

Agenda **Special Meeting of Council**

NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING OF THE COUNCIL OF THE CITY OF JOONDALUP WILL BE HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP

ON

TUESDAY, 5 MAY 2009

COMMENCING AT

6.30 pm

PUBLIC QUESTION TIME

Members of the public are requested to lodge questions in writing by

Answers to those questions received within that timeframe will, where practicable, be provided in hard copy form at the Special Council Meeting.

Please Note: Section 7(4)(b) of the Local Government (Administration) Regulations 1996 states that a Council at a special meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked.

QUESTIONS TO

council.questions@joondalup.wa.gov.au
PO Box 21 Joondalup WA 6919

PURPOSE OF MEETING

To consider adoption of the Ocean Reef Marina Development Project Draft Concept Plan 7 for release to the community for comment.

GARRY HUNT
Chief Executive Officer

www.joondalup.wa.gov.au

4 May 2009

PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time were adopted at the Council meeting held on 17 March 2009:

Questions asked verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Questions asked at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two questions per member of the public.
- 5 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be limited to the legislative minimum of fifteen minutes and may be extended in intervals of up to ten minutes by resolution of the Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed thirty five (35) minutes in total. Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 8 Questions are to be directed to the Presiding Member and should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
 - Accept or reject any question and his/her decision is final;
 - Nominate a member of the Council and/or City employee to respond to the question;
 - Take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.
- 9 Where an elected member is of the opinion that a member of the public is:
 - asking a question at a Council meeting, that is not relevant to the operations of the City of Joondalup;
 - making a statement during public question time;they may bring it to the attention of the meeting.

- 10 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

Questions in Writing - Residents and /or Ratepayers of the City of Joondalup Only

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions submitted to an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Questions submitted to a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 The City will accept a maximum of 5 written questions per City of Joondalup resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by 9.00 am on the day immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Mayor will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Council meeting will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Council meeting.
- 8 A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the minutes of the Council meeting.

- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

The following procedures for the conduct of Public Statement Time were adopted at the Council meeting held on 18 December 2007:

- 1 Members of the public are invited to make statements, either verbally or in writing, at Council meetings.
- 2 Statements made at an ordinary Council meeting must relate to matters that affect the operations of the City of Joondalup. Statements made at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 4 Public statement time will be limited to two minutes per member of the public.
- 5 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 6 Public statement time will be limited to a maximum of 15 minutes. Public statement time is declared closed following the 15 minute allocated time period, or earlier than such time where there are no further statements.
- 7 Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- 8 Where an Elected Member is of the opinion that a member of the public is making a statement at a Council meeting, that is not relevant to the operations of the City of Joondalup, they may bring it to the attention of the Presiding Member who will make a ruling.
- 9 A member of the public attending a Council meeting may present a written statement rather than making the Statement verbally if he or she so wishes.
- 10 Statements will be summarised and included in the minutes of the Council meeting.

CODE OF CONDUCT

The Code recognises these ethical values and professional behaviours that support the principles of:

Respect for persons - this principle requires that we treat other people as individuals with rights that should be honoured and defended, and should empower them to claim their rights if they are unable to do so for themselves. It is our respect for the rights of others that qualifies us as members of a community, not simply as individuals with rights, but also with duties and responsibilities to other persons.

Justice - this principle requires that we treat people fairly, without discrimination, and with rules that apply equally to all. Justice ensures that opportunities and social benefits are shared equally among individuals, and with equitable outcomes for disadvantaged groups.

Beneficence - this principle requires that we should do good, and not harm, to others. It also requires that the strong have a duty of care to the weak, dependent and vulnerable. Beneficence expresses the requirement that we should do for others what we would like to do for ourselves.

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

CITY OF JOONDALUP

Notice is hereby given that a Special Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 5 MAY 2009** commencing at **6.30 pm**.

GARRY HUNT
Chief Executive Officer
4 May 2009

Joondalup
Western Australia

AGENDA

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

2 PUBLIC QUESTION TIME

(Please Note: Section 7(4)(b) of the Local Government (Administration) Regulations 1996 states that a Council at a special meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked.)

3 PUBLIC STATEMENT TIME

Statements made at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.

4 APOLOGIES AND LEAVE OF ABSENCE

Apology - Cr Fiona Diaz

Leave of absence previously approved:

| | |
|--------------------|-------------------------|
| Cr Geoff Amphlett | 2 –7 May 2009 inclusive |
| Cr Marie Macdonald | 1 –9 May 2009 inclusive |

5 DECLARATIONS OF INTEREST

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

7 REPORTS

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| JSC5-05/09 | Ocean Reef Marina Philosophy and Parameters | 1 |
| JSC6-05/09 | Ocean Reef Marina Financial Summary, Report Status and 2009/2010 Budgetary Considerations | 10 |
| JSC7-05/09 | Ocean Reef Marina Development Project – Structure Plan Progress Report | 19 |
| JSC8-05/09 | Ocean Reef Marina Community Reference Group | 26 |

8 CLOSURE

JSC5-05/09 OCEAN REEF MARINA PHILOSOPHY AND PARAMETERS – [07303, 04171]

WARD: North-Central

RESPONSIBLE DIRECTOR: Mr Garry Hunt
Office of CEO

PURPOSE / EXECUTIVE SUMMARY

At the Ocean Reef Marina Committee meeting held on 2 December 2008, the Chief Executive Officer advised that the Committee should affirm the philosophy and parameters on which the project will be based to assist in clarifying and confirming its future direction.

BACKGROUND

The Ocean Reef Marina project development site is located on the coast at Ocean Reef and is approximately 61 hectares in area. The site extends from just north of Swanson Way to north of Resolute Way. The City purchased Part Lot 1029 at Ocean Reef in 1979 for a price of \$525,000. This purchase was made as an investment for the benefit of the community, to enable the development of a range of recreational, commercial and ancillary service uses.

The project has been the subject of debate for over 30 years with a range of plans having been considered during this period of time. The project was revitalised when, on 7 November 2004, the then Minister for Planning & Infrastructure announced that the State Government of the day would commit up to \$700,000 towards concept plans and a structure plan aimed at transforming Ocean Reef boat launching facility into a world-class commercial and recreational marina. At that time the City estimated a total of \$1.429m would need to be expended to undertake the project.

In April 2007 Council agreed to the establishment of a Steering Committee, comprising the Chief Executive Officer, representatives of the Western Australian Planning Commission, Department of Planning and Infrastructure, LandCorp and the Water Corporation, to oversee the project. The Steering Committee has met on seven occasions to discuss the site in relation to ownership, planning implications, marine implications and boating infrastructure.

In April 2007, Council also agreed to:

- 1 Establish the Ocean Reef Marina Committee (as a Committee of Council).
- 2 Note the Community Participation Plan for the Ocean Reef Marina as appropriate for community engagement.
- 3 Establish a Community Reference Group of 34 people.

4 Support the proposed role for the Reference Group.

The role of this group is to:

- Help the City develop a concept design and structure plan for the Ocean Reef Marina;
- Ensure the issues and concerns of the community are adequately represented;
- Represent the interests of the wider community;
- Act as a conduit to disseminate information and feedback to and from the wider community; and
- Liaise with extended networks and community groups to facilitate information sharing about the project.

During the development of Concept Plans 1 to 7, the Community Reference Group has met on five occasions to workshop and provide feedback into the planning process. The Group has viewed Concept Plan #6. Concept Plan #7 has only slight modifications to Concept Plan #6.

The considerable number of meetings, workshops, discussions and consultations over the past three years has resulted in the establishment of a number of guiding principles and philosophies for the development of the Ocean Reef Marina Structure Plan. The affirmation and acknowledgement of these principles and philosophies will ensure the integrity of the project moving forward and that the vision of the City in bringing the Ocean Reef Marina project to a reality remains uncompromised. The project philosophies and parameters are presented below.

