

# minutes

MEETING HELD ON **TUESDAY, 18 SEPTEMBER 2012**

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# CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON TUESDAY, 18 SEPTEMBER 2012**

## **DECLARATION OF OPENING**

The Mayor declared the meeting open at 7.07pm.

## **ANNOUNCEMENT OF VISITORS**

Mayor Pickard welcomed members of the Duncraig/Greenwood Venturer Scouts to this evening's Council meeting.

### **Mayor:**

TROY PICKARD

*Absent from 7.46pm to  
7.51pm*

### **Councillors:**

CR KERRY HOLLYWOOD  
CR TOM McLEAN, JP

North Ward  
North Ward

*Absent from 8.18pm  
to 8.27pm*

CR PHILIPPA TAYLOR  
CR SAM THOMAS  
CR LIAM GOBBERT  
CR GEOFF AMPHLETT, JP

North-Central Ward  
North-Central Ward  
Central Ward  
Central Ward

*Absent from 8.18pm  
to 8.27pm*

CR CHRISTINE HAMILTON-PRIME  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR BRIAN CORR  
CR RUSS FISHWICK, JP  
CR TERESA RITCHIE

South-West Ward  
South-West Ward  
South-East Ward - *Deputy Mayor*  
South-East Ward  
South Ward  
South Ward

### **Officers:**

MR GARRY HUNT  
MR MIKE TIDY  
MR JAMIE PARRY

Chief Executive Officer  
Director Corporate Services  
Director Governance and  
Strategy

*Absent from 7.59pm  
to 8.03pm*

MS DALE PAGE

Director Planning and Community  
Development  
Acting Director Infrastructure  
Services

MR CHARLIE REYNOLDS

MR BRAD SILLENCE  
MR JOHN HUMPHREYS

Manager Governance and Marketing  
Manager Planning Services

*to 8.28 pm; Absent  
from 8.05pm to  
8.07pm*

MR SEAN McLAUGHLIN	Principal Legal Officer	<i>from 8.19pm to 8.28pm</i>
MR MARK McCRORY	Media Advisor	<i>Absent from 8.28pm to 8.37pm</i>
MR JOHN BYRNE	Governance Coordinator	
MRS LESLEY TAYLOR	Governance Officer	
MRS DEBORAH GOUGES	Governance Officer	

There were 22 members of the public and one member of the press in attendance.

**PUBLIC QUESTION TIME**

The following questions were submitted prior to the Council meeting on 18 September 2012:

**Mr M Rocca, Burns Beach:**

*Re: Proposed development of Bramston Park, Burns Beach.*

Q1 *If the proposed community centre and car park proceeds at Bramston Park what additional security will the City of Joondalup provide the local residents to stop any anti-social behaviour it attracts?*

A1 As yet, the City has not undertaken design of the proposed facility, however, it will take into consideration potential noise and antisocial behaviour issues. The outcomes of the concept design consultation process will provide input into the building location, orientation on the park and lighting, which will be designed to reduce the impact of the facility on surrounding residents.

Q2 *If the car park at Bramston park is built what method if any will the City of Joondalup use to lock/protect the car park at night to stop it attracting the incorrect use of vehicles in the car park and loitering?*

A2 The City's car parks are available at all times and the City Watch service and the City's Rangers provide patrols as required to minimise anti-social behaviour.

**Ms M Ballantyne, Burns Beach:**

*Re: Proposed development of Bramston Park, Burns Beach.*

Q1 *We have entered a petition with 36 signatures to save the remaining natural bushland on Eastern boundary of Bramston Park. How much of this bushland will be sacrificed for the proposed community centre and adjoining car park facilities?*

A1 The referred petition is on the agenda for tonight's meeting to be received by Council. A response to the petition will then be prepared and presented to a future Council meeting in the coming months.

In regard to the proposed Community Sporting Facility the design, location, size and configuration of the facility has yet to be finalised.

Q2 *Has the council considered any alternative locations for the proposed community centre in the Burns Beach area?*

A2 The proposed Community Sporting Facility will predominantly be used by the sporting clubs and groups using Bramston Park.

- Q3 *Why does the Council not upgrade the existing Jack Kikeros Hall and its surrounding amenities?*
- A3 The future of Jack Kikeros Hall and any potential redevelopment of this site and its surrounds is being considered as part of a Master Plan for the broader Burns Beach area, which will serve as a cohesive planning strategy for the development, provision of facilities and management of the Burns Beach area.
- Q4 *There are already numerous complaints lodged with the council regarding unsociable behaviour in and around Bramston Park. What guarantees can the Council provide that this will not escalate given the proposal to build a community facility which will be available for private functions every weekend?*
- A4 As yet, the City has not undertaken design of the proposed facility however it will take into consideration potential noise and antisocial behaviour issues. The outcomes of the concept design consultation process will provide input into the building location, orientation on the park and lighting, which will be designed to reduce the impact of the facility on surrounding residents.
- Q5 *Are there any guidelines/regulations which exist in regards to the construction of the proposed community centre, sports ground and car park so close to existing private residences?*
- A5 The construction of the Community Sporting Facility must comply with the Building Code of Australia in regard to its construction. Other legislation that will also apply include the Public Building Regulations that provides for the safety and amenity of occupants, the Environmental Protection (Noise) Regulations 1997 designed to minimise the impact of noise and the City's Local Laws that sets standards to reduce the impact of floodlighting.

**Mr S Turner, Burns Beach:**

*Re: Proposed development of Bramston Park, Burns Beach.*

- Q1 *In the recent meeting of the Burns Beach Ratepayers Association attended by the Mayor Troy Pickard, Mayor Pickard indicated that the proposed Bramston Park sports ground development would accommodate junior sports only. What age groups does the Council define as junior?*
- A1 The term junior is considered players under the age of 18 years. The size of Bramston Park will allow for a junior size AFL oval, junior size cricket oval and up to two full size rectangle pitches (for example soccer and rugby) depending on the pitch layout and location of infrastructure.
- Q2 *What security measures are proposed to control any anti-social behaviour caused by the attraction of the sports facility and floodlit grounds at night?*
- A2 As yet, the City has not undertaken design of the proposed facility, however, it will take into consideration potential noise and antisocial behaviour issues. The outcomes of the concept design consultation process will provide input into the building location, orientation on the park and lighting, which will be designed to reduce the impact of the facility on surrounding residents.

- Q3 *As most standard cricket, soccer and football grounds appear to be too large to fit into the available space at Bramston Park, what sized sports pitches are planned to be incorporated into Bramston Park?*
- A3 The size of Bramston Park will allow for a junior size AFL oval, junior size cricket oval and up to two full size rectangle pitches (for example soccer and rugby) depending on the pitch layout and location of infrastructure.
- Q4 *Please confirm the size of the proposed sports club room/community hall to be built on Bramston Park (how many people will it be built to accommodate)?*
- A4 The exact size of the proposed Community Sporting Facility is yet to be determined.
- Q5 *What measures does the Council plan to implement to cater for the increased safety risk to residents and their children due to increased traffic in and around the proposed Bramston Park development?*
- A5 As with other developments undertaken by the City, the traffic management design process for Bramston Park would include a traffic assessment of the surrounding road network to determine traffic volumes, traffic speeds, park access options and pedestrian movements within the area. The purpose of the assessment is to allow appropriate design decisions to be made for the development with the highest priority being pedestrian safety.

