

minutes

Special Meeting of Electors

MEETING HELD ON **MONDAY 24 APRIL 2017**

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CITY OF JOONDALUP**MINUTES OF THE SPECIAL MEETING OF ELECTORS HELD IN COUNCIL CHAMBER,
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON
MONDAY 24 APRIL 2017.****DECLARATION OF OPENING**

The Mayor declared the meeting open at 6.00pm.

ATTENDANCES**Mayor:**

TROY PICKARD

Councillors:

CR KERRY HOLLYWOOD	North Ward
CR TOM McLEAN, JP	North Ward – <i>Deputy Mayor</i>
CR PHILIPPA TAYLOR	North-Central Ward
CR NIGE JONES	North-Central Ward
CR RUSSELL POLIWKA	Central Ward
CR CHRISTINE HAMILTON-PRIME	South-West Ward
CR MIKE NORMAN	South-West Ward
CR JOHN CHESTER	South-East Ward
CR RUSS FISHWICK, JP	South Ward

Officers:

MR GARRY HUNT	Chief Executive Officer
MR JAMIE PARRY	Director Governance and Strategy
MS DALE PAGE	Director Planning and Community Development
MR BRAD SILLENCE	Manager Governance
MR MARK MCCRORY	Manager Marketing and Communications
MR CHRIS LEIGH	Manager Planning Services
MRS LESLEY TAYLOR	Acting Governance Coordinator
MRS DEBORAH GOUGES	Governance Officer

There were approximately 139 persons, (136 were electors registered to vote during the meeting) and no member of the Press in attendance.

PURPOSE OF MEETING

The Special Electors Meeting was called in accordance with the provisions of Section 5.28 of the *Local Government Act 1995*.

In accordance with Section 5.29(1) of the *Local Government Act 1995*, the meeting was advertised in *The Joondalup Weekender* on Thursday 6 April 2017. Notice of the meeting was also placed on the City's website and public notice boards.

The purpose of the meeting was to discuss the following matter:

To request the City of Joondalup to initiate a review of its Local Housing Strategy (LHS) and an associated amendment to District Planning Scheme No. 2 to change the density coding of lots within Housing Opportunity Area 1, that are currently coded R20/R60, to a density coding of no higher than R20/R30.

Mayor Pickard outlined the procedures and requirements for voting and speaking at an Electors' Meeting and the definition of an Elector.

APOLOGIES AND LEAVE OF ABSENCE

Apologies

Cr Liam Gobbert.

Mr J Tollis, Duncraig.

Mrs K Tollis, Duncraig.

Mr D Kerr, Duncraig.

Mrs R Kerr, Duncraig.

Mr V Gelevitis, Duncraig.

Ms B Parkin, Duncraig.

Ms G Parkin, Duncraig.

Mayor Pickard advised the following list of electors received from Mr Parker, Duncraig and Mrs Mehra, Duncraig were additional apologies for this evening's Special Electors' Meeting:

Mr B Vogas, Duncraig.

Mrs A Vogas, Duncraig.

Mr P Newman, Duncraig.

Mrs A Newman, Duncraig.

Mr G Tate, Duncraig.

Mrs N Tate, Duncraig.

Mr G Tulloch, Duncraig.

Mrs A Tulloch, Duncraig.

Mr A Caloieri, Duncraig.

Mr C Daw, Duncraig.

Mrs R Bastow, Duncraig.

Mr A Haverhoek, Duncraig.

Mr P O'Donohoe, Duncraig.

Mrs S O'Donohoe, Duncraig.

Ms J Wolff, Duncraig.

Mr G Boucher, Duncraig.

Mrs J Greay, Duncraig.

Ms L Gosatti, Duncraig.

