City of Joondalup

agenda

Ordinary Meeting of Council

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

ON **TUESDAY, 15 MAY 2012**

COMMENCING AT **7.00 pm**

GARRY HUNT
Chief Executive Officer
11 May 2012

www.joondalup.wa.gov.au

PUBLIC QUESTION TIME

Members of the public are requested to lodge questions in writing by 9.00am on

Monday, 14 May 2012

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

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

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 Governance Support on 9400 4369.*

TABLE OF CONTENTS

LATE ITEMS / ADDITIONAL INFORMATION

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

Additional Information.pdf

CITY OF JOONDALUP

Notice is hereby given that a Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday, 15 May 2012** commencing at **7.00 pm.**

GARRY HUNT
Chief Executive Officer
11 May 2012

Joondalup
Western Australia

VISION

"A sustainable City that is committed to service delivery excellence and operates under the principles of good governance."

MISSION

"To undertake all our activities with the endeavour of meeting community expectations and achieving sustainable lifestyles."

VALUES AND PRINCIPLES

Customer Focus

- We will work to understand and respond to the needs of all our customers both now and into the future.
- We will provide opportunities for community engagement.
- We will focus our improvement efforts on better services for our customers.

Purpose, Direction and Planning

- We will be plan driven, we will set priorities and we will ensure the effective allocation of resources to achieve our plans.

Sustainability

- We will minimise any adverse impact from our activities on the external environment and the resources available for future generations.
- We will provide value for money to all of our stakeholders.
- We will always act to ensure our activities serve the long-term interests of Joondalup.

Data, Measurement and Understanding

- We will make decisions based on information and understanding.
- We will measure and report progress against our goals.
- We will use measurement to drive continuous improvement.

Honesty and Integrity

- We will be fair, open and transparent in our activities.

AGENDA

Note: Members of the public are advised that prior to the opening of the Council meeting, Mayor Pickard will say a Prayer.

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

2 PUBLIC QUESTION TIME

The following question was taken on notice at the Ordinary Council meeting held on 17 April 2012:

Mrs M MacDonald, Mullaloo:

Re: CJ065-04/12 Detailed Design of Traffic Management on Oceanside Promenade, Mullaloo

Q1 Why is the City putting a pedestrian pathway along the eastern edge of the park adjacent to the road?

A1 The pedestrian pathway is being installed for pedestrian safety reasons.

The following questions were submitted prior to the Council meeting:

Mr R Repke, Kallaroo:

Re: Traffic Management on Ocean Promenade, Mullaloo

Q1 Should we not add speed cameras for obvious reasons (the Mayor said that is under control of the Police) and electronic speed indicators?

A1 Option A is the safest option for all road users, including pedestrians and the City is currently awaiting approval from Main Roads WA for a 40km speed zone on Oceanside Promenade between Mullaloo Drive and Warren Way. Following completion of the works on Oceanside Promenade traffic surveys will be undertaken, and if the surveys show any increase in speed, the City will request the WA Police to enforce compliance. Any decisions on the installation of permanent speed cameras at the location will be made by WA Police.

Re: Lot 971 Creaney, Drive Kingsley

Q2 Does the City know how many plants will be destroyed?

A2 No. The City has conducted an aerial survey of the trees on Lot 971 Creaney Drive however an individual count has not been undertaken. It is acknowledged that there are a large number of trees and where possible the grass trees will be relocated and any trees removed will be offset through additional tree planting at alternate locations.

Re: *Lot 971 Creaney, Drive Kingsley, and Significant Tree Register:*

Q3 *Would you not agree that the trees in that location (I guess that is why the previous planners left them there) form a "special contribution as a landmark or landscape feature"? (see point 3 of your criteria) and therefore qualify under your criteria? Is it not so that the trees form a break between the sports oval and the commercial area and all trees around that oval form a positive feature for people using the oval which would be destroyed if the trees go?*

A3 As part of the offset planting trees infill planting of trees will be undertaken in Kingsley Park.

Q4 *When will that Significant Tree Register be completed and released?*

A4 The City has yet to review the tree stock on public land for inclusion in the Joondalup Significant Tree Register.

3 PUBLIC STATEMENT TIME

4 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved:

Cr Brian Corr	4 May - 23 May 2012 inclusive;
Cr Mike Norman	5 May - 12 May 2012 and 3 June to 8 June 2012 inclusive;
Cr Liam Gobbert	22 May - 27 May 2012 inclusive and 12 July – 29 July 2012 inclusive;
Cr Teresa Ritchie	20 May – 26 May 2012 inclusive; and
Cr Christine Hamilton-Prime	1 June - 30 June 2012 inclusive.

5 CONFIRMATION OF MINUTES

MINUTES OF COUNCIL MEETING, 17 APRIL 2012

RECOMMENDATION

That the Minutes of the Council Meeting held on 17 April 2012 be confirmed as a true and correct record.

6 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

7 DECLARATIONS OF INTEREST

Disclosures of Financial Interest/Proximity Interest

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

Name/Position	**Mr Garry Hunt - Chief Executive Officer**
Item No/Subject	CJ097-05/12 - Minutes of the Chief Executive Officer Performance Review Committee Meeting Held on 9 May 2012
Nature of interest	Financial
Extent of Interest	Mr Hunt holds the position of CEO.

Disclosure of interest affecting impartiality

Elected Members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

Name/Position	**Cr Tom McLean**
Item No/Subject	CJ076-05/12 - Proposed Change of use from Convenience Store to an Unlisted Use (Betting Agency) at Lot 929 (1244) Marmion Avenue, Currambine.
Nature of interest	Interest that may affect impartiality
Extent of Interest	Cr McLean lives close (200 metres) to the application.

Name/Position	**Cr Tom McLean**
Item No/Subject	CJ078-05/12 - Proposed Change of use from Shop to Restaurant/Take Away Food Outlet at Lot 929 (1244) Marmion Avenue, Currambine.
Nature of interest	Interest that may affect impartiality
Extent of Interest	Cr McLean lives close (200 metres) to the application.

Name/Position	**Mr Mike Tidy – Director Corporate Services**
Item No/Subject	CJ097-05/12 - Minutes of the Chief Executive Officer Performance Review Committee Meeting Held on 9 May 2012
Nature of interest	Interest that may affect impartiality
Extent of Interest	Due to the nature of his employment relationship with the CEO.

Name/Position	**Mr Brad Sillence - Manager Governance and Marketing**
Item No/Subject	CJ097-05/12 - Minutes of the Chief Executive Officer Performance Review Committee Meeting Held on 9 May 2012
Nature of interest	Interest that may affect impartiality
Extent of Interest	Due to the nature of his employment relationship with the CEO.

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

9 PETITIONS

10 REPORTS

CJ074-05/12 DEVELOPMENT, CODE VARIATION AND SUBDIVISION APPLICATIONS – MARCH 2012

WARD: All

RESPONSIBLE DIRECTOR: Ms Dale Page
Planning and Community Development

FILE NUMBER: 07032, 101515

ATTACHMENTS:

Attachment 1	Monthly Development Applications Determined - March 2012
Attachment 2	Monthly Building Application Code Variations Decision – March 2012
Attachment 3	Monthly Subdivision Applications Processed - March 2012

PURPOSE

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

EXECUTIVE SUMMARY

The provisions of clause 8.6 of the text to the District Planning Scheme No 2 (DPS2), allow Council to delegate all or some of its development control powers to a committee or an employee of the City.

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

This report identifies the following applications determined by the administration with Delegated Authority powers during March 2012 (Attachments 1, 2 and 3 refer):

1 Planning applications (development applications and Residential Design Codes variations);

2 Building applications (Residential Design Code variations); and

3 Subdivision applications.

BACKGROUND

The DPS2 requires that delegation be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 28 June 2011, Council considered and adopted the most recent Town Planning Delegation.

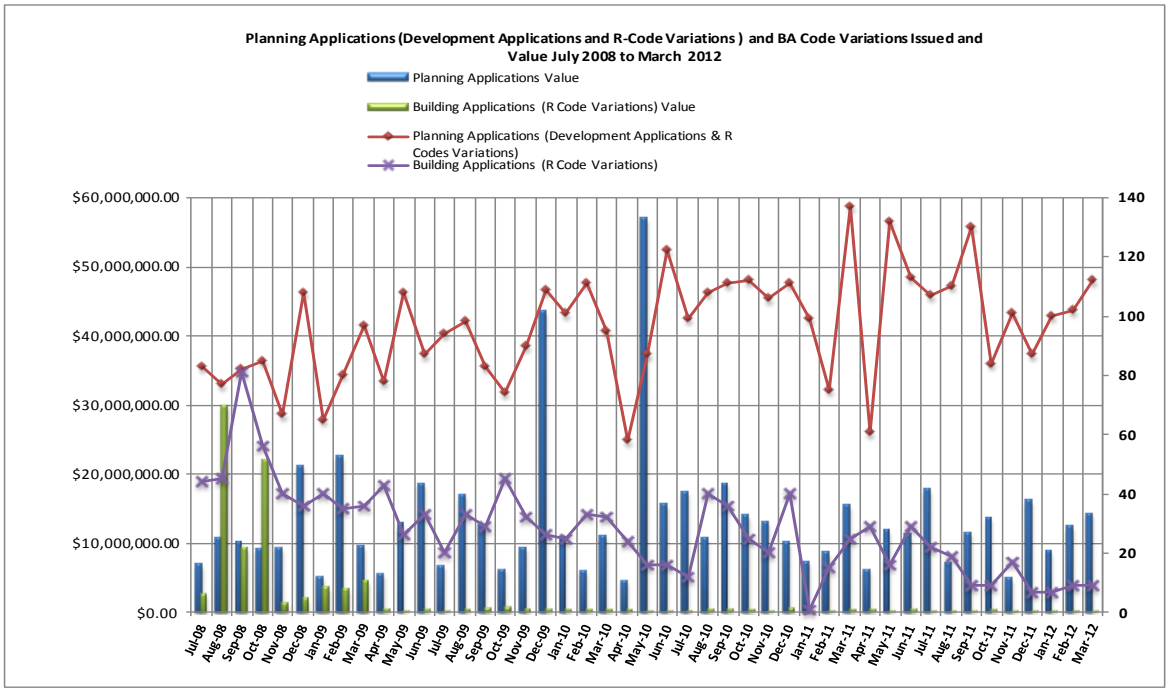
DETAILS

The number of applications determined under delegated authority during March 2012, is shown below:

Approvals determined under delegated authority – March 2012		
Type of Approval	**Number**	**Value ($)**
Planning applications (development applications & R-Codes variations)	112	$ 14,215,912
Building applications (R-Codes variations)	9	$ 109,552
TOTAL	121	$ 14,325,464

The number of development applications received during March was 115. (This figure does not include any applications that may become the subject of an R-Code variation as part of the building licence approval process).

The number of development applications current at the end of March was 185. Of these, 52 were pending additional information from applicants, and 55 were being advertised for public comment.



In addition to the above, 353 building licences were issued during the month of March with an estimated construction value of $31,910,704.

Subdivision approvals processed under delegated authority for March 2012		
Type of approval	**Number**	**Potential additional new lots**
Subdivision applications	1	14
Strata subdivision applications	3	8

Legislation/Strategic Plan/Policy Implications:

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

Strategic Plan

Key Focus Area: The Built Environment.

Objective 4:1:3: Give timely and thorough consideration to applications for statutory approval.

The use of a delegation notice allows staff to efficiently deal with many simple applications that have been received and allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

Policy:

As Above.

Risk Management Considerations:

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

Financial/Budget Implications:

A total of 121 applications were determined for the month of March with a total amount of $54,237 received as application fees.

All figures quoted in this report are exclusive of GST.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Consultation may be required by the provisions of the Residential Design Codes, any relevant policy and/or the DPS2.

Of the 112 development applications determined during March 2012 consultation was undertaken for 62 of those applications. Applications for Residential Design Codes variations as part of building applications are required to include comments from adjoining landowners. Where these comments are not provided, the application will become the subject of a planning application (R-Codes variation). The 4 subdivision applications processed during March 2012 were not advertised for public comment.

COMMENT

Large local governments utilise levels of delegated authority as a basic business requirement in relation to Town Planning functions. The process allows for timeliness and consistency in decision-making for rudimentary development control matters. The process also allows the Elected Members to focus on strategic business direction for the City, rather than day-to-day operational and statutory responsibilities.

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the determinations made under Delegated Authority in relation to the:

1 Development applications and R-Codes variations described in Attachments 1 and 2 to Report CJ074-05/12 during March 2012; and

2 Subdivision applications described in Attachment 3 to this Report during March 2012.

Appendix 1 refers

To access this attachment on electronic document, click here: Attach1brf080512.pdf

CJ075-05/12 TOWN PLANNING DELEGATIONS

WARD: All

RESPONSIBLE DIRECTOR: Ms Dale Page
Planning and Community Development

FILE NUMBER: 07032, 101515

ATTACHMENTS:

Attachment 1	Current town planning delegations
Attachment 2	Proposed town planning delegations
Attachment 3	Town planning delegations (showing changes)
Attachment 4	Summary of changes

PURPOSE

To provide Council with information on current town planning delegations, particularly as these relate to streetscape impact and residential amenity, and to request that Council considers some minor changes to the town planning delegations.

EXECUTIVE SUMMARY

In April 2011, a report was requested by the Council on the exercise of town planning delegations, in particular, determination of applications that have the potential to impact on the streetscape.

The City determines some 1,200 development (planning) applications per year, which equates to approximately 100 applications per calendar month. Of these applications, around 98.5% are currently determined by the City's planners under delegated authority.

This report provides information on the number and nature of applications that are dealt with under delegated authority, describes the types of applications that have the potential to impact on the streetscape and highlights the key factors that the City's planners take into account when determining proposals under delegated authority.

It is considered that any development that will be visible from the street has the potential to impact either positively or negatively on the streetscape. A variety of types of developments consistently have the potential to impact on the streetscape. With regard to residential development these proposals are most commonly for new dwellings or additions to existing dwellings; garages or car ports; and fences or retaining walls within the front setback area. In relation to non-residential development these proposals are most commonly in the form of new buildings; signage additions; and alfresco dining additions.

Of these development types, it is considered that retaining walls and front fence additions to residential properties often have the greatest potential to adversely impact on the streetscape due to the 'bulky' appearance of the materials that are often used, and being structures typically located on or close to the front boundary. Garage and car port additions also have the potential to add significant volumes of building bulk into the street setback area depending on design and site conditions.

Approximately 50% of applications determined by the City under delegated authority are considered to have the potential to impact on the streetscape.

City officers try to consistently approach their assessments of similar types of developments, taking into account site specific circumstances. This particularly applies to the assessment of retaining walls, front fences, and garages or car ports. Further information about this process is contained in the details section of this report.

The report also suggests some minor changes to existing town planning delegations to further improve efficiency of decision making.

It is recommended that Council adopts the modifications to the town planning delegations.

BACKGROUND

The City determines, on average, 100 development applications per calendar month. Approximately 98.5% of these are determined under some level of delegated authority. Of the applications determined under delegated authority, approximately one third are determined by the Manager Planning Services or Director Planning and Community Development, and the remaining two thirds are determined by the Senior Urban Planners or the Coordinator Planning Approvals.

Every year, a review is done of the City's Delegated Authority Manual. This review is required under the *Local Government Act 1995.* As part of the review done in July 2009, a number of changes to the town planning delegations were requested. These included no longer requiring variations to DPS2 setback requirements for non-residential patios, shade sails and outbuildings no longer requiring determination by Council, and an increase in the extent of residential outbuilding sizes able to be determined by the Senior Planning Officers and Coordinator Planning Approvals from 10% of the Acceptable Development Standards to 15%. This enables these officers to deal with proposals for outbuildings where a standard 2.7 metre high structure is proposed.

The changes made at that time have reduced the volume of applications required to be determined by the Manager Planning Services, and have removed the need for several proposals to be presented to Council for patio, shade sail and outbuilding additions on non-residential properties. This has increased efficiency, reduced the load on staff resources and resulted in improved approval turnaround times.

This improved efficiency is not directly measurable. However, the amount of time required to prepare a report to the Manager Planning Services, Director Planning and Community Development or Council for minor or incidental-type structures generally varies between 1-5 hours depending on the report. This is not considered to be an insignificant saving. More importantly it provides time savings for Elected Members in relation to their need to review reports and consider items, and ensures that their time is spent considering more significant structures with greater potential to impact on the wider community.

Although annual reviews of the City's Delegated Authority Manual were undertaken in June 2010 and June 2011, only minor modifications were made to the town planning delegations at those points in time, as it was considered that a full review of the extent of delegations, as well as the manner in which they are drafted/formatted, was necessary.

In addition to the above, in April 2011, a report was requested on the delegation powers afforded to planning officers on matters that relate to streetscape impact and residential amenity.

DETAILS

Factors typically taken into account in determining applications

A number of factors are taken into consideration when an application is determined under Delegated Authority. These vary slightly depending on the nature of the proposal, however, consistently involve:

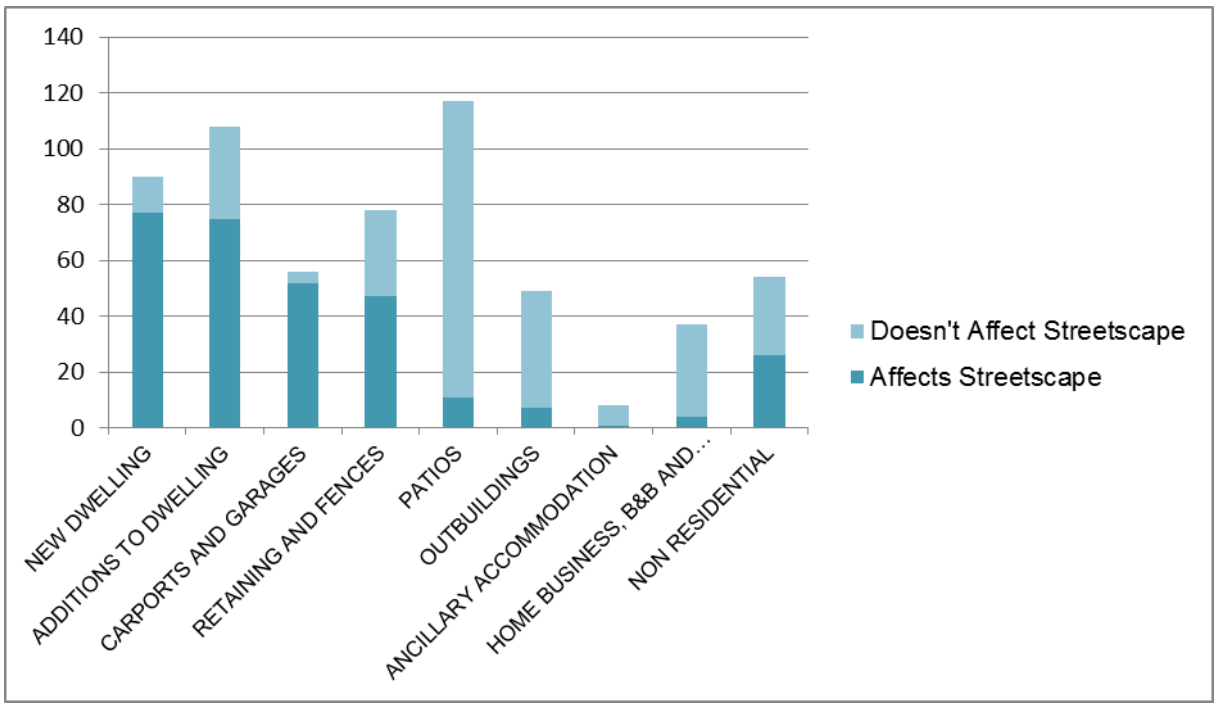
- What the impact of the development will be on any adjoining property owners (in relation to the components of the development that do not achieve the relevant standards only);
- What the impact of the development will be on the streetscape (in relation to the components of the development that do not comply with the relevant standards only);
- In the case of residential development, whether or not the applicable Performance Criteria and Objectives of the Residential Design Codes (R-Codes) have been met (in relation to the components of the development that do not comply with the relevant standards only);
- In the case of a DPS2 or Policy requirement, whether the relevant objectives have been satisfied (in relation to the components of the development that do not comply with the relevant standards only);
- Whether there will be an impact on the broader locality as a result of the land-use or development proposed;
- Any other concerns that may have been raised during public consultation;
- Whether the proposed development will create an unacceptable precedent for the area, and would not generally be appropriate;
- Any characteristics, that are specific to a particular locality; and
- Any site specific constraints.

Applications that have the potential to impact on the streetscape

A variety of types of developments have the potential to impact on the streetscape. In terms of residential development these proposals are most commonly new dwellings or additions to existing dwellings; garages or car ports; and fences and retaining walls within the front setback area. In relation to non-residential development these proposals are most commonly in the form of new buildings; signage additions; and alfresco dining additions.

Of these it is considered that retaining walls and front fence additions to residential properties have the greatest potential to adversely impact on the streetscape. This is predominantly due to the bulky materials that are often used to construct such structures, and these types of structures typically being located right on the front boundary. Garage and car port additions also have the potential to add significant volumes of building bulk into the street setback area depending on design and site conditions.

Approximately 50% of applications determined by the City under delegated authority are considered to have the potential to impact on the streetscape. The following graph indicates the proportion of development applications determined by the City where the development has the potential to impact on the streetscape either positively or negatively. The graph is broken down into various categories of development, and indicates both approvals and refusals of proposals.



The City receives very few complaints regarding aesthetic outcomes or neighbour dissatisfaction with a proposed development. Where such concerns are expressed as a result of public consultation, or during the process of consideration, they are taken into account in the decision making process, and issues are resolved where it is possible to do so. It is noted that the majority of structures that are brought to the City's attention due to their negative impact on the streetscape have either been constructed without the necessary approvals, or have not been built in accordance with the City's approvals.

City officers try to consistently approach their assessments of similar types of developments, taking into account site specific circumstances. For example it is common for retaining walls up to a maximum height of 1.2 metres to be approved within the front setback areas, particularly where only visually permeable fencing is to be placed on top of the wall. This is because a solid front fence up to a maximum height of 1.2 metres above ground level is permitted 'as a right' under the Acceptable Development Standards of the R-Codes and the two forms of development are not dissimilar when viewed from the street. Where retaining walls greater than 1.0 – 1.2 metres in height are proposed it is common to require that these be terraced or stepped in some way, with planting in the terraced areas in order to reduce the impact of building bulk.

Another example of this type of approach includes allowing garage walls built up to the boundary to be setback 4.5 metres from the front boundary rather than the 6 metres permitted 'as a right' in most areas. This is consistently done where the adjoining site is higher, and/or the adjoining dwelling has a minimum setback of less than the 4.5 metres, thus reducing the impact of the wall as viewed from the street and neighbouring property.

It should also be noted that some structures may not seem aesthetically pleasing, or appear unsightly but satisfy the relevant 'as a right' or Acceptable Development Standards and therefore cannot be refused.

Review of the town planning delegations

In reviewing the efficacy of existing delegations and the physical and aesthetic impacts that these have, both on neighbouring properties and on the streetscape, some minor changes to the town planning delegations are proposed. It is considered that the proposed changes will result in greater efficiencies by ensuring that all applications are being determined by the appropriate staff member(s). Reformatting is also proposed to provide clarity and understanding of the document for Elected Members and City staff.

The proposed delegations are contained in Attachment 2. The proposed delegations, showing tracked changes to the existing delegations, are at Attachment 3. Attachment 4 indicates, in a tabular form, where the proposed delegations differ from the current town planning delegations.

The changes that have been made to the existing delegations relate to the order in which the delegation instrument is set out, and also seeks endorsement of some minor changes to the extent of delegations.

The order in which the document is set out has been changed so it more explicitly reflects what applications can be determined at each level of delegation.

Previously the delegations have set out what can be done by the Director Planning and Community Development and Manager Planning Services, and then set out the areas of that delegation that cannot be exercised by the Senior Urban Planners and Coordinator Planning Approvals.

The redrafting has modified this to set out what can be dealt with by the Senior Urban Planners and Coordinator Planning Approvals, and then what additional items can only be dealt with by the Manager Planning Services and/or Director Planning and Community Development.

It is considered that this approach is slightly more user-friendly than the previous version of the delegations.

Several minor changes are also requested to the extent of particular delegations. These proposed changes are:

- Senior Urban Planners (SUP) and Coordinator Planning Approvals (CPA) to determine applications where boundary walls are proposed to no more than two separate boundaries. The current delegations allow for SUP and CPA to determine applications with boundary walls to only one (1) boundary);
- Deleting the reference to varying minimum site area under the R-Codes as the R-Codes do not permit this requirement to be varied.
- Enabling the SUP and CPA to determine applications for minor/incidental structures on non-residential lots where these have a setback variation (such as patios, sheds, shade sails, porticos and verandahs). Current delegations only allow for the Manager Planning Services (MPS) and the Director Planning and Development (DPD) to determine these applications;

- Requiring applications for fencing and retaining greater than 1.2 metres in height within the front setback area to be determined by the MPS or DPD only. Currently these can be determined by the SUP or CPA provided that no objection to the proposal is received.
- Adding the terms 'portico' and 'verandah' into the abovementioned delegation to allow for determination of porch, portico, and verandah additions. These are currently treated as patios as the current delegations only include the term 'patio';
- Modifying the extent of setback variation allowed to be determined by the MPS and DPD from a maximum of 10% of the standard to a maximum fixed amount of 1.5 metres;
- Adding the ability for the MPS and DPD to determine applications where a car parking shortfall is maintained or reduced by a change of use or other development application where the overall parking shortfall on the site has already been approved by the Council at over 10%. Current delegations only allow for the MPS and DPD to determine applications where an overall parking shortfall of no more than 10% is proposed, irrespective of whether an approved shortfall is being reduced or maintained.

Issues and options considered:

Council are required to determine whether to:

- Adopt the modified Town Planning Delegations as set out in Attachment 2; or
- Not adopt the modified Town Planning Delegations as set out in Attachment 2.

Legislation/Strategic Plan/Policy Implications

Legislation: City of Joondalup District Planning Scheme No. 2.
Planning and Development Act 2005.

The City's District Planning Scheme No 2 and the *Planning and Development Act 2005* allow for the delegation of decision making powers from Council to officers holding specific positions.

This provides for the timely and efficient processing and determination of applications for development applications by the City and ensures that Elected Members make determinations only on applications of significance in terms of scale, value, or impact on their particular locality, with the exception of applications that require determination by the North-West Metro Joint Development Assessment Panel.

Strategic Plan

Key Focus Area: The Built Environment.

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

One of the strategies provided under this objective requires the City to give timely and thorough consideration to applications for statutory approval. This objective and strategy is able to be satisfied only through the appropriate use of delegated authority.

Policy:

Not Applicable.

