Jacob, John, Magyar and Macdonald

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf310707.pdf](#)*

**CJ144-08/07 MINUTES OF THE OCEAN REEF MARINA COMMITTEE MEETING HELD ON 17 JULY 2007 – [07030]**

**WARD:** North-Central

**RESPONSIBLE DIRECTOR:** Mr Ian Cowie  
Governance and Strategy

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**PURPOSE**

To submit the unconfirmed minutes of the Ocean Reef Marina Committee to Council for noting and recommend appropriate action in relation to the decisions of the Committee.

**EXECUTIVE SUMMARY**

A meeting of the Ocean Reef Marina Committee was held on 17 July 2007.

The item of business that was considered by the Committee was:

- Commencing the Ocean Reef Consultation Process.

*It is recommended that Council NOTES the unconfirmed minutes of the Ocean Reef Marina Committee held on 17 July 2007, forming Attachment 1 to Report CJ144-08/07.*

**BACKGROUND**

The objectives of the Ocean Reef Marina Committee are *to provide leadership for, and oversight of, the Ocean Reef Marina project.*

**DETAILS****Issues and options considered:**

The motion carried at the Ocean Reef Marina Committee is shown below, together with officer's comments.

**Commencing the Ocean Reef Consultation Process**

The following motion was carried:

That the Ocean Reef Marina Committee:

- 1 ENDORSES the community participation approach outlined in this report;
- 2 NOTES that Council will determine and endorse the final composition of the Community Reference Group.

**Officer's comment**

The Committee's resolution is supported.

**Requests For Reports For Future Consideration**

A report was requested on the major elements and their associated timelines that require to be undertaken in connection with the Ocean Reef Marina development project.

**Officer's comment**

Information on the major elements of the project and their timelines has already been collated and will be presented to the next meeting of the Committee.

**Link to Strategic Plan:**

Not applicable.

**Legislation – Statutory Provisions:**

The Committee is established in accordance with the Local Government Act 1995.

**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**

Not applicable.

**ATTACHMENTS**

Attachment 1            Minutes of the Ocean Reef Marina Committee meeting held on 17 July 2007

**VOTING REQUIREMENTS**

Simple majority

**MOVED Cr Jacob SECONDED Cr Hollywood that Council NOTES the unconfirmed Minutes of the Ocean Reef Marina Committee held on 17 July 2007, forming Attachment 1 to Report CJ144-08/07.**

**The Motion was Put and CARRIED (11/0) by En Bloc Resolution following consideration of Item CJ156-08/07, Page 78 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Currie, Fishwick, Hart, Hollywood, Jacob, John, Magyar and Macdonald

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf310707.pdf](#)

## **CJ145-08/07      A NEW PARKING STRATEGY FOR THE JOONDALUP CBD – [05787]**

**WARD:** North

**RESPONSIBLE DIRECTOR:** Mr Ian Cowie  
Governance and Strategy

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### **PURPOSE / EXECUTIVE SUMMARY**

To receive public feedback on the draft Parking Strategy and to adopt the Strategy without modification.

### **BACKGROUND / DETAILS**

In April, Council agreed to a two-month consultation period on a draft Parking Strategy for the Joondalup CBD. The public consultation period concluded on 15 July 2007, by which time, five submissions had been received. These submissions are summarised in Attachment 1.

On the fundamental issue of paid parking, only one submission disagreed with the approach while another supported the concept. No changes are recommended to the draft Strategy as a result of the submissions based on the responses given in Attachment 1. Consequently, it is recommended that Council adopt the draft Parking Strategy, which was advertised for comment (excluding the foreword which related to the consultation process and other wording which reflected the draft nature of the document). The Strategy for adoption is included as Attachment 2. The principal elements to the Strategy are summarised in the Executive Summary to the Strategy itself (see Attachment 2).

### **Issues and options considered:**

Council could decide to:

- Adopt the draft Strategy as is;
- Amend the draft Strategy; or
- Reject the draft Strategy and seek an alternate approach.

**Link to Strategic Plan:**

A Parking Strategy will support a range of outcomes identified within the Strategic Plan including:

- The City of Joondalup is recognised as a great place to visit;
- The City of Joondalup has an effective integrated transport system; and
- The City of Joondalup is recognised for investment and business development opportunities.

**Legislation – Statutory Provisions:**

Not applicable.

**Risk Management considerations:**

There are no direct risks associated with establishing a Strategy.

**Financial/Budget Implications:**

There are no costs associated with the adoption of the Strategy. However, the implementation of the various elements within the Strategy will have significant costs. These will be presented to Council as the various elements are implemented. (For instance, it is likely that the implementation of paid parking will cost over \$1 million but will generate a solid revenue stream.)

**Policy implications:**

A new Parking Strategy will set a framework for parking policy within the City.

**Regional Significance:**

Parking facilitates the CBD's attractiveness as a regional centre.

**Sustainability implications:**

The Strategy considers sustainability principles.

**Consultation:**

Before releasing the draft Strategy for public feedback, meetings were held with each of the following stakeholders individually:

- Lakeside Joondalup Shopping Centre
- WA Police Academy
- Edith Cowan University
- Joondalup Business Association
- Joondalup Health Campus

In addition, the following stakeholders attended a briefing with the Mayor and the two Ward Councillors:

- WA Police Academy
- Joondalup Business Association
- Edith Cowan University
- Joondalup TAFE Campus

The City received five submissions on the draft Strategy.

### COMMENT

Not applicable.

### ATTACHMENTS

Attachment 1            Summary of Feedback  
Attachment 2            Parking Strategy for adoption

### VOTING REQUIREMENTS

Simple majority.

**MOVED Cr Fishwick SECONDED Cr Hollywood that Council ADOPTS the Parking Strategy outlined in Attachment 2 to Report CJ145-08/07.**

Discussion ensued.

Cr Corr queried the annual income for a parking bay close to the centre of the CBD. This question was taken on notice.

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf310707.pdf](#)*

## **CJ146-08/07      LIST OF PAYMENTS MADE DURING THE MONTH OF JUNE 2007 – [09882]**

**WARD:**                    All  
**DIRECTOR RESPONSIBLE:**      Mr Mike Tidy  
   Corporate Services

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### PURPOSE

To present to Council the list of accounts paid under the CEO's delegated authority during the month of June 2007 to note.

### EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of June 2007, totalling \$7,903,355.24



*It is recommended that Council NOTES the Chief Executive Officer's list of accounts for June 2007 paid under delegated authority in accordance with regulation 13 (1) of the Local Government (Financial Management) Regulations in Attachments A, B and C to Report CJ146-08/07, totalling \$7,903,355.24.*

## **BACKGROUND**

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996 a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

## **DETAILS**

The table below summarises the payments drawn on the funds during the month of June 2007. Lists detailing the payments made are appended as Attachments A and B. The vouchers for the month are appended as Attachment C.

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Municipal Account	<b>Cheques</b> 79050 - 79245 EFT 11831 - 12247 Net of cancelled payments	\$5,634,631.44
	<b>Vouchers</b> 279A – 281A , 283A – 284A & 287A	\$2,249,691.43
Trust Account	<b>Cheques</b> 201458 - 201497 Net of cancelled payments	\$19,032.37
	<b>Total</b>	\$7,903,355.24

### **Issues and Options Considered:**

Not Applicable

### **Link to Strategic Plan:**

Strategy 4.1.1 – Ensure financial viability and alignment to plan.

### **Legislation – Statutory Provisions:**

The Council has delegated to the CEO the exercise of its authority to make payments from the Municipal and Trust Funds, therefore in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the CEO is prepared each month showing each account paid since the last list was prepared.

### **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:**

All expenditure from the Municipal Fund was included in the 2006/7 Annual Budget as adopted by Council at its meeting of 25 July 2006, or approved in advance by Council.

**Policy Implications:**

All expenditure included in the list of payments is drawn from the City's accounting records.

**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 2006/07-2009/10 which was available for public comment from 29 April 2006 to 29 June 2006 with an invitation for submissions in relation to the plan.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is in accordance with the 2006/07 Annual Budget as adopted by Council at its meeting of 25 July 2006, or has been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment A CEO's Delegated Municipal Payment List for the month of June 2007  
Attachment B CEO's Delegated Trust Payment List for the month of June 2007  
Attachment C Municipal and Trust Fund Vouchers for the month of June 2007

**VOTING REQUIREMENTS**

Simple majority.

**MOVED Cr Jacob SECONDED Cr Hollywood that Council NOTES the Chief Executive Officer's list of accounts for June 2007 paid under delegated authority in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996 forming Attachments A, B and C to Report CJ146-08/07, totalling \$7,903,355.24**

**The Motion was Put and CARRIED (11/0) by En Bloc Resolution following consideration of Item CJ156-08/07, Page 78 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Currie, Fishwick, Hart, Hollywood, Jacob, John, Magyar and Macdonald

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf310707.pdf](#)*

**CJ147-08/07 CITY WATCH COMMUNITY SECURITY PATROL SERVICE – [23565] [89558]**

**WARD:** All

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

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**PURPOSE/EXECUTIVE SUMMARY**

To report to Council the findings of the review comparing in-house provision as opposed to outsourcing the community security patrol services. This report recommends a continuation of the outsourcing option.

**BACKGROUND**

The Council at its meeting held on 2 November 2004 agreed to award NGS Guards and Patrols a contract for five years for the provision of a security and patrol service within the City of Joondalup. As part of that decision, the Council requested that prior to extending the contract beyond two years that a report be presented to the Council. NGS Guards and Patrols have since been taken over by Wilson Security Pty Ltd.

Two years of the contract expired in December 2006. A report was presented to the Council meeting held on 19 September 2006 (Item CJ162-09/06), where it was resolved as follows:

*“That Council:*

- 1 *EXERCISES its option to extend Contract 014-04/05 with Wilson Security Pty Ltd (previously NGR Guards and Patrols) for the provision of community security and patrol services in the City of Joondalup for an additional 12 months to 17 December 2007;*
- 2 *REQUESTS the CEO to undertake a review comparing in-house provision as opposed to outsourcing the community security and patrol services, and that a report on the review findings be submitted to Council for consideration prior to the 2007/08 budget decision.”*

The City appointed a consultant to undertake the comparison. After extensive analysis, the consultant presented six possible options to a Strategy Session for Elected Members on 17 March 2007.

**DETAILS**

The current contract for the City Watch community security patrol service commenced on 18 December 2004 and involved the contractor providing the field staff and associated vehicles to conduct patrols. The contract ran for an initial 12 month period with four options to extend, at the City’s discretion and subject to satisfactory performance reviews, each for a 12 month period. If all extensions are granted, the contract would run for five years.

A decision needs to be made on whether to extend the contract for another 12 month period from December 2007 to December 2008.

This report brings the six options previously identified by the consultant to the Council to enable a decision to be made on the future of the security patrol service. The six options are explained in detail in Attachment 1. This indicates the advantages and disadvantages

associated with each option, and compares the costs of matching existing service levels with maintaining the current budgetary commitment. The options, and their associated costs, are summarised in the table below:

OPTION	CITY WATCH	RANGER	TOTAL
Outsourced option (as per current contract)	\$1.75m	\$1.03m	\$2.78m
In-house provision of security service separate from Ranger services	\$2.7m	\$1.03m	\$3.73m
In-house provision of security service shared with adjacent local governments	\$2.75m	\$1.03m	\$3.78m
In-house provision of combined Ranger and security service	\$3.07m	\$1.03m	\$3.81m to \$4.10m
Ward or region based Ranger service		\$2.31m	\$2.31*m
No dedicated security patrols		\$1.03m	\$1.33**m

**\*Note:** Provides additional six Rangers, one in each ward but with no focus on safety/security patrols. City Watch patrols discontinued.

**\*\*Note:** City Watch patrols discontinued. Provision of \$300,000 for replacement of services currently undertaken by City Watch, to be done by City staff or other contract arrangements.

The consultant's report identifies that providing a security service in-house is the most expensive option if current service levels are to be maintained. (The service could be provided in-house using the current budget; however, lower service levels would be achieved.). There is little difference between the costs of providing a combined security service and Ranger service in-house or separating the Ranger and security services and providing both in-house. Further the cost does not decrease if an in-house service is provided in conjunction with an adjacent local government.

Here it should be noted that the City previously provided a combined Ranger and security patrol service until 2000. This approach was abandoned for reasons which generally reflect the disadvantages identified by the consultant in relation to the combined security and Ranger services. These reasons include:

- Ranger and security officer roles are distinctly different;
- There is likely to be a diluted focus on both elements if the roles are combined;
- It could be difficult for the City to recruit additional staff to undertake the combined role; and
- Existing Rangers may leave the City if they are dissatisfied with the changes.

The consultant concludes that the most cost effective way of providing a security patrol service is through a contractor and an outsourced arrangement. This option should be significantly cheaper for the City to implement each year based on the consultant's analysis. However, the actual savings will depend on the final cost for delivering an outsourced option in coming years.

Basing Rangers on wards is not considered appropriate. While Rangers working in a single ward could be expected to build greater rapport with local residents, present staffing levels are insufficient to allow such an approach and additional staff would be needed (for instance, such an approach would require two Rangers per ward to cover all shifts as the barest minimum. However, if one was on leave or was sick, there would be a gap in coverage for part of the day or a Ranger would need to be drawn from another ward to deal with issues. This latter option would generate further gaps within the system).