Mrs M Garven, Duncraig.
Mr G Lyon, Duncraig.
Mrs R Lyon, Duncraig.
Mr J Greeff, Duncraig.
Mrs L Greeff, Duncraig.
Ms F De Broekert, Duncraig.
Mr C Harold, Duncraig.
Mrs J Wiggins, Duncraig.
Mrs D Mckay, Duncraig.
Mr J Harwas, Duncraig.
Ms E Harwas, Duncraig.
Ms M Korycka, Duncraig.
Mr M Harrold, Duncraig.
Mr R Hannen-Williams, Duncraig.
Mr A McMurdo, Duncraig.
Mr S McMurdo, Duncraig.
Mr K McGill, Duncraig.
Mr L Passmore, Duncraig.
Mrs B Passmore, Duncraig.
Mrs C Sladden, Duncraig.
Mr B Ding, Duncraig.
Mrs M Kang, Duncraig.
Mr N Sladden, Duncraig.
Mr G Moore, Duncraig.
Mrs J Moore, Duncraig.
Mrs S Ducker, Duncraig.
Mr S Wesley, Duncraig.
Mr A Brunskill, Duncraig.
Mrs L Brunskill, Duncraig.
Mr R Beer, Duncraig.
Mrs R Beer, Duncraig.
Ms H Kelly, Duncraig.
Ms R Strom, Duncraig.
Mr B Martin, Duncraig.
Mrs A Martin, Duncraig.
Mrs B Mansell, Duncraig.
Mr N Milton, Duncraig.
Mrs C Milton, Duncraig.
Mr M Marcici, Duncraig.
Mrs Y Burton, Duncraig.
Ms S Kelly, Duncraig.
Mr M von Bergheim, Duncraig.
Mrs I von Bergheim, Duncraig.
Mr C James, Duncraig.
Mr P Williams, Duncraig.
Mr V Dragicevich, Duncraig.
Mr C Russell, Duncraig.
Mrs S Russell, Duncraig.

Mr G Lane, Duncraig.
Ms G Abel, Duncraig.
Ms R Robinson, Duncraig.
Mrs H Devlin, Duncraig.
Mr G Bowman, Duncraig.
Mr E Gant, Duncraig.
Mrs P Gant, Duncraig.
Mr D Rawlings, Duncraig.
Mrs M Rawlings, Duncraig.
Mrs C Castalanelli, Duncraig.
Mr G Luckhurst, Duncraig.
Mr T Busch, Duncraig.
Mrs K Busch, Duncraig.
Mr B Davis, Duncraig.
Mrs P Davis, Duncraig.
Mr G McLagan, Duncraig.
Ms D Coleman, Duncraig.
Mr A Read, Duncraig.
Mrs M Read, Duncraig.
Ms V O'Neil, Duncraig.
Ms D O'Neil, Duncraig.
Ms K Baird, Duncraig.
Ms D Baird, Duncraig.
Mr D Reid, Duncraig.
Mrs A Reid, Duncraig.
Mr R Simpson, Duncraig.
Mr M Lane, Duncraig.
Mrs S Lane, Duncraig.
Mr G Temm, Duncraig.
Mrs P Temm, Duncraig.
Mr P Francis, Duncraig.
Mrs C Francis, Duncraig.
Ms S Bessen, Duncraig.
Ms S Glossop, Duncraig.
Mr R Wales, Duncraig.
Ms A Wedderburn, Duncraig.
Mrs S Frearson, Duncraig.
Ms E Gray, Duncraig.
Mrs R Phillips, Duncraig.
Mrs K Noto, Duncraig.
Mr K Nehyba, Duncraig.
Mr J Laney, Duncraig.
Mrs S Laney, Duncraig.
Mrs S Frichot, Duncraig.
Mr P Perazzelli, Duncraig.
Mrs S Perazzelli, Duncraig.
Mrs M Aylmore, Duncraig.
Mr R White, Duncraig.

Mrs S White, Duncraig.
Mr S Jones, Duncraig.
Mr A Kluge, Duncraig.
Mrs L Kluge, Duncraig.
Mr L Lord, Duncraig.
Ms A Lord, Duncraig.
Mrs H Day, Duncraig.
Ms B Starr, Duncraig.
Mr T Wemberg-Moller, Duncraig.
Mrs J Wemberg-Moller, Duncraig.
Mr L Martin, Duncraig.
Mrs S Martin, Duncraig.
Mr D Abbott, Duncraig.
Mr B Parkin, Duncraig.
Mrs G Parkin, Duncraig.
Mr P Kerman, Duncraig.
Mrs M Kerman, Duncraig.
Mrs C Mirabile, Duncraig.
Mr N Draper, Duncraig.
Mrs L Draper, Duncraig.
Dr P Pardy, Duncraig.
Ms L Gray, Duncraig.
Mrs L Ferrier, Duncraig.
Mr J Monterrubio, Duncraig.
Mrs T Monterrubio, Duncraig.
Mrs A Sampson, Duncraig.
Mr N Ellwood, Duncraig.
Mr G Kitson, Duncraig.
Mrs C Kitson, Duncraig.