**Mr A Booyesen, Burns Beach:**

Re: *Proposed development of Bramston Park, Burns Beach.*

- Q1 *Why can't the Grant (funding) for the proposed plans for Bramston Park be put into reserve, and the development of Bramston Park be put on hold, until the Education Department have decided, for definite, if and when a primary school will be built, making for better planning of Bramston Park (fields, car park, community hall and lighting)?*
- A1 Any grant funding obtained for the project cannot be held in a reserve and is required to be spent within the defined grant period and in accordance with funding conditions. The City is currently seeking feedback from the Department of Education in regard to the adjacent potential Primary School site however a final decision may not be made by the Department for a number of years.
- Q2 *Will there be any fencing erected to stop inappropriate access to the car park and club room when not in use?*
- A2 No. The City's car parks are available at all times and the City Watch service and the City's Rangers provide patrols as required to minimise anti-social behaviour.
- Q3 *At the meeting for Burns Beach Residents Association, Mayor Troy Pickard said if parties are not allowed in community halls this would lead to large parties being held in suburban residences. Can he please explain the difference between a suburban residence and the proposed site at Bramston Park for a club/function hall (where parties and other functions can potentially be held every Friday and Saturday night - bringing loud music, extra traffic, noisy party goers and alcohol, etc.) which is in very close proximity to residents and in a 'suburb'!?*

- A3 As the question relates specifically to a comment attributed to the Mayor, it is appropriate that the question be directed to the Mayor to respond.
- Q4 *What recourse do we have to any damage to housing, property or cars, caused by sporting activities or social events that will be held at Bramston Park?*
- A4 As in any situation where a person is a victim of damage to their housing, property or cars, they are able to seek recourse from the alleged perpetrators either directly through appropriate legal action or through their insurer if they have appropriate cover.
- Q5 *How many car park bays (approximately) are going to be catered for in the car park?*
- A5 The number of car parking bays will be determined as part of the concept design stage of the project in line with parking standards and the capacity of the facility.

**Mr M Sideris, Mullaloo:**

*Re: Elected Members Strategic Weekend held February 2012.*

- Q1 *Advise the total cost, inclusive of all accommodation, hire of facilities, travel expenses, allowances, employee costs, consultant/facilitator costs, meals paid by the City, for the Elected Members Strategic Weekend held in February 2012?*
- Q2 *Provide a breakdown of those costs?*
- Q3 *Advise what were the dates and place of the Elected Members Strategic Weekend?*
- Q4 *Advise costs for all items charged to individual room accounts of all attendees, room by room, attendee by attendee?*
- Q5 *Advise which Elected Members and or staff members attended meetings at the Mullaloo Beach Hotel on July 20 2011; November 3 2011; November 9 2011; December 29 2011; January 20 2012; February 1 2012 as charged to the Credit Card 5163 2531 0020 1133.*
- A1-5 These questions were taken on notice.

**Mrs M Macdonald, Mullaloo:**

Re: *Ocean Reef Marina.*

*I refer to the following answer to a question in last month's Minutes re the proposed Ocean Reef Marina:*

*"The City is currently liaising with the Office of the Environmental Protection Authority and the Department of Environment and Conservation on the environmental sustainability of the development including the management of identified issues."*

Q1 *What identified issues are the City wanting to manage?*

A1 *As part of the planning process matters such as Bush Forever, Marmion Marine Park, Graceful Sun Moth, Carnaby's Cockatoo habitat will be considered as well as other environmental and planning issues identified through the liaison process with state and federal government agencies.*

Q2 *Were these issues identified in a report available to the public?*

A2 *Yes, the reports are available on the City's website.*

Q3 *Given that preliminary reports indicated that further reports would need to be completed, have these reports, and in particular those which discuss sand movement, impact of changed wave patterns and climate change on Mullaloo Beach, been completed and if so can the public see them?*

A3 *No further studies have been commissioned at this point in time. The City will be guided by advice received from the relevant agencies as to what additional studies are required.*

Q4 *With respect to the upgrade of Oceanside Promenade on tonight's Agenda why is the City's budgeting process so off target, \$584,000 under budgeted, given that the design of the road was known in April 2012.*

A4 *The design Road Safety Audit and Main Roads WA identified that changes to the design of the traffic treatments on Oceanside promenade were required. These changes involved widening of traffic lanes to improve the road safety situation and traffic flow. Although the lane width increase is not substantial there is a significant increase in total costs due the length of the road works from Mullaloo Drive to Warren Way. The tender lump sum prices of July 2012 reflect this increase.*

Q5 *Given that I have asked on more than one occasion for a copy of the Road Safety Audit, so that I could understand why this road is a black spot requiring \$940,682 of taxpayers and ratepayers money to be spent on it and have not received it, can you state why the document is not available to the public?*

A5 *There have been a number of independent Road Safety Audits undertaken for Oceanside Promenade as part of the project to identify the road safety situation and provide support for blackspot funding submissions. Road Safety Audit reports are technical documents and have been prepared by consultants for internal use and for the purpose of identifying road design issues.*

**The following questions were submitted verbally at the Council meeting:****Mr J Hollywood, Burns Beach:**

*Re: Burns Beach Structure Plan.*

- Q1 Can the City of Joondalup appeal to the Minister of Planning, Mr John Day, on the grounds that Mr Pratley, Chair of the Western Australian Planning Commission has overturned a decision made democratically by the Elected Council of the City of Joondalup and the majority of the ratepayers of Burns Beach?*
- A1 Mayor Pickard responded when the Western Australian Planning Commission make a determination on a matter, only the applicant can make an appeal if they are not satisfied by the decision made.*
- Q2 Can the Burns Beach Ratepayers Association have the same information that Peet and Co provided to the Western Australian Planning Commission to persuade it to overturn the decision made by the Council? Also, can a copy of the traffic study be provided? Is a Freedom of Information request required to obtain these documents?*
- A2 Mayor Pickard responded the City can provide documentation which is relevant to the application which would accompany a Council report and would form part of the Council Minutes. Further documentation which Peet and Co may have provided to the Western Australian Planning Commission in support of its proposal would have to be obtained by submitting a Freedom of Information request to the Western Australian Planning Commission.*

**Mr A Hill, Burns Beach:**

*Re: Burns Beach Structure Plan.*

- Q1 I understand that the Western Australian Planning Commission resolved to adopt the proposed rezoning in the Northern residential precinct. Assuming this is correct, please can Council advise how the local community will be informed of this decision and its implications?*
- A1 Mayor Pickard responded it is up to the Western Australian Planning Commission to advise the public of its decision. Notwithstanding this, the City wrote to Mr Hollywood, the President of the Burns Beach Ratepayers Association as it believed this was a good avenue to inform the residents of Burns Beach of the Western Australian Planning Commissions' decision on the matter. The City also informed the Local Member for Burns Beach of the Western Australian Planning Commission's decision.*
- Q2 Can the City provide a comment on its position regarding the Western Australian Planning Commissions' decision? Will the City be pursuing the matter further?*
- A2 Mayor Pickard responded the City has no recourse or appeal rights with regard to the matter. Unfortunately there are no avenues the City can take to appeal the Western Australian Planning Commission. The matter is now in the State Government's hands and is out of the City of Joondalup's control.*



**Mr S Turner, Burns Beach:**

*Re: Proposed development of Bramston Park, Burns Beach.*

*Q1 This question is directed to the Mayor. You recently attended a Burns Beach Ratepayers Association meeting and at that meeting you made a statement that 'if parties were not allowed in community halls then they would be in the suburbs and less controlled'. Can you explain the difference between allowing parties in a suburb and allowing parties in a community hall which will be potentially used every Friday and Saturday night in close proximity to residents?*

*A1 Mayor Pickard responded the rules that govern Public Question Time state that a question must not be directed at an individual Elected Member in a Council meeting.*

*Q2 Why does the junior facility at Bramston Park need such extensive flood lighting?*