Further, while wards are ideal for determining electoral representation, they do not make logical boundaries for the allocation of Ranger functions. If such an approach were to be supported, it would be better to base the regions on major roads rather than wards to reflect people movements.

### **Link to Strategic Plan:**

Provision of the City Watch community and security patrol service is in keeping with the City's Strategic Plan Key Focus Area 1 – Community Wellbeing:

- Outcome: The City is a safe and healthy City;
- Objective 1.4: Continue to implement the Safer Community Program.

### **Legislation – Statutory Provisions:**

The provision of this service is at the discretion of the Council, as there are not statutory obligations requiring the City to undertake this activity.

### **Risk Management Considerations:**

Recent annual customer surveys show that there is a very high customer awareness of the community security patrol service and reasonable satisfaction with the service provided.

	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
Awareness	95%	87%	84%	92%	-
Satisfaction	82% *	79%	65%	72%	71%

\* In 2003, the rating was based on usage rather than satisfaction.

Both of these percentages are high compared to many other City services. This is impressive when it is noted that the City Watch service has not been actively marketed for several years. This said, the level of service provided, and number of operational hours over which the current City Watch community security patrol service operates is considerably higher than the level of service operational hours that other local governments provide. However, these other local governments achieve similar satisfaction and awareness ratings.

Another important but more dated reference point is the referendum that the City conducted on the service in May 2001. This saw 68% of those who cast a vote favouring continuation of the service.

It should also be noted that if the service were to be discontinued, the City would need to make other provisions for some of the services currently undertaken by City Watch that could not be readily discontinued, such as responding to alarms at City buildings and checks at City facilities. Reporting of maintenance issues, such as graffiti, street lights not working and vandal damage to City assets, would also require review.

### **Financial/Budget Implications:**

Provision of the City Watch service currently costs a total \$1,745,111 per annum which consists of contract costs approximately \$1,609,613 (for provision of the community patrol service by the contractor for a whole year), fuel costs of \$120,000 and \$50,000 for additional patrols over and above the specified hours. The other main components of the budget cover in-house staff costs, public relations, promotions and communication costs including provision of the emergency telephone 1300 655 860 number.

**Policy Implications:**

Not applicable.

**Regional Significance:**

Not applicable.

**Sustainability Implications:**

The community security patrol service assists with maintenance of a safe and secure social environment that contributes to quality of life.

**Consultation:**

During the course of the review, the consultant had discussions with representatives of the Cities of Wanneroo, Stirling and Melville, the Police and the Office of Crime Prevention.

**COMMENT**

Given the most recent survey results and good performance indicators, cancellation of the service is unlikely to be realistic. However, what is clear is that, while the City's patrols are well received by the community, satisfaction levels and recorded response times are similar to other local governments who provide a service with far less man hours of patrols.

It should also be noted that the broad coverage of all streets each day currently required by the security patrol contract represents a blunt instrument in addressing crime and anti-social behaviour. That is, the patrols do not specifically target 'hot spots' for trouble and they do not encompass specific measures or initiatives to address particular problems such as graffiti. (Here, increasing the speed of graffiti clean up could possibly be viewed as adding effectiveness to targeted patrols.) Consequently, combining patrols with other initiatives may produce a better return on the funds invested by the City.

Provided the City does not wish to discontinue the service altogether, and does not wish to increase funding levels, the most suitable outcome appears to be:

- Continue to provide a community security patrol service via a contractor at a reduced level but which targets zones depending on the time of day and day of the week;
- Negotiate the cost of this level of service with the current contractor;
- Assuming a satisfactory outcome, place any remaining funding (it is noted that the cost of providing the service will most likely rise under a renewed contract) into a range of new initiatives, which could be flexible and change focus as the 'on the ground' situation demands but could include:
  - Increased funding for graffiti removal and prevention programs;
  - Undertaking regular crime audits – identification of areas to concentrate resources, e.g. saturation or targeted patrols;
  - Additional support for neighbourhood watch programs;
  - Funding for software to link mobile staff to corporate data (this could have benefits for all mobile City services); and
  - Funding of outreach or 'at risk' programs.

The City Watch service is currently deployed on the basis of six cars in six zones during the evening/night shift and three cars in six zones during the day shift. An additional vehicle is deployed in the CBD zone covering Thursday night-Friday morning, Friday night-Saturday morning, Saturday night-Sunday morning. If a contractor provided service is retained but reduced to a lower service level, it is possible that approximately 27,612 man hours of service could be deployed under a two car four zone day shift and four car four zone night shift, plus CBD configuration at a cost of \$1.2 million per annum (or less). This is not dissimilar to the service provided at the City of Stirling.

In terms of the contract, a variation may be requested by the principal (Chief Executive Officer) by notice in writing to the contractor seeking a variation to the service, either by increase or decrease in the service, and shall be mutually agreed to by all parties.

## **ATTACHMENTS**

Attachment 1            Extract from consultant's report identifying options, advantages, disadvantages and costs.

## **VOTING REQUIREMENTS**

Simple majority.

**MOVED Cr Corr SECONDED Cr Jacob that Council:**

- 1        CONTINUES TO PROVIDE a dedicated community security patrol service via a contractor;**
- 2        SEEKS to implement a service level based on patrols on a 24 hour a day, 7 day a week basis under a 2 car 4 zone configuration throughout the City, varying by time of day and day of the week depending upon demand;**
- 3        REQUESTS the Chief Executive Officer to negotiate provision of the level of service outlined in Clause 2 above with the current contractor within the existing contract provisions with a view to continuation to December 2008;**
- 4        NOTES that the outcome of these negotiations will be reported back to Elected Members and the community.**

**MOVED Cr Hart SECONDED Cr Amphlett that consideration of Item CJ147-08/07 be DEFERRED to enable a Workshop to be held, and a further report submitted to the next Council Meeting.**

**The Procedural Motion was Put and**

**CARRIED (11/0)**

**In favour of the Procedural Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf310707.pdf](#)*

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**CJ148-08/07 TENDER 033-06/07 SUPPLY AND LAYING OF CONCRETE KERBING – [21600]**

**WARD:** All

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

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**PURPOSE**

This report is to seek approval of Council to establish a panel contract and accept the tenders submitted by Weskerb Pty Ltd and Works Statewide Kerbing for the supply and laying of concrete kerbing (Tender 033-06/07).

**EXECUTIVE SUMMARY**

Tenders were advertised on Saturday, 19 May 2007 through statewide public notice for the Supply and Laying of Concrete Kerbing. Tenders closed on Tuesday, 5 June 2007 and three submissions were received, being:

- Weskerb Pty Ltd;
- Roadside Kerbing; and
- Works Statewide Kerbing.

*It is recommended, in relation to Tender 033-06/07, that Council ACCEPTS the tenders submitted by Weskerb Pty Ltd and Works Statewide Kerbing for the Supply and Laying of Concrete Kerbing in accordance with the requirements as stated in Tender 033-06/07 and the Schedule of Rates for a three (3) year period.*

**BACKGROUND**

Each year the City completes capital and maintenance works to roads, requiring the supply and laying of concrete kerbing. The estimated annual value of kerbing required is \$600,000. The tender includes provision of mountable, semi-mountable, flush and barrier kerbs and kerb ramps to the City's and Main Roads Western Australia standards.

**DETAILS**

Tenders were advertised on Saturday, 19 May 2007 through statewide public notice for the Supply and Laying of Concrete Kerbing. Tenders closed on Tuesday, 5 June 2007 and three submissions were received from:

- Weskerb Pty Ltd;
- Roadside Kerbing; and
- Works Statewide Kerbing.

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.

All three submissions received were considered compliant and remained for further consideration and were therefore carried forward to the second part of the evaluation process. This 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,



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 033-06/07 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 and the structure of the business
- Specialised equipment that will be 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 both Goods and Services providers within the City
- Provide value added services to the City

#### Demonstrated Experience in Completing Similar Projects

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

The evaluation panel carried out the evaluation of the above submissions in accordance with the Qualitative Criteria and concluded that the offers submitted by Weskerb Pty Ltd and Works Statewide Kerbing represented the best value to the City.

#### **Issues and options considered:**

Should the Contract not proceed the risk to the City will be high as the provision of concrete kerbing is a critical part of the City's Capital Works Programme for the maintenance of the road network in a safe and usable state for the community.

This selection was based upon the ability of the Respondents to meet the City's requirements and their capacity to complete the works in a timely manner.

The City is currently experiencing delays in service delivery with its current Contractor (Works Statewide Kerbing) due to its resources being over-extended on other work commitments. The kerbing industry has a high volume of work in new subdivisions, which is impacting on this organisation providing dedicated service delivery to local governments. Having a panel contract arrangement will reduce delays and improve service delivery to the City.

**Link to Strategic Plan:**

## 3 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.

**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 \$100,000. The consideration for this contract exceeds the Chief Executive Officer's Delegated Authority in relation to the acceptance of tenders to \$250,000.

**Risk Management considerations:**

It is considered that awarding the contract to the recommended Respondents will represent a low risk to the City based on both having highly experienced personnel with fully equipped teams and previous satisfactory performance in supplying services of this nature.

**Financial/Budget Implications:**

The City has sufficient allocated funds in its annual maintenance and Capital Works budget, as adopted by Council for this appointment to proceed. The City is expected to incur in excess of \$1,800,000 over the three (3) year period.

The City of Joondalup is a registered business entity for GST purposes and is able to claim input tax credit for the amount of GST payable.

**Policy implications:**

While there are no specific policy implications, the City's current practice is to encourage local business in the purchasing and tendering process and this practice has been incorporated into the selection criteria.

The recommended Respondents Weskerb Pty Ltd and Works Statewide Kerbing are both Western Australian companies located in Morley and Redcliffe respectively.

**Regional Significance:**

Not applicable.

**Sustainability implications:**

This Contract will ensure the City is able to upgrade and maintain the road network in a safe and usable state for the community.

**Consultation:**

Not applicable.

**COMMENT**

The Evaluation Panel concluded that the submissions from both Weskerb Pty Ltd and Works Statewide Kerbing represented the best value to the City for the supply and laying of concrete kerbing and recommend that both Respondents are established as service providers on a panel contract to be used on an 'as required' basis at the submitted schedule of rates.

Nominating both respondents as service providers on a panel contract arrangement will provide the City with more flexibility of service delivery and reduce the delays currently being experienced by the City with the current sole provider.

Both respondents have fully equipped teams of personnel with extensive kerbing experience and have provided similar services to the City and other local government authorities in a cost effective and expedient manner. Weskerb Pty Ltd have stated in their submission that the City would be given 100% priority over other work.

With regard to Roadside Kerbing, the evaluation panel had some concerns with their tender response. Roadside are a new contracting group, less than twelve months old with limited resources continuously deployed and no assurance given as to the priority offered to the City's work. Although they are undertaking work for other local councils and are awaiting the outcome of several tender submissions for other contracts they have no existing local government contracts. Although their rates are very competitive there is a risk in appointing a very new contractor in terms of an unproven track record and the additional supervision and oversight that an unproven contractor would require. The evaluation panel considered that Roadside Kerbing represented a higher risk in service delivery to the City and is therefore not recommended.

Simply comparing individual line items on a schedule of rates does not give an accurate comparison of tendered prices. To compare each tenderers schedule of rates a basket of the most commonly used services, including mountable sections, semi mountable sections and crossover kerbs, was identified with quantities indicative of that required for a twelve month period. A comparative price was then determined using the same services and quantities calculated using each of the tenderers schedule of rates. The comparative calculations are:

Weskerb Pty Ltd	\$837,500.00
Roadside Kerbing	\$840,425.00
Works Statewide Kerbing	\$951,225.00

This total cost is indicative only based on the City's capital and operational works programmes and may be subject to amendment but the comparative is based on the same services and the same quantities.

The protocols that apply to this requirement will be that the Manager Operational Services will ensure the service provider with the lowest schedule of rates will be contacted to provide its services. If that service provider is not able to meet the service timeframes due to undertaking other requirements, the Manager Operational Services will seek those required services from the other service provider.

This panel contract will enable the City to obtain the required services in order of needs, pricing and availability of resources of the service providers.

**ATTACHMENTS**

Nil.

## VOTING REQUIREMENTS

Simple Majority.

## OFFICERS RECOMMENDATION

That Council, in relation to Tender 033-06/07, ACCEPTS the tenders submitted by Weskerb Pty Ltd and Works Statewide Kerbing for the supply and laying of concrete kerbing in accordance with the requirements as stated in Tender 033-06/07 and the Schedule of Rates for a period of three (3) years.

**MOVED Cr Fishwick SECONDED Cr John that Council, in relation to tender 033-06/07, ACCEPTS the tenders submitted by Weskerb Pty Ltd, Roadside Kerbing and Works Statewide Kerbing for the supply and laying of concrete kerbing in accordance with the requirements as stated in tender 033-06/07 and the Schedule of Rates for a period of three (3) years.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

## **CJ149-08/07 PROPOSED PARKING RESTRICTIONS – SANDAY PLACE, WARWICK – [03117] [32190] [85506]**

**WARD:** South

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

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## PURPOSE

The purpose of this report is to present an amendment to the existing parking restrictions in Sanday Place, Warwick, to address residents' concerns in relation to commuter parking associated with Warwick Bus/Rail Station.

## EXECUTIVE SUMMARY

The City has received correspondence from residents of Sanday Place in Warwick requesting that a parking restriction be reviewed to prevent commuters associated with the Warwick Bus/Rail Station parking in the street.