Leave of Absence previously approved

Cr Sophie Dwyer	20 April to 30 April 2017 inclusive;
Cr John Logan	22 April to 28 May 2017 inclusive;
Cr Nige Jones	4 May to 13 May 2017 inclusive;
Cr Sophie Dwyer	1 July to 17 July 2017 inclusive;
Cr Sophie Dwyer	23 September to 8 October 2017 inclusive.

PRESENTATION – LOCAL HOUSING STRATEGY

The Director Planning and Community Development gave a presentation on the City's *Local Housing Strategy* ([Attachment 1.pdf refers](#)).

MEETING OPEN TO THE FLOOR**MOTION 1**

MOVED Mr D Bessen, Duncraig, SECONDED Mrs N Mehra, Duncraig that Council:

- 1** urgently works with the Western Australian Planning Commission and the Department of Planning to amend the R Coding to R20/R30 in Housing Opportunity Area 1, bounded by Mitchell Freeway to the East, Davallia Road to the West, Beach Road to the South and Warwick Road to the North;
- 2** immediately puts together Local Planning Policies or Urban Design Policies in Housing Opportunity Area 1 and in doing so, restrict the building of inappropriate dwellings, in particular apartment blocks.

The following persons spoke to the Motion:

Mr D Bessen, Duncraig.
Mrs N Mehra, Duncraig.
Mr D Simpson, Duncraig.
Mrs L Magro, Duncraig.
Mr C Shaw, Duncraig.
Mr J Parker, Duncraig.

MOVED Mr D Bessen, Duncraig, SECONDED Mr R Mehra, Duncraig that the Local Member for Carine Mr Tony Krsticevic MLA be afforded an opportunity to speak at the Special Meeting of Electors.

The Motion was Put and

CARRIED

Mr T Krsticevic, Member for Carine spoke to the Motion.

The Motion as MOVED Mr D Bessen, Duncraig and SECONDED Mrs N Mehra, Duncraig was Put and

CARRIED

The following questions were asked in relation to the purpose of the Special Meeting of Electors:

Mr R Mehra, Duncraig:

Q1 *The Western Australian Planning Commission (WAPC) is suggesting infilling, where the residents are saying they do not want large developments. How can this dilemma be resolved in a manner that is fair and reasonable?*

A1 Mayor Pickard stated it is a difficult question to respond to, but ultimately local government is responsible to the State Government. The WAPC is an entity of the State Government under its jurisdiction and control, and is the agency that determines, rejects, alters or amends any City local planning strategies and other planning instruments.

The challenge for the City is to strike a balance between the drivers and strategic planning outcomes of the State Government for infill development and meeting the needs and aspirations of the City's local community. As a local government the City can advocate and champion the needs of its community but ultimately such matters are determined by the WAPC and the State Government.

Mr D Simpson, Duncraig:

Q1 *Referring to the R-Codes and the ability of the WAPC to overturn a local government decision, what action can Council take in respect of parking (which does fall under the gambit of Council) to restrict parking in a particular area which would then make it unattractive for six or seven unit developments? Can the WAPC then come back to the City and say its parking restrictions are unreasonable?*

A1 Mayor Pickard commented technically the WAPC can do so. The City can impose relevant parking prohibitions in any suburb that it chooses, but this would impact the entire suburb, not just those living in a dense residential area.

The City plays a role in controlling street and verge parking only, including the issuing of parking permits however parking requirements within a development fall under the auspices of the R-Codes and private developments are to be cognisant of these requirements.

Mr J Parker, Duncraig:

Q1 *Would you please explain for the benefit of the residents in attendance this evening what is the process for Council moving forward?*

A1 Mayor Pickard advised as a result of any motions passed at the Special Meeting of Electors, a report will be prepared by the City's officers for Council to determine how it wishes to proceed. In considering the motions from this evening's meeting, officers may also provide a range of other options that are available to Council to pursue in consideration of the risks and realities of certain outcomes, as well as embracing other strategies to potentially address the objectives of the local community.