*A2 Mayor Pickard responded that this question would be taken on notice.*

**Mrs M Macdonald, Mullaloo:**

*Re: Draft Local Commercial Strategy.*

*Q1 Why isn't there a schedule attached to the Draft Local Commercial Strategy which compares the current NLA of centres, retail NLA of centres and commercial zones with the proposed retail NLA and lots? And why aren't there maps identifying the lot area that the centre covers, such as the one provided for Item CJ181-09/12 - Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre?*

*Q2 Given that currently in Schedule 3 of the District Planning Scheme 2 the lot occupied by the Mullaloo Hotel is listed as having 500sqm of retail NLA attached to it, how can this site accommodate a 200% increase as listed in the draft strategy to 500sqm of retail NLA given that the car parking in the area is already under supplied at peak periods? Is the intention of the strategy to expand the Centre to adjacent lots and to provide more car parking? And if so, why isn't this detail in the draft strategy?*

*A1-2 Mayor Pickard responded that these questions would be taken on notice.*

**Master B Canny, Hillarys:**

*Re: Community Grants and Verge Rubbish Collection Alternatives.*

*Q1 Does the City provide grants for not-for-profit-organisations such as the Scouts? How would these organisations access these grants?*

A1 Mayor Pickard responded the City has a variety of grant programs available to community groups. All community groups are encouraged to apply for these programs. Information regarding the different categories of funding available, the criteria for the grant funding and appropriate application forms are available on the City's website.

*Q2 Has the City considered issuing households with annual/bi-annual skip bin vouchers rather than having verge collections?*

A2 Mayor Pickard responded in previous years the City did consider the use of skip vouchers as well as many other options for waste removal. After much consideration, it was decided that verge collections were a more viable option for the City. A more focused kerbside collection in a suburb only affects the streetscape for a short period of time during the year, whereas skip vouchers can create an environment where at any time of the year there could be an unsightly mess on residents' verges.

**PUBLIC STATEMENT TIME**

**The following statements were submitted verbally at the Council meeting:**

**Mr J Hollywood, Burns Beach**

*Re: Burns Beach Structure Plan.*

Mr Hollywood spoke of his concerns regarding the overriding of Council's decision by the Western Australian Planning Commission in relation to the Burns Beach Structure Plan.

**Mr A Hill, Burns Beach**

*Re: Burns Beach Structure Plan.*

Mr Hill encouraged the City to inform residents of the Western Australian Planning Commission's decision to override Council's decision in relation to the Burns Beach Structure Plan.

**Mr S Turner, Burns Beach**

*Re: Proposed development of Bramston Park, Burns Beach.*

Mr Turner spoke in relation to his objection to the proposed development of Bramston Park, Burns Beach.

**Mr R Haeren, Urbis Perth**

*Re: CJ181-09/12 - Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre*

Mr Haeren spoke in relation to item CJ181-09/12 - Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre and spoke in favour of the Officer's recommendation.

**APOLOGIES AND LEAVE OF ABSENCE****C61-09/12            REQUEST FOR LEAVE OF ABSENCE – CR LIAM GOBBERT - [102280]**

Cr Liam Gobbert requested Leave of Absence from Council duties covering the period 20 – 21 November 2012 inclusive.

**MOVED Mayor Pickard, SECONDED Cr Amphlett that Council APPROVES the request from Cr Liam Gobbert for Leave of Absence from Council duties covering the period 20 – 21 November 2012 inclusive.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

**CONFIRMATION OF MINUTES****C62-09/12            MINUTES OF COUNCIL MEETING HELD 21 AUGUST 2012**

**MOVED Cr McLean, SECONDED Cr Hamilton-Prime that the Minutes of the Council Meeting held on 21 August 2012 be CONFIRMED as a true and correct record.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

## **ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

### Duncraig/Greenwood Venturer Scouts

Mayor Pickard commented it is great to see members of the Duncraig/Greenwood Venturer Scouts at tonight's Council meeting.

Mayor Pickard stated he understood the Venturer Scouts were attending as part of their studies for the Queens Scout Award and they are a welcome addition to the public gallery.

Mayor Pickard acknowledged the scouts and once again thanked them for their interest in the Joondalup Council and its business and for the relevant and well-thought out questions they asked during public question time.

Mayor Pickard stated the City is supportive of any initiative that encourages local young people to attend Council meetings to see first-hand how their Local Government authority functions and works.

Mayor Pickard hoped the Duncraig/Greenwood Venturer Scouts in attendance this evening found today's meeting interesting and informative.

### Upcoming Environmental Events

Mayor Pickard advised the City regularly holds a variety of free educational events throughout the year to raise awareness about key environmental issues in our community.

Mayor Pickard stated that on Wednesday, 26 September 2012, a popular Garden Wise Seminar will be held at the Percy Doyle Clubrooms in Duncraig between 6.30pm and 9.30pm.

Mayor Pickard commented the Beyond Gardens Team will host the free workshop, which will provide interested local residents with information on creating beautiful gardens while reducing water and fertiliser usage, the importance of plant selection, soil improvement, composting and worm farming, mulching, waterwise irrigation and greywater and rainwater systems will be addressed.

Mayor Pickard commented that light refreshments and giveaways will be available at this fun and informative family-friendly event.

For more information visit the City's website at [www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au)

Mayor Pickard advised that on Sunday, 30 September 2012, between 8.30am and 10.00am, the City will host a Spring Nature Walk through Warwick Bushland, which aims to educate community members on the unique flora and fauna that comes to life at this time of the year.

Mayor Pickard explained that an experienced guide will take residents on a tour of the bushland pointing out a variety of flora species and share facts about WA's wonderful wildflowers.

For more information or to book a spot on the tour contact the City on 9400 4527.

Mayor Pickard believed these environmental events demonstrated the City's commitment to educating residents and raising awareness in the community of the importance of protecting and enhancing our beautiful natural environment for future generations.

### Community Funding Program 2012/13

Mayor Pickard advised that Round One of the City's Community Funding Program for 2012-13 is now open to eligible groups, schools and organisations (including Scouts' Groups) that undertake projects, events and activities that develop and enhance the local community.

Mayor Pickard stated that this grant-based program provided funding in the categories of Community Development, Culture and the Arts Development, Sports and Recreation Development, Environmental Development.

Mayor Pickard commented that with up to \$25,000 available in each category, this excellent community initiative was available for all not-for-profit organisations that conduct programs and events within the City. Applications for funding close 1 October 2012 at 5.00pm. For more information visit the City's website.

## **DECLARATIONS OF INTEREST**

### **Disclosures of Financial / 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.

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ177-09/12 - Proposed Western Power Transformer and Switch Gear Pad Additions at Lot 5003 (14) Hobsons Gate, Currambine
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	The applicant was a financial donor during the 2009 Mayoral Election campaign, previously recorded in accordance with the requirements of the Regulations.

<b>Name/Position</b>	<b>Cr Geoff Amphlett, JP.</b>
<b>Item No/Subject</b>	CJ195-09/12 - Business Development Association Inc.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Subject of a legal action being undertaken by the Business Development Association Inc.

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ195-09/12 - Business Development Association Inc.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	A party in legal action with the Business Development Association Inc.

### Disclosures 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.

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ177-09/12 – Proposed Western Power Transformer and Switch Gear Pad Additions at Lot 5003 (14) Hobsons Gate, Currambine.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr McLean resides in the vicinity.

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ180-09/12 – Proposed Additions to the Church of Our Lady of the Mission at Lot 1025 (270) Camberwarra Drive, Craigie.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas attends Our Lady of the Mission Church.

<b>Name/Position</b>	<b>Cr Liam Gobbert.</b>
<b>Item No/Subject</b>	CJ181-09/12 – Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Gobbert is employed at the Shopping Centre and knows an employee of Urbis.

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ181-09/12 – Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas is the Vice President of the Whitford Senior Citizens Club.