DETAILS

Project Philosophy and Key Parameters

1. Vision for the Development

The City holds a vision for the Ocean Reef Marina site as a world class recreational, residential and tourism development that encapsulates high levels of environmental sustainability, community amenity and delivers economic growth and social benefit to the residents of the City of Joondalup. The purpose of the vision is to articulate for the record and for historical purposes the intent of the Council in progressing the project, what it is trying to do and why it is trying to do it.

The existing infrastructure at the Ocean Reef Boat Harbour is both outdated and ageing and no longer meets the expectations and needs of present and future generations of City residents or the wider Western Australian community. The site has been recognised as having the potential for development as a major tourism and recreation node for over 30 years.

The proposed facilities envisaged for the Ocean Reef Marina redevelopment provide the community with a state of the art iconic marina facility which caters for the needs of the community and provides a balance of residential, commercial and public amenities that will service the community and attract local and outside visitors into the future. The development design principles seek to ensure that the development does not become an exclusive residential enclave but rather an equitable community based facility where visitor and resident alike, can enjoy a variety of first class amenities and leisure activities.

The City recognises that there is limited opportunity for development nodes along its ocean coast line that provides an interface with the community; therefore any development must maximise land use and built form in order to satisfy this unique opportunity while recognising the environmental integrity of the site.

The project attempts to balance the needs of the community with the need to maintain and preserve the natural environmental. The development concepts are sensitive and compatible with the existing environment and provide an interface between sustainable development and the natural marine and terrestrial environments.

2. Environmental strategy

The project concept plan has been developed using best practice management techniques that remain sympathetic to the natural environmental.

The City acknowledges the environmental constraints identified in the preliminary reports prepared to date. These include:

- Coastal hydrology
- Flora/fauna
- Geotechnical
- Public amenity issues

By utilising up-to-date best practice urban design, architectural and construction techniques the Ocean Reef Marina can be a showcase for innovation in green design. The City is committed to achieving a sustainable green development that sets a benchmark for major developments within Western Australia.

Bush Forever

The site has been accepted by the City and the State Government as a strategic tourism and development node; however the City also accepts the existence of Bush Forever within the development area (see attached Bush Forever site plan). In consultation with the relevant government and environmental agencies the development concepts seek to enhance and safeguard the integrity of the Bush Forever site, taking into account the constraints existing to development within this type of natural environment.

The City's consultants have prepared preliminary reports on the site and further detailed analysis will be undertaken.

3. Governance and Fiscal responsibility

The City of Joondalup owns 27 hectares of valuable coastal land. The City also has a vesting interest over an additional 21 (approximately) hectares of Crown Land on the site. As such any development on the site needs to take into account the present and future benefits for City residents and the greater Western Australian population.

Land Assembly of site:

| LOT NO | AREA | REGISTERED PROPRIETOR | COMMENTS |
|----------------|---------|--------------------------------------------------------------------------|----------------------------------|
| 9000* | 7.54ha | Water Corporation | Easement |
| 1032 | 2.69ha | City of Joondalup | Easement |
| 1029 | 24.40ha | City of Joondalup | |
| 45122* | 36.92ha | State of Western Australia Interest Holder: City of Joondalup | Recreation Easement |
| 47831 / 15446* | 32.03ha | State of Western Australia Interest Holder: City of Joondalup | Recreation Telecommunications |
| 47831 / 15445* | 61.05ha | State of Western Australia Interest Holder: City of Joondalup | Recreation Telecommunications |
| 36732 / 10098 | 1.01ha | State of Western Australia Interest Holder: Water Corporation | Breakwater Sewer Outfall |
| 39014 / 10518 | 0.91ha | State of Western Australia Interest Holder: Minister for Transport | Harbour |
| 39014 / 10519 | 0.20ha | State of Western Australia Interest Holder: Minister for Transport | Harbour |
| 40064 / 10969 | 0.06ha | State of Western Australia Interest Holder: Water Corporation | Sewerage |

*Part of lot utilised

Attachments refer: Site Plan
 Bush Forever plan
 Land assembly plan

The City is clear on its role in the development of a structure plan and that it does not have the capacity to bring the development to fruition without a joint venture in association and agreement with the State Government or third parties. The action to date is in accord with the 2004 funding arrangements to develop a Structure Plan.

The City recognises that during the development process high ethical standards, probity, legal and legislative compliance and transparency are of vital importance. To ensure that this objective is achieved, the City proposes to undertake:

- Probity audit review and monitoring
- Internal audit review and monitoring
- Development of comprehensive and robust Business Cases and Financial Analysis.
- Extensive risk management assessment and monitoring
- Legal compliance via legal consultation

The City also understands that its endorsement of a draft concept plan is only the first step in a complex approval process and that, in liaison with other key stakeholders, it should facilitate negotiations with the relevant statutory bodies to expedite the project to Structure Plan stage. It will then determine, in association with the State Government, how the project can be best progressed to construction stage. The exact mechanism to achieve this will need to be the subject of discussion and negotiations with the State Government. Timely delivery is seen as a major issue given that the Ocean Reef Marina development has been discussed by various Councils for more than 30 years.

Through its appointment of suitably qualified consultants and peer review panels in the areas of planning and urban design, the environment, financing, engineering and infrastructure, the City is ensuring its responsibility that the development meets community, legislative and sustainability expectations is met.

4. Liaison Protocol

It is clearly understood by the City that the development of the project is in partnership with the Department of Planning and Infrastructure and the Ministries of Planning, Transport and Lands. Liaison at all stages with the State Government is of paramount importance in bringing the development to completion.

Through the instigation of the Ocean Reef Marina Steering Committee comprising representatives from the Department of Planning and Infrastructure, Water Corporation and Landcorp, the City maintains a strong liaison protocol with the key State Government stakeholders. Preliminary representation has been made to the Ministers for Transport, Lands and Planning and the Environmental Protection Authority, in an effort to ensure there is transparent, co-operative communication and consultation.

The strategic value and implicit importance of community consultation in the development of the Ocean Reef Marina has been addressed, with a community consultation plan being prepared and implemented which included the formation of the Ocean Reef Marina Community Reference Group. The Community Reference Group includes representatives from both stakeholder clubs (Whitfords Volunteer Sea Rescue Group and the Ocean Reef Sea Sports Club). Any proposed redevelopment of their existing facility will seek to maintain and enhance the important role these clubs play within the community.

Recognising the importance of providing further opportunities for community consultation and comment through both formal and informal processes, the City has prepared a communications plan to ensure the community is kept fully informed of the status of the project as it proceeds forward. This plan has been developed in accordance with the City's Public Participation Policy and Strategy.

5. Commerciality

The design principles shall attempt to meet the need for world class amenities and be of suitable high commercial value. By adopting advanced best practice building philosophies (eg green building concepts, energy efficiency, sustainability etc), the Ocean Reef Marina has the potential to be an iconic City landmark the development of which may provide the City with future financial and social benefits for its residents for generations to come. Fundamental to achieving this is the generation of income streams through parking regimes, fees and charges for rights to occupy and other income generating opportunities.

The City acknowledges the importance of maintaining public ownership of this strategically valuable City site and of generating a commercial revenue stream from the site. As such the right to occupy is proposed to be granted predominantly on a leasehold basis, determined by the land assembly and in accordance with Crown Land development constraints.

However as the City is also mindful that the project provide a return on investment; the establishment of a joint venture partnership (either public, private or a combination) and best practice financial management is seen as an integral component of the achievement of this outcome.

A Memorandum of Understanding (MOU) would need to be negotiated between the State Government and the City to ensure the roles and responsibilities of the parties involved in implementing the project are clear and defined. The MOU would need to set out the broad scope of the project and detail the implementation phases, costs and revenue sharing as well as ongoing management and maintenance arrangements. The MOU would serve as a statement of the intention between the State and City (being the principal landowners) and it is not intended to be legally binding on either party.

SUMMARY

It is viewed as appropriate and necessary that the Ocean Reef Marina Committee considers and affirms a vision for the Ocean Reef Marina project site and endorses development protocols for the site as outlined above, which comprise the project philosophy and key parameters.

