

# Minutes **Ordinary Meeting of Council**

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

**ON TUESDAY, 30 SEPTEMBER 2008**

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**MINUTES OF COUNCIL MEETING  
HELD ON TUESDAY 30 SEPTEMBER 2008**

**TABLE OF CONTENTS**

<b>No:</b>	<b>Item</b>	<b>Page</b>
	<b>DECLARATION OF OPENING</b> .....	1
	<b>ANNOUNCEMENT OF VISITORS</b> .....	1
	<b>PUBLIC QUESTION TIME</b> .....	2
	<b>PUBLIC STATEMENT TIME</b> .....	
	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	
C59-09/08	REQUESTS FOR LEAVE OF ABSENCE – MAYOR PICKARD AND CR M MACDONALD - [29610] .....	7
	<b>CONFIRMATION OF MINUTES</b>	
C60-09/08	MINUTES OF COUNCIL MEETING, 2 SEPTEMBER 2008.....	8
	<b>ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION</b>	
	HEATHRIDGE VERGE COMPETITION WINNERS .....	8
	2008 INVITATION ART AWARD.....	9
	<b>DECLARATIONS OF INTEREST</b> .....	9
	<b>IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS</b> .....	9
	<b>PETITIONS</b>	
C61-09/08	PETITION REQUESTING THE UPGRADE OF PLAY EQUIPMENT – SHEOAK PARK, TUART ROAD, GREENWOOD - [19041] [17849].....	10
	PETITION REQUESTING THE IMPROVEMENT OF SIGHT LINES BETWEEN THE ROAD AND PLAY AREA AND RESTORATION OF PLAY EQUIPMENT AT CALEDONIA PARK, JOONDALUP - [04370] .....	11
	PETITION IN RELATION TO SAFETY REVIEW OF BIKE TRACK, WARWICK ROAD AND CHESSELL DRIVE, DUNCRAIG - [13289] [05470] [09384].....	11
	PETITION IN RELATION TO DESTRUCTION OF NATIVE VEGETATION ALONG BURNS BEACH ROAD, ILUKA - [25132].....	11

**REPORTS**

<b>ITEM NO</b>	<b>TITLE</b>	<b>PAGE NO</b>
CJ194-09/08	EXECUTION OF DOCUMENTS - [15876]	12
CJ195-09/08	MINUTES OF EXTERNAL COMMITTEES - [03149] [00033] [60514]	15
CJ196-09/08	SETTING OF MEETING DATES – 2009 - [08122]	16
CJ197-09/08	TIMING OF STREETLIGHTING OPERATIONS WITHIN THE CITY OF JOONDALUP - [59091]	21
CJ198-09/08	MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE HELD ON 21 AUGUST 2008 – [00906]	26
CJ199-09/08	MINUTES OF THE POLICY COMMITTEE MEETING HELD ON 16 SEPTEMBER 2008 – [18058]	30
CJ200-09/08	FUTURE VERGE ENHANCEMENT PROJECTS - [87541]	35
CJ201-09/08	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 JUNE 2008 - [07882]	42
CJ202-09/08	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JULY 2008 - [07882]	45
CJ203-09/08	LIST OF PAYMENTS MADE DURING THE MONTH OF JULY 2008 - [09882]	47
CJ204-09/08	LIST OF PAYMENTS MADE DURING THE MONTH OF AUGUST 2008 - [09882]	49
CJ205-09/08	MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 19 AUGUST 2008 - [50068]	52
CJ206-09/08	TENDER 032/08 DEMOLITION, REMOVAL, SUPPLY, INSTALLATION, COMMISSIONING AND MAINTENANCE OF AIR CONDITIONING FOR DUNCRAIG LIBRARY - [61617]	58
CJ207-09/08	TENDER 035/08 SUPPLY, DELIVERY AND LAYING OF ASPHALT - [74618]	62
CJ208-09/08	MINUTES OF THE CONSERVATION ADVISORY COMMITTEE HELD ON 27 AUGUST 2008 - [12168]	67
CJ209-09/08	PETITION OPPOSING THE PROVISION OF A PATH IN ELLISON DRIVE, PADBURY - [29067]	71
CJ210-09/08	PROPOSED SURRENDER OF LEASE FOR LOT 20, 11 BINDAREE TERRACE, KINGSLEY – BINDAREE ROTARY PARK - [20124]	74
CJ211-09/08	FISH KILL INCIDENT AT OCEAN REEF MARINA - [04171]	77
CJ212-09/08	MONTHLY TOWN PLANNING DELEGATED AUTHORITY REPORT, DEVELOPMENT AND SUBDIVISION APPLICATIONS – AUGUST 2008 - [07032] [05961]	80
CJ213-09/08	CONSIDERATION OF A DESIGN ADVISORY PANEL FOR THE CITY OF JOONDALUP - [02153]	83

CJ214-09/08	PROPOSED ROAD CLOSURE – PORTION OF REAR LANEWAYS ABUTTING LOTS 403 (100), 404 (102) AND STRATA LOT 2 (104B) OF STRATA PLAN 42171 WEST COAST DRIVE, SORRENTO - [14956] [08069]	90
CJ215-09/08	MINUTES OF THE SENIORS INTERESTS ADVISORY COMMITTEE MEETING HELD ON 6 AUGUST 2008 - [55511]	95
CJ216-09/08	STATE ADMINISTRATIVE TRIBUNAL REVIEW – PROPOSED ADDITIONS AND ALTERATIONS TO THE JOONDALUP HEALTH CAMPUS - [00109]	99

C62-09/08      **COUNCIL DECISION – EN BLOC RESOLUTION – [02154]..... 109**

C63-09/08      **REPORT OF THE CHIEF EXECUTIVE OFFICER**  
APPOINTMENT OF MEMBER OF THE TAMALA PARK REGIONAL  
COUNCIL - [41196] ..... 109

C64-09/08      **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN..... 111**  
NOTICE OF MOTION – CR MARIE MACDONALD – CALL FOR  
ENVIRONMENTAL IMPACT STUDY TO BE PREPARED BEFORE  
A DESIGN IS CHOSEN FOR THE OCEAN REEF MARINA -  
[07303] [04171]

**ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT  
MEETING ..... 112**

**CONGRATULATIONS – CR ALBERT JACOB..... 112**

**CLOSURE ..... 112**

# CITY OF JOONDALUP

## MINUTES OF COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY, 30 SEPTEMBER 2008

### DECLARATION OF OPENING

The Mayor declared the meeting open at 1904 hrs.

### ANNOUNCEMENT OF VISITORS

Mayor Pickard welcomed participants and prize winners of the recently held Heathridge Verge Competition.

### ATTENDANCES

#### Mayor:

TROY PICKARD

#### Councillors:

Cr KERRY HOLLYWOOD	North Ward	
Cr TOM McLEAN	North Ward	
Cr TRONA YOUNG	North-Central Ward	
Cr ALBERT JACOB, JP	North-Central Ward	<i>Absent from 2117 hrs to 2123 hrs</i>
Cr MARIE MACDONALD	Central Ward	
Cr GEOFF AMPHLETT	Central Ward	
Cr MICHELE JOHN	South-West Ward	
Cr MIKE NORMAN	South-West Ward	
Cr BRIAN CORR	South-East Ward	

#### Officers:

MR IAN COWIE	Acting Chief Executive Officer	
MR CLAYTON HIGHAM	Director, Planning & Community Development:	
MR SAID HAFEZ	Acting Director, Corporate Services	
MR MIKE SMITH	Acting Director, Governance & Strategy	<i>Absent from 2048 hrs to 2049 hrs</i>
MR PAUL KELLICK	Acting Director, Infrastructure Services	
MR CHRIS TERELINCK	Manager, Approvals, Planning & Environmental Services	
MS JULIE CHENG	Acting Manager, Governance & Strategy	
MR MARK McCRORY	Media Advisor	
MRS LESLEY TAYLOR	Acting Administrative Services Coordinator	
MRS JILL HEWISON	Administrative Secretary	

There were 20 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 2 September 2008:

**Mrs H Chester, Kingsley:**

*Re: Item CJ176-09/08 - Landscape Master Planning – Endorsement of Concept Design for Iconic Arterial Road Projects*

Q1 *What is the cost to the City of the seven page pictorial report prepared by Landscape Architects in relation to the concept design for the seven iconic arterial road projects?*

A1 The consultancy for this project was \$10,000 and paid to Plan-e.

**Mr S Magyar, Heathridge:**

Q1 *Can the tape of the meetings be left on the Council's website for people who cannot attend the meeting and not have to wait a week before listening to?*

A1 The audio recordings of Council meetings are available on the City's website at the commencement of the next business day following a meeting and remain on the website for a period of 120 days.

The following questions were submitted in writing prior to the Council meeting:

**Mr B Cooper-Cooke, Joondalup:**

*Re: Joondalup Parking Restrictions.*

Q1 *Tern Ridge and Woodswallow Close have no footpaths. Why is the Council creating a system where more cars will move onto these streets and endanger such people?*

A1 Permit parking restrictions are being introduced to help manage the expected overflow of commuter parking into residential streets which will benefit residents by ensuring parking spaces are available when needed. The existing embayments are unaffected.

Q2 *To utilise more of the University and TAFE carparks, is it possible to encourage them to use a different strategy other than the present one i.e. include the cost of the parking permit in their enrolment fee?*

A2 The City is already in discussions with the education campus administration about the parking scheme.

**Mr K Robinson, Como:**

- Q1 *Does the requirement of Section 5.65 of the Local Government Act to declare “an interest in any matter to be discussed at a Council ...” include matters raised in questions to Council?*
- A1 The City takes the position that this is not the case.
- Q2 *Does the term “discussed” used in the Code of Conduct in relation to the disclosure of impartiality interests have a different meaning to the term “discussed” as used in relation to the disclosure of interests contained in the Local Government Act?*
- A2 The meaning of the word ‘discussed’ is found in a dictionary.
- Q3 *Where in the Code of Conduct is the term “discussed” defined or in the absence of such a definition should questions from members of the public be regarded as matters to be discussed for the purpose of requiring members and employees to disclose interests that affect impartiality?*
- A3 Questions posed are not discussed. They are asked and responded to.
- Q4 *Does the City Standing Orders list Public Question Time as an item of business on Council agendas?*
- A4 Yes.
- Q5 *Do the City’s Standing Orders contain an item of business “announcements by the presiding members without discussion”?*
- A5 Yes.

**Mr C Page, Iluka:**

*Re: Proposed Draft Cats Local Law 2008*

- Q1 *Regarding the draft Cats Local Law 2008, why has Council made it such a priority, when cat complaints per month number only one or two per month, compared to dog complaints of 356?*
- Q2 *How can this draft Cats Local Law 2008 be justified, when no research has been conducted into the cat population of Joondalup, or cat ownership?*
- A1 & 2 The draft local law has been prepared in response to concerns raised relating to the control of cats. The City is seeking public comment prior to determining the future of a cat local law.
- Q3 *In drafting the Cats Local Law 2008, why has Council ignored the recommendations of City officers and the WA Rangers Association, that Council not adopt this law?*
- A3 The Council considered the report relating to the matter of the draft Cat Local Law prior to releasing the proposed local law for community consultation.

- Q4 *To what extent has Council, or Policy Committee, or individual Council members been lobbied by the Cat Haven, RSPCA?*
- A4 The City consulted directly with these organisations throughout the consultation period and each organisation has made a submission in relation to the proposed local law.
- Q5 *In drafting the Cats Local Law 2008, why has the Council or Policy Committee not consulted with cat owners of Joondalup City?*
- A5 Opportunity for cat owners to comment on the proposed local law was provided during the consultation period. Cat owners were able to address drafting matters during this period and make their own suggested changes or comments for Council to consider.

**Mr G Pooley, Marmion:**

- Q1 *An urgent safety need for summer 2008/2009 is access from West Coast Drive down onto the Marmion beach south of MAAC Club. Now a rough bitumen track and sand area used by cars, trucks & 4wd makes access to the beach difficult and dangerous, especially to mothers pushing children in strollers, who have to go into the sand dunes to bypass the said vehicles blocking access between MAAC and toilet block. Dangerous to children when said vehicles are reversing to leave sand car park. May we have safe access for 2008/2009 for elderly and children? Before sewage we had brick stairs with hand rails. A zebra crossing is also necessary to cross West Coast Drive.*
- A1 As the speed limit of West Coast Drive is 50km/h and a crossing facility with a median islands exists, this location would not meet of the requirements for Main Roads to approve a zebra crossing.

Access to the small swimming area and toilet block south of the Marmion Angling and Aquatic Club (MAAC) will be reinstated with the West Coast Drive Dual Use Path upgrade. There are two accesses proposed:

- 1 being normal steps from the current lookout location;
- 2 another set of easy going long steps from the northern end of the southern car park (adjacent to the driveway of the MAAC building). These steps are currently being documented by the Consultants and do involve substantial retaining walls.

This work will be completed by October 2009.

- Q2 *Who paid for shrubs and installation on verge at Cliff St between Ozone Rd and Troy Ave? Also island in Cliff St between Ozone Road and Troy Avenue. Who paid for fancy brick paving (very nice) at intersections of Cliff Street and Troy Avenue, Cliff Street and Ozone Road, Leach Street and Troy Avenue, Leach Street and Ozone Road?*
- Q3 *Who pays for watering and maintenance?*
- A2 & 3 The Developers (Marmion Estate Pty Ltd) that are developing the site boarded by Cliff Street, Ozone Road, Troy Avenue and Leach Street financed the landscaping, corner entry statements and blister island in Cliff Street. They are responsible for the maintenance of these items for the first two years (establishment period) after which this infrastructure falls under the responsibility of the City.



**Mr J Spack, Como:**

- Q1 *Further to the City's response published in the Council Minutes of 5 August 2008 indicating that the City had overlooked providing Mr Robinson with responses to each of the questions he submitted to the November 2007 Briefing until approximately nine (9) months after they were submitted notwithstanding that Mr Hunt had been advised on not less than 18 occasions that a response to a number of questions had not been provided, please advise if the oversight included each of the e-mails sent to Mr Hunt and whether the oversight was unintentional or deliberate?*
- Q2 *If Mr Robinson's subsequent e-mails to Mr Hunt, being the officer Mr Robinson has been directed to forward all his correspondence to, advising of the lack of response to the questions, were not being deliberately ignored by Mr Hunt given the questions also related to the CEO's performance, what action did Mr Hunt take in relation to each of the e-mails he received advising that Mr Robinson had not received the City's response to each of the questions he submitted to the November 2007 Briefing Session and requesting that a response be provided?*
- Q3 *Given the lack of a response to each of the questions submitted to the November 2007 Briefing Session for a period of approximately nine (9) months and despite not less than 18 e-mails advising of the lack of a response and requesting that a response be provided as well as the subject matter of the questions raising issues pertaining to the CEO's performance and given that there have been numerous other irregularities associated with the Administration's handling of matters submitted by Mr Robinson raising concerns with their conduct, will consideration be given to nominating an alternative officer capable of dealing with matters in an impartial, timely and competent manner?*
- Q4 *Is it true that despite the mistakes and errors made by officers of the City in not providing a response to each of the questions submitted to the November 2007 Briefing Session by Mr Robinson for a period of approximately nine (9) months as well as Mr Hunt failing to return Mr Robinson's calls and despite the e-mails to Mr Hunt advising that responses had not been required and were awaited, that Mr Robinson has not been provided with any apology or an explanation as to how Mr Hunt could overlook not less than 18 e-mails over a period of 9 months indicating responses had not been received?*
- Q5 *How is Mr Hunt's ongoing involvement in dealing with matters submitted by Mr Robinson, given his previous disclosure of an interest affecting his impartiality in dealing with matters raised by Mr Robinson and the manner in which the questions submitted to the briefing session held in November 2007 were dealt with together with the unsatisfactory explanations provided as to how responses were overlooked given that Mr Hunt was also sent not less than 18 e-mails advising that responses were still awaited, appropriate and consistent with the statements included in the City's Code of Conduct relating to the conduct of officers in dealing with members of the public?*
- A1-5 The administrative oversight that occurred was not intentionally made. Mr Robinson sends a large volume of email correspondence, on a wide range of issues, to the City which has a significant impact on resources. Since February 2007, Mr Robinson has submitted 928 questions to Council meetings. Mr Robinson has received responses to all questions submitted to Briefing Sessions and Council Meetings (with the exception of those over and above the five questions per meeting quota. These questions will be carried over to subsequent meetings).

The City has an obligation to ensure that the number of approaches and the nature and scale of requests from members of the public do not create an inappropriate burden on resources. In this regard, due to the contacts Mr Robinson has made over a substantial period of time, it has been necessary to nominate the Chief Executive Officer as the person to deal with Mr Robinson's various issues.

Mr Robinson's email correspondence is received, read and registered. Responses are provided where Mr Robinson raises new issues.

**The following questions were submitted verbally at the Council meeting held on 30 September 2008:**

**Mr S Magyar, Heathridge:**

*Re: Notice of Motion – Cr Macdonald – Call for Environmental Impact Study to be prepared before a design is chosen for the Ocean Reef Marina.*

Q1 *Will the Council release the Environmental Impact Studies as soon as possible on line so that the public can be familiar with the environmental aspects of the Ocean Reef Marina?*

A1 This question will be taken on notice.

*Re: CJ213-09/08 – Consideration of a Design Advisory Panel for the City of Joondalup.*

Q2 *Is the Design Advisory Panel a Committee of Council and is that the reason for it requiring an Absolute Majority?*

A2 Council is required to make a decision on the nature and stature of the body. Absolute majority has been included should the Council wish to create a Committee of Council.

**Mr C Page, Iluka:**

*Re: Draft Local Law for Cats 2008*

Q1 *Why has Council made such a high priority in favour of a draft Cats Local Law, when City Officers recommended so strongly against it?*

A1 It is the prerogative of Council to determine what strategic priority it places on a particular initiative before it. This item was initiated by a Notice of Motion over 12 months ago and it is not accurate to suggest that the City has given priority to preparing a draft Local Law for cats. Ultimately, it is a prerogative of the Council to determine what issues it wishes to put forward either for public comment or strategic initiatives.

Q2 *Why has Council or the City established no research into the cat population of Joondalup or cat ownership?*

A2 This question will be taken on notice.

**PUBLIC STATEMENT TIME****Mr M Dickie, Duncraig:**

Mr Dickie spoke in support of Item CJ213-09/08 – Consideration of a Design Advisory Panel for the City of Joondalup.

**Mr S Magyar, Heathridge:**

Mr Magyar made reference to comments made by Mr Dickie regarding the Design Advisory Panel and spoke in relation to Item CJ198-09/08 – Minutes of the Sustainability Advisory Committee meeting held on 21 August 2008 and the proposal to have a workshop at the next Sustainability Advisory Committee Meeting.

**Mr C Page, Iluka:**

Mr Page spoke in relation to the Draft Local Law for Cats 2008.

**APOLOGIES AND LEAVE OF ABSENCE****Leave of Absence previously approved**

Cr Russ Fishwick	1 September – 19 October inclusive
Cr Sue Hart	9 October 2008

Apologies - Crs Diaz and Hart

**C59-09/08                      REQUEST FOR LEAVE OF ABSENCE – CR M MACDONALD – [29610]**

Cr M Macdonald has requested Leave of Absence from Council duties covering the period 14 – 22 November 2008 inclusive.

**OFFICER'S RECOMMENDATION:** That Council APPROVES the request from Cr M Macdonald for Leave of Absence from Council duties covering the period 14 – 22 November 2008 inclusive.

**MOVED Cr Amphlett, SECONDED Cr Young that Council APPROVES the following requests for Leave of Absence from Council duties:**

- **Cr M Macdonald**                      **14 – 22 November 2008 inclusive**
- **Mayor Pickard**                      **18 November 2008 and 9 December 2008**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

## CONFIRMATION OF MINUTES

**C60-09/08**

### **MINUTES OF COUNCIL MEETING, 2 SEPTEMBER 2008**

**MOVED Cr John, SECONDED Cr McLean that the Minutes of the Council Meeting held on Tuesday, 2 September 2008 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

## ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

### **HEATHRIDGE VERGE COMPETITION WINNERS**

Tonight, I will present the winners and runners-up of the Heathridge Verge Enhancement competition that was recently held by the City.

The purpose of the competition was to encourage Heathridge residents to manage their verges in environmentally friendly and waterwise ways where possible, while ensuring they met the City's Verge Treatment Guidelines.

Residents participating in this innovative initiative showed their commitment to local amenity in Heathridge through contributing their own time, effort and money towards maintaining their front verges and also their gardens.

Certificates will be awarded to the competition runners up.

The runners-up are Ms Daisy Tan of 39 Abrolhos Drive Heathridge, Judith and Derek Humphries of 20 Lysander Drive and Ms Lisa Bradly of 11 Fitzroy Place, Heathridge, who is unable to be present this evening.

The top three in the best standard verges category, with prizes being vouchers for various garden and hardware stores are.

- Third prize goes to Mrs June Higgs of 50 Caridean Street, Heathridge, congratulations.
- Second prize goes to Mr and Mrs Field of 15 Fitzroy Place, Heathridge, well done.
- First prize goes to Mrs Shirley Frazer of 102 Poseidon Road, congratulations on winning the standard verge category.

Prizewinners of the exceptional verges category, with prizes of vouchers for garden and hardware stores are.

- Third prize goes to Mrs Valma Truu of 18 Spirula Way, Heathridge, congratulations.
- Second prize goes to Phillipa and John Collishaw of 4 Mangowine Close, Heathridge, well done.
- First prizes to Ms Dana Broughey of 61 Balanus Way, Heathridge – congratulations on developing the most exceptional verge in your suburb.

Thank you to everyone who participated in this worthwhile competition to enhance the streetscapes of Heathridge and tonight the Council will discuss the verge competition concept and whether to continue with it.

## **2008 INVITATION ART AWARD**

The City of Joondalup Invitation Art Award, one of the most prestigious annual art prizes in Perth, is back again for another year.

This year's event will run from 16 October 2008 to 1 November 2008 at the Lakeside Joondalup Shopping City with the exhibition opened to the public during shopping hours.

This is the 11th Invitation Art Award and the exhibition promises to be of an extremely high calibre with many renowned Perth artists participating this year.