*This Report recommends 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 "PARKING – 15 minutes" carriageway or verge along the east side of Sanday Place, Warwick. The proposed hours of restriction will be from 7:30am – 4:00pm Monday to Friday as shown in Attachment 1 to Report CJ149-08/07.*

## **BACKGROUND**

The City has been monitoring the impact of all day commuter parking in Sanday Place, Warwick on a regular basis for some time.

A parking restriction was implemented in November 2004 in Sanday Place, Warwick to address concerns of commuter parking along the street, and ease traffic congestion at school times. The restriction allowed parking on the carriageway for 15 minutes, Monday to Friday. The restriction did not apply to the verge area. This restriction successfully addressed the commuter parking at the time but due to the increased demand for public transport since then it was necessary for the City of Joondalup to review the restrictions in Sanday Place, Warwick.

In view of these concerns a parking restriction that permits parking on the carriageway or verge for 15 minutes, Monday to Friday is recommended for implementation.

## **DETAILS**

### **Issues and options considered:**

Hawker Park Primary School is bounded by Hawker Avenue, Sanday Place and Kirkcolm Way, Warwick. Hawker Avenue provides a carpark access to the school. Vehicle speed is restricted to 40km/h during school peak times, 7:30am-9am and 2:30pm-4pm on school days. During these times the school verge side of Sanday Place, Warwick is used for commuter parking, resulting in the street becoming congested, restricting normal traffic flow and reducing the level of pedestrian safety.

The local community is concerned that commuter parking in conjunction with parent parking at this location on Sanday Place restricts the normal traffic flow, making it more hazardous for road users, students and other pedestrians.

In view of this, to prevent all day commuter parking along Sanday Place, Warwick it is proposed to implement a 15-minute parking restriction, covering the carriageway or verge during weekdays. This restriction would still allow parents to park on the school verge of Sanday Place, Warwick for up to 15 minutes.

The proposed parking prohibition is shown on Attachment 1.

### **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: 1.4 to work with the community to enhance safety and security in a healthy environment.

Strategy: 1.4.2 contribute to the protection of human health.

### **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 time 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 maintenance operational budget for this work to occur.

**Policy implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Not Applicable.

**Consultation:**

The residents directly opposite the proposed prohibition, as outlined in Attachment 1, were consulted. All residents supported the proposed prohibition.

In addition, Hawker Park Primary School has been consulted in relation to this issue and supported the proposed prohibition.

**COMMENT**

The proposal to restrict parking along Sanday Place, Warwick to 15 minutes, adjacent to the school as per Attachment 1, will maintain the general traffic flow at all times and therefore increase the level of safety and access at all times for all road users.

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

**ATTACHMENTS**

Attachment 1            Parking Prohibition – Sanday Place, Warwick.

**VOTING REQUIREMENTS**

Simple majority.

**MOVED Cr Jacob SECONDED Cr Hollywood 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 "PARKING – 15 minutes" carriageway or verge along the east side of Sanday Place, Warwick. The proposed hours of restriction will be from 7:30am – 4:00pm Monday to Friday as shown in Attachment 1 to Report CJ149-08/07.**

**The Motion was Put and CARRIED (11/0) by En Bloc Resolution following consideration of Item CJ156-08/07, Page78 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Currie, Fishwick, Hart, Hollywood, Jacob, John, Magyar and Macdonald

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf310707.pdf](#)*

**CJ150-08/07      PETITION REGARDING TRAFFIC CONCERNS  
ALONG CONRAD WAY, CURRAMBINE – [45223]  
[01398]**

**WARD:** North

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

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**PURPOSE**

To consider a petition regarding traffic concerns along Conrad Way in Currambine.

**EXECUTIVE SUMMARY**

The City's most recent traffic surveys for Conrad Way, Currambine indicate that this road carries approximately 100 vehicles per day, travelling at an 85<sup>th</sup> percentile speed of 39km/h. Crash data provided by Main Roads WA indicates that there has only been one (1) recorded crash along Conrad Way, Currambine in the 5-year period between January 2002 and December 2006. These values are within the ranges expected for a local access road such as Conrad Way.

*It is recommended that Council:*

- 1      *DOES NOT SUPPORT the construction of traffic management treatments along Conrad Way, Currambine;*
- 2      *INTRODUCES a number of community awareness programs and initiatives with the support of the local community and residents of Conrad Way, Currambine, including the Community Speed Watch program;*
- 3      *ADVISES the Petition Organiser of Council's decision.*

## BACKGROUND

At the Ordinary Meeting of Council held on 27 February 2007, an 8-signature petition was received from residents of Currambine requesting the construction of a speed hump in Conrad Way, Currambine.

A location plan identifying the subject area is attached – refer to Attachment 1.

Conrad Way, Currambine is classified as a local access road under the City's Functional Road Hierarchy. The physical characteristics of Conrad Way, Currambine are a straight road, 170 metres long and 6.1 metres wide, centrally located within a 14-metre road reserve. Conrad Way, Currambine extends between Carlton Turn east and Carlton Turn west, providing frontage to 13 residential properties and access to the Currambine Primary School.

A site inspection indicated that the road surface is in good condition. There is no footpath along this road and the street lighting is located adjacent to the southern kerb. Conrad Way, Currambine is governed by the default urban speed limit of 50km/h, which was introduced by law in Western Australia on 1 December 2001.

In accordance with the City's Functional Road Hierarchy, a road of this type may reasonably be expected to carry up to 3,000 vehicles per day. The industry standard for traffic assessments uses the 85<sup>th</sup> percentile speed (i.e. the speed at which 85% of vehicles are travelling below) and traffic volumes measured over seven days as the criteria for evaluating traffic. This is prescribed in the Australian Standard *AS1742.4-1999 Manual of Uniform Traffic Control Devices, Part 4: Speed Controls*.

## DETAILS

### Issues and options considered:

The City's most recent traffic surveys for Conrad Way, Currambine were undertaken at a mid-block location in March 2007. These surveys indicated that Conrad Way carries approximately 100 vehicles per day with an 85<sup>th</sup> percentile speed of 39km/h. The data collected from these surveys is summarised as follows:

Average Weekday Traffic	Heavy Vehicles	85 <sup>th</sup> Percentile Speed	Mean Speed	Speed Distribution (km/h)			
				Below 50	50-60	60-70	Above 70
<i>Conrad Way, between Carlton Turn west and Carlton Turn east</i>							
101 vpd	2.8%	38.9 km/h	30.7km/h	100 vpd (99.8%)	1 vpd (0.2%)	0 vpd (0.0%)	0 vpd (0.0%)

Crash data provided by Main Roads WA indicates that has only been one recorded crash along Conrad Way, Currambine in the 5-year period between January 2002 and December 2006. This was a right-angle crash, which occurred in April 2005 at the Carlton Turn west intersection, and resulted in property damage only.

Conrad Way, Currambine's position in the road network is such that it is unlikely to attract through traffic from the local distributor network and therefore any traffic behaviour issues are likely related to local usage of the road. This is confirmed by the traffic count data, which showed a relatively low average weekday traffic flow.

The traffic data collected suggests that the traffic volumes, travel speeds and crash history for Conrad Way, Currambine are within the ranges expected for a local access road. On the basis of this assessment, the construction of traffic management measures along Conrad Way, Currambine would have a very low priority in comparison with other roads already listed for treatment as part of the City's Five Year Capital Works Program.



The City's current focus is to traffic calm the local distributor roads that have higher traffic volumes, vehicle speeds and recorded crash histories. Any traffic management treatment will aim at lowering the 85<sup>th</sup> percentile speed but will most likely have little effect on the antisocial driver behaviour that creates most distress to residents.

**Link to Strategic Plan:**

The consideration of traffic management measures is consistent with the following objectives and strategies from the City of Joondalup's Strategic Plan 2003-2008:

- 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.
- 4.3.3 Provide fair and transparent decision-making processes.

**Legislation – Statutory Provisions:**

Not applicable

**Risk Management considerations:**

The City receives many requests to construct traffic management measures on local roads and therefore follows a system of prioritising these requests based on various factors, including traffic volumes, (85<sup>th</sup> percentile) travel speeds, crash data, road geometry, proximity to major trip generators, percentage of heavy vehicles and percentage of non-local through traffic. In comparison with other roads within the local road network, the construction of any traffic management devices along Conrad Way, Currambine would have a low priority.

**Financial/Budget Implications:**

Not Applicable

**Policy implications:**

Not applicable

**Regional Significance:**

Not applicable

**Sustainability implications:**

Not applicable

**Consultation:**

No community consultation was undertaken in conjunction with the assessment of the petition, as there was no proposed solution to be addressed with adjoining residents.

**COMMENT**

The local government responsibility for roads is primarily focussed on the care, control and management of the road asset. Conrad Way, Currambine is in good condition and can be driven safely and comfortably at 50km/h. The issue of traffic speeding and inappropriate driver behaviour is by State Government legislation, a policing matter.

Residents often request traffic management treatments in order to enforce compliance of speed limits and prevent hoon behaviour. Engineering such compliance is very costly and rarely successful, and usually incurs some loss of amenity to adjacent residents, usually in the form of loss of parking and noise associated with vehicles braking, manoeuvring and acceleration. Due to these limitations, traffic management should only be considered when a risk assessment shows that non-compliance with road rules is compromising road safety.

In order to address the concerns raised in the petition, it is proposed to introduce a number of community awareness programs and initiatives with the support of the local community and residents of Conrad Way, Currambine. Such measures include the reporting of specific traffic incidents through the City's Community Speed Watch program, the formation of a neighbourhood traffic watch community group and the distribution of "50 in My Street" and "Please Slow Down Consider Our Kids" bin stickers to residents along this road. The City would be able to assist residents in the implantation of these programs and initiatives with the provision of advice and resources.

### **ATTACHMENTS**

Attachment 1            Location Map of Conrad Way, Currambine

### **VOTING REQUIREMENTS**

Simple majority

**MOVED Cr Jacob SECONDED Cr Hollywood that Council:**

- 1        DOES NOT SUPPORT the construction of traffic management treatments along Conrad Way, Currambine;**
- 2        INTRODUCES a number of community awareness programs and initiatives with the support of the local community and residents of Conrad Way, Currambine including the Community Speed Watch program;**
- 3        ADVISES the Petition Organiser of Council's decision.**

**The Motion was Put and CARRIED (11/0) by En Bloc Resolution following consideration of Item CJ156-08/07, Page78 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Currie, Fishwick, Hart, Hollywood, Jacob, John, Magyar and Macdonald

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf310707.pdf](#)*

**CJ151-08/07      MINUTES OF THE CONSERVATION ADVISORY  
COMMITTEE HELD ON 27 JUNE 2007 – [12168]**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Mr David Djulbic  
Director Infrastructure Services

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**PURPOSE**

To submit the unconfirmed minutes of the Conservation Advisory Committee to Council for noting and endorsement of the recommendations contained therein.

**EXECUTIVE SUMMARY**

A meeting of the Conservation Advisory Committee was held on 27 June 2007.

The items of business that were considered by the Committee were:

- Conservation Advisory Committee Planning Workshop

*It is recommended that Council NOTES the unconfirmed minutes of the Conservation Advisory Committee held on 27 June 2007 forming Attachment 1 to Report CJ151-08/07;*

**BACKGROUND**

The Conservation Advisory Committee is a Council Committee that advises Council on issues relating to biodiversity and the management of natural areas within the City of Joondalup. The Conservation Advisory Committee meets on a monthly basis.

The Committee membership comprises of five Councillors, a representative from each of the City's Bushland Friends Groups and community members with specialist knowledge of biodiversity issues.

**DETAILS****Issues and options considered:**

The Motions moved at the Conservation Advisory Committee meeting held on 27 June 2007 are shown below, together with officer's comments.

**1      Conservation Advisory Committee Planning Workshop**

The following Motion was moved:

*"That the Conservation Advisory Committee RESOLVES to hold a strategic planning workshop at its next meeting on 25 July 2007 and that the Conservation Advisory Committee requests that the following documents be made available for that workshop:*

- *Strategic Plan 2005 – 2008*
- *Environmental Plan*
- *December 2006 Workshop Notes*
- *Dry Park List*
- *City of Wanneroo policy on dry parks*

- *Aerial photos of bushland parks within City of Joondalup”*

#### Officer’s Comment

The Conservation Advisory Committee developed a Strategic Plan for the future activities of the Committee in 2005. Many of the goals for the Committee have been met. In December 2006 a facilitated workshop was held to define future strategic goals for the CAC for the five year period from 2008.

At the June 2007 CAC Meeting Members moved the above Motion requesting that CAC hold a follow up workshop to complete the tasks commenced in December 2006.

This action is considered the appropriate course to take.

### **REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

The following reports were requested at the meeting of the Conservation Advisory Committee:

#### **1 A report on coastal water quality**

#### Officer’s Comment

At the June CAC Meeting members briefly discussed a recently released report titled Contaminants in Stormwater Discharge and Associated Contaminants in Stormwater Discharge, and Associated Sediments, at Perth’s Marine Beaches. This Department of Water document contains baseline data for microbial quality, heavy metals, nutrients, petroleum hydrocarbons, organic chemical compounds and suspended solids in nine Perth coastal regions to aid local government in managing stormwater. It also contains a preliminary study of the impacts of stormwater contaminants on near-shore coastal environments.

The above report is available on the Department of Water’s website, details of which will be provided to CAC members.