Project Philosophy and Key Parameters

- 1 Development Vision
 - World class recreation, residential and tourist development
 - Sustainable community amenity
 - Social and economic benefit to all residents
 - Balance of public, residential and commercial amenities
 - Equitable facility for visitors and residents
 - Social and economic maximisation of land use
- 2 Environmental Strategy
 - Best practice management techniques
 - Coastal processes
 - Flora/fauna
 - Geotechnical
 - Public amenity
 - Innovation in green design and sustainability
 - Conservation, maintenance and management of the Bush Forever site
- 3 Governance and Fiscal responsibility
 - High ethical standards
 - Probity, legal and legislative compliance
 - Accurate and timely expediency in the preparation and submission of required documentation for the approval of a Structure Plan
 - Due diligence in the engagement of professional consultants to undertake reports/studies
 - Transparent, accountable decision making process
- 4 Liaison protocol
 - Successful, sustainable partnerships with State Government departments and agencies
 - Transparent, co-operative communication and consultation with all relevant agencies
 - Transparent, co-operative communication and consultation with City of Joondalup residents and the wider community
 - Development of a Memorandum of Understanding with the State Government

- 5 Commerciality
- Best practice financial management
 - Maintaining public ownership in accordance with statutory requirements
 - Establishment of a joint venture partnership

Link to Strategic Plan:

- Key Focus Area: Leadership and Governance – 1.1 OBJECTIVE: To engage proactively with the community.
- Key Focus Areas: The Built Environment – 4.2 OBJECTIVE: To progress a range of innovative and high quality urban development projects within the City – 4.2.1 STRATEGIES: Develop a concept for, and commit to, the development of land at the Ocean Reef Marina site.

Legislation – Statutory Provisions:

The City is governed by the requirements of the Local Government Act in relation to dealings involving commercial undertakings and land development.

Risk Management considerations:

A detailed Risk Management Assessment Report outlining the risks apparent to the project has been prepared and continues to be updated.

Financial/Budget Implications:

As outlined in Item 2 of this Agenda.

Policy implications:

Development of the project will be in accordance with the City's policies and procedures.

Regional Significance:

The development of the Ocean Reef Marina will become a significant tourist/visitor destination and a key focal point within the North West City corridor.

Sustainability implications:

Progression of the structure planning process will facilitate a number of studies/reports that address key issues pertaining to sustainability ie economic feasibility, environmental sustainability.

Consultation:

A public participation and communications strategy has been prepared for the project. To date significant community consultation has occurred via feedback from the Community Reference Group and community surveying.

COMMENT

Not applicable.

ATTACHMENTS

Nil.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council ENDORSES the following Project Philosophy and Key Parameters related to the Ocean Reef Marina Development project:

1 Development Vision

- **World class recreation, boating, residential and tourist marina development**
- **Sustainable community amenity**
- **Social and economic benefit to all residents**
- **Balance of public, residential and commercial amenities**
- **Equitable facility for visitors and residents**
- **Social and economic maximisation of land use**

2 Environmental Strategy

- **Best practice management techniques**
- **Coastal processes**
- **Flora/fauna**
- **Geotechnical**
- **Public amenity**
- **Innovation in green design and sustainability**
- **Conservation, maintenance and management of the Bush Forever site**

3 Governance and Fiscal responsibility

- **High ethical standards**
- **Probity, legal and legislative compliance**
- **Accurate and timely expediency in the preparation and submission of required documentation for the approval of a Structure Plan**
- **Due diligence in the engagement of professional consultants to undertake reports/studies**
- **Transparent, accountable decision making process**

4 Liaison protocol

- **Successful, sustainable partnerships with State Government departments and agencies**
- **Transparent, co-operative communication and consultation with all relevant agencies**
- **Transparent, co-operative communication and consultation with City of Joondalup residents and the wider community**
- **Development of a Memorandum of Understanding with the State Government**

5 Commerciality

- **Best practice financial management**
- **Maintaining public ownership in accordance with statutory requirements**
- **Establishment of a joint venture partnership**

JSC6-05/09 OCEAN REEF MARINA FINANCIAL SUMMARY, REPORT STATUS AND 2009/2010 BUDGETARY CONSIDERATIONS – [07303, 04171]

WARD: North-Central

RESPONSIBLE DIRECTOR: Mr Garry Hunt
Office of CEO

PURPOSE / EXECUTIVE SUMMARY

To provide the Committee with an overview of the project's financial expenditure to date, status of reports and to seek Council endorsement to list for consideration the 2009/2010 budget funds to enable the project to progress through the Structure Planning process.

BACKGROUND

The Ocean Reef Marina project development site is located on the coast at Ocean Reef and is approximately 61 hectares in area. The site extends from just north of Swanson Way to north of Resolute Way. The City purchased Part Lot 1029 at Ocean Reef in 1979 for a price of \$525,000. This purchase was made as an investment for the benefit of the community, to enable the development of a range of recreational, commercial and ancillary service uses.

In 2000 Turen Property Consulting submitted a report entitled "Lot 1029 Ocean Reef and Boat Launching Facility: A preliminary overview of the commercial potential of the location and facilities". This report also provided advice on the master planning process to ensure that the planning objectives matched the commercial reality and that the resultant development will make a positive contribution to the existing community and commercial fabric of the City.

Between 2001 and 2004 negotiations took place with Government agencies to determine the status of the site and a significant amount of work was undertaken on a variety of environmental and planning issues. The City appointed consultants in 2002 to undertake a community benchmark survey which included a workshop with interested stakeholders.

The project gained momentum when, on 7 November 2004, the then Minister for Planning announced that the State Government of the day would commit up to \$700,000 towards concept plans and a structure plan aimed at transforming Ocean Reef boat launching facility into a world-class commercial and recreational marina.

Clifton Coney Group (now known as Coffey Projects), in a report to Commissioners in May 2005 – CJ156-08/05, recommended a project program based on the following stages:

| | |
|---------|-------------------------|
| Stage 1 | Preliminary Feasibility |
| Stage 2 | Business Case |
| Stage 3 | Public Exhibition |
| Stage 4 | Structure Planning |

At its meeting held on 9 August 2005 Council resolved to prepare a Structure Plan for the development of the Ocean Reef Marina and appointed Clifton Coney Group as interim Project Managers. Subsequently, at its meeting held on 1 November 2005, the Commissioners resolved to appoint Clifton Coney Group (now known as Coffey Projects) to provide Project Management Services for the preparation of a Structure Plan in accordance with Part 9 of District Planning Scheme No 2 for the Ocean Reef Marina.

In 2004 Clifton Coney Group provided the following list of consultants it considered necessary for the project:

- Project Manager
- Urban design consultant
- Civil Engineering
- Marine Engineering
- Coastal Engineering
- Geotechnical
- Traffic and Transportation
- Environmental consultant
- Surveyor consultant
- Social/Economic Planning consultant
- Community Liaison consultant
- Ethnographic consultant
- Landscape Architect
- Property consultant
- Quantity Surveyor
- Legal

At the time total value of consultant fees for the project was estimated at \$1,429,950. This figure was arrived at based on a formal Environmental Assessment, a four stage process (as outlined above) from March 2005 to February 2008 and a contingency of 15%.