<b>Name/Position</b>	<b>Cr John Chester.</b>
<b>Item No/Subject</b>	CJ181-09/12 - Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Chester's son owns a residential property along Banks Avenue which is within the proposed Structure Plan boundary.

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ182-09/12 – Modifications to Additions to Currambine Central at Lot 929 (1244) Marmion Avenue, Currambine.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr McLean resides in the vicinity.

<b>Name/Position</b>	<b>Cr Philippa Taylor.</b>
<b>Item No/Subject</b>	CJ182-09/12 – Modifications to Additions to Currambine Central at Lot 929 (1244) Marmion Avenue, Currambine.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Taylor's son works at Oscars Restaurant.

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No/Subject</b>	CJ195-09/12 - Business Development Association Inc.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr is a Member/Committee Member/Chairman of the Business Development Association Inc.

<b>Name/Position</b>	<b>Cr Teresa Ritchie.</b>
<b>Item No/Subject</b>	CJ195-09/12 - Business Development Association Inc.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Ritchie is a current Member of the Business Development Association and previously a Member of the Business Development Association as a representative of the City of Joondalup.

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

CJ196-09/12

Confidential Report – Appointment of Director Infrastructure Services



**C63-09/12                    PETITIONS****1            PETITION IN RELATION TO STOPPING THE REMOVAL OF EXISTING BUSHLAND VEGETATION ON THE EASTERN BOUNDARY OF BRAMSTON PARK, BURNS BEACH**

A 36 signature petition has been received from residents of the City of Joondalup with regard to stopping the removal of existing bushland vegetation on the eastern boundary of Bramston Park, Burns Beach.

**2            PETITION IN RELATION TO UPGRADE OF PLAYGROUND AT GLENGARRY PARK AND INSTALLATION OF EXERCISE EQUIPMENT AND DRINKING WATER FOUNTAINS**

A 144 signature petition has been received from residents of the City of Joondalup requesting an upgrade of the playground at Glengarry Park within the next 12 months (from August 2012), including the installation of exercise equipment and drinking water fountains similar to those in other recreational spaces.

**MOVED Cr Hollywood, SECONDED Cr Fishwick that the following petitions be RECEIVED, referred to the Chief Executive Officer and a subsequent report presented to Council for information:**

- 1            Petition in relation to stopping the removal of existing bushland vegetation on the eastern boundary of Bramston Park, Burns Beach; and**
- 2            Petition in relation to the upgrade of the playground at Glengarry Park within the next 12 months (from August 2012), including the installation of exercise equipment and drinking water fountains similar to those in other recreational spaces.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

## REPORTS

### **CJ176-09/12      DEVELOPMENT      CODE      VARIATIONS      AND SUBDIVISION APPLICATIONS – JULY 2012**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Ms Dale Page  
Planning and Community Development

**FILE NUMBER:** 07032, 101515

**ATTACHMENTS:** Attachment 1 Monthly Development Applications Determined -  
July 2012  
Attachment 2 Monthly Subdivision Applications Processed -  
July 2012

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## PURPOSE

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

## EXECUTIVE SUMMARY

Clause 8.6 of District Planning Scheme No 2 (DPS2) allows Council to delegate all or some of its development control powers to a committee or an employee of the City.

The purpose of delegation of certain powers by Council, in addition to other town planning matters, is to facilitate timely processing of development applications, Residential Design Codes applications 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 July 2012 (Attachments 1 and 2 refer):

- 1 Planning applications (development applications and Residential Design Codes applications); and
- 2 Subdivision applications.

## BACKGROUND

The DPS2 requires that delegations be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 15 May 2012 (CJ075-05/12 refers), Council considered and adopted the most recent Town Planning Delegations.

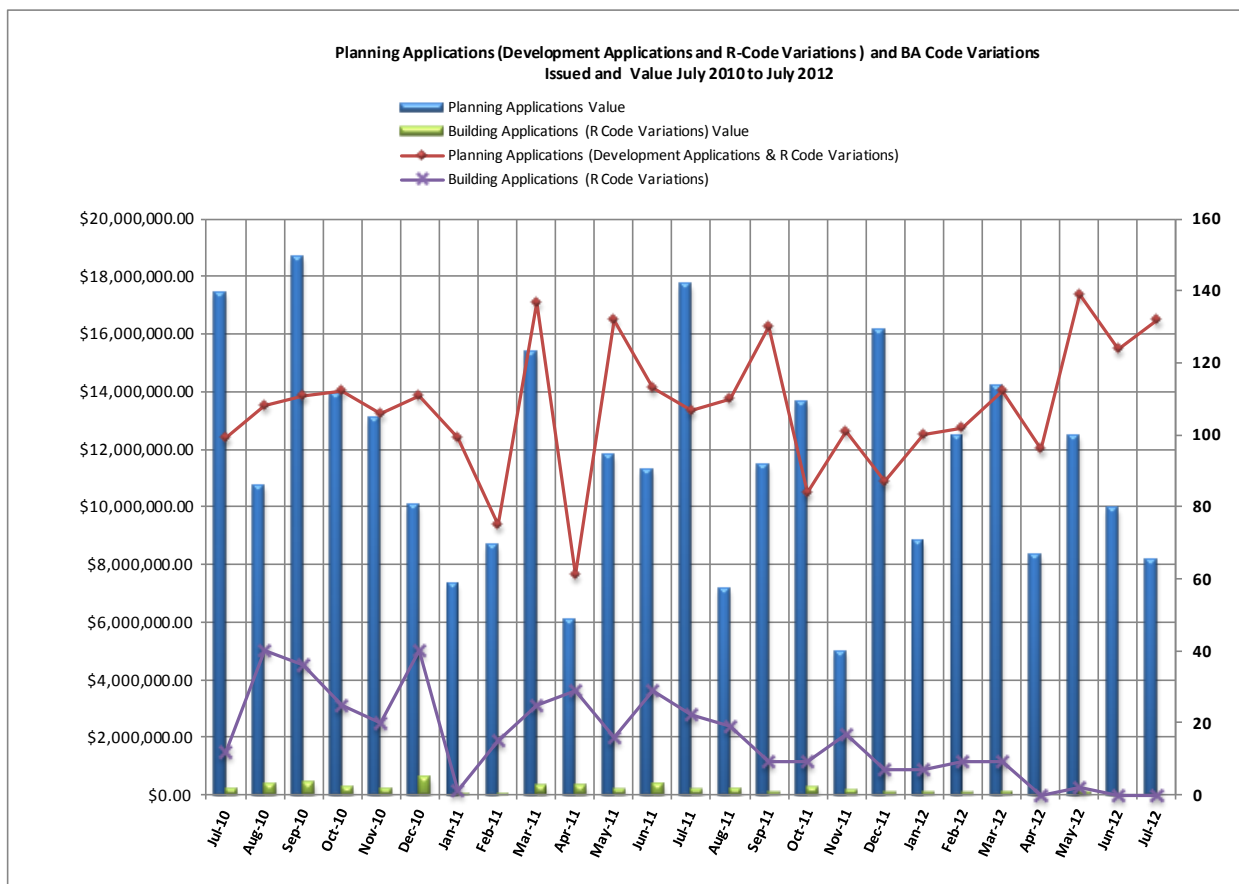
**DETAILS**

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

Approvals determined under delegated authority – July 2012		
Type of Approval	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	132	\$ 8,124,317
Building applications (R – Codes applications)	0	\$ 0
<b>TOTAL</b>	<b>132</b>	<b>\$ 8,124,317</b>

The number of development applications received during July was 148. (This figure does not include any applications that may become the subject of an R-Code application as part of the building permit approval process).

The number of development applications current at the end of July was 196. Of these, 58 were pending additional information from applicants, and 38 were being advertised for public comment.