Risk Management Considerations:

The proposed changes in delegations will not negate the need for officers to complete a comprehensive assessment sheet, checking the proposals against all relevant requirements. These assessment sheets are then reviewed by the delegated signatory or by the Coordinator Planning Approvals where the Delegated Signatory is the Manager Planning Services or Director Planning and Development.

This ensures that an appropriate level of review is undertaken for all applications, and that decisions are not issued inappropriately.

The proposed delegations will also assist the City to meet its obligations under the *Building Act 2011*. Otherwise, in the event building and planning applications are lodged simultaneously, and the planning application is not determined in a relatively short timeframe, the Building Permit application may have to be refused, and/or application fees may have to be refunded.

Financial/Budget Implications:

The proposed modifications to the Town Planning Delegations will not affect the number or type of applications received and therefore there will be no change to the amount of income received through planning application fees.

The modified delegations will further assist the City to meet its obligations under the *Building Act 2011* as set out above. As such, this will further reduce the risk of needing to refund Building Permit Application fees.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

Exercising Delegations

As set out above, the City determines, on average, approximately 100 applications per calendar month. Approximately 98.5 percent of these are determined under some level of delegated authority.

A number of factors are taken into consideration when an application is determined under delegated authority. These include the impact on adjoining property owners, impact on the streetscape, whether the relevant objectives of DPS2, the R-Codes and any applicable policies have been met, and any concerns raised during public consultation. In determining whether the proposal is appropriate in the context of the streetscape or surrounding properties, consideration is given to the existing appearance of the area, the prevalence any similar structures in the locality, consistent application of the applicable criteria taking into account site-specific circumstances, and the bulk and scale of the development.

All determinations made under delegated authority undergo significant amounts of scrutiny, and are checked, at minimum, by at least one officer other than the assessing officer. Where an objection has been received, or the departure from the applicable standards is such that the application must be determined by the Manager Planning Services or Director Planning and Development, these applications are checked by three officers other than the assessing officer.

A number of checklists have been developed over time to assist planning staff to undertake thorough assessments of various types of developments. These assist in ensuring that all relevant considerations are taken into account when finalising a recommendation on an application.

Proposed Changes to Delegations

A number of minor changes to the town planning delegations are proposed, as set out in the details section of this report. These are shown in full in Attachments 2 and 3 and summarised in Attachment 4. The rationale behind some of the changes is set out in detail below, and is also provided in brief in Attachment 4.

The first of the proposed changes is to enable the Senior Urban Planners (SUP) and Coordinator Planning Approvals (CPA) to determine applications where boundary walls are proposed to no more than two separate boundaries. The current delegations allow for the SUP and CPA to only determine applications where there is a wall built up to one boundary only. This, in turn, means that for proposals such as garden sheds placed in the rear corner of a property with setbacks of less than 750mm from two boundaries, a report is required to be prepared for the Manager Planning Services or Director Planning and Development.

This delegation is sought on the basis that boundary walls to two separate boundaries do not generally have a cumulative impact on any adjoining owners, and are most commonly associated with minor structures such as small garden sheds and the like.

In relation to residential development, or development to which the R-Codes apply, it is also proposed to make changes to the delegations that relate to the height of fencing and retaining walls within the front setback area of a property. As set out above, it is considered that these structures have the potential to have the greatest impact on the streetscape due to the bulk of the materials often used to construct them, and their presence on, or close to, the front boundary.

As a right, the solid component of front fences can be built to a maximum of 1.2 metres above natural ground level. Retaining walls can be built up to a maximum height of 500mm above natural ground level. Any proposal seeking approval for the height of the solid component of a fence, or a retaining wall to be greater than this requires consideration against the Performance Criteria of the R-Codes.

It is suggested that the current delegations be modified to require any proposal seeking approval for either fencing, or retaining within the front setback area, where the solid height of the structure exceeds 1.2 metres from natural ground, to be determined by the MPS or DPD. This is not expected to have a significant operational impact as proposals of this nature are generally not supported. Additionally, it is hoped that this will provide Council with a greater degree of comfort that a greater level of scrutiny is being applied to these proposals.

In regards to delegations that apply to decisions being made against the provisions of DPS2, two of the changes sought are discussed below.

The first is to modify the extent of setback variation allowed to be determined by the MPS and DPD from being a maximum of 10% of the standard to being a maximum fixed amount of 1.5 metres. This would prevent Council from needing to consider proposals such as the minor additions to a Consulting Room on Arnisdale Road where a setback of a single storey room was proposed to be 1.68 metres in lieu of the 3 metres required (CJ004-02/11 refers).

The other change is to add the ability for the MPS and DPD to determine applications where a car parking shortfall is maintained or reduced by a change of use or other development application where the overall parking shortfall on the site has already been approved by the Council at over 10%. Current delegations only allow for the MPS and DPD to determine applications where an overall parking shortfall of no more than 10% is proposed, irrespective of whether an approved shortfall is being reduced or maintained.

This change is intended to prevent change of use proposals needing to consistently be presented to Council where approved shortfalls are maintained or reduced. A current example of this includes another report on this agenda for a Restaurant/Take Away Food Outlet at the Currambine Central shopping centre. In this instance the parking requirement does not alter and the proposal is only required to be considered due to technical requirements of DPS2. Similar examples exist for change of use proposals at other local shopping centres.

Conclusion

The City has rigorous practices in place in an effort to ensure that the exercise of delegations to officers occurs in an appropriate and consistent manner.

The proposed modifications to the existing Town Planning Delegations will assist in ensuring greater efficiency in decision making, without any compromise in the quality of decision making. They will also assist the City in meeting its obligations under the *Building Act 2011*, and it is considered that there is no increase in the level of risk as a result of the changes.

Furthermore, similar to changes made to the Town Planning Delegations in 2009, these modifications will reduce the volume of reports being presented to Council that do not deal with significant planning issues, for example the minor additions approved by Council in February 2011 to a Consulting Room on Arnisdale Road (CJ004-02/11 refers).

It is recommended that Council adopt the proposed Town Planning Delegations as provided in Attachment 2 to this report.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council:

1 NOTES the current processes and rigour applied in the assessment and determination, by the City's planning staff, of proposals that have the potential to impact on the streetscape or residential amenity in any way; and

2 By AN ABSOLUTE MAJORITY ADOPTS the amended Town Planning Delegations as detailed in Attachment 2 to Report CJ075-05/12.

Appendix 2 refers

To access this attachment on electronic document, click here: Attach2brf080512.pdf

Disclosure of interest affecting impartiality

Name/Position	**Cr Tom McLean**
Item No/Subject	CJ076-05/12 - Proposed Change of use from Convenience Store to an Unlisted Use (Betting Agency) at Lot 929 (1244) Marmion Avenue, Currambine.
Nature of interest	Interest that may affect impartiality
Extent of Interest	Cr McLean lives close (200 metres) to the application.

CJ076-05/12 PROPOSED CHANGE OF USE FROM CONVENIENCE STORE TO AN UNLISTED USE (BETTING AGENCY) AT LOT 929 (1244) MARMION AVENUE, CURRAMBINE

WARD: North

RESPONSIBLE DIRECTOR: Ms Dale Page
Planning and Community Development

FILE NUMBER: 102308, 101515

ATTACHMENTS:

Attachment 1	Location plan
Attachment 2	Development plans
Attachment 3	Map of submitters

PURPOSE

To seek Council's determination of an application for a change of use from a Convenience Store to an Unlisted Use (Betting Agency) at Lot 929 (1244) Marmion Avenue, Currambine.

EXECUTIVE SUMMARY

An application for planning approval has been received for a proposed change of use within a new development at Currambine Central shopping centre site from Convenience Store to a Betting Agency.

The site of the proposed development is zoned 'Urban' under the Metropolitan Region Scheme, and 'Business' under the City's District Planning Scheme No 2 (DPS2). The site is also located within the Currambine District Centre Structure Plan (CDCSP) area.

A Betting Agency does not comfortably fall within the definition of any land uses listed under DPS2, and is therefore required to be considered as an Unlisted Use. As an Unlisted Use, Council must consider the appropriateness of the land use having regard to the objectives of the Business Zone. Should Council consider the land use appropriate in the zone, an appropriate car parking standard must also be determined.

The application was advertised for a period of 21 days, by way of letters to owners and occupiers within 400 metres of the site, advertisements in the Joondalup Weekender for three consecutive weeks, and a notice on the City's website. A total of 32 responses were received, including 22 objections, one letter stating no objections but raising concerns, six letters stating no objection and three letters of support.

The proposed Betting Agency is considered to satisfy the objectives of the Business Zone and is in keeping with land uses in the subject and adjoining sites. As such, it is recommended that the application be approved subject to conditions.

BACKGROUND

Suburb/Location:		Lot 929 (1244) Marmion Avenue, Currambine
Applicant:		TPG Town Planning and Design
Owner:		Davidson Pty Ltd
Zoning:	**DPS:**	Business
	MRS:	Urban
Site Area:		7.5ha
Structure Plan:		Currambine District Centre Structure Plan (CDCSP)

The subject site is located within the CDCSP area. The Currambine District Centre is bound by Marmion Avenue to the west, Shenton Avenue to the south, and Delamere Avenue to the north and east (Attachment 1 refers).

The Currambine Central shopping centre and cinema complex is located on the southern portion of the subject site, and was approved by Council in two stages in 1995 and 1998. In 2003 a kiosk addition was approved under delegated authority. A total of 562 car bays were considered appropriate to service the shopping centre and cinema complex at that time.

At its meeting held on 10 June 2008, Council refused an application for a Liquor Store on the north portion of the site (CJ106-06/08 refers). That proposal was approved by the State Administrative Tribunal, subject to a number of conditions in December 2008. Additional car parking was proposed as part of the application to service the Liquor Store. This development was completed in 2011.

A number of development applications have subsequently been approved for the site, with the construction of some of these developments now underway. These include a freestanding development comprising a showroom, retail, take away food outlets and convenience store to the north west of the cinema complex approved by Council on 19 October 2010 (CJ168-10/10 refers). This is the location of the proposed change of use the subject of this application.

Other developments approved for the site include:

- Three retail tenancies and relocation of service dock to Currambine Central, approved by Council on 19 April 2011 (CJ053-04/11refers);
- Shop and showroom development to the west of the existing shopping centre approved by Council on 11 October 2011 (CJ175-10/11 refers);
- Reconfiguration of the south western car park and additions and modifications to Currambine Central shopping centre approved by Council on 22 November 2011 (CJ208-11/11 and CJ209-11/11 refers); and
- Change of use to Office and Restaurant within the same building as the subject development approved by Council on 21 February 2012 (CJ004-02/12 refers).

An application for a change of use from shop to restaurant is the subject of a separate report on this agenda. This application is also recommended for approval subject to conditions.

Council at its meeting on 21 September 2010 considered an application for a Betting Agency on the adjoining site, being Lot 5004 (4) Hobsons Gate, Currambine (CJ149-09/10 refers). In considering the proposal and the appropriateness of the land use and car parking standard Council resolved the following:

1 DETERMINES that under Clauses 3.3(a) and 6.12 of the City of Joondalup District Planning Scheme No.2 that:

1.1 "Betting Agency" is deemed to be an Unlisted Use;
1.2 The proposed use, "Betting Agency" meets the objectives and purpose of the Business Zone, and therefore is a permitted land use;

2 Having regard to Clause 4.8.2 of the City of Joondalup District Planning Scheme No.2, DETERMINES that:

2.1 In this instance, the car parking standard for the use "Betting Agency" shall be one car bay per 30m^2 net lettable area

The applicant has confirmed that the operator will not be acting on this previous approval.

DETAILS

The applicant proposes to change the use of one tenancy from Convenience Store to a Betting Agency.

Consideration of the application is pursuant to Clause 3.3 of DPS2 as the land use Betting Agency is deemed to be an Unlisted Use.

The operating details of the Betting Agency are summarised below:

- A maximum of two staff on-site at any one time; and
- Hours of operation will be 9.00am to 9.00pm, seven days a week.

No signage or external changes to the facade are proposed as part of this application. However, the applicant has advised that they will comply with the City's requirements in respect to maintaining an unobscured facade.

The development plans are provided in Attachment 2.

Car parking

Car parking across the site has been calculated in accordance with Table 2 of DPS2. As the proposed Betting Agency is considered to be an Unlisted Use a car parking standard is not provided within DPS2. It is recommended that a car parking standard of one car bay per 30m^2 be applied as justified in the comment section of this report.

The Convenience Store previously required four car bays per 100m^2 NLA. The change of use to Betting Agency and small change to the NLA requires an additional car bay.

The following table sets out the car parking requirement for the site:

	Car parking required
Total car parking required for the site prior to this application	965
Total car parking required for the site as a result of the change of use.	966
Total car parking provided	**786**

There are 180 car bays, or 18.63% less on-site car parking bays than that required under DPS2.

Issues and options considered:

Council is required to determine whether the proposed land use is consistent with an existing use class under Table 1 of DPS2, or whether it should be considered an unlisted land use. The options available to Council in this regard are:

- Council determines that the proposed use is a listed use class. The application must be determined in accordance with the permissibility of that use in the Business Zone; or
- Council determines that the proposed use is an Unlisted Use class in DPS2. Council then needs to determine whether the proposal meets the objectives and purpose of the Business Zone and therefore, if the proposed use can be permitted.

Having determined the land use classification, Council is then required to make a determination on the application for the change of use. In considering the change of use, Council has discretion to:

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

Legislation/Strategic Plan/Policy Implications:

Legislation: City of Joondalup District Planning Scheme No.2 (DPS2)

When determining the application Clauses 3.2, 3.3, 3.6, 4.8 and 6.8 of DPS2 apply.

Clause 3.2 indicates the manner in which Table 1, the Zoning Table sets out the permissibility of uses within zones. However, due to the nature of the proposed development a Betting Agency does not fall within any of the definitions under Schedule 1 of DPS2. Therefore the Council is required to make a determination under Clause 3.3 of DPS2.

3.3 Unlisted Use

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

a. determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or

b. determine that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the procedures set down for an 'A' use in Clause 6.6.3 in considering an application for planning approval; or

c. *determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.*

In considering the appropriateness of the development within the Business Zone, Council shall have regard to the objectives of the Zone under DPS2:

3.6 The Business Zone

The Business Zone is intended to accommodate wholesaling, retail warehouses, showrooms and trade and professional services and small scale complementary and incidental retailing uses, as well as providing for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets that provide for the needs of the community but which due to their nature are generally not appropriate to or cannot be accommodated in a commercial area.

The objectives of the Business Zone are:

a. Provide for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets as well as complementary business services;

b. Ensure that development within this zone creates an attractive facade to the street for the visual amenity of surrounding areas.

Should the application be considered an Unlisted Use Council shall determine an appropriate car parking standard as set out in Clause 4.8 of DPS2.

4.8 Car Parking Standards

4.8.1 The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the Council.

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

In considering the application Council shall also have regard to matters listed in Clause 6.8 of DPS2.

6.8 Matters to be considered by the Council

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

a. interests of orderly and proper planning and the preservation of the amenity of the relevant locality;

b. any relevant submissions by the applicant;

c. any Agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;

d. any planning policy of the Council adopted under the provisions of clause 8.11;

e. any other matter to which under the provisions of the Scheme the Council is required to have due regard;

f. any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;

g. any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;

h. the comments or wishes of any public or municipal authority received as part of the submission process;

i. the comments or wishes of any objectors to or supporters of the application;

j. any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and

k. any other matter which in the opinion of the Council is relevant.

Strategic Plan

Key Focus Area: Not Applicable.

Objective: Not Applicable.

Policy: Not Applicable.

Risk Management Considerations:

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

Financial/Budget Implications:

The applicant has paid fees of $278 to cover the cost of assessing the application.

This figure excludes GST.

Regional Significance:

Not Applicable.

Sustainability Implications:

There are not considered to be sustainability implications as a result of the change of use. These were predominantly addressed through the assessment of the initial development application for the building.

Consultation:

The proposal was advertised for a period of 21 days between 1 March 2012 and 22 March 2012. Consultation was undertaken by way of letters to land owners and occupiers within a 400 metre radius of the proposed development (being a total of 410 letters), advertisements in the Joondalup Weekender for three consecutive weeks, and a notice on the City's website.

A total of 32 responses were received. This included 22 objections, one letter stating no objections but raising concerns, six letters stating no objection and three letters of support. The map of submitters is provided in Attachment 3.

A summary of comments received is provided below and is discussed further in the Comment section of this report.

Comments against the proposed development

- The land use is unnecessary and inappropriate;
- As this is a betting atmosphere it will never blend well with the surroundings and will always look unattractive;
- It will lower the tone of the area;
- A betting agency will cause considerably more traffic through the already busy narrow service roads;
- The betting agency conflicts with surrounding land uses like the Liquor Store and Tavern;
- There seems to be a view that people who drink also gamble and that as soon as a tavern is planned a betting agency is proposed. There is already a proliferation of gambling online that is creating a problem in today's society;
- It will have a detrimental impact being close to community centre;
- Increase in crime and decrease in security;
- Increase in emergency vehicle traffic noise due to the increase in crime;
- It is a desperate attempt to fill vacant commercial space. Currambine Central should have been more housing and less commercial and retail;
- The betting agency should be located in the nearby tavern to reduce the amount of pedestrian traffic from tavern patrons visiting the betting agency;
- The Joondalup City Centre would be more appropriate as it already has night clubs and adult entertainment;
- Betting agencies have a place in light industrial areas or close to pubs, not near the suburbs;
- Betting creates family finance shortage and arguments that are harmful to children. Divorce damages children and can cause resultant street crime and costly social services which must be paid for by extra taxation from other families;
- The area is predominantly residential with a large young family demographic. A betting agency would not benefit the community. Any action taken to make access to these establishments more difficult makes life a bit easier on families impacted by gambling; and
- It could depreciate the value of surrounding properties.

Comments received in support of the proposed development

- The betting agency at Joondalup Shopping Centre is clean, tidy and controlled. I cannot see any reason why such an establishment shouldn't be welcomed.
- Any new business is good for the community, economy and employment.
- Gambling is a personal choice even though it can have a far reaching impact on others. It does not impact on other business or centre users.

It is noted that the previous application for a Betting Agency at 4 Hobsons Gate, Currambine, approved by Council on 21 September 2010 undertook consultation for a period of 21 days via an advertisement in the Joondalup Weekender for three consecutive weeks and notice on the City's website. A total of four submissions were received, being objections which raised similar concerns to the above.

Whilst the consultation undertaken for the previous Betting Agency did not include letters to adjoining landowners, it was considered appropriate given that the City received three written objections to the proposed Betting Agency during consultation being undertaken by Racing and Wagering Western Australia.

COMMENT

The application is for a change of use from Convenience Store to Betting Agency. It is considered that a Betting Agency is a use not listed in Table 1 – the Zoning Table of DPS2. Therefore, it is appropriate that Council determines the use as an Unlisted Use and considers whether the development meets the objectives of the Business Zone. Should Council consider that the use does meet the objective of the Business Zone, a car parking standard must then be determined.

Land use and permissibility

The objectives of the Business Zone under DPS2 are:

a. Provide for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets as well as complementary business services;

b. Ensure that development within this zone creates an attractive facade to the street for the visual amenity of surrounding areas.

In addition, CDCSP which guides development within this area sets out the following additional objectives for the Business Zone:

- *To create an active focus for the community with a diversity of non-retail mainstreet uses that generate day and evening activity;*
- *To allow appropriate businesses to locate and develop in close proximity to residential areas for the convenience of the community;*
- *Encourage high standards of 'Main Street' built form and an active edge to create an attractive façade to vehicle and pedestrian routes providing visual amenity and interaction;*
- *Provide efficient vehicle access and circulation with pedestrian priority; and*
- *Encourage a high level of passive surveillance of public and private spaces.*

As the proposed land use will occupy a building for which development approval has already been granted and no external changes are proposed, the objectives regarding the facade and built form are not applicable to this application. In considering the proposed land use against the remaining objectives, they are considered to be met as:

- Given that no alcohol is bought or consumed on-site, and that it operates in a manner similar to that of a bank or office, amenity of land uses within the immediate area and on the locality in general are not considered to be compromised;
- The land use is compatible with the existing businesses established in the immediate locality, and provides a complementary service; and
- The land use will provide a service to the community and residential properties within the locality.

As outlined in the background section of this report, Council previously considered a similar proposal for the adjoining site in which a Betting Agency was deemed a permitted use in the Business Zone. It is noted that the proposed location of this development is approximately 170 metres to the south of the previous approval, and whilst being on a different site, the circumstances are not dissimilar to the previous application.

In light of the above, the proposed Betting Agency is considered compatible with the intent and type of businesses within the Currambine District Centre, and meets the objectives of the Business Zone. It is therefore considered reasonable for a Betting Agency to be considered a permitted use within the zone.

Car parking

As the proposed use Betting Agency is considered to be an Unlisted Use, there is no car parking standard assigned under Table 2 of DPS2. Therefore a car parking standard of one bay per $30m^2$ of net lettable area (NLA) is recommended.

This car parking standard is considered to be appropriate given that the Betting Agency would generate similar patron numbers to a showroom, bank or office development, to which a standard of one bay per $30m^2$ NLA applies under DPS2. Furthermore, this car parking standard was previously determined an appropriate standard by Council which was also located within the Business Zone.

As a result of the change of use an additional car bay is required, increasing the car parking requirement for the site to 966 bays. This increases the shortfall to 180 bays.

It is noted that the tenancy reconfiguration and change of use approved for the same building by Council on 21 February 2012 reduced the overall car parking requirement for the site by eleven bays. The requirement for an additional bay as a result of this development still means that the car parking shortfall is less than that supported by Council on previous development applications where a maximum shortfall of 190 bays has been supported.

The land use is considered compatible with other uses on the site and will contribute toward multi-purpose trips. Furthermore, the intensity of the land use is not considered to demand parking in excess of previous approvals issued for the site and therefore the car parking provided is deemed adequate to service the proposed development.

Given that the change of use results in the amount of car parking being less than that required under previous development applications it is not considered appropriate to request a cash in lieu payment for the shortfall in car parking. Should Council adopt the recommended parking standard for the land use, and then consider that a cash in lieu payment is necessary it is only considered appropriate to base this on the one bay increase to the approved shortfall. This would result in a figure of $25,929 being payable. Council should be mindful that any cash in lieu funds received must be used to provide additional parking in the immediate locality.

Signage

One of the objectives of the CDCSP is to facilitate interaction between the street and the buildings fronting it. As such a condition of approval is recommended to prevent any obscure glazing. This condition was also imposed on the original approval for the building and this will ensure that this is carried through. An advice note will also be included on the decision letter should the application be approved advising that any signage is to be subject of a separate application for planning approval.

Response to submissions

As set out above, a number of concerns were raised during the consultation period regarding the appropriateness of the land use for the locality, impact on the community, and anti-social behaviour associated with such establishments. In response to these concerns, the applicant has provided the following comments:

- *Racing and Wagering Western Australia (RWWA) understands the historical perceptions of a percentage of the general public in relation to TAB Services, however, for a considerable period now these perceptions have been changing due to the way TAB outlets are presented and operate.*
- *Of the 91 fulltime TAB outlets operated by RWWA, there are currently 30 that operate from these types of retailing precincts. In all instances the standard of the tenancies compliment the centres appearance both from a shop front presentation and the high standards used in the internal fit outs.*
- *RWWA is pro-active in the way that wagering services are provided. All agents and staff are fully trained in providing services in accordance with RWWA's "Responsible Wagering Code of Practice" which was developed by community, industry and government representatives to ensure that effective practices and preventative measures are in place to minimise instances of problem gambling and to assist any person that believes they may be developing a gambling problem.*
- *RWWA financially supports "Gambling Help WA" with is an autonomous organisation which assists individuals with gambling related problems.*
- *TAB agent's and staff are fully aware of their responsibilities in ensuring customers abide by a 'Customer Code of Conduct' which maintains a good standard social behaviour. If at any time customers display actions that are not socially responsible, agents and staff will insist that the person moves on and will not be permitted to use the TAB service.*
- *RWWA has received minimal comments or complaints in relation to anti-social behaviour from any member of the public, adjacent businesses or landlords.*

- *As part of any new TAB establishment, RWWA must always request comment from the local police for inclusion in a submissions that seeks Gaming and Wagering Commission approval to proceed. In the majority of responses police see no link to an increase in anti-social behaviour or crime rates due to the establishment of TAB agencies. The local police indicated that they did not believe the establishment of a TAB outlet at Currambine Central would increase anti-social behaviour or criminal activity.*
- *There is clearly a demand for the land use, as if this were not the case then the proposed betting agency operator would not seek to occupy the tenancy. Currambine is identified as a District Centre within the Western Australian Planning Commission Activity Centres for Perth and Peel document. A betting agency within a District Centre is considered to be appropriate and in accordance with orderly and proper planning as it meets the needs of the community in a town centre where a diversity of land uses is likely to be found.*

In regard to concerns over the increase in traffic, the change of use is not considered to contribute to any substantial increase. Whilst there has been an increase in traffic as a result of recent developments, it is noted that traffic impact assessments submitted as part of previous applications (including for the building in which the land use is proposed) have set out that the traffic within the site and the vicinity in general remains within its carrying capacity and is appropriate. It is noted that a tenancy reconfiguration and change of use for the site approved by Council in February 2012 reduced the amount of car parking required under DPS2.

As outlined above, it is considered that the land use is appropriate for the locality having regard to the requirements of DPS2. Matters relating to the impacts of gambling are not a valid planning consideration, and the number of centres and grant of licences are the responsibility of the Department of Racing, Gaming and Liquor. Furthermore, there is considered to be no link between an increase in anti-social behaviour and a Betting Agency. Within the City similar establishments are located at Joondalup and Warwick for which no complaints specific to these businesses have been received by the City.