CURRENT STATUS OF PROJECT

PHASE ONE – CONCEPT PLAN DEVELOPMENT – PRELIMINARY STUDIES AND REPORTS

Based on Concept Plans (1 – 7) developed to date the following reports have been undertaken on the proposed development at Ocean Reef Marina (as at 17 April 2009):

| | REPORT | DATE | OVERVIEW |
|--------------------|----------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FINANCIAL | | | |
| Jones LaSalle Lang | Concept Plan Feasibility Costs | Nov 08 | Concept Plan 5 |
| Jones LaSalle Lang | Financial Analysis | Nov 08 | Financial Analysis of the proposed development based on Concept Plan 5 |
| ENGINEERING | | | |
| Worley Parsons | Preliminary Shoreline Impact | Nov 08 | A high-level assessment of the shoreline impacts associated with the proposed Ocean Reef Marina (ORM) development. The aim of the assessment was to provide an initial understanding of the sediment dynamics in the near shore area in the vicinity of the ORM development. |
| Worley Parsons | Strategic Traffic and Transport Review | Nov 08 | <ul style="list-style-type: none"> • Review of the existing transport network surrounding the site • Review of the proposed entry points to the site • Review of the proposed internal circulation system • Identification of future trip generation and its impacts on the existing network |
| Worley Parsons | Club Area Costs | Nov 08 | Estimated costs for club area only – Concept Plan 5 |

| | | | |
|----------------|-------------------------------------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Worley Parsons | Estimating Report | Nov 08 | The report concentrates on the construction methodology, estimating assumptions and construction costs for Ocean Reef Marina development |
| Worley Parsons | Potential Geotechnical Solutions to Voids | Nov 08 | Guidelines for the management of voids in limestone, should they be intersected during onshore earthworks for the construction of the proposed Ocean Reef Marina Project. |
| Worley Parsons | Preliminary Engineering Investigations | Jun 08 | Reports on: <ul style="list-style-type: none"> • Infrastructure services • Geotechnical Desktop Study and Site Walkover • Coastal overview |
| Worley Parsons | Preliminary Flushing Study | Nov 08 | Preliminary assessment of the flushing capacity of different the concept layouts proposed for the Ocean Reef Marina development. |
| Worley Parsons | Preliminary Flushing Study – Addendum 1 | Jan 09 | A study extending the range of conditions for the flushing assessment of the Ocean Reef Marina to Concept Plan 6. |
| Worley Parsons | Sediment Budget Analysis | Jan 09 Reissued April 09 | An assessment of the shoreline impact associated with the proposed Ocean Reef Marina development following on the results previously presented. A primary goal of this report is to assess in more detail the impact, and to provide preliminary recommendations for management of any changes to coastal erosion as a result of the proposed new boat harbour. Updated report resubmitted April 2009. |
| Worley Parsons | Cost Estimate – Second breakwater opening | Dec 08 | Cost estimate for the second breakwater opening for Concept Plan 6. |
| MP Rogers | Peer Review | Mar 09 | Peer review of Worley Parsons reports on sediment and shoreline analysis. |
| MP Rogers | Peer Review | Apr 09 | Peer review of Worley Parsons reports on water quality and flushing. |

| | REPORT | DATE | OVERVIEW |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TOWN PLANNING | | | |
| Taylor Barnett | Burrell Concept Plans 1 – 7 | July 08 – Feb 09 | Concept plans as presented |
| Taylor Barnett | Burrell Concept Plans 5 – 7 <ul style="list-style-type: none"> • Public Equity overlay • Car Parking overlay • Movement overlay • Land owner overlay • Cross Section | Nov 08 – Mar 09 | Diagrammatic representation of various key elements of the design. |
| Taylor Barnett | Burrell Car Parking Calculations | Jan 09 | The car parking provision for Concept Plan 6 based on required parking ratios sourced both from the City of Joondalup Town Planning Scheme and from case studies of comparative developments. |
| SURVEYING | | | |
| McMullen Nolan | Photogrammetric Survey | Nov 08 | Photogrammetric survey with detailed survey of ORM area |
| McMullen Nolan | Land Assembly Report | Dec 08 | Options to achieve a single parcel of land for the Ocean Reef Marina development. |

| PROJECT MANAGEMENT | | | |
|---------------------------|--------------------------------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Coffey Projects | Monthly project reports | Ongoing | Provision of Monthly Reports since August 08 |
| Coffey Projects | Risk Assessment Analysis | Dec 08 | Revision of 2005 workshop outcomes combined with City and consultant review based on status of project as at December 2008. |
| ENVIRONMENTAL | | | |
| SMEC | Environmental Summary | Nov 08 | Environmental summary under the headings: <ul style="list-style-type: none"> • Bush Forever • Significant Vegetation Communities • Rare and Priority Flora • Fauna • Contaminated Sites • Marine Environment and Coastal Processes • Further information required • Recommendations |
| SMEC | Vegetation Condition, Ecological Community and Flora Search Report | Dec 08 | Assessment of the vegetation condition and ecological communities and flora searches. |
| SMEC | Additional Environmental Information | Jan 09 | Information, additional to the Environmental Summary, under the headings: <ul style="list-style-type: none"> • Ocean currents • Waves and wave heights • Water quality • Water Corporation testing |
| SMEC | Level 1 Fauna Report | Dec 08 | Assessment of the value of the Ocean Reef Marina development area for fauna, including fauna of conservation significance. |
| SMEC | Grace Sun Moth Survey 2009 | Apr 09 | Survey identifying the occurrence and location of the Grace Sun Moth at the project site. |
| SMEC | Environmental Summary – EPA Section 38 | Feb 09 | Summary of assessment levels for approvals process under Section 38 of the EPA Act. |

It is important to note that these individual reports need to be read and understood in the context of the timing of their preparation and the relevant stage of Concept Plan development. Earlier reports, such as Financial Analysis, may have been prepared on initial Design Concepts and not on the latest Concept Plan.

Other work undertaken on the project includes:

- Development and implementation of a community participation plan (agreed to by Council 2006) for the Community Reference Group
- Formation and engagement of the Community Reference Group (agreed to by Council 2007)
- Formation of the Ocean Reef Marina Committee of Council and Steering Committee (agreed to by Council 2007)
- Engagement of project consultant (2006 – 2008) to assist with the day to day activities associated with progressing the project and providing a central liaison point for CCG, DPI, Landcorp and the Water Corporation.
- Allocation of internal resources within the City's administration to expedite the project.

PROGRESSING THE PROJECT FORWARD

Since the time that the Government grant of \$700,000 was awarded in 2004 there have been significant changes in government policy and planning requirements which necessitated alterations to the project scope timelines and expenditure. These changes can also be attributed to the following:

- A much greater understanding of the project and what is required given the considerable amount of work that has already been undertaken.
- The size and scope of the project has increased considerably. Funds have also been consumed in the refinement process in terms of getting to the current option at the direction of the Community Reference Group, the Ocean Reef Marina Committee (of Council) and the Ocean Reef Marina Steering Committee. The production of seven concept plans has enabled the comments and feedback from each of these stakeholder groups to be incorporated into a plan which encompasses the aspirations of all parties.
- Over the last five years consultant fees have increased well in excess of CPI given the high demand for services.
- More stringent requirements for environmental approvals.
- Five years ago many of the reports that must now be submitted with the Structure Plan were required as “conditions of approval”. The requirement now is to provide more evidence up-front of the planning and environment impacts and how they will be managed; this meant that the initial costs have increased as more work is required at the “front end” of the project.
- New policies and legislations have been introduced that need to be addressed including (but not limited to) Better Urban Water Management (2008), Draft Perth Coastal Planning Strategy (2008), Tourism Taskforce Report (2006), National Greenhouse and Energy Reporting Act 2007.
- The Department for Planning and Infrastructure (through the Director General) and the Environmental Protection Authority (through the Chairman) have confirmed that the project will need to progress through Section 38 of the EPA Act. This will require the preparation and submission of two reports (one to the WA Planning Commission and one to the Environmental Protection Authority). While much of the information within the two reports will be similar, the emphasis of each will differ given the different roles each department undertakes.

PHASE TWO – DETAILED STRUCTURE PLAN AND BUSINESS CASE

To progress the project to a final Structure Plan it is anticipated that the following studies will be required; this work is envisaged to be undertaken from April 2009 through the 2009/2010 budget year and would be provided as supplementary reports to the main Structure Plan report which is to be prepared by the lead Planning Consultant, Taylor Burrell Barnett.