In addition to the above, 22 building applications and 328 building permits were issued during the month of July with an estimated construction value of \$39,851,897.

<b>Subdivision approvals processed under delegated authority for July 2012</b>		
<b>Type of approval</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	1	1
Strata subdivision applications	2	2

### **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 132 applications were determined for the month of July with a total amount of \$37,010 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 132 development applications determined during July 2012 consultation was undertaken for 65 of those applications. Applications for Residential Design Codes 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 application). The three subdivision applications processed during July 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 Council, 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.

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

- 1 Development applications and R-Codes applications described in Attachment 1 to Report CJ176-09/12 during July 2012; and**
- 2 Subdivision applications described in Attachment 2 to Report CJ176-09/12 during July 2012.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution prior to consideration of CJ195-09/12 Page, 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf110912.pdf](#)

**Disclosure of Financial / Proximity Interest**

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ177-09/12 – Proposed Western Power Transformer and Switch Gear Pad Additions at Lot 5003 (14) Hobsons Gate, Currambine.
<b>Nature of Interest</b>	Financial Interest.
<b>Extent of Interest</b>	The applicant was a financial donor during the 2009 Mayoral Election campaign, previously recorded in accordance with the requirements of the Regulations.

**Disclosure of interest that may affect impartiality**

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ177-09/12 – Proposed Western Power Transformer and Switch Gear Pad Additions at Lot 5003 (14) Hobsons Gate, Currambine.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr McLean resides in the vicinity.

*Mayor Pickard left the Chamber at 7.46pm. Cr Chester assumed the Chair.*

## **CJ177-09/12      PROPOSED WESTERN POWER TRANSFORMER AND SWITCH GEAR PAD ADDITIONS AT LOT 5003 (14) HOBSONS GATE, CURRAMBINE**

**WARD:** North

**RESPONSIBLE DIRECTOR:** Ms Dale Page  
Planning and Community Development

**FILE NUMBER:** 100366, 101515

**ATTACHMENTS:** Attachment 1      Location Plan  
Attachment 2      Development Plans

**PURPOSE**

To request Council's approval of an application for a Western Power transformer and switch gear pad addition for a tavern currently under construction at Lot 5003 (14) Hobsons Gate, Currambine.

## EXECUTIVE SUMMARY

An application for planning approval has been received for a Western Power transformer and switch gear pad addition at Lot 5003 (14) Hobsons Gate, Currambine.

The proposal includes a Western Power transformer surrounded by a rendered brick wall. The structure will be 2.8 metres in height, 4.8 metres in length and 4.321 metres in width, located within the landscaping strip along the northern property boundary with a nil setback to the northern and eastern property boundaries. Additionally, the switch gear pad, being a concrete area 4.5 metres in length and 4.321 metres in width, will also be located within the landscaping strip between the car park and the northern property boundary.

The subject site is located within the Currambine District Centre Structure Plan (CDCSP) area and is zoned "Business". In addition to the objectives and criteria of CDCSP, the site is also subject to the requirements of the City's District Planning Scheme No 2 (DPS2). The proposal meets the requirements of CDCSP and DSP2 with the exception of the landscaping strip between the car park and the northern boundary (being Hobsons Gate) and shade tree requirements of DSP2.

The proposal was not advertised as it was deemed that the proposed additions are minor in nature and will not have an adverse impact upon surrounding properties.

The application is recommended for approval subject to conditions.

## BACKGROUND

**Suburb/Location:** Lot 5003 (14) Hobsons Gate, Currambine.  
**Applicant:** Bruce Arnold Architects.  
**Owner:** Resolve Nominees Pty Ltd.  
**Zoning:** **DPS:** Business.  
**MRS:** Urban.  
**Site Area:** 6242m<sup>2</sup>.  
**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. The subject site is located at the centre of the Currambine District Centre, immediately to the south of Hobsons Gate and to the east of Chesapeake Way (Attachment 1 refers).

The subject site is surrounded by the following properties:

- Lot 5004 (4) Hobsons Gate (located west of the subject site). The site contains a commercial development including a number of showrooms, offices, a vet and a shop;
- Lot 1032 (1) Hobson Gate (located north-west of the subject site). The site contains a commercial development including a number of showrooms, offices, a medical centre and a shop;
- Lot 5008 (15) Chesapeake Way (located north of the subject site). The Council has approved a development on this site, which is yet to commence construction and will include showrooms, offices, takeaway food outlets, restaurants and a shop; and



- Lot 1574 (52) Delamere Avenue (located east of the subject site). The site is owned by the City and is currently vacant. The site is zoned civic and cultural and is proposed to be a park.

Council previously approved a tavern and shop on the site at its meeting on 25 November 2008 (CJ252-11/08 refers). At its meeting held on 21 April 2009, Council approved modifications and changes to the development, including the approval of a two metre landscaping strip in lieu of a three metre strip along the northern and western boundaries (CJ092-04/09 refers).

Since these approvals by Council further modifications to the development have been approved under delegated authority, including changes to the finished floor level of the tavern and shop, change of use from shop to tavern, and a store room addition.

The applicant has subsequently sought feedback from Western Power regarding the development, and has been advised that the installation of a transformer and switch gear is necessary.

## **DETAILS**

The current proposal includes the following additions:

- A Western Power transformer surrounded by a rendered brick wall, 2.8 metres in height, 4.8 metres in length and 4.321 metres in width, with a nil setback to Hobsons Gate and a nil setback to Lot 1574 (52) Delamere Avenue; and
- A switch gear pad, a cleared concreted area 4.5 metres in length and 4.321 metres in width, located with a nil setback to Hobsons Gate.

The Western Power transformer and switch gear pad addition are to be located within a landscaping strip adjacent the vehicle access point from Hobsons Gate. In accordance with DPS2, a landscaping strip of three metres is required between a car park and street boundaries. In addition, the switch gear pad requires the removal of a shade tree, with shade trees to the car park proposed at a rate the equivalent of one shade tree for every 4.15 bays in lieu of one shade tree for every four bays as required under DPS2.

The development plans are provided as Attachment 2.

The proposed additions are required as Western Power has advised the owners of the site that the power load within the current infrastructure is inadequate to cater for the proposed use. Western Power has identified the proposed locations of the additions as appropriate to house the transformer.

## **Issues and options considered:**

Council has the discretion to:

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

## Legislation/Strategic Plan/Policy Implications

**Legislation** City of Joondalup District Planning Scheme No 2.

When determining this application Clauses 4.5, 4.12 and 6.8 apply.

### 4.5 Variations to site and development standards and requirements

4.5.1 *Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*

4.5.2 *In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*

- (a) *Consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1; and*
- (b) *Have regard to any expressed views prior to making its decision to grant the variation.*

4.5.3 *The power conferred by this clause may only be exercised if the Council is satisfied that:*

- (a) *Approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
- (b) *The non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

### 4.12 Landscaping requirements for non residential buildings

4.12.1 *A minimum of 8% of the area of a development site shall be designed, developed and maintained as landscaping to a standard satisfactory to the Council. In addition the road verge adjacent to the lot shall be landscaped and maintained in a clean and tidy condition to the satisfaction of the Council.*

4.12.2 *When a proposed development includes a car parking area abutting a street, an area no less than 3 metres wide within the lot along all street boundaries shall be designed, developed and maintained as landscaping to a standard satisfactory to the Council. This landscaped area shall be included in the minimum 8% of the area of the total development site referred to in the previous subclause.*

4.12.3 *Landscaping shall be carried out on all those areas of a development site which are not approved for buildings, accessways, storage purposes or car parking with the exception that shade trees shall be planted and maintained*

*by the owners in car parking areas at the rate of one tree for every four car parking bays, to the Council's satisfaction.*

**6.8 Matters to be considered by Council**

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

- (a) Interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) Any relevant submissions by the applicant;*
- (c) Any agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
- (d) Any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) Any other matter which under the provisions of the Scheme the Council is required to have due regard;*
- (f) Any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*
- (g) Any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) The comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) The comments or wishes of any objectors to or supporters of the application;*
- (j) Any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) Any other matter which in the opinion of the Council is relevant.*

**Strategic Plan**

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

**Objective:** To ensure high quality urban development within the City of Joondalup.

**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 the *Planning and Development Act 2005*.

**Financial/Budget Implications:**

The applicant has paid fees of \$139 (excluding GST) for the assessment of the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The proposed additions are minor in nature, consisting of a Western Power transformer and switch gear pad addition. The proposed works will be required to comply with the requirements of the *Building Code of Australia*.