Conclusion

Whilst there have been some concerns raised regarding the proposed use, a Betting Agency is considered to be consistent with the objectives of the Business Zone, and is therefore recommended for approval.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 DETERMINES that under clause 3.3(a) of the City of Joondalup District Planning Scheme No.2 that:

1.1 The land use 'Betting Agency' is an Unlisted Use;

1.2 The proposed use meets the objectives of the Business Zone and is therefore a permitted use;

2 Having regard to Clause 4.8.2 of the City of Joondalup District Planning Scheme No.2, DETERMINES that:

2.1 In this instance, the car parking standard for the use 'Betting Agency' shall be one car bay per 30m^2 net lettable area;

3 Subject to Part 1 and 2 above, EXERCISES discretion under clause 4.8.2 of the City of Joondalup District Planning Scheme No.2 and determines that a car parking provision of 786 car bays in lieu of 966 car bays is appropriate in this instance;

4 Subject to Part 1 and 2 above, APPROVES the application for planning approval dated 10 November 2011, submitted by TPG Town Planning and Design, the applicant on behalf of the land owners, Davidson Pty Ltd, for a change of use to an Unlisted Use (Betting Agency) at Lot 929 (1244) Marmion Avenue, Currambine, subject to the following conditions:

4.1 This decision constitutes planning approval only and is valid for two (2) years from the date of the decision letter. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect;

4.2 Obscure or reflective glazing to windows or doors is not permitted; and

5 ADVISES submitters of Council's decision.

Appendix 3 refers

To access this attachment on electronic document, click here: Attach3brf080512.pdf

CJ077-05/12 PROPOSED CHANGE OF USE FROM HIGH SCHOOL (PADBURY HIGH SCHOOL) TO OFFICE AND EDUCATIONAL ESTABLISHMENT, AND CARPARK ADDITION AT LOT 9573 (33) GILES AVENUE, PADBURY

WARD: South-West

RESPONSIBLE DIRECTOR: Ms Dale Page
Planning and Community Development

FILE NUMBER: 04414, 101515

ATTACHMENTS:

Attachment 1	Location plan
Attachment 2	Development plans
Attachment 3	Site photographs of proposed car park location
Attachment 4	Map of submitters

PURPOSE

To request that Council makes a recommendation to the Western Australian Planning Commission (WAPC) regarding a proposed change of use from High School (Padbury High School) to Office and Educational Establishment, at Lot 9573 (33) Giles Avenue, Padbury.

EXECUTIVE SUMMARY

The Padbury Senior High School ceased operating at the end of 2011 due to declining enrolments. The applicant is seeking approval to utilise the existing high school buildings for Offices and an Educational Establishment for the Department of Education.

The subject site is reserved under the Metropolitan Region Scheme (MRS) for Public Purpose (High School). As such, the proposal is subject to determination by the WAPC. Council is required to make a recommendation to the WAPC.

The subject site is located adjacent to MacDonald Park and is bound by Giles Avenue to the south, MacGregor Drive to the east and Macdonald Avenue to the north. Padbury Primary School is located in the north western corner of the site.

Whilst the provisions of the City's District Planning Scheme No 2 (DPS2) do not apply in this instance due to the reservation of the land under the MRS, regard has still been given to these requirements. The proposed development is considered to meet all the standards set out in DPS2.

The proposal was advertised to 157 adjoining land owners for a period of 21 days. The City received 15 responses, being four objections, four letters stating no objections but raising concerns, three no objections and four letters of support. Concerns raised included increased traffic on MacGregor Drive, loss of use of the hard courts, and maintenance of the grounds.

Having regard to the purpose for which the land is reserved, and submissions received, it is considered that the proposed change of use will have a negative impact on the amenity of the adjoining properties and the locality, particularly with the increased traffic to MacGregor Drive as a result of the car park addition. It is therefore recommended that Council advises the WAPC that it does not support the proposed development.

BACKGROUND

Suburb/Location:		Lot 9573 (33) Giles Avenue, Padbury
Applicant:		T & Z Architects
Owner:		Department of Education (School Resourcing and Budgeting Directorate)
Zoning:	**DPS:**	Public Purpose – High School
	MRS:	Public Purpose – High School
Site Area:		11.86ha
Structure Plan:		Not Applicable.

The site is located adjacent to MacDonald Park, and is bound by Giles Avenue to the south, MacGregor Drive to the east and Macdonald Avenue to the north (Attachment 1 refers). Padbury Primary School is located in the north western corner of the site.

Padbury High School first opened in 1987, and was closed in 2011 due to declining enrolments. A number of development applications were approved for the school whilst the high school was in operation, including signage and transportable classroom proposals.

The original proposal submitted to the City included refurbishment of 16 buildings and an additional 106 car bays. Amended plans relating to this proposal were received on 12 April 2012 for an additional 97 car bays and further refurbishment of a building.

DETAILS

The applicant proposes to undertake refurbishment of 17 existing buildings and to add a car park on the subject site. The details of the application are below:

- Refurbishment of existing buildings to accommodate offices for the Department of Education including office accommodation, conference facilities, a repository for high needs equipment and combined resource centre;
- Refurbishment of the Arts and Crafts Block to provide teaching areas for the educational establishment component of the development for sight and hearing impaired children. An outdoor area adjoining the building will also be fenced and two new patios are constructed to create an outdoor play area;
- Construction of 203 parking bays on the existing hard courts on the north eastern portion of the site. The access to this parking will be from the existing crossover on MacGregor Drive; and
- The development will accommodate up to 285 staff. A maximum of 35 students are also proposed to be on-site as part of the educational establishment component of the development.

The development plans are provided in Attachment 2. Site photographs of the proposed location of the car park and access are provided in Attachment 3.

As the subject site is reserved under the MRS, the provisions of DPS2 do not apply. However, having regard to the development provisions of DPS2 it is noted that all requirements would be met.

In regard to car parking, the following table sets out the requirement for the development having regard to the standards prescribed in Table 2 of DPS2. As demonstrated the car parking provided on-site would be considered adequate under DPS2.

Development	**Car parking standard**	**Car parking required**
Office (approx. 4,900m^2 net lettable area)	1 car bay per 30m^2 net lettable area	174
Educational Establishment (35 children and 10 staff at one time)	1 per 4 seats (persons)	10
Total car bays required		**184**
Total car bays provided		**295**

Notwithstanding that the car parking provided is in excess of that required under DPS2, the applicant has stated that this is the amount of car parking they have deemed as being necessary to service the proposed development.

Issues and options considered:

Council has the discretion to:

- Make a recommendation to the Western Australian Planning Commission supporting the proposal; or
- Make a recommendation to the Western Australian Planning Commission requesting that the application be refused.

Legislation/Strategic Plan/Policy Implications:

Legislation: Metropolitan Region Scheme (MRS).
District Planning Scheme No 2 (DPS2).

The WAPC, in considering the application will have regard to the matters listed under Clause 30(1) of the MRS, which states:

30(1) The Commission or local authority exercising the powers of the Commission so delegated to it under the Planning and Development Act 2005 may consult with any authority that in its circumstances it thinks appropriate; and having regard to the purpose for which the land is zoned or reserved under the Scheme, the orderly and proper planning of the locality and the preservation of the amenities of the locality may, in respect of any application for approval to commence development, refuse its approval or may grant its approval subject to conditions if any as it may deem fit.

DPS2 does not apply to land reserved under the MRS, with the WAPC the decision maker for any development proposals on reserved land. Council is empowered only to make a recommendation on the proposal. Notwithstanding this regard has still been given to the provisions of DPS2.

Strategic Plan

Key Focus Area: Economic Prosperity and Growth.

Objective: To increase employment opportunities within the City of Joondalup.

Policy: Not Applicable.

Risk Management Considerations:

The applicant retains a right of review with the State Administrative Tribunal as with other development applications, however the WAPC would need to defend such a decision, not the City.

Financial/Budget Implications:

The applicant has paid fees of $7,770 to cover the cost of assessing the application.

This figure excludes GST.

Regional Significance:

The applicant has advised that the use of the site will provide state-wide specialist services including office accommodation, conference facilities, a repository for high needs equipment and combined resource centre.

It is considered that such offices should be located in the Joondalup City Centre or other commercial centre which will contribute to the growth of the centre. These centres also provide a strong public transport link which would reduce car dependency for visitors and staff.

Sustainability Implications:

The proposed development will utilise existing buildings which would otherwise remain vacant.

The site is serviced by a bus route along both Giles Avenue providing a link to Whitfords Train Station which is approximately 2.5 kilometres from the site. It is noted that the applicant is seeking approval for car parking in excess of expected staff numbers which indicates that the development will result in a high level of car usage.

Consultation:

The originally proposed development was advertised for a period of 21 days between 14 March 2012 and 4 April 2012. This consultation process included letters to 157 adjoining land owners and a notice on the City's website.

A total of 15 responses were received, being four objections, four letters stating no objections but raising concerns, three no objections and four letters of support. A map of submitters is provided in Attachment 4.

A summary of comments received is provided below and is discussed further in the comments section of this report.

Comments objecting to proposed development:

- The construction of 106 parking bays will not result in quiet enjoyment;
- Increase in traffic, especially along MacGregor Drive;
- Additional noise;
- Was of the understanding that it could only be used for the purposes of a high school;
- This is a residential area, not commercial;
- If the proposed development cannot utilise existing parking then it is too big;
- Some basketball and tennis courts should remain as they are important community assets;
- The grounds have been poorly maintained; and
- More provision to plant trees throughout the new car park to soften the impact.

Comments provided in support of the proposed development:

- Fully in support of the development; and
- Pleased that the buildings will be maintained and used by the Department of Education.

It is noted that the public consultation undertaken related only to the original proposal, not the amended plans received on 12 April 2012 which include an additional 97 bays on the hard courts and further internal works to a building. Whilst the amendments sought to increase the development on the site, as the amendments were in line with the original proposal (i.e conversion of an existing building and car park addition), further consultation was not undertaken. However, it is considered that some concerns raised during the consultation period are likely to be exacerbated by the amendment.

COMMENT

The applicant seeks approval for a change of use from High School to Office and an Educational Establishment. As the development is located within an MRS Reserve, Council is required only to provide a recommendation to the WAPC, who are the decision making authority in this instance.

Whilst the provisions of DPS2 are not applicable to the development as it is located within an MRS Reserve, regard has still been given to the development provisions. As set out above, the development is considered to meet these requirements, including car parking provision, which is in excess of that required under DPS2.

Land use

The proposal is for the use of the existing high school buildings by the Department of Education, providing state-wide specialist services including office accommodation, conference facilities, a repository for high needs equipment, combined resource centre and early intervention centre for hearing impaired children.

Under the MRS there are a number of matters that must be given consideration in determining the appropriateness of the land use and development for the site, being:

- the purpose for which the land is zoned or reserved under the Scheme;
- the orderly and proper planning of the locality; and
- the preservation of the amenities of the locality.

The subject site is reserved for Public Purposes (High School) under the MRS. Under this reservation, it could be considered that the use of the site for other education purposes (e.g primary school or early learning centre) would still see the site operate in a manner similar to what would be expected under the reservation.

However, the proposed Offices, whilst for the Department of Education, are considered to be removed from the intent of the reservation. An approval for the use of land runs with the land and not with the owner or occupant. As such, in the event that the land was approved for these purposes, and the Department of Education elected to relocate in the future, the site would remain approved for the purposes of "Offices". This would mean that any other Government Department or private organisation could occupy this office space, which, as set out above, is not considered consistent with the reservation of the site for school purposes.

In addition, given the reservation of the site, there is an expectation amongst surrounding land owners as to what the site will be used for. The proposed use of the site is also considered inconsistent with this expectation.

Whilst Padbury Primary School and community facilities are located on the western portion of the site (between the subject development and Marmion Avenue), the site is not located within a Commercial area, but rather surrounded by residential development with a density code of R20. It is also noted that under the Draft Local Housing Strategy, an increase in density is not being proposed for the adjacent area, with the nearest Housing Opportunity Area being to the north west of Forrest Road.

Traffic and car park addition

This application includes the proposed construction of 203 car parking bays on the existing hard courts to the north east of the site. Access to this parking area will be provided via an upgrade to the existing access from MacGregor Drive. The upgrade to this crossover will include a splitter island to ensure pedestrian safety is maintained. Internally, the network allows for there to be sufficient vehicle storage within the site to avoid banking of vehicles along MacGregor Drive during peak vehicle movements.

A traffic impact assessment submitted as part of the original application states that the amount of traffic generated by the development will be 74 vehicle trips less in comparison to when the high school was operating. This was based on staff numbers of 300 and 30 students. As it is predicted that vehicle trips will drop slightly it was considered that there is no impact on the surrounding road network. Furthermore, the traffic impact assessment states that the carrying capacity of the surrounding roads will be operating at least 30% below their maximum capacity.

Notwithstanding, the car park addition with access from MacGregor Drive will result in increase traffic within this vicinity. Accounting for one car entering and exiting the site for each new car bay accessed from MacGregor Drive this equates to at least 406 vehicle movements per day when fully utilised. It is noted that the traffic impact assessment did not provide any direct analysis of anticipated changes to traffic along MacGregor Drive.

Whilst the site was operating as a High School, it is noted that the majority of staff parking as well as the drop off area for students was provided with access off Giles Avenue, which is classified as a Local Distributor under the Main Roads road hierarchy. MacGregor Drive, classified as an access road under the Main Road road hierarchy only served as access to 19 car bays and a service road.

Whilst overall the proposed development the amount of vehicle trips in the locality will be less than the high school, it is considered that the additional traffic movements on MacGregor Drive as a result of the car park addition will result in a negative impact on the adjoining properties by way of increased traffic.

Response to concerns raised

For reasons discussed above, concerns regarding the land use and increase in traffic are recognised and supported. In regard to other concerns raised it is noted that:

- The hard courts are located on land owned by the Department of Education, and therefore are not community facilities;
- The maintenance of the grounds is the responsibility of the Department of Education. They have advised that, should the development proceed, maintenance of the grounds will continue; and
- Amended plans were received after public consultation providing shade trees within the new car park.

Conclusion

Whilst the proposed development will utilise otherwise redundant buildings, it is considered that the land use is not consistent with the reservation of the land under the MRS and is not in-line with community expectations of how the site will be used. Furthermore, the proposed car park addition and resultant increase in traffic on MacGregor Drive is considered likely to have an adverse impact on the amenity of the locality.

It is therefore recommended that Council advises the WAPC that it does not support the proposed development, and request that the application be refused.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 ADVISES the Western Australian Planning Commission that it DOES NOT SUPPORT the application for planning approval dated 27 February 2012, and amended plans received on 12 April 2012, submitted by T & Z Architects, the applicant on behalf of the land owner, Department of Education (Resourcing and Budgeting Directorate), for a proposed change of use to Office and Educational Establishment, and car park addition at Lot 9573 (33) Giles Avenue, Padbury, for the following reasons:

1.1 The proposed Office land use is not consistent with the reservation of the land under the Metropolitan Region Scheme, this being Public Purpose - High School;

1.2 The proposed 203 car bays and resultant increase in traffic on MacGregor Avenue will have an adverse impact on the amenity of the locality and adjoining properties to MacGregor Drive, by way of increased vehicle movements and noise; and

2 ADVISES the submitters of the recommendation provided to the Western Australian Planning Commission.

Appendix 4 refers

To access this attachment on electronic document, click here: Attach4brf080512.pdf

Disclosure of interest affecting impartiality

Name/Position	**Cr Tom McLean**
Item No/Subject	CJ078-05/12 - Proposed Change of use from Shop to Restaurant/Take Away Food Outlet at Lot 929 (1244) Marmion Avenue, Currambine.
Nature of interest	Interest that may affect impartiality
Extent of Interest	Cr McLean lives close (200 metres) to the application.

CJ078-05/12 PROPOSED CHANGE OF USE FROM SHOP TO RESTAURANT/TAKE AWAY FOOD OUTLET AT LOT 929 (1244) MARMION AVENUE, CURRAMBINE

WARD: North

RESPONSIBLE DIRECTOR: Ms Dale Page
Planning and Community Development

FILE NUMBER: 03494, 101515

ATTACHMENTS: Attachment 1 Location Plan
Attachment 2 Development Plans

PURPOSE

The purpose of this report is to seek Council's determination of an application for a change of use from Shop to Restaurant/Take Away Food Outlet at Lot 929 (1244) Marmion Avenue, Currambine.

EXECUTIVE SUMMARY

An application for planning approval has been received for a proposed change of use within recently completed retail tenancies at the Currambine Central shopping centre from Shop to Restaurant/Take Away Food Outlet.

The site of the proposed development is zoned 'Urban' under the Metropolitan Region Scheme, and 'Commercial' under the City's District Planning Scheme No 2 (DPS2). The site is also located within the Currambine District Centre Structure Plan (CDCSP) area.

The applicant seeks approval for the three previously approved retail tenancies to be used as either a Restaurant or Take Away Food Outlet once a tenant has been confirmed. Both Restaurant and Take Away Food Outlet are permitted ('P') land uses in the Commercial Zone under DPS2.

As a result of the change of use there is no change to the car parking requirement for the site given that it is located as part of the shopping centre. It is noted that the site currently requires 965 car bays, 786 are provided on-site. Even though there is no change to the car parking requirement for the site as a result of the change of use, Council needs to determine the application as the overall shortfall for the site still exceeds 10%.

The application was not advertised as the land uses proposed are permitted uses and the car parking provision is considered to have no adverse impact on the locality.

It is recommended that the application be approved subject to conditions.

BACKGROUND

Suburb/Location:		Lot 929 (1244) Marmion Avenue, Currambine.
Applicant:		TPG Town Planning and Design.
Owner:		Davidson Pty Ltd.
Zoning:	**DPS:**	Commercial
	MRS:	Urban
Site Area:		7.5ha
Structure Plan:		Currambine District Centre Structure Plan (CDCSP).

The subject site is located within the CDCSP area. The Currambine District Centre is bound by Marmion Avenue to the west, Shenton Avenue to the south, and Delamere Avenue to the north and east (Attachment 1 refers).

The Currambine Central shopping centre and cinema complex is located on the southern portion of the subject site, and was approved by Council in two stages in 1995 and 1998. In 2003 a kiosk addition was approved under delegated authority. A total of 562 car bays were considered appropriate to service the shopping centre and cinema complex at that time.

At its meeting held on 10 June 2008, Council refused an application for a Liquor Store on the north portion of the site (CJ106-06/08 refers). That proposal was approved by the State Administrative Tribunal, subject to a number of conditions in December 2008. Additional car parking was proposed as part of the application to service the Liquor Store. This development was completed in 2011.

A number of development applications have subsequently been approved for the site, with the construction of some of these developments now underway. These include:

- Freestanding development comprising a showroom, retail, take away food outlets and convenience store to the north west of the cinema complex approved by Council on 19 October 2010 (CJ168-10/10 refers);

- Three retail tenancies and relocation of service dock to Currambine Central, approved by Council on 19 April 2011 (CJ053-04/11refers). These tenancies are the location of the proposed change of use the subject of this application;

- Shop and showroom development to the west of the existing shopping centre approved by Council on 11 October 2011 (CJ175-10/11 refers);

- Reconfiguration of the south western car park and additions and modifications to Currambine Central shopping centre approved by Council on 22 November 2011 (CJ208-11/11 and CJ209-11/11 refers); and

- Change of use to Office and Restaurant approved by Council on 21 February 2012 (CJ004-02/12 refers).

An application for a change of use from Convenience Store to an Unlisted Use (Betting Agency) is the subject of a separate report on this agenda.

DETAILS

The applicant proposes to change the use of three tenancies in the existing centre from Shop to Restaurant/Take Away Food Outlet. The exact land use which will occupy the tenancies has not been confirmed, however, it is noted that the key distinction between the land uses is whether food is consumed primarily on or off the site.

As a tenant has not been confirmed, there are no details regarding the operation of the business.

The development plans are provided in Attachment 2.

Car parking

Car parking across the site has been calculated in accordance with Table 2 of DPS2. As the proposed Restaurant/Take Away Food Outlet is located within the Currambine Central shopping centre the Shopping Centre car parking standard under DPS2 has been applied. This was the same car parking standard applied to the current Shop land use, therefore there is no change to the car parking required for the site as a result of the development.

As there is no change to the car parking requirement for the site a total of 965 car bays are required in accordance with DPS2. A total of 786 car bays are approved for the site, being 179 or 18.5% less than that required under DPS2.

Issues and options considered:

Council has discretion to:

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

Legislation/Strategic Plan/Policy Implications

Legislation: City of Joondalup District Planning Scheme No.2 (DPS2)

Clause 4.8.2 gives Council discretion to approve a lesser amount of on-site car parking than that required under DPS2.

4.8 Car Parking Standards

4.8.1 The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the Council.

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

In considering the application Council shall have regard to matters listed in Clause 6.8 of DPS2.

6.8 Matters to be considered by the Council

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

a. interests of orderly and proper planning and the preservation of the amenity of the relevant locality;

b. any relevant submissions by the applicant;

c. any Agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;

d. any planning policy of the Council adopted under the provisions of clause 8.11;

e. any other matter to which under the provisions of the Scheme the Council is required to have due regard;

f. any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;

g. any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;

h. the comments or wishes of any public or municipal authority received as part of the submission process;

i. the comments or wishes of any objectors to or supporters of the application;

j. any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and

k. any other matter which in the opinion of the Council is relevant.

Strategic Plan

Key Focus Area: Not Applicable.

Objective: Not Applicable.

Policy: Not Applicable.

Risk Management Considerations:

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

Financial/Budget Implications:

The applicant has paid fees of $278 to cover the cost of assessing the application.

This figure excludes GST.

Regional Significance:

Not Applicable.

Sustainability Implications:

There are not considered to be sustainability implications as a result of the change of use.

Consultation:

The application was not advertised as Restaurant and Take Away Food Outlet are permitted ('P') land uses within the Commercial Zone, and the car parking provision is considered to have no adverse impact on the locality.

COMMENT

The application is for a change of use from Shop to Restaurant/Take Away Food Outlet within a recently completed development on the western side of the Currambine Central shopping centre. As the land use is permitted it is deemed to meet the objectives of the Zone.

As outlined above, as the location of the development forms part of the shopping centre, there is no change to the car parking requirement for the site. Whilst the amount of car parking is less than that required under DPS2, Council has previously deemed the car parking provided to be adequate to service the developments approved for the site. It is noted that the peak demand of the proposed land use will most likely be outside the peak time of the retail component of the centre, therefore reducing the peak car parking demand for the shopping centre.

Whilst no external change or signage is proposed as part of this application, one of the objectives of the CDCSP is to facilitate interaction between the street and the buildings fronting it. As such a condition of approval is recommended to prevent any obscure glazing. This condition was also imposed on the original approval for the tenancies and this will ensure that this is carried through. An advice note will also be included on the decision letter should the application be approved advising that any signage is to be subject of a separate application for planning approval.

Given the above, it is recommended that the application be approved subject to conditions.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 EXERCISES discretion under clause 4.8.2 of the City of Joondalup District Planning Scheme No.2 and determines that a car parking provision of 786 car bays in lieu of 965 car bays is appropriate in this instance;

2 APPROVES the application for planning approval dated 2 April 2012, submitted by TPG Town Planning and Design, the applicant on behalf of the land owners, Davidson Pty Ltd, for a change of use to Restaurant/Take Away Food Outlet at Lot 929 (1244) Marmion Avenue, Currambine, subject to the following conditions:

2.1 This decision constitutes planning approval only and is valid for two years from the date of the decision letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect; and

2.2 Obscure or reflective glazing to windows or doors is not permitted.

Appendix 5 refers

To access this attachment on electronic document, click here: Attach5brf080512.pdf

CJ079-05/12 MINUTES OF EXTERNAL COMMITTEES

WARD: All

RESPONSIBLE DIRECTOR: Mr Jamie Parry
Governance and Strategy

FILE NUMBER: 03149, 60514, 101515

ATTACHMENTS:

Attachment 1	Minutes of the Ordinary Meeting of the Mindarie Regional Council held on 19 April 2012.
Attachment 2	WALGA – Minutes of the North Metropolitan Zone Meeting held on 26 April 2012.

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

PURPOSE

To submit minutes of external committees to Council for information.

EXECUTIVE SUMMARY

The following minutes are provided:

- Ordinary Meeting of the Mindarie Regional Council held on 19 April 2012; and
- WALGA North Metropolitan Zone Meeting held on 26 April 2012.

DETAILS

MINDARIE REGIONAL COUNCIL ORDINARY COUNCIL MEETING – 19 APRIL 2012.

An ordinary meeting of the Mindarie Regional Council (MRC) was held on 19 April 2012.

The Council's representatives on the MRC are Cr Fishwick, JP (Chair) and Cr Hollywood.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the MRC Ordinary Council meeting:

ITEM 9.1 Stage 2 Phase 2 Section 2 Capping Works – Proposed Scope of Work and Tender Recommendation

It was resolved by the MRC as follows:

"That Council:

1 Accepts the tender from Mine Site Construction Services submitted in response to Tender No. 13/119 for the Stage 2, Phase 1 Capping Works to the value of $799,650 (excluding GST) acknowledging that it is $366,000 over the funds set aside in the 2011/12 Budget;

2 Approve a total project cost of $880,000 excluding GST, comprising $799,650 construction cost, $40,000 superintendence and quality control and $40,350 project contingency;

3 Fund the shortfall of $366,000 being $285,650 for the Tender detailed in (1) above and a further $80,350 for superintendent and contingency costs detailed in (2) above from the remaining funds retained in the 2011/12 Budget for the Vehicle Wash Facility ($459,622)."

ITEM 10.3 Mindarie Regional Council Review of Committees and Working Groups

It was resolved by the MRC as follows:

"That:

1 Part 1 of the motion as follows:

"1 Change the name of the "Strategic Projects Committee" to the "Strategic Planning Committee" and replace the Committee's current terms of reference with the following:

a Assist the MRC in the development of a new Strategic Plan that is consistent with the Integrated Planning Framework in accordance with Division 3 of the Local Government (Administration) Regulations 1996; and
b Assist the MRC in the implementation of the Strategic Plan once adopted by Council."

be deferred back to the MRC administration and that a further report be prepared for the next council meeting.

2 The "Agenda Review Group" no longer meet and the MRC administration be required to distribute the council meeting agenda to a nominated employee from each of the member councils at least three weeks prior to the council meeting date.

3 The "Process Review Committee" be discontinued as it has completed its obligations as per its terms of reference.

4 The "Community Engagement Advisory Group" meetings be reduced from bi-monthly to six monthly and that the meeting be attended by the CEO or his delegate and held at a cost neutral venue with light refreshments.

5 That the CEO:

(i) discuss with BioVision the possibility of changing the membership of the Project Advisory Group to comprise only MRC and BioVision Senior Management; and
(ii) submit a further report on the position of the Project Advisory Group to Council in 6 months."

LATE ITEM 10.6 Attendance to the Enviro Conference and Exhibition On 24 – 26 July 2012 at the Adelaide Convention Centre, South Australia

It was resolved by the MRC as follows:

"That Council:

1 Authorise the attendance of the Chief Executive Officer, Crs Bissett, Gray, Withers, Hollywood, Fishwick and MacTiernan to attend the 2012 Enviro Conference in South Australia and that costs associated with registration, flights (economy class), and other expenses in accordance with the Conference and Training Policy estimated to be $3,500 per attendee be approved; and

2 Approve the inclusion of the funds necessary to accommodate the decision in (1) above in the 2012/13 Budget."

ITEM 16.1 Implementation of Organisational Review – Morrison Low February 2012

It was resolved by the MRC as follows:

"That Council:

1 Endorse the new Organisational Structure proposed in the detail section of this Report.

2 The cost of the two redundancies as presented in the details section of this Report be funded from savings in Employees Costs contained in the 2011/12 Budget."

WALGA NORTH METROPOLITAN ZONE MEETING – 26 APRIL 2012.