Engineering:

Detailed Coastal process (flushing, erosion, construction/dredging etc)
Acoustic report
Traffic, transport and car parking
Detailed site investigation (geotechnical, contamination, services)
Engineering Services report on construction of marina/land based components and strategy

Environmental:

Detailed environmental report
Environmental management report
Negotiated planning solution report – Bush Forever
Local water management strategy (inc stormwater)
Heritage report (Aboriginal, European)
Marine Flora and Fauna
Summary Report for Section 38
Site Rehabilitation Plan

Additional Spring Survey to Northern area
Fauna survey on Graceful Sun Moth

Sustainability:

Sustainability report

Economic:

Retail/economic analysis to provide inputs into Business Case

Business Case:

Detailed financial analysis of the options for undertaking the project (including land assembly options)

Other:

Visual impact assessment
Consultation report
Tourism Report

In addition to the above the following key elements will also contribute to the Structure Plan preparation process:

Communications/marketing, public consultation
Probity audit
Project Management

DETAILS

EXPENDITURE TO DATE (as at 26 March 2009)

| | | |
|------------------------------------------------------|-------------------------------------|-----------------------|
| JAN 2005 - DEC 2006 | | \$ 87,266.93 |
| JAN 2007 - FEB 2009 | | \$ 632,227.20 |
| Work commissioned - not yet received and/or invoiced | | \$ 354,840.17 |
| | TOTAL | \$1,074,334.34 |
| LESS State Government Grant | Partially recouped as at April 2009 | \$ 700,000.00 |
| | TOTAL EXPENDED BY CITY | \$ 374,333.34 |

The above expenditure includes costs for items not contained within the original scope of the project but are fundamental to it; for example perspective drawings, architectural services, land valuation and peer review. However it does not include expenditure for professional and administrative services provided by the City which have to date been absorbed within the Administrative Budgets of the City.

*ANTICIPATED EXPENDITURE***Projected expenditure to complete the project to Structure Plan stage:**

The budget requirements to proceed the Ocean Reef Marina development through to and past Structure Plan approval stage will be more than was originally anticipated as a result of the issues outlined in previous sections. The estimated costs are as follows:

| | |
|------------------------------------------|---------------------|
| Perspective drawings | \$ 10,000 |
| Detailed Financial and economic analysis | \$ 30,000 |
| Surveying and Land Tenure | \$ 15,000 |
| Landscape design | \$ 70,000 |
| Environmental studies | \$ 140,000 |
| Town planning consultancy | \$ 50,000 |
| Architectural design | \$ 10,000 |
| Engineering studies | \$ 350,000 |
| Project Management | \$ 150,000 |
| Communications/marketing | \$ 75,000 |
| Probity audit | \$ 15,000 |
| Detailed business case | \$ 70,000 |
| Contingency | <u>\$ 120,000</u> |
| TOTAL | \$ 1,105,000 |

Summary

| | | |
|---------------------------------------------|---------------------|-------------------|
| Budget approved 2004 | \$ 1,429,950 | |
| Revised additional expenditure requirements | | <u>\$ 750,000</u> |
| | \$ 2,179,950 | |

Represented by:

| | |
|--------------------------------|---------------------|
| Expenditure to date | \$ 1,074,337 |
| Forecast expenditure 2009/2010 | <u>\$ 1,105,000</u> |
| | \$ 2,179,337 |

The figures indicated above are estimates only and represent known expenditure. The consultants have been asked to provide fee proposals to take the project to a level where documents are ready for submission with supporting technical reports. To ensure that the City is receiving "best value", alternative fee proposals are being sought in some technical disciplines. It is also necessary to factor in those unknown items that may surface during the next stage of the process – this is taken into consideration under contingencies.

Not included in the above estimate is the cost for professional and administrative services and assistance provided by the City and expenditure for committee processes and reporting requirements.

There is currently an amount of approximately \$305,504.00 remaining in the budget (pending concept plan endorsement) for this project within the City's 2008/2009 budget which is anticipated to be spent by 30 June 2009. To ensure momentum is maintained in the preparation of the Ocean Reef Marina Development Structure Plan an anticipated additional amount of **\$750,000** would need to be allocated for 2009/2010 to progress through to completion of the Structure Plan Process. This amount will need to be reassessed upon receipt of fee proposals from our consultants.

Representations have been made to Department of Planning and Infrastructure – Marine Division (the initial Government funding section) to seek additional/top up funding for the project. The response to date has been that no additional funding is available.

Link to Strategic Plan:

- Key Focus Area: Leadership and Governance – 1.1 OBJECTIVE: To engage proactively with the community.
- Key Focus Areas: The Built Environment – 4.2 OBJECTIVE: To progress a range of innovative and high quality urban development projects within the City – 4.2.1 STRATEGIES: Develop a concept for, and commit to, the development of land at the Ocean Reef Marina site.

Legislation – Statutory Provisions:

The City is governed by the requirements of the Local Government Act in relation to dealings involving commercial undertakings and land development.

Risk Management considerations:

A detailed Risk Management Assessment Report outlining the risks apparent to the project has been prepared and continues to be updated.

Financial/Budget Implications:

As outlined in this report.

Policy implications:

Development of the project will be in accordance with the City's policies and procedures.

Regional Significance:

The development of the Ocean Reef Marina will become a significant tourist/visitor destination and a key focal point within the North West City corridor.

Sustainability implications:

Progression of the structure planning process will facilitate a number of studies/reports that address key issues pertaining to sustainability ie economic feasibility, environmental sustainability.

Consultation:

A public participation and communications strategy has been prepared for the project. To date significant community consultation has occurred via feedback from the Community Reference Group and community surveying.

COMMENT

The City has spent a considerable amount of time and money on the project to date and as estimated above a substantial financial commitment will need to be made to continue to progress the project through the Structure Plan stage. Without additional Government funds (the current State Government grant of \$700,000 has been completely expended) the City

will need to fund the project itself or seek contribution funding from the State Government and this will need to form part of the budget considerations for 2009/2010. In the event that the City does not wish to make this ongoing financial commitment to the completion of an approved Structure Plan for the Ocean Reef Marina Development the City will need to consider how best to continue to progress the development forward.

ATTACHMENTS

Nil.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

- 1 NOTES the contents of this Report and LISTS for consideration \$750,000 in the 2009/2010 budget to enable the Ocean Reef Marina Development project to progress through the Structure Planning process;**
- 2 DETERMINES that the following Consultants' Reports be released as part of the public comment period:**

Worley Parsons

- **Strategic Traffic and Transport Review - (November 2008)**
- **Preliminary Engineering Investigations – (June 2008)**
- **Preliminary Flushing Study – Addendum 1 – (January 2009)**
- **Sediment Budget Analysis – (January 2009)**

MP Rogers

- **Peer Review of Worley Parsons reports on sediment and shoreline analysis – (March 2009)**
- **Peer Review of Worley parsons reports on water quality and flushing – (April 2009)**

Taylor Burrell

- **Concept Plan 7 (with amendment) - (April 2009)**
- **Land owner overlay - (March 2009)**
- **Cross Section - (March 2009)**

SMEC

- **Environmental Summary – (November 2008)**
- **Vegetation Condition, Ecological Community and Flora Search Report – (December 2008)**
- **Level 1 Fauna Report - (December 2008)**
- **Additional Environmental Information – (January 2009)**
- **Grace Sun Moth Survey – (April 2009)**

JSC7-05/09 OCEAN REEF MARINA DEVELOPMENT PROJECT – STRUCTURE PLAN PROGRESS REPORT – [07303, 04171]

WARD: North-Central

**RESPONSIBLE
DIRECTOR:** Mr Garry Hunt
Office of CEO

PURPOSE / EXECUTIVE SUMMARY

To provide the Committee with a progress report on the development of a Structure Plan for the Ocean Reef Marina including work on the latest plan, Concept Plan 7.

BACKGROUND

At its meeting on 1 November 2005, the Council resolved to appoint Clifton Coney Group (now known as Coffey Projects) to provide Project Management Services for the preparation of a Structure Plan in accordance with Part 9 of District Planning Scheme No. 2 for the Ocean Reef Marina.

Whilst the Structure Plan is the ultimate outcome, the development and refinement of a Concept Plan, which will be released to the public, is the preliminary phase prior to determination of the Structure Plan.