**Consultation:**

The application was not advertised as the proposed development is minor in nature and considered not to have any adverse effect on surrounding properties.

**COMMENT**

The application is for a Western Power transformer and switch gear pad addition at Lot 5003 (14) Hobsons Gate, Currambine. The proposal has been assessed against Part 4 of DPS2 in relation to the on-site landscaping and clause 8.2 - Business Zone of CDCSP. During this assessment it has been identified that discretion is required to be exercised in regard to clause 4.12 – Landscaping requirements for non residential buildings under DPS2.

The proposed Western Power transformer and switch gear pad addition are located within a landscaping strip along Hobsons Gate, the northern property boundary. DPS2 requires a landscaping area no less than three metres deep be provided where a car park abuts a street. A two metre landscaping strip for the development was approved by Council, at its meeting held on 21 April 2009 (CJ092-04/09 refers). The current proposal will result in a length of 6.1 metres with no landscaping strip. The overall percentage of landscaping required on site complies with the 8% requirement of DPS2.

In addition, DPS2 requires one shade tree to be provided per every four parking bays. The proposal results in the removal of one shade tree along the northern boundary resulting in the total number of shade trees provided on site being 38 for 158 car parking bays or one shade tree per every 4.15 car parking bays.

The development complies with the setback requirements for the site as required under the Design Criteria of the CDCSP.

The proposed Western Power transformer will be surrounded by a rendered brickwork wall which will match the tavern and boundary fence along Hobsons Gate currently under construction and therefore is not considered to detract from the street. The removal of landscaping is also not considered to present any detrimental impact on the surrounding area, given that the area is immediately adjacent to a vehicle access point and the majority of the landscaping strip will be provided in accordance with previous approvals.

In conclusion, the proposed works are of a minor nature and do not present any detrimental impact on the surrounding area. In light of this, the proposed development is recommended for approval subject to conditions.

## **VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER'S RECOMMENDATION**

That Council:

- 1 EXERCISES discretion under clause 4.5.1 of the City of Joondalup District Planning Scheme No 2 and determines that:
  - 1.1 Minimum landscaping depth of nil between the street boundary and car park in lieu of three metres;
  - 1.2 One shade tree for every 4.15 car parking bays;are appropriate in this instance;
- 2 APPROVES the application for planning approval, dated 16 July 2012 submitted by Bruce Arnold Architects on behalf of the owner, Resolve Nominees Pty Ltd, for transformer and switch at Lot 5003 (14) Hobsons Gate, Currambine, subject to the following conditions:
  - 2.1 This decision constitutes planning approval only and is valid for a period of 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;
  - 2.2 All stormwater shall be collected on-site and disposed of in a manner acceptable to the City; and
  - 2.3 The colours and materials of the proposed transformer enclosure shall match the existing development where practicable, to the satisfaction of the City.

**MOVED Cr McLean, SECONDED Cr Hollywood that Council:**

- 1 EXERCISES discretion under clause 4.5.1 of the City of Joondalup District Planning Scheme No 2 and determines that:**
  - 1.1 Minimum landscaping depth of nil between the street boundary and car park in lieu of three metres; and**
  - 1.2 One shade tree for every 4.15 car parking bays;**

**are appropriate in this instance;**
- 2 APPROVES the application for planning approval, dated 16 July 2012 submitted by Bruce Arnold Architects on behalf of the owner, Resolve Nominees Pty Ltd, for transformer and switch at Lot 5003 (14) Hobsons Gate, Currambine, subject to the following conditions:**
  - 2.1 This decision constitutes planning approval only and is valid for a period of 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;**
  - 2.2 All stormwater shall be collected on-site and disposed of in a manner acceptable to the City;**
  - 2.3 The colours and materials of the proposed transformer enclosure shall match the existing development where practicable, to the satisfaction of the City;**
  - 2.4 Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatments of the area around the Western Power Switch Gear on the Hobson's Gate street frontage and shall:**
    - 2.4.1 Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;**
    - 2.4.2 Show spot levels and/or contours of the site;**
    - 2.4.3 Indicate landscaping of a sufficient height and density to reduce the visual impact of the Switch Gear located on the Hobson's Gate street frontage to the satisfaction of the City;**
    - 2.4.4 Be based on water sensitive urban design principles to the satisfaction of the City;**
    - 2.4.5 Be based on Designing Out Crime principles to the satisfaction of the City;**
    - 2.4.6 Show all irrigation design details; and**

- 2.5 Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice and thereafter maintained to the satisfaction of the City.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Mayor Pickard returned to the Chamber at 7.51pm and resumed the Chair.*

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf110912.pdf](#)*

## **CJ178-09/12 PROPOSED SCHEME AMENDMENT TO DISTRICT PLANNING SCHEME NO 2 - LOT 1 (120) COCKMAN ROAD, GREENWOOD**

<b>WARD:</b>	South-East
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	03074, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Location Plan Attachment 2 Zoning Plan (existing and proposed) Attachment 3 Scheme Amendment Process Flowchart Attachment 4 Consultation Map

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### **PURPOSE**

The purpose of this report is for Council to consider initiating a proposed amendment to the District Planning Scheme No 2 (DPS2), to rezone Lot 1 (120) Cockman Road, Greenwood from 'Commercial' and 'Service Industrial' to 'Commercial'.

### **EXECUTIVE SUMMARY**

An application has been received that proposes an amendment to DPS2 to rezone the southern portion of Lot 1 (120) Cockman Road from 'Service Industrial' to 'Commercial'.

The 'Greenwood Kingsley Shopping Plaza' is located on the subject site and comprises a number of strata titled tenancies (including a deli, butcher and second hand goods stores) and associated car parking. The majority of tenancies are currently vacant. The site is bound by Canham Way to the north, Cockman Road to the west, various residential and service industrial lots to the east, and the Kingsley Medical Centre and existing residential dwellings to the south (Attachment 1 refers).

Currently the site has two zonings, being 'Commercial' on the northern portion, and 'Service Industrial' on the southern portion (Attachment 2 refers). The applicant seeks to rezone the southern portion to 'Commercial' in order to facilitate consideration of a greater variety of land uses in accordance with DPS2.

The proposed scheme amendment is considered to have merit as:

- Commercial land uses are potentially more compatible with the adjoining mixed use site to the south, and residential properties to the east;
- It is consistent with State strategic documents and the City's Local Planning Strategy by reinforcing the sites role as a local centre, providing opportunities for land uses that will better meet the needs of the local community; and
- It is consistent with recommendations identified in the draft Local Commercial Strategy to revitalise Canham Way and create a buffer between residential and industrial uses.



As such, it is recommended that the amendment to DPS2 be initiated for the purposes of advertising, after which further consideration can be given to the proposal.

## BACKGROUND

**Suburb/Location:** Lot 1 (120) Cockman Road, Greenwood.  
**Applicant:** TPG Town Planning & Design.  
**Owner:** PG Haughan.  
**Zoning:** **DPS:** 'Service Industrial' and 'Commercial'.  
**MRS:** Urban.  
**Site Area:** 3125m<sup>2</sup>.  
**Structure Plan:** Not Applicable.