The Invitation Art Award proudly demonstrated the City's ongoing commitment to the promotion of quality WA contemporary art.

The exhibition continues to build a strong reputation as a prestigious and competitive award and offers one of the largest cash prizes of its kind in Western Australia, an acquisitive prize of \$10,000.

The winning artwork joins the City's valuable and growing art collection for display in the Civic Chambers, Administration Building and Libraries for the enjoyment of the whole community.

At a time when the creative industries have become an integral part of fostering community pride, tourism and business development, the City of Joondalup strives to be a local government leader through its support of the visual arts.

37 of WA's leading contemporary artists will be exhibiting in 2008.

## **DECLARATIONS OF INTEREST**

### **Disclosure of Financial Interests**

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

<b>Name/Position</b>	<b>Cr Albert Jacob</b>
<b>Item No/Subject</b>	CJ216-09/08 - State Administrative Tribunal Review – Proposed Additions and Alterations to the Joondalup Health Campus - [00109]
<b>Nature of interest</b>	Financial
<b>Extent of interest</b>	Cr Jacob's wife is an employee of Joondalup Health Campus

### Disclosure of interest affecting impartiality

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

<b>Name/Position</b>	<b>Cr Mike Norman</b>
<b>Item No/Subject</b>	C61-09/08 - Petitions (No 4 – Petition in relation to destruction of native vegetation along Burns Beach Road, Iluka)
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	Cr Norman is Chairman of Joondalup Community Coast Care Forum and signatory to the petition

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer</b>
<b>Item No/Subject</b>	CJ205-09/08 – Minutes of the Audit Committee Meeting held on 19 August 2008 – (Item 6 - CEO's Credit Card Expenditure and Item 7 - Increase in the Maximum Limit for the CEO's Corporate Credit Card)
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	The CEO is the card holder (Mr Hunt was not present at this meeting.)

<b>Name/Position</b>	<b>Mr Martyn Glover – Director, Infrastructure Services</b>
<b>Item No/Subject</b>	CJ207-09/08 - Tender 035/08 – Supply, Delivery and Laying of Asphalt
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	One of the tenderers is a personal friend of Mr Glover (Mr Glover was not present at this meeting.)

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

Nil.

### PETITIONS

#### **C61-09/08                    PETITIONS SUBMITTED TO THE COUNCIL MEETING – 30 SEPTEMBER 2008**

- 1            PETITION REQUESTING THE UPGRADE OF PLAY EQUIPMENT – SHEOAK PARK, TUART ROAD, GREENWOOD - [19041] [17849]

A 44-signature petition has been received from Greenwood residents requesting the upgrade of play equipment in Sheoak Park to include equipment specifically designed for young children aged 1-4 years old such as rocking horses, and additional swings.

2 PETITION REQUESTING THE IMPROVEMENT OF SIGHT LINES BETWEEN THE ROAD AND PLAY AREA AND RESTORATION OF PLAY EQUIPMENT AT CALEDONIA PARK, JOONDALUP - [04370]

Three petitions containing ten-signatures have been received from residents of the City of Joondalup requesting the:

- improvement of sight lines between the road and play area at Caledonia Park, Joondalup by trimming back the surrounding bush in order that the play equipment is clearly visible from the road;
- park be made more family friendly and restoration of play equipment.

It is noted that a further one-signature petition was received disagreeing with this request.

3 PETITION IN RELATION TO SAFETY REVIEW OF BIKE PARK, WARWICK ROAD AND CHESSELL DRIVE, DUNCRAIG - [13289] [05470] [09384]

Mayor Pickard tabled a 53-signature petition on behalf of Mr Tony Krsticevic, Member for Carine, from residents of the City of Joondalup requesting:

- (a) that a safety review be undertaken at the Bike Park located at the corner of Warwick Road and Chessell Drive, Duncraig;
- (b) that the City conduct all the necessary improvements to ensure that Bike Park remains safe for children.

4 PETITION IN RELATION TO DESTRUCTION OF NATIVE VEGETATION ALONG BURNS BEACH ROAD, ILUKA - [25132]

Cr Norman tabled a 10-signature petition on behalf of the Joondalup Community Coast Care Forum Inc requesting Council to:

- (a) undertake a letter drop to the residents of Burns Beach Road whose properties abutt Burns Beach Road, Iluka informing them that it is an offence to cut vegetation within the coastal reserve and pointing out the penalties which apply;
- (b) take any other action it deems appropriate to stop the recurrence of this activity, such as the erection of a "shame sign";
- (c) develop a policy on the City's response to illegal damage to any vegetation indigenous to the Swan Coastal Plain.

**MOVED Cr Corr, SECONDED Cr John that Council RECEIVES the following petitions, refers them to the CEO and seeks a subsequent report to Council for information relative to the:**

**1 Petition requesting the upgrade of play equipment in Sheoak Park, Tuart Road, Greenwood to include equipment specifically designed for young children;**

**2 Petition requesting the:**

- (a) **improvement of sight lines between the road and play area at Caledonia Park, Joondalup by trimming back the surrounding bush in order that the play equipment is clearly visible from the road;**
- (b) **park be made more family friendly and restoration of play equipment;**

**3 Petition requesting that:**

- (a) a safety review be undertaken at the Bike Park located at the corner of Warwick Road and Chessell Drive, Duncraig;
- (b) the City conduct all the necessary improvements to ensure that Bike Park remains safe for children

**4 Petition requesting Council to:**

- (a) undertake a letter drop to the residents of Burns Beach Road whose properties abutt Burns Beach Road, Iluka informing them that it is an offence to cut vegetation within the coastal reserve and pointing out the penalties which apply;
- (b) take any other action it deems appropriate to stop the recurrence of this activity, such as the erection of a “shame sign”;
- (c) develop a policy on the City’s response to illegal damage to any vegetation indigenous to the Swan coastal plain.

**The Motion was Put and****CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

**CJ194-09/08 EXECUTION OF DOCUMENTS - [15876]****WARD:** All**RESPONSIBLE DIRECTOR:** Mr Garry Hunt  
Office of CEO**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 28 July 2008 to 26 August 2008.

**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 or signed by the Mayor and the CEO are reported to the Council for information on a regular basis.

**BACKGROUND**

Not Applicable.



**DETAILS**

The following documents have been executed by affixing the Common Seal.

<b>Document:</b>	Deed of Variation
<b>Parties:</b>	City of Joondalup and Westpac Funds Management as Trustee of WDPF No 1 Sub Trust No 8 of Level 9, 360 Collins Street, Melbourne
<b>Description:</b>	Extension to Deed to timeframe to complete works on lighting outside Woodvale Library car park as documented in original Deed
<b>Date:</b>	28.07.08
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Funding Agreement
<b>Parties:</b>	City of Joondalup and Minister for Transport
<b>Description:</b>	Funding Agreement for Ocean Reef Harbour jetty safety ladders – Recreational Boating Facilities Scheme – Round 13
<b>Date:</b>	19.08.08
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	City of Joondalup and Stephen John and Anita Catherine Benson
<b>Description:</b>	To restrict occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 636 (15) Otisco Crescent, Joondalup
<b>Date:</b>	19.08.08
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Strata Title Management Statement
<b>Parties:</b>	City of Joondalup and Peet Hammersmith Pty Ltd
<b>Description:</b>	The City has an interest in the land via a restrictive covenant relating to restricting vehicular access to Grand Boulevard, McLarty Avenue and Queensbury Road. The City therefore needs to consent to the Management Statement as it has a registered interest in the land. The City's consent to the Management Statement will not impact on the City's interests in relation to the restrictive covenant.
<b>Date:</b>	19.08.08
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Temporary Withdrawal of Caveat
<b>Parties:</b>	City of Joondalup and AMF Bowling Centres (Aust) Inc
<b>Description:</b>	Temporary withdrawal of caveat, Lot 672 (No 9) Perilya Road, Craigie
<b>Date:</b>	26.08.08
<b>Signed/Sealed:</b>	Sealed

**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 been executed by affixing the Common Seal of the City of Joondalup are submitted to the Council for information.

**ATTACHMENTS**

Nil.

**VOTING REQUIREMENTS**

Simple Majority

**MOVED** Cr John, **SECONDED** Cr Young that Council **NOTES** the schedule of documents covering the period 28 July 2008 to 26 August 2008 executed by means of affixing the common seal.

The Motion was Put and **CARRIED (10/0)** by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

## **CJ195-09/08 MINUTES OF EXTERNAL COMMITTEES - [03149] [00033] [60514]**

**WARD:** All

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

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### **PURPOSE**

To submit minutes of an external committee to Council for information.

### **EXECUTIVE SUMMARY**

The following minutes are provided:

- Annual General Meeting of Western Australian Local Government Association held 5 August 2008
- Meeting of Mindarie Regional Council held 21 August 2008

### **ATTACHMENTS**

Attachment 1 Minutes of Annual General Meeting of Western Australian Local Government Association held 5 August 2008  
Attachment 2 Minutes of Meeting of Mindarie Regional Council held 21 August 2008

*(Please Note: These minutes are only available electronically)*

### **VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr John, SECONDED Cr Young that Council NOTES the Minutes of the:**

- 1 Annual General Meeting of Western Australian Local Government Association held 5 August 2008 forming Attachment 1 to Report CJ195-09/08;**
- 2 Meeting of Mindarie Regional Council held 21 August 2008 forming Attachment 2 to Report CJ195-09/08.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

To access this attachment on electronic document, click here: [externalminutes230908.pdf](#)

## **CJ196-09/08 SETTING OF MEETING DATES – 2009 - [08122]**

**WARD:** All

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

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### **PURPOSE**

To set Council's meeting dates for the 2009 calendar year.

### **EXECUTIVE SUMMARY**

In accordance with the Local Government Act 1995, it is necessary for a local government to give local public notice of its ordinary meeting dates for the next 12 months.

It is recommended that the current four-weekly rolling cycle of meetings be maintained, and that deputation sessions continue to be held at the commencement of Briefing Sessions.

### **BACKGROUND**

At its meeting held on 12 December 2006, Council set its meeting dates for 2007 and introduced a rolling four-weekly cycle, which enabled the fourth week to be used to hold additional information sessions or for scheduling various committee meetings.

### **DETAILS**

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

Council is in recess during January each year, and meetings are set from February to December, to be held on a Tuesday evening.

**Option 1** – is for the Council to continue with the agreed process based on the 'rolling' four weekly cycle. While the intent of the 'rolling' four weekly cycle is attempted to be retained, it is not possible with Easter, Local Government Week and the Local Government Elections.

Briefing Sessions - to be held at 6.30 pm in Conference Room 1	Council meetings - to be held in the Council Chamber.
Tuesday 3 February 2009	7.00 pm on Tuesday 10 February 2009
Tuesday 3 March 2009	7.00 pm on Tuesday 10 March 2009
Tuesday 31 March 2009	7.00 pm on Tuesday 7 April 2009
Tuesday 5 May 2009	7.00 pm on Tuesday 12 May 2009
Tuesday 2 June 2009	7.00 pm on Tuesday 9 June 2009
Tuesday 30 June 2009	7.00 pm on Tuesday 7 July 2009
Tuesday 28 July 2009	12 noon on Tuesday 4 August 2009
Tuesday 18 August 2009	7.00 pm on Tuesday 25 August 2009
Tuesday 15 September 2009	7.00 pm on Tuesday 22 September 2009
Tuesday 6 October 2009	7.00 pm on Tuesday 13 October 2009
Tuesday 10 November 2009	7.00 pm on Tuesday 17 November 2009
Tuesday 8 December 2009	7.00 pm pm Tuesday 15 December 2009

**Option 2** – This option presents a revised cycle based on a monthly timeframe, that is each Tuesday is set aside for either a Strategy Session (1<sup>st</sup> Tuesday), Briefing Session (2<sup>nd</sup> Tuesday) or Council meeting (3<sup>rd</sup> Tuesday). This will allow the 4<sup>th</sup> and 5<sup>th</sup> Tuesdays (when they occur) of the month to be available for various other non-standard meetings to be scheduled where required. The meeting scheduled in August will recognise Local Government Week, while the October round of meetings will commence on the last Tuesday in September to ensure a Council meeting is held before the Local Government Elections.

Briefing Sessions - to be held at 6.30 pm in Conference Room 1	Council meetings - to be held in the Council Chamber.
Tuesday 10 February 2009	7.00 pm on Tuesday 17 February 2009
Tuesday 10 March 2009	7.00 pm on Tuesday 17 March 2009
Tuesday 14 April 2009	7.00 pm on Tuesday 21 April 2009
Tuesday 12 May 2009	7.00 pm on Tuesday 19 May 2009
Tuesday 9 June 2009	7.00 pm on Tuesday 16 June 2009
Tuesday 14 July 2009	7.00 pm on Tuesday 21 July 2009
Tuesday 11 August 2009	12 noon on Tuesday 18 August 2009
Tuesday 8 September 2009	7.00 pm on Tuesday 15 September 2009
Tuesday 6 October 2009	7.00 pm on Tuesday 13 October 2009
Tuesday 10 November 2009	7.00 pm on Tuesday 17 November 2009
Tuesday 8 December 2009	7.00 pm pm Tuesday 15 December 2009

### Link to Strategic Plan:

- 1.1 Objective: To ensure that the processes of local government are carried out in a manner that is ethical, transparent and accountable.

**Legislation – Statutory Provisions:**

Section 5.3 of the Local Government Act 1995 states:

***Ordinary and Special Council meetings:***

- (1) *A Council is to hold ordinary meetings and may hold special meetings;*
- (2) *Ordinary meetings are to be held not more than three months apart;*
- (3) *If a Council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.*

Regulation 12 of the Local Government (Administration) Regulations 1996 states:

***Public Notice of Council or Committee meetings***

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

**Risk Management considerations:**

Failure to set and advertise Council's meeting dates will contravene the requirements of the Local Government Act 1995.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

## COMMENT

The Local Government Convention is held in August each year. Since 2005, Council has commenced its August Council meeting at 12 noon and invited high school students to attend. Advice has been received that the Local Government Convention is proposed to be held from Thursday 6 August 2009 to Saturday 8 August 2009. Accordingly it is recommended in Option 1 that the Council meeting on Tuesday 4 August 2009 be scheduled to commence at 12 noon, with another meeting proposed to be held on 18 August 2009 in Option 2 commencing at 12 noon to acknowledge Local Government Week and allow school students to attend.

Local Government Elections will be held on Saturday 17 October 2009. To enable the Council to again conduct an induction programme for newly elected members, it is recommended that no meetings are scheduled during the two week period following the elections.

It is suggested that Option 1, being the rolling four weekly cycle of meetings, is maintained in 2009, subject to the constraints of scheduling around:

- Easter public holidays;
- Local Government Convention; and
- the 2009 Local Government Ordinary Elections and Elected Members' Induction Programme.

It is also recommended that deputation sessions continue to be held at the commencement of Briefing Sessions.

## ATTACHMENTS

Nil.

## VOTING REQUIREMENTS

Simple Majority

**MOVED Cr Amphlett, SECONDED Cr Jacob** that Council:

- 1 SETS the following meeting dates and times for the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:

Briefing Sessions - to be held at 6.30 pm in Conference Room 1	Council meetings - to be held in the Council Chamber.
Tuesday 3 February 2009	7.00 pm on Tuesday 10 February 2009
Tuesday 3 March 2009	7.00 pm on Tuesday 10 March 2009
Tuesday 31 March 2009	7.00 pm on Tuesday 7 April 2009
Tuesday 5 May 2009	7.00 pm on Tuesday 12 May 2009
Tuesday 2 June 2009	7.00 pm on Tuesday 9 June 2009
Tuesday 30 June 2009	7.00 pm on Tuesday 7 July 2009
Tuesday 28 July 2009	12 noon on Tuesday 4 August 2009
Tuesday 18 August 2009	7.00 pm on Tuesday 25 August 2009
Tuesday 15 September 2009	7.00 pm on Tuesday 22 September 2009
Tuesday 6 October 2009	7.00 pm on Tuesday 13 October 2009
Tuesday 10 November 2009	7.00 pm on Tuesday 17 November 2009
Tuesday 8 December 2009	7.00 pm pm Tuesday 15 December 2009

January 2010 - Recess
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- 2 AGREES to hold deputation sessions in conjunction with the Briefing Sessions;
- 3 in accordance with Regulation 12 of the Local Government (Administration) Regulations 1996, GIVES local public notice of the meeting dates detailed in (1) above;
- 4 INVITES a maximum of ten (10) students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12 noon on Tuesday 4 August 2009.

Discussion ensued.

Mayor Pickard foreshadowed his intention to move an alternative Motion should the Motion under consideration not be successful.

**The Motion was Put and**

**LOST (1/9)**

**In favour of the Motion:** Cr John    **Against the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, Macdonald, McLean, Norman and Young

**MOVED Mayor Pickard, SECONDED Cr Corr that Council:**

- 1 **SETS the following meeting dates and times for the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:**

<b>Briefing Sessions - to be held at 6.30 pm in Conference Room 1</b>	<b>Council meetings - to be held in the Council Chamber.</b>
<b>Tuesday 10 February 2009</b>	<b>7.00 pm on Tuesday 17 February 2009</b>
<b>Tuesday 10 March 2009</b>	<b>7.00 pm on Tuesday 17 March 2009</b>
<b>Tuesday 14 April 2009</b>	<b>7.00 pm on Tuesday 21 April 2009</b>
<b>Tuesday 12 May 2009</b>	<b>7.00 pm on Tuesday 19 May 2009</b>
<b>Tuesday 9 June 2009</b>	<b>7.00 pm on Tuesday 16 June 2009</b>
<b>Tuesday 14 July 2009</b>	<b>7.00 pm on Tuesday 21 July 2009</b>
<b>Tuesday 11 August 2009</b>	<b>12 noon on Tuesday 18 August 2009</b>
<b>Tuesday 8 September 2009</b>	<b>7.00 pm on Tuesday 15 September</b>
<b>Tuesday 6 October 2009</b>	<b>7.00 pm on Tuesday 13 October 2009</b>
<b>Tuesday 10 November 2009</b>	<b>7.00 pm on Tuesday 17 November 2009</b>
<b>Tuesday 8 December 2009</b>	<b>7.00 pm pm Tuesday 15 December 2009</b>
<b>January 2010 - Recess</b>	

- 2 **AGREES to hold deputation sessions in conjunction with the Briefing Sessions;**
- 3 **in accordance with Regulation 12 of the Local Government (Administration) Regulations 1996, GIVES local public notice of the meeting dates detailed in (1) above;**



- 4 **INVITES a maximum of ten (10) students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12 noon on Tuesday 18 August 2009;**
- 5 **DETERMINES that the Council meeting scheduled for 16 June 2009 be held at the Warwick Community Centre.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

## **CJ197-09/08 TIMING OF STREETLIGHTING OPERATIONS WITHIN THE CITY OF JOONDALUP - [59091]**

**WARD:** All

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

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### **PURPOSE/ EXECUTIVE SUMMARY**

The purpose of this report is to provide an overview of the feasibility of turning off streetlights at certain times during the night to decrease the amount of energy used and greenhouse gases emitted.

### **BACKGROUND**

At the Sustainability Advisory Committee meeting held on 19 June 2008 a report was presented on Energy Efficient Street Lighting. As a result a motion was passed requesting Council to:

- “(1) Work through the West Australian Local Government Association to improve Western Power’s level of service for street lighting provided to local governments.*
- (2) Seek the support of local State Parliamentarians to assist local governments to reduce the burden on ratepayers and avoidable greenhouse gas emissions caused by Western Power’s use of outdated street lighting technology.*
- (3) In light of the need to reduce greenhouse gas emissions, consider the length of time that street lighting is used within the City.”*

Council at its meeting on 5 August 2008 considered the report *“Energy Efficient Street Lighting Recommendations from the Sustainability Advisory Committee (CJ152-08/08 refers)* and resolved to:

- “1 NOTE that the current type of street lighting provided by Western Power to the City of Joondalup is outdated which burdens ratepayers with extra operating costs and avoidable greenhouse gas emissions;*

- 2 *WRITE to the Western Australian Local Government Association in support of energy efficient street lighting again;*
- 3 *WRITE to local State Parliamentarians in relation to Western Power's use of outdated street lighting technology and seeking their support for newer energy efficient technologies;*
- 4 *SEEK a report on the advantages and disadvantages of reducing the time for which street lighting operates within the City."*

This report addresses item 4 of Council's request.

## **DETAILS**

In most areas of Australia, "all night" lighting is now the norm, but this was not always the case. In Western Australia all street lighting used to be switched on at dusk and switched off at midnight or 1.15 am. During the 1980's Western Power advised local government that it had surplus energy during night time hours that corresponded with the midnight to dawn switch off period. It made an offer to all local governments to supply very cheap power to enable streetlights to be left on all night. As cost was the major driver for local governments in those days the agreements were made to keep street lighting on. This situation commenced in Joondalup 1995 and is still in place today. Safety and security were of a lesser concern than it is today.

It should be noted that Western Power generation stations can only generate power where there is demand. The cost of shutting down power stations and turning them back on is extremely cost prohibitive and takes significant time to do so.

Given these constraints Western Power is not able to restart their power stations on a daily basis and hence why they look for demand situations 24 hours a day to generate power in order to efficiently operate their power stations. Thus Western Power has justifiable reasons for needing to generate power at base loads. It should be noted that the City has control over its circuitry in areas where decorative street lighting has been installed such as in Iluka and the City Centre.

With respect to general streetlighting across Joondalup it should be noted that most Western Power lighting circuits are energised 24 hours a day – that is, all the lights have energy constantly supplied to them and the lights are switched off/on by the photo-electric (PE) cell on the top of the light fitting. PE cells are used to switch the light on and off by sensing the ambient light level. A PE cell is calibrated to turn lights on once the illumination level drops below a certain level (i.e. sunset) and to switch off when light levels increase above a certain level (i.e. sunrise).

Switching lights off during certain parts of the night is a lighting management strategy that can significantly reduce the amount of energy public lighting consumes. However, most of Western Power's current street lighting infrastructure is not able to facilitate this and hence it is not currently possible to turn lights off. With respect to new poles, the same issue would prevail unless Western Power reconsidered and changed its light management strategy.