A meeting of the WALGA North Metropolitan Zone was held on 26 April 2012.

The Council's representatives on the WALGA North Metropolitan Zone are Crs Geoff Amphlett, Russ Fishwick, Mike Norman and Christine Hamilton-Prime.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the WALGA North Metropolitan Zone Meeting:

ITEM 5.8 Closed Circuit Television

It was resolved by the WALGA North Metropolitan Zone Meeting as follows:

"That:

1 The State Government consider the development of a CCTV Strategy for Western Australia which addresses:

a) The ongoing implementation of Blue Iris as the central register for CCTV as the central register for CCTV cameras; and

b) The standardization across technological platforms to support both CCTV owners, Police and Courts to provide effective footage,

2 That WALGA advocate for the reinstatement of the Crime Prevention Council.

ITEM 8.2 2012 Honours Program

It was resolved by the WALGA North Metropolitan Zone Meeting as follows:

"That the North Metropolitan Zone note the information relating to the 2012 Honours Program and encourage their Local Governments to submit nominations on behalf ofElected Members who have made significant contributions to Local Government, theAssociation and/or the community."

Legislation/Strategic Plan/Policy Implications:

Legislation:

Not Applicable.

Strategic Plan:

Not Applicable.

Policy:

Not Applicable.

Risk Management Considerations:

Not Applicable.

Financial/Budget Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Not Applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the minutes of the:

1 Ordinary Meeting of the Mindarie Regional Council held on 19 April 2012 forming Attachment 1 to Report CJ079-05/12; and

2 WALGA North Metropolitan Zone Meeting was held on 26 April 2012 forming Attachment 2 to Report CJ079-05/12.

To access this attachment on electronic document, click here: Externalminutes080512.pdf

CJ080-05/12 EXECUTION OF DOCUMENTS

WARD: All

RESPONSIBLE DIRECTOR: Mr Jamie Parry
Governance and Strategy

FILE NUMBER: 15876, 101515

ATTACHMENTS: Attachment 1 Documents executed by affixing the Common Seal for the period 3 April 2012 to 17 April 2012

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 3 April 2012 to 17 April 2012 (Attachment 1 refers).

EXECUTIVE SUMMARY

The City of Joondalup enters into various agreements by affixing its Common Seal. The *Local Government Act 1995* states that the City is a body corporate with perpetual succession and a Common Seal. Those documents that are to be executed by affixing the Common Seal or signed by the Mayor and the Chief Executive Officer are reported to the Council for information on a regular basis.

DETAILS

During the period 3 April 2012 to 17 April 2012, four documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Section 70A Notification	2
Grant of Easement	1
Easement in Gross	1

Details of these documents are provided in Attachment 1 to this report.

Issues and options considered:

Not Applicable.

COMMENT

The documents that have been executed by affixing the Common Seal of the City of Joondalup are submitted to the Council for information (Attachment 1 refers).

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Schedule of Documents covering the period 3 April 2012 to 17 April 2012, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ080 -05/12.

Appendix 6 refers

To access this attachment on electronic document, click here: Attach6brf080512.pdf

CJ081-05/12 REVIEW OF STATE PLANNING POLICY 2.6- STATE COASTAL PLANNING POLICY

WARD: All

RESPONSIBLE DIRECTOR: Mr Jamie Parry
Governance and Strategy

FILE NUMBER: 07147, 101515

ATTACHMENTS:

Attachment 1	Draft State Planning Policy 2.6- State Coastal Planning Policy
Attachment 2	Draft State Planning Policy 2.6- State Coastal Planning Policy Guidelines
Attachment 3	City of Joondalup Submission- Draft State Coastal Planning Policy

PURPOSE

To seek Council endorsement of a City of Joondalup submission on the Western Australian Planning Commission's review of the State Planning Policy 2.6- *State Coastal Planning Policy.*

EXECUTIVE SUMMARY

The Department of Planning on behalf of the Western Australian Planning Commission has completed a review of State Planning Policy (SPP) 2.6 - *State Coastal Planning Policy*. The review of the Policy has taken into account the latest coastal planning research and data and learning gained over 10 years of application of the current Policy.

The Draft revised Policy proposes revisions and additions that provide more robust guidance to the Western Australian Planning Commission, State Government bodies and local government relating to land use and development on or adjacent to the coastline.

The Department of Planning has released the Draft State Planning Policy 2.6 - *State Coastal Planning Policy* and Draft Policy Guidelines, for public comment. The City has reviewed the documents and has compiled a submission.

Whilst the City is supportive of the majority of new or modified policy measures outlined within the *Draft State Coastal Planning Policy,* clarification or greater guidance is required on a number of sections of the proposed Policy. These issues and concerns have been outlined within the City's submission.

BACKGROUND

The Western Australian coast is a significant environmental, economic, social and cultural asset. Coastal areas are highly utilised for a variety of purposes including recreational, residential and commercial uses. Planning for coastal land requires a balanced approach to accommodating often competing uses.

The Western Australian Planning Commission prepared the *State Planning Policy 2.6-State Coastal Planning Policy* in 2003 to provide high level guidance for decision making on coastal planning matters. The State Planning Policy identifies general measures which should be incorporated into local and regional planning strategies, structure plans, schemes, subdivisions, and development applications.

The *State Coastal Planning Policy* also addresses development and land use issues pertaining to coastal protection and management and stipulates that sea level rise scenarios must be accounted for in setback distances for developments.

The Department of Planning on behalf of the Western Australian Planning Commission has completed a review of State Planning Policy 2.6 - *State Coastal Planning Policy*. The review of the *State Coastal Planning Policy* has taken into account the latest climate change research, coastal planning information and learning gained over 10 years of application of the current policy.

DETAILS

The Draft State Planning Policy 2.6- *State Coastal Planning Policy*, included as Attachment 1, proposes revisions and additions that provide more robust guidance to the Western Australian Planning Commission, State Government bodies and local government for land use and development on or adjacent to the coast.

The Draft revised *State Coastal Planning Policy* consists of new policy measures for:

- Coastal water resources and management;
- Coastal hazard risk management and adaptation planning;
- Coastal infill development;
- Coastal protection works; and
- The inclusion of precautionary principles.

The Draft revised *State Coastal Planning Policy* consists of modified policy measures for:

- Coastal building height limits;
- Coastal foreshore reserves;
- The inclusion of principles to enhance public consultation;
- The preparation of coastal strategies and management plans; and
- Guidelines for determining physical processes, sea level rise and impacts for the different coastal areas within Western Australia.

The Western Australian Planning Commission has also developed the *Draft State Coastal Planning Policy Guidelines* to provide detailed guidance for the application of policy measures specified within the Draft State Planning Policy 2.6- *State Coastal Planning Policy.* The *Draft State Coastal Planning Policy Guidelines* are included as Attachment 2.

The Department of Planning has released the Draft State Planning Policy 2.6 - *State Coastal Planning Policy* and Draft Policy Guidelines, for public comment. The City has reviewed the documents and has compiled a submission, which is included as Attachment 3.

Legislation/Strategic Plan/Policy Implications:

Legislation:

The Draft State Planning Policy 2.6- *State Coastal Planning Policy* is prepared under Part 3 of the *Planning and Development Act 2005*.

Strategic Plan:

Key Focus Area: The Natural Environment.
The Built Environment.

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

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

Policy:

City Policies that are related to the *Draft State Coastal Planning Policy* include: *Height of Buildings within the Coastal Area (Non Residential Zones)* and the *Sustainability Policy.*

Risk Management Considerations:

The *Draft State Coastal Planning Policy* includes measures that enable appropriate coastal risk management and adaptation planning considerations to be incorporated into planning decisions. The application of the Policy is designed to promote long term adaptive capacity for the management of coastal areas which aim to minimise the impacts of coastal risks to infrastructure, the community and the environment.

Financial/Budget Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability Implications:

A number of new or amended policy measures included with the Draft *State Coastal Planning Policy* are designed to enhance the social and environmental values of coastal areas and provided enhanced protection of vulnerable areas that are likely to be affected by the future impacts of climate change.

Consultation:

Not Applicable.

COMMENT

The City is supportive of the majority of the new or modified policy measures outlined within the *Draft State Coastal Planning Policy,* including greater incorporation of coastal climate change risks and the removal of specified setbacks for coastal foreshore reserves, which will enable greater flexibility in decision making and lead to enhanced environmental and social outcomes.

However further guidance relating to a number of proposed policy measures within the *Draft State Coastal Planning Policy* is required, specifically relating to the determination of building heights in coastal areas and the increased requirements for approvals relating to coastal protection works. Further details are provided within the City's submission, included as Attachment 3.

It should be noted that once the revised *State Coastal Planning Policy* is endorsed by the Western Australian Planning Commission, the City may be required to update or amend a number of City Policies that relate to land use and development within coastal areas in order to align with the updated State Planning Policy 2.6- *State Coastal Planning Policy.* This includes the draft Local Planning Strategy (LPS), the District Planning Scheme (DPS) and relevant local planning policies.

The City's draft LPS will be reviewed following endorsement of the draft Local Housing Strategy (LHS) and draft Local Commercial Strategy (LCS). At that time, the City will ensure that the LPS does not contain any recommendations that contradict or do not meet the intent of the *Draft State Coastal Planning Policy*. Similarly, through the reviews of the City's DPS and local planning policies that are currently underway, the City will ensure that these documents also do not contain any provisions that contradict or do not meet the intent of the *State Coastal Planning Policy.*

No new subdivisions or development applications in vulnerable areas near the coast are currently being dealt with or are expected by the City. If any development applications are received from private landowners within existing and appropriately zoned areas and approved structure plan areas, and the proposals are impacted by the *State Coastal Planning Policy*, the contents of the *State Coastal Planning Policy* will be taken into account during assessment and determination of these applications.

Developments expected in the future along the foreshore that may be impacted by the *Draft State Coastal Planning Policy*, such as the Ocean Reef Marina development, any possible future cafes and kiosks and other community amenities such as toilets, are either in early planning stages or the planning of these facilities has not yet formally commenced. The concept planning process for the Ocean Reef Marina development took the existing *State Coastal Planning Policy* into account and the formal structure planning process for the Ocean Reef Marina will also take the new *Draft State Coastal Planning Policy* into account. The planning and detailed design of any possible future cafes, kiosks or other community amenities in coastal foreshore areas will also take the *State Coastal Planning Policy* into account.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council APPROVES the City of Joondalup submission to the Department of Planning on the Review of the Draft State Planning Policy 2.6- *State Coastal Planning Policy,* included as Attachment 3 to Report CJ081-05/12.

Appendix 7 refers

To access this attachment on electronic document, click here: Attach7brf080512.pdf

CJ082-05/12 ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JANUARY - 31 MARCH 2012

WARD: All

RESPONSIBLE DIRECTOR: Mr Jamie Parry
Governance and Strategy

FILE NUMBER: 20560, 101515

ATTACHMENTS:

Attachment 1	Annual Plan Quarterly Progress Report for the period 1 January – 31 March 2012
Attachment 2	Capital Works Quarterly Report for the period 1 January – 31 March 2012

PURPOSE

To present the Annual Plan Quarterly Progress Report for the period 1 January – 31 March 2012.

EXECUTIVE SUMMARY

The Annual Plan contains the major projects and priorities which the City proposes to deliver in the 2011-2012 financial year.

The Annual Plan Quarterly Progress Report provides information on the progress of projects and programs documented in the Annual Plan 2011-2012. The Annual Plan Quarterly Progress Report for the period 1 January – 31 March 2012 is shown as Attachment 1 to this report.

A Capital Works Quarterly Report, which details all projects within the Capital Works Program, is provided as Attachment 2 to this report.

It is recommended that Council RECEIVES the Annual Plan Quarterly Progress Report for the period 1 January - 31 March 2012 and the Capital Works Quarterly Report for the period 1 January - 31 March 2012.

BACKGROUND

The City's Corporate Reporting Framework requires the development of an Annual Plan to achieve the objectives of the Strategic Plan, and the provision of reports against the Annual Plan to be presented to Council on a quarterly basis.

The City's Annual Plan and quarterly reports are in line with the new Integrated Planning Framework introduced by the Department of Local Government in October 2010 which requires planning and reporting on local government activities.

DETAILS

Issues and options considered:

The Annual Plan contains a brief description of the key projects and programs that the City proposes to deliver in the 2011-2012 financial year. Milestones are set for the key projects and programs to be delivered in each quarter.

The Quarterly Progress Report provides information on progress against the milestones and a commentary is provided against each milestone to provide further information on progress, or to provide an explanation where the milestone has not been achieved.

The milestones being reported this quarter are the shaded sections of Attachment 1 to this report.

Legislation/Strategic Plan/Policy Implications:

Legislation: The *Local Government Act 1995.*
Section 1.3 (2) states:

This Act is intended to result in:

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

Strategic Plan

Key Focus Area: Leadership and Governance.

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

Policy:

The City's Governance Framework recognises the importance of effective communications policies and practices in Section 7.2.4. Section 10.2 further acknowledges the need for accountability to the community through its reporting framework which enables an assessment of performance against the Strategic Plan, Strategic Financial Plan, Annual Plan and Annual Budget.

Risk Management Considerations:

The Quarterly Progress Reports against the Annual Plan provide a mechanism for tracking progress against milestones for major projects and programs.

Financial/Budget Implications:

All projects and programs in the Annual Plan 2011-2012 have been included in the 2011-2012 Budget.

Regional Significance:

Not Applicable.

Sustainability Implications:

All projects and programs in the Annual Plan contribute to community wellbeing, the natural and built environment, economic development and good governance.

Consultation:

Not Applicable.

COMMENT

The Annual Plan 2011-2012 was received by Council at its meeting on 16 August 2011 (*CJ146-08/11 refers*).

A detailed report on progress of the Capital Works Program has been included with the Annual Plan Quarterly Progress Report. This Report provides an overview of progress against all of the projects and programs in the 2011-2012 Capital Works Program. The Capital Works Quarterly Report includes a column which prescribes the *percent completed on site* and comments regarding the progress of projects.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council RECEIVES:

1 The Annual Plan Quarterly Progress Report for the period 1 January – 31 March 2012, which is shown as Attachment 1 to Report CJ082-05/12; and

2. The Capital Works Quarterly Report for the period 1 January – 31 March 2012, which is shown as Attachment 2 to Report CJ082-05/12.

Appendix 8 refers

To access this attachment on electronic document, click here: Attach8brf080512.pdf

CJ083-05/12 LOCAL GOVERNMENT REFORM – CITY OF JOONDALUP DRAFT SUBMISSION TO DRAFT FINDINGS

WARD: All

RESPONSIBLE DIRECTOR: Mr Jamie Parry
Governance and Strategy

FILE NUMBER: 101870

ATTACHMENTS:

Attachment 1	Metropolitan Local Government Review Panel Draft Findings – April 201234
Attachment 2	Draft City of Joondalup Submission in response to the Metropolitan Local government Review Panel Draft Findings
Attachment 3	WALGA Indicative Response

PURPOSE

To seek Council endorsement of a City of Joondalup draft submission on the *Metropolitan Local Government Review Panel Draft Findings* in relation to the proposed reform of local government in the Perth Metropolitan Area.

EXECUTIVE SUMMARY

The Metropolitan Local Government Review Panel released its Draft Findings in relation to the proposed reform of local government in the Perth Metropolitan Area, on Friday 27 April 2012, with a four week consultation period to follow, with submissions due on Friday 25 May 2012.

The Western Australian Local Government Association (WALGA) is developing a response on behalf of the local government sector and has requested feedback by 15 May 2012.

A meeting of the WALGA Metropolitan Mayors and Presidents is scheduled for Tuesday 22 May 2012, the purpose of which is to determine WALGA's response to the Draft Findings. It is therefore necessary for the Council to endorse its submission and the appointment of an Elected Member to represent the City's position at the meeting.

It is recommended *that Council:*

That Council:

1 *ENDORSES the intent of the City of Joondalup draft submission provided as Attachment 2 to Report CJ083-05/12, in response to the Metropolitan Local Government Review Panel's request for comment on its Metropolitan Local Government Review Panel Draft Findings Paper (April 2012);*

2 *APPROVES the Chief Executive Officer providing a submission to the Metropolitan Local Government Review Panel on its Metropolitan Local Government Review Panel Draft Findings Paper, that reflects the intent of the draft in Part 1 above;*

3 NOTES that the Chief Executive Officer will circulate a copy of the final submission in Part 2 above to Elected Members prior to the closing date for submissions;

4 APPROVES the Deputy Mayor, Cr John Chester, being the City's representative at the WA Local Government Association's Mayors and Presidents Meeting to be held on Tuesday 22 May 2012 to represent the City's position; and

5 NOTES that the City of Joondalup draft submission referred to in Part 1 above will be forwarded to the WA Local Government Association.

BACKGROUND

On 24 June 2011 the Minister for Local Government, Hon John Castrilli MLA, announced an independent review of Perth metropolitan local government and broader governance structures.

An independent Panel was appointed to examine the social, economic and environmental challenges facing metropolitan Perth. The Panel will recommend appropriate boundaries and governance models for local governments in the Perth metropolitan area.

The Panel is chaired by Professor Alan Robson, Vice Chancellor of The University of Western Australia. Other members are Dr Peter Tannock, former Vice Chancellor of the University of Notre Dame Australia and Dr Sue van Leeuwen, Chief Executive Officer of Leadership WA.

The Terms of Reference of the independent Metropolitan Governance Review Panel are to:

- *Identify current and anticipated specific regional, social, environmental and economic issues affecting, or likely to affect, the growth of metropolitan Perth in the next 50 years.*

- *Identify current and anticipated national and international factors likely to impact in the next 50 years.*

- *Research improved local government structures, and governance models and structures for the Perth metropolitan area, drawing on national and international experience and examining key issues relating to community representation, engagement, accountability and State imperatives among other things the Panel may identify during the course of the review.*

- *Identify new local government boundaries and a resultant reduction in the overall number of local governments to better meet the needs of the community.*
- *Prepare options to establish the most effective local government structures and governance models that take into account matters identified through the review including, but not limited to, community engagement, patterns of demographic change, regional and State growth and international factors which are likely to impact.*

- *Present a limited list of achievable options together with a recommendation on the preferred option.*

The Panel has been asked by the Minister for Local Government to report on the above by June 2012.

The City completed a review of the *Metropolitan Local Government Review Panel Issues Paper* and developed a submission (the draft of which was endorsed at the Council meeting held on 13 December 2012), based on two approaches:

1 Demonstrating that the City of Joondalup is an efficient, effective, open, accountable, responsive and representative local government;

2 Responding to the Panel's questions as they relate specifically to the City of Joondalup and, where relevant, as they relate to the Perth metropolitan area and the local government sector from the perspective of the City of Joondalup.

The Panel recently released its *Metropolitan Local Government Review Panel Draft Findings* for comment, with submissions due by 25 May 2012.

The City has drafted a response to each of the Key Findings posed which are, in the main, based on the City's submission to the Metropolitan Local Government Review Panel in December 2011 and previously endorsed positions.

DETAILS

Draft Findings Report

The Metropolitan Local Government Review Panel provides that the Draft Findings (April 2012) are an indication of the Panel's thoughts on the future of local government in metropolitan Perth and should be viewed as a progress report, not a final position. The Panel will continue its deliberations for several months before it comes to a conclusion.

The Panel's Issues Paper, released in October 2011, was an opportunity for the Panel to gather community opinions on the broader issues of local government in Perth. The Panel suggests that this report provides the opportunity to gather opinions specifically focused on the Draft Findings.

The Panel advises it has reached the Draft Findings after considering the submissions received from a diverse range of community members and stakeholders, the discussions it has had with representatives of local governments and other organisations, and the background and research material provided to it over the first nine months of the Review.

The Panel's findings are structured around three main themes:

- Reforming relationships, roles and functions.
- An ideal structure of local government in metropolitan Perth.
- Improving governance.

The Draft Findings outline the Panel's preliminary thinking on possible options to improve Perth's local government arrangements. Specific recommendations are proposed to be presented in the Panel's final report. It is anticipated that the final report will contain recommendations consistent with the Draft Findings reported in this paper.

City's Response to Key Findings

The City of Joondalup's response to the *Metropolitan Local Government Review Draft Findings* Report (April 2012) is, in the main, based on the City's submission to the Metropolitan Local Government Review Panel in December 2011 and previously endorsed positions.

Generally, the City makes the following comments:

- The Panel provides that there is a need for its work to be evidence-based, however, it is noted that a number of statements and Key Findings made within the Report are not adequately substantiated. The City looks forward to the Panel demonstrating an evidence-based approach in its Final Report.

- The City notes that a number of statements and Key Findings within the Report are of a generic nature, and in some circumstances, the intent is unclear. The City anticipates that the Panel will demonstrate clarity in intent in its Final Report, including how the role, responsibilities and structure of Local Government in metropolitan Perth is proposed to change.

With regard each of the Key Findings, the City has proposed it support, not support, or note the findings, particularly given that they are not evidence based, or require clarification prior to Council having adequate information to make an informed decision.

The most significant of the Key Findings that requires Council's consideration is Number 13 which provides:

The most appropriate options for Local Government in metropolitan Perth are:

a 10 to 12 Councils centred on strategic activity centres
b five Councils based on the central area and sub-regions
c One single metropolitan Council

The Panel provides that both the ten to twelve Council model and the five to six Council model provides the opportunity for alignment with the strategic activity centres and sub-regions respectively, identified in *Directions 2031*, which would greatly assist in the implementation of the State Government's planning objectives.

These centres will be the focus for Perth's future development, and the Panel considers there is a strong case for making each centre the hub for local government. The Panel is aware that it will need to take into account the difference in population growth around these activity centres, as some will grow quicker than others.

Directions 2031 provides guidance at the local level and addresses issues that extend beyond local government boundaries. The strategies are primarily concerned with accommodating the estimated population growth up to 2031, which is expected to grow from 1.65 million to over 2.2 million by 2031. Within the North-West Region alone, the population is expected to rise to over 350,000 by 2021 and over 418,000 by 2031.

The City of Joondalup is identified as one of ten strategic metropolitan centres within the Perth Metropolitan Area. These are multi-purpose centres that provide a mix of retail, office, community, entertainment, residential and employment activities, and are well serviced by high frequency public transport. Yanchep is the other identified strategic metropolitan centre in the North West Region.

Secondary centres form the next tier of the activity centres hierarchy. They share similar characteristics with strategic metropolitan city centres but generally serve smaller catchments and offer a more limited range of services, facilities and employment opportunities. Of the 19 secondary centres, Warwick and Whitfords are within the City's boundaries. Within the North West Region, other secondary centres include Alkimos, Clarkson, Two Rocks North and Wanneroo.

Whilst there are a range of factors to be examined by the Panel in arriving at its recommended number of local governments,(and given the Panel's suggestion that *Directions 2031* is a strategic guide, and the City's current status within *Directions 2031)*, it is proposed that the City support Option (a).

The WALGA Indicative Response to the Metropolitan Local Government Review Panel Findings provides that Option (a) requires significant refinement to be acceptable to the Local Government sector. As WALGA stated in its original submission to the Panel, *"...the metropolitan region should be governed by approximately 15 to 20 Local Governments*" (WALGA Submission p61). One single metropolitan Council was rejected by the Local Government sector and the City, whilst examining, governance models in its December 2011 Submission, outlined its preference for Option (a), being 10 to 12 Councils. As such, it has not given further consideration to a one metropolitan Council option.

WALGA Meeting of Mayors and Presidents

A meeting of the WALGA Metropolitan Mayors and Presidents is scheduled for Tuesday 22 May 2012, the purpose of which is to determine WALGA's response to the Draft Findings.

At the meeting, each Council will have one deliberative vote to be exercised by the Mayor or President.

It is therefore necessary for the Council to endorse its draft submission and the appointment of an Elected Member to represent the City at the meeting. It is considered appropriate that given the Mayor's status as WALGA President, the Deputy Mayor, Cr Chester be nominated to represent the City's position at the meeting.
.

Issues and options considered:

The City has completed a review of the *Metropolitan Local Government Review Panel's Draft Findings* and developed a draft submission in response to the Key Findings.

Council has the option to either:

1 Endorse the draft submission, without amendment.
2 Endorse the draft submission, with amendments.
3 Not endorse the draft submission.

The City recommends that Council pursues option 1, by endorsing the proposed draft submission without amendment.

Legislation/Strategic Plan/Policy Implications

Legislation Not Applicable

Strategic Plan
Key Focus Area: Leadership and Governance

Objective: Not Applicable

Policy Not Applicable

Risk Management considerations:

There is a risk that if the City does not provide a response on the *Metropolitan Local Government Review Panel Draft Findings*, it would have missed an opportunity to comment on the future purpose and role of local government in the metropolitan area and how it relates to the communities it serves. This is of particular significance should the review result in the drawing of new local government boundaries.

Financial/Budget Implications:

Not Applicable.

Regional Significance:

It is considered important that the City responds to the *Metropolitan Local Government Review Panel Draft Findings*, to ensure that it fulfils its obligations as a leading local government within the metropolitan area and as a significant partner for the North West region.

One of the recurring themes highlighted in the City's submissions is the need for improved local government arrangements through better intergovernmental relations and regional approaches. The City demonstrated in its December 2011 submission that it subscribes to a regional approach for improved service delivery.

Sustainability implications:

There are significant sustainability issues raised throughout the City's submission, and it is a recurring theme as the basis for better local government arrangements.

Consultation:

In developing the City's December 2011 submission, representatives of the City attended a number of presentations and discussion forums on the future of metropolitan local government. Elected Members were also engaged to discuss each of the questions raised by the Panel.

With regard the Draft Findings Elected Members were engaged to comment on the findings as they were applicable to the City of Joondalup.

COMMENT

It is considered that the Metropolitan Local Government Review Panel Draft Findings provide an opportunity for the City of Joondalup, and local government in general, to comment on issues that are fundamental to the reform of local government in the metropolitan area.

The City of Joondalup is of the view that improvements can be made to local government arrangements in the Perth metropolitan area however improvements need to take a broader view than the adequacy of the current state of local government and take a more holistic view, examining the intergovernmental relations between the Federal, State and Local Government, and the respective roles and responsibilities between the three spheres of government.

Within the context of the Panel's research, the City believes it is uniquely positioned to demonstrate how a major reform process can result in the creation of a progressive and sustainable local government with appropriate capacity and size to deliver high quality services to its electors.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 ENDORSES the intent of the City of Joondalup draft submission provided as Attachment 2 to Report CJ083-05/12, in response to the Metropolitan Local Government Review Panel's request for comment on its Metropolitan Local Government Review Panel Draft Findings Paper (April 2012);

2 APPROVES the Chief Executive Officer providing a submission to the Metropolitan Local Government Review Panel on its Metropolitan Local Government Review Panel Draft Findings Paper, that reflects the intent of the draft in Part 1 above;

3 NOTES that the Chief Executive Officer will circulate a copy of the final submission in Part 2 above to Elected Members prior to the closing date for submissions;

4 APPROVES the Deputy Mayor, Cr John Chester, being the City's representative at the WA Local Government Association's Mayors and Presidents Meeting to be held on Tuesday, 22 May 2012 to represent the City's position; and

5 NOTES that the City of Joondalup draft submission referred to in Part 1 above will be forwarded to the WA Local Government Association.