#### **Link to Strategic Plan:**

#### Key Focus Area

Caring for the environment.

#### Outcomes

The City is environmentally responsible in its activities.

#### Objectives

To plan and manage the City’s natural resources to ensure environmental sustainability.

#### Strategies

- 2.1.1 Maintain and protect natural assets to retain biodiversity.
- 2.1.2 Further develop environmentally effective and energy-efficient programs.
- 2.1.3 Develop a coordinated environmental framework, including community education.

**Legislation – Statutory Provisions:**

The Local Government Act 1995 allows a council to establish committees to assist a council to exercise the powers and discharge duties that can be delegated to a committee.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Policy implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**Environmental

Conservation Advisory Committee objective - "To make recommendations to Council for the Conservation of the City's natural biodiversity".

Social

To promote partnerships between Council and the Community to protect the City's natural biodiversity as contained within its various natural areas (bushland, wetlands and the coastal environment).

**Consultation:**

The Conservation Advisory Committee provides a forum for community consultation and engagement on natural areas.

**COMMENT**

Not Applicable.

**ATTACHMENTS**

Attachment 1            Minutes of the Conservation Advisory Committee meeting held on 27 June 2007

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Jacob SECONDED Cr Hollywood that Council NOTES the unconfirmed Minutes of the Conservation Advisory Committee held on 27 June 2007 forming Attachment 1 to Report CJ151-08/07;**

**The Motion was Put and CARRIED (11/0) by En Bloc Resolution following consideration of Item CJ156-08/07, Page 78 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Currie, Fishwick, Hart, Hollywood, Jacob, John, Magyar and Macdonald

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf310707.pdf](#)*

**CJ152-08/07      PROPOSED 42 MULTIPLE DWELLINGS AT LOT  
2260 (17) SUNLANDER DRIVE, CURRAMBINE –  
[63562]**

**WARD:** North

**RESPONSIBLE  
DIRECTOR:** Mr Clayton Higham  
Planning and Community Development

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**PURPOSE**

The purpose of this report is to request Council's determination of an application for planning approval for 42 Multiple Dwellings at Lot 2260 (17) Sunlander Drive, Currambine.

**EXECUTIVE SUMMARY**

An application has been received for a three storey building composed of 42 multiple dwellings containing 10 single bedroom units and 32 two/three bedroom units. Multiple dwellings are a discretionary land use within the Residential zone.

Council's determination of the application is required as the number of multiple dwellings proposed is greater than the number that can be approved under delegated authority.

The proposal includes variations to the Residential Design Codes 2002 (R-Codes) and a variation to the City's Policy 3.2 Height and Scale of Buildings within a Residential Area as the proposal projects through the Building Threshold Envelope (BTE).

The variations to the R-Codes are considered to be minor and consistent with the intent and purposes of both the R-Codes and the City of Joondalup District Planning Scheme No 2 (DPS2). The proposed projection through the BTE is considered appropriate as it is in keeping with the height of existing buildings within the surrounding area. Development to this density will support the usage of the adjoining Currambine Train Station and is considered to be consistent with the objectives of DPS2.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 2260 (17) Sunlander Drive, Currambine
<b>Applicant:</b>	Designinc Pty Ltd
<b>Owner:</b>	Goldzen Holdings Pty Ltd
<b>Zoning:</b>	<b>DPS:</b> Residential R80
	<b>MRS:</b> Urban
<b>Site Area:</b>	4905 m <sup>2</sup>
<b>Structure Plan:</b>	Not Applicable

The subject site is situated between Sunlander Drive and Currambine Train Station (refer Attachment 1). Sunlander Drive is located to the west of the subject site, Citadel Way (north) is to the north of the site and Citadel Way (east) is located on the eastern side of the property.

There are existing three storey developments to the north and south of the subject site. The site to the west is currently vacant, and in February 2007, Council resolved to revoke the Structure Plan for that site. It has potential to be developed as a Retirement Village. The development site is currently vacant.

The DPS2 zoning for the subject site and surrounding residential lots is Residential R80. The density coding of the land at R80 is in keeping with the Western Australian Planning Commission's Development Control Policy 1.6 Planning to Support Transit Use and Transit Oriented Development – Amended 2006, which supports higher density residential development around public transport nodes.

The land was given a density code of R80 in 1991 after negotiations with the State Government for the subdivision of the land. The then City of Wanneroo proposed, as part of amendment No. 452 of Town Planning Scheme No. 1, to develop the subject land at a density of R40. The Department of Planning and Urban Development (now Department for Planning and Infrastructure) consented to the amendment subject to some modifications, including a requirement to code the subject land at a density of R80.

## DETAILS

The proposed development includes the following features:

- one 3 storey building and two 2-3 storey buildings;
- a maximum building height of 12 metres above natural ground level;
- 42 multiple dwellings (including 10 single bedroom units and 32 two/three bedroom units) ranging in size from 53m<sup>2</sup> to 98m<sup>2</sup>;
- each unit is provided with a balcony or courtyard;
- the provision of 64 car parking bays on site;
- vehicle access to the site provided from Sunlander Drive and Citadel Way (East);
- store rooms for each residential unit; and
- pool with lounge, BBQ and seating area.

The development site has three street frontages and a Right of Way (ROW) at the rear. The two proposed northern buildings front onto Citadel Way (north) and the southern building is located adjacent to the ROW. The three buildings are separated by landscaped open space and the pool area.

The car park for the proposed development is located beneath the southern building. Access to the car park is from Sunlander Drive and Citadel Way (east). Both vehicular access points to the site are designed to accommodate two-way traffic.

The materials of the proposed development will comprise:

- concrete walls with a painted finish;
- aluminium window frames with a powdercoat finish;
- aluminium framed glass balustrades;
- metal louvers with a powdercoat finish; and
- a sheet metal roof.

The development plans are provided in Attachment 2.

The compliance with the relevant requirements of the R-Codes is summarised below:

Criteria	R-Code Requirement	Proposed	Compliance
Density Code	R80	R80	Yes
Site Area	Minimum		
10 x 1 bedroom	833m <sup>2</sup>		
32 x 2/3 bedrooms	4000m <sup>2</sup>		
Total	4833m <sup>2</sup>	4905m <sup>2</sup>	Yes
Plot Ratio	Maximum 1.0	0.738	Yes
Total Open space	Minimum 60%	53%	No
Communal open space	Minimum 16m <sup>2</sup> per dwelling		Yes
	672m <sup>2</sup>	1716m <sup>2</sup>	
<u>Setbacks</u>			
Front	Average 4m	Average 4m	Yes
Sunlander Drive	4.8	2.6	No
Citadel Way East	4.3	4	No
Right of Way	6.7	3.6	No
<u>Car parking</u>			
Single bedroom	10 x 0.75 = 7.5 bays		
2/3 bedroom	32 x 0.35 = 11.2 bays 2968.8 x 0.015 = 44.5 bays Total = 63.2 bays	64 bays	Yes
Visitors bays	10% = 7 bays	6 bays	Condition

The applicant has requested that Council exercises discretion and allow variations to the open space and setback requirements of the R-Codes and variation to the City's Policy 3.2 Height and Scale of Buildings in a Residential Area.

The applicant has provided written justification for the proposed variations, which are summarised below.

Open Space Provision:

- *Provides adequate open space around the buildings – the setbacks between the buildings exceed the requirements of the R-Codes.*
- *Creates a generously landscaped setting for the buildings.*
- *The open space achieved is largely landscaped communal open space, with only a small percentage occupied by car parking due to the car park being largely located beneath the southern building.*
- *The small concession sought in Open Space provision will not reduce the amenity of the residents as the area of Communal Open Space is over 250% of that required by Table 1.*



**Setback Variations:**

- *Adequate light and ventilation is achieved for both the proposed development and the existing neighbouring development.*
- *The shadow cast by the proposed development at 12pm on the winter solstice is cast predominantly over the subject lot and the ROW.*
- *Increasing the setback of the two northern buildings would have little benefit in increasing the area of landscaping to the street and is of greater advantage for the residents being located within the pool area.*
- *This width has been maximised to enable as much penetration of the northern winter sun into the central courtyard; the primary communal open space within the development.*

**Projection through the Building Threshold Envelope (BTE):**

- *The building form generated in the proposed development is consistent and compatible with an R80 density coding.*
- *It would not be possible to achieve a design on the subject land which exploited the development potential available under the R80 zoning that complied with the BTE.*
- *With two and three storey building forms proposed, the height of the proposed development is compatible with that of surrounding development.*
- *The proposed development is compatible with and does not negatively impact on adjacent residential development with respect to overshadowing or building bulk.*
- *The proposed development will provide high density residential development adjacent to the existing railway station and will facilitate better use of this existing transport infrastructure.*

**Issues and options considered:**

Council has the discretion to:

- approve the application without conditions;
- approve the application with conditions; or
- refuse the application.

**Link to Strategic Plan:**

The proposal is considered to be consistent with objective 3.3 of the City's Strategic Plan 2003-08: *To continue to meet changing demographic needs.*

**Legislation – Statutory Provisions:**

In considering the subject application, the following clauses of the R-Codes and DPS2 require consideration:

**Residential Design Codes 2002**

Clause 2.3.4 of the R-Codes allows for the exercise of discretion, having regard to the provisions of clause 2.3.4 (2) of the R-Codes as follows:

- 2.3.4(2)      *Discretion shall be exercised having regard to the following considerations:*
- (i)      *the stated purpose and aims of the Scheme;*
  - (ii)      *the provisions of Parts 2, 3 and 4 of the Codes as appropriate;*
  - (iii)      *the Performance Criterion or Criteria in the contest of the R-Coding for the locality that correspond to the relevant provision;*

- (iv) *the explanatory text of the Codes that corresponds to the relevant provision;*
- (v) *any Local Planning Strategy incorporated into the Scheme;*
- (vi) *the provision of a Local Planning Policy pursuant the Codes and complying with sub-clause (5) below; and*
- (vii) *orderly and proper planning.*

### District Planning Scheme No 2 (DPS2)

Multiple Dwelling is a 'D' use in the Residential Zone. A 'D' use means:

*"A use class that is not permitted, but to which the Council may grant its approval after following the procedures laid down by sub clause 6.6.2."*

Clause 6.6.2 requires that Council in exercising discretion to approve or refuse an application shall have regard to the provisions of clause 6.8, which is shown below:

#### 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.*

As the proposed use is a "D" use, the additional matters identified in Clause 6.8.2 also require Council consideration in relation to this application for planning consent:

6.8.2 *In addition to the matters referred to in the preceding sub clause of this clause, the Council when considering whether or not to approve a "D" or "A"*

*use application shall have due regard to the following (whether or not by implication or otherwise they might have required consideration under the preceding subclasses of this clause):*

- (a) the nature of the proposed use and its relationship to the use of other land within the locality;*
- (b) the size, shape and character of the parcel of land to which the application relates and the nature and siting of any proposed building;*
- (c) the nature of the roads giving access to the subject land;*
- (d) the parking facilities available or proposed and the likely requirements for parking, arising from the proposed development;*
- (e) any relevant submissions or objections received by the Council; and*
- (f) such other matters as the Council considers relevant, whether of the same nature as the foregoing or otherwise.*

DPS2 promotes development around existing railway stations. The relevant Clause of DPS2 is as follows:

### **3.18 New Development around existing railways stations**

*In order to promote public transport usage, Council shall encourage appropriate transit-related development to take place around existing railway stations. This relates to both private property, and government-owned land and air rights above that land where achievable.*

#### **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.

#### **Financial/Budget Implications:**

Not applicable

#### **Policy implications:**

Policy 3.2 Height and Scale of Buildings within a Residential Area.

#### **Regional Significance:**

Not applicable

#### **Sustainability implications:**

The proposed development will provide high density development adjacent to a major transport node. This will facilitate better use of this transport system in accordance with sustainable development principles.

#### **Consultation:**

The proposal was advertised for a period of 21 days, by way of signs on site and advertisements in the local newspaper. No submissions were received.

## COMMENT

Variation is being sought to the open space and setback requirements of the R-Codes and the City's Height and Scale Policy. The other aspects of the proposal generally comply with the requirements of the R-Codes.

### Residential Density and Land Use

The site is zoned 'Residential' and has a density code of R80. The proposed development complies with the R80 density coding of the site. The proposed land use of 'Multiple Dwelling' is a 'D' discretionary land use within the Residential zone. Council may grant its approval following the exercise of discretion.

The density of the land anticipates the development of Multiple Dwellings on the site as only Multiple Dwellings may be developed at the R80 density. Single Houses and Grouped Dwellings can only be developed to an R60 density. The land use of 'Multiple Dwelling' is an appropriate land use for this location given the density of the land.

One of the objectives of the Residential Zone under DPS2 is to provide the opportunity for grouped and multiple dwellings in selected locations so there is a choice of housing types available within the City. The development of multiple dwellings on this site is considered to be consistent with the objectives of the Residential Zone. Additionally, the proposed land use is consistent with the existing adjacent developments, which are also developed as Multiple Dwellings.

### Open Space

The acceptable development standards of the R-Codes require a minimum of 60% of the site area to be provided as open space for development in areas coded R80. Open space is the area of the lot that is not covered by buildings, and differs from communal open space, which is open space set aside for the recreational use of the residents. The applicant has provided 53% of the site as open space.