To upgrade the infrastructure so that lights can be turned on or off at different times will require re-wiring of the streetlight network to get a control circuit installed in that area. In order to be really reliable, the PE cell on the top of each lamp will need to be removed and replaced with a master PE cell or time clock for each circuit.

While Western Power has indicated that it is possible to upgrade the lighting infrastructure in this way they have also said that it would be highly expensive. It is impossible for the City to estimate the cost of these upgrades. To obtain a true idea of cost the City would need to request a specific costing from Western Power. It is highly unlikely that Western Power would be willing to cover all or part of the cost of any change.

## Issues and Options

The advantages and disadvantages of reducing street lighting is summarises as follows:

### Advantages

The advantages associated with reducing street lighting include environmental and economic benefits. These are:

- A reduction of greenhouse gas entering the atmosphere;
- A reduction of cost for the City in relation to its street lighting bill.

Last year the City spent over \$1.5 million on its StreetVision contract with Western power as follows:

Lamp Types	Number	Cost Per Day	Total Cost Per Day	Total Cost Per Year
80 w Mercury Vapour	7765	0.2412	1872.918	\$ 683,615.07
80 w Mercury Vapour	46	0.386	17.756	\$ 6,480.94
125w Mercury Vapour	3280	0.313	1026.64	\$ 374,723.60
125w Mercury Vapour	11	0.456	5.016	\$ 1,830.84
250w Mercury Vapour	126	0.4854	61.1604	\$ 22,323.55
400wMercury Vapour	2	0.651	1.302	\$ 475.23
150w High Pressure Sodium	336	0.3514	118.0704	\$ 43,095.70
250w High Pressure Sodium	2389	0.4526	1081.2614	\$ 394,660.41
Totals	13955			\$ 1,527,205.33

### Disadvantages

As outlined in the Detail section of this report the disadvantages with turning street lighting off include:

- The lack of ownership of the infrastructure by the City of Joondalup and the inherent issues associated with Western Power being the authority that makes the ultimate decisions on this matter;
- The significant costs associated with upgrading the infrastructure so that it can be turned off;
- The potential social issues that may arise and the risk of community concern relating to safety during the night if street lighting is not on.

**Link to Strategic Plan:**

Key Focus Area Natural Environment

Objective 2.1: To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained.

Strategy 2.1.5: The City reduces its greenhouse gas emissions and assists the public to reduce community emissions.

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

Changing the hours of street lighting could have an impact on public safety and security.

**Financial/Budget Implications:**

To turn off street lights within the City Centre the cost will depend on the complexity of the circuitry in each cabinet and how the circuitry is laid out on the ground. It is estimated that it would cost around \$1,500 for each switchboard (the City Centre would require 11) and \$450 per pole for a time clock to be installed (the City Centre has 1,600 poles). The \$450 amount may be reduced significantly if 1,600 time clocks were purchased. However, this is speculative and it is conservative to assume that the total cost for converting the City Centre's street lighting would be around \$700,000 because the City has control over the ornamental lighting system.

With regard to the 95% of streetlights outside the City Centre, the City would need to get costings from Western Power because the City does not have knowledge of how many overhead poles and underground connections there are. The City knows that there are approximately 14,000 Western Power owed luminaires and the cost to retrofit all these would be substantial.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Improvements in the energy efficiency of street lighting will achieve significant reductions in greenhouse gas emissions. However, any decision to attempt to change the current status quo needs to be balanced with the cost of the change and the ability of the City to deliver it.

**Consultation:**

Not Applicable.

**COMMENT**

Unfortunately the switching off of street lights at certain times of the night does not offer a simple short term solution for reducing the energy consumption of street lighting as identified earlier in this report.

This issue is part of the wider problem of an outdated street lighting system that is unable to adapt and meet new demands and challenges. It is Western Power's responsibility to start meeting these new challenges. The City should continue to lobby State Government, through Western Australian Local Government Association, to provide a better designed and maintained and more efficient street lighting system.

**ATTACHMENTS**

Nil.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION:** That Council:

- 1 DOES NOT PROGRESS the idea of reducing the times during which street lighting remains on because of the limitations of the existing infrastructure and the potential costs of conversion;
- 2 REFERS this report and Council's decision to the Sustainability Advisory Committee for its information.

**MOVED Cr Corr, SECONDED Cr Norman that Council REFERS consideration of Timing of Streetlighting Operations within the City of Joondalup to the Sustainability Advisory Committee for its information and advice.**

Discussion ensued.

It was requested that an update in relation to streetlighting be sought from the Western Australian Local Government Association.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

## **CJ198-09/08      MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE HELD ON 21 AUGUST 2008 – [00906]**

**WARD:** All

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

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### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

A meeting of the Sustainability Advisory Committee was held on 21 August 2008.

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

- Notice of Motion – Mr S Magyar – Energy and Society

*It is recommended that Council:*

- 1 *NOTES the unconfirmed minutes of the Sustainability Advisory Committee held on 21 August 2008 forming Attachment 1 to Report CJ198-09/08;*
- 2 *NOTES the request for a Report on the preparedness of the City to handle emergencies for the City and DETERMINES whether a report should be prepared.*

### **BACKGROUND**

The objectives of the Sustainability Advisory Committee are:-

- 1 To recommend to the City of Joondalup Council on policy, advice and appropriate courses of action which promote sustainability, which is:
  - (a) environmentally responsible,
  - (b) socially sound, and
  - (c) economically viable
- 2 To provide advice to Council on items referred to the Committee from the City of Joondalup Administration.

The Committee membership comprises of four Elected Members and eight Community Representatives.

### **DETAILS**

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

The Motions carried at the Sustainability Advisory Committee meeting held on 21 August 2008 are shown below, together with officer's comments.

## **1 Notice of Motion – Mr S Magyar – Energy and Society**

This Motion was withdrawn.

### Officer's Comment

No further action required.

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

1. The following Motion was carried at the meeting on 21 August 2008:

“That the Sustainability Advisory Committee conduct at its next meeting a workshop to examine:

- 1 the Sustainable Cities August 2005 Report and the Sustainability Charter from the Commonwealth of Australia's House of Representatives Standing Committee on Environment and Heritage;
- 2 the Endangered State of Australian Cities: Climate Threat and Urban Response Report (Source: Urban Research Program, Griffith University) (Attachment 3 refers);
- 3 the Unsettling Suburbia: The New Landscape of Oil and Mortgage Vulnerability in Australian Cities Report (Source: Urban Research Program Research Paper No. 17 Griffith University) (Attachment 4 refers);
- 4 the Peak Oil Action Plan and Peak Oil Policy – Maribyrnong City Council, Melbourne Victoria

for the purpose of examining relevance of those reports to the City of Joondalup.

### Officer's Comment

These reports will be provided to all committee members prior to the next meeting.

2. The following Motion was carried at the meeting on 21 August 2008:

“That a report be requested on the preparedness of the City of Joondalup to handle emergencies for the City and its residents.”

### Officer's Comment

A report can be prepared. However, while dealing with emergencies could broadly be considered social sustainability, it is noted that the State Government has emergency management legislation and the City complies with its requirements in this regard.

Specifically, the City's emergency preparedness and response plan is detailed in: “City of Joondalup Community Emergency Management Arrangements – August 2006,” which will be reviewed in the current financial year. The scope of this document includes:

- City of Joondalup's support to Hazard Management Agencies and other agencies during an emergency event;
- Recovery operations and the restoration and reconstruction of services and facilities;
- Emergency management at the local level;

- City of Joondalup/City of Wanneroo joint local emergency response activities;
- Local Governments' regional coordination of emergency response through a Partnering Agreement of the Metropolitan North & East Recovery Groups for the provision of mutual aid for recovery during emergencies.

Coordination of the City of Joondalup/City of Wanneroo emergency response actions with the State Government is documented in the Department for Child Protection document: "Joondalup District Local Welfare Emergency Management Support Plan – April 2008."

Consequently a report to the Sustainability Advisory Committee on this subject is of questionable value.

**Link to Strategic Plan:**

Key Focus Area: Organisation Development

Objective 4.3 To ensure the City responds to and communicates with the community

**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:**

The Sustainability Advisory Committee provides an opportunity for consideration of regional matters that may impact on local sustainability.

**Sustainability Implications:**

The Sustainability Advisory Committee provides a forum for consideration of a range of sustainability issues by elected members and community representatives with local knowledge and expertise.

**Consultation:**

Not Applicable.

**COMMENT**

Not Applicable.



**ATTACHMENTS**

Attachment 1 Minutes of the Sustainability Advisory Committee meeting held on 21 August 2008.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION:** That Council NOTES:

- 1 the unconfirmed minutes of the Sustainability Advisory Committee held on 21 August 2008 forming Attachment 1 to Report CJ198-09/08;
- 2 that the City has Emergency Management Arrangements in place;
- 3 the request for a Report on the preparedness of the City to handle emergencies for the City and DETERMINES whether a report should be prepared.

**MOVED Cr Corr, SECONDED Mayor Pickard that Council NOTES:**

- 1 **the unconfirmed minutes of the Sustainability Advisory Committee held on 21 August 2008 forming Attachment 1 to Report CJ198-09/08;**
- 2 **that the City has adequate Emergency Management Arrangements in place.**

**AMENDMENT MOVED Mayor Pickard, SECONDED Cr Young that an additional Point 3 be added to the Motion as follows:**

***“3 REQUESTS that proposals for workshops be presented to Council in the first instance to determine whether a workshop should be held.”***

**The Amendment was Put and**

**CARRIED (10/0)**

**In favour of the Amendment:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

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

- 1 **the unconfirmed minutes of the Sustainability Advisory Committee held on 21 August 2008 forming Attachment 1 to Report CJ198-09/08;**
- 2 **that the City has adequate Emergency Management Arrangements in place;**
- 3 **REQUESTS that proposals for workshops be presented to Council in the first instance to determine whether a workshop should be held.**

Discussion ensued.

**was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf230908.pdf](#)

## **CJ199-09/08 MINUTES OF THE POLICY COMMITTEE MEETING HELD ON 16 SEPTEMBER 2008 – [18058]**

**WARD:** All

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

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### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

A meeting of the Policy Committee was held on 16 September 2008 to consider the following matters:

- Item 1 Legal Representation for Elected Members
- Item 2 Proposed Parking Policy for Commercial Development within Joondalup City Centre
- Item 3 Alfresco Activities Policy
- Item 4 Proposed Local Planning Policy – Cubby Houses

*It is recommended that Council:*

- 1 *NOTES the unconfirmed minutes of the Policy Committee Meeting dated 16 September 2008 forming Attachment 1 to Report CJ199-09/08;*
- 2 *AMENDS Policy 8-7 – Legal Representation for Elected Members and Employees as shown on Attachment 2 to Report CJ199-09/08;*
- 3 *ADVERTISES the draft Parking Policy - Joondalup City Centre Car Parking forming Attachment 3 to this Report for a period of thirty (30) days;*
- 4 *in accordance with Clause 8.11 of the City of Joondalup's District Planning Scheme No 2, ADVERTISES the draft City Policy - Cubby Houses, as shown in Attachment 4 to this Report, for public comment for a period of twenty one (21) days;*

- 5 *REQUESTS reports to be presented to the Policy Committee on:*
- (a) *the provision of temporary parking permits to tradespersons;*
  - (b) *Policy 7-9 – Home Business;*
  - (c) *backyard fires.*

## **BACKGROUND**

Council established a Policy Committee and endorsed a new Policy Framework on 26 April 2005. (*CJ064–04/05 refers*). The framework separated the policies of the Council into two categories:

- 1 Council Policies - Strategic policies that set governing principles and guide the direction of the organisation to align with community values and aspirations. These policies have a strategic external focus and align with the Mission, Vision and Strategic Directions; and
- 2 City Policies - Policies that are developed for administrative and operational imperatives and have an internal focus.

Council policies are to be developed and reviewed by the Policy Committee and may be subject to community consultation processes in recognition of the community leadership role Council has in guiding the formation and development of the City, and in representing the values and interests of the broader community. Officers may be requested by the Policy Committee to draft specific policies as required for referral to the Policy Committee.

City policies are to be developed and drafted for Policy Committee consideration and recommendation to the Council. The Policy Committee may determine, if appropriate, to request that a City Policy be subject to public comment prior to recommending it for Council adoption.

## **DETAILS**

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

The Motions carried at the Policy Committee meeting held on 16 September 2008 are shown below, together with officer's comments:

#### Item 1 - Legal Representation for Elected Members

The following motion was carried:

*"That the Policy Committee RECOMMENDS that Council AMENDS Policy 8-7 – Legal Representation for Elected Members and Employees as follows:*

- 1 *In Clause 4.1, deleting the figure of "\$5,000" and replacing it with "\$6,000";*
- 2 *In Clause 6.1, deleting the figure of "\$2,000" and replacing it with "\$6,000"."*

#### Officer's comment

The recommended amendments are shown highlighted within the Policy – Attachment 2 refers.

### Item 2 - Proposed Parking Policy for Commercial Development within Joondalup City Centre

The following motion was carried:

*“That the Policy Committee RECOMMENDS that Council ADVERTISES the draft Parking Policy - Joondalup City Centre Car Parking forming Appendix 1 to this Report for a period of 30 days.”*

#### Officer’s comment

The draft Policy is provided at Attachment 3.

### Item 3 - Alfresco Activities Policy

The following motion was carried:

*“That consideration of Policy 7-5 Alfresco Activities be REFERRED back to allow for further exploration of options for alfresco dining to reflect specific requirements of particular streets and footpath widths.”*

#### Officer’s comment

A further report will be prepared and presented to the Policy Committee.

### Item 4 - Proposed Local Planning Policy – Cubby Houses

The following motion was carried:

*“That the Policy Committee RECOMMENDS that Council, in accordance with Clause 8.11 of the City of Joondalup’s District Planning Scheme No 2, ADVERTISES the draft City Policy - Cubby Houses, as shown in Attachment 1 to this Report, for public comment for a period of twenty one (21) days.”*

#### Officer’s comment

The draft Policy is provided at Attachment 4.

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

The following reports were requested:

### **Report on temporary parking permits**

A report on a policy for the provision of temporary parking permits to tradespersons for use whilst working on developments within the Joondalup City Centre.

#### Officer’s comment

A report will be prepared.

### **Policy 7-9 – Home Business**

That Policy 7-9 – Home Business be presented to the next meeting of the Policy Committee for consideration of review.

Officer's comment

The requested information will be provided.

**Report on backyard fires**

That a report be presented to the next meeting of the Policy Committee in relation to backyard fires.

Officer's comment

A report will be prepared.

**Link to Strategic Plan**

This item has a general connection to the Strategic Plan.

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

The necessary reports will be prepared to review and/or draft the proposed policies.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

Relevant officer's comments have been made regarding the matters considered by the Committee.

**ATTACHMENTS**

Attachment 1	Unconfirmed minutes of the Policy Committee meeting of 16 September 2008
Attachment 2	Policy 8-7 – Legal Representation for Elected Members and Employees.
Attachment 3	Draft Parking Policy – Joondalup City Centre Parking
Attachment 4	Draft City Policy – Cubby Houses

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr John, SECONDED Cr Young that Council:**

- 1 NOTES the unconfirmed minutes of the Policy Committee Meeting dated 16 September 2008 forming Attachment 1 to Report CJ199-09/08;**
- 2 AMENDS Policy 8-7 – Legal Representation for Elected Members and Employees as shown on Attachment 2 to Report CJ199-09/08;**
- 3 ADVERTISES the draft Parking Policy - Joondalup City Centre Car Parking forming Attachment 3 to Report CJ199-09/08 for a period of thirty (30) days;**
- 4 in accordance with Clause 8.11 of the City of Joondalup’s District Planning Scheme No 2, ADVERTISES the draft City Policy - Cubby Houses, as shown in Attachment 4 to Report CJ199-09/08, for public comment for a period of twenty one (21) days;**
- 5 REQUESTS reports to be presented to the Policy Committee on:**
  - (a) the provision of temporary parking permits to tradespersons;**
  - (b) Policy 7-9 – Home Business;**
  - (c) backyard fires.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf230908.pdf](#)*

**CJ200-09/08 FUTURE VERGE ENHANCEMENT PROJECTS - [87541]**

**WARD:** All

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

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**PURPOSE/EXECUTIVE SUMMARY**

To provide Council with an evaluation of the effectiveness of the Heathridge Verge Enhancement Competition and recommendations for future initiatives of this nature.

**BACKGROUND**

In April 2008 Council resolved (*CJ054-04/08 refers*) to endorse a project that would encourage residents of Heathridge to take part in a verge enhancement competition. The project was finalised in August 2008 and Council was provided with a report on particular aspects of the Heathridge Competition - (*CJ153-08/08 refers*).

**DETAILS**

It should be noted that the task of developing a competition to encourage residents of Heathridge to tidy up their verges was a challenge for a number of reasons. Firstly, it was important not to offend Heathridge residents by suggesting that their verges were not maintained in a tidy condition. Secondly, it was known that approximately 20% of the properties in the suburb were rented and that tenants might not see verge maintenance as something for which they could, or should, be held responsible. Further, that such maintenance might not be of a high priority for landowners of these properties. Thirdly, there is a broad misconception that 'responsibility' for verges rests with the local government and that the role of residents is limited to reporting deficiencies in verge conditions.

To avoid causing unnecessary offence to residents, the focus of the competition, and all communications associated with it, was one of empowerment. Rather than relying on the financial incentive of prizes, residents needed to understand how they could tidy up or enhance their verges in ways that would increase the amenity of their properties and that of the local area. Additionally, they would become knowledgeable about water-wise and environmentally friendly designs for their gardens and verges.

**Successes with the Heathridge Trial**

As noted in the previous report on the outcomes of the competition, letters were sent to over 2000 householders in Heathridge telling them about the competition and launch. This ensured direct contact with the target group.

As a vehicle for community engagement and empowerment, the competition launch was conducted by members of the Great Gardens Team at a local community hall. During the launch the City's current Verge Treatment Guidelines were explained in ways that assisted residents in knowing what to do to comply with, and indeed, exceed the guidelines.

Feedback forms were distributed to the participants at the end of the evening. Twenty four were completed and the outcomes are summarised in the table below. This shows that the launch was very successful.

Question	Response
Rating for the workshop	100% positive response from “good” to “excellent.” Format – Excellent (71%); very good (25%) Material/issues - Excellent (71%); very good (21%) Skills/knowledge of presenters – Excellent (91%)
Objective 1 - Understanding value of verges and improvement possibilities	100% positive response from “agree” (37.5%) to “strongly agree” (62.5%)
Objective 2 - Understanding competition categories and how to enter	100% positive response from “agree” (62.5%) to “strongly agree” (37.5%)
Objective 3 – Understanding verge improvements that meet City guidelines	87.5% positive response from “agree” (66.7%) to “strongly agree” (20.8%).
Stage of readiness to participate in the competition indicated by responses to the statement: “I am seriously considering entering the competition.”	79.2% positive response from “agree” (65.2%) to “strongly agree” (16.7%).
Quality of information received indicated by responses to the statement: “I still don’t feel I have the information I need to be able to do something about my verge.”	87.5% negative response to the statement with “disagree” (45.8%) and “strongly disagree” (41.7%).
Determination of whether participant’s personal objectives for attending were met.	95.8% responded positively. The remainder did not indicate their response to the question.

The participation of six Year 10 students from Ocean Reef Senior High School contributed to the success of the launch as they were most courteous and helpful with the following activities:

- setting up the venue
- welcoming and registering attendees
- distributing information
- serving and clearing away supper
- taking down signage, presentation materials and
- clearing the hall

The students were recruited through the Give 20 program which requires that all high school students perform 20 hours of service to their communities to gain the Year 12 Education Certificate on leaving school.

### **Weaknesses of the Heathridge Trial**

#### *Poor response rate*

Despite over 2000 letters being sent to every household in Heathridge and posters being placed at local venues about the competition and the launch that preceded it, the overall response from the community was low. The City received only 50 inquiries from Heathridge residents concerning the launch, 35 registered their interest in attending and only 24 people actually attended on the night. Further, only nine competition entries were received. In noting this, direct mail is considered the most effective way of reaching residents and additional promotion and advertising, while possible, is viewed as unlikely to have a dramatic



impact on levels of participation. Other reasons for the poor response rate could have been as anticipated from the outset i.e., responsibility for verges, costs etc.

#### *Verge Treatment Guidelines*

The content of the current Verge Treatment Guidelines is somewhat technical and does not provide guidance on the environmental or water-wise issues that should be considered when designing or upgrading a verge. Although the Great Gardens Team members were able to 'interpret' this information for community participants at the launch and provide practical guidance on how they could improve their verges to incorporate environmental and water-wise considerations at the same time, this information was not available to the general public.

The Council decision (*CJ153-08/08 refers*) to use the \$5,000 surplus funds from the Heathridge competition to improve the Verge Treatment Guidelines will provide an opportunity for placing a greater emphasis on water-wise and environmentally friendly verges together with a practical 'how to' approach for residents and ratepayers.

#### *No improvements achieved*

Heathridge residents who did enter the competition already had established verges that complied with the City's Verge Treatment Guidelines. However, with one exception, most did not appear to any great extent to be either water-wise or environmentally friendly. Nevertheless, their contribution toward the overall ambience of the suburb in terms of money, time and effort invested has been acknowledged through the competition. Overall there has been no additional enhancement of verges as an outcome of the Verge Enhancement Competition.

#### *Value for money*

The cost of the competition (\$20,000) relative to the impact of having run it cannot be said to have provided value for money. Expenses incurred included postage, printing, catering at the launch, the contribution of the Great Gardens Team and prizes, but the competition itself did not result in the desired outcome of improved verges in Heathridge.

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

The evaluation has shown that the competition as a model for motivating residents to clean up their verges was ineffective. The people who submitted entries already had verges that met the Verge Treatment Guidelines.

While minor amendments to the Heathridge approach could be made for a competition in Greenwood i.e., providing a longer time frame leading up to the competition, greater local publicity and using revised Guidelines, it is concluded that the outcomes may again not be significantly improved.

In the circumstances, three alternative models that may lead to improvements in local streetscapes, provide greater value for money and increase the likelihood of residents and ratepayers developing water-wise and environmentally friendly gardens are presented.