Moved Mr D Bessen, Duncraig, Seconded Mr R Mehra, Duncraig that the Local Member for Carine Mr Tony Krsticevic MLA be afforded an opportunity to ask questions at the Special Meeting of Electors.

The Motion was Put and

CARRIED

Mr T Krsticevic MLA, Carine:

- Q1 *If Council was to move an amendment to Housing Opportunity Area 1 and present it to the WAPC who in turn may reject the proposed amendment, it my understanding from speaking to the former Minister for Planning that this would trigger an opportunity for that decision to then be presented to the Minister to review that decision. Is that correct?*
- A1 The Director Planning and Community Development advised with respect to any scheme amendment the WAPC makes a recommendation to the Minister. If the WAPC did not support the City's position, it would make a different recommendation to the Minister. It is the Minister that makes the final decision on scheme amendments.
- Q2 *In relation to the WAPC and State Government targets on infill strategy, with particular respect to the City of Joondalup side of Beach Road where there is R20, R40 and R60 zonings, with those targets being met, why on the City of Stirling side of Beach Road is it an R20 zoning in the suburbs of Carine and Hamersley which abuts the same area where there is R20, R40 and R60 zonings? How was the City of Stirling permitted to retain a zoning of R20, yet the City of Joondalup has been forced to go to R60?*
- A2 Mayor Pickard stated ultimately the City of Joondalup develops its own local housing strategy and the local housing strategy of the City of Stirling has no relevance or implications for the City of Joondalup. The City of Stirling has other suburbs within its boundaries that have significantly higher zoning and those zoning strategies in other suburbs may have helped the City of Stirling to achieve the targets set by the State Government.
- Q3 *Would that by further examination allow the City of Joondalup to also have an R20 zoning on its side of Beach Road to match the R20 zoning on the City of Stirling side if there was the ability to increase density elsewhere?*
- A3 Mayor Pickard commented he did not believe so. The City of Joondalup's *Local Housing Strategy* is considered in isolation to the City of Stirling and was presented as a complete strategy as required by the WAPC.
- Q4 *Were the City of Stirling allowed to get away with not doing it in their patch?*
- A4 Mayor Pickard advised he did not believe so because the City of Stirling has other suburbs within its boundaries that have different zonings. Again its strategy is dealt with in isolation to the strategy of the City of Joondalup and while Hamersley or Carine might have a low zoning, there are other areas within the City of Stirling that may have higher zonings that would have met overall targets.

Q5 *As long as the City of Joondalup meets the overall target of the WAPC, is that all the WAPC considers?*

A5 Mayor Pickard advised the key driver for the WAPC is in accordance with strategies that successive governments have embraced for denser housing stock. There does not appear to be different approach or intent from the current State Government.

Mr S Noto, Duncraig:

Q1 *Who's responsibility is it to administer Occupational Health and Safety?*

A1 The Director Planning and Community Development advised that if residents have concerns about a builder not meeting their safety requirements, than they should report the matter to Worksafe as the City does not have the legal ability to go onsite and control occupational safety.

Mayor Pickard stated the City only has jurisdiction over whether a development is being constructed in accordance with the approved plans, as well as residents' concerns with noise and the like. When it comes to occupational health and safety such as workers not wearing helmets, steel cap boots and the like those concerns should be referred to Worksafe.

Q2 *In relation to footpaths, who's responsibility is it to ensure our kids are safe?*

A2 Mayor Pickard advised footpaths are the responsibility of the City of Joondalup and that the City has installed footpaths to provide safe movement for people who want to walk to their local amenities including adequate access for prams, wheelchairs and people with limited mobility.

Q3 *In relation to footpaths, is the City going to consider installing footpaths on Strathyre Drive? Due to the possible construction of four or six units on the street, children are potentially going to have to look for 12 cars instead of two cars coming out of driveways.*

A3 Mayor Pickard advised that the Council had already considered the issue of a footpath on Strathyre on two occasions and that a footpath was to be constructed on Strathyre Drive. Mayor Pickard stated that if a child is walking on a footpath and is crossing a driveway and is being wary of a vehicle ingressing or egressing private properties, whether there are two or 12 cars the issue of safety is still the same. Mayor Pickard noted that if a child is not old enough to be walking alone, one would hope that a parent would be walking with them and if the child is old enough, they most likely have the appropriate skills and training to be aware of the danger of vehicles.