The proposed open space variation of 53% in lieu of 60% is supported as it meets the performance criteria of the R-Codes for the following reasons:

- There is ample open space surrounding the buildings, which provides a landscaped setting for the buildings.
- The street setback areas are proposed to be landscaped which will provide attractive streetscapes.
- 1716m<sup>2</sup> of the open space provided is communal open space, which provides for the recreation needs of the residents and enhances the amenity of the development.

Although there is a reduction in the amount of open space provided, the amount of communal open space provided is significantly greater than the amount required by the R-Codes. This increased provision of communal open space will be of greater benefit to the residents as it includes facilities such as a pool, BBQ area and lounge, which can be actively used by residents of the development. Additionally, each ground floor unit is provided with a courtyard and each upper floor unit is provided with a balcony which can be used for private recreation purposes.

It is considered that the reduction in the provision of open space is more than adequately compensated for by the increased provision of communal open space. It is therefore requested that Council grants its discretion in regard to the reduction of open space provision.

## **Setbacks**

The proposed development includes several setback variations to the secondary streets and the rear boundary. Citadel Way (north) is the primary street and Sunlander Drive and Citadel Way (east) are the secondary streets. The setbacks for the secondary streets are calculated using the boundary setback requirements of the R-Codes.

Setback variations are proposed from both of the northern buildings fronting Citadel Way (north) to Sunlander Drive and Citadel Way (east). The setback variations are 2.6 metres in lieu of 4.8 metres from the north western building to Sunlander Drive and 4 metres in lieu of 4.3 metres from the north eastern building to Citadel Way (east). It is considered that these setback variations meet the Performance Criteria of the R-Codes as the buildings are setback an appropriate distance to contribute to the desired streetscape. It is only minor portions of the buildings that protrude into the required setback area due to the stepped nature of the buildings. The street setback areas are also proposed to be landscaped which will soften the appearance of the dwellings and further enhance the streetscape of the development.

There is also a setback variation of 3.6 metres in lieu of 6.7 metres from the southern building to the rear boundary (ROW). It is considered that this setback variation meets the performance criteria of the R-Codes as there is adequate light and ventilation to the proposed building and the existing neighbouring buildings. Additionally, it is only a small portion of the building that protrudes into the setback due to the angled nature of the lot boundary.

The proposed setback variations to Sunlander Drive and Citadel Way (east) and the ROW (rear boundary) are all considered to be minor and will not have a detrimental impact on the amenity of the adjoining residences. These variations are considered to meet the performance criteria of the R-Codes and therefore it is recommended that they be supported.

## **Car Parking**

Car parking for Multiple Dwellings is required to be provided in accordance with the R-Codes at a rate of 0.35 spaces per dwelling plus 0.015 spaces per square metre of plot ratio area, to a maximum of two spaces per dwelling. For single persons dwellings parking is provided at the rate of 0.75 bays per unit.

At least one space per dwelling is to be provided for the exclusive use of each dwelling and not less than 10% of the required spaces are to be provided for visitors.

The number of car parking bays provided complies with the number of car parking bays required (64 bays). Each dwelling within the development is provided with at least one covered car bay and 16 dwellings have two bays which are provided in tandem.

A total of 64 car parking bays are required for the proposed development, of which seven must be provided as visitors bays. The applicant has provided 64 car parking bays on site of which six are allocated for visitors and the remaining 58 have been allocated for the exclusive use of the residents. It is therefore recommended that 57 bays be allocated for the exclusive use of residents and seven bays be provided for visitor parking in accordance with R-Code requirements.

## **Projection through the BTE**

The proposed development projects through the BTE as the majority of the development has a three storey built form.

The application of the BTE to the site is problematic if the full development potential of the site is to be achieved. In order to develop to the R80 density coding, multiple dwellings must be developed, however the BTE restricts development to a height that would not allow the R80 density coding to be achieved. Grouped dwellings and single houses may be developed on the site, but this can only be to the R60 Code, which would not maximise the development potential of the site. The projection through the BTE is therefore considered acceptable as it allows the development potential of the site to be utilised, which is desirable given the site's proximity to the train station.

Further, the height of the proposed development is compatible with the height of surrounding development. The sites to the north and south of the proposed development both have three storey built forms. Given this, the proposal will not have an adverse impact on the amenity of the adjoining lots as it is in keeping with the existing development that currently exists on the surrounding lots. Additionally there were no objections to the proposed development or the projection through the BTE.

It is therefore recommended that Council support the proposed projection through the BTE as it will allow development to the R80 density coding, is characteristic of surrounding development and will not have a negative impact on the residential amenity of the area.

### **Conclusion**

The proposed development complies with the majority of the requirements of the R-Codes. The proposed open space and setback variations are considered to be appropriate and are not expected to have an adverse impact on the surrounding area or the amenity of the residents. The proposal is considered to be of an appropriate scale and form in close proximity to the existing train station and to other buildings in the locality.

The proposed projection through the BTE is considered to be appropriate in relation to the scale of existing adjacent developments and to enable the development of the site to the R80 density. Development to this density will support the usage of the adjoining train station and is considered to be consistent with the objectives of DPS2. It is considered that the projection through the BTE will not have an adverse effect on the amenity of nearby landowners or the surrounding locality.

It is recommended that the proposed variations be supported and the application be approved.

### **ATTACHMENTS**

Attachment 1	Location Plans
Attachment 2	Development Plans
Attachment 3	Applicant's Submission

### **VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr Hollywood SECONDED Cr Jacob that Council:**

- 1 EXERCISES discretion under Clause 6.8 of District Planning Scheme No 2 and under clause 2.3.4 of the Residential Design Codes 2002 and determines that the performance criteria under clause(s) 3.2.1, 3.3.1 and 3.4.1 have been met and determines that Policy 3.2 has been addressed and that the:**
  - (a) open space provision of 53% in lieu of 60%;**
  - (b) setback of 2.6 metres in lieu of 4.8 metres from the north western block to Sunlander Drive;**
  - (c) setback of 4 metres in lieu of 4.3 metres from the north eastern block to Citadel Way (east);**
  - (d) setback of 3.6 metres in lieu of 6.7 metres from the south block to the Right-of-Way; and**
  - (e) projection through the Building Threshold Envelope;**

**are acceptable in this instance.**
- 2 APPROVES the application for Planning Approval dated 16 March 2007 submitted by Designinc Pty Ltd, the applicant on behalf of the owner, Goldzen Holding Pty Ltd for 42 Multiple Dwellings at Lot 2260 (17) Sunlander Drive, Currambine, subject to the following conditions:**
  - (a) The parking bays, driveways and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Car Parking (AS/NZS 2890.01 2004). Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services prior to the development first being occupied. These works are to be done as part of the building program;**
  - (b) Resident Parking Bay 1 shall have a 1.5 metre by 1.5 metre sightline truncation as marked in RED on the approved plans;**
  - (c) A minimum of seven visitors car parking bays are to be provided on site;**
  - (d) Visitor car parking bays shall be a minimum of 2.5 metres wide or the end bays shall be a minimum of 2.8 metres wide;**
  - (e) Visitor car parking bays are to be clearly marked and signposted to the satisfaction of the Manager Approvals, Planning and Environmental Services;**
  - (f) The driveway/s and crossover/s to be designed and constructed to the satisfaction of the Manager Infrastructure Management before the occupation of the development;**
  - (g) An onsite stormwater drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be**

approved by the Manager Infrastructure Management prior to the commencement of construction;

- (h) A refuse management plan indicating the method of rubbish collection, number and type of bins shall be submitted as part of the building licence and approved by the Manager Approvals, Planning and Environmental Services;
- (i) Bin storage area shall consist of a concrete floor that grades evenly to an industrial floor waste connected to sewer and the provision of a hose cock;
- (j) The lodging of detailed landscaping plans, to the satisfaction of the Manager Approvals, Planning and Environmental Services, for the development site with the Building Licence Application. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100. All details relating to paving and treatment of verges, to be shown on the landscaping plan;
- (k) Landscaping, reticulation and all verge treatment is to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services;
- (l) Landscaping of the communal open space shall be provided in accordance with the Acceptable Development criteria of Clause 3.4.5 of the Residential Design Codes 2002.

Discussion ensued.

**The Motion was Put and**

**CARRIED (10/1)**

**In favour of the Motion:** Mayor Pickard, Crs Hollywood, McLean, Magyar, Jacob, John, Evans, Fishwick, Currie and Amphlett **Against the Motion:** Cr Hart

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf310707.pdf](#)*

**CJ153-08/07      PROPOSED CLOSURE OF A PORTION OF 0.1 METRE PEDESTRIAN ACCESSWAY ADJACENT TO LOT 1 (113) GRAND BOULEVARD, JOONDALUP – [47996]**

**WARD:** North

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Planning and Community Development

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**PURPOSE**

The purpose of this report is for Council to consider initiating the proposed closure of a portion of a 0.1 metre wide pedestrian accessway (PAW) adjacent to Lot 1 (113) Grand Boulevard, Joondalup to facilitate access to the land.



## EXECUTIVE SUMMARY

Lot 1 (113) Grand Boulevard, Joondalup, is located within the Joondalup City Centre and is currently vacant. An easement across an adjacent lot (Lot 2) is intended to provide vehicular access to and from Lot 1.

A request has been received to gain access to Lot 1 from a service road that forms part of Grand Boulevard. This would require a portion of the 0.1 metre wide PAW (used to prevent access to Grand Boulevard) to be closed. Should Council support the closure request, public advertising would be initiated.

Legal advice has indicated that the easement arrangements for access over the adjoining Lot 2 do not provide for a suitable means of vehicle access to Lot 1. Therefore, in effect, Lot 1 does not have an appropriate or legal access to a street.

The request for Lot 1 to access the service road adjoining Grand Boulevard is supported, subject to changes to the on-street car parking and landscaping that would be required with the construction of a crossover occurring at the cost of the landowners. These modifications would occur through the development approval stage.

It is recommended that Council initiates the proposed closure of a portion of the 0.1 PAW through the commencement of public advertising for a period of 35 days.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 1 (113) Grand Boulevard, Joondalup
<b>Applicant:</b>	Frank Borello – Complex Land Solutions Pty Ltd
<b>Owners:</b>	PA & MJ McBride, M Dawn & Real Estate Property Shop Operations Network Pty Ltd
<b>Zoning:</b>	<b>DPS:</b> Centre
	<b>MRS:</b> Central City Area
<b>Site Area:</b>	Lot 1 - 0.2 hectares
<b>Structure Plan:</b>	Joondalup City Centre Development Plan and Manual

This report refers to the following lots:

- Lot 1 (113) Grand Boulevard, Joondalup, (subject lot) is vacant land located within the Joondalup City Centre (see Attachment 1).
- Lot 2 (115) Grand Boulevard adjacent to the southern boundary of Lot 1 was developed with a mixed use building in 1995.
- Lot 466 (109) to the north of the subject site is developed as a church.

The subject lot was created through subdivision of a larger lot in 1994. An easement was created across the balance of the land (Lot 2) with the intent to allow for the provision of vehicular access from Lot 1 to Reid Prom, via Lot 2 (see Attachment 2). Vehicular access to and from the subject lot is otherwise prevented by a 0.1m PAW along Grand Boulevard, and by a PAW (Central Walk) to the rear. A service road is located within the road reserve of Grand Boulevard, including along the frontage of Lot 1.

PAWs 0.1 metre in width were created through the subdivision process and served to restrict vehicular access to roads.

**DETAILS**

A request has been received to close a 5.8 metre portion of the 0.1 metre wide PAW adjacent to Lot 1 (113) Grand Boulevard to enable future access to and from Grand Boulevard. The reason for this request is that the applicant considers the wording of the current access easement over adjacent Lot 2 (115) Grand Boulevard is inadequate and does not ensure unrestricted access to owners and users of Lot 1 (Attachment 3). Lot 2 is under different ownership to Lot 1 and comprises strata-titled units. Until the landowners are assured that unrestricted access is guaranteed, plans to develop the subject land will not progress.

The applicant has provided a letter from the body corporate operating for the strata unit owners on Lot 2 indicating a preference for access to be achieved from Grand Boulevard. The applicant also investigated the possibility of gaining access to Lot 1 through an arrangement with the owners of Lot 466 (the Church site). This option was not acceptable to the owners of Lot 466 as it was considered this may be detrimental to any future development plans for that site.

Should the 0.1m PAW closure be approved, the future construction of a crossover to provide the required access to Lot 1 would involve the loss of one car parking bay and one street tree located within the service road along Grand Boulevard. The applicant has offered to pay for the loss of any car parking bays or trees located within the road reserve that would occur with the provision of a future crossover.

**Issues and options considered:**

The options available to Council are:

- Support the proposed closure of a portion of the 0.1 metre wide PAW for the purposes of public advertising.
- Not support the proposed closure of a portion of the 0.1 metre wide PAW.

**Link to Strategic Plan:**

Strategy 3.1.2 – Facilitate the safe design, construction and approval of all buildings and facilities within the City of Joondalup.

**Legislation – Statutory Provisions:**

PAWs are created as a result of the subdivision of land under the Planning & Development Act 2005 (formerly the Town Planning and Development Act). A request can be made to Council to close a PAW.

If Council supports the proposed PAW closure, the proposal is advertised for public comment for a period of 35 days. Upon the closure of public advertising, the proposal is presented to Council for its further consideration, together with details of any submissions received.

If Council resolves to progress the closure request, all relevant documentation is forwarded to the DPI with a request to formally close the PAW for its determination. The Minister for Planning and Infrastructure makes the final decision on whether or not closures take place.