#### **Model 1      Best Garden model**

Refocus the competition as a 'best garden' competition rather than concentrating on verges alone. Entrants for the various categories could be nominated by anyone. In Western Australia, the metropolitan Towns of Mosman Park, Vincent and Cambridge have previously held gardening competitions with sponsorship from a number of local businesses and some State Government departments. In country Western Australia, the City of Geraldton-

Greenough has had notable success with categories for Best Public Place and Best Commercial Property. In NSW, Campbelltown City Garden Competition is an annual feature. There are numerous categories and cash prizes are awarded. Rockhampton Regional Council in Queensland has just commenced a Regional Garden Competition in partnership with a local newspaper and radio station. For judging purposes, the region is divided into 4 precincts with 8 categories including “Best Kitchen Garden” and “Best Corporate Garden” considered for each area. In Victoria, the State runs the annual “Victoria in Bloom” competition, again with multiple categories and prizes in the form of vouchers or cash. The emphasis for this competition is that gardens of all categories be water-wise.

The advantages of this model are:

- The concept of a garden competition is well known and widely accepted across Australia.
- As an annual or ongoing event it may encourage residents to compete with one another on a regular basis whether they live in public housing, group homes, residential aged care facilities, rental accommodation or are owner occupiers.

The disadvantages with this model include:

- This model would to a large extent move away from the focus on verges.
- It is also likely that such a program would require greater cost and administration to conduct.

## **Model 2      Front Verge Blitz model**

Council may wish to consider using the popular “Backyard Blitz” styled approach as seen on television. In this case, the City would brand this as the “Front Verge Blitz” whereby a design for a high quality front verge would be developed by the City to a budget of around \$1,000. This design would then be applied to approximately 20 verges in the suburb that are selected randomly from nominated verges in need of improvement. This would equate to the \$20,000 budget. The City would publicise the initiative and encourage residents to also submit their verge or others for the nomination process. Those selected would then receive a free verge enhancement treatment.

The advantages of this model are:

- Resident participation would be limited to nominating verges. (It could be their own or a neighbour’s). Disincentives to enter the competition such as financial outlay or labour required have been removed.
- The outcome of the competition would be the guaranteed improvement of approximately 20 verges.
- Local amenity would be enhanced, perhaps leading to an increase in property values.
- Value for money would be achieved with actual verge upgrades.

The disadvantages with this model include:

- The impact of 20 upgraded verges within a suburb would be minimal given the spread of the works.
- The cost of upgrading verges that are not in close proximity would be greater as economies of scale are lost.

### **Model 3      Streetscape Verge Enhancement**

A streetscape model would involve a street being selected to be enhanced. This enhancement would achieve maximum benefit if it were to occur in conjunction with the City's road resurfacing program. The City currently plans to resurface Karuah Way from Coolibah Drive to Hepburn Avenue and Canham Way from Wanneroo Road to Cockman Road. It would be appropriate to select a street that is being resurfaced to maximise the impact of beautification in a street.

Once a street is selected, all residents in that street would be contacted and invited to nominate their verge for the program. The City would then select a number of those verges that have nominated (up to the \$20,000 budget available). The City would engage a contractor to the value of \$20,000 to upgrade the chosen verges in that street.

The advantages of this model are:

- Resident participation would be limited to nominating verges. Disincentives to enter the competition such as financial outlay or labour required have been removed
- The overall impact of this approach would be maximised given works are confined to a single location within the suburb.
- The outcome of the competition would be the guaranteed improvement of 30 verges.
- Local amenity would be enhanced.
- The greatest amount of value for money would be achieved with actual verge upgrades and economies of scale can be gained by confining works to a single street.

The disadvantage with this model is:

- Participation in the project is limited to a single street and does not engage the entire suburb.

The options available are therefore:

Option One    To continue with the Heathridge Verge Competition model in partnership with the Great Gardens Team with a focus on verge enhancement and supported by updated Verge Treatment Guidelines.

Option Two    To develop the Front Verge Blitz whereby a model verge is developed to improve verges identified as being in a poor condition within a discrete suburb.

Option Three    To develop a Garden Competition with categories similar to those used in other Local Governments. The focus should be on gardens that are environmentally friendly and water-wise.

Option Four    To develop the Streetscape Verge Enhancement project whereby a model verge is developed and applied to a single selected street within the suburb. Residents in that street can nominate for their verge to be upgraded and the final decision rests with the City.

Option Four is recommended.

**Link to Strategic Plan:**

In the section on Sustainability at the City, the requirement to play a key role in sustainable development is noted, in particular with respect to:

- Raising awareness and assisting the community to achieve sustainable practices.
- Providing leadership to positively influence the community.

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

Selecting the Verge Competition Option without modification or with minor modification for use in Greenwood is likely to yield the same low levels of entry and achieve the same results in terms of verge improvement. Further, improving the guidelines to include environmental and water-wise practices, whilst important and worthwhile, will not be a driver for verge improvement. Currently there is little to no demand for this information and 'push' marketing strategies would be necessary to encourage public take up.

**Financial/Budget Implications:**

The \$20,000 budget set aside for the Heathridge Verge Competition was in excess of that required due to the low level of entries. The recommended option for a Streetscape Enhancement model would be likely to provide greater value for money.

Should this model be selected it should be noted that the works will be contracted out to a specialised gardening landscaping firm.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

As a vehicle for encouraging sufficient numbers of residents to improve the conditions of their verges the Heathridge Verge Competition was unsuccessful. The only entrants were those who already had established verges, not people whose verges needed to be improved to lift the overall amenity of the suburb. Nevertheless, the partnership with the Great Gardens Team to launch the competition and the involvement of local high school students was successful. The communication and presentation skills of the Team were effective and empowering for the audience who felt they had a better idea of what to do about their verges in the future and had some intention to act.

The Garden Competition model is one that could be used at the level of the whole City rather than on a suburb by suburb basis. This model lifts the focus from compliance with Verge Treatment Guidelines alone to designing 'gardens for the future,' allowing for creativity and self-expression across all types of housing and even extending to the business, commercial or educational sectors.

However, of all the options presented for consideration by Council, the Streetscape Enhancement model is the most likely to provide the greatest value for money. It does not require that householders spend their own money to improve a verge, only that they nominate for the work to be done. By developing a 'model' verge it will be possible to demonstrate best practice in water-wise, environmentally friendly and low maintenance design in selected suburbs.

## **ATTACHMENTS**

Nil.

## **VOTING REQUIREMENTS**

Simple Majority

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

- 1 NOTES the content of the report, which provides an evaluation of the Heathridge Verge Competition as a vehicle for verge enhancement by residents within a suburb;
- 2 SUPPORTS Option Four, being the development of a Streetscape Verge Enhancement concept to replace of the current Verge Competition model for application in Greenwood.

## **MOVED Cr Corr, SECONDED Cr Norman that Council:**

- 1 **NOTES the content of the report, which provides an evaluation of the Heathridge Verge Competition as a vehicle for verge enhancement by residents within a suburb;**
- 2 **SUPPORTS Option Three, being the development of a Garden competition with the following categories and prizes. The focus should be on gardens that are environmentally friendly and water-wise:**
  - **Best Private Residential Garden** Certificate & \$500 of gardening vouchers
  - **Best Waterwise Garden using Indigenous Plants** Certificate & \$500 of gardening vouchers
  - **Best Shopfront / Business Garden** Certificate & \$500 of gardening vouchers

**and certificates for all category runners-up;**

**3 SUPPORTS a Best Street competition, with the following prize:**

- **Best Street Presentation**                               **Sign at each end of street  
“Greenwood Best Street 2008”  
And a \$1,000 street party**

**4 NOTES that for the Garden competitions, people can nominate gardens other than their own and that all streets will be automatically entered into the Best Street competition.**

Discussion ensued.

Cr Young foreshadowed her intention to move an alternative Motion should the Motion under consideration not be successful.

**The Motion was Put and**

**TIED (5/5)**

**In favour of the Motion:** Mayor Pickard, Crs Corr, Macdonald, McLean and Norman   **Against the Motion:**  
Crs Amphlett, Hollywood, Jacob, John and Young

There being an equal number of votes, the Presiding Person exercised his casting vote and declared the Motion **LOST**

**MOVED Cr Young, SECONDED Cr Jacob that consideration of Future Verge Enhancements be REFERRED to the Policy Committee for further consideration and a report presented to a future Council Meeting.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, Macdonald, Norman, John, Hollywood and Young

## **CJ201-09/08                    FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 JUNE 2008 - [07882]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Said Hafez  
Corporate Services (Acting)

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### **PURPOSE**

The June 2008 Financial Activity Statement is submitted to Council to be noted.

### **EXECUTIVE SUMMARY**

This report has been prepared subject to final audit confirmation.

The June 2008 year to date report shows an overall decrease in budgeted deficit from operations and capital of \$15,476K when compared to the 2007-2008 revised budget (CJ038-03/08 refers).

This variance can be summarised as follows:

- The **Operating** surplus at the end of June 2008 is \$4,298K above budget, comprising higher Revenue of \$369K and lower operating expenditure of \$3,929K.

Revenue was below budget on Operating Grants and Subsidies by \$(317)K due to the timing of receipts which are later than expected and Profit on Asset Disposal of \$(84)K. There was additional revenue of \$329K for Interest and \$245K for Contributions, Reimbursements and Donations.

Expenditure variances arose principally from Materials and Contracts \$2,210K, Depreciation \$1,797K and Utility Charges \$271K being below budget partly offset by employee costs being \$(478)K above budget as detailed in the attached notes.

- **Capital Expenditure** is \$12,938K below the year to date revised budget of \$34,403K. The variance relates mainly to lower than expected expenditure on Road Works \$5,679K, Fee Paid Car Parking project of \$1200K, Ocean Reef Marina Development \$1,143K Footpaths \$663K, implementation of the Library and Document Management Systems \$505K, Aquatic Upgrade - CLC \$393K, Traffic Management \$345K, and other corporate and community projects, plus delayed vehicle and plant replacements of \$805K.

*That Council NOTES the Financial Activity Statement for the period ended 30 June 2008 forming Attachment A to Report CJ201-09/08, which is subject to final audit confirmation.*

## **BACKGROUND**

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

## **DETAILS**

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

The Financial Activity Statement for the period ended 30 June 2008 is appended as Attachment A.

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

Objective 1.3 – To lead and manage the City effectively.

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

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

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

**Risk Management considerations:**

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

**Financial/Budget Implications:**

Refer Attachment A.

**Policy Implications:**

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

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

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

**COMMENT**

All expenditures included in the Financial Activity Statement are incurred in accordance with the revised 2007-08 Annual Budget or have been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment A Financial Activity Statement for the period ended 30 June 2008.

**VOTING REQUIREMENTS**

Simple Majority

**MOVED** Cr John, **SECONDED** Cr Young that Council **NOTES** the Financial Activity Statement for the period ended 30 June 2008 forming Attachment A to Report CJ201-09/08, which is subject to final audit confirmation.

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf230908.pdf](#)*



## **CJ202-09/08 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JULY 2008 - [07882]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Said Hafez  
Corporate Services (Acting)

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### **PURPOSE**

The July 2008 Financial Activity Statement is submitted to Council to be noted.

### **EXECUTIVE SUMMARY**

The July 2008 year to date report shows an overall decrease in budgeted deficit from operations and capital of \$376K when compared to the 2008-2009 adopted budget (JSC3-07/08 refers).

This variance can be summarised as follows:

- The **Operating** deficit at the end of July 2008 is \$1,203K below budget, comprising lower Revenue of \$(455)K and lower operating expenditure of \$1,658K.

Revenue was below budget on Fees & Charges by \$(383)K and Operating Grants and Subsidies by \$(86)K. There was additional revenue of \$27K for Interest and \$16K for Profit on Asset Disposals.

Expenditure variances arose principally from Materials and Contracts \$1,498K and Employee Costs \$481K being below budget partly offset by Insurance Expenses \$(253)K and Depreciation \$(52)K being above budget as detailed in the attached notes.

- **Capital Expenditure** is \$(547)K above the budget of \$333K. The variance relates mainly to lower than expected expenditure on vehicle and plant replacements of \$60K and Corporate projects of \$32K. Capital Works expenditure is \$(640)K over budget as detailed in the attached notes.

*It is recommended that Council NOTES the Financial Activity Statement for the period ended 31 July 2008 forming Attachment A to Report CJ202-09/08.*

### **BACKGROUND**

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

### **DETAILS**

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

The Financial Activity Statement for the period ended 31 July 2008 is appended as Attachment A.

**Link to Strategic Plan:**

Objective 1.3 – To lead and manage the City effectively.

**Legislation – Statutory Provisions:**

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

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

**Risk Management considerations:**

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

**Financial/Budget Implications:**

Refer Attachment A.

**Policy Implications:**

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

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

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

**COMMENT**

All expenditures included in the Financial Activity Statement are incurred in accordance with the 2008-09 Annual Budget or have been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment A            Financial Activity Statement for the period ended 31 July 2008.

## VOTING REQUIREMENTS

Simple Majority

**MOVED** Cr John, **SECONDED** Cr Young that Council **NOTES** the Financial Activity Statement for the period ended 31 July 2008 forming Attachment A to Report CJ202-09/08.

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf230908.pdf](#)

## **CJ203-09/08 LIST OF PAYMENTS MADE DURING THE MONTH OF JULY 2008 - [09882]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Said Hafez  
Corporate Services (Acting)

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### **PURPOSE**

To present to Council the list of accounts paid under the CEO's delegated authority during the month of July 2008 to note.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of July 2008 totalling \$9,408,828.60.

*It is recommended that Council NOTES the CEO's list of accounts for July 2008 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 CJ203-09/08, totalling \$9,408,828.60.*

### **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 July 2008. Lists detailing the payments made are appended as Attachments A and B. The vouchers for the month are appended as Attachment C.

FUNDS	DETAILS	AMOUNT
Municipal Account	<b>Cheques</b> 81853 - 82023 and EF 1 - 422 Net of cancelled payments	\$6,780,710.46
	<b>Vouchers</b> 422B & 423A – 431A	\$2,549,372.20,
Trust Account	<b>Cheques</b> 202217 – 202247 Net of cancelled payments	\$78,345.94
	<b>Total</b>	\$9,408,828.60

### 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 2008/9 Annual Budget as adopted by Council at its meeting of 22 July 2008 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:**

Not Applicable.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is in accordance with the 2008/9 Annual Budget as adopted by Council at its meeting of 22 July 2008 or has been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment A CEO's Delegated Municipal Payment List for the month of July 2008  
Attachment B CEO's Delegated Trust Payment List for the month of July 2008  
Attachment C Municipal and Trust Fund Vouchers for the month of July 2008

**VOTING REQUIREMENTS**

Simple Majority

**MOVED** Cr John, **SECONDED** Cr Young that Council **NOTES** the CEO's list of accounts for July 2008 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 CJ203-09/08, totalling \$9,408,828.60.

The Motion was Put and **CARRIED (10/0)** by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf230908.pdf](#)

**CJ204-09/08 LIST OF PAYMENTS MADE DURING THE MONTH OF AUGUST 2008 - [09882]**

**WARD:** All  
**RESPONSIBLE DIRECTOR:** Mr Said Hafez  
Corporate Services (Acting)

**PURPOSE**

To present to Council the list of accounts paid under the CEO's delegated authority during the month of August 2008 to note.

## EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of August 2008 totalling \$9,640,422.78.

*It is recommended that Council NOTES the CEO's list of accounts for August 2008 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 CJ204-09/08, totalling \$9,640,422.78*

## 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 August 2008. Lists detailing the payments made are appended as Attachments A and B. The vouchers for the month are appended as Attachment C.

FUNDS	DETAILS	AMOUNT
Municipal Account	<b>Cheques</b> 82024 - 82249 and EF 423 - 1250 Net of cancelled payments	\$6,857,398.78
	<b>Vouchers</b> 432A, 436A - 439A, 441A & 444A	\$2,543,187.05,
Trust Account	<b>Cheques</b> 202248 – 202293 Net of cancelled payments	\$239,836.95
<b>Total</b>		\$9,640,422.78

### 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 2008/9 Annual Budget as adopted by Council at its meeting of 22 July 2008 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:**

Not Applicable.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is in accordance with the 2008/9 Annual Budget as adopted by Council at its meeting of 22 August 2008 or has been authorised in advance by Council where applicable.

**ATTACHMENTS**

Attachment A	CEO's Delegated Municipal Payment List for the month of August 2008
Attachment B	CEO's Delegated Trust Payment List for the month of August 2008
Attachment C	Municipal and Trust Fund Vouchers for the month of August 2008

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr John, SECONDED Cr Young that Council NOTES the CEO's list of accounts for August 2008 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 CJ204-09/08, totalling \$9,640,422.78**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf230908.pdf](#)

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer</b>
<b>Item No/Subject</b>	CJ205-09/08 – Minutes of the Audit Committee Meeting held on 19 August 2008 – (Item 6 - CEO's Credit Card Expenditure and Item 7 - Increase in the Maximum Limit for the CEO's Corporate Credit Card)
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	The CEO is the card holder

## CJ205-09/08      MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 19 AUGUST 2008 - [50068]

**WARD:** All

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

**PURPOSE**

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

**EXECUTIVE SUMMARY**

A meeting of the Audit Committee was held on 19 August 2008.

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

- Item 1 Attendance of the City's Auditor
- Item 2 Half Yearly Report - Contract Extensions (1 January 2008 - 30 June 2008)
- Item 3 Material Variances for the Financial Year Ending 30 June 2009
- Item 4 Write Off Fixed Assets
- Item 5 Quarterly Report - Corporate Credit Card Usage
- Item 6 CEO'S Credit Card Expenditure
- Item 7 Increase in the maximum limit for the CEO'S Corporate Credit Card
- Item 8 Internal Audit Activity Report
- Item 9 Appointment of External Member of Audit Committee
- Item 10 Half Yearly Report - Write Off of Monies - (1 January 2008 – 30 June 2008)
- Item 11 Half Yearly Report – Current Contractors Cumulative Costs (1 January 2008 To 30 June 2008)

*It is recommended that Council:*

- 1 *NOTES the unconfirmed Minutes of the Audit Committee meeting held on 19 August 2008, forming Attachment 1 to Report CJ205-09/08;*
- 2 *ADOPTS for the Financial Year ending 30 June 2009 a variance amount of \$50,000 or 5 percent of the appropriate base, whichever is higher, to be a material variance for the purposes of reporting under Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996;*



- 3 (a) *WRITES OFF identified assets no longer held by the City as listed at Attachment 2 to Report CJ205-09/08, excluding Assets 15817 and 15553 with a current combined carrying value of \$58,918;*
- (b) *REQUESTS a further report be presented after the completion of an audit review of assets 15817 and 15553;*
- 4 *APPROVES a permanent increase in the CEO's corporate credit card limit from \$5,000 to \$10,000;*
- 5 (a) *NOTES the resignation of Mr Peter Smith as the external member of the Audit Committee;*
- (b) *APPROVES advertising and inviting applications for the vacancy of External Member on the Audit Committee from residents who are on, or are eligible to be on, the City of Joondalup electoral roll.*

## **BACKGROUND**

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

## **DETAILS**

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

The Motions moved at the Audit Committee meeting held on 19 August 2008 are shown below, together with officer's comments.

#### Item 1 - Attendance of the City's Auditor

The City's Auditor, Mr Patrick Warr addressed the Audit Committee in relation to the forthcoming Audit

#### Officer's comment

The Audit of the City accounts started on 10 September and is progressing.

#### Item 2 - Half Yearly Report - Contract Extensions (1 January 2008 - 30 June 2008)

*"That the Audit Committee NOTES the report detailing Contracts extended by the CEO during the period January 2008 to June 2008 forming Attachment 1 to this Report."*

#### Officer's comment

No further action required.

Item 3 - Material Variances for the Financial Year Ending 30 June 2009

*“That the Audit Committee RECOMMENDS that Council ADOPTS for the Financial Year ending 30 June 2009 a variance amount of \$50,000 or 5 percent of the appropriate base, whichever is higher, to be a material variance for the purposes of reporting under Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996.”*

Officer’s comment

No further action required.

Item 4 - Write Off Fixed Assets

*“That the Audit Committee RECOMMENDS that Council:*

- 1 WRITES OFF identified assets no longer held by the City as listed at Attachment 1 to this Report, excluding Assets 15817 and 15553 with a current combined carrying value of \$66,229.84;*
- 2 REQUESTS a further report be presented after the completion of an audit review of assets 15817 and 15553.”*

Officer’s comment

Updated information has been issued to Elected Members in relation to these two Items.

Item 5 - Quarterly Report - Corporate Credit Card Usage

*“That the Audit Committee NOTES the report on the corporate credit card usage of the CEO for the quarter ended 31 March 2008 as shown on Attachment 1 to this Report.”*

Officer’s comment

No further action required.

Item 6 - CEO'S Credit Card Expenditure

*“That the Audit Committee NOTES the report on the corporate credit card usage of the CEO for the quarter ended 30 June 2008.”*

Officer’s comment

No further action required.

Item 7 - Increase in the maximum limit for the CEO'S Corporate Credit Card

*“That the Audit Committee RECOMMENDS that Council APPROVES a permanent increase in the CEO’s corporate credit card limit from \$5,000 to \$10,000.”*

Officer’s comment

Increasing the credit card limit is the most effective way to strengthen the financial security of the CEO while on overseas trips.

Item 8 - Internal Audit Activity Report

*“That the Audit Committee NOTES the Internal Audit Activity Report for 2007/2008 forming Attachment 2 to this Report.”*

Officer’s comment

No further action required.

Item 9 - Appointment of External Member of Audit Committee

*“That the Audit Committee RECOMMENDS that Council:*

- 1 *NOTES the resignation of Mr Peter Smith as the external member of the Audit Committee;*
- 2 *APPROVES advertising and inviting applications for the vacancy of External Member on the Audit Committee from residents who are on, or are eligible to be on, the City of Joondalup electoral roll.”*

Officer’s comment

Appropriate advertising will be arranged upon Council endorsement of the Committee recommendation.

Item 10 - Half Yearly Report - Write Off of Monies - (1 January 2008 – 30 June 2008)

*“That the Audit Committee RECEIVES the report of monies written off under delegated authority for the period 1 January 2008 to 30 June 2008.”*

Officer’s comment

No further action required.