Mr B Cikara, Duncraig:

Q1 *Is there a vision for this area in Duncraig, as I don't understand the City allowing developments ad-hoc? Are developments in Duncraig going to all look different or will they be similar to Carine Glades Estate?*

A1 Mayor Pickard advised the City does not undertake rezoning lot by lot and the *Local Housing Strategy* details what the overall objectives and aims are for the City.

Mr J Cooke, Duncraig:

Q1 *Are you going to pick up the hatchet and help us or not?*

A1 Mayor Pickard advised he would not be making a decision on the matter until a detailed report is received from the City's officers. Mayor Pickard noted that he had heard the concerns expressed by the residents and that he would be focusing on strategies that are likely to achieve the best outcome.

Q2 *You didn't answer the question exactly as I expected you would, I asked if you would be picking up the hatchet and help us? I didn't ask for the rest of the Council to do anything, I asked whether you are with us or against us or ambivalent.*

A2 Mayor Pickard advised he would not be providing his view on the matter until he reads the report provided to Council. Mayor Pickard invited Mr Cooke to attend the Council meeting when the decision is being made so that he can hear the views of all Elected Members.

Mr J Leyton, Duncraig:

Q1 *I was wondering if Council would consider implementing a Design Advisory Committee consisting of architects to help assess developments, such as the one on Strathyre Drive?*

A1 Mayor Pickard advised that there is no plan to set up a design review structure for single dwellings in the City of Joondalup. The City has no control over bulk, scale, setback and cone of vision when assessing development applications as these issues fall within the R-Codes, advising that the State Government determines the R-Codes.

Mr D Bessen, Duncraig:

Q1 *It has been suggested several times it would take approximately 12-18 months to recode. How long would it take to put in place a local planning policy or urban design policy to restrict the building of apartment blocks?*

A1 The Director Planning and Community Development advised that the City does not have the ability to put in place a local planning policy that restricts the development of multiple dwellings. If the City were to significantly vary any provisions of the R-Codes, the permission of the WAPC would be required. In the event the City developed a local planning policy precluding multiple dwellings or suggesting only duplexes or triplexes were permitted, or attempted to significantly amend the provisions of the R-Codes in another way, it would be unlikely to receive approval from the WAPC..

Q2 *Would the same rules apply to an urban design policy which is not a local planning policy, for example the application of covenants?*

A2 The Director Planning and Community Development commented that covenants are usually put in place by the developer of an estate and are not a document that is used by a local authority to control development. Design guidelines as mentioned earlier are possible, but unless they are adopted as a local planning policy they would have no statutory effect.

If the City wanted to adopt design guidelines for residential development as a local planning policy, the guidelines would have to accord with the R-Codes. The City cannot have guidelines that significantly vary the R-Codes whether it is design guidelines or a local planning policy.

Mayor Pickard further stated much of what residents are asking to be undertaken, the City does not have the power to do and will await the officer's report for Council to consider.

Mrs N Mehra, Duncraig:

Q1 *If the Council is prepared to take up this fight on behalf of the residents, what is required from the residents/community to assist Council to win the fight with the WAPC?*

A1 Mayor Pickard advised that ordinarily he would suggest lobbying the local State Member of Parliament who is present this evening. Mayor Pickard stated his personal view is to advocate to the WAPC.

As a community you are entitled to advocate and lobby the State Member and Minister for Planning to articulate and express your concerns and would suggest that if Council proposed to down code and commence a rezoning process for Housing Opportunity Area 1, such advocacy given the volume of numbers would help the cause.

Mr R Mehra, Duncraig:

Q1 *With respect to the concerns raised by the community, what other measures can they take to assist Council in this process?*

A1 Mayor Pickard advised that at the time the report is prepared he was happy to meet with representatives from the community along with the two Ward Councillors, Deputy Mayor, Cr Fishwick and Cr Dwyer to discuss the report to look at the options that the report outlines in advance of it being presented to the Briefing Session. Community representatives also have an opportunity to make a deputation, ask questions or make a statement at the Briefing Session.

CLOSE OF BUSINESS

There being no further business, Mayor Pickard declared the meeting closed at 7.53pm.