**Risk Management considerations:**

There is a risk that supporting the proposed closure of a portion of a 0.1m wide PAW may cause other developers to submit similar requests involving to access major roads. This may have impacts on the streetscape in terms of landscaping and availability of car parking embayments within the road reserves in the city centre.

**Financial/Budget Implications:**

The City is responsible for all cost associated with advertising of the proposed PAW closure. The current budget has sufficient funds to cover the advertising costs.

If services are located within the PAW or the future crossover to Lot 1, these would need to be relocated and would be the subject of negotiations between the service agency and the applicant.

**Policy implications:**

Not applicable

**Regional Significance:**

Not applicable

**Sustainability implications:**

Not applicable

**Consultation:**

Alinta has advised that gas mains will not be affected provided boundaries and property levels are not being amended. Water Corporation has advised it has no assets within the area that would be affected and has no objection to the proposed closure. Telstra has not provided comments, however it is noted that a Telstra manhole along the front boundary of Lot 1 is indicated on the submitted plan. Western Power has raised no objection to the proposal. DPI has not provided preliminary comments on the closure request.

**COMMENT**Existing Easement for access over Lot 2

The current easement over Lot 2 (115) Grand Boulevard is located in the centre of the lot, in an unusual 'Z' shape arrangement. Access to Lot 1 using this easement is from Reid Promenade (see Attachment 2). This access is between existing buildings and through the existing car parking bays located at the rear for these buildings.

The wording of the easement document is unclear in terms of providing certainty of unrestricted access to Lot 1 as it refers to enabling 'city officers' to gain access. This suggests that others wishing to access Lot 1 using the easement require permission to be sought from the Lot 2 landowners. Even if the wording was not ambiguous, or the easement document reworded, the provision of access over another land parcel is highly undesirable due to lack of ownership and control over development on the land where access is to be obtained.

Legal advice has been sought on the intent and adequacy of the existing access easement. The advice is that it could be argued that access is limited to officers of the City of Wanneroo, the original party to the legal agreement, and therefore does not serve the intended purpose. On account of this, it could be argued that the owner and any invitees of Lot 1 would need specific authorisation from the City to use the easement. The owner of Lot 2 could therefore prevent use of the easement by the owners and any invitees of Lot 1. The existing easement is inadequate for its intended use and an alternative access should be considered.

### Access options and 0.1 metre PAW

Adjacent Lot 466 to the north (the church site) currently gains access from the Grand Boulevard service road. The applicant has attempted to achieve access to Lot 1 through an arrangement with adjacent Lot 446, such as a reciprocal access agreement over the existing crossover. The applicant advises that this has been unsuccessful.

The 0.1 metre wide PAW along Grand Boulevard was provided at the subdivision stage to prevent vehicular access to and from Grand Boulevard. A service road is located along the front boundary of Lot 1 and provides car parking embayments and landscaping within the Grand Boulevard road reserve. The closure request would similarly facilitate the construction of a crossover off the service road for Lot 1.

In the event of the closure of the PAW being approved, the applicant is prepared to pay compensation for the loss of an on-street car parking bay and tree that will occur when with the construction of a crossover. The City's costs associated with loss of a car parking bay is estimated at \$6000 and the breakdown of costs is:

- Design documentation \$2000
- Kerbing works \$700
- Verge works \$1300
- Road pavement (asphalt works) \$1500
- Overheads \$500

In terms of replacing the tree, the cost would be \$500. A young native tree of the same species would be planted elsewhere in the City Centre as these grow more successfully than planting a mature tree. Moving the existing tree further along Grand Boulevard in front of Lot 1 would interrupt the regular pattern of planting for street trees, which is undesirable for the streetscape. Moreover, transplanting of native species is rarely achievable.

It is noted that a 6 metre wide crossover would be preferred as the standard width for a double crossover. However, this is not feasible due to the location of a Telstra manhole.

### Similar future requests

Should the request be approved, other developers in the city centre may seek to gain access from major roads. Alternative access, however, is provided to other lots and easements such as for Lot 1 do not apply. The current closure request is extraordinary.

### Conclusion

The access arrangement for Lot 1 is unusual and the wording of the access easement is unclear. The adjacent landowner on Lot 466 is not prepared to share the existing crossover from the service road and Lot 2 landowners would prefer alternative access than across their land.

The landowners of Lot 1 require certainty of access before commencing plans for the development of the land. Closing of a portion of the PAW would not affect access to other lots along Grand Boulevard, or have a significant impact upon traffic movement in the area. On this basis, public advertising of the proposed 0.1m PAW closure is recommended.

### **ATTACHMENTS**

- |              |  |
|--------------|--|
| Attachment 1 | Location and Aerial Plan, including subject portion of 0.1m wide PAW |
| Attachment 2 | Easement Plan  |

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr Hollywood SECONDED Mayor Pickard that Council:**

- 1 INITIATES the closure of a portion of the 0.1 metre wide pedestrian accessway adjacent to Lot 1 (113) Grand Boulevard, Joondalup, as shown on Attachment 1 to Report CJ153-08/07 for the purpose of public advertising for a period of 35 days;**
- 2 ADVISES the applicant, should approval be granted by the Western Australian Planning Commission for the subject closure, payment to the City for the loss of one car parking embayment and one street tree within the service road adjacent to Grand Boulevard that would result from the future construction of a crossover for Lot 1 will be required from the landowners of Lot 1, prior to approval for the crossover being issued by the City. The costs for the same species of tree and a car parking bay to be located elsewhere in the City Centre are \$6000 for the car parking bay and \$500 for the street tree.**

Discussion ensued.

**AMENDMENT MOVED Cr Corr SECONDED Cr Hart** that the last sentence of point 2 of the motion be amended to read:

“The costs for the same species of tree and a car parking bay to be located elsewhere in the City Centre are \$25,440 for the car parking bay and \$500 for the street tree.”

Discussion ensued. With the approval of the meeting, the figure in the amendment was changed from \$25,440 to \$18,500. The revised amendment is shown below.

**AMENDMENT MOVED Cr Corr SECONDED Cr Hart** that the last sentence of point 2 of the motion be amended to read:

“The costs for the same species of tree and a car parking bay to be located elsewhere in the City Centre are \$18,500 for the car parking bay and \$500 for the street tree.”

**MOVED Cr Magyar SECONDED Cr John** that Item CJ153-08/07 be DEFERRED for further investigation on the lost opportunity cost of the bay and a further report submitted to the next meeting of Council.

**The Procedural Motion was Put and**

**CARRIED (11/0)**

**In favour of the Procedural Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf310707.pdf](#)*

**CJ154-08/07      REQUEST FOR REMOVAL OF PATH WITHIN  
PUBLIC OPEN SPACE ON FORMER CSIRO SITE -  
NO. 14 (LOT 61) LEACH STREET, MARMION –  
CONSIDERATION FOLLOWING ADVERTISING –  
[84563]**

**WARD:** South

**RESPONSIBLE  
DIRECTOR:** Mr Clayton Higham  
Planning and Community Development

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## **PURPOSE**

For Council to consider the submissions receive during advertising of the proposed amendment to the Marmion Structure Plan No. 9 for the deletion of the requirement for a path within the bush land (public open space).

## **EXECUTIVE SUMMARY**

The Marmion Structure Plan guides the future subdivision and development of Lot 61 Leach Street, Marmion, to create 35 single residential lots and a public open space lot. The structure plan includes a vegetation management plan for the public open space, which provides for the rehabilitation and maintenance of the vegetation, and includes low impact pathways and bench seating. The vegetation management plan was prepared, with community input, by the Joondalup Coast Care Forum Inc.

A 22-signature petition from Marmion residents was tabled at the Council meeting on 27 February 2007. The petitioners objected to the installation of a path through the public open space. Additional information to support the petition was requested and subsequently provided by the head petitioner.

There are no technical reasons why the path cannot be removed from the structure plan. However, in line with appropriate management of the public open space, the deletion of the path would require the site to be fully fenced to ensure no pedestrian entry. This has implications on the enjoyment of the regenerated open space by the community.

Council resolved to advertise the proposed amendment to the Marmion Structure Plan to remove the requirement to provide a path within the open space. During the advertising period, 30 submissions were received, with 28 supporting the amendment, and 2 neutral submissions.

It is not considered that the advertising of the proposed amendment has raised any issues that would warrant Council not proceeding with the amendment to the structure plan.

## **BACKGROUND**

**Suburb/Location:** Lot 61 (No. 14) Leach Street, Marmion  
**Applicant:** City of Joondalup  
**Owner:** Marmion Estate Pty Ltd  
**Zoning:** **DPS:** Urban Development  
**MRS:** Urban  
**Site Area:** 2.1885 hectares  
**Structure Plan:** Marmion Structure Plan No. 9

### Previous Council Resolution

Council at its May 2007 meeting resolved (report CJ095 – 05/07):

- “1 Pursuant to clause 9.7 of the City of Joondalup’s District Planning Scheme No 2, INITIATES public advertising, for a period of 21 days, the proposed amendment to the Marmion Structure Plan to remove the requirement for a path within the Public Open Space, by adding the following to Clause 8.2,
- (v) The path stated in Recommendation 1 of the Vegetation Management Plan is not required to be implemented as part of the implementation of that plan.
- 2 ADVISES the petitioners of Council’s decision accordingly.”

### **DETAILS**

A 22-signature petition was received objecting to the installation of a path through the bush land (public open space) on the former CSIRO site at 14 Leach Street, Marmion (C03-02/07 refers). The path is yet to be constructed, however the perimeter of the site is fenced.

The petitioners stated they, “would like to see the bush land remain in its current condition and not be destroyed by this development”.

### **Issues and options considered:**

The options available to the Council are;

- To adopt as final the amendment to the structure plan, and forward the amendment to the Western Australian Planning Commission for their adoption and certification.
- To not support the amendment to the structure plan.

### **Link to Strategic Plan:**

Amendment to structure plan is supported by the following objective and strategy of the City’s Strategic Plan 2003-2008:

Objective 2.1 To plan and manage our natural resources to ensure environmental sustainability.

Strategy 2.1.1 Maintain and protect natural assets to retain biodiversity.

### **Legislation – Statutory Provisions:**

Clause 9.7 of DPS2 enables Council to amend an agreed structure plan subject to the approval of the WAPC. Under Clause 9.6, upon the completion of any public advertising period, Council is required to consider all submissions within sixty (60) days to either adopt or refuse to adopt the amended structure plan, with or without modifications. Attachment 2 sets out the structure plan process.

### **Risk Management considerations:**

Not applicable.

**Financial/Budget Implications:**

A bond of \$100,000 has been provided by the subdivider to cover development and maintenance costs for the open space area.

**Policy implications:**

Not applicable.

**Regional Significance:**

The proposal is not considered to be regionally significant.

**Sustainability implications:**

The development of the public open space area in accordance with the vegetation management plan will assist in providing a habitat for native wildlife and contribute to local environmental sustainability.

**Consultation:**

The proposed amendment to the Marmion Structure Plan was advertised for public comment for a period of 21 days, by way of two signs on the site, a notice in the local paper and on the City's website, and letters to nearby owners.

A total of 30 submissions were received, being 28 in support, and 2 neutral submissions. A schedule of submissions is included as Attachment 3. Copies of all submissions have been placed in the Councillors' reading room.

**COMMENT**

The vegetation management plan was developed through an extensive consultative process, including public advertising, and utilising the expertise of the Joondalup Coast Care Forum Inc.

The request by the petitioners to remove the path requires formal amendment to the structure plan and will have implications with respect to the loss of public access to, and enjoyment of, the public open space area for passive recreational purposes.

There are no technical reasons why the path cannot be removed from the vegetation management plan. However, if the path is not constructed, then the vegetation will need to be protected from trampling by the erection of suitable fencing. This is to ensure that no damage occurs to the area.

Importantly, the two preferences for the open space area do not present any issues from a planning perspective. When the vegetation management plan was developed, the inclusion of the path, and its chosen alignment, reflected what was understood to be the position of the interested local stakeholders.

No objections have been received in regard to the proposal to remove the requirement for the path within the open space. On this basis, Council could proceed to finalise the amendment to the structure plan. To clarify that public access to the open space is to be prevented, the proposed modification to the structure plan is recommended to be amended as outlined below.



**ATTACHMENTS**

Attachment 1	Vegetation Management Plan – Figure 3 (Path and seat location plan)
Attachment 2	Structure Plan Amendment Process Flowchart
Attachment 3	Schedule of Submissions

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr Currie SECONDED Cr Fishwick that Council:**

- 1 Pursuant to Clause 9.7 of the City of Joondalup’s District Planning Scheme No 2, ADOPTS as final the following proposed modification (as amended) to Clause 8.2 of the Marmion Structure Plan, and submits it to the Western Australian Planning Commission for final adoption and certification:**

**Amends Clause 8.2 to add the following:**

- (v) The path (and associated seating) stated in Recommendation 1 of the Vegetation Management Plan is not required to be implemented as part of the implementation of that plan. The open space shall be fenced so as to prevent public access, and any openings (for maintenance purposes) shall be suitable barriers to prevent public access;**

- 2 ADVISES the petitioners of Council’s decision accordingly.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (10/1)**

**In favour of the Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Currie, Hollywood and Amphlett **Against the Motion:** Cr Corr

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf310707.pdf](#)*

**CJ155-08/07 MONTHLY TOWN PLANNING DELEGATED  
AUTHORITY REPORT, DEVELOPMENT AND  
SUBDIVISION APPLICATIONS – JUNE 2007 –  
[07032] [05961]**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Mr Clayton Higham  
Planning & Community Development

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**PURPOSE**

To report on the number and nature of applications considered under Delegated Authority.