The subject site is bounded by Canham Way to the north, Cockman Road to the west, various residential and service industrial lots to the east, and a Medical Centre and existing residential dwellings to the south (Attachment 1 refers).

The existing shop and showroom development was approved in 1984 under the former Town Planning Scheme No 1 (TPS1). The development included a shortfall of parking, with 45 bays provided on-site in lieu of 53 bays required under TPS1. To legitimise the shop component of the development, the current 'split' zoning arrangement was also adopted at this time.

## DETAILS

The purpose of the proposed scheme amendment is to rezone the southern portion of the site from 'Service Industrial' to 'Commercial' to facilitate a greater variety of land uses.

In support of the application, a summary of the applicant's justification is provided below:

- *It is consistent with the strategic planning intent for the subject site both at a State and local government level, and in particular the objectives that relate to transit orientated development and the provision of local services.*
- *It is consistent with adjoining forms of development along Cockman Road, given that directly adjacent to the subject site there is currently a medical centre within an area zoned as Mixed Use under DPS2, effectively isolating the southern portion of the subject site as an inconsistent 'pocket' of Service Industrial zoned land.*
- *It will allow for the development of an appropriate range of commercial land uses that will contribute to the vitality of an under-utilised portion of the subject site in an existing local centre that has excellent bus and pedestrian access and ample private vehicle parking.*
- *Any future development will not impact negatively on the surrounding locality in terms of views, traffic or visual aesthetics, and will increase the amount of land uses and amenities that are potentially available for local residents to access in a local centre.*

**Issues and options considered:**

The issues to be considered by Council are:

- The suitability of the proposed zone; and
- The impact of the proposed scheme amendment on the existing development.

The options available to Council in considering the scheme amendment proposal are:

- Support the initiation of the proposed amendment for the purpose of public advertising;
- Support the initiation of the proposed amendment, with modification, for the purpose of public advertising; or
- Not support the initiation of the proposed amendment for the purpose of public advertising.

**Legislation/Strategic Plan/Policy Implications****Legislation**

Part 5 of the *Planning and Development Act 2005* enables local governments to amend their local planning schemes and sets out the process to be followed (Attachment 3 refers).

Should Council support the initiation of the proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review is required. Should the EPA decide that an environmental review is not required, upon the City's receipt of written confirmation of this from the EPA, the City advertises the proposed amendment for 42 days.

Upon closure of the advertising period, Council is required to consider all submissions received during the advertising period and will resolve to either adopt the amendment, with or without modifications, or refuse the amendment. The decision is then forwarded to the Western Australian Planning Commission (WAPC) which makes a recommendation to the Minister for Planning. The Minister can either grant final approval to the amendment, with or without modifications, or refuse the amendment.

If Council resolves not to initiate the amendment, there is no right of review to the State Administrative Tribunal by the applicant.

**Strategic Plan**

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

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

**Key Focus Area:** Economic Prosperity and Growth.

**Objective:** To increase employment opportunities within the City.

**Policy:**

Not Applicable.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

The applicant has paid fees of \$5,125.48 (excluding GST) to cover the City's costs for processing the scheme amendment.

**Regional Significance:**

The subject site is identified within State strategic documents and the City's Local Planning Strategy and draft Local Commercial Strategy as a Local Centre. The proposed scheme amendment allows for commercial land uses to be considered for the site that better serve the needs of the local community is consistent with these documents.

**Sustainability Implications:**

The proposed scheme amendment will support the opportunity for economic growth by allowing land uses more suited to the existing development on-site to be considered, as well as avoiding land use conflict with existing and surrounding commercial and residential land uses which could be created with the current 'Service Industrial' zoning.

The provision of commercial land uses that will service the local community within walking distance also accords with sustainability principles.

**Consultation:**

Should Council initiate the proposed amendment, it is required to be advertised for public comment for a period of 42 days. Advertising will consist of the following:

- Written notification to adjoining land owners as indicated in Attachment 4;
- A notice placed in the Joondalup Community newspaper and The West Australian newspaper;
- A sign on the subject site; and
- A notice on the City's website.

**COMMENT**

The subject site currently has a split zoning, being 'Commercial' on the northern portion and 'Service Industrial' on the southern portion. The applicant seeks to amend DPS2 to rezone this southern portion from 'Service Industrial' to 'Commercial'. The proposal would potentially allow an increased range of land uses on the southern portion of the site, including shops, offices, consulting rooms, and medical centre.

### Suitability of the proposed zoning

The proposed scheme amendment is considered to have merit as:

- The portion of the site which is zoned 'Service Industrial' immediately abuts residential development to the east and a site zoned 'Mixed Use' to the south (currently a medical centre). The rezoning would be a consistent transition between these land uses and the remaining service industrial precinct of Canham Way;
- A split zoning on a site is generally not desirable from a planning point of view. The current split zoning allows opportunities for industrial land uses which may not be compatible with the surrounding commercial and residential land uses;
- The draft Local Commercial Strategy (adopted by Council for the purposes of advertising at its meeting held on 17 April 2012) identifies that rezoning the southern portion of Canham Way could provide the catalyst for the redevelopment of the centre and create an appropriate buffer between the service/commercial area and residential area. The rezoning is consistent with this recommendation; and
- The potential for a greater number of commercial land uses to operate from the site would assist the local centre to meet the needs of the surrounding community and is consistent with the strategic planning intent of the site.

### Impact on the existing development

The land uses currently operating from the site are permitted 'P' land uses within the 'Commercial' zone under DPS2, and therefore there is considered to be no impact on these land uses as a result of the scheme amendment.

The site currently has a car parking shortfall of eight bays. It is noted that any future applications to change the uses on the southern portion of the site from showrooms may result in the number of car bays required for the site increasing having regard to the car parking standards prescribed in DPS2. However, until such time as an application has been received, the appropriateness of the car parking for future land uses cannot be determined. In considering any potential parking shortfall, regard will be given to the extent of the shortfall and the relationship of the land use with existing development (for example, reciprocity due to different peak trading times).

Given the above, it is recommended that the amendment to DPS2 be initiated for the purposes of advertising, after which further consideration can be given to the proposal.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Chester, **SECONDED** Mayor Pickard that Council pursuant to Part 5 of the *Planning and Development Act 2005*, **CONSENTS** to initiate the amendment to the City of Joondalup District Planning Scheme No 2 to rezone portion of Lot 1 (120) Cockman Road from 'Service Industrial' to 'Commercial' for the purposes of public advertising for a period of 42 days.

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf110912.pdf](#)

## **CJ179-09/12 PROPOSED CHANGE OF USE FROM SHOWROOM TO SHOP AND EDUCATIONAL ESTABLISHMENT AT LOT 107 (473) BEACH ROAD, DUNCRAIG**

<b>WARD:</b>	South
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	09483
<b>ATTACHMENTS:</b>	Attachment 1      Location Plan Attachment 2      Development Plans

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### **PURPOSE**

To request Council's determination of an application for a change of use from Showroom to Shop and Educational Establishment at Showroom 4, Lot 107 (473) Beach Road, Duncraig.

### **EXECUTIVE SUMMARY**

An application for planning approval has been received for a change of use from Showroom to Shop and Educational Establishment at Lot 107 (473) Beach Road, Duncraig.

The subject site is located on the north east corner of the intersection of Beach Road and Davallia Road in Duncraig. The business will offer three to seven educational classes per week relating to production and design techniques involved in garment creation, and will use up to 72m<sup>2</sup> of the 120m<sup>2</sup> of shop floor space to showcase designer garments and accessories.