The formal endorsement of a Concept Plan by the Ocean Reef Marina Committee and Council is a major component of the Structure Plan process for the project.

DETAILS

At the adjourned meeting of the Committee held on 27 January 2009, Concept Plan 6 was presented. It was resolved at that meeting that:

“The Ocean Reef Marina Committee:

- 1 *NOTES the presentation of Concept Plan 6 as the latest plan in the progress towards a Structure Plan for the Ocean Reef Marina Site;*
- 2 *ADVISES the Chief Executive Officer to arrange for the Ocean Reef Marina Community Group to be informed of comments from the Committee in relation to:*
 - (a) relocation of sea rescue tower;*
 - (b) extension of the inner northern beach line;*
 - (c) creation of an artificial reef, south of the marina to provide a sand source for the Mullaloo Beach line;*

- 3 *RECOMMENDS to the Council that:*
- (a) *the revised Concept Plan 6 be referred to the Community Reference Group;*
 - (b) *any comments provided by the Community Reference Group be referred to the Ocean Reef Marina Committee for consideration as part of the Structure Planning process for the Ocean Reef Marina project."*

Concept Plan 7 has been prepared taking into consideration recommendations and comments from the Committee at the meeting of 27 January 2009 and the Community Reference Group briefing held 28 January 2009. The key additions/alterations are:

- Expansion of the internal northern beach
- Redesign of the northern hard stand area
- Relocation of some facilities for Whitfords Volunteer Sea Rescue Group and provision for DPI facilities
- Relocation cycle path around southern trailer parking area
- Redesign of southern trailer access to ramps

These issues have been addressed in the New Concept Plan 7 based on the feedback received from the CRG and Ocean Reef Marina Committee.

The resolution related to this Item included a request for a Special Meeting of Council.

At the adjourned meeting held on 30 April 2009, it was resolved:

"That the Ocean Reef Marina Committee:

- 1 *NOTES the contents of the Ocean Reef Marina Development – Structure Plan Progress Report dated 24 April 2009 and Concept Plan 7 as the latest plan in the progress towards a Structure Plan for the Ocean Reef Marina Site, with the inclusion of an artificial reef to the south of the development site;*
- 2 *RECOMMENDS that Council:*
 - (a) *ENDORSES Concept Plan 7 as the plan to be progressed towards a Structure Plan for the Ocean Reef Marina Site;*
 - (b) *ENDORSES Concept Plan 7 for release for public comment for a period of 60 (sixty) days;*
- 3 *REQUESTS the Mayor to hold a Special Meeting of Council to consider the Ocean Reef Marina development."*

Consultant Reports and Studies

Environmental – SMEC

Environmental Protection Authority – Section 38: Outline of the requirements and processes for the submission for approval of development activities. This report will be made available to the Committee in the Councillors Reading Room however a summary follows:

Assessment Levels

There are six possible levels under which the Ocean Reef Marina development may be assessed:

- Assessment on referral information (ARI):
 - Small number of readily managed impacts
 - Assessment made on information supplied by the proponent
 - No public review period
 - Possible but not likely for the Ocean Reef Marina Development
- Proposal unlikely to be environmentally acceptable (PUEA):
 - Reserved for projects likely to raise a number of significant environmental impacts
 - Not likely for the Ocean Reef Marina Development
- Environmental Protection Statement (EPS) – previously known as the Consultative Environmental Review (CER):
 - For projects having a number of significant impacts that need to be managed
 - Local interest generated in the project
 - May or may not include public consultation period – dependent on the level of consultation previously undertaken
 - EPA provides a list of requirements needing to be addressed
 - Possible for the Ocean Reef Marina development
- Public Environmental Review (PER)
 - For projects have a number of likely significant impacts which are considered complex
 - Project may generate a greater level of interest than that of the EPS
 - Requires an environmental scoping document (ESD) and a PER document which may need to undergo an independent peer review
 - Documents are advertised and made available to the public
 - Possible for the Ocean Reef Marina development given the nature of the land/ocean interface
- Environmental Review and Management Program (ERMP)
 - Reserved for complex or strategic projects with a number of significant impacts likely
 - Unlikely for the Ocean Reef Marina development
- Public Inquiry (PI)
 - Possible for projects considered very complex and/or likely to generate greater than usual public interest
 - Unlikely for the Ocean Reef Marina development

Graceful Sun Moth Survey 2009 – SMEC

A new environmental issue was discovered on site in early March 2009, when the presence of an endangered species of moth was found in bushland. The Graceful Sun Moth, which only lives for one month of the year, was identified and the City in response to this notification engaged its Environmental Consultants to undertake field research work in accordance with normal protocols. The presence of this moth was largely within the areas of conservation that will be left undisturbed within the development plans.

The scope of the survey was to:

1. Identify if the Graceful Sun Moth occurs within the project site and surrounds; and
2. If the moth is present, where it is located within the Project Area and surrounds.

SMEC undertook four surveys within the project area, identifying a total of 19 Graceful Sun Moths. The surveys also identified an area of potential habitat and it is possible that the Graceful Sun Moths occur in greater numbers throughout this area.

The report identifies a number of recommendations including that the project be referred to the Department of Environment, Water, Heritage and the Arts (DEWHA) under the EPBC Act, Part 3, Division 1, Subdivision C: Listed threatened species and communities. This process has commenced.

The report is available to the Committee in the Councillors Reading Room.

Coastal Engineering – MP Rogers and Worley Parsons

Given the major significance of the coastal hydrology studies to the project and the importance of exercising due diligence in all aspects of the approvals process, the decision was made, in consultation with Department for Planning and Infrastructure

Marine Division officers, to undertake a peer review of the Sediment Budget Analysis (December 2008) and the Preliminary Flushing Study (November 2008) and the Preliminary Flushing Study Addendum (January 2009) from Worley Parsons. This report is available to the Committee in the Councillors Reading Room however the results are summarised below:

- At present the existing boat launching harbour at Ocean Reef interrupts most of the longshore transport of marine sand from north to south.
- The maintenance dredging at the existing entrance is very small and the total longshore transport is likely to be less than 5,000m³/yr from north to south at Ocean Reef.
- There is sufficient wave energy to drive a much larger sediment flux but the shoreline near Ocean Reef boat harbour is rocky out to about 5 m of water. Consequently there is only a small source of sand to be moved by the waves at Ocean Reef and hence only small actual sand movement.
- Most of the longshore sand movement occurs in water depths less than 5 m. The proportion between 5 m and 8 m would be small.
- The beach at Mullaloo is not presently eroding. Consultants MP Rogers' analysis of the available data shows accretion between 1996 and 2004 of roughly 20,000m³/yr.
- There may be seasonal fluxes of sand along Mullaloo beach. MP Rogers' analysis of some seasonal aerial images indicates seasonal movement in the order of 100,000 to 200,000 m³. There could be significant movement of sand along the sandy shore in summer to the north and a reversal of a similar magnitude to the south in winter. For example 200,000 m³ could move north in summer resulting in a very wide beach at the northern end of Mullaloo beach at the end of summer. Then in winter 180,000 m³ of sand could be moved back south resulting in a narrow beach at the northern end of Mullaloo beach. The difference in the seasonal flux could be due to sand feed from the eroding beaches to the south of Mullaloo.
- Mullaloo beach seems to receive little if any sand from the rocky coast to the north, and vice versa. In other words the present day dynamics at Mullaloo are not influenced by the dynamics on the rocky shoreline near Ocean Reef boat harbour.
- Whitfords beach south to Hillarys Boat Harbour has been eroding between 1987 and 2004. MP Rogers' analysis of the rate of erosion indicates around 20,000m³/yr. This erosion is probably due to the Hillarys Boat Harbour blocking sand supply from the south.
- The above sediment dynamics would suggest that the proposed marina at Ocean Reef with breakwaters out to around 8m of water would cause little if any change to Mullaloo Beach. The issue of wave shadows could lead to trapping around 5,000m³/year to the south of the new breakwaters with the amount trapped to the north also around 5,000m³/year. Both changes are readily managed. The changes at this site would be less than most other boat harbours in the southwest of WA.