## EXECUTIVE SUMMARY

The provisions of clause 8.6 of the text to the District Planning Scheme No 2 allows Council to delegate all or some of its development control powers to those persons or committees identified in Schedule 6 of the Scheme text.

The purpose of delegation of certain powers by Council, in addition to other Town Planning matters, is to facilitate timely processing of development applications and subdivision applications. The framework for the delegation of those powers is set out in resolutions adopted by Council and is reviewed generally on a two yearly basis, or as required. All decisions made by staff, acting under delegated authority as permitted under the delegation notice, are reported to Council on a monthly basis.

The normal monthly report on Town Planning Delegations identifies:

- 1 Major development applications
- 2 Residential Design Codes
- 3 Subdivision applications

This report provides a list of the development and subdivision applications determined by those staff members with delegated authority powers during the month of June 2007 (see Attachments 1 and 2 respectively) for those matters identified in points 1-3 above.

## BACKGROUND

The number of development and subdivision applications determined for June 2007 under delegated authority and those applications dealt with as “R-code variations for single houses” for the same period are shown below:

<b>Approvals Determined Under Delegated Authority – Month of June 2007</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Value (\$)</b>
Development Applications	145	29,980,933
R-Code variations (Single Houses)	60	5,475,376
<b>Total</b>	205	35,456,309

The number of development applications received in June 2007 was 85. (This figure does not include any applications that may become the subject of the R-Code variation process).

<b>Subdivision Approvals Processed Under Delegated Authority Month of June 2007</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Potential new Lots</b>
Subdivision Applications	5	9
Strata Subdivision Applications	4	9

The District Planning Scheme No 2 requires that delegation be reviewed annually, unless a greater or lesser period is specified by Council. The Council, at its meeting of 17 July 2007 considered and adopted the most recent Town Planning Delegation for the period to 17 July 2009.

**DETAILS****Issues and options considered:**

Not Applicable

**Link to Strategic Plan:**

The strategic plan includes a strategy to provide quality value-adding services with an outcome to provide efficient and effective service delivery. The use of a delegation notice allows staff to efficiently deal with many simple applications that have been received and allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

**Legislation – Statutory Provisions:**

Clause 8.6 of the District Planning Scheme No 2 permits development control functions to be delegated to persons or Committees. All subdivision applications were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

**Risk Management considerations:**

The delegation process includes detailed practices on reporting, checking and cross checking, supported by peer review in an effort to ensure decisions taken are lawful, proper and consistent.

**Financial/Budget Implications:**

Not Applicable

**Policy implications:**

Not Applicable

**Regional Significance:**

Not Applicable

**Sustainability implications:**

Not Applicable

**Consultation:**

Consultation may be required by the provisions of the Residential Design Codes 2002, any relevant Town Planning Scheme Policy and/or the District Planning Scheme.

Of the 145 development applications determined during June 2007, consultation was undertaken for 52 of those applications. Of the 9 subdivision applications determined during June 2007, no applications were advertised for public comment, as the proposals complied with the relevant requirements.

All applications for an R-codes variation require the written support of the affected adjoining property owner before the application is submitted for determination by the Coordinator Planning Approvals. Should the R-codes variation consultation process result in an objection being received, then the matter is referred to the Director Planning and Community

Development or the Manager, Approvals, Planning and Environmental Services, as set out in the notice of delegation.

### **COMMENT**

Large local governments utilise levels of delegated authority as a basic business requirement in relation to Town Planning functions. The process allows determination times to be reasonably well accepted and also facilitates consistent decision-making in rudimentary development control matters. The process also allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

All proposals determined under delegated authority are assessed, checked, reported and crosschecked in accordance with relevant standards and codes.

### **ATTACHMENTS**

Attachment 1                    June 2007 decisions - Development Applications  
Attachment 2                    June 2007 Subdivision Applications processed

### **VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr Jacob SECONDED Cr Hollywood that Council NOTES:**

- 1        The determinations made under Delegated Authority in relation to the development applications described in Attachment 1 to Report CJ155-08/07 for June 2007;**
- 2        The determinations made under Delegated Authority in relation to the subdivision applications described in Attachment 2 to Report CJ155-08/07 for June 2007.**

**The Motion was Put and CARRIED (11/0) by En Bloc Resolution following consideration of Item CJ156-08/07, Page 78 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Currie, Fishwick, Hart, Hollywood, Jacob, John, Magyar and Macdonald

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf310707.pdf](#)*

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**CJ156-08/07      REQUEST FOR FACILITY UPGRADES – BRADEN PARK, MARMION – [04519] [01122]****WARD:** South**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Planning & Community Development

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**PURPOSE**

To provide recommendations for a proposed upgrade of facilities at Braden Park, Marmion.

**EXECUTIVE SUMMARY**

In July 2006, the City received a 100 signature petition from Marmion residents requesting the installation of new equipment at Braden Park.

City officers met with the residents who submitted the petition on site to discuss their requests and conducted an assessment of the park's existing facilities.

The City developed a plan of Braden Park detailing possible locations for the new equipment proposed. A letter describing each item of equipment and a copy of the plan was sent to a total of 157 households for comment. This included all residents who signed the petition and those households that immediately surround the park.

A total of 58 responses were received. 90% of respondents were in favour of the picnic shelter and 62% were in favour of the sports goals being installed. 52% were opposed to the tennis hit-up wall and 14% were opposed to all three items.

On 19 June 2007, a further 23 signature petition was submitted requesting the City to reconsider the proposed installation of sports goals and a tennis hit-up wall in Braden Park.

It is recommended that Council APPROVES the installation of a picnic shelter and sports goals (football and soccer) at Braden Park, Marmion.

**BACKGROUND**

This item was deferred by the Council, at its meeting held on 17 July 2007.

At the 25 July 2006 Council meeting, the City received a petition containing 100 signatures from local Marmion residents requesting new equipment to be installed at Braden Park. The items identified were:

- 1 A tennis hit-up wall, two sided;
- 2 Goal posts for practice purposes only (football and soccer);
- 3 An exercise circuit around the perimeter of the park; and
- 4 Picnic shelters.

At its meeting on 19 June 2007, Council received an additional 23 signature petition. The petition requests the City to reconsider and decide against the installation of the sports goals (football and soccer) and the tennis hit-up wall.

## DETAILS

Braden Park is 4.71 hectares in size and contains a playground, areas of natural vegetation, security lighting, a central footpath and a large level grassed area.

There is currently no formal hierarchy used to classify the City's parks and reserves. When reviewing Braden Park it was considered a 'passive neighbourhood' area as it services the local neighbouring community, and does not cater for active sports participation. Standard features commonly found in these parks include:

- Bushland / conservation areas
- Floodlighting for safety and security
- Minor sporting infrastructure (basketball ring, BMX track)
- Play equipment
- Picnic shelters
- Bench seating
- Footpaths

### Assessment:

The City conducted an assessment of Braden Park against the standard facilities that are provided at parks with similar characteristics. A summary of the evaluation of each item requested is detailed below:

- 1 Tennis hit-up wall  
Standard Feature of a Passive Neighbourhood Park (Yes/No): No

Comment:

*Currently, only one such facility exists within the City of Joondalup at Heathridge Park to accommodate the Heathridge Tennis Club.*

Cost Estimate: \$10,000

- 2 Goal posts (football and soccer)  
Standard Feature of a Passive Neighbourhood Park (Yes/No): No

Comment:

*Goal posts are not a standard feature on 'Passive Neighbourhoods Parks' and are generally confined to active sporting parks. However, such items could be considered if they involved one (1) single set for each sport as proposed, were designed for casual unstructured participation and had the support of the local community.*

Cost Estimate: \$5,000

- 3 Exercise circuit  
Standard Feature of a Passive Neighbourhood Park (Yes/No): No

Comment:

*An exercise circuit is not a standard feature on 'Passive Neighbourhoods Parks'. Currently, no parks in the City of Joondalup contain an exercise circuit. Such items attract users from outside the local area and are best situated in parks where ancillary facilities are available including car parking and toilets.*

Cost Estimate: \$3,000 (6 items - cost does not include installation or instructional signage).

- 4 Picnic shelter  
Standard Feature of a Passive Neighbourhood Park (Yes/No): Yes

Comment:

*Picnic shelters are considered a standard feature and an appropriate item of equipment to be installed at Braden Park.*

Cost Estimate: \$5,600 (with base included).

**Consultation:**

City officers met with the residents who submitted the petition to Council at Braden Park on the 17 April 2007. The purpose of this meeting was to discuss the items of equipment that had been requested and explain the consultation process being undertaken for the project.

On 3 May 2007, the City sent a letter to all residents who signed the petition and those households immediately surrounding the park. The letter included information on the proposed items of equipment requested, and a map of the park with possible locations indicated (Attachment 1). Of the items requested, the tennis hit-up wall, the sports goal posts and the picnic shelter were listed for consideration. The exercise circuit was not considered appropriate for Braden Park.

Residents were encouraged to provide comments on the proposal by Friday 25 May 2007.

**Results:**

A total of 157 letters were sent to residents surrounding Braden Park. 58 responses were received representing a 40% response rate. A summary table including the results of the community consultation is detailed below.

ITEM OF EQUIPMENT	SUPPORTED		OPPOSED	
	NUMBER OF RESPONSES	%	NUMBER OF RESPONSES	%
TENNIS HIT-UP WALL	28	48%	30	52%
GOAL POSTS	36	62%	22	38%
PICNIC SHELTER	52	90%	6	10%
ALL 3 ITEMS	25	43%	8	14%

Tennis hit-up wall

52% of respondents were opposed to this item. Negative comments focused on the tennis hit-up wall attracting anti-social behaviour, being noisy and a potential site for graffiti. Comments in support of this item suggested that an alternative location might be more appropriate nearer to the picnic shelter.

Goal posts

62% of respondents were supportive of this item. Supportive comments centered on increasing opportunities for children to participate in sport activities. Negative responses stated that the goal posts are unnecessary and a duplication of nearby facilities.

Picnic shelter

90% of respondents were supportive of this item. Negative comments were with regard to the picnic shelter potentially attracting anti-social activities and providing a place where young people 'hang out'.

Other

Additional comments received include;

- Provide a netball / basketball hoop
- Better lighting
- Put in a fence around the playground
- Provide cricket nets
- Provide shade cloth over playground
- Don't remove any trees
- Need pooch bags
- Provide a BBQ
- Provide more picnic shelters

**Link to Strategic Plan:**

Outcome      The City of Joondalup provides social opportunities that meet community needs.

Objectives    1.3      To continue to provide services that meet the changing needs of a diverse and growing community.

Strategies    1.3.1    Provide leisure and recreational activities aligned to community expectations, incorporating innovative opportunities for today's environment.

1.3.3    Provide support, information and resources.

**Risk Management considerations:**

There is both support for and opposition to the proposed amendments.

**Financial/Budget Implications:**

<b>Account No:</b>	
<b>Budget Item:</b>	2007/2008 Financial Budget
<b>Budget Amount:</b>	\$24,000
<b>YTD Amount:</b>	Nil
<b>Actual Cost:</b>	To be determined

**Sustainability Implications:**

Not Applicable.



## COMMENTS

Braden Park is considered a passive neighbourhood area designed to cater for the needs of the local community. It features playground equipment, areas of natural vegetation, security lighting, a central footpath that divides the park and a large level grassed area suitable for casual sports participation.

The initial petition that was presented to Council requested four (4) items of equipment to be installed at Braden Park. The City conducted an assessment of the park and evaluated the new equipment requested against the standard features that are provided at similar parks. The exercise circuit was not recommended as such items generally attract users from outside the local area and are best situated in parks that have facilities to accommodate regional users (car parking and toilets). No other parks in the City of Joondalup contain an exercise circuit.

The picnic shelter is a feature consistent with similar parks and was supported by 90% of community respondents. The goal posts, whilst not a common feature in passive park areas, have been requested to meet a local community need and were supported by the residents through the consultation process (62%).

The tennis hit-up wall was a specific item requested in the petition. A tennis hit-up wall is similar in nature to other pieces of minor sporting infrastructure. However, 52% of respondents were opposed to this item of equipment as they felt it would attract anti-social behaviour and provide a potential site for graffiti.

The second petition presented to Council requested the City to reconsider the installation of the goal posts and the tennis hit-up wall. Concerns focused on the tennis hit-up wall being a potential site for graffiti and attracting anti-social behaviour. Other signatories made additional comments requesting the park to be left 'as is'.

It is recommended that the City install a picnic shelter and goal posts at Braden Park. The picnic shelter will provide a meeting point for parents with children using the playground equipment and the goal posts will offer opportunities for casual sports participation. These items comply with the standard features provided by the City at parks with similar characteristics and will assist to increase local community use of the area.

The City will be implementing a review of all parks and reserves to develop a formal classification and facility provision schedule. The outcome of the review, which will recommend specific classifications for parks and reserves, will be presented to Council for endorsement. The outcome of the review will assist Council in managing future requests similar to Braden Park.

## ATTACHMENTS

Attachment 1            Plan of Braden Park with proposed locations of new facilities.