Appendix 14 refers

To access this attachment on electronic document, click here: Attach14agn150812.pdf

CJ084-05/12 2011/12 SPORTS DEVELOPMENT PROGRAM - ROUND 2

WARD: All

RESPONSIBLE DIRECTOR: Mr Mike Tidy
Corporate Services

FILE NUMBER: 58536, 101515

ATTACHMENTS: Nil.

PURPOSE

To provide a recommendation for funding as part of the City's 2011/2012 Sports Development Program – Round Two.

EXECUTIVE SUMMARY

The Sports Development Program aims to provide financial assistance to local not for profit, district level sporting clubs for programs, projects and events that benefit the development of a particular sport and enhance its delivery to residents of the City of Joondalup.

The City received two applications in Round Two of the 2011/2012 Sports Development Program.

The applications from Wanneroo Basketball Association and Stirling Basketball Association have been reviewed. This report summarises the applications for the Council's consideration.

It is recommended that Council:

1 APPROVES a $19,992 grant to the Wanneroo Basketball Association for their 'Wanneroo Basketball Elite Athlete Program', subject to the Association entering into a formal funding agreement with the City of Joondalup; and

2 APPROVES a $20,000 grant to the Stirling Basketball Association for their 'Bouncing Towards the Future 2012/13', subject to the Association entering into a formal funding agreement with the City of Joondalup.

BACKGROUND

In June 2002, Council resolved to establish a sporting club support scheme whereby assistance can, upon application, be made available to district level clubs in lieu of individual sponsorship support (item CJ136-06/02 refers).

The agreed aim of the Sports Development Program is to assist local not for profit, incorporated, district level sporting clubs that play at, or are aspiring towards the highest level of competition in their chosen sport. Eligible clubs must be located within the City of Joondalup and be represented at both junior and senior levels. Clubs can apply for support every second year following a successful application.

The Sports Development Program offers support to sporting clubs and associations to enable them to establish initiatives to develop the sport within the community. It is designed to assist clubs with new programs or activities that would otherwise not be eligible for sponsorship by the City. The maximum grant available to an individual club is $20,000 in any one year and the level of recognition to the City may vary accordingly. The Sports Development Program objectives are:

- To support local district sporting clubs in the creation and implementation of Sports Development Planning;
- To assist local district sporting clubs to enhance the profile and delivery of sport to all local residents within the City of Joondalup;
- To promote community based sport, through the growth of developmental programs initiated and conducted by local district sporting clubs;
- To ensure the success of local district sporting clubs through the establishment of identified pathways for local junior talent development; and
- To develop partnerships within the community.

Round Two of the 2011/2012 Sports Development Program was promoted directly to all eligible clubs in February 2012. The clubs that were sent information include:

- Arena Swim Club
- Joondalup & Districts Rugby League Club
- Joondalup Brothers Rugby Union Club
- Joondalup Lakers Hockey Club
- Joondalup Netball Association
- North Coast Triathlon Club
- Ocean Reef Sea Sports Club
- Stirling Basketball Association
- Wanneroo Basketball Association
- Wanneroo Lacrosse Club

Nine clubs were not eligible to apply as they had recently received grants or other funding from the City: ECU Joondalup Soccer Club, Whitford Hockey Club (2011/12 Sports Development funding - round one), Sorrento Football Club, Joondalup Districts Cricket Club, Breakers Swim Club (2010/11 Sports Development funding), Mullaloo Surf Life Saving, Sorrento Surf Life Saving (Community Service), Sorrento Tennis Club and West Perth Football Club (Sponsorship).

DETAILS

Wanneroo Basketball Association

The Wanneroo Basketball Association is based at Joondalup Basketball Stadium and currently has 3,160 members. The Association currently has male and female teams competing in the State Basketball League and WA Basketball League.

The Wanneroo Basketball Association has submitted an application to the City's Sports Development Program seeking $19,992 to assist with conducting an Elite Athlete Program. The Elite Athlete Program will target over 450 junior and senior players and community members. The program is about identifying gaps in the current system and developing state of the art training methods and techniques, resulting in achieved success through improved performance.

The Elite Athlete Program involves three projects:

- Coaching workshops;
- Player workshops; and
- Community workshops.

It will up skill coaches and players, promote awareness of the sport within the community, and develop partnerships with local schools and other clubs. The program will be conducted over two years, October 2012 to October 2014.

The costs of the program are:

Item	Amount Request from the City	Amount Funded by Club	Amount provided in Sponsorship	Total
Staff	$ 5,000	$ 6,244	$ 0	$11,244
Participant Packs	$ 3,740	$ 450	$ 0	$ 4,190
Equipment	$ 2,626	$ 2,500	$ 0	$ 5,126
Gym Memberships	$ 0	$ 0	$ 9,792	$ 9,792
Education Workshops	$ 7,426	$ 0	$ 8,300	$15,726
Competition	$ 1,200	$ 0	$ 0	$ 1,200
Total cost	**$19,992**	**$ 9,194**	**$18,092**	**$47,278**

The City has funded the Wanneroo Basketball Association through the Sports Development Program previously.

Year	Amount Funded
2007/2008	$14,290

Stirling Basketball Association

The Stirling Basketball Association is based at Warwick Leisure Centre and currently has 545 members, of which 66% are Joondalup residents. The Association currently has male and female teams competing in the State Basketball League and WA Basketball League

The Stirling Basketball Association has submitted an application to the City's Sports Development Program seeking $20,000 to assist with conducting the Bouncing Towards the Future 2012/13 program. The Bouncing Towards the Future 2012/13 program will target over 430 junior and senior players and community members. The program aims to increase awareness of the Association and sport within the community and further develop their coaches and players. It involves four projects: appointment of coaches, school clinics, player development sessions and coaching development clinics. It will further develop the existing programs, up skill coaches and players, promote awareness of the sport within the community, and develop partnerships with local schools. The program will be conducted over 18 months, June 2012 to December 2013.

The costs of the program are:

Item	Amount Request from the City	Amount Funded by Club	Total
Appointment of Coaches			
Coaches	$ 4,000	$10,000	$14,000
School Clinics			
School Court Hire	$ 2,080	$1,040	$3,120
Coaches	$ 0	$12,000	$12,000
Administration	$ 0	$ 2,000	$ 2,000
Player Development Sessions			
Venue Hire	$ 8,520	$ 216	$ 8,736
Coaches	$ 0	$15,072	$ 15,072
Coaching Development Clinics			
Venue Hire	$ 0	$ 4,680	$ 4,680
Coaches	$ 5,400	$7,920	$13,320
Administration	$ 0	$2,500	$2,500
Total cost	**$20,000**	**$55,428**	**$75,428**

The City has funded the Stirling Basketball Association through the Sports Development Program previously.

Year	Amount Funded
2009/2010	$20,000

Issues and options considered:

Not Applicable.

Legislation/Strategic Plan/Policy Implications

Not Applicable.

Strategic Plan

Key Focus Area: Community Wellbeing.

Objective 5.2 To facilitate healthy lifestyles within the community.

Strategy 5.2.1 The City provides high quality recreation facilities and programs.

Outcome The Joondalup community is provided with opportunities to lead a healthy lifestyle.

Policy The Sports Development Program is conducted in line with City Policy - Community Funding.

Risk Management Considerations:

Not Applicable.

Financial/Budget Implications:

Account No:	1.443.A4409.3293.4023
Budget Item:	Sponsorship
Budget Amount:	$90,000
Amount Spent To Date:	$31,136
Proposed Cost:	$39,992
Balance:	$18,872

Regional Significance:

Not Applicable.

Sustainability Implications:

The Sports Development Program provides support for the development of a healthy, equitable, active and involved community. The program also provides the opportunity for a positive affect on community access to sport, leisure and recreational services.

Consultation:

Applicants are encouraged to discuss funding proposals with City Officers prior to submission to ensure that the application is in line with program objectives and contains the level of detail required for assessment. All eligible clubs were advised of the program and the closing date for applications.

The Wanneroo Basketball Association and Stirling Basketball Association communicated with City Officers prior to their final submission.

COMMENT

The City considered the funding requests from the Wanneroo Basketball Association and Stirling Basketball Association against the program objectives, identified priorities and the level of sponsorship exposure offered to the City. It was determined that both applications met the key objectives of the Sports Development Program and will provide benefit to the sport, club, City and community. The total amount of funding recommended to the Wanneroo Basketball Association is $19,992 and Stirling Basketball Association is $20,000.

In assessing the Wanneroo Basketball Association application, the benefit to the players, coaches and wider community was evident. The Association has accessed well renowned and high level coaches to further develop coaches and players within the Association. The detailed high performance program will provide a pathway to support and further advance players. The program will also benefit the broader community through the community workshops. This program will assist the Association to increase the profile of the Association and sport within the community.

In assessing the Stirling Basketball Association application, the benefit to the players, coaches and wider community was evident. Their appointment of an experienced Development Coach and assistant will provide support to the high performance programs. Players will further develop their skills through specialised clinic. Coaches play an important role in player development within the Association and advancing their knowledge will also further advance the players development. The program will also benefit the broader community through the various proposed school based programs. This program will assist the Association to increase the profile of the Association and sport within the community.

The Chief Executive Officer, under delegated authority, can approve applications for funding up to $10,000. The funding requested by Wanneroo Basketball Association and Stirling Basketball Association is greater than $10,000 and therefore approval/non approval of Council is required.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 APPROVES a $19,992 grant to the Wanneroo Basketball Association for their 'Wanneroo Basketball elite Athlete Program', subject to the Association entering into a formal funding agreement with the City of Joondalup; and

2 APPROVES a $20,000 grant to the Stirling Basketball Association for their 'Bouncing Towards the Future 2012/13', subject to the Association entering into a formal funding agreement with the City of Joondalup.

CJ085-05/12 LIST OF PAYMENTS MADE DURING THE MONTH OF MARCH 2012

WARD: All

RESPONSIBLE DIRECTOR: Mr Mike Tidy
Corporate Services

FILE NUMBER: 09882

ATTACHMENTS:

Attachment 1	CEO's Delegated Municipal Payment List for the month of March 2012
Attachment 2	CEO's Delegated Trust Payment List for the month of March 2012
Attachment 3	Municipal and Trust Fund Vouchers for the month of March 2012

PURPOSE

To present to Council the list of accounts paid under the Chief Executive Officer's delegated authority during the month of March 2012 for noting.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of March 2012 totalling $15,622,448.75.

It is recommended that Council NOTES the Chief Executive Officer's list of accounts for March 2012 paid under delegated authority in accordance with regulation 13 (1) of the Local Government (Financial Management) Regulations in Attachments 1, 2 and 3 to Report CJ085-05/12, totalling $15,622,448.75.

BACKGROUND

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

DETAILS

The table below summarises the payments drawn on the funds during the month of March 2012. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques 92161- 92440 & EF023393 – EF023939 Net of cancelled payments	$11,538,153.82
	Vouchers 953A -957A & 959A-963A & 966A	$3,842,943.78
Trust Account	Trust Cheques 204837 - 204900 Net of cancelled payments	$241,351.15
	Total	$15,622,448.75

Issues and options considered:

Not Applicable.

Legislation/Strategic Plan/Policy Implications

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

Strategic Plan

Key Focus Area: Leadership and Governance.

Objective: 1.1 – To ensure that the processes of Local Governance are carried out in a manner that is ethical, transparent and accountable.

Policy:

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

Risk Management Considerations:

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

Financial/Budget Implications:

All expenditure from the Municipal Fund was included in the Annual Budget as adopted or revised by Council.

Regional Significance:

Not Applicable.

Sustainability Implications:

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

Consultation:

Not Applicable.

COMMENT

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the 2011/2012 Annual Budget as adopted and revised by Council or has been authorised in advance by the Mayor or by resolution of Council as applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Chief Executive Officer's list of accounts for March 2012 paid under delegated authority in accordance with regulation 13 (1) of the Local Government (Financial Management) Regulations 1996 forming Attachments 1, 2 and 3 to Report CJ085-05/12, totalling $15,622,448.75.

Appendix 9 refers

To access this attachment on electronic document, click here: Attach9brf080512.pdf

CJ086-05/12 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MARCH 2012

WARD: All

RESPONSIBLE DIRECTOR: Mr Mike Tidy
Corporate Services

FILE NUMBER: 07882, 101515

ATTACHMENTS: Attachment 1 Financial Activity Statement for the Period Ended 31 March 2012

PURPOSE

The March 2012 Financial Activity Statement is submitted to Council to be noted.

EXECUTIVE SUMMARY

Council adopted the Mid Year Budget Review for the 2011/12 Financial Year at its meeting held on 21 February 2012, (CJ019-02/12 refers). The figures in this report are compared to the Revised Budget figures.

The March 2012 Financial Activity Statement Report shows an overall favourable variance from operations and capital for the period of $6,128,978 when compared to the 2011/12 Revised Budget.

This variance can be summarised as follows:

The Operating surplus is $2,928,251 above budget, made up of higher revenue of $151,122 and lower operating expenditure of $2,777,129.

Higher Operating revenues have been driven by higher Rates $152,806, Fees and Charges $257,470 and Investment Earnings $108,837. Revenue is below budget on Grants and Subsidies $140,497 and Contribution, Reimbursements and Donations $195,975. The additional revenue arose from interim Rates issued, Sports and Recreation Fees and Development Application Fees.

Operating expenditure is below budget due to Materials and Contracts $1,921,015 and Employee Costs $769,553.

The Materials and Contracts favourable variance is predominantly attributable to timing differences and is spread across a number of areas including Accommodation and Property $199,731, Furniture, Equipment and Artworks (Maintenance and Minor Purchases) $314,039, Public Relations, Advertising and Promotions $245,157, Contribution and Donations $348,613 and External Services Expenses $401,002.

The Capital Revenue and Expenditure deficit is $3,222,599 below budget and is made up of lower revenue of $145,790 and under expenditure of $3,368,389.

Capital Expenditure is below budget on Capital Projects $546,750, Capital Works $2,257,512 and Vehicle and Plant replacements $564,127.

Further details of the material variances are contained in Appendix 3 of Attachment 1 to this Report.

It is recommended that Council NOTES the Financial Activity Statement for the period ended 31 March 2012 forming Attachment 1 to Report CJ086-05/12.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* requires a monthly Financial Activity Statement. Council approved at its meeting held on 11 October 2005 to accept the monthly Financial Activity Statement according to nature and type classification.

DETAILS

Issues and options considered:

The Financial Activity Statement for the period ended 31 March 2012 is appended as Attachment 1.

Legislation/Strategic Plan/Policy Implications:

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

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

Strategic Plan:

Key Focus Area: Leadership and Governance.

Objective: 1.3 To lead and manage the City effectively.

Policy:

Not Applicable.

Risk Management Considerations:

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

Financial/Budget Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability Implications:

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

Consultation:

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

COMMENT

All expenditures included in the Financial Activity Statement are incurred in accordance with the provisions of the 2011/12 Revised Budget or have been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Financial Activity Statement for the period ended 31 March 2012 forming Attachment 1 to Report CJ086-05/12.

Appendix 10 refers

To access this attachment on electronic document, click here: Attach10brf080512.pdf

CJ087-05/12 PETITION OF ELECTORS SEEKING REMOVAL OF DOG RESTRICTIONS ON PERCY DOYLE RESERVE

WARD: South

RESPONSIBLE DIRECTOR: Mr Mike Tidy
Corporate Services

FILE NUMBER: 02056, 101515

ATTACHMENTS: Nil.

PURPOSE

This report is to consider a petition of electors seeking to have dogs prohibited restrictions removed from Percy Doyle Reserve.

EXECUTIVE SUMMARY

The petition requests that "*the Council remove the dog restriction sign off Percy Doyle Oval"* The supporting letter submitted by the principal petitioner gives the reason as *"dogs need to have a daily run and exercise helps them to stay healthy. Please lift the dog restriction on the top oval of Percy Doyle*". Percy Doyle Reserve is the City's largest active reserve and is used by sporting groups all year round. There are currently nine parks and reserves within approximately a 500 metre radius of Percy Doyle Reserve that do not have restrictions on dogs.

It is recommended that Council DECLINES the petitioners' request to have the dog restriction lifted off Percy Doyle Oval and that the lead petitioner be advised of the Council's decision.

BACKGROUND

Due to its intensive use as an active reserve the whole of Percy Doyle Reserve is designated as dogs prohibited in order to remove the possibility of conflict between dogs and sporting participants or spectators.

The City is currently working through the Percy Doyle Reserve Master Planning Project. It is possible that the community consultation component of this process may also raise issues in relation to dogs on Percy Doyle Reserve.

DETAILS

A summary of the break-up of the signatories and their addresses is in Table 1 below. There are a total of 53 signatures from 50 addresses. More than half of the signatures and associated addresses are outside the City of Joondalup.

Table 1: Summary of Addresses of Signatories

	Within the City of Joondalup			Outside the City of Joondalup	Total
	Within 500m of Percy Doyle	Greater than 500m from Percy Doyle	Total		
Addresses	5	18	23 (46%)	27 (54%)	50
Signatories	8	18	26 (49%)	27 (51%)	53

It should be noted that the petition form containing the signatures is headed *"The following rate payers would like to have the dog restriction lifted off Percy Doyle Oval. We agree to keep clear of any sporting events on the oval" which suggests all of Percy Doyle Reserve. The covering letter from the lead petitioner refers to lifting the dog restriction on "the top oval on Percy Doyle".*

Issues and options considered:

There are two options available in response to the petition request to have the dog restriction lifted off Percy Doyle Oval.

Option 1

Remove the dogs prohibited designation as requested by the petitioners. Should the oval be approved for dogs to be exercised a further report would need to be submitted to Council to undertake the statutory requirements to amend the Animals Local Law. This is likely to take six months.

Option 2

Allow dogs to be exercised on the oval at specific times: e.g. 6 am to 8 am Monday to Friday when potential conflict with sporting activity is reduced.

The risk to health of sportspersons is heightened with the use of the oval for dog exercising as it is unlikely that all dog owners will be completely vigilant in clearing animal waste. Although the risk of conflict between dogs and people undertaking sporting activities would be reduced there is still the requirement to conduct enforcement activity to ensure adequate compliance with the authorised times dogs may be exercised. The enforcement activity would have to be undertaken over an extended period to build community awareness of the restrictions on a reserve which has for a long period been a dog free area.

Should the oval be approved for dogs to be exercised during any a limited access period a further report would need to be submitted to Council to undertake the statutory requirements to amend the Animals Local Law. This is likely to take six months.

Option 3

Decline the petitioners' request.

Percy Doyle Reserve is an intensively used active reserve and allowing dogs onto the reserve would significantly raise the risk of conflict between dogs and sporting participants or spectators. There are a variety of alternative locations in close proximity to Percy Doyle Reserve that could be used for dog exercise purposes without the need to change any current restrictions.

Option 3 is the recommended option.

Legislation/Strategic Plan/Policy Implications:

Legislation: City of Joondalup Animals Local Law 1999

Strategic Plan

Key Focus Area: Leadership and Governance; Community Wellbeing

Objective: To lead and manage the City effectively; to facilitate healthy lifestyles within the community.

Policy:

Not Applicable.

Risk Management Considerations:

Percy Doyle Reserve is a heavily used active sporting venue and has year round attendance for training and competition. The reserve was designated dogs prohibited to mitigate against unfriendly or unhealthy dog/ human interactions. If dogs were to be allowed to exercise on any portion of the reserve there could be issues of dogs being aggressive with sporting participants or spectators and there may be health issues related to dog fouling not being cleaned up satisfactorily. If dogs are allowed to be exercised on a lead, the same issues would exist but to a lesser degree.

Financial/Budget Implications:

Not Applicable.

Regional Significance:

Percy Doyle Reserve is an important regional reserve providing access to formal sporting events all year round for residents and citizens from the community. As such, its original designation as dog free reflected that other reserves and parks in the near vicinity are available for dog owners and this reserve should be protected from the impact of dogs to improve the sporting experience of users.

Sustainability Implications:

Not Applicable.

Consultation:

No consultation has been undertaken in relation to this report.

COMMENT

An analysis of the addresses provided in the petition demonstrates that the majority of petitioners do not live in the district. It is possible that petitioners seek to be able to bring their dogs onto Percy Doyle Reserve whilst they or others with them are attending the reserve for sporting purposes thereby creating a dog exercise opportunity at the same time.

Nevertheless if the current restrictions were lifted the potential risks of conflict between dogs, sporting participants and spectators as well as the issues of dog fouling is significant.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council DECLINES the petitioners' request to have the dog restriction lifted off Percy Doyle Oval and that the lead petitioner be advised of the Council's decision.

CJ088-05/12 PROPOSED IMPLEMENTATION OF A PAY BY PHONE PARKING PAYMENT SERVICE

WARD: North

RESPONSIBLE DIRECTOR: Mr Mike Tidy
Corporate Services

FILE NUMBER: 57618 07190 101515

ATTACHMENTS: Nil.

PURPOSE

For Council to consider a proposal from CellOPark Australia Pty Ltd (CellOPark) to provide a pay by phone parking fee payment service for drivers using paid parking in the Joondalup City Centre and Ocean Reef Boat Harbour.

EXECUTIVE SUMMARY

The City has received a proposal from CellOPark to provide a pay by phone parking fee payment service. Once registered, the service enables payment for parking through an App on a mobile device. The service would integrate with the City's existing paid parking facilities and offers an additional payment option that doesn't require payment by cash or credit card at a parking machine.

Initial take-up is expected to be modest but there are no set-up costs for the City and a transaction fee only applies to transactions that occur. The transaction is the same as for the existing use of a credit card in a parking machine.

It is recommended that the Council:

1 AUTHORISES the Chief Executive Officer to execute the agreement, between the City and CellOPark Australia Pty Ltd to provide a pay by phone parking fee payment service for a period of two years with a fee of six cents per transaction;

2 NOTES the installation, at no cost to the City, of zone number signs fixed on existing poles below the existing parking control signs; and

3 NOTES that there will be a marketing campaign advertising the introduction of the pay by phone parking fee payment service.

BACKGROUND

There have been significant advances in mobile device technology which now enables these devices to carry out a wide range of functions. This can include the ability for drivers to pay parking fees without the need to insert coins or a credit card into the parking ticket machine. Various pay by phone technologies have been introduced and are being used by local governments.

CellOPark have provided their pay by phone parking system to many cities and local authorities throughout the world for more than seven years. They currently have installations in Germany, Israel, Jordan, Mexico and the USA and are keen to enter the Australian marketplace. They have offered the City of Joondalup the opportunity to be the first Australian local authority to provide their pay by phone system.

The CellOPark Pay by phone systems provides advantages for drivers and the local authority which include:

The driver:

- Does not need to carry loose change for the parking ticket machine.
- Has the ability to have a reminder SMS text message sent to the mobile phone before the maximum parking period expires to avoid an infringement.
- Has access to there own parking transactions and fees charged.
- No requirement to lodge funds into a user account in advance like some other pay by phone systems.
- They only pay for the parking they actually use because unlike other pay by phone systems the payment transaction isn't completed until they return to their vehicle.

The City:

- Reduction in the use of coins in parking ticket machines resulting in less maintenance.
- Access to real time on-line details of all parking transactions and fees charged.

DETAILS

The CellOPark Parking System enables a registered user, with a CellOPark sticker on the windscreen of their vehicle, to call from their mobile telephone and enter the 'zone number' from the nearby sign which is mounted directly below the existing parking control signs. Once the 'zone number' has been entered the system begins charging for parking but only applies the maximum permitted time for that zone. An SMS service is available to notify drivers when this maximum time period is about to expire.

On returning to their vehicle the user calls the system again and the system immediately stops the parking charges. The parking used is calculated each minute allowing the user to pay only for the time the vehicle occupies the parking bay. Payment for parking is made monthly by the user through their credit card or by direct debit.

The CellOPark pay by phone system provides real time on-line access to a central database which shows details of all individual and / or collective parking activities, fees paid and service charges applied during any period of operation of the system.

CellOPark have advised that their pay by phone or mobile application parking fee system can be fully integrated with the City's new electronic infringement issuing system. This will enable a Parking Officer to easily check the parking status of any CellOPark registered vehicle by using the same electronic device which they use to issue infringements. It would then pre-fill the details of the registered vehicle onto an infringement notice should it be required to be issued to the vehicle at that time.

Under the proposal CellOPark will incorporate the processing of pay by phone parking fee transactions via the payment processing system that the City already has in place for processing parking fees paid by credit card. CellOPark will charge the City a transaction fee which will be invoiced to the City monthly. The transaction of six cents is the same the City currently incurs when a credit card is used in a parking machine.

CellOPark will charge a transaction fee to the user but propose initially that there will be no charge to users for the first six months. Depending upon take-up rates this may be extended to twelve months. When considering the transaction fee to users CellOPark will look at a number of options such as a fixed monthly rate, a "per transaction" rate or a combination of these.

The proposal from CellOPark offers a reasonable transaction cost to the City which makes this proposal attractive as well as still offering a flexible alternative mobile parking fee payment method for drivers.

Issues and options considered:

Option 1 – Implement the CellOPark Pay by Phone Parking Fees System

The system offers a convenient cashless alternative to pay for parking. It eliminates the need for drivers to obtain a parking ticket and hence will help reduce the level of use of paper ticket rolls and maintenance on the coin processing equipment in the parking machines.

CellOPark will install all required signage free of charge. The transaction fees will be the same as that currently paid by the City for processing parking fee payments made by credit card.

This option is recommended.

Option 2: Decline the Implementation of the CellOPark Pay by Phone Parking System

There will be no change to the existing payment options which require payment at a parking machine.

This option is not recommended.

Legislation/Strategic Plan/Policy Implications:

Key Focus Area: 3.1.5 The City implements its CBD Parking Strategy.

Objective: To encourage the development of the Joondalup CBD.

Policy:

There is no specific policy related to the methods of payment that may be used to purchase parking tickets.

Risk Management Considerations:

There is a risk that the take-up of the pay by phone or mobile application parking fee system may be very low however the risk of loss as a result is negligible as there are almost no implementation costs to the City. On the other hand should it prove successful and have a good take-up rate the new proposed fee structure is the same as if a credit card were being used directly in the parking machine and will not add additional costs to the payment service.

Financial/Budget Implications:

The introduction of the CellOPark system will require the supply and installation of zone number signs throughout the City Centre and the Ocean Reef boat launching facility. CellOPark has indicated it will meet the cost of the supply and installation of these signs to the City's required standards. The signs will involve adding a sign plate to existing sign poles.