Following submission of the peer review and discussion between Worley Parsons and MP Rogers & Associates, Worley Parsons have issued a new report - Coastal Sediment Transport Assessment (April 2009) which supersedes their original Sediment Budget Analysis (January 2009). This new report is available to the Committee in the Councillors Reading Room.

Coastal Flushing – MP Rogers & Associates

A peer review was conducted by MP Rogers and Associates on the flushing analysis report provided by Worley Parsons. A report received from MP Rogers & Associates confirms that the reported flushing times are achievable however further research is required to consider the interaction with potential groundwater which may further improve the flushing regime of the proposed marina.

Structure Planning – Taylor Burrell Barnett

Concept Plan 7 incorporating design features was discussed at the meeting held on 27 January 2009 and feedback and comments generated from the Ocean Reef Community Reference Group briefing held 28 January 2008 were used to inform Government Ministers and agencies as part of ongoing liaison with various key stakeholders.

Ocean Reef Steering Committee

The Steering Committee has met since January 2009 on three occasions, 5 February, 11 March and 8 April 2009. A copy of the confirmed notes of the meeting of 5 February 2009 is attached for Committee Members' information.

The Steering Committee meeting notes for the 11 March and 8 April 2009 meetings have yet to be confirmed. Some of the key issues which have been identified by some members of the Committee include land tenure, Business Case considerations and size and scope of the development footprint of the project.

It is intended that these issues will be fully addressed and determined as the project proceeds forward past the public comment phase once a Concept Plan has Committee/Council endorsement.

Link to Strategic Plan:

- Key Focus Area: Leadership and Governance – 1.1 OBJECTIVE: To engage proactively with the community.
- Key Focus Areas: The Built Environment – 4.2 OBJECTIVE: To progress a range of innovative and high quality urban development projects within the City – 4.2.1 STRATEGIES: Develop a concept for, and commit to, the development of land at the Ocean Reef Marina site.

Legislation – Statutory Provisions:

The City is governed by the requirements of the Local Government Act in relation to dealings involving commercial undertakings and land development.

Risk Management considerations:

An updated (from 2005) Risk Management Assessment has been completed by the City's consultants (previously provided at the meeting held 27 January 2009). The assessment was undertaken based on up-to-date project information and research including preliminary studies and draft concept plans (including Concept Plan 5). The changes that have occurred to Concept Plans 6 and 7 have not had an impact on the Risk Management Assessment. The introduction of the Graceful Sun Moth as an environmental consideration will need to be fully addressed pending referral to the Federal Department of Environment.

Financial/Budget Implications:

As outlined in a report to the Ocean Reef Marina Committee (of Council) titled Ocean Reef Marina Financial Summary and 2009/2010 Budgetary Considerations.

Policy Implications:

Development of the project will be in accordance with the City's policies and procedures.

Regional Significance:

The development has the potential to provide the residents of the City of Joondalup and the wider Western Australia community with a world class marina facility and visitor destination.

Sustainability implications:

Progression of the structure planning process will facilitate a number of studies/reports that address key issues pertaining to sustainability ie economic feasibility, environmental sustainability.

Communications Planning:

A Communications Plan has been developed and preliminary discussions with a Public Relations Consulting firm specialising in community survey/consultation projects have taken place.

Consultation:

Meetings have been or will be held with:

- Honourable Mr John Day MLA, Minister for Planning; Culture and Arts
- 29 January 2009
- Dr Paul Vogel, Chairman, Environmental Protection Authority
- 13 February 2009
- Honourable Mr Simon O'Brien MLC, Minister for Transport
- 4 March 2009
- Mr Stephen Imms, Principal Policy Advisor, Office of Minister for Lands
- 5 March 2009
- Mr Eric Lumdsen, Director General, Department for Planning and Infrastructure
- 10 March 2009
- Representatives from the State Land Services Department
- 25 March 2009

COMMENTS

Not Applicable.

ATTACHMENTS

| | |
|--------------|-------------------------------------------------------------------------|
| Attachment 1 | Concept Plan No 7 |
| Attachment 2 | Ocean Reef Marina Steering Committee minutes of meeting held 5 February |
| Attachment 3 | Coffey Projects – Project Plan (March 2009) |
| Attachment 4 | Coffey Projects – Monthly Report (March 2009) |
| Attachment 5 | Bush Forever Plan of site |
| Attachment 6 | Existing Land Tenure Site Plan |
| Attachment 7 | Concept Plan 7 – Land Tenure and New Land Assembly layout |

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION**That Council:**

- 1** **NOTES** the contents of the Ocean Reef Marina Development – Structure Plan Progress Report dated 24 April 2009 and Concept Plan 7 as the latest plan in the progress towards a Structure Plan for the Ocean Reef Marina Site, with the inclusion of an artificial reef to the south of the development site;
- 2** **ENDORSES:**
 - (a)** **Concept Plan 7 as the plan to be progressed towards a Structure Plan for the Ocean Reef Marina Site;**
 - (b)** **Concept Plan 7 for release for public comment for a period of 60 (sixty) days.**

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1agn050509.pdf](#)

JSC8-05/09 OCEAN REEF MARINA COMMUNITY REFERENCE GROUP – [07303, 04171]

WARD: North-Central

RESPONSIBLE DIRECTOR: Mr Garry Hunt
Office of CEO

PURPOSE / EXECUTIVE SUMMARY

To provide the Committee with a progress report on the status of the Ocean Reef Marina Community Reference Group.

BACKGROUND

At its meeting on 19 February 2008 (CJ004-02/08 refers), Council resolved to appoint 34 people to the Ocean Reef Marina Community Reference Group (CRG) under the categories of:

- Individuals representing residents of Ocean Reef;
- Individuals representing surrounding suburbs including Iluka, Mullaloo, Heathridge, Connolly and Currambine;
- Individuals representing community groups/agencies; and
- Individuals representing the northwest corridor communities.

The role of the group was to:

- Help the City develop a concept design and structure plan for the Ocean Reef Marina;
- Ensure the issues and concerns of the community are adequately represented;
- Represent the interests of the wider community;
- Act as a conduit to disseminate information and feedback to and from the wider community; and
- Liaise with extended networks and community groups to facilitate information sharing about the project.

DETAILS

The CRG has met on five occasions, with the outcomes being as follows:

- **21 April 2008** – provision of background documentation and information on the site. A question and answer session was also provided for group members to identify any gaps in the information provided or to raise questions.
- **19 May 2008** – first facilitated workshop to agree to the project objectives, develop broad ideas and concepts and commence the development of a conceptual structure plan for the site. A presentation on the Marmion Marine Park by the Department of Environment and Conservation was also made.

The outcomes of the workshop included the:

- Aspirations and objectives for the site;
- Key items of opportunities and constraints; and
- Aspects that are not desired.

- **12 June 2008** – second facilitated workshop to discuss the information gathered from the previous workshop, and to allow the planning consultants (Taylor Burrell Barnett) to provide its interpretation of the ideas from the previous workshop. A presentation by the Department for Planning and Infrastructure was also made.
- **14 October 2008** – third facilitated workshop to allow for the planning consultants to present and discuss four design options prepared, to gain the CRG's comments and input, which will be used by the Council as part of the project design of the preferred option.

At the adjourned meeting of the Ocean Reef Marina Committee held on 27 January 2009 it was resolved to refer Concept Plan 6 to the CRG.

- **29 January 2009** – briefing and presentation of Concept Plan 6 to the CRG. The group was given the opportunity to provide comments and feedback. Notes from the briefing and feedback/ comments from group discussions are appended.

Link to Strategic Plan:

- Key Focus Area: Leadership and Governance – 1.1 OBJECTIVE: To engage proactively with the community.
- Key Focus Areas: The Built Environment – 4.2 OBJECTIVE: To progress a range of innovative and high quality urban development projects within the City – 4.2.1 STRATEGIES: Develop a concept for, and commit to, the development of land at the Ocean Reef Marina site.