## VOTING REQUIREMENTS

Simple Majority

## OFFICER'S RECOMMENDATION

That Council APPROVES the installation of a picnic shelter and sports goals (football and soccer) at Braden Park, Marmion.

**MOVED Cr Currie SECONDED Cr Fishwick that Council:**

- 1 APPROVES the installation of a picnic shelter at Braden Park, Marmion at the location shown on the plan at attachment 1 to Report CJ156-08/07;**
- 2 DEFERS consideration of the sports goals (football and soccer) and the tennis hit-up wall pending the receipt of information on the demographic profile of the surrounding community, and the report on the hierarchy of open space and facilities.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf310707.pdf](#)*

**C44-08/07 COUNCIL DECISION – EN BLOC RESOLUTION**

**MOVED Cr Jacob SECONDED Cr Hollywood that pursuant to the Standing Orders Local Law 2005 – Clause 48 - Adoption of Recommendations en bloc, Council ADOPTS Items CJ143-08/07, CJ144-08/07, CJ146-08/07, CJ149-08/07, CJ150-08/07, CJ151-08/07, and CJ155-08/07.**

**The Procedural Motion was Put and**

**CARRIED (11/0)**

**In favour of the Procedural Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

**REPORT OF THE CHIEF EXECUTIVE OFFICER**

Nil.

The Chief Executive Officer advised he would correspond with Elected Members within the next 48 hours on an issue.

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

**C45-08/07 NOTICE OF MOTION NO 1 – CR KERRY HOLLYWOOD – REFURBISHMENT OF BURNS BEACH GROVNE**

In accordance with Clause 26 of Standing Orders Local Law 2005, Cr Kerry Hollywood has given notice of her intention to move the following motion at the Council meeting to be held on 7 August 2007:

***“That a report be presented to Council that:***

- 1 REVIEWS the options available for refurbishment of the Burns Beach Grovne identifying existing impacts on the beach and user safety;***

- 2** *CONSIDERS risks including sea level rises and wave overtopping, user safety and life cycle and future reconstruction costs for the options;*
- 3** *IDENTIFIES potential sources of funding from State and Commonwealth Governments that may reduce the City's capital cost of refurbishment;*
- 4** *OUTLINES a timeline for the project management of any refurbishment – detail investigation and planning, funding, community consultation, detail design, statutory approvals, tender and construction."*

### **REASON FOR MOTION:**

Cr Hollywood submitted the following comments in support of her Notice of Motion:

"The City has become aware of possible sources of grant funding from State and Commonwealth Governments that may reduce the City's capital cost of refurbishment. The report would identify the most suitable option, total costs and which costs can be offset by grant funds. If grant funding is available and an option which mitigates future risks and costs is determined to be suitable, then consideration may be given, subject to the grant program schedule, to funding the project as part of future budget deliberations."

### **OFFICER'S COMMENT**

The City engaged a coastal engineering consultant in 2002 to conceptually design and report on the layouts and costs of a range of options for the refurbishment of the Burns Beach Groyne. Although the costs were reviewed late last year, since the time of the original report there has been a better definition of the risk management issues associated with both user safety and financial consequences of storm damage and long-term maintenance.

To properly inform Council of the current issues, options, costs and time scale for project delivery, a review of the previous report is required. It is considered that this review by the City's panel coastal engineering consultant is estimated to cost \$10,000 with a 3 to 4 month time period for project briefing, reviews and reporting.

This project was considered as part of the 07/08 budget deliberations, however, no funds were allocated for progressing the project.

It is noted that the City's responsibility is to the high water mark, and beyond this point falls within the Department of Planning and Infrastructure's jurisdiction. Accordingly the review could be requested to be undertaken by DPI, otherwise, funds could be sourced as part of the half-year review in order for the City to proceed with the proposal.

**MOVED Cr Hollywood SECONDED Cr Magyar** that a report be presented to Council that:

- 1** REVIEWS the options available for refurbishment of the Burns Beach Groyne identifying existing impacts on the beach and user safety;
- 2** CONSIDERS risks including sea level rises and wave overtopping, user safety and life cycle and future reconstruction costs for the options;
- 3** IDENTIFIES potential sources of funding from State and Commonwealth Governments that may reduce the City's capital cost of refurbishment;
- 4** OUTLINES a timeline for the project management of any refurbishment – detail investigation and planning, funding, community consultation, detail design, statutory approvals, tender and construction.

Discussion ensued.

Mayor Pickard foreshadowed his intention to move a different motion should the Motion under consideration not be successful.

### **The Motion was Put and**

**LOST (2/9)**

**In favour of the Motion:** Crs Currie and Macdonald **Against the Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Hart, Fishwick, Corr, Hollywood and Amphlett

In view of advice provided by the Chief Executive Officer that the foreshadowed motion was not able to be moved at this meeting, Mayor Pickard advised that a Notice of Motion would be presented to the next meeting of Council.

### **C46-08/07      NOTICE OF MOTION NO 2 – CR GEOFF AMPHLETT – REPORT ON THE CITY’S ABILITY TO ENHANCE THE WELFARE OF ANIMALS IN PET SHOPS IN JOONDALUP**

In accordance with Clause 26 of the Standing Orders Local Law 2005, Cr Geoff Amphlett has given notice of his intention to move the following Motion at the Council meeting to be held on Tuesday, 7 August 2007:

***“That Council REQUESTS a report from the Chief Executive Officer on the City’s ability to enhance the welfare of animals and, in particular, cats and dogs, which are sourced by and sold through pet shops within the City.”***

### **REASONS FOR MOTION**

Cr Amphlett submitted the following comments in support of his Notice of Motion:

“In 2002, the State Government passed a new Animal Welfare Act for Western Australia. This significantly enhanced animal protection as the new Act covered more animal species and increased penalties (to a maximum of \$50,000 for an individual with a minimum of \$2,000).

While acknowledging the State Government’s initiative, the welfare of animals sourced by and sold through pet shops can be of concern in some instances. Consequently, the report requested will identify whether the City of Joondalup can assist in supporting animal welfare in this important area.”

### **OFFICER’S COMMENT**

A report can be prepared.

**MOVED Cr Amphlett SECONDED Cr Magyar that Council REQUESTS a report from the Chief Executive Officer on the City’s ability to enhance the welfare of animals and, in particular, cats and dogs, which are sourced by and sold through pet shops within the City.**

Discussion ensued.

**AMENDMENT MOVED** Cr John **SECONDED** Cr Hart that an additional point 2 be added to the motion, to read:

**“2     *the ability of the City to enforce compulsory registration of cats and dogs sold in pet shops”***

**The Amendment was Put and**

**CARRIED (9/2)**

**In favour of the Amendment:** Mayor Pickard, Crs Currie, Magyar, Macdonald, Hart, Fishwick, John, Hollywood and Amphlett **Against the Amendment:** Crs Jacob and Corr

**The Original Motion as amended, being:**

**That Council REQUESTS a report from the Chief Executive Officer on:**

- 1     the City’s ability to enhance the welfare of animals and, in particular, cats and dogs, which are sourced by and sold through pet shops within the City;**
- 2     the ability of the City to enforce compulsory registration of cats and dogs sold in pet shops**

**Was Put and**

**CARRIED (9/2)**

**In favour of the Motion:** Mayor Pickard, Crs Currie, Magyar, Macdonald, Hart, Fishwick, John, Hollywood and Amphlett **Against the Motion:** Crs Jacob and Corr

**C47-08/07     NOTICE OF MOTION NO 3 – CR RUSS FISHWICK – SMOKING BAN WITHIN 25 METRES OF COUNCIL OWNED BUILDINGS**

In accordance with Clause 26 of Standing Orders Local Law 2005, Cr Russ Fishwick has given notice of his intention to move the following motion at the Council Meeting to be held on 7 August 2007:

***“That Council REQUESTS a report from the Chief Executive Officer on banning smoking outside all Council-owned property; including within a distance of 25 metres from all entry, exits and apertures where there is a constructed building improvement and when that building is open to the public or occupied by people.”***

**REASON FOR MOTION**

Cr Fishwick submitted the following comments in support of his Notice of Motion:

“Upon entering Council owned facilities such as the Craigie Leisure Centre, the Function Centre at the Administration complex which is leased out for private functions and several libraries, non smokers are subject to the effects of passive smoking from people who gather outside of these facilities to smoke.

Concomitant with the above there is the issue of littering caused by those smokers who just discard their cigarette butts on the pavement outside of these facilities.

As we have banned smoking on our beaches I think we should also extend the smoking ban to a distance of at least 25 metres from entry and exit points and apertures at all Council owned buildings that are open to the public or occupied by people to prevent the effects of passive smoking from damaging the health of non-smokers.”

### **OFFICER’S COMMENT**

A report can be prepared.

**MOVED Cr Fishwick SECONDED Cr Currie that Council REQUESTS a report from the Chief Executive Officer on banning smoking outside all Council-owned property; including within a distance of 25 metres from all entry, exits and apertures where there is a constructed building improvement and when that building is open to the public or occupied by people.**

Discussion ensued.

**AMENDMENT MOVED Cr Magyar SECONDED Cr Jacob that the Motion be amended to read:**

**“..... on banning smoking outside all Council operated, vested or owned buildings;”**

Discussion ensued.

**The Amendment was Put and**

**CARRIED (11/0)**

**In favour of the Amendment:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

**AMENDMENT MOVED Cr Corr that the words “entry, exits and apertures” be amended to read “entries and exits.”**

**There being NO SECONDER, the Amendment**

**LAPSED**

**The Original Motion, as amended, being:**

**That Council REQUESTS a report from the Chief Executive Officer on banning smoking outside all Council operated, vested or owned buildings; including within a distance of 25 metres from all entry, exits and apertures where there is a constructed building improvement and when that building is open to the public or occupied by people.**

**Was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

**C48-08/07     NOTICE OF MOTION NO 4 - CR STEVE MAGYAR - REQUEST FOR A REPORT ON THE BRISBANE CITY COUNCIL’S CLIMATE CHANGE AND ENERGY TASKFORCE REPORT “A CALL FOR ACTION”**

In accordance with Clause 26 of Standing Orders Local Law 2005, Cr Steve Magyar has given notice of his intention to move the following motion at the Council Meeting to be held on 7 August 2007:

***“That Council REQUESTS a report from the Chief Executive Officer to Council on the Brisbane City Council’s Climate Change and Energy Taskforce Report “A Call for Action”, and if the Brisbane Report can be of use to the City of Joondalup in planning its long term future.”***

### **REASON FOR MOTION**

Cr Magyar submitted the following comment in support of his Notice of Motion:

“The Brisbane City Council’s Climate Change and Energy Taskforce has released its report “A Call for Action”. This comprehensive report appears to be the first of its type done by a local government in Australia.

The Brisbane report was featured in an article in the Local Government Managers Australia, WA Division publication “Statewide”, winter 2007 No 133, on pages 11 and 12.

The intention of this motion is to request the Chief Executive Officer to help Council to keep up to date in the latest developments in Australian local governments’ responses to major issues.

A link to the report page at the Brisbane City Council’s website is given below:

<http://www.brisbane.qld.gov.au/BCC:BASE:1175543007:pc=PC 2526>

One action after reviewing the “A Call of Action” report may be to request WALGA to coordinate an industry wide effort to fully research effective responses to the issues and actions detailed the Brisbane report.”

### **OFFICER’S COMMENT**

A report can be prepared.

**MOVED Cr Magyar SECONDED Cr Amphlett that Council REQUESTS a report from the Chief Executive Officer to Council on the Brisbane City Council’s Climate Change and Energy Taskforce Report “A Call for Action”, and if the Brisbane Report can be of use to the City of Joondalup in planning its long term future.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Pickard, Crs Magyar, Jacob, John, Macdonald, Hart, Fishwick, Corr, Currie, Hollywood and Amphlett

### **ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

Cr Currie advised of his intention to submit the following Notice of Motion for consideration at the Council meeting to be held on 28 August 2007:

That:

- 1 Council requests a report from the CEO on a Master Planning Project for Percy Doyle Reserve focusing on the future sustainability of the City's assets and the effective and efficient delivery of services to local sport, recreation clubs and community groups;
- 2 the report referred to at one (1) above, will include the process and timing involved in the project, details of potential issues for consideration and a summary of the sporting clubs and community groups that utilise the existing facilities.

Mayor Pickard advised of Cr Hollywood's intention to submit the following Notice of Motion for consideration at the Council meeting to be held on 28 August 2007:

That:

- 1 REQUESTS a report from the CEO on the master planning project for Burns Beach focussing on the future enhancement of the provision of facilities within the foreshore catchment area including, but not limited to, the establishment of a surf club, redevelopment of Jack Kikeros Hall, provision of a restaurant, café facility, parking, groyne refurbishment, enhancement of the Burns Beach foreshore park and a snorkelling trail;
- 2 the report referred to at 1 above will include the process and timing involved in the project, details of potential issues for consideration and a summary of the stakeholders and community groups relevant to the Burns Beach foreshore catchment area.

## CLOSURE

There being no further business, the Mayor declared the Meeting closed at 1407 hrs; the following Elected members being present at that time:

MAYOR T PICKARD  
Cr K HOLLYWOOD  
Cr A JACOB  
Cr S MAGYAR  
Cr M MACDONALD  
Cr G AMPHLETT  
Cr M JOHN  
Cr S HART  
Cr B CORR  
Cr R FISHWICK  
Cr R CURRIE