There will also be expenditure resulting from the promotion of this new service which would be required by the City to inform residents and visitors of the new service. This expenditure can be absorbed in the existing budgeted expenditure for this type of activity.

Account No: 343 A3403 3279 0000
Budget Item: Promotions
Budget Amount: $5,000
YTD Amount: $902
Actual Cost: $2,500

Regional Significance:

The City of Joondalup is a major regional centre and the additional parking fee payment option will benefit City residents, businesses and visitors alike.

Sustainability Implications:

The City can gain a significant benefit by providing an eco-friendly paperless parking payment option which is beneficial to the City, the driver and the environment.

Consultation:

The City's Principal Legal Officer has revised the proposed agreement and is satisfied with its content.

COMMENT

The introduction of a CellOPark Australia Pty Ltd's pay by phone parking fee system is considered a good solution to providing a cashless and paperless mobile device parking payment option.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 AUTHORISES the Chief Executive Officer to execute the agreement, between the City and CellOPark Australia Pty Ltd to provide a pay by phone parking fee payment service for a period of two years with a fee of six cents per transaction;

2 NOTES the installation, at no cost to the City, of zone number signs fixed on existing poles below the existing parking control signs; and

3 NOTES that there will be a marketing campaign advertising the introduction of the pay by phone parking fee payment service.

CJ089-05/12 TENDER 002/12 PROVISION OF CLEANING SERVICES FOR CITY BUILDINGS

WARD: All

RESPONSIBLE DIRECTOR: Mr Mike Tidy
Corporate Services

FILE NUMBER: 102023, 101515

ATTACHMENTS: Attachment 1 Schedule of Items
Attachment 2 Summary of Tender Submissions

PURPOSE

To seek the approval of Council to accept the Tender submitted by Charlo Nominees Pty Ltd trading as Charles Service Company for the provision of cleaning services for City buildings.

EXECUTIVE SUMMARY

Tenders were advertised on 22 February 2012 through state wide public notice for the provision of cleaning services for City buildings for a period of three years. Tenders closed on 9 March 2012. 14 Submissions were received from:

- Charlo Nominees Pty Ltd trading as Charles Service Company;
- Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning;
- Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning (Alternative Offer);
- DMC Cleaning Corporation Pty Ltd trading as DMC Cleaning;
- Golden West Corporate Total Management Pty Ltd trading as GWC Total Management Pty Ltd;
- AGroup of Companies 2003 Pty Ltd trading as Allclean Property Services Plus;
- Cleandustrial Services Pty Ltd;
- Epic Group Facility Management Pty Ltd trading as Epic Group FM;
- Brigade Facilities Management Pty Ltd trading as Brigade F.M.;
- Brigade Facilities Management Pty Ltd trading as Brigade F.M. (Alternative Offer);
- Glad Cleaning Services Pty Ltd trading as Glad Commercial Cleaning;
- Presidential Services;
- CSA (WA) Pty Ltd trading as Corporate Services Australia; and
- Dominant Property Services.

The Submission from Charlo Nominees Pty Ltd trading as Charles Service Company represents best value to the City. The company is well established, has extensive industry experience and the capacity to undertake cleaning services for the City. It is currently providing similar cleaning services for a number of private organisations, State and local governments in WA including the City of Fremantle, Towns of Kwinana and Cottesloe and the Shire of Peppermint Grove. It is the City's current cleaning services provider and its services have been of satisfactory quality.

It is recommended that Council ACCEPTS the Tender submitted by Charlo Nominees Pty Ltd trading as Charles Service Company for the provision of cleaning services for City buildings as specified in Tender 002/12 for a period of three years at the submitted lump sum of $324,951 (including consumables) per year and the schedule of rates for additional cleaning and emergency works, with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.

BACKGROUND

The City requires cleaning services to be provided to 11 buildings at various sites. Each building is considered as a separable portion of work. The City has the option to engage one or more Contractors to undertake the services.

Tenderers were to nominate whether a discount will be applicable to their Offers if the City awards the cleaning services of all sites to one Contractor.

The City currently has a single Contract for the provision of cleaning services for major sites with Charlo Nominees Pty Ltd trading as Charles Service Company, which will expire on 31 May 2012.

DETAILS

The Tender for the provision of cleaning services for City buildings was advertised through state wide public notice on 22 February 2012. The Tender remained open for two weeks and closed on 9 March 2012.

Tender Submissions

14 Submissions were received from:

- Charlo Nominees Pty Ltd trading as Charles Service Company;
- Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning;
- Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning (Alternative Offer);
- DMC Cleaning Corporation Pty Ltd trading as DMC Cleaning;
- Golden West Corporate Total Management Pty Ltd trading as GWC Total Management Pty Ltd;
- AGroup of Companies 2003 Pty Ltd trading as Allclean Property Services Plus;
- Cleandustrial Services Pty Ltd;
- Epic Group Facility Management Pty Ltd trading as Epic Group FM;
- Brigade Facilities Management Pty Ltd trading as Brigade F.M.;
- Brigade Facilities Management Pty Ltd trading as Brigade F.M. (Alternative Offer);
- Glad Cleaning Services Pty Ltd trading as Glad Commercial Cleaning;
- Presidential Services;
- CSA (WA) Pty Ltd trading as Corporate Services Australia; and
- Dominant Property Services.

The Schedule of Items listed in the Request for Tender is provided in Attachment 1 to this report.

A summary of Tender submissions including the location of each Tenderer is provided in Attachment 2 to this report.

Evaluation Panel

The evaluation panel comprised of three members:

- one with tender and contract preparation skills; and
- two with the appropriate operational expertise and involvement in supervising the Contract.

The panel carried out the assessment of submissions in accordance with the City's evaluation process.

Compliance Assessment

The following Offers were assessed as fully compliant:

- Charles Service Company;
- OCE Corporate Cleaning;
- DMC Cleaning;
- GWC Total Management Pty Ltd;
- Allclean Property Services Plus;
- Cleandustrial Services Pty Ltd;
- Epic Group FM;
- Brigade F.M.;
- Brigade F.M. (Alternative Offer);
- Glad Commercial Cleaning;
- Presidential Services;
- Corporate Services Australia; and
- Dominant Property Services.

The following Offer was assessed as partially compliant:

- OCE Corporate Cleaning (Alternative Offer).

The Offer from OCE Corporate Cleaning (Alternative Offer) was subject to variations to two conditions of Contract. It proposed no termination of Contract before the completion of the first year and fortnightly payment. The Submission was included for further assessment on the basis that clarification can be sought from the company, if shortlisted for consideration.

Qualitative Assessment

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

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

Dominant Property Services scored 25% and was ranked twelfth in the qualitative assessment. The company did not provide sufficient information demonstrating its capacity, experience in providing similar services or an understanding of the required tasks.

Corporate Services Australia scored 48% and was ranked eleventh in the qualitative assessment. The company demonstrated the capacity to undertake the services. However, it did not demonstrate experience in providing similar cleaning services or an understanding of the required tasks. Examples of services undertaken for various clients were mainly for private organisations and smaller contracts. Its proposed approach did not include a timeframe for start up or implementing the service.

Presidential Services scored 50% and was ranked tenth in the qualitative assessment. Numerous examples of cleaning services carried out over the last five years were provided. A number of the services undertaken were for Homes West homes and Mirvac apartment buildings. It has industry experience and demonstrated some understanding of the required tasks. However, the panel is not confident it has the capacity to provide the services required. Its Submission did not indicate number of staff employed or allocated for this Contract.

Glad Commercial Cleaning scored 53% and was ranked ninth in the qualitative assessment. It demonstrated experience in providing cleaning services for private and public sector in WA including the Cities of Perth and Melville. It services more than 550 sites nationally and its WA office has 22 staff. It proposed one operations manager and two part time staff to perform the services. This is not considered sufficient by the evaluation panel to fulfil the requirements of the Contract and does not reflect an understanding of the level of services required.

Brigade F.M. scored 55% and was ranked eighth in the qualitative assessment. Currently, it is the preferred supplier to OCE Corporate Cleaning, a partner business within the Brigade Group, carrying out cleaning services for the City of Wanneroo. It provides a range of services including commercial cleaning, alarm monitoring and building security, property maintenance and ground maintenance. Its Submission included an alternative Offer and proposed a better price than its conforming Offer if awarded the cleaning of all sites. It proposed two cleaners and a leading hand to perform the services. This is not considered sufficient by the evaluation panel to fulfil the requirements of the Contract and does not reflect an understanding of the level of services required.

Epic Group FM scored 59% and was ranked seventh in the qualitative assessment. It is currently providing similar cleaning services for a number of local governments including the Cities of Busselton, Mandurah and Fremantle. It demonstrated an understanding of the required tasks and some capacity to provide the services. It has operations in South Australia and WA. Its Submission did not provide sufficient information on the number of staff allocated to cleaning in WA or for this Contract.

Cleandustrial Services scored 64% and was ranked sixth in the qualitative assessment. It demonstrated extensive experience in providing cleaning services for state and local governments and private organisations in WA. It has successfully undertaken cleaning services for the City of Swan. The company has the capacity to provide the services. It demonstrated some understanding of the required tasks. Its proposed methodology was general and not specific to this Contract.

Allclean Property Services scored 65% and was ranked fifth in the qualitative assessment. It has an extensive client portfolio which includes CSBP, the Perth Mint, RAC and it has long standing contracts with both Tungsten and Resolve FM. It included two examples of similar cleaning services undertaken for the City of Swan and Australian Marine Complex. It demonstrated a sound understanding of the required tasks and has the capacity to provide the services. However, it did not provide sufficient information on its equipment and safety guidelines.

GWC Total Management scored 68% and was ranked fourth in the qualitative assessment. It demonstrated experience in providing cleaning services for state and local governments and private organisations in WA. It is currently providing similar cleaning services for Polytechnic West Bentley Campus, Midland TAFE Campus and the City of Perth. It has the capacity to provide the services and demonstrated a sound understanding of the required tasks. Its approach included a transition timeline and contingency plans for this Contract.

DMC Cleaning scored 76% and was ranked third in the qualitative assessment. It demonstrated extensive experience in providing cleaning services for the WA public and private sector. It is currently providing similar cleaning services for the City of Gosnells and the Department of Transport. It has the capacity to provide the services and demonstrated a thorough understanding of the required tasks.

OCE Corporate Cleaning scored 79% and was ranked second in the qualitative assessment. It is currently providing similar cleaning services for the Cities of Wanneroo and South Perth. The company demonstrated extensive experience and the capacity to provide the services. It submitted a comprehensive response and demonstrated a thorough understanding of the City's requirements. Its Submission included an alternative Offer with a better price than its conforming Offer if awarded the cleaning of all sites but with conditions that invoices are paid fortnightly and no ability to terminate the contract in the first twelve months. These conditions are not acceptable.

Charles Service Company scored 80% and was ranked first in the qualitative assessment. It demonstrated extensive industry experience and the capacity to undertake the cleaning services for the City. It submitted a comprehensive response and demonstrated a thorough understanding of the required tasks. The company has a portfolio of over 100 contracts and is currently providing similar cleaning services for a number of local governments including the City of Fremantle, Towns of Kwinana and Cottesloe and Shire of Peppermint Grove. It is the City's current service provider and its service has been of satisfactory quality.

Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the prices offered by each Tenderer for all sites to assess value for money to the City. Prices included consumables and any discounts offered should the City award the cleaning of all sites to one Contractor.

Tendered prices are fixed for the first year of the Contract, but are subject to a price variation on each anniversary date thereafter limited to the percentage change in the Perth CPI (All Groups) Index from the corresponding quarter of the previous year.

For estimation purposes, a three percent annual CPI increase was applied to the tendered prices after the first year of the Contract.

The following table provides comparative estimated expenditure during the term of the Contract, based on the tendered prices of each Tenderer.

Tenderer	Estimated Cost inclusive of Discounts and Consumables			
	Year 1	Year 2	Year 3	Total
Presidential Services	$212,004	$218,364	$224,915	**$655,283**
Brigade F.M. (Alternative)	$304,950	$314,099	$323,521	**$942,570**
Glad Commercial Cleaning	$314,020	$323,441	$333,144	**$970,604**
Charles Service Company	$324,951	$334,700	$344,741	**$1,004,391**
OCE Corporate Cleaning (Alternative)	$326,350	$336,141	$346,225	**$1,008,715**
Allclean Property Services Plus	$329,073	$338,945	$349,114	**$1,017,132**
DMC Cleaning	$333,744	$343,756	$354,069	**$1,031,569**
Brigade F.M.	$344,282	$354,610	$365,249	**$1,064,141**
OCE Corporate Cleaning	$365,148	$376,102	$387,386	**$1,128,636**
GWC Total Management Pty Ltd	$378,677	$390,037	$401,738	**$1,170,453**
Dominant Property Services	$384,589	$396,127	$408,010	**$1,188,726**
Cleandustrial Services	$453,465	$467,069	$481,081	**$1,401,615**
Epic Group FM	$545,601	$561,969	$578,828	**$1,686,398**
Corporate Services Australia	$871,442	$897,585	$924,513	**$2,693,540**

Evaluation Summary

The following table summarises the result of the qualitative and price evaluation as assessed by the evaluation panel.

Tenderer	Estimated Total Contract Price	Price Rank	Evaluation Score	Qualitative Rank
Charles Service Company	**$1,004,391**	4	80%	1
OCE Corporate Cleaning	**$1,128,636**	9	79%	2
OCE Corporate Cleaning (Alternative)	**$1,008,715**	5	79%	2
DMC Cleaning	**$1,031,569**	7	76%	3
GWC Total Management Pty Ltd	**$1,170,453**	10	68%	4
Allclean Property Services Plus	**$1,017,132**	6	65%	5
Cleandustrial Services	**$1,401,615**	12	64%	6
Epic Group FM	**$1,686,398**	13	59%	7
Brigade F.M.	**$1,064,141**	8	55%	8
Brigade F.M. (Alternative)	**$942,570**	2	55%	8
Glad Commercial Cleaning	**$970,604**	3	53%	9
Presidential Services	**$655,283**	1	50%	10
Corporate Services Australia	**$2,693,540**	14	48%	11
Dominant Property Services	**$1,188,726**	11	25%	12

Based on the evaluation result the panel concluded that the Tender that provides best value to the City is that of Charles Service Company and is therefore recommended.

Charles Service Company best demonstrated its understanding, capacity and experience in undertaking the services required and submitted the lowest priced Offer of the top six ranked companies.

Issues and options considered:

The City has a requirement for cleaning services to be provided to City buildings at various sites. The City does not have the internal resources to provide the required services and requires an appropriate external supplier to undertake the services.

Legislation/Strategic Plan/Policy Implications:

Legislation: A state wide public tender was advertised, opened and evaluated in accordance with Clause 11(1) of Part 4 of the *Local Government (Functions & General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than $100,000.

Strategic Plan

Key Focus Area: Community Wellbeing.

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

Policy:

Not Applicable.

Risk Management Considerations:

Should the Contract not proceed, the risk to the City will be high. The City will not be able to maintain the cleanliness of the facilities which may result in an increased public health and safety risk.

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

Financial/Budget Implications:

Account No:	1.642.A6402.3359.0000
Budget Item:	Cleaning Services for City Buildings
Budget Amount:	$466,334
Estimated Expenditure 1 July 2011 to 31 May 2012 (Current Contract):	$264,969
Proposed Contract Cost 1 June 2012 to 30 June 2012 (New Contract):	$27,079
Balance:	$174,286

All figures quoted in this report are exclusive of GST.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

The evaluation panel carried out the evaluation of the submissions in accordance with the City's evaluation process and concluded that the Offer representing best value with low risk to the City is that submitted by Charles Service Company.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council ACCEPTS the Tender submitted by Charlo Nominees Pty Ltd trading as Charles Service Company for the provision of cleaning services for City buildings as specified in Tender 002/12 for a period of three years at the submitted lump sum of $324,951 (including consumables) per year and the schedule of rates for additional cleaning and emergency works, with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.

Appendix 11 refers

To access this attachment on electronic document, click here: Attach11brf080512.pdf

CJ090-05/12 PETITION REQUESTING TRAFFIC TREATMENTS ON COOK AVENUE, HILLARYS

WARD: South-West

RESPONSIBLE A/DIRECTOR: Mr Charlie Reynolds
Infrastructure Services

FILE NUMBER: 05121, 53530, 101515

ATTACHMENTS:

Attachment 1	Locality Plan
Attachment 2	Existing Road Layout
Attachment 3	Concept plan

PURPOSE

To consider a petition received by Council requesting traffic treatments on Cook Avenue, Hillarys.

EXECUTIVE SUMMARY

In December 2011, Council received a 115 signature petition from residents of Hillarys requesting that funding be provided in the 2012/13 budget for the installation of traffic treatments on Cook Avenue from Flinders Avenue to Cumberland Drive.

The traffic assessment of Cook Avenue between Flinders Avenue and Cumberland Drive using the City's "Traffic Management Investigation and Intervention Guidelines" denoted a technical problem site and therefore a traffic management solution will need to be considered.

It is recommended that Council:

1 *LISTS traffic management improvements for Cook Avenue, Hillarys, as shown on Attachment 3 to Report CJ090-05/12 for consideration in the 2013/14 Capital Works Program;*

2 *REQUESTS the WA Police to enforce compliance to the urban speed limit on Cook Avenue, Hillarys;*

3 *DISTRIBUTES "PLEASE SLOW DOWN CONSIDER OUR KIDS" bin stickers to residents of Cook Avenue, Hillarys between Flinders Avenue and Cumberland Drive to raise the awareness to speeding;*

4 *UNDERTAKES community consultation of Cook Avenue, Hillarys and adjoining streets between Flinders Avenue and Cumberland Drive at the concept design stage with the adjoining streets being Brearley Mews, Heatherton Mews, Meadowbank Gardens, Meruka Retreat, Plympton Mews and Woodvale Heights; and*

5 *ADVISES the Petition Organiser of Council's decision.*

BACKGROUND

At its meeting held on December 2011 (C61-12/11 refers), Council received a 115 signature petition requesting that Council:

"Re: Cook Avenue between Cumberland Drive and Flinders Avenue Hillarys 6025

1 Provide funding in the 2012/13 budget period as a matter of priority for traffic treatments to modify the road environment and enhance road safety at this location.

2 Provide full and proper consultation with residents along this portion of road and adjoining streets as to the most suitable and effective road treatment design."

DETAILS

Cook Avenue is classified as a Local Distributor Road that connects Flinders Avenue in the south to Marmion Avenue in the east (Attachment 1 to this report refers).

The section of Cook Avenue between New England Drive and Marmion Avenue is 1.2 km in length. The carriageway width is approximately 10 to 11 metres wide and incorporates an existing 2 metre wide red asphalt median treatment to control traffic movements. A roundabout has been provided at the intersections of Endeavour Avenue to control traffic turning movements. No further traffic management treatments are required on this section of Cook Avenue.

The section of Cook Avenue between Flinders Avenue and New England Drive is 1 km in length and provides access to a number of local roads and direct access to 75 residential properties as shown in Attachment 2 to this report. The carriageway width is only 7.4 metres wide and does not incorporate a central median treatment or centreline marking. A concrete footpath has been provided on the western side of Cook Avenue for pedestrian access. There are no shared path facilities along Cook Avenue thereby requiring cyclists to ride on the road carriageway. A bus service is also provided on Cook Avenue and incorporates a number of bus stops between Flinders Avenue and Cumberland Drive. Two roundabouts have been provided at the intersections with Flinders Avenue and Cumberland Drive to control vehicle turning movements. Brick paved road pavement entry statements have also been provided on all connecting side streets to highlight a change in road environment.

An analysis of traffic count surveys undertaken for Cook Avenue between Flinders Avenue and Cumberland Drive during February 2012 confirmed that traffic volumes ranged between 4,770 and 5,130 vehicle per day (vpd). In accordance with Main Roads WA's "Metropolitan Functional Road Hierarchy" the traffic volumes are within acceptable limits for a road of this type with the maximum desirable traffic volume being 6,000 vpd.

The urban speed limit of 50km/h applies to Cook Avenue. The results of the February 2012 traffic count surveys revealed that the 85th percentile traffic speeds ranged between 58km/h and 61km/h between Flinders Avenue and Cumberland Drive. The traffic speeds although higher than desirable are consistent with other roads of this type.

An analysis of Main Roads WA's five year crash data for the period ending December 2010 confirmed a total of nine recorded crashes had occurred on Cook Avenue between Flinders Avenue and Cumberland Drive within this period. Of these crashes, the majority of crashes occurred at intersections during daylight hours. Three crashes required medical attention and one of these crashes involved a motorcycle.

To gauge the extent of the traffic issue on Cook Avenue between Flinders Avenue and Cumberland Drive a review utilising the City's Traffic Management Investigation and Intervention Guidelines was undertaken. The Guidelines were developed to provide a framework for the technical review process in determining the degree of traffic management intervention required for individual roads. The system is based on a number of scoring criteria such as traffic speed, traffic volume, crash history, land use activity generators, road user type and road environment. Road projects can be ranked according to their "Action Priority Score" to determine the level of remedial works required and their priority ranking when compared to other roads within the City's road network.

The review using the Guidelines determined that Cook Avenue between Flinders Avenue and Cumberland Drive had an Action Priority Score of 77. In accordance with the Guidelines, an Action Priority Score above 50 denotes a road with a technical problem and requires a traffic management solution be considered.

Issues and options considered:

Council has the option to:

Option 1: Modify the road layout to incorporate traffic treatments.

The Action Priority Score of 77 produced using the City's Traffic Management Investigation and Intervention Guidelines suggests this option is appropriate.

Option 2: Retain the existing road layout

Legislation/Strategic Plan/Policy Implications

Legislation: Road Traffic Code 2000.

Strategic Plan

Key Focus Area: Community Wellbeing.

Objective: 5.4 To work collaboratively with stakeholders to increase community safety and respond to emergencies effectively.

Policy:

Not Applicable.

Risk Management Considerations:

In accordance with the City's "Traffic Management Investigation and Intervention Guidelines", an "Action Priority Score" of 77 which was determined for Cook Avenue denotes a road that requires a traffic management solution to reduce the risk of crashes and improve the road safety situation.

Financial/Budget Implications:

It is anticipated that the total cost of installing a red asphalt median treatment on Cook Avenue as shown on Attachment 3 to this report is approximately $50,000.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Community consultation would occur at the concept/design stage if traffic management works were to proceed. Residents of Cook Avenue between Flinders Avenue and Cumberland Drive will be consulted in accordance with the City's community consultation guidelines.

The petition requests that residents on adjoining streets be consulted of the proposed road treatment and therefore Brearley Mews, Heatherton Mews, Meadowbank Gardens, Meruka Retreat, Plympton Mews and Woodvale Heights will also be included as part of the community consultation at the concept/design stage if traffic management works were to proceed.

COMMENT

Traffic management treatment options for Cook Avenue between Flinders Avenue and Cumberland Drive are limited due to site constraints and the minimum carriageway width of 7.4 metres.

When considering design options, site constraints for this section of road include:

- Cook Avenue as a bus route requires a minimum lane width of 3.2 metres;
- Road curvature geometry on Cook Avenue reduces sight lines which effectively reduces usable carriageway width; and
- On road cycling requires sufficient lane width to allow vehicles to pass. The minimum lane width required between kerblines and traffic islands is 4.2 metres.

On the basis of the site constraints, traffic islands are unable to be installed however a flush red asphalt median will allow vehicles to overtake cyclists and parked buses along its length in a safe manner.

The proposed traffic management treatment as shown on Attachment 3 to this report is designed to control traffic movements and reduce traffic speeds without restricting access to residential properties. The traffic lanes and median width shown are similar to traffic treatments introduced at Lysander Drive, Heathridge and Chichester Drive, Woodvale and have proved successful in reducing traffic speeds.

Residents of Cooke Avenue between Flinders Avenue and Cumberland Drive can also be provided with ”PLEASE SLOW DOWN CONSIDER OUR KIDS” bin stickers to raise awareness of speeding and encourage responsible driver behaviour.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 LISTS traffic management improvements for Cook Avenue, Hillarys, as shown on Attachment 3 to Report CJ090-05/12 for consideration in the 2013/14 Capital Works Program;

2 REQUESTS the WA Police to enforce compliance to the urban speed limit on Cook Avenue, Hillarys;

3 DISTRIBUTES “*PLEASE SLOW DOWN CONSIDER OUR KIDS*” bin stickers to residents of Cook Avenue, Hillarys between Flinders Avenue and Cumberland Drive to raise the awareness to speeding;

4 UNDERTAKES community consultation of Cook Avenue, Hillarys and adjoining streets between Flinders Avenue and Cumberland Drive at the concept design stage with the adjoining streets being Brearley Mews, Heatherton Mews, Meadowbank Gardens, Meruka Retreat, Plympton Mews and Woodvale Heights; and

5 ADVISES the Petition Organiser of Council’s decision.

Appendix 12 refers

To access this attachment on electronic document, click here: Attach12brf080512.pdf

CJ091-05/12 ADOPT A SPOT LITTER PROGRAM

WARD: All

RESPONSIBLE A/DIRECTOR: Mr Charlie Reynolds
Infrastructure Services

FILE NUMBER: 04103, 101515

ATTACHMENTS: Nil.

PURPOSE

To consider the proposal from the Community Safety and Crime Prevention Working Group for an "Adopt a Spot" litter program or similar to help combat the problem of litter.

EXECUTIVE SUMMARY

At the Community Safety and Crime Prevention Working Group (CSCPWG) meeting held on 4 November 2010, it was suggested that an "Adopt a Spot" litter program be considered by the City to combat litter.

The CSCPWG meeting minutes were presented to Council for noting and endorsement of the recommendations contained therein on 20 September 2011 (CJ161-09/11 refers). At the meeting Council resolved to:

> *"4 REQUEST the Chief Executive Officer to investigate and report to Council on a proposal for an Adopt a Spot Program or similar to help combat the community problem of litter."*

The Keep Australia Beautiful Australia Council (KABC) runs an Adopt a Spot program with eleven groups currently registered with them in the City of Joondalup.

Due to the current high participation rates in the KABC Adopt a Spot it is not considered necessary for the City to form its own Adopt a Spot program.

It is recommended that Council:

1 NOTES the support currently provided by the City for volunteer litter programs;

2 ENDORSES the continued support of the Keep Australia Beautiful Campaign Adopt a Spot program and the Clean Up Australia Day rather than the City developing its own Adopt a Spot program; and

3 NOTES that the City will continue to work closely with the Keep Australia Beautiful and Clean Up Australia Day organisations to further promote and raise awareness of their programs through increased promotion on the City website and the School Connection Program.

The City will further raise awareness of the KABC Adopt a Spot program and Clean Up Australia Day through increased promotion on the City website, with appropriate links, and through the City's School Connection Program.