Item 11 - Half Yearly Report – Current Contractors Cumulative Costs (1 January 2008 To 30 June 2008)

*“That the Audit Committee NOTES the report detailing current contractors cumulative costs for the period January 2008 to June 2008 compared to estimates reported at tender acceptance forming attachments 1 and 2 to this Report.”*

Officer’s comment

No further action required.

**Link to Strategic Plan:**

## 1.1 Objective:

To ensure that the processes of local governance are carried out in a manner that is ethical, transparent and accountable.

**Legislation – Statutory Provisions:**

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

Part 7 of the Act sets out the requirements in relation to Audits. Division 1A of Part 7 deals with the establishment, membership, decision-making and duties that a local government can delegate to an Audit Committee.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The unconfirmed minutes of the Audit Committee meeting held on 19 August 2008 are submitted to Council for noting, and to consider the recommendations of the Committee.

**ATTACHMENTS**

Attachment 1	Minutes of the Audit Committee meeting held on 19 August 2008
Attachment 2	Detailed list of assets identified for retirement from the Asset Register with corresponding book value of individual assets.

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr McLean, SECONDED Mayor Pickard that Council:**

- 1 NOTES the unconfirmed Minutes of the Audit Committee meeting held on 19 August 2008, forming Attachment 1 to Report CJ205-09/08;**
- 2 ADOPTS for the Financial Year ending 30 June 2009 a variance amount of \$50,000 or 5 percent of the appropriate base, whichever is higher, to be a material variance for the purposes of reporting under Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996;**
- 3 (a) WRITES OFF identified assets no longer held by the City as listed at Attachment 2 to Report CJ205-09/08, excluding Assets 15817 and 15553 with a current combined carrying value of \$58,918;**  
**(b) REQUESTS a further report be presented after the completion of an audit review of assets 15817 and 15553;**
- 4 APPROVES a permanent increase in the CEO's corporate credit card limit from \$5,000 to \$10,000;**
- 5 (a) NOTES the resignation of Mr Peter Smith as the external member of the Audit Committee;**  
**(b) APPROVES advertising and inviting applications for the vacancy of External Member on the Audit Committee from residents who are on, or are eligible to be on, the City of Joondalup electoral roll.**

Cr McLean spoke to the Motion.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6agn300908.pdf](#)*

## **CJ206-09/08 TENDER 032/08 DEMOLITION, REMOVAL, SUPPLY, INSTALLATION, COMMISSIONING AND MAINTENANCE OF AIR CONDITIONING FOR DUNCRAIG LIBRARY - [61617]**

**WARD:** South

**RESPONSIBLE DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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### **PURPOSE**

This report is to seek the approval of Council to accept the tender submitted by Australian Air-Conditioning Services Pty Ltd for the Demolition, Removal, Installation, Commissioning and Maintenance of Air Conditioning for Duncraig Library (Tender 032/08).

### **EXECUTIVE SUMMARY**

Tenders were advertised on 5 July 2008 through state wide public notice. Tenders closed on 22 July. Three (3) submissions were received from:

- Australian Air-Conditioning Services Pty Ltd;
- Burke Air; and
- Australian HVAC Services Pty Ltd.

The tender from Australian Air-Conditioning Services Pty Ltd represents best value to the City. They demonstrated significant industry experience, have the appropriate resources, a thorough understanding of the City's requirements and were the lowest priced Tender.

*It is recommended that Council ACCEPTS the Tender submitted by Australian Air-Conditioning Services Pty Ltd for Demolition, Removal, Installation, Commissioning and Maintenance of Air Conditioning for Duncraig Library in accordance with the statement of requirements as specified in Tender 032/08 for completion of the works within six (6) weeks from commencement for the fixed lump sum of \$261,682.00 (GST Exclusive).*

### **BACKGROUND**

The City has decided to replace the existing evaporative air conditioning system with a refrigerated system to the Duncraig Library.

The works shall consist of demolition and removal of the old system, and the supply, delivery, installation, commissioning and maintenance of the new air conditioning system to ensure better cooling and heating for the library environment.

### **DETAILS**

Tenders were advertised on 5 July 2008 through state wide public notice. Tenders closed on 22 July 2008. Three (3) submissions were received from:

- Australian Air-Conditioning Services Pty Ltd;
- Burke Air; and
- Australian HVAC Services Pty Ltd.

### Evaluation Criteria

The qualitative criteria and weighting used in evaluating the submissions received were as follows:

Qualitative Criteria		Weighting
1	Demonstrated experience in completing similar projects	35%
2	Capacity	30%
3	Demonstrated understanding of the required tasks	30%
4	Social and economic effects on the local community	5%

### Evaluation Panel

The evaluation panel comprised of three members; one with tender and contract preparation skills and two with involvement in supervising the Contract. The panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

### Tender Submissions

A summary of the Tender submissions is provided in Attachment 1.

This Contract is for a fixed lump sum with completion of the works within six (6) weeks from issue of the letter of acceptance.

### Evaluation Summary

Respondent	Evaluation Score	Price	Qualitative Rank
Australian Air-Conditioning Services Pty Ltd	84.70%	\$261,682.00	1
Burke Air	80.75%	\$263,269.00	2
Australian HVAC Services Pty Ltd	Non Compliant and not considered further.		

### Issues and options considered:

The replacement of the air conditioning system to the Duncraig Library is required to improve the quality of the facilities for the community. The City does not have the internal resources to supply the required services and as such requires an appropriate external contractor.

### Link to Strategic Plan:

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

5. Community Wellbeing

Objective 5.1 To ensure the City's facilities and services are of a high quality and accessible to everyone.

Strategy 5.1.1 The City develops and implements a Strategic Asset Management Framework to improve the standard and management of its community infrastructure, including the consolidation and rationalisation of current building facilities.

**Legislation – Statutory Provisions:**

A state wide 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.

**Risk Management considerations:**

Should the contract not proceed, the risk to the City will be high because of the high priority placed on the project by the community.

It is considered that the Contract will represent a low risk to the City as the recommended Respondent is a well-established company with significant industry experience and the capacity to complete works within the required timeframe.

**Financial/Budget Implications:**

<b>Current Year Budget Allocation for this Contract</b>	<b>Projected Expenditure on these Services to 30 June 2009</b>	<b>Projected Expenditure on these Services over the Life of the Contract if Accepted</b>
\$270,000	\$261,682.000	\$261,682.000

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the Submissions in accordance with the Qualitative Criteria and concluded that the Offer representing best value to the City is that as submitted by Australian Air Conditioning Services Pty Ltd at the offered price of \$261,682.00.

The tender from Australian HVAC Services Pty Ltd was non compliant as they did not complete the Compliance Criteria, departed from the General Conditions of Tender and Contract, offered a reduced tender validity period from that as specified in the RFT document, required payment of materials prior to completion of the Works, and did not



conform to the requirements of the Pricing Schedule so the evaluation panel were unable to compare prices on a like for like basis.

Burke Air demonstrated their experience and ability to undertake and complete similar projects and provided sound project methodology and a solid Quality Management Strategy. They have the necessary in house skills and resources available. They achieved a lower qualitative score of 80.75% and submitted the highest priced offer.

Australian Air-Conditioning Services Pty Ltd (AAS) has been established in excess of thirty (30) years and has skilled and experienced key personnel and the necessary equipment available. AAS fully understood the requirements and demonstrated sound project methodology and have a good Quality Management system in place. They achieved the highest qualitative score of 84.70% and submitted the lowest priced tender.

The panel has confidence in their ability to complete the works in the required timeframe and their breakdown of price reflects the appropriate understanding of the requirements with a low level of risk to the City.

## ATTACHMENTS

Attachment 1          Summary of Tender Submissions

## VOTING REQUIREMENTS

Simple Majority

**MOVED Cr Norman, SECONDED Cr John that Council ACCEPTS the tender submitted by Australian Air-Conditioning Services Pty Ltd for Demolition, Removal, Installation, Commissioning and Maintenance of Air Conditioning for Duncraig Library in accordance with the statement of requirements as specified in Tender 032/08 for completion of the works within six (6) weeks from commencement for the fixed lump sum of \$261,682.00 (GST Exclusive).**

Discussion ensued.

**The Motion was Put and**

**CARRIED (9/1)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young   **Against the Motion:** Cr Corr

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf230908.pdf](#)*

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Martyn Glover – Director, Infrastructure Services</b>
<b>Item No/Subject</b>	CJ207-09/08 - Tender 035/08 – Supply, Delivery and Laying of Asphalt
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	One of the tenderers is a personal friend of Mr Glover

**CJ207-09/08 TENDER 035/08 SUPPLY, DELIVERY AND LAYING OF ASPHALT - [74618]****WARD:** All**RESPONSIBLE DIRECTOR:** Said Hafez  
Corporate Services (Acting)**PURPOSE**

This report is to seek the approval of Council to accept the Tender submitted by Asphaltech Pty Ltd (Option B) for the Supply, Delivery and Laying of Asphalt (Tender 035/08).

**EXECUTIVE SUMMARY**

Tenders were advertised on 16 August 2008 through state wide public notice for the Supply, Delivery and Laying of Asphalt. Tenders closed on 2 September 2008. Six (6) submissions were received from:

- Downer EDI Works Pty Ltd;
- Pioneer Road Services Pty Ltd;
- Asphaltech Pty Ltd (Option A);
- Asphaltech Pty Ltd (Option B);
- Roads 2000 Pty Ltd; and
- Boral Asphalt (WA).

The submission from Asphaltech Pty Ltd (Option B) represents best value to the City. They demonstrated significant industry experience, the appropriate resources, a thorough understanding of the City's requirements and were the lowest submitted offer.

*It is recommended that Council ACCEPTS the Tender submitted by Asphaltech Pty Ltd (Option B) for the Supply, Delivery and Laying of Asphalt for a three (3) year period in accordance with the statement of requirements as specified in Tender 035/08 at the submitted schedule of rates.*

**BACKGROUND**

The City has a requirement for the supply and laying of asphalt and associated services to meet its objectives for both capital works and general maintenance requirements for its roads and associated infrastructure. The City had a single Contract for the Supply, Delivery and Laying of Asphalt with Asphaltech Pty Ltd which expired on 3 July 2008.

## DETAILS

Tenders were advertised on 16 August 2008 through state wide public notice for the Supply, Delivery and Laying of Asphalt. Tenders closed on 2 September 2008. Six (6) submissions were received from:

- Downer EDI Works Pty Ltd;
- Pioneer Road Services Pty Ltd;
- Asphaltech Pty Ltd (Option A);
- Asphaltech Pty Ltd (Option B);
- Roads 2000 Pty Ltd; and
- Boral Asphalt (WA).

### Evaluation Criteria

The qualitative criteria and weighting used in evaluating the submissions received were as follows:

Qualitative Criteria		Weighting
1	Capacity	40%
2	Demonstrated understanding of the required tasks	30%
3	Demonstrated experience in completing similar projects	25%
4	Social and economic effects on the local community	5%

### Evaluation Panel

The evaluation panel comprised of three members; one with tender and contract preparation skills and two with the appropriate technical expertise and involvement in supervising the Contract. The panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

### Tender Submissions

A summary of the Tender submissions is provided in Attachment 2.

To provide an estimated expenditure over a twelve (12) month period, the eight (8) most commonly used items and their typical usage based on historical data have been used (to calculate the total price). These items form 98% of the contract value and a comparison of the estimated expenditure is provided in Attachment 1.

Any future requirements will be based on demand and subject to change in accordance with the operational needs of the City.

The price schedule included provision for rates based on job size in Tonnes and an All Tonnage rate for works 1-400 Tonnes in size. These requirements are in accordance with the Institute of Public Works Engineering Australia (IPWEA) and Australian Asphalt Pavement Association (AAPA) Technical Specification for the supply and laying of hot asphalt road surfacing.

Asphaltech Pty Ltd submitted two pricing options.

**Option A** offered fixed rates subject to bitumen rise and fall only for the life of the contract.

**Option B** offered base rates lower than those submitted in Option A in the first year if the rates were subject to bitumen rise and fall in year one and then subject to bitumen rise and fall and CPI increases in years two and three.

Option B is acceptable to the City and provides the most competitive rates.

During the last financial year 2007/08, the City incurred \$1,953,939 for the Supply, Delivery and Laying of Asphalt and is expected to incur in the order of \$6,861,926 over the three (3) year Contract period.

### Evaluation Summary

Respondent	Evaluation Score	Estimated Contract Price (All Tonnage Rates)	Qualitative Rank
Downer EDI Works Pty Ltd	75%	\$2,559,000	3
Pioneer Road Services Pty Ltd	71.5%	\$2,583,000*	4
Asphaltech Pty Ltd (Option A)	77%	\$2,289,800	2
Asphaltech Pty Ltd (Option B)	77%	\$2,198,208	2
Roads 2000 Pty Ltd	71%	\$2,397,900	5
Boral Asphalt (WA)	77.4%	\$2,415,820	1

\* Pioneer Road Services did not submit All Tonnage rates, therefore the estimated contract price is that calculated on job size rates.

### Issues and options considered:

The supply, delivery and laying of asphalt is required for the City to meet its objectives for both capital works and general maintenance of roads and associated infrastructure. The City does not have the internal resources to supply the required goods and services and as such requires an appropriate external service provider.

### Link to Strategic Plan:

This requirement is linked to the Strategic Plan in accordance with the key focus area of the built environment.

### Legislation – Statutory Provisions:

A state wide 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.

**Risk Management considerations:**

Should the contract not proceed, the risk to the City will be high as the City will be unable to complete the Capital Works Programme.

It is considered that the Contract will represent a low risk to the City as the recommended Respondent is a well-established company with significant industry experience and the capacity to provide the services to the City.

**Financial/Budget Implications:**

<b>Current Year Budget Allocation for this Contract</b>	<b>Projected Expenditure on these Services to 30 June 2009</b>	<b>Projected Expenditure on these Services in first 12 Months of Contract if Accepted</b>	<b>Projected Expenditure on these Services over the Life of the Contract if Accepted</b>
\$2,127,303.73	\$182,860 (1-Jul-08 to date) \$1,648,656 (new Contract)	\$2,198,208	\$6,861,926*

\* The projected expenditure on these Services is subject to change and dependent on the quantity and type of requirements throughout the Contract period. Based on historical and known requirements, it is estimated that the expenditure over the Contract period will be in the order of \$6,861,926. This amount has been calculated on the first year estimate with CPI increases in years two and three of the Contract, but does not include increases from the rise and fall of bitumen, which is unable to be predicted for the life of the contract.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The submissions received from Downer EDI Works, Pioneer Road Services, Roads 2000 Pty Ltd, Asphalttech (Options A and B) and Boral Asphalt achieved qualitative scores of 75%, 71.5%, 71%, 77% and 77.4% respectively. All companies demonstrated significant industry experience, the capacity to meet the City's requirements and a good understanding of the required tasks. The difference of 6.4% in qualitative scoring between the companies was due to demonstrated experience in providing services to local government and capacity. The evaluation panel is confident all can achieve the City's required service levels.

As there was little difference between the submissions in the qualitative assessment, selection was based upon cost to the City. The lowest submitted Offer was that from Asphalttech Pty Ltd for Option B for \$2,198,208 using All Tonnage rates. For the same All Tonnage rates Downer EDI Works was \$360,792 (16.4%) more expensive, Boral Asphalt (WA) was \$217,612 (9.9%) more expensive and Roads 2000 Pty Ltd was \$199,692 (9.1%) more expensive than Asphalttech Pty Ltd (Option B). Pioneer Road Services did not submit All Tonnage rates. Based on their rates submitted for job size ranges, they were \$384,792 (17.5%) more expensive than the Tender submitted by Asphalttech Pty Ltd (Option B). The difference in price between the A and B Option submitted by Asphalttech Pty Ltd was \$19,592 (4.2%).

The evaluation panel considered all factors and concluded that the submission from Asphalttech Pty Ltd (Option B) represents best value to the City. The panel has confidence in their ability to complete the services to the required standards and their Offer for Option B based on All Tonnage rates was the lowest estimated contract price.

The attached summary of Tender submissions includes the location of each of the Tenderers.

## **ATTACHMENTS**

Attachment 1            Contract Cost Evaluation  
Attachment 2            Summary of Tender Submissions

## **VOTING REQUIREMENTS**

Simple Majority

**MOVED Mayor Pickard, SECONDED Cr Young that Council ACCEPTS the Tender submitted by Asphalttech Pty Ltd (Option B) for the Supply, Delivery and Laying of Asphalt for a three (3) year period in accordance with the statement of requirements as specified in Tender 035/08 at the submitted schedule of rates.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9agn300908.pdf](#)

## **CJ208-09/08 MINUTES OF THE CONSERVATION ADVISORY COMMITTEE HELD ON 27 AUGUST 2008 - [12168]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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### **PURPOSE**

To submit the unconfirmed minutes of the Conservation Advisory Committee to Council for noting.

### **EXECUTIVE SUMMARY**

A meeting of the Conservation Advisory Committee was held on 27 August 2008.

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

- Assessment of Sheoaks within the City's Parks CJ199-09/07.

*It is recommended that Council:*

- 1 *NOTES the unconfirmed minutes of the Conservation Advisory Committee held on 27 August 2008 forming Attachment 1 to Report CJ208-09/08;*
- 2 *ENDORSES the following criteria when selecting tree species for use in parks where playgrounds are located:*
  - *the trees provide ample shade;*
  - *attract local bird species;*
  - *have a low moisture requirement;*
  - *eventual height and canopy spread is considered;*
  - *local species are given priority;*
  - *species suitable for the local soil conditions are chosen;*
  - *long lived species are selected;*
  - *species selected will have a high tolerance to pests and diseases.*
- 3 *ENDORSES the Conservation Advisory Committees request for a report on insurance arrangements for volunteers working under Friends Group supervision at Friends Group events within the City of Joondalup;*
- 4 *ENDORSES the Conservation Advisory Committee request for a report that provides information on the process by which Friends Groups can engage school students under the community service program or any aged group students working in bushland.*

### **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 four 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 Motion carried at the Conservation Advisory Committee meeting held 27 August 2008 is shown below, together with officer's comments.

#### 1 Assessment of Sheoaks within the City's Parks CJ199-09/07

The following Motion was carried at the meeting on 27 August 2008:

*"That the tree selection in parks where playgrounds are located be selected to meet the following criteria:*

- *provision of shade;*
- *attraction of Western Australian native birds;*
- *Western Australian species."*

#### Officer's comment

The selection of trees in the City's parks where play grounds are present should try to meet the above criteria. Additional criteria should include a low water requirement, suitability for soil conditions, eventual height and canopy spread, susceptibility to pests and disease attack and longevity.

The selection of local indigenous species should take priority where possible and the use of a range of other species should only be considered where appropriate. An example may be the replacement of species in an existing landscape where none local species have been used and the use of local species would be deleterious to the aesthetic appeal of the landscape.

It is recommended that the Motion from the CAC be modified to include the additional tree selection criteria.

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

The following Motion was carried at the meeting on 27 August 2008:

*"That the Conservation Advisory Committee REQUESTS a report on insurance arrangements for volunteers working under Friends Group supervision at Friends group events within the City of Joondalup."*

#### Officer's comment

The important issue of insurance cover for volunteers working with friends groups does require some clarification and a report on the subject would be the appropriate way to achieve this. The above Motion is supported.



The following Motion was carried at the meeting on 27 August 2008:

*“That the Conservation Advisory Committee REQUESTS that the City advises on the process by which Friends Groups can occasionally engage school students under the community service program or any aged group students working in bushland.”*

Officer’s comment

Bushland Friends Groups, City Officers and students and teachers from local school have been working collaboratively on local bushland projects for over eighteen years. In recent years this working relationship has become more complex because of issues such as occupational health and safety and the requirement for adults working with children to have police clearance.

Bushland Friends Groups who are strongly represented on the CAC are keen to continue and build upon the work that has been achieved in the past with local schools and are seeking information on ways to enable this working relationship to be built upon.

The request by the CAC for a report on this subject is supported.

**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:**

The purchase of native trees for parks is included in the Parks Maintenance Budget.

**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**

The recommendation on native trees from the CAC is supportive of the City's Landscape Master Plan principles, however it is considered necessary to strengthen the criteria for the tree selection and provide for existing landscapes which are not Western Australian natives.

**ATTACHMENTS**

Attachment 1          Minutes of the Conservation Advisory Committee Meeting held on 27 August 2008

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr John, SECONDED Cr Young that Council:**

- 1          **NOTES** the unconfirmed minutes of the Conservation Advisory Committee held on 27 August 2008 forming Attachment 1 to Report CJ208-09/08;
- 2          **ENDORSES** the following criteria when selecting tree species for use in parks where playgrounds are located:
  - the trees provide ample shade;
  - attract local bird species;
  - have a low moisture requirement;
  - eventual height and canopy spread is considered;
  - local species are given priority;
  - species suitable for the local soil conditions are chosen;

- **long lived species are selected;**
  - **species selected will have a high tolerance to pests and diseases.**
- 3 ENDORSES the Conservation Advisory Committee’s request for a report on insurance arrangements for volunteers working under Friends Group supervision at Friends Group events within the City of Joondalup;**
- 4 ENDORSES the Conservation Advisory Committee’s request for a report that provides information on the process by which Friends Groups can engage school students under the community service program or any aged group students working in bushland.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf230908.pdf](#)*

## **CJ209-09/08 PETITION OPPOSING THE PROVISION OF A PATH IN ELLISON DRIVE, PADBURY - [29067]**

**WARD:** South-West

**RESPONSIBLE DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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### **PURPOSE**

To consider a six-signature petition opposing the provision of a path in Ellison Drive, Padbury between Tarrant Place and Renou Place.

### **EXECUTIVE SUMMARY**

A petition signed by six (6) residents (dated 21 May 2008), opposing the provision of a footpath in Ellison Drive between Tarrant Place and Renou Place, Padbury was received by Council at its meeting held on 15 July 2008.

The basis of the petition is that the path is not required and that its construction would adversely impact on existing screening vegetation between Ellison Drive and Marmion Avenue.