Legislation – Statutory Provisions:

The City is governed by the requirements of the Local Government Act in relation to dealings involving commercial undertakings and land development.

Risk Management considerations:

A detailed Risk Management Assessment Report outlining the risks apparent to the project has been prepared and continues to be updated.

Financial/Budget Implications:

As outlined in a report to the Ocean Reef Marina Committee (of Council) titled Ocean Reef Marina Financial Summary and 2009/2010 Budgetary Considerations.

Policy implications:

Development of the project will be in accordance with the City's policies and procedures.

Regional Significance:

The development of the Ocean Reef Marina will become a significant tourist/visitor destination and a key focal point within the North West City corridor.

Sustainability implications:

A Sustainability Report will be required as part of the Structure Planning documentation.

Consultation:

A public participation and communications strategy has been prepared for the project. To date significant community consultation has occurred via feedback from the Community Reference Group and community surveying.

COMMENT

The general consensus was positive toward Concept Plan 6. In consideration of feedback and comments received from the Group, some minor modifications have been incorporated into Concept Plan 7.

ATTACHMENTS

| | |
|--------------|------------------------------------------------------|
| Attachment 1 | Notes from the Briefing Session held 28 January 2009 |
| Attachment 2 | Comments/Feedback from group discussions |

VOTING REQUIREMENTS

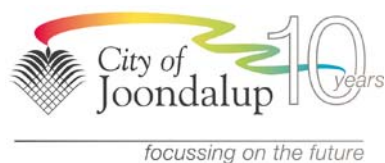
Simple Majority

RECOMMENDATION**That:**

- 1 Council NOTES the comments/feedback provided by the Ocean Reef Marina Community Reference Group arising from the Briefing Session held 28 January 2009;**
- 2 The Ocean Reef Marina Community Reference Group continue past the Public Consultation period on Concept Plan 7, namely to:**
 - Help the City develop a concept design and structure plan for the Ocean Reef Marina;**
 - Ensure the issues and concerns of the community are adequately represented;**
 - Represent the interests of the wider community;**
 - Act as a conduit to disseminate information and feedback to and from the wider community; and**
 - Liaise with extended networks and community groups to facilitate information sharing about the project.**
- 3 Council thanks the members of the Ocean Reef Marina Community Reference Group for their contribution to date and holds a civic dinner for Committee members and relevant personnel as a show of the City's appreciation.**

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2agn050509.pdf](#)



DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

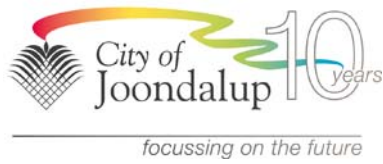
**To: CHIEF EXECUTIVE OFFICER
CITY OF JOONDALUP**

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

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

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

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



**QUESTION TO BE ASKED AT
BRIEFING SESSION/COUNCIL MEETING**

NAME

ADDRESS

QUESTIONS

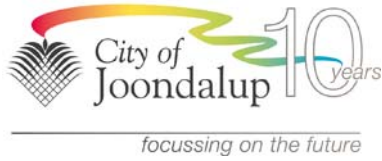
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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to council.questions@joondalup.wa.gov.au

Please note that:

- Questions asked at a **Briefing Session** must relate to matters contained on the draft agenda.
- Questions asked at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.
- Questions asked at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called



**STATEMENT TO BE MADE AT
BRIEFING SESSION/COUNCIL MEETING**

NAME

ADDRESS

STATEMENT

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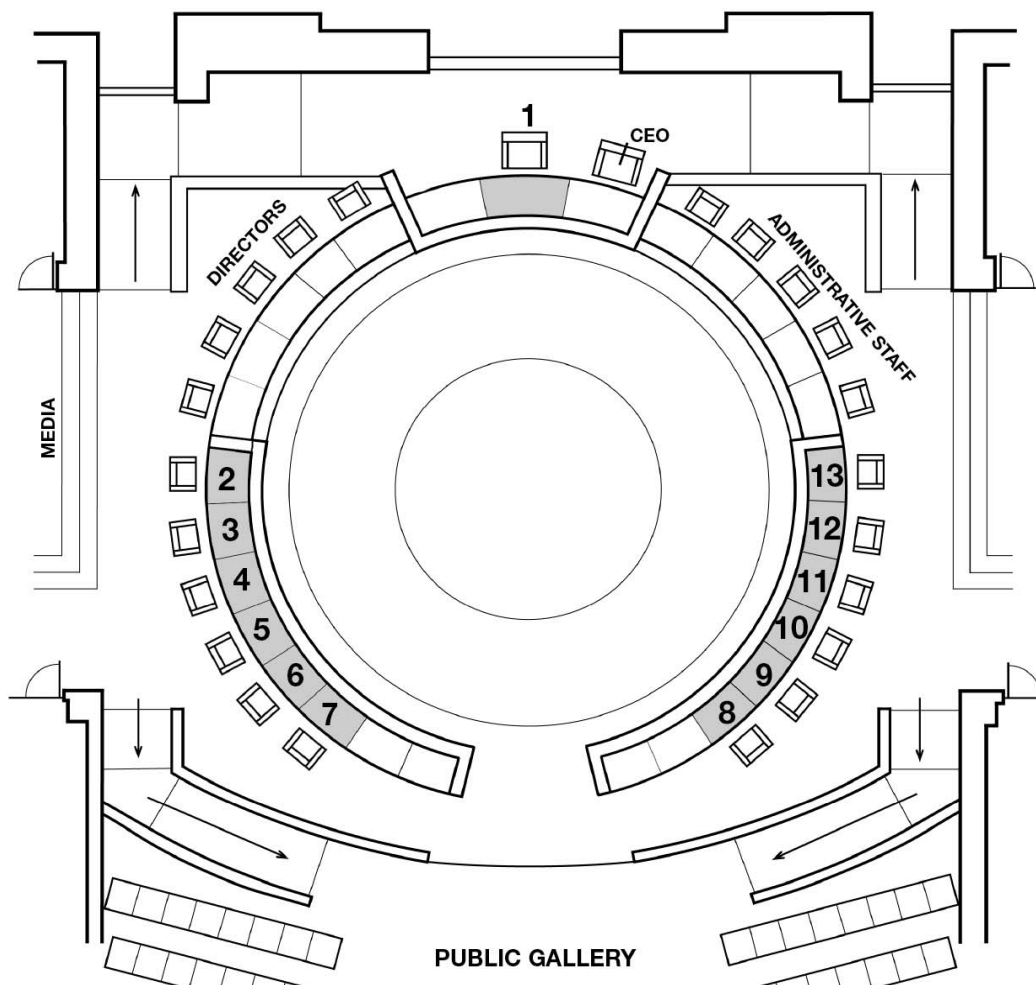
Please submit this form at the meeting or:

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Please note that:

- Statements made at a **Briefing Session** must relate to matters contained on the draft agenda.
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- Statements made at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called

Council Chamber – Seating Diagram



Mayor

1 His Worship the Mayor, Troy Pickard (Term expires 10/09)

North Ward

- 2 Cr Kerry Hollywood (Term expires 10/09)
- 3 Cr Tom McLean (Term expires 10/11)

North-Central Ward

- 4 VACANT
- 5 Cr Trona Young (Term expires 10/11)

Central Ward

- 6 Cr Marie Macdonald (Term expires 10/09)
- 7 Cr Geoff Amphlett (Term expires 10/11)

South-West Ward

- 8 Cr Michele Rosano (Term expires 10/09)
- 9 Cr Mike Norman (Term expires 10/11)

South-East Ward

- 10 Cr Sue Hart (Term expires 10/09)
- 11 Cr Brian Corr (Term expires 10/11)

South Ward

- 12 Cr Russ Fishwick (Term expires 10/09)
- 13 Cr Fiona Diaz (Term expires 10/11)