BACKGROUND

The issue of litter in the streets is a difficult area for waste managers, as it is a behavioural issue which requires an extensive public education and awareness process. At a local level, the City attempts to address the problem of litter on its streets and open spaces in a number of ways, including regular sweeping and litter patrols.

Since 2009, the City has actively supported community groups involved in litter collection through the Keep Australia Beautiful Council's Adopt a Spot program and the Clean Up Australia Day annual event. In addition, the Friends Groups target litter during their activities.

DETAILS

The City addresses the problem of litter through targeted patrols which include a dedicated Litter team. The City has actively supported volunteer litter groups however such groups cannot be considered as a substitute for the ongoing litter collection service provided by the City. Such volunteer groups provide additional support in maintaining a litter free environment and highlight ongoing litter issues to members of the community.

The KABC Adopt a Spot program is an educational litter program that gives local communities the opportunity to contribute to a healthier and cleaner environment. It engages volunteers (individuals, community groups, business groups) to undertake coordinated litter cleanups of designated sites in their communities. Sites include but are not limited to: roadsides, streets, parks, waterways, bush trails, beaches and wetlands. Volunteer groups enrol with KABC and receive instructions and equipment.

The greatest impact volunteer groups have on litter is during the annual Clean Up Australia Day with 40 community and youth groups in the City of Joondalup participating. This annual event attracts a large number of volunteers and sites targeted within the City include:

- Ocean Reef Marina;
- Mullaloo Beach;
- Hillarys Beach;
- Burns Beach;
- Neil Hawkins Park;
- Sir James McCusker Park;
- Cockman Park; and
- Central Park.

To support the Clean Up Australia Day community groups in 2012 the City provided refreshment vouchers and removed rubbish collected at designated pick up points.

Issues and options considered:

City Sponsored Adopt-a-Spot Litter Program

The City provides support for the KABC Adopt a Spot Program and Clean Up Australia Day. Both programs are aimed at local community volunteers rather than Local Governments and have an excellent participation rate within the City. The Clean Up Australia Day annual event attracts a large number of volunteers and receives wide media coverage throughout Australia.

If the City was to sponsor its own Adopt-a-Spot litter program it would be competing with these popular events. There are currently eleven Adopt a Spot Groups registered with the KABC in the City and 40 community and youth groups participated in Clean Up Australia Day in March 2012.

The costs involved in supporting the current level of volunteer litter collection are minimal but would increase if the City was to run and promote its own Adopt a Spot programs. These costs would include staff supervision, promotional materials, equipment and insurance costs. The KABC provides free insurance to Adopt a Spot groups at no cost to local government and has a team of eleven staff that oversee the Adopt a Spot program in Western Australia. There are currently 280 registered Adopt a Spot groups in WA which equates to around 8,000 volunteers.

Continue to Support Volunteer Litter Activities

The City provides support for volunteer litter activities by collecting and disposing of litter collected by volunteers at Adopt a Spot events, the annual Clean Up Australia Day and litter collected by Natural Areas and Parks Friends Groups.

In addition, the City liaises with other community groups that are interested in holding events targeting litter collection and has provided equipment, supervision, instruction and refreshment.

The City will further raise awareness of the KABC Adopt a Spot program and Clean Up Australia Day through increased promotion on the City website, with appropriate links, and through the City's School Connection Program.

Legislation/Strategic Plan/Policy Implications

Legislation: *Litter Act 1979.*

Strategic Plan

Key Focus Area: The Natural Environment.

Objective: 2.1.6 The City implements strategies and projects that reduce the amount of waste which requires disposal.

Environment Plan 2007-2011.

To continue to implement strategies and projects that aim to reduce the creation of waste, sustainably dispose of it and efficiently manage its recovery.

Policy:

City Policy – Waste Management.

Risk Management Considerations:

Financial Risk

There are minimal financial risks attached to the City supporting volunteer litter collections, whereas the direct resources currently applied to volunteer litter collection activities are low.

Occupational Health and safety risks

All activities involving volunteers involve some form of risk which the City would carry if it were to form its own Adopt a Spot program. The risks would include the potential for needle stick and other sharps injuries. Litter collection volunteers would have to undergo an induction and be provided with gloves and bags and a City officer would need to provide onsite instruction and supervision prior to commencement. This would enable volunteers to perform their work safely and effectively.

Financial/Budget Implications:

The current financial cost has been minimal and is already incorporated with the litter collection budget. To maintain the current volunteer numbers no further financial input is needed.

An amount of $1,200 has been allocated as part of the City's 2011/12 Waste Management Operational Budget to cover costs associated with volunteer activities.

The City does not receive any direct funding for this program.

If the City was to form its own Adopt a Spot program there would be cost implications such as insurance premiums for risk cover, staff costs in providing induction and supervision and equipment costs.

All figures quoted in this report are exclusive of GST.

Regional Significance:

Volunteer litter collections of the various local governments provide the region with additional support in reducing litter in the environment.

Sustainability Implications:

Through the Environment Plan 2007-2011, the City of Joondalup commits itself to achieving environmentally sustainable goals in keeping with its responsibilities as a progressive local government. Partnerships with the community are an essential element in encouraging behaviour change.

Consultation:

Not Applicable.

COMMENT

Volunteer group litter collections are a valued contribution to maintaining a litter free environment. Such activities help on fostering a sense of belonging in the community and in highlighting litter issues in the local community.

Due to the high participation rates within the City in the KABC Adopt a Spot program and Keep Australia Beautiful Day it is not considered to be necessary for the City to form its own Adopt a Spot programs or groups. The City will further raise awareness of the KABC Adopt a Spot program and Clean Up Australia Day through increased promotion on the City website, with appropriate links, and through the City's School Connection Program.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 NOTES the support currently provided by the City for volunteer litter programs;

2 ENDORSES the continued support of the Keep Australia Beautiful Campaign Adopt a Spot program and the Clean Up Australia Day rather than the City developing its own Adopt a Spot program; and

3 NOTES that the City will continue to work closely with the Keep Australia Beautiful and Clean Up Australia Day organisations to further promote and raise awareness of their programs through increased promotion on the City website and the School Connection Program.

CJ092-05/12 ELLERSDALE AND MARRI PARK LANDSCAPE MASTER PLANNING PROGRESS REPORT

WARD: South

RESPONSIBLE A/DIRECTOR: Mr Charlie Reynolds
Infrastructure Services

FILE NUMBER: 18014, 101515, 03146

ATTACHMENTS:

Attachment 1	Ellersdale Park Location Plan
Attachment 2	Marri Park Location Plan
Attachment 3	Ellersdale Park Plan
Attachment 4	Marri Park Plan
Attachment 5	Ellersdale Park – photographs of completed works
Attachment 6	Marri Park – photographs of completed works

PURPOSE

To present to Council a progress report on the Ellersdale Park and Marri Park Landscape Master Plan Works.

EXECUTIVE SUMMARY

At its meeting of 14 December 2010, Council requested a report on the progress of Ellersdale Park and Marri Park within 12 months of the completion of the Landscape Master Plan (LMP) works.

This report provides details of the works completed in Ellersdale Park and Marri Park, expenditure and the works remaining under the sump redevelopment program.

It is recommended that Council NOTES the completion of the Landscape Master Planning projects at Marri Park and Ellersdale Park.

BACKGROUND

In July 2007, the State Government requested the development of Water Conservation Plans from all local government in Western Australia. Through this process the City was granted a total annual allocation of 4,117,550 kL over an area of approximately 600 hectares.

In December 2008, Council adopted the Landscape Master Plan 2009 – 2019 (LMP) which addressed the issue of water consumption. One of the key focus areas of the LMP is to provide first-class sporting and recreational open spaces whilst working to improve water use efficiency by optimising irrigation systems for maximum water-use efficiency, hydro-zoning of park turf surfaces and eco-zoning of vegetated areas in parks surrounding turfed surfaces.

Emerald Park was the first of the City's reserves to receive upgrades as a project listed in the Capital Works Program in 2009/10. Prior to the commencement of works community consultation was undertaken by the City to ascertain how the local community and sports clubs used the Park. A design was then developed based on the feedback received and a communication process was implemented including the distribution of flyers to the local area, installation of signage at the park and letters to adjoining residences.

Following the installation of new irrigation equipment and hydrozoning of Emerald Park, water consumption for the Park for the 2009/10 financial year was approximately 56% of that used in 2008/2009. The works that were undertaken at Emerald Park were very well received by the local community, sports clubs and visitors to the park.

Following on from the success of Emerald Park the City included two LMP park upgrades in the 2010/11 Capital Works Program and these were Ellersdale Park, Warwick (Attachment 1 refers) and Marri Park, Duncraig (Attachment 2 refers).

Issues surrounding inadequate public consultation at Ellersdale Park and Marri Park resulted in the works being halted in October 2010 during construction due to a high level of community disquiet. In December 2010 Council considered a series of measures to resolve the community concerns at both Ellersdale Park and Marri Park. At the Ordinary Meeting of 14 December 2010 (CJ228-12/10) it was resolved that Council inter alia:

1 APROVES the implementation of Landscape Master Plan works proposed for Ellersdale Park as per the plan in Attachment 3 to Report CJ228-12/10 subject to the following being included:

1.1 Designating Zone 3 as a 'Dry Grass Area' only;

1.2 Increasing significantly the planting with native species in all Zone 3 'Dry Grass Areas';

1.3 The proposed seating in the southern end of the park being installed under the shade of the trees;

2 APPROVES the implementation of Landscape Master Plan works proposed for Marri Park as per the plan in Attachment 4 to Report CJ228-12/10 subject to the following being included:

2.1 The removal of the mulch from the entire central embankment and replacement with medium watered grass (zone2);

2.2 Zone 3 classification – mulch, commencing east of the stairway between the north and south ovals and proceeding along the fence-line;

2.3 The removal of the mulch from that northern section of the park bounded by the proposed 1.8 metre wide path and the sump and replacement with a dry grass classification;

2.4 Increased planting to the mulched areas in the north eastern and western corners of the park; and along property fence-lines;

2.5 Increased planting to the mulched area in the eastern side and the south eastern corner of the park;

3 APPROVES listing for consideration as part of the 2010/11 Mid Year Budget Review the transfer of $163,400 to complete the projects in Ellersdale Park and Marri Park; in accordance with the revised plans as amended in parts 1 and 2 above;

4 NOTES that the removal of the mulch in Ellersdale Park will commence immediately and then followed by Marri Park and to be concluded prior to 31 December 2010;

5 REQUESTS the consideration of the following items for Ellersdale Park to be included in the 2010/11 Mid Year Budget Review:

5.1 A replacement playground at a cost of $85,000 (excluding GST);

5.2 A new barbecue at a cost of $8,000 (excluding GST);

5.3 A shaded picnic setting at a cost of $5,000 (excluding GST);

5.4 A drinking fountain at a cost of $2,000 (excluding GST);

5.5 Three new bench seats at a total cost of $6,000 (excluding GST);

6 REQUESTS the consideration of the following items for Marri Park to be included in the 2010/11 Mid Year Budget Review:

6.1 A drinking fountain at an estimated cost of $2,000 (excluding GST) to be located near the cricket nets;

6.2 A drinking fountain at an estimated cost of $2,000 (excluding GST) to be located adjacent to the ablution block on lower Marri Reserve;

6.3 A replacement playground at an estimated cost of $85,000 (excluding GST);

7 SEEKS a report from the Chief Executive Officer detailing the community consultation and communication plan for Landscape Master Plan projects including but not limited to identification of appropriate mulch, zone classifications and works principles;

8 SEEKS a progress report on Ellersdale Park and Marri Park within 12 months of the completion of the Landscape Master Plan Works.

Reports have previously been presented to Council on the community consultation and communication plan for LMP projects and zone classifications (CJ029-02/11 dated 15 February 2011); and work principles and the use of mulch (CJ133-07/11 dated 19 July 2011).

This report provides a progress report on the measures adopted by Council on 14 December 2010 (CJ228-12/10).

DETAILS

At the Council meeting of 14 December 2010 Council approved the plans for Ellersdale Park and Marri Park (Attachments 3 and 4 refer). In accordance with the plans the following works were undertaken in Ellersdale Park and Marri Park:

Ellersdale Park

- Removal of mulch;
- Increased planting of native species;
- Turf reinstatement;
- Replacement playground;
- New barbecue and picnic setting;
- Drinking fountain; and
- Three new bench seats.

The estimated cost for the works in Ellersdale Park was $389,000 with an anticipated completion date of June 2011. All works were completed by June 2011 as scheduled with the exception of the playground and new barbecue and picnic setting which were completed in December 2011. Refer Attachment 5 for photographs of the completed works in Ellersdale Park.

Marri Park

- Removal of mulch;
- Increased planting;
- Drinking fountains near the cricket nets and the ablution block;
- Replacement playground; and
- Vehicle access from the car park to top oval.

The estimated cost for the works in Marri Park was $354,430 with an anticipated completion date of June 2011. All works were completed by June 2011 as scheduled with the exception of the playground and staircase which were completed by December 2011. Refer Attachment 6 for photographs of the completed works in Marri Park.

Remaining Works

The only remaining works in Ellersdale Park and Marri Park are the sump redevelopment projects both of which are now underway and did not form part of the works approved by Council in December 2010.

The Marri Park sump redevelopment commenced on the 2 April and is approximately 50% completed, it is expected to be completed by 31 May.

The Ellersdale Park sump redevelopment commenced on the 23 April and it is expected to be completed by the 31 May.

The local community was informed of the impending sump redevelopment works as per the capital works community consultation procedure. The works are in keeping with the concept plans presented to the respective local communities in October 2010 and are based on feedback obtained through the consultation process.

Water Conservation

One of the key objectives of the City's Landscape Master Planning is the reduction of groundwater consumption for irrigation. This is achieved through the complete replacement of irrigation infrastructure in the park and the application of hydrozoning principles.

As at the end of February 2012, the City had used 26% and 35% less water at Ellersdale Park and Marri Park respectively in comparison to water consumption prior to the Landscape Master Planning works. The water savings are likely to increase in the next financial year as landscape modifications and turf establishment will have been completed.

Legislation/Strategic Plan/Policy Implications

Legislation: Not Applicable

Strategic Plan: Landscape Master Plan 2009-2019

Key Focus Area: KFA4 – Parks

Objective:

1 To ensure that City parks are manged to high levels of amenity to encourage increased physical activity in the City.

2 To ensure that the City's water consumption complies with regulatory requirements.

3 To develop skills among staff in the application of ecozoning and hydrozoning techniques through pilot projects.

Policy:

Consultation and Community Engagement.

Risk Management Considerations:

The risk in failing to progress with the LMP projects in parks will be a decline in the presentation of the City's parks and open spaces due to insufficient ground water to support the existing irrigation systems.

Failure to adequately consult with the community will result in an adverse reaction from the community towards LMP projects. This risk has been mitigated by following the Generic Communication and Consultation Plan for LMP and Parks Development Communication Plan as approved by Council on 15 February 2011 (CJ029-02/11 refers).

Financial/Budget Implications:

Overall LMP projects were completed on time and marginally below budget.

The funding for the sump redevelopment in both Parks was budgeted for separately, with both projects having a budget of $80,000 each.

All figures quoted in this report are exclusive of GST.

Regional Significance:

Not Applicable.

Sustainability Implications:

The City irrigates its reserves with groundwater from the Gnangara Mound which is under increasing pressure from a number of sources across the Perth region. Climate change and reduced water availability may significantly limit irrigation to City parks and open spaces into the future. The sociological and environmental principles behind landscape master planning aim to ensure the provision of a range of high quality public open space whilst implementing water efficiency approaches.

Consultation:

Issues surrounding inadequate public consultation at Ellersdale Park and Marri Park resulted in the works being halted in October 2010 during construction due to a high level of community disquiet and to allow for a more complete consultation process to be undertaken.

The consultation consisted of information sessions held with local residents which were attended by City officers, the Mayor and Ward Councillors. Following the information sessions residents were given the opportunity to complete feedback forms with two weeks to submit any further submissions. The submissions received were reported to Council on 14 December 2010 (CJ228-12/10 refers) with revised plans based upon the feedback received.

On the 15 February 2011 Council approved the Generic Communication and Consultation Plan for LMP and Parks Development Communication Plan which has been applied successfully in the 2011/2012 LMP project at Kingsley Park.

COMMENT

The major community issues associated with the initial works in Ellersdale Park and Marri Park were that the plans were not subjected to adequate community consultation. As soon as the City became aware that there were significant community concerns associated with the projects the works were halted and measures were taken to rectify the situation. These measures included information sessions, gathering feedback and revising plans accordingly. The additional works identified through the feedback are now complete and positive feedback has been received on the works by Ward Councillors.

In response to the adverse community feedback the City has improved its community consultation process which has been applied successfully in the 2011/12 LMP project at Kingsley Park.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the completion of the Landscape Master Planning projects at Marri Park and Ellersdale Park.

Appendix 13 refers

To access this attachment on electronic document, click here: *Attach13brf080512.pdf*

11 REPORT OF THE CHIEF EXECUTIVE OFFICER

CJ093-05/12 MINUTES OF THE POLICY COMMITTEE MEETING HELD 7 MAY 2012

WARD: All

RESPONSIBLE DIRECTOR: Mr Jamie Parry
Governance and Strategy

FILE NUMBER: 26176, 101515

ATTACHMENTS:

Attachment 1	Unconfirmed Minutes of the Policy Committee Meeting held 7 May 2012
Attachments 2 to 24	Various Policies

PURPOSE

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

EXECUTIVE SUMMARY

A meeting of the Policy Committee was held on 7 May 2012 to consider the following matters:

Item 1 Solar Panels on Residential Dwellings
Item 2 Cubby Houses Policy
Item 3 Telecommunications Facilities Policy Review
Item 4 Review of Policy Manual
Item 5 Confidential – Elected Members Entitlements Policy

BACKGROUND

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

1 Council Policies - Strategic policies that set governing principles and guide the direction of the organisation to align with community values and aspirations. These policies have a strategic external focus and align with the Mission, Vision and Strategic Directions; and

2 City Policies - Policies that are developed for administrative and operational imperatives and have an internal focus.

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

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

The Committee was re-established by the Council at its Special Meeting held on 3 November 2011 (Item JSC2-11/11 refers) with the following terms of reference:

1 Make recommendations to Council on the development and review of Council and City policies to identify the direction of Council;
2 Initiate and request the formulation and drafting of both Council and City policies;
3 Devise and oversee the method of development (level and manner of community consultation) for the development of Council and City policies; and
4 Review the Council Policy Framework in order to ensure compliance with the provisions of the Local Government Act 1995.

DETAILS

Issues and options considered:

The Motions carried at the Policy Committee meeting held on 7 May 2012 are shown below, together with Officer's comments:

Item 1 Solar Panels on Residential Dwellings

That the Policy Committee recommends that Council:

1 NOTES the information regarding the location of solar panels on residential dwellings contained within this Report; and

2 DOES NOT progress with the development of a Solar Panels on Residential Policy in view of the provision within the Residential Design Codes and the City's Small Scale Renewable Energy Systems Policy.

Officer's Comment

The Committee's recommendation is supported.

Item 2 Cubby Houses Policy

That the Policy Committee recommends that Council:

1 APPROVES the proposed amendments to the Cubby Houses Policy as shown in Attachment 1 to this Report, for the purpose of public advertising; and

2 ADVERTISES the proposed amendments to the Cubby Houses Policy for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2.

Officer's Comment

The Committee's recommendation is supported.

Item 3 Telecommunications Facilities Policy Review

The following Officer's recommendation was presented to the Committee:

That the Policy Committee recommends that Council:

1 APPROVES the proposed amendments to the Telecommunications Policy as shown in Attachment 1 to this Report, for the purpose of public advertising; and

2 ADVERTISES the proposed amendments to the Telecommunications Policy for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2.

The following motion was carried:

That the Policy Committee recommends that Council:

1 APPROVES the proposed amendments to the Telecommunications Policy as shown in Attachment 1 to this Report, for the purpose of public advertising, with the following changes;

1.1 replace '*in the vicinity*' with '*unnecessarily close to*' in 3;
1.2 replace '*500*' with '*400*' in 4.2; and
1.3 insert an appropriate definition for '*non-low impact facility*' in 2; and

2 ADVERTISES the proposed amendments to the Telecommunications Policy for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2.

Officer's Comment

The Committee's recommendation is supported.

Item 4 Review of Policy Manual

The following Officer's recommendation was presented to the Committee:

That the Policy Committee recommends that Council:

1 ADOPTS the following amended Policies:

1.1 *Access and Equity Policy* provided as Attachment 4 to this Report;

1.2 *Burning on Private Property Policy* provided as Attachment 5 to this Report;

1.3 *Cash-in-Lieu of Car Parking Policy* for advertising provided as Attachment 6 to this Report;

1.4 *Centres Strategy* for advertising provided as Attachment 7 to this Report;

1.5 *Child Care Centres Policy* for advertising provided as Attachment 8 to this Report;

1.6 *Coastal Limestone Hazards Policy* provided as Attachment 9 to this Report;

1.7 *Community Consultation and Engagement Policy* provided as Attachment 10 to this Report;

1.8 *Dedicated Car Parking for Seniors and Parents with Prams* provided as Attachment 11 to this Report;

1.9 *Environmentally Sustainable Design Policy* for advertising provided as Attachment 12 to this Report to this Report;

1.10 *Environmentally Sustainable Design for City Buildings Policy* provided as Attachment 13 to this Report;

1.11 *Freeman of the City of Joondalup Policy* provided as Attachment 14 to this Report;

1.12 *Height of Buildings within the Coastal Area (Non-Residential Zones Policy* for advertising provided as Attachment 15 to this Report;

1.13 *Car Parking for Commercial Development (Joondalup City Centre) Policy* for advertising provided as Attachment 16 to this Report;

1.14 *Memorials in Public Reserves Policy* provided as Attachment 17 to this Report;

1.15 *Naming of Public Facilities Policy* provided as Attachment 18 to this Report subject to replacing 'Chief Executive Officer' with 'Council' throughout the policy;

1.16 *Notification of Approved Commercial Development Policy* for advertising provided as Attachment 19 to this Report to this Report;

1.17 *Payment of Rates and Charges Policy* provided as Attachment 20 to this Report;

1.18 *Records Management Policy* provided as Attachment 21 to this Report;

1.19 *Recovery of Costs Awarded to the City Policy* provided as Attachment 22 to this Report;

1.20 *Requests for Sale of Public Open Space Reserves Policy* for advertising provided as Attachment 23 to this Report;

1.21 *Satellite Dishes, Aerials and Radio Equipment Policy* for advertising provided as Attachment 24 to this Report;

1.22 *Small Scale Renewable Energy Systems Policy* for advertising provided as Attachment 25 to this Report;

1.23 *Specified Area Rating Policy* provided as Attachment 26 to this Report;

1.24 *Circuses Policy* provided as Attachment 27 to this Report;

1.25 *Streetlight Shading Policy* provided as Attachment 28 to this Report; and

1.26 *Vandalism to Vegetation on Land Owned or Managed by the City Policy* provided as Attachment 29 to this Report;

2 In accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No 2*, ADVERTISES the following amended policies for public comment for a period of 21 days:

2.1 *Cash-in-Lieu of Car Parking Policy* provided as Attachment 6 to this Report;

2.2 *Centres Strategy* provided as Attachment 7 to this Report;

2.3 *Child Care Centres Policy* provided as Attachment 8 to this Report;

2.4 *Environmentally Sustainable Design Policy* provided as Attachment 12 to this Report;

2.5 *Height of Buildings within the Coastal Area (Non-Residential Zones) Policy* provided as Attachment 15 to this Report;

2.6 *Car Parking for Commercial Development (Joondalup City Centre) Policy* provided as Attachment 16 to this Report;

2.7 *Notification of Approved Commercial Development Policy* provided as Attachment 19 to this Report;

2.8 *Requests for Sale of Public Open Space Reserves Policy* provided as Attachment 23 to this Report;

2.9 *Satellite Dishes, Aerials and Radio Equipment Policy* provided as Attachment 24 to this Report; and

2.10 *Small Scale Renewable Energy Systems Policy* provided as Attachment 25 to this Report.

The following motion was carried:

That the Policy Committee recommends that Council:

1 ADOPTS the following amended Policies:

1.1 *Access and Equity Policy* provided as Attachment 4 to this Report;

1.2 *Burning on Private Property Policy* provided as Attachment 5 to this Report;

1.3 *Cash-in-Lieu of Car Parking Policy* for advertising provided as Attachment 6 to this Report;

1.4 *Coastal Limestone Hazards Policy* provided as Attachment 9 to this Report;

1.5 *Community Consultation and Engagement Policy* provided as Attachment 10 to this Report;

1.6 *Dedicated Car Parking for Seniors and Parents with Prams* provided as Attachment 11 to this Report;

1.7 *Freeman of the City of Joondalup Policy* provided as Attachment 14 to this Report;

1.8 *Memorials in Public Reserves Policy* provided as Attachment 17 to this Report;

1.9 *Naming of Public Facilities Policy* provided as Attachment 18 to this Report subject to:

1.9.1 replacing '*Chief Executive Officer*' with '*Council'* throughout the policy;

1.10 *Notification of Approved Commercial Development Policy* for advertising provided as Attachment 19 to this Report to this Report;

1.11 *Payment of Rates and Charges Policy* provided as Attachment 20 to this Report subject to:

1.11.1 renumbering 2.2 e. to 2.2 f. and inserting the following new 2.2 e.:

'e. In the case of severe financial hardship as determined by the Chief Executive Officer, the City will not impose additional charges and interest.";

1.12 *Records Management Policy* provided as Attachment 21 to this Report;

1.13 *Recovery of Costs Awarded to the City Policy* provided as Attachment 22 to this Report subject to:

1.13.1 replacing '*the situation*' with '*this Policy*'; and
1.13.2 deleting Part 3 from the Policy in its entirety;

1.14 *Requests for Sale of Public Open Space Reserves Policy* for advertising provided as Attachment 23 to this Report;

1.15 *Satellite Dishes, Aerials and Radio Equipment Policy* for advertising provided as Attachment 24 to this Report;

1.16 *Small Scale Renewable Energy Systems Policy* for advertising provided as Attachment 25 to this Report;

1.17 *Specified Area Rating Policy* provided as Attachment 26 to this Report subject to:

1.17.1 inserting '*between representatives of the City and the Representative Property Owners Group*' after '*agreed*' in 2.2;

1.18 *Circuses Policy* provided as Attachment 27 to this Report;

1.19 *Streetlight Shading Policy* provided as Attachment 28 to this Report; and

1.20 *Vandalism to Vegetation on Land Owned or Managed by the City Policy* provided as Attachment 29 to this Report;

2 In accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No 2*, ADVERTISES the following amended policies for public comment for a period of 21 days:

2.1 *Cash-in-Lieu of Car Parking Policy* provided as Attachment 6 to this Report;

2.2 *Notification of Approved Commercial Development Policy* provided as Attachment 19 to this Report;

2.3 *Requests for Sale of Public Open Space Reserves Policy* provided as Attachment 23 to this Report;

2.4 *Satellite Dishes, Aerials and Radio Equipment Policy* provided as Attachment 24 to this Report; and

2.5 *Small Scale Renewable Energy Systems Policy* provided as Attachment 25 to this Report;

3 REQUESTS separate reports be presented to the next meeting of the Policy Committee on the following policies:

3.1 the *Child Care Centres Policy;*

3.2 the *Environmentally Sustainable Design Policy* and the *Environmentally Sustainable Design for City Buildings Policy* with the intention that the two policies be combined;

3.3 the *State Administrative Tribunal Mediation and Revised Development Proposals Policy*; and

4 REFERS the *Height of Buildings within the Coastal Area (Non-Residential Zones Policy* back to the Administration until such time that 'State Planning Policy 2.6 – State Coastal Planning Policy' is adopted by the Western Australian Planning Commission.