The outcome of a consultation letter to residents of Ellison Drive, dated 28 March 2008, revealed general support for the proposal with only one resident opposing the provision of the path. It is apparent from the petition dated 21 May 2008, however, that the proposal is no longer supported.

In view of the concerns expressed and the fact that the path would affect the screening vegetation it is recommended that only a short section of path be constructed in Ellison Drive to provide improved access to the shared path in Marmion Avenue.

*It is recommended that Council APPROVES the reduction of the extent of path to be constructed in Ellison Drive to a short section connecting the existing shared path to the path in Marmion Avenue as depicted in Attachment 2 to Report CJ209-09/08.*

## **BACKGROUND**

A path was constructed in Ellison Drive between Gibson Avenue and Tarrant Place, Padbury as part of the 2007/08 Capital Works Program. This section of path was constructed to provide a facility for residents in Ellison Drive and adjacent streets and to provide a shared path facility along Hepburn Avenue between Gibson Avenue and Marmion Avenue. This section of path is shown in Attachment 1.

The second stage of this path was to extend the path northwards from Tarrant Place to Renou Place and was proposed to provide a path facility for residents in Ellison Drive and connecting streets. This section of path is also shown in Attachment 1 as the dashed line.

The City consulted with the residents of Ellison Drive in late March 2008. The outcome of the consultation revealed general support for the proposal with only one resident opposing the provision of the path.

A six (6) signature petition representing five properties in Ellison Drive, Padbury was submitted to Council on 15 July 2008 in opposition to the provision of a path in Ellison Drive between Tarrant Place and Renou Place.

Council resolved that the petition be received, referred to the Chief Executive Officer and a subsequent report be presented to Council for information.

It is apparent from the content of the petition that the proposal to extend the footpath to the north along Ellison Drive is no longer supported.

## **DETAILS**

The basis of the opposition to the path was that it was not required as Ellison Drive is a quiet street and that the path would be an unnecessary duplication of an existing path in Marmion Avenue. A further concern was that the path would adversely impact the existing screening vegetation between Ellison Drive and Marmion Avenue.

It is acknowledged that the path would impact upon the screening vegetation, however, it was intended that replacement vegetation be provided as part of the project to minimise the impact.

Notwithstanding that there is an existing path in Marmion Avenue, it was considered that a path in Ellison Drive, on either side of the road and north of Tarrant Place, would complement the section constructed to the south and be of benefit to local residents. It is also acknowledged that traffic volumes are low.

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

The completion of this section of path in Ellison Drive is linked to the Strategic Plan under the Key Focus Area: The Built Environment.

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

The risk in reducing the extent of the path to be constructed as recommended is not considered significant given the low traffic volumes in Ellison Drive and the close proximity of an existing path in Marmion Avenue.

**Financial/Budget Implications:**

Provision has been made in the 2008/09 Budget to allow for the construction of the path in accordance with the recommendation of the report.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The outcome of a consultation letter to residents of Ellison Drive, dated 28 March 2008, revealed general support for the proposed path in Ellison Drive with only one resident opposing the provision of the path. The subsequent petition dated 21 May 2008, however, indicated that the proposal was no longer supported.

**COMMENT**

Given that the existing proposal is now not fully supported, it is recommended that the works be limited to the extension of the recently constructed shared path in Ellison Drive to connect with the shared path in Marmion Avenue, as depicted in Attachment 2. This short section path would provide easier access to the Marmion Avenue shared path, particularly for those residents in Tarrant Place. There would be minimal impact on existing vegetation and the path would be located opposite 26 and 28 Ellison Drive. It is noted that neither of these properties objected to the previous proposal.

**ATTACHMENTS**

Attachment 1	Existing and Proposed Paths in Ellison Drive, Padbury
Attachment 2	Recommended Path in Ellison Drive

**VOTING REQUIREMENTS**

Simple Majority

**MOVED** Cr John, **SECONDED** Cr Young that Council **APPROVES** the reduction of the extent of path to be constructed in Ellison Drive to a short section connecting the existing shared path to the path in Marmion Avenue as depicted in Attachment 2 to Report CJ209-09/08.

The Motion was Put and **CARRIED (10/0)** by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 11 refers*

To access this attachment on electronic document, click here: [Attach11brf230908.pdf](#)

**CJ210-09/08      PROPOSED SURRENDER OF LEASE FOR LOT 20,  
11 BINDAREE TERRACE, KINGSLEY – BINDAREE  
ROTARY PARK - [20124]**

**WARD:** South-East

**RESPONSIBLE  
DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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**PURPOSE**

To seek Council's approval for the early surrender of the lease between the Western Australian Planning Commission (WAPC) for Lot 20, 11 Bindaree Terrace, Kingsley known as Bindaree Rotary Park.

**EXECUTIVE SUMMARY**

Bindaree Rotary Park is leased by the City from the WAPC until 31 August 2010. The Friends of Yellagonga Regional Park have made requests for works to take place within Bindaree Rotary Park however, as the lease has less than two years left to run, it is not cost effective for the City to construct infrastructure and maintain bushland in a park that will be managed by the State Government in the short term.

The *Yellagonga Regional Park Management Plan (2003-2013)* recommends that Bindaree Rotary Park should be reserved as a conservation park with a management order being issued by the Crown to the Department of Environment and Conservation (DEC).

All stakeholders involved with Bindaree Rotary Park and its future support the early surrender of the lease and there appears to be no impediment to Council supporting immediate surrender of the lease.

*It is recommended that Council:*

- 1 *APPROVES the immediate surrender of the lease between the City of Joondalup (former Shire of Wanneroo) and the Western Australian Planning Commission (former Metropolitan Region Planning Authority) for Lot 20, 11 Bindaree Terrace, Kingsley known as Bindaree Rotary Park;*
- 2 *SUPPORTS the recommendations of the Yellagonga Regional Park Management Plan (2003-2013) for Lot 20, 11 Bindaree Terrace, Kingsley, known as Bindaree Rotary Park, to be managed by the Department of Environment and Conservation as a conservation park.*

## **BACKGROUND**

Bindaree Rotary Park is owned by the State of Western Australia and is the subject of a 25 year lease between the former Metropolitan Region Planning Authority (MRPA) and the former Shire of Wanneroo. The Shire of Wanneroo's interest in the land was subsequently transferred to the City of Joondalup and the MRPA's to the WAPC.

## **DETAILS**

The City's lease with the WAPC commenced on 1 September 1985 and expires on 31 August 2010. The purpose of the lease is for the City to use and develop the leased area as a public park and recreational purposes. The rent is 'peppercorn' and the City pays the operational and maintenance costs associated. The lease is conditional on the City returning the land to the WAPC at expiry or before, if negotiated.

Bindaree Rotary Park's land area is approximately 3.0756 ha, it is a Bush Forever site and it is part of Yellagonga Regional Reserve. The land contains indigenous vegetation that is in good condition and worthy of continued protection and maintenance; Bindaree Rotary Park has a bike track running along its western and southern boundaries.

The City has received requests to undertake works on Bindaree Rotary Park and this has raised the question of early surrender of the lease.

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

A number of requests have been received from residents, including the Friends of Yellagonga Regional Park, for the City to commence weed control operations and also fence the bushland component of the park. The costs associated with installing a fence would be approximately \$10,000, together with any maintenance costs that might be involved from its installation until expiry of the lease and handover of the land to the DEC. Overall weeding programmes for the two years until expiry of the lease would cost the City approximately \$5000. Given the short tenure left on this lease, and the fact that Bindaree Rotary Park will be controlled by the State Government in less than two years, the viability of this work and expenditure is questionable.

Early surrender of the lease is simply bringing forward the future State and Local Government objectives for the land and it is expected that Bindaree Rotary Park will be maintained by the DEC in a similar manner to the way that it maintains other bushland areas contained with Yellagonga Regional Park, such as for the control of exotic weeds.

Although the City is perfectly within its right to continue with the subject lease until 31 August 2010, the parties involved with Bindaree Rotary Park are all in agreement to early surrender of the lease subject to Council's approval.

**Link to Strategic Plan:**

- Objective 2.1 To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained
- Objective 2.2 To engage proactively with the community and other relevant organisations in the preservation of the City's natural environmental.
- Strategy 2.2.3 The City undertakes actions to protect and rehabilitate its natural bushland and coastal environment and works closely with Friends and local environmental groups to achieve these outcomes.

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

If the City continues with the lease until 31 August 2010, and does not commence the works requested by residents due to the short tenure remaining on the lease, it may cause some local community dissatisfaction. Conversely, Council needs to consider the cost effectiveness of spending funds on land that will be controlled by State Government in two years.

**Financial/Budget Implications:**

It is possible that funds for fencing, bike track maintenance and weeding programmes may need to be considered should the lease continue until expiry at 31 August 2010.

If the lease is surrendered, the City will be obliged to pay legal fees for the preparation of the surrender documents.

**Policy Implications:**

In *Policy 7-19 - Asset Management*, it details that services related to the City's asset management should be delivered both economically and sustainably.

**Regional Significance:**

This matter does not have regional significance.

**Sustainability Implications:**

The City delivers a variety of services to the community and in doing so, should ensure that the assets supporting these services, which includes parks, are managed in a way that promotes maximum performance for the lowest 'whole of life' cost.

**Consultation:**

Not Applicable

**COMMENT**

The current lessor (the WAPC), the future manager of the land (the DEC), the Friends of Yellagonga Regional Park and the City staff involved, all support the early surrender of the lease and the DEC will manage the land in accordance with the details of the *Yellagonga Regional Park Management Plan (2003-2013)* to which the City is a signatory.



Based on the above, there appears to be no reason that would impede Council's approval for the surrender of the lease for Bindaree Rotary Park, effective as soon as possible.

## ATTACHMENTS

Attachment 1            Location plan of Bindaree Rotary Park, Lot 20, 11 Bindaree Terrace, Kingsley.

## VOTING REQUIREMENTS

Simple Majority

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

- 1        **APPROVES** the immediate surrender of the lease between the City of Joondalup (former Shire of Wanneroo) and the Western Australian Planning Commission (former Metropolitan Region Planning Authority) for Lot 20, 11 Bindaree Terrace, Kingsley known as Bindaree Rotary Park;
- 2        **SUPPORTS** the recommendations of the Yellagonga Regional Park Management Plan (2003-2013) for Lot 20, 11 Bindaree Terrace, Kingsley, known as Bindaree Rotary Park, to be managed by the Department of Environment and Conservation as a conservation park.

Discussion ensued.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 12 refers*

*To access attachment on electronic document, click here: [Attach12brf230908.pdf](#)*

## **CJ211-09/08      FISH KILL INCIDENT AT OCEAN REEF MARINA - [04171]**

**WARD:** North Central

**RESPONSIBLE DIRECTOR:** Mr Martyn Glover  
Infrastructure Services

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## **PURPOSE**

To provide information to Council regarding fish deaths that occurred within the Ocean Reef Marina in May 2008.

## EXECUTIVE SUMMARY

Subsequent to a number of dead fish and crustaceans being found washed up on the southern beach within Ocean Reef Boat Harbour, the Conservation Advisory Committee, at its meeting held on 25 June 2008, requested the City to prepare a report on the reasons for the fish kill. The outcome of the testing by the Department of Fisheries is that fish kill was most likely due to low oxygen levels in an area of the Marina.

It was resolved at the ordinary meeting of Council held on Tuesday 5 August 2008 that Council:

*“REQUESTS that a report be submitted to Council on the recent fish kills at Ocean Reef Marina.”*

*It is recommended that Council NOTES the report entitled Fish Kill Incident at Ocean Reef Marina.*

## BACKGROUND

In late May 2008, the City received reports regarding a number of dead fish and crustaceans that had washed up on the small southern beach within the confines of the Ocean Reef Boat Harbour (Attachment 1 refers).

The kill included the fish species of mullet, yellowfin, whiting and bream as well as small crabs (Attachment 2 refers). The sea bed of the Marina falls within the jurisdiction of the Department of Planning and Infrastructure whereas the beach areas are the responsibility of the City. The City immediately placed warning signs on the beach. These signs were in place from 29 May 2008 until 20 June 2008 (Attachment 3 refers).

## DETAILS

The fish deaths within the Ocean Reef Marina were reported to have occurred on Tuesday 27 May 2008. The Department of Fisheries Fish Kill Response Coordinator conducted an investigation into the incident.

The Department of Fisheries has a Fish Kill Incident Response plan for Western Australia that has been in effect since 2005. One hundred and sixty people throughout the State are trained in the use of fish kill sampling kits that are used to gather information on-site when fish kills are discovered.

The investigation included sampling and testing of the sea water within the Marina as well as testing the fish and crabs found at the scene.

Water sample testing revealed no toxic algal or bacterial levels within the Marina.

A media release from the Minister of Fisheries on 5 June 2008 ruled out disease or algal blooms being the cause of the fish deaths. The testing of the dead fish revealed that the fish had numerous swollen blood capillaries within their gills. The Fish Kill Response Coordinator advised that this damage to fish gills is commonly associated with a low dissolved oxygen and this is a frequent finding in fish kills that are due to anoxic (oxygen depletion) water conditions. He further advised that he was confident that the fish had died after swimming into an area of water that had depleted oxygen levels and the depletion may have been due to the accumulation of sea weed in the shallow water.

Following this advice the City removed the warning signage and the beach was reopened to the public.

**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:**

Not Applicable.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

The cost of the beach closure signage was provided through the maintenance budget.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The health of marine fish species living in waters close to the City's coastal areas, has sustainability implications for Joondalup residents. Had the recent fish kill at Ocean Reef been caused by factors other than a natural occurrence and been of a far greater scale, it would have impinged on the amenity value of the coastal environs. Ocean Reef Marina is of great value to recreational fishers, walkers and others who use the area, and the City's close cooperation with State Government Authorities ensured that the area where the fish kill occurred was secured quickly to ensure residents' safety.

**Consultation:**

Not Applicable.

**COMMENT**

The City's response when the fish deaths were discovered on the southern beach at the Ocean Reef Marina was appropriate. That is, warning signs and bunting were erected to warn the public, and immediate contact was made with the relevant State Authority, which in this case was the Department of Fisheries.

The results of the testing by the Department of Fisheries indicates that the fish died from a natural phenomenon, that is, lack of oxygen which may have been due to excessive weed in the shallow water.

**ATTACHMENTS**

Attachment 1      Aerial photo of Ocean Reef Marina  
Attachment 2      Photograph of signage

**VOTING REQUIREMENTS**

Simple Majority

**MOVED Cr John, SECONDED Cr Young that Council NOTES the report entitled Fish Kill incident at Ocean Reef Marina.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 13 refers*

*To access this attachment on electronic document: [Attach13brf230908.pdf](#)*

**CJ212-09/08      MONTHLY TOWN PLANNING DELEGATED  
AUTHORITY REPORT, DEVELOPMENT AND  
SUBDIVISION APPLICATIONS – AUGUST 2008 -  
[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 a committee or an employee of the City.

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 August 2008 (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 August 2008 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 August 2008</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Value (\$)</b>
Development Applications	77	\$ 10, 588,911
R-Code variations (Single Houses)	70	\$ 31, 619,960
<b>Total</b>	147	\$ 42, 208,871

The number of development applications received in August 2008 was 82. (This figure does not include any applications that may become the subject of the R-Code Variation process). The R Code Variation figure provided does not include the Code Variations determined as a Building Licence Application.

<b>Subdivision Approvals Processed Under Delegated Authority Month of August 2008</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Potential new Lots</b>
Subdivision Applications	5	4
Strata Subdivision Applications	12	22

The above subdivision applications may include amalgamation and boundary realignments which may not result in any additional lots.

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 13 May 2008 considered and adopted the most recent Town Planning Delegation for the period to 17 July 2009.

## **DETAILS**

### **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, any relevant Town Planning Scheme Policy and/or the District Planning Scheme.

Of the 77 development applications determined during August 2008, consultation was undertaken for 31 of those applications. Of the 17 subdivision applications determined during August 2008, no applications were advertised for public comment, as the proposals complied with the relevant requirements.

## 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 August 2008 - Decisions - Development Applications  
Attachment 2 August 2008 - Subdivision Applications Processed

## VOTING REQUIREMENTS

Simple Majority

**MOVED Cr John, SECONDED Cr Young that Council NOTES the determinations made under Delegated Authority in relation to the:**

- 1 development applications described in Attachment 1 to Report CJ212-09/08 for August 2008;**
- 2 subdivision applications described in Attachment 2 to Report CJ212-09/08 for August 2008.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf230908.pdf](#)*

## **CJ213-09/08 CONSIDERATION OF A DESIGN ADVISORY PANEL FOR THE CITY OF JOONDALUP - [02153]**

**WARD:** All

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

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## PURPOSE

To report on the establishment of a Design Advisory Panel.

## EXECUTIVE SUMMARY

The Council resolved to examine the establishment of the Design Advisory Panel. A number of existing local government design advisory models have been examined in preparing this report. The information is provided for Council to consider whether it wishes to progress with the establishment of the Design Advisory Panel

## BACKGROUND:

At this meeting on 18 December 2007 the Council resolved:

*“That Council REQUESTS a report that examines the establishment of a Design Advisory Committee similar to the model used by other West Australian Local Governments, such as the City of South Perth.”*

At the present time the City does not have specific urban design or architectural expertise to advise on the quality of major development proposals.

## DETAILS

The approaches taken by the City of South Perth, the City of Perth, Town of Cottesloe and the Town of Victoria Park have been examined and relevant information on each model is documented and attached.

The Cities of Fremantle, Melville and Stirling were also contacted but advised that they do not have Design Advisory bodies (Fremantle and Stirling have Heritage Advisory Committees).

On the basis of the Local Government models examined, the following observations are made:

### Role

The stated role or function of the design advisory models examined varies considerably, however, the actual roles performed are quite similar.

The various bodies each provide independent technical advice and recommendations to their respective Councils on design issues related to the more significant development applications.

### Membership

Each of the Committees examined contain members with professional and technical expertise in the fields of Urban Design, Architecture and Town Planning. The members chosen generally have a high profile and the respect of their professions. Each of the bodies also include relevant senior staff members.

To maintain a degree of independence, elected members were either not members of the bodies or did not attend the meetings.

The external members are remunerated for their time and attendance at meetings.



### Timing and Process

The Committee meetings were timed to fit in with the usual Council Meeting cycle. The meetings are held behind closed doors, largely to allow the professional critique process to proceed uninhibited and to avoid any potential embarrassment to the designer of the proposal.

### **Options**

1. Status quo – continue without specific expert design advice and rely on the design guidelines set down in the City Centre Structure Plan.
2. Appoint a panel of design professionals comprising representatives of the professions of:
  - Architecture
  - Urban Design
  - Planning
  - Landscape Architecture

The City could draw on any one or all of the panel members to provide independent advice as required on major significant development proposals.

The advantage of a Panel is that it is not constrained by the normal meeting procedures as prescribed by the Local Government Act 1995 and the City's Standing Orders Local Law 2005 and the processes of a committee. This will allow for open discussion among the members present and a consensus view to be arrived at.

3. Establish a Committee of the Council containing design professionals from the disciplines of:
  - Architecture
  - Urban Design
  - Planning
  - Landscape Architecture

The Committee would meet as required, but within the Council meeting cycle, to provide independent advice for major or significant development proposals.

The advantage of this arrangement is that it provides a structured operating environment for the design group. However, the structure provided is, by nature, constraining.

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

4.1 OBJECTIVE: To ensure high quality urban development within the City.

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

Not Applicable.

### **Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

The cost of professional advice will depend on the nature of the matter under consideration and the frequency of use of panel members. No funds have been allocated in the 2008/2009 budget for this specific role, however, the Consultancy Budget could provide the funds.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**COMMENT**

The examination of the Design Advisory bodies of other Local Governments shows some variation in the models used, however there is a common thread running through each of them; the desire to achieve a quality design which contributes to the townscape.

The information provided by Perth and Victoria Park indicated that there was some merit in having an independent design advisory group. An often cited criticism of the approval process is the amount of bureaucracy and the time taken. A design advisory group will add another layer of bureaucracy and could impact on the timing of development approvals.

The advantages of independent design advice on major developments for the City will outweigh any potential delays in the approval process. Some of the delays in recent development proposals have been the result of concerns over poor design, therefore, early intervention in the design consultation may, in fact, assist the approval process.

The preferred model for a design advisory group is the formation of a panel of professionals representing the design related disciplines of architecture, planning, urban design and landscape architecture. It is also proposed that the Chief Executive Officer be a member of the panel as the convenor and chair. The draft terms of reference for the Design Advisory Panel are attached.

It is proposed to seek nominations from professional institutions with members that hold relevant expertise and professional standing in the disciplines of:

- Architecture
- Urban Design Planning
- Town Planning
- Landscape Architecture
- 

The Council could then select the preferred member and deputy member from each of the disciplines.

The Design Advisory Panel will meet as required, but generally once a month to coincide with the Council meeting cycle. The Panel will only consider the major aspects and implications of major or significant development applications or those likely to impact on the streetscape or locality. Their advice, based on a consensus view will be incorporated in the report to the Council. A separate section will be provided in the report and any suggested changes to the design will be considered in terms of the recommendation and conditions, in accordance with the planning legislation.

## ATTACHMENTS

Attachment 1	City of South Perth - Design Advisory Committee
Attachment 2	Town of Victoria Park - Design Review Group
Attachment 3	City of Perth - Design Advisory Committee
Attachment 4	Town of Cottesloe – Design Advisory Panel
Attachment 5	Terms of Reference

## VOTING REQUIREMENTS

Absolute Majority

### OFFICER'S RECOMMENDATION: That Council:

- 1 BY AN ABSOLUTE MAJORITY, ENDORSES the establishment of an independent Design Advisory Panel in accordance with the Terms of Reference at Attachment 5 to Report CJ213-09/08;
- 2 SEEKS nominations of members from relevant professional institutions representing:
  - Architecture
  - Urban Design Planning
  - Town Planning
  - Landscape Architecturewho hold extensive professional expertise in their chosen field;
- 3 NOTES that the Chief Executive Officer will be a member of the Panel and will convene and chair the Panel.

### MOVED Cr Jacob, SECONDED Cr Hollywood that Council:

- 1 **AMENDS the Design Advisory Panel Terms of Reference, Point 4.5 to read:**  
**4.5 Payment**  
**The members of the panel representing the professional institutions will be paid a flat fee for the time spent assessing applications, including discussions with the City's officers and applicants.**
- 2 **BY AN ABSOLUTE MAJORITY, ENDORSES the establishment of an independent Design Advisory Panel in accordance with the amended Terms of Reference at Attachment 5 to Report CJ213-09/08;**
- 3 **SEEKS nominations of members from relevant professional institutions representing:**
  - **Architecture**
  - **Urban Design Planning**
  - **Town Planning**
  - **Landscape Architecture****who hold extensive professional expertise in their chosen field;**

**4 NOTES that the Chief Executive Officer will be a member of the Panel and will convene and chair the Panel.**

*The Acting Director, Governance & Strategy left the Chamber, the time being 2048 hrs and returned at 2049 hrs.*

Discussion ensued.

**AMENDMENT MOVED Cr Amphlett, SECONDED Cr Macdonald that:**

- Design Advisory Panel in Point 1 be amended to read “Expert Design Panel”
- all reference in the Terms of Reference to Design Advisory Panel be amended to read “Expert Design Panel”;
- Points 2, 3 and 4 be renumbered to Points 3, 4 and 5

Discussion ensued.

**The Amendment was Put and**

**LOST (2/8)**

**In favour of the Amendment:** Crs Amphlett and Cr Macdonald **Against the Amendment:** Mayor Pickard, Crs Corr, Hollywood, Jacob, John, McLean, Norman and Young

**AMENDMENT MOVED Cr Norman, SECONDED Cr John that:**

- Design Advisory Panel in Point 1 be amended to read “Design Review Panel”
- all reference in the Terms of Reference to Design Advisory Panel be amended to read “Design Review Panel”;

Discussion ensued.

**The Amendment was Put and**

**LOST (0/10)**

**Against the Amendment:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

**AMENDMENT MOVED Cr Young, SECONDED Cr McLean that an additional Point 5 be added to the Motion as follows:**

**“5 REVIEWS the fee structure of the Design Advisory Panel in 12 months time”.**

**With the consent of the Meeting, the Amendment was**

**WITHDRAWN**

**AMENDMENT MOVED Cr Young, SECONDED Cr McLean that an additional Point 5 be added to the Motion as follows:**

**“5 REVIEWS the costs and fee structure of the Design Advisory Panel in 12 months time.”**

**The Amendment was Put and**

**CARRIED (9/1)**

**In favour of the Amendment:** Mayor Pickard, Crs Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young **Against the Amendment:** Cr Amphlett

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

**That Council:**

**1 AMENDS the Design Advisory Panel Terms of Reference, Point 4.5 to read:**

**4.5 Payment**

**The members of the panel representing the professional institutions will be paid a flat fee for the time spent assessing applications, including discussions with the City's officers and applicants.**

**2 ENDORSES the establishment of an independent Design Advisory Panel in accordance with the amended Terms of Reference at Attachment 5 to Report CJ213-09/08;**

**3 SEEKS nominations of members from relevant professional institutions representing:**

- **Architecture**
- **Urban Design Planning**
- **Town Planning**
- **Landscape Architecture**

**who hold extensive professional expertise in their chosen field;**

**4 NOTES that the Chief Executive Officer will be a member of the Panel and will convene and chair the Panel;**

**5 REVIEWS the costs and fee structure of the Design Advisory Panel in 12 months time.**

**Was Put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY (9/1)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, McLean, Norman and Young **Against the Motion:** Cr Macdonald

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf230908.pdf](#)*

**CJ214-09/08      PROPOSED ROAD CLOSURE – PORTION OF REAR  
LANEWAYS ABUTTING LOTS 100, 102, 104B OF  
STRATA PLAN 42171 WEST COAST DRIVE,  
SORRENTO - [14956] [08069]**

**WARD:** South-West

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

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## **PURPOSE**

The purpose of this report is to seek Council's consent to initiate the consultation process for the proposed road reserve closure of a portion of laneway to the rear of three properties on West Coast Drive.

## **EXECUTIVE SUMMARY**

A request to initiate the closure of a section of public laneway to the rear of three properties at 100, 102 and 104B West Coast Drive has been submitted on behalf of these property owners.

The public laneway currently provides access to the rear of properties bounded by Ross Avenue to the north, Clontarf Street to the south, West Coast Drive to the west and Cliff Street to the east. The laneway has one entrance from Cliff Street. An 18.0m length of laneway connecting to Clontarf Street has never been constructed due to its steep grade and budget priorities.

The landowners wish to close and purchase a portion of laneway (approximately 55.1m) and thereafter construct and create a private road to provide access to Clontarf Street for the subject lots.

The proposed portion to be closed links with a paved laneway that provides access to 37 adjoining properties. The open portion is only accessible from one direction (the Cliff street end), and the closure will limit options of the future. It is recommended that the closure not be supported.

## **BACKGROUND**

**Suburb/Location:** Sorrento  
**Applicant:** Ken Loughton  
**Owner:** Crown (State of Western Australia)  
**Zoning:** **DPS:** Residential  
**MRS:** Urban  
**Site Area:** 336sqm  
**Structure Plan:** Not Applicable

The paved portion of the laneway is approximately 300 metres in length, and provides access to the rear of 37 properties. The only access point to the lane is from Cliff St. (Attachment 1 refers).

An 18 metre section of laneway to the rear of 100 West Coast Drive was not constructed at the time the remaining portion of laneway was cleared, drained and sealed. The area of undeveloped laneway is very steep, and drops approximately 4.5 metres over a 15 metre length, down to Clontarf Street. Subsequently, as a safety measure, bollards were erected to prevent vehicular access to the unconstructed portion of laneway. Under ordinary circumstances the portion would be paved and would provide a second access point to the road network.

Since 2000, the City has received requests regarding the construction and connection of the laneway to Clontarf Street. The requests were made due to the obstruction of the laneway by parked vehicles which prevent access to properties at the western end of the laneway in addition to difficulty for emergency services to locate properties which only have access from the laneway.

Through the City's budget process, Council has previously considered this proposal to construct vehicular access for this laneway, however, due to the steep terrain and associated costs, the Council has not supported this proposal.

## **DETAILS**

The landowners propose to:

- purchase the portion of laneway abutting their properties so as to amalgamate it into the respective adjoining property;
- construct the portion of laneway that is currently unconstructed;
- place an easement over this former public laneway so all three properties have access to/from Clontarf Street, the laneway effectively becoming a private road; and
- erect a fence across the laneway where the private road adjoins the remaining public laneway.

The details of the reciprocal access easement are yet to be finalised, however, it is acknowledged an easement would be necessary to facilitate vehicular access to/from the existing residences at 102 and 104B West Coast Drive. Should the application progress beyond the advertising stage, the Department of Planning and Infrastructure (DPI) will be advised of this requirement and the City will provide comment on the matter at the time of amalgamation/subdivision of the closed portion of road reserve into the respective properties.

The 55.1 metre portion of laneway must be formally closed for any future amalgamation to proceed.

Council has the option to:

- Resolve to support the laneway closure for the purposes of public advertising, or
- Resolve to not support the laneway closure for the purposes of public advertising.

## **Link to Strategic Plan:**

Objective 4.1 To ensure high quality urban development within the City.

**Legislation – Statutory Provisions:**

A laneway (road) closure is required to be undertaken by a local authority in accordance with Section 58 of the Land Administration Act (LAA) 1997. A request can be made to close a road reserve and amalgamate that land into an adjoining property. As part of this process, service authorities are requested to provide details of any service plant that is located within the proposed road reserve to be amalgamated.

If Council supports the road closure in principle, the proposal is advertised for public comment for a period of 35 days, as required under Section 58 of the LAA. 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 request, all relevant documentation is forwarded to the DPI for its determination, with a request to formally close the road. The Minister for Planning and Infrastructure makes the final decision on whether or not closure takes place.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

The cost to construct the laneway together with imposition of necessary easements will be borne by the applicant.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The service authorities (Australia Post, Telstra, Western Power, Alinta Gas and Water Corporation) were initially consulted to determine if there are services or assets which would be affected by the proposed laneway closure.

Service authorities responded with no objection to the proposal, with the exception of the Water Corporation. The Water Corporation objection is made as an existing sewer is located within the proposed road closure. The Water Corporation advises the objection would be withdrawn where the applicant can satisfy a number of conditions including building setbacks from the sewer line and a 5.0m wide easement being provided on the Titles free of cost to the Water Corporation to alert future property owners of these building restrictions.

The DPI has also been consulted and has not responded to date.



If the proposal is supported by Council, public advertising will occur for 35 days as required under Section 58 of the LAA, as follows:

- Nearby landowners being notified in writing;
- A notice being placed in the local newspaper;
- A sign being erected on site;
- A notice being placed on the City's website.

Upon closure of advertising, the matter will be presented to Council for its further consideration, together with details of submissions received during the advertising period.

## **COMMENT**

### Increase in development potential

The closure of portion of the laneway and subsequent amalgamation into adjoining properties will increase the land area of 100 and 102 West Coast Drive (individually) to more than 1000sqm which may facilitate the future subdivision of these lots where lots are created with direct access to a gazetted road. The construction costs for the private road is estimated to exceed \$150,000 and the landowners wish to draw on the potential increased land value this subdivision potential/road closure may bring to their properties to either facilitate or justify the land purchase and construction costs.

Regardless of this benefit for those two lots, Council needs to be mindful of the long term future of the area. In the event that an increase in residential density is considered in the future, it could be prudent to ensure that the opportunity for easy access to the lane system is retained.

It is noted that work will commence on this component of the ongoing review of District Planning Scheme No. 2 in the near future, including the development of a Housing Strategy.

### Impact on subject lots

Street numbers 104 and 104B West Coast Drive are currently under the same ownership. No. 104 currently has its frontage and vehicular access to West Coast Drive, and No. 104B has its frontage and vehicular access from the current public laneway. The closure would result in No. 104B having no access to the surrounding public road or laneway system. The proposal does however include a proposed easement over Nos 100 and 102 West Coast Drive.

Australia Post has advised that mail will not be delivered to No. 104B via private road for insurance/liability reasons. Australia Post has suggested that a notification be attached to the Title for the property which advises the owners of this property that mail delivery may be limited to a post office box off-site or the provision of a letter box within the proposed private laneway at the Clontarf Street frontage.

### Impact on adjoining owners

The owner of 6 Ross Avenue is not a party to this application. Rear access to 6 Ross Avenue would be partially lost where the laneway is proposed to be closed and amalgamated into 104B West Coast Drive, with only half the rear property boundary retaining accessibility from the remaining public road/laneway. 6 Ross Avenue currently has insufficient land size to facilitate subdivision. Should the residential density of the area increase in the future, the current partial loss of access to the rear laneway would not affect the ability to subdivide the land.

The owner of 1 Clontarf Street would prefer the road not to be constructed and connected to Clontarf Street (be it a result of this road closure or future Council budgeting and works) as doing so in their opinion may increase passing traffic. Whilst it is acknowledged that the road closure will facilitate the movement of traffic to and from Clontarf Street the number of vehicles using it may be no different as No. 100 maintains vehicular access from West Coast Drive and vehicles from 102 and 104B West Coast Drive currently pass by this property (via the Cliff Street entrance) to access their property. Further comments will be sought from the owner of 1 Clontarf Street should Council give support to initiate public consultation for the proposed road closure.

For all of the remaining landowners abutting the laneway, the closure would prevent any future opportunities to improve the accessibility of the laneway system.

### Conclusion

The proposed road closure does give rise to some special circumstances which the landowners need to consider (ie. sewer easements and mail collection), however these are not the most significant issues to consider.

The laneway system is currently constrained by its restricted accessibility. The option of retaining the laneway in public ownership needs to be considered to provide the best option for access to the rear of all surrounding lots.

### **ATTACHMENTS**

Attachment 1       Plans of subject road reserves for closure  
Attachment 2       Photos

### **VOTING REQUIREMENTS**

Simple Majority

### **MOVED Cr John, SECONDED Cr Young that Council:**

- 1       RETAINS the laneway at 100, 102 and 104B West Coast Drive, Sorrento in public ownership, so as to facilitate easier access to the laneway system in the longer term;**
- 2       NOTES that the laneway could notionally be a key element in the future development of land in the area;**
- 3       ADVISES the submitters that it is intended to consider a Housing Strategy and revised District Planning Scheme in the near future, and that submissions will be invited from landowners about the potential and desired future of the area;**
- 4       NOTES that appropriate signage will be reintroduced in the laneway to reaffirm that it does not have through access and that parking is not permitted in the lane.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ216-09/08, Page 109 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16brf230908.pdf](#)

## **CJ215-09/08 MINUTES OF THE SENIORS INTERESTS ADVISORY COMMITTEE MEETING HELD ON 6 AUGUST 2008 - [55511]**

**WARD:** All

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

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### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

A meeting of the Seniors Interests Advisory Committee was held on 6 August 2008.

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

- Volunteer Community Transport Programs
- Adopt A Pensioner Website
- Art of Ageing Events Update

*It is recommended that Council:*

- 1 *NOTES the unconfirmed minutes of the Seniors Interests Advisory Committee held on 6 August 2008 forming Attachment 1 to Report CJ215-09/08;*
- 2 *SUPPORTS the Committee's recommendation that the City of Joondalup EXPLORES the possibility of providing a similar service to the Adopt a Pensioner Website;*
- 3 *AGREES to provide a report in relation to the accommodation for seniors in the City of Joondalup for the December 2008 meeting of the Seniors Interests Advisory Committee.*

### **BACKGROUND**

The SIAC was established for the benefit of exchanging views with residents of the City on matters related to seniors, an ageing population and the need for community input into the Seniors Plan, the Strategic Plan and other matters that impact upon seniors.

In accordance with its role, the Committee identified priority focus areas that complement various tasks and actions of the City's Seniors Plan 2004-2008. These include: seniors' health issues, transport accessibility and affordability and staying active through leisure and entertainment.

Recommendations of the Committee will facilitate progress on initiatives that are generated by the provision of ongoing Seniors Plan status reports. Other initiatives that complement the Seniors Plan such as the Transitions in Ageing Research Project Report will be useful resources to inform the review of the Seniors Plan, whilst the School Volunteer Program promotes intergenerational activities.

## **DETAILS**

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

The Motions moved at the Seniors Interests Advisory Committee meeting 6 August 2008 are shown below, together with officer's comments.

#### **1 Volunteer Community Transport Programs**

The following Motion was carried at the meeting on 6 August 2008:

“That the Seniors Interests Advisory Committee NOTES the information provided in this report.”

##### Officer's Comment

Feedback from the SIAC will be included in the review of the City's Seniors Plan, particularly in relation to the options and implications for providing affordable transport for seniors to attend medical appointments.

#### **2 Adopt A Pensioner Website**

The following Motion was carried at the meeting on 6 August 2008:

“That the City of Joondalup EXPLORES the possibility of providing a similar service to the Adopt a Pensioner Website.”

##### Officer's Comment

The City can explore whether it has any role in facilitating the provision of a service similar to the Adopt a Pensioner website. It is possible that a community service provider may be interested in taking up the model.

#### **3 Art of Ageing Events Update**

The following Motion was carried at the meeting on 6 August 2008:

“That the Seniors Interests Advisory Committee NOTES the information provided in the report.”

##### Officer's Comment

SIAC members were encouraged to communicate the Art of Ageing information to seniors in the community.

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

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

- A report on the update of the progress of the proposed Performing Arts Centre within the City of Joondalup;
- A report on the number and locations of retirement villages within the City of Joondalup.

#### Officer's Comment

There is no direct association with the Performing Arts Centre and the Terms of Reference of the SIAC. It is therefore not considered appropriate to provide a formal report.

A report about Retirement Villages and other aged accommodation within the City can be provided to the October 2008 meeting.

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

The Seniors Interests Advisory Committee is linked to the Strategic Plan through the following objectives:

- To develop, provide and promote a diverse range of lifelong learning opportunities.
- To meet the cultural needs and values of the community.
- To continue to provide services that meet changing needs of a diverse and growing Community.
- To work with the community to enhance safety and security in a healthy environment.
- To continue to meet changing demographic needs.
- To ensure the City responds to and communicates with the community.

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

Not Applicable.

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

Not Applicable.

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

Not Applicable.

#### **Policy Implications:**

The existing policies that are deemed to have the most impact on seniors are:

- Access and inclusion (access to community facilities and public space: overcoming barriers that could prevent participation in community activities)
- Rates (reduced rates for seniors)
- Fees and Charges (reduced fees for seniors for some services)
- Use of community facilities (accommodation provided free of charge to seniors groups under the "subsidised use" policy).

#### **Regional Significance:**

The Seniors Interests Advisory Committee is a locally focussed group, established by Council to represent and advocate for the needs of seniors within the City of Joondalup.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

A consultation plan has been developed to ensure that the Plan captures current issues, trends and concerns.

**COMMENT**

Officer's comments have been provided in relation to each motion.

**ATTACHMENTS**

Attachment 1        Minutes of the Seniors Interests Advisory Committee meeting held on 6 August 2008

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

that Council:

- 1        NOTES the unconfirmed minutes of the Seniors Interests Advisory Committee meeting held on 6 August 2008 forming Attachment 1 to Report CJ215-09/08;
- 2        SUPPORTS the Committee's recommendation that the City of Joondalup EXPLORES the possibility of providing a similar service to the Adopt a Pensioner Website;
- 3        AGREES to the preparation of a report in relation to the accommodation for seniors in the City of Joondalup for the December 2008 meeting of the Seniors Interests Advisory Committee.

**MOVED Cr Corr, SECONDED Cr John that Council:**

- 1        **NOTES the unconfirmed minutes of the Seniors Interests Advisory Committee meeting held on 6 August 2008 forming Attachment 1 to Report CJ215-09/08;**
- 2        **SUPPORTS the Committee's recommendation that the City of Joondalup EXPLORES the possibility of providing a similar service to the Adopt a Pensioner Website;**
- 3        **AGREES to the preparation of a report listing the number and locations of retirement villages in the City of Joondalup for the December 2008 meeting of the Seniors Interests Advisory Committee.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

*Appendix 17 refers*

*To access this attachment on electronic document, click here: [Attach17brf230908.pdf](#)*

**Declaration of Financial Interest**

<b>Name/Position</b>	<b>Cr Albert Jacob</b>
<b>Item No/Subject</b>	CJ216-09/08 - State Administrative Tribunal Review – Proposed Additions and Alterations to the Joondalup Health Campus - [00109]
<b>Nature of interest</b>	Financial
<b>Extent of interest</b>	Cr Jacob's wife is an employee of Joondalup Health Campus

*Cr Jacob left the Chamber at this point, the time being 2117 hrs.*

## **CJ216-09/08 STATE ADMINISTRATIVE TRIBUNAL REVIEW – PROPOSED ADDITIONS AND ALTERATIONS TO THE JOONDALUP HEALTH CAMPUS - [00109]**

**WARD:** North

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

**PURPOSE**

For Council to consider revised plans that have been developed through the State Administrative Tribunal (SAT) mediation process.

**EXECUTIVE SUMMARY**

Council granted its Planning Approval to an application to undertake various additions and alterations to the Joondalup Health Campus (JHC). The applicants requested the SAT to review 10 of the conditions of Planning Approval attached to the proposed development.

The matter has been the subject of mediation with the City and consideration by Council at its July 2008 meeting.

The mediation process has resulted in revised plans being submitted for consideration by Council. The revised proposal developed through the SAT process, which is a scaled down version of that originally approved, now requires Council to determine whether or not to support the changes to the modified development. Further, if the revised development is to be supported, then it needs to be determined what conditions should be removed, modified or added to the original Planning Approval.

The scaling down of the original proposal has resulted in fewer planning issues, in particular, car parking. The revised development is now compliant with the car parking requirements of District Planning Scheme No. 2 (DPS2). As such, conditions relating to the development of a Travel Smart plan to reduce the parking demand are now no longer needed for the revised proposal.

It is recommended that Council advise the SAT it is prepared to support the preparation of a Minute of Consent granting approval to the revised development proposal, subject to the imposition of appropriate conditions of approval.

Further, it is also recommended that the operators of the JHC be requested to continue the formulation and implementation of a Travel Smart plan to assist with the future development of other stages of the Joondalup Health Campus.

## BACKGROUND

<b>Suburb/Location:</b>	60 (Reserve 36696) Shenton Avenue, Joondalup
<b>Applicant:</b>	Project Directors Australia Pty Ltd & Ramsay Health Care
<b>Owner:</b>	Minister for Health
<b>Zoning:</b>	<b>DPS:</b> Centre
	<b>MRS:</b> Central City Area
<b>Site Area:</b>	13.93 hectares
<b>Structure Plan:</b>	Joondalup City Centre Development Plan and Manual (JCCDPM)

Council approved a development application to carry out major alterations and additions to the existing JHC subject to conditions, at its meeting held on 19 February 2008.

An application for the review of 10 conditions of approval was lodged with the SAT and a directions hearing was then held 18 April 2008.

The various conditions of approval under review were discussed at the directions hearing. Council subsequently considered the applicant's position on the various conditions of approval in dispute at its 15 July 2008 meeting. At that meeting, Council (CJ136-07/08 refers) resolved as follows:

- 1 *NOTES that its position on the changes proposed by the Applicant are part of the State Administrative Tribunal's mediation process;*
- 2 *INSTRUCTS McLeod's Solicitors, having regard to this matter being the subject of the State Administrative Tribunal's mediation process in relation to the proposed additions and alterations to the Joondalup Health Campus, that:*
  - (a) *Condition 2(q) can be met based on the revised plans submitted as part of the SAT mediation process;*
  - (b) *Conditions 2(j), (l) and (u) can be amended as follows:*

*Condition 2(j):*

*"All external car parking areas shall be provided with one shade tree for every four bays prior to the development first being occupied. The trees shall be protected from damage by vehicles and maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services".*

*Revised Condition 2(l):*

*"The developer shall ensure that all proposed pedestrian pathway routes for both visitors and staff leading to the main entries of the building are clearly identifiable by the use of signage."*

*Revised Condition 2(u):*

*"The developer shall provide secure, long term under cover motor cycle, scooter and bicycle parking facilities for staff and multi modal commuters and visitors. Such details are to be shown on plans lodged with the City of Joondalup for building license approval".*



*(c) Conditions (m), (n), (o), (p), (s) and (t) are to be retained.*

- 3 *DELEGATES to the Chief Executive Officer the authority to negotiate on the Council's behalf at the mediation hearing to be held on 23 July 2008, on any challenges to the adopted position of Council.*

Council's response on the challenge to the conditions of approval was referred to the SAT and the applicant for further consideration.