Officer's Comment

The Committee's recommendation is supported.

Item 5 Confidential – Elected Members Entitlements Policy

That the Policy Committee recommends that Council:

1 NOTES the information on Elected Member entitlements as detailed in Attachment 1 to this Report and does not proceed with the amendment to clause 9.4 of the Elected Members Entitlements Policy, as recommended by the Policy Committee at its meeting held on 6 February 2012; and

2 REQUESTS the Department of Local Government to update *Guideline No 15 – Meeting Fees, Allowances and Expenses* to clarify the functions of an Elected Member that would enable an expense, whilst performing that function, to be reimbursed.

Officer's Comment

The Committee's recommendation is supported.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

Legislation/Strategic Plan/Policy Implications

Legislation Not Applicable.

Strategic Plan

Key Focus Area: Leadership and Governance.

Objective: To lead and manage the City effectively.

Policy:

As detailed in this Report.

Risk Management Considerations:

Not Applicable.

Financial/Budget Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

Officer's comments have been made in relation to each of the Items set out in the Details section of this report.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 NOTES the unconfirmed minutes of the Policy Committee meeting held on 7 May 2012, forming Attachment 1 to Report CJ093-05/12;

2 In relation to the report on Solar Panels on Residential Dwellings:

2.1 NOTES the information regarding the location of solar panels on residential dwellings contained within this Report; and

2.2 DOES NOT progress with the development of a Solar Panels on Residential Policy in view of the provision within the Residential Design Codes and the City's Small Scale Renewable Energy Systems Policy.

3 In relation to the report on Cubby Houses Policy:

3.1 APPROVES the proposed amendments to the Cubby Houses Policy as shown in Attachment 2 to Report CJ093-05/12, for the purpose of public advertising; and

3.2 ADVERTISES the proposed amendments to the Cubby Houses Policy for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2.

4 In relation to the report on Telecommunications Facilities Policy Review:

4.1 APPROVES the proposed amendments to the Telecommunications Policy as shown in Attachment 3 to Report CJ093-05/12, for the purpose of public advertising, with the following changes;

4.1.1 replace '*in the vicinity*' with '*unnecessarily close to*' in 3;
4.1.2 replace '*500*' with '*400*' in 4.2; and
4.1.3 insert an appropriate definition for '*non-low impact facility*' in 2; and

4.2 ADVERTISES the proposed amendments to the Telecommunications Policy for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2.

5 In relation to the report on Review of Policy Manual:

5.1 ADOPTS the following amended Policies:

5.1.1 *Access and Equity Policy* provided as Attachment 4 to Report CJ093-05/12;

5.1.2 *Burning on Private Property Policy* provided as Attachment 5 to Report CJ093-05/12;

5.1.3 *Cash-in-Lieu of Car Parking Policy* for advertising provided as Attachment 6 to Report CJ093-05/12;

5.1.4 *Coastal Limestone Hazards Policy* provided as Attachment 7 to Report CJ093-05/12;

5.1.5 *Community Consultation and Engagement Policy* provided as Attachment 8 to Report CJ093-05/12;

5.1.6 *Dedicated Car Parking for Seniors and Parents with Prams* provided as Attachment 9 to Report CJ093-05/12;

5.1.7 *Freeman of the City of Joondalup Policy* provided as Attachment 10 to Report CJ093-05/12;

5.1.8 *Memorials in Public Reserves Policy* provided as Attachment 11 to Report CJ093-05/12;

5.1.9 *Naming of Public Facilities Policy* provided as Attachment 12 to Report CJ093-05/12 subject to:

5.1.9.1 replacing '*Chief Executive Officer*' with '*Council*' throughout the policy;

5.1.10 *Notification of Approved Commercial Development Policy* for advertising provided as Attachment 13 to Report CJ093-05/12;

5.1.11 *Payment of Rates and Charges Policy* provided as Attachment 14 to Report CJ093-05/12 subject to:

5.1.11.1 renumbering 2.2 e. to 2.2 f. and inserting the following new 2.2 e.:

'e. In the case of severe financial hardship as determined by the Chief Executive Officer, the City will not impose additional charges and interest.";

5.1.12 *Records Management Policy* provided as Attachment 15 to Report CJ093-05/12;

5.1.13 *Recovery of Costs Awarded to the City Policy* provided as Attachment 16 to Report CJ093-05/12 subject to:

5.1.13.1 replacing '*the situation*' with '*this Policy*'; and
5.1.13.2 deleting Part 3 from the Policy in its entirety;

5.1.14 *Requests for Sale of Public Open Space Reserves Policy* for advertising provided as Attachment 17 to Report CJ093-05/12;

5.1.15 *Satellite Dishes, Aerials and Radio Equipment Policy* for advertising provided as Attachment 18 to Report CJ093-05/12;

5.1.16 *Small Scale Renewable Energy Systems Policy* for advertising provided as Attachment 19 to Report CJ093-05/12;

5.1.17 *Specified Area Rating Policy* provided as Attachment 20 to Report CJ093-05/12 subject to:

5.1.17.1 inserting '*between representatives of the City and the Representative Property Owners Group*' after '*agreed*' in 2.2;

5.1.18 *Circuses Policy* provided as Attachment 21 to Report CJ093-05/12;

5.1.19 *Streetlight Shading Policy* provided as Attachment 22 to Report CJ093-05/12; and

5.1.20 *Vandalism to Vegetation on Land Owned or Managed by the City Policy* provided as Attachment 23 to Report CJ093-05/12;

5.2 In accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No 2*, ADVERTISES the following amended policies for public comment for a period of 21 days:

5.2.1 *Cash-in-Lieu of Car Parking Policy* provided as Attachment 6 to Report CJ093-05/12;

5.2.2 *Notification of Approved Commercial Development Policy* provided as Attachment 13 to Report CJ093-05/12;

5.2.3 *Requests for Sale of Public Open Space Reserves Policy* provided as Attachment 17 to Report CJ093-05/12;

5.2.4 *Satellite Dishes, Aerials and Radio Equipment Policy* provided as Attachment 18 to Report CJ093-05/12; and

5.2.5 *Small Scale Renewable Energy Systems Policy* provided as Attachment 19 to Report CJ093-05/12;

5.3 REQUESTS separate reports be presented to the next meeting of the Policy Committee on the following policies:

5.3.1 the *Child Care Centres Policy;*

5.3.2 the *Environmentally Sustainable Design Policy* and the *Environmentally Sustainable Design for City Buildings Policy* with the intention that the two policies be combined;

5.3.3 the *State Administrative Tribunal Mediation and Revised Development Proposals Policy*; and

5.4 REFERS the *Height of Buildings within the Coastal Area (Non-Residential Zones Policy* back to the Administration until such time that 'State Planning Policy 2.6 – State Coastal Planning Policy' is adopted by the Western Australian Planning Commission.

6 In relation to the report on Confidential – Elected Members Entitlements Policy:

6.1 NOTES the information on Elected Member entitlements as detailed in Attachment 24 to Report CJ093-05/12 and does not proceed with the amendment to clause 9.4 of the Elected Members Entitlements Policy, as recommended by the Policy Committee at its meeting held on 6 February 2012; and

6.2 REQUESTS the Department of Local Government to update *Guideline No 15 – Meeting Fees, Allowances and Expenses* to clarify the functions of an Elected Member that would enable an expense, whilst performing that function, to be reimbursed.

Appendix 15 refers

To access this attachment on electronic document, click here: *Attach15agn150812.pdf*

CJ094-05/12 ESTABLISHMENT OF A CAPITAL WORKS COMMITTEE

WARD: All

RESPONSIBLE DIRECTOR: Mr Garry Hunt
Office of the CEO

FILE NUMBER: 102234, 101515

ATTACHMENTS: Nil.

PURPOSE

For Council to consider the benefits of establishing a Capital Works Committee.

EXECUTIVE SUMMARY

At its meeting held on 17 April 2012 (Item C28-04/12 refers), the Council requested the Chief Executive Officer to prepare a report for the May Council meeting on the establishment of a Capital Works Committee with the following objectives:

1 To oversee the monthly progress of the City's annual Capital Works Program and review of the City's Five Year Capital Works Program;
2 To oversee the long term planning of major capital works projects not being the role of a Council Committee established for such purposes;
3 To consider recommendations to modify the City's Capital Works.

It is therefore recommended that the Council consider the benefits of establishing a Capital Works Committee and determine its membership and appropriate meeting schedule.

BACKGROUND

The Council has established the following Committees that are required to report to the Council on matters it was established to undertake:

- Art Collection and Advisory Committee;
- Audit Committee;
- Chief Executive Officer - Performance Review Committee;
- Joondalup Performing Arts and Cultural Facility Steering Committee;
- Ocean Reef Marina Committee;
- Policy Committee; and
- Strategic Financial Management Committee.

At its meeting held on 17 April 2012 (Item C28-04/12 refers), the Council requested the Chief Executive Officer to prepare a report for the May Council meeting on the establishment of a Capital Works Committee with the following objectives to:

1 Oversee the monthly progress of the City's annual Capital Works Program and review of the City's Five Year Capital Works Program;
2 Oversee the long term planning of major capital works projects not being the role of a Council Committee established for such purposes;
3 Consider recommendations to modify the City's Capital Works.

DETAILS

Should a Capital Works Committee be established, Council consideration is required on the appropriateness of the objectives of a new Capital Works Committee as well as its membership and frequency of meetings.

Terms of Reference

It is important when establishing a Committee of the Council, that its proposed terms of reference be clear, to ensure the Committee's role and responsibilities are not ambiguous In particular, it is considered important that the objectives of the Capital Works Committee do not conflict with the roles of other Committees or other decision making processes, such as budget workshops that have been established as a discussion forum for Elected Members on budget preparation and mid-year budget reviews.

In this regard the following information details the stated objectives of the Committee as per the Council's resolution and the suggested framework for those objectives, for the Council's consideration.

Objective 1 - To oversee the monthly progress of the City's annual Capital Works Program and review of the City's Five Year Capital Works Program

It is interpreted that the intent of this objective is for the Committee to receive progress reports on the construction progress of current year capital works projects, rather than year to date expenditure. The Council, through its Annual Plan Quarterly Progress Reporting, as well as other financial reporting mechanisms, already receives updates on expenditure to budget performance for current year capital works programs.

In respect of reviewing the City's Five Year Capital Works Program, it is viewed that the intent of this statement is for the Committee to review 'out years' of the City's Capital Works Program (that is years two through to five of the program), not the first year of the program, as this is finalised as part of the City's budget process. Members of the Committee would have the opportunity to recommend changes to the programming of capital works projects in out years, based on scoping, advice and organisational capacity.

The activities of the Capital Works Committee will need to align with the role of the Strategic Financial Management Committee.

Objective 2 - To oversee the long term planning of major capital works projects not being the role of a Council Committee established for such purposes

The Council has already established two Committees to oversee two major projects, being the Ocean Reef Marina Development and the Joondalup Performing Arts and Cultural Facility. Furthermore the Strategic Financial Management Committee is considering the benefit of establishing a Committee to oversee the Joondalup City Centre Office Development project, and if supported by Council, would be a project that would not be overseen by any Capital Works Committee. It is interpreted that the Committee will consider the long term planning of capital works that are major and significant for the City.

It is anticipated that the Committee, would identify those projects that it considers appropriate as needing to be regularly reported to it for consideration. As part of the City of Joondalup's *Standing Orders Local Law 2005* a Committee can request reports for future consideration at a meeting, in which case, the first meeting of any Capital Works Committee would potentially identify those projects and request a progress report be provided.

Objective 3 - To consider recommendations to modify the City's Capital Works.

It is interpreted that the intent of this objective is for the Committee to consider recommendations to modify capital works in the current financial year's capital works program. Any changes to 'out years' would be considered as part of Objective 1 for the Committee.

It is presumed that the current Budget Workshops would continue and the Capital Works Committee would need to consider changes to the capital works program in December to feed into that budget process. Notwithstanding, changes to current year capital works could be reported to the Committee during the year as and when the need arises.

Membership Appointments

Council will need to consider what composition would be appropriate for the Committee. In accordance with Section 5.9 of the *Local Government Act 1995* a Committee can comprise of either:

(a) Elected Members only;
(b) Elected Members and officers;
(c) Elected Members, officers and other persons (being persons that are neither an Elected Member or an officer of the City);
(d) Elected Members and other persons;
(e) officers and other persons; or
(f) other persons only.

The normal approach used for the City's Committee framework, is for the Mayor and a representative from each Ward to be a member of the Committee. Deputy Members are also appointed for the respective Elected Member Ward representative should they be unable to attend scheduled meetings. It is suggested that as capital works items are the focus of this Committee, the City's normal approach for Committee representation be implemented.

Meeting Schedule

The Committee will need to give consideration as to how frequent the Committee is to meet in view of the Council's current meeting obligations and other associated functions and activities, such as Committee meetings, budget workshops and civic events.

Issues and options considered:

The Council can either:

1. Establish a Capital Works Committee with the terms of reference and membership as recommended or as amended;
2. Incorporate the terms of reference into an existing Committee of the Council; or
3. Not establish a Capital Works Committee and obtain progress updates on capital works projects through other internal mechanisms.

Legislation/Strategic Plan/Policy Implications

Legislation Subdivision 2 of Division 2 of Part 5 of the *Local Government Act 1995.*
City of Joondalup Standing Orders Local Law 2005.

A Committee cannot make decisions, on behalf of the Council, that require an absolute majority decision (Section 5.17 of the *Local Government Act 1995)*, in which case, and in accordance with Section 6.8 of the *Local Government Act 1995,* includes approving expenditure not included in the City's Annual Budget. The Capital Works Committee could only recommend to the Council to approve or modify capital works projects.

Strategic Plan

Key Focus Area: Leadership and Governance.

Objective: 1.3 – To lead and manage the City effectively.

Policy: Not applicable.

The establishment of Committees must conform to the requirements detailed in Subdivision 2 of Division 2 of Part 5 of the *Local Government Act 1995.* In this respect a Committee must have a role or stated objectives, have an appropriate membership with a duly elected Presiding Member and Deputy Presiding Member.

Risk Management Considerations:

Not Applicable.

Financial/Budget Implications:

The establishment of an additional Committee may require additional resourcing due to increase operational costs in respect of the administration in servicing the Committee.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

The functions of a local government are wide and varied and local government's traditionally establish formal Committees to assist with those functions. By doing this, the Council can concentrate on strategic issues and the allocation of resourcing for the City's activities. The Council will need to consider whether the establishment of a Capital Works Committee will assist the Council with its functions.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council BY AN ABSOLUTE MAJORITY:

1 ESTABLISHES a Capital Works Committee to:

1.1 Oversee the monthly progress of the City's annual Capital Works Program and review of the City's Five Year Capital Works Program;

1.2 Oversee the long term planning of major capital works projects not being the role of a Council Committee established for such purposes;

1.3 Consider recommendations to modify the City's Capital Works;

2 APPOINTS the following representatives to the Capital Works Committee:

Members

Mayor Troy Pickard
Central Ward - One (1) representative
North Ward - One (1) representative
North-Central Ward - One (1) representative
South Ward - One (1) representative
South-East Ward - One (1) representative
South-West Ward - One (1) representative

Deputy Members

Central Ward - One (1) representative
North Ward - One (1) representative
North-Central Ward - One (1) representative
South Ward - One (1) representative
South-East Ward - One (1) representative
South-West Ward - One (1) representative

CJ095-05/12 CONFIDENTIAL - ELECTED MEMBER LEGAL REPRESENTATION

WARD: All

RESPONSIBLE DIRECTOR: Mr Garry Hunt
Chief Executive Officer

FILE NUMBER: 102426, 101515

ATTACHMENTS: Attachment 1 Legal Representation for Elected Members and Employees Policy

(***Please Note:*** *The Report and Attachment is confidential and will appear in the official Minute Book only)*

This report is confidential in accordance with Section 5.23 (2)(b) of the *Local Government Act 1995,* which also permits the meeting to be closed to the public for business relating to the following:

the personal affairs of any person.

A full report is provided to Elected Members under separate cover. The report is not for publication.

CJ096-05/12 CONFIDENTIAL - MINUTES OF THE STRATEGIC FINANCIAL MANAGEMENT COMMITTEE MEETING HELD ON 16 APRIL 2012

WARD: All

RESPONSIBLE DIRECTOR: Mr Mike Tidy
Corporate Services

FILE NUMBER: 51567

ATTACHMENTS: Attachment 1 Unconfirmed Minutes of the Strategic Financial Management Committee Meeting held on 16 May 2012

(***Please Note:*** *The Report and Attachment is confidential and will appear in the official Minute Book only)*

This report is confidential in accordance with Section 5.23 (2)(h) of the *Local Government Act 1995,* which permits the meeting to be closed to the public for business relating to the following:

Such other matters as may be prescribed.

A full report will be provided to Elected Members under separate cover. The report is not for publication.

Disclosures of Financial Interest/Proximity Interest

Name/Position	Mr Garry Hunt - Chief Executive Officer
Item No/Subject	CJ097-05/12 - Minutes of the Chief Executive Officer Performance Review Committee Meeting Held on 9 May 2012
Nature of interest	Financial
Extent of Interest	Mr Hunt holds the position of CEO.

Disclosure of interest affecting impartiality

Name/Position	Mr Mike Tidy - Director Corporate Services
Item No/Subject	CJ097-05/12 - Minutes of the Chief Executive Officer Performance Review Committee Meeting Held on 9 May 2012
Nature of interest	Interest that may affect impartiality
Extent of Interest	Due to the nature of his employment relationship with the CEO.

Name/Position	Mr Brad Sillence - Manager Governance and Marketing
Item No/Subject	CJ097-05/12 - Minutes of the Chief Executive Officer Performance Review Committee Meeting Held on 9 May 2012
Nature of interest	Interest that may affect impartiality
Extent of Interest	Due to the nature of his employment relationship with the CEO.

CJ097-05/12 CONFIDENTIAL - MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD ON 9 MAY 2012

WARD: All

RESPONSIBLE Mr Mike Tidy

DIRECTOR: Corporate Services

FILE NUMBER: 74574, 101515

ATTACHMENTS: Attachment 1 Minutes of the Chief Executive Officer - Performance Review Committee Meeting held on 9 May 2012

(***Please Note:*** *The Report and Attachment is confidential and will appear in the official Minute Book only)*

This report is confidential in accordance with Section 5.23 (2)(a) of the *Local Government Act 1995,* which also permits the meeting to be closed to the public for business relating to the following:

a matter affecting and employee.

A full report is provided to Elected Members under separate cover. The report is not for publication.

CJ098-05/12 CONFIDENTIAL - BUSINESS DEVELOPMENT ASSOCIATION INC.

WARD: All

RESPONSIBLE DIRECTOR: Mr Garry Hunt
Chief Executive Officer

FILE NUMBER: 03082, 101515

ATTACHMENTS: Attachment 1 Heads of Agreement – Edith Cowan University and Business Development Association (North West Metropolitan) Inc.

(***Please Note:*** *The Report and Attachment is confidential and will appear in the official Minute Book only)*

This report is confidential in accordance with Section 5.23 (2)(e)(iii) of the *Local Government Act 1995,* which also permits the meeting to be closed to the public for business relating to the following:

A matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.

A full report is provided to Elected Members under separate cover. The report is not for publication.

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR JOHN CHESTER – MEMORIALS IN PUBLIC RESERVES POLICY - [100385, 101273]

In accordance with Clause 26 of the Standing Orders Local Law 2005, Cr Chester has given notice of his intention to move the following Motion at the Council Meeting to be held on Tuesday, 15 May 2012.

"That Council REQUESTS the Chief Executive Officer prepare a report, for consideration at a future Council Meeting, to change the Memorials in Public Reserves Policy to allow for any resident to apply for a standard design, self funded and maintained memorial seat to be placed in one of the City's reserves or public open spaces."

Reason for Motion

Although the City's Policy already allows for the installation of a standardised bench seat as a memorial, it only currently applies to "significant persons". Quality seating adds to the amenity of any public space and memorial seats are a common feature in parks and reserves all around Australia and countries throughout Europe. Apart from their obvious function they are significant solace to those who see their friend or relative remembered in a very special way.

It is also likely that any older resident of our City will tell you that there will never be enough seating in public places and this change would allow for increased seating at no discernible cost to the City.

Officer's Comment

A report is able to be prepared.

13 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

14 CLOSURE

DECLARATION OF FINANCIAL INTEREST/PROXIMITY 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 * Proximity Interest* Interest that may affect impartiality* ** Delete where not applicable*
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.

City of Joondalup

QUESTION TO BE ASKED AT BRIEFING SESSION/COUNCIL MEETING

TITLE *(Mr/Mrs/Ms/Dr)*	FIRST NAME	SURNAME	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

City of Joondalup

STATEMENT TO BE MADE AT BRIEFING SESSION/COUNCIL MEETING

TITLE *(Mr/Mrs/Ms/Dr)*	FIRST NAME	SURNAME	ADDRESS

STATEMENT

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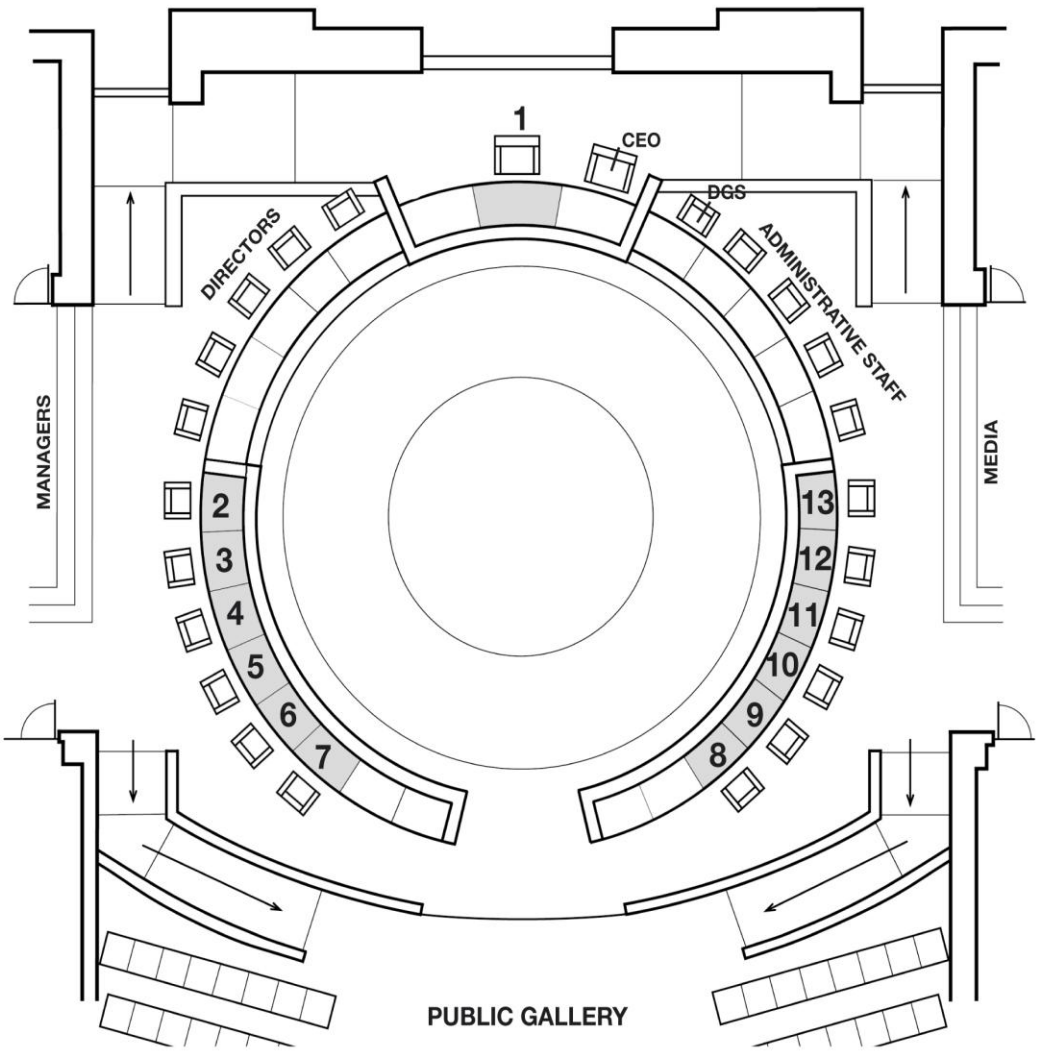
Please submit this form at the meeting or:

- **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:

- Statements made at a **Briefing Session** must relate to matters contained on the draft agenda.
- Statements made at a **Council meeting** can 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

Council Chambers – Seating Diagram



Mayor

1 His Worship the Mayor, Troy Pickard (Term expires 10/13)

North Ward

2 Cr Kerry Hollywood (Term expires 10/13)
3 Cr Tom McLean, JP (Term expires 10/15)

North-Central Ward

4 Cr Philippa Taylor (Term expires 10/13)
5 Cr Sam Thomas (Term expires10/15)

Central Ward

6 Cr Liam Gobbert (Term expires 10/13)
7 Cr Geoff Amphlett, JP (Term expires10/15)

South-West Ward

8 Cr Christine Hamilton-Prime (Term expires 10/13)
9 Cr Mike Norman (Term expires 10/15)

South-East Ward

10 Cr John Chester (Term expires 10/13)
11 Cr Brian Corr (Term expires 10/15)

South Ward

12 Cr Russ Fishwick (Term expires 10/13)
13 Cr Teresa Ritchie (Term expires 10/15)

City of Joondalup Boas Avenue Joondalup WA 6027 PO Box 21 Joondalup WA 6919 T: 9400 4000 F: 9300 1383 **www.joondalup.wa.gov.au**

LAST UPDATED DECEMBER 2011