At the mediation hearing held on the 23 July 2008, the applicants tabled a revised proposal for consideration by the SAT and the City. The revised plans reduced the scale and intensity of the proposed development. The City informed the parties present at the mediation hearing that:

- it could not make any decision on the revised plans as there was insufficient time to review the plans at the hearing;
- the City's representatives did not have the authority to make a decision on the revised plans;
- a detailed assessment was required to determine whether the revised plans were to be considered as a new application or a revision to the previously approved plans; and
- it could not determine at the hearing whether the revised plans resulted in any new planning issues.

The SAT then issued orders requiring the:

- applicant to submit additional information for consideration by the City;
- City to determine whether the revised plans were to be considered as a new application or an amendment to the planning approval that is the subject of the review; and
- City to inform SAT of its decision by 2 September 2008, the next scheduled mediation hearing.

The City reviewed the plans and was subsequently briefed by the applicants on 27 August 2008 on the proposed changes to the original approval.

At the mediation hearing held on 2 September 2008, the City advised the SAT member and the applicants that the reduced size of the development proposal could be considered as an amendment to the approved plans. This was based on legal advice. Further, the revised plans were to be referred to Council for its determination on the proposed changes.

The SAT ordered that:

- complete sets of the revised plans and any accompanying documentation was required to be submitted to the City on or before 10 September 2008;
- elevations of the proposal were required to be submitted by 12 September 2008;
- Council is to consider its position on the revised proposal and inform SAT of its position on the revised proposal at the next mediation hearing, which is to be held on 8 October 2008.

The revised plans, which due to the large size of the site, will be placed in the Councillors Reading Room.

The additional information required by the SAT has been received for consideration by Council.

## DETAILS

The applicant has undertaken major and minor changes to the development proposal during the mediation process.

The major changes include the following:

- Reduction of the proposed public ward block from three storeys to two storeys;
- Re-location of the proposed Medical Imaging Centre and After Hours GP clinic to the existing emergency centre;
- Construction of a new emergency centre to the north of the existing vehicular entrance off Shenton Avenue;
- Change from ten operating theatres with four future theatres to 12 operating theatres;
- Proposed four storey medical centre in stead of three storeys; and
- Reduction of Private Hospital from three storeys (145 beds) to single storey (85 beds).

The effect of the reduction in the scale and intensity of the proposed development, in particular the bed capacity of the development, is such that the proposed car parking numbers for the development now meets the car parking requirements of DPS2. The following table summarises the car parking situation:

Proposal	Required Car parking	Proposed car parking	Difference
February 2008 Approval	1909	1753	-156
SAT mediated revised plans (Sept 2008)	1683	1686	+3

### Issues and options considered:

Not applicable

### Link to Strategic Plan:

Not Applicable.

### Legislation – Statutory Provisions:

The applicants have requested the SAT to review Council's decision under the State Administrative Tribunal Act 2005 (SAT Act), which has a different decision-making process to the DPS2. Council is required to consider and convey its position on the proposed changes to its approval to SAT and the applicant. Council does not make a formal planning decision as such. The process under the SAT Act will result in a 'Minute of Consent' if both parties agree to a mediated outcome or if no agreement, the matter is then considered at a hearing and the SAT will then make its decision on the revised plan and/or conditions of Planning Approval.

### Risk Management considerations:

Not Applicable.

### Financial/Budget Implications:

This matter is before the SAT following the lodging of a request for review of Council's decision. Being a Class 2 hearing, both parties have elected to have legal representation. The City has engaged the services of McLeod's Solicitors to represent the Council on this

matter. Currently, the matter is being dealt with through the mediation process, however this may escalate to a full hearing.

If the matter is not resolved at mediation, the escalation of the appeal to a hearing could result in expenditure of approximately \$15-25,000 to put Council's case.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

The proposal is considered to be regionally significant as it relates to health services offered to all northern suburbs residents.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

No further consultation has occurred, nor is required, as part of the SAT review process.

**COMMENT**

The reduction in the scale and intensity of development has resulted in a development that is substantially closer to the provisions of DPS2. Further, the revised plans submitted by the applicant have addressed certain conditions of planning approval or resulted in conditions which are now no longer relevant. Additional conditions of approval are proposed to address the changes in the development proposal.

**Comments on Existing Conditions of Planning Approval**

At its July 2008 meeting, Council considered the challenges made to the conditions of approval by the applicant through the SAT process. Attachment 2 contains two tables. The first table contains four columns which sets out the:

- condition number and conditions of approval agreed to by Council at its July 2008 meeting;
- modified condition number that will be used in the recommendation;
- Council's position on the conditions of approval at its July 2008 meeting; and
- recommended position on the conditions having regard to the revised plans.

The second table in this attachment sets out the recommended new conditions of approval and the condition number that is used in the recommendation.

The major issues relating to existing conditions of approval are discussed below and referenced to in the first table of Attachment 2:

Drainage – refer to condition (a)

All storm water created by a development is required to be contained within its lot boundaries and designed to accommodate a 1 in 100 year storm event. This is the maximum standard which applies to all developments within the City.

It is acknowledged that the JHC is to be one of three major hospitals within the greater Perth metropolitan region that will be used as an emergency hospital. In order to achieve this role, particularly in the event of a flood, the City supports storm water overflow from a storm event greater than 1 in 100 years into its nearby sump within Yellagonga Regional Park, as water would ordinarily flow to the lowest level within the catchment, which, in this case, is Lake Joondalup. It should be noted that should a storm even greater than the 1 in 100 years occur, storm water will overflow from most buildings constructed in the City Centre as these are built to the 1 in 100 years standard.

Whilst the applicants have provided further information relating to drainage capacity, the information is insufficient to warrant removal of the condition. Therefore, it is recommended that this condition remain.

Provision of pedestrian crossing facility phase for the traffic lights at intersection of Grand Boulevard and Shenton Avenue – refer to condition (m)

The applicants have re-confirmed their intention to accept this condition of Planning Approval. Therefore, the condition of approval should be retained.

Car Parking/Travel Smart - refer to conditions (n), (o) and (t)

When Council determined the original application at its February 2008 meeting, the City's report identified that the development was short by 156 car parking spaces. In order to support the shortfall in car parking, the applicants proposed Travel Smart options that would seek to achieve a change in travel pattern through the greater use of public transport and other forms of transport.

The revised proposal before Council has been modified where the development now complies with the required number of car parking spaces specified in DPS2. This has been achieved by reducing the size of the original development proposal as highlighted in the Details section of this report. The principal change has been the reduction in the bed capacity of the Private Hospital from 145 beds to 85 beds and the relocation of the Renal Dialysis beds (20 beds) to a satellite facility off the site. Consequently, the conditions relating to the Travel Smart conditions, which were imposed to account for the shortfall in car parking, are now no longer relevant to the revised application before Council.

The principles and objectives espoused in the Travel Smart program should, however, still be pursued by the operators of the JHC. The SAT will not include footnotes as part of any decision. Therefore, the proposed recommendation before Council includes a request to the operators of the Joondalup Health Campus to still pursue the benefits that can be derived from the implementation of a Travel Smart program.

Therefore, conditions (n), (o) and (t) of the original Planning Approval should be removed.

Barrier Card Reader – refer to condition (s)

Condition (s) required a barrier card reader to be provided on the site to prevent unrestricted vehicular access between Lakeside Drive and Regents Park Road. The applicants have now agreed to this condition.

It is recommended that the condition be modified, however, to require the barrier card reader to be maintained in a good condition and used for the purpose of preventing public and general staff access from Lakeside Drive or the site to Regents Park Road and vice versa. This should result in staff and the general public using Lakeside Drive to access the site, rather than filtering through the local streets located to the west and north-west of the development site.

Landscaping – refer to condition (z)

Condition (z) requires the retention of a large tuart tree in the south eastern corner of the site. Compliance with conditions (a) and (p) (provision of stormwater facilities and vehicular access link between the southern and northern car parking areas) could impact on the root system and subsequently, the health of this tree. Therefore, it is considered appropriate that an additional condition be imposed requiring an Arboriculturist to be engaged at the applicants cost, to ensure that the tree is protected and maintained during and just after the construction works are completed around the tree.

**Other Issues Arising From Revised Application**Built Form/Building Height

The existing public hospital and medical centre building are both 4 storeys in height. The Joondalup City Centre Development Plan and Manual (JCCDPM) stipulates a maximum height of 3 storeys for this site. The JCCDPM also permits Council to approve a higher development in exceptional circumstances. The following table highlights the proposed changes to building height:

<b>Proposal</b>	<b>Approved Application</b>	<b>Proposed Application</b>
Private Hospital	4 storeys (including basement partially below natural ground level)	1 storey with basement partially below natural ground level
Medical Centre	3 storeys (plus rooftop plant room)	4 storeys (plus rooftop plant room)

The predominate height of the remaining buildings proposed in the revised and approved development are two storeys.

The addition level is supported as the visual impact of the additional height would be minimal given the:

- existence and location of the other existing 4 storey buildings on the site; and
- building is proposed to be set well back from Lakeside Drive and Shelton Avenue.

In any event it is the City's stated desire to increase the height of buildings in the City centre. As the proposed height is considered acceptable, no additional conditions are proposed for this matter.

Waste Management

Further detail is required in relation to waste management associated with the proposed development. As such, it is recommended that a new condition of approval be imposed requiring the applicant to submit a waste management plan for approval by the City.

Unused Space

The revised plans show a space that is referred to as "unallocated space". As this unallocated space is not assessable under the current application, Planning Approval should be obtained prior to this space being used in the future. This will ensure that proper consideration can be given to the use of this space, including whether there will be an increased demand for car parking. Therefore, a new condition of Planning Approval covering this aspect is proposed.

## Conclusion

The proposed development is a scaled down version of the original approval which has addressed one of the principal concerns of the City, that being the provision of sufficient on-site car parking. It is therefore proposed that the revised development proposal for the JHC be approved through a Minute of Consent, subject to the imposition of modified and new conditions of Planning Approval.

Further, the applicant should be requested to give serious consideration in developing and implementing a Travel Smart plan for the health campus.

## ATTACHMENTS

Attachment 1            Locality Map  
Attachment 2            Two Tables showing recommended changes to Planning Approval

## VOTING REQUIREMENTS

Simple Majority

**MOVED Cr McLean, SECONDED Cr Hollywood that Council:**

- 1    ADVISES the SAT and the applicant that the City supports the approval of the amended plans received on the 10 and 12 September 2008 subject to the following conditions being applied:**
  - (a)    An onsite storm water 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 drainage sumps shall be treated with a combination of landscaping, screening and contouring in a manner that complements the surrounding landscape, to be detailed and submitted to the City for approval prior to their installation.**
  - (b)    Retaining walls being of a clean finish and made good to the satisfaction of the Manager Approvals, Planning and Environmental Services;**
  - (c)    Pedestrian and vehicular access ways shall be aligned to provide clear sightlines, together with the provision of adequate lighting, to ensure vehicular and pedestrian safety;**
  - (d)    Submission of a construction management plan detailing phasing of construction, access, storage of materials, protection of pedestrians, footpaths and other infrastructure to the satisfaction of the Manager Approvals, Planning & Environmental Services;**
  - (e)    All building finishes and materials used on the exterior of the building shall be robust, durable and resistant to vandalism to the satisfaction of the Manager Approvals, Planning & Environmental Services. Such details are to be submitted prior to commencement of any site works.**
  - (f)    Disabled car parking bays to be in compliance with the Building Code of Australia. Provision must also be made for disabled access and facilities in accordance with the Australian Standard for Design for Access and Mobility (AS 1428.1);**

- (g) The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for off street car parking (AS/NZS2890.1-2004) unless otherwise specified by this approval. Such areas are to be constructed, drained, sealed and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services prior to the development first being occupied;
- (h) The lodging of detailed landscaping plans, to the satisfaction of the Manager Approvals, Planning and Environmental Services, for the development site prior to commencement of any site works. All details relating to paving and treatment of verges, including the provision of public seating, public art, roundabout entry statement, pathways and other non vegetation related landscaping elements, shall be shown on the landscaping plan. A vegetation survey of the site is also required and shall form part of the landscaping plans;
- (i) Landscaping, reticulation and all verge treatment is to be established in accordance with the approved landscaping plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services;
- (j) All external car parking areas shall be provided with one shade tree for every four 4 bays prior to the development first being occupied. The trees shall be protected from damage by vehicles and maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services;
- (k) Any signage associated with the proposed development (excluding internal directional signage) shall be the subject of a separate development application;
- (l) The developer shall ensure that all proposed pedestrian pathway routes for both visitors and staff leading to the main entries of the building are clearly identifiable by the use of signage;
- (m) The developer shall provide a pedestrian crossing facility for the traffic control signals at the intersection of Grand Boulevard and Shenton Avenue in accordance with MRWA Standards and Guidelines and approved by Main Roads WA;
- (n) The developer shall provide channelisation for the southern access to the site on Lakeside Drive, including a right turn slip lane, to the specification and satisfaction of the City of Joondalup;
- (o) A barrier access card reader is to be installed on the proposed southern Lakeside Drive Access road at an appropriate location to the satisfaction of the City of Joondalup;
- (p) The developer shall also provide secure, long term undercover motor cycle, scooter and bicycle parking facilities for staff and multi modal commuters and visitors. Such details are to be shown on plans lodged with the City of Joondalup prior to commencement of any site works;
- (q) All existing verge vegetation, particularly vegetation along Lakeside Drive, shall be retained and protected during construction of the development;

- (r) The developer shall liaise with the City of Joondalup to develop and implement a master plan for the JHC site in order to coordinate its ultimate future development, prior to any further large scale development stages being considered by the City of Joondalup. The master plan shall be to the satisfaction of the City of Joondalup;
  - (s) The developer shall ensure that the Western Australian Planning Commission's 'Designing Out Crime Planning Guidelines' dated June 2006 is taken into consideration in the preparation of all detailed plans (including landscaping plans). A report shall be submitted with a copy of the plans to be used in the construction of the proposed development which outlines compliance with the performance criteria of this document, to the satisfaction of the City of Joondalup;
  - (t) On completion of the installation of any Mechanical Services, the applicant /builder shall provide a Mechanical Services Plan signed by a suitably qualified Mechanical Services Engineering or Air Conditioning Contractor;
  - (u) The use of Western Australian indigenous and water-wise shrubs and groundcovers is encouraged. Existing trees and verge treatments are to be acknowledged and incorporated into the landscape design. The developer's landscaping consultant shall first liaise with the City's Landscape Architect to ensure all landscaping concepts and elements are addressed and shown on the landscaping plans prior to it being lodged with the City for its approval, with the retention of the large tuart tree in the south eastern corner of the site;
  - (v) The Mechanical Services Engineering or Air Conditioning Contractor shall certify that the mechanical ventilation complies with and is installed in accordance with Australian Standard 1668.2-1991, Australian Standard 3666-2002 and the Health (Air Handling and Water Systems) Regulations 1994;
  - (w) The applicant shall have due regard to the following:
    - (i) Ausroads guide to Traffic Engineering Practice Part 14 – Bicycles;
    - (ii) Provision of clusters of bicycle 'U' rails located at appropriate entry/exit points;
  - (x) An Arboriculturist shall be engaged by the applicant, at their cost, in order to oversee the protection and health of the existing tuart tree referred to in condition (u), during and just after the completion of the construction works around the tree;
  - (y) The applicant shall submit a waste management plan to the satisfaction and approval of the City;
  - (z) The unallocated space within the proposed development shall not be used until such time as Planning Approval has been granted for the use of that space.
- 2 DELEGATES to the Chief Executive Officer authority to negotiate and settle any minor revision to any of the conditions supported in Part 1 above;
- 3 AUTHORISES the City's solicitors to execute a Minute of Consent Orders in SAT matter DR 120 of 2008 providing for the approval by the SAT of the modified proposal in terms consistent with Item 1 and Item 2 above;



- 4 REQUESTS Ramsay Health Care to continue to give consideration to the development and implementation of a Travel Smart Plan which should assist in any future stages of development of the Joondalup Health Campus.**

Discussion ensued.

**The Motion was Put and**

**CARRIED (8/1)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, John, McLean, Norman and Young  
**Against the Motion:** Cr Macdonald

*Cr Jacob entered the Chamber at this point, the time being 2123 hrs.*

*Appendix 18 refers*

*To access this attachment on electronic document, click here: [Attach18aqn300908.pdf](#)*

**C62-09/08                      COUNCIL DECISION – EN BLOC RESOLUTION**

**MOVED Cr John, SECONDED Cr Young that pursuant to the Standing Orders Local Law 2005 – Clause 48 - Adoption of Recommendations en bloc, Council ADOPTS Items CJ194-09/08, CJ195-09/08, CJ199-09/08, CJ201-09/08, CJ202-09/08, CJ203-09/08, CJ204-09/08, CJ208-09/08, CJ209-09/08, CJ211-09/08, CJ212-09/08 and CJ214-09/08.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

**REPORT OF THE CHIEF EXECUTIVE OFFICER**

**C63-09/08                      APPOINTMENT OF MEMBER TO THE TAMALA  
PARK REGIONAL COUNCIL - [41196]**

**WARD:** All

**RESPONSIBLE** Mr Ian Cowie  
**DIRECTOR:** Office of the CEO (Acting)

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**PURPOSE/EXECUTIVE SUMMARY**

To give consideration to the appointment of a member to the vacant position on the Tamala Park Regional Council.

## **BACKGROUND**

At the Special Meeting of Council held on 6 November 2007, the following members were appointed to the Tamala Park Regional Council:

Mayor Troy Pickard  
Cr Albert Jacob

Councillor Albert Jacob has tendered his resignation as the City's representative to Tamala Park Regional Council.

## **DETAILS**

The Tamala Park Regional Council is the corporate entity representing the interests of seven (7) local governments in the urban development of 170 hectares of land in Perth's northern suburbs. The member local governments are the Towns of Cambridge, Vincent, Victoria Park and the Cities of Perth, Wanneroo, Stirling and Joondalup.

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

Not Applicable.

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

Not Applicable.

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

The Tamala Park Regional Council is a regional Council and is established and governed by the Local Government Act 1995. The City of Joondalup is entitled to have two (2) voting members on the Tamala Park Regional Council.

### **Risk Management considerations:**

The failure to appoint a voting member representing the City of Joondalup will result in the City not being adequately represented on the Regional Council.

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

Not Applicable.

### **Policy Implications:**

Not Applicable.

### **Regional Significance:**

Not Applicable.

### **Sustainability Implications:**

Not Applicable.

### **Consultation:**

Not Applicable.

## COMMENT

A vacancy exists for a representative from the City of Joondalup to serve on the Tamala Park Regional Council.

## ATTACHMENTS

Nil.

## VOTING REQUIREMENTS

Simple Majority

**MOVED Mayor Pickard SECONDED Cr Hollywood that Council APPOINTS Cr John to serve on the Tamala Park Regional Council.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Hollywood, Jacob, John, Macdonald, McLean, Norman and Young

## MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

**C64-09/08**

**NOTICE OF MOTION – CR MARIE MACDONALD – CALL FOR ENVIRONMENTAL IMPACT STUDY TO BE PREPARED BEFORE A DESIGN IS CHOSEN FOR THE OCEAN REEF MARINA - [07303] [04171]**

In accordance with Clause 26 of Standing Orders Local Law 2005, Cr Macdonald gave notice of her intention to move the following motion at the Council Meeting to be held on 30 September 2008:

***“That Council REQUESTS that the three (3) designs for Ocean Reef Marina, prepared by the Consultants for the City, be sent to a Consultant for Environmental Impact Studies to be completed before the Reference Group chooses a final design from the three (3).”***

## REASONS FOR MOTION

There has been no environmental impact study prepared detailing the effect any marina will have on the biodiversity in the natural environment, either on land or in the ocean, in the vicinity of the proposed marina. Also there has been no environmental impact study prepared on the effects, adverse or otherwise, on coastal formation. There may be differences which if known would impact the final decision.

Presenting designs without environmental impact studies attached may give the community false expectations.

## OFFICER’S COMMENT

The preparation of environmental impact studies on the three concept designs is not being undertaken because of the City’s commitment to environmental assessment in the first instance. Environmental Consultants have already been significantly involved in site investigations and preparation of preliminary designs.

In other words, the intention has been to insert sustainability and ecological principles into the front end of this development process, rather than assess these factors afterwards.

As part of the environmental brief, the Environmental Consultants will be providing, in addition to the final structure plan, supporting documentation on the following:

- A detailed environmental assessment report;
- Preparation of management frameworks and plans to guide future management of marine and terrestrial environments;
- Detailed assessment of flora and fauna colonies;
- Other studies, not limited to, soil, groundwater, marine hydrology, biological and hydro-chemistry assessments.

**MOVED Cr Macdonald, SECONDED Cr Norman that Council REQUESTS** that the three (3) designs for Ocean Reef Marina, prepared by the Consultants for the City, be sent to a Consultant for Environmental Impact Studies to be completed before the Reference Group chooses a final design from the three (3).

**The Motion was Put and**

**LOST (2/8)**

**In favour of the Motion:** Crs Corr and Macdonald **Against the Motion:** Mayor Pickard, Crs Amphlett, Hollywood, Jacob, John, McLean, Norman and Young

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

Nil.

#### **CONGRATULATIONS – CR ALBERT JACOB**

Mayor Pickard congratulated Cr Jacob on his successful win of the seat of Ocean Reef in the recent State Government elections held in September.

#### **CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 2143 hrs; the following Elected Members being present at that time:

MAYOR T PICKARD  
Cr K HOLLYWOOD  
Cr T McLEAN  
Cr A JACOB, JP  
Cr T YOUNG  
Cr M MACDONALD  
Cr G AMPHLETT  
Cr B CORR  
Cr M JOHN  
Cr M NORMAN