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). Under DPS2, Shop is a permitted use and Educational Establishment is a discretionary or 'D' use in the Commercial Zone.

Council approved an application for an office and showroom development on the subject site at its meeting held on 13 December 2011 (CJ233-12/11 refers). This proposal was approved with a car parking shortfall of eleven car bays (33%) across the subject site. This application proposes to increase the car parking shortfall by five bays, therefore proposing a 16 car bay (42%) shortfall across the site.

The proposed development is deemed to satisfy the objectives of the Commercial Zone and is in keeping with land uses on the subject and adjoining sites. Further to this, it is considered that the car parking provided on site, coupled with that provided on adjoining sites, is sufficient to accommodate the parking needs of the business and other businesses that will operate from within the development.

As such, it is recommended that the application be approved subject to conditions.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 107 (473) Beach Road, Duncraig.
<b>Applicant:</b>	Asha McFadzean.
<b>Owner:</b>	Violet Beauregarde Pty Ltd.
<b>Zoning:</b>	<b>DPS:</b> Commercial.
	<b>MRS:</b> Urban.
<b>Site Area:</b>	1856m <sup>2</sup> .
<b>Structure Plan:</b>	Not Applicable.

The site is located within the Commercial zone on the north east corner of the intersection of Beach Road and Davallia Road in Duncraig.

A service station was approved on the site in 1972 and has since been demolished.

Council at its meeting held on 13 December 2011, approved an office and showroom development on this site (CJ233-12/11 refers). Specifically, the development consists of a new two storey building fronting both Beach Road and Davallia Road, incorporating 466m<sup>2</sup> of showrooms and 502m<sup>2</sup> of offices. This development is currently under construction.

The development resulted in a parking shortfall of eleven bays for the site (33% of the car parking requirement for the site). It was considered that the parking provided was sufficient to service the proposed development and that the design of the development was of acceptable aesthetic quality and a positive contribution to the commercial precinct.

The site has historically shared an informal reciprocal parking and access agreement with the adjoining Carine Glades Shopping Centre site (Lot 11 Beach Road). The approval for the office and showroom development was subject to a condition requiring a suitable legal agreement being prepared to the satisfaction of the City. This agreement will enable uninterrupted vehicular and pedestrian access across the appropriate portions of Lot 107 and Lot 11; and reciprocal car parking for visitors to either site. This easement for reciprocal car parking is currently in the process of being finalised.

## DETAILS

The applicant seeks approval for a change of use from Showroom to Educational Establishment and Shop.

The details of the application are as follows:

- Between three and seven classes per week relating to the production and design techniques involved in garment creation, with a maximum of five students per class;
- A maximum of 36m<sup>2</sup> of the 120m<sup>2</sup> floor space will be devoted to the above classes;
- A maximum of 24m<sup>2</sup> of floor space to be used as storage for class materials and stock; and
- A maximum of 72m<sup>2</sup> of floor space to be used as shop floor to showcase various student and unlabelled designs.

The development plans and building perspectives are provided in Attachment 2.

### Car parking

The subject site will provide a total of 22 car parking bays for the use of the tenants of, and visitors to, the development. The proposal incorporates a maximum of 72m<sup>2</sup> of floor space to be used to showcase garments and accessories. The proposal, as described by the applicant, does not fit within the definition of a 'Showroom' as set out in the City's DPS2. The definition of 'Showroom', whilst talking about display of goods and the like, specifically prohibits the sale of 'items of personal adornment'. As such, this aspect of the proposal has been assessed as a 'shop', with the parking standard under DPS2 for a Shopping Centre under 10,000m<sup>2</sup> applied, being seven bays per 100m<sup>2</sup>.

The proposed storage area will be used to store stock used in the shop. Its maximum floor space of 24m<sup>2</sup> has been incorporated into the total Net Lettable Area (NLA) used to calculate the total number of on-site parking bays required for the shop component of the proposal.

The proposal also includes up to 36m<sup>2</sup> of floor space to be devoted to classes. DPS2 does not provide for a car parking standard that directly relates to a general educational use. Several parking standards exist for various types of educational establishments and in this instance it is considered appropriate that the standard for Tertiary College be applied. This standard requires one parking bay per three students.

Taking the above into account, the following table sets out the car parking requirements for the proposed use in accordance with DPS2.

<b>Development (standard)</b>	<b>Car bays required</b>
Existing showrooms/offices (excluding the subject tenancy) (one bay per 30m <sup>2</sup> NLA)	29
Proposed Educational Establishment (one per three students – no more than five students at any given time)	2
Proposed Shop (seven per 100m <sup>2</sup> NLA – 72m <sup>2</sup> of shop plus 24m <sup>2</sup> store room area)	7
<b>Car bays required in accordance with DPS2</b>	<b>38</b>
<b>Car bays provided on site</b>	<b>22</b>

The proposal results in an additional five bays being required for the site in accordance with DPS2, resulting in a shortfall of 16 car bays (42% of the on-site requirement).

Council is required to determine whether the 22 parking bays provided on site are sufficient to service the development.



In support of the car parking shortfall, the applicant has provided the following justification:

- *We believe [the business] would be adding little, if any, excess traffic to this area as our target demographic is the current customer base that visit Carine Glades Shopping Centre; and*
- *The classes will be run predominantly outside of standard business hours after 6:30pm, and, due to the hands-on and technical nature of the sewing classes, the maximum class size will be generally limited to five participants for a one or two hour class.*

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

Council has the discretion to:

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

#### **Legislation/Strategic Plan/Policy Implications**

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

In determining whether this 'D' use is appropriate for the locality, Council should consider the objectives of the Commercial Zone.

#### *3.7 The Commercial Zone*

*The Commercial Zone is intended to accommodate existing or proposed shopping and business centres where it is impractical to provide an Agreed Structure Plan in accordance with Part 9 of the Scheme.*

*The objectives of the Commercial Zone are to:*

- (a) Make provision for existing or proposed retail and commercial areas that are not covered by an Agreed Structure Plan; and*
- (b) Provide for a wide range of uses within existing commercial areas, including retailing, entertainment, professional offices, business services and residential.*

Clause 4.8 of DPS2 sets out that car parking is to be provided at a particular rate.

#### *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; and*

*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.*

6.8.2 *In addition to the matters referred to in the preceding subclause of this clause, the Council when considering whether or not to approve a 'D' or 'A' use application shall have due regard to the following (whether or not by implication or otherwise they might have required consideration under the preceding subclauses of this clause):*

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

#### **Strategic Plan**

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

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

#### **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 the *Planning and Development Act 2005*.

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

The applicant has paid fees of \$278 (excluding GST) for assessment of the application.

#### **Regional Significance:**

Not Applicable.

#### **Sustainability Implications:**

As the application is for a change of use only, there are not considered to be any sustainability implications. The sustainability of the building was assessed as part of the development application for the showroom and office building approved by Council at its meeting held on 13 December 2011.

**Consultation:**

The application was not advertised as there is considered to be no adverse impact to the locality as a result of the proposed change of use.

**COMMENT**

This application is for a change of use from Showroom to Shop and Educational Establishment at Lot 107 (473) Beach Road, on the north east corner of Beach Road and Davallia Road, Duncraig.

The requirements of DPS2 are met except where discussed below.

**Land Use**

The proposed business will offer both a shop component selling unlabelled design clothing and accessory labels, as well as an educational component where designers can learn the production and techniques involved in creating garments.

The land use 'Shop' is a permitted, or 'P' use in the Commercial Zone, and is considered to be compatible with the approved land uses for this and adjoining sites. The proposed land use 'Educational Establishment', whilst not considered ancillary to the shop use in this instance, is considered to be complementary to this use and will not adversely impact on surrounding businesses or the broader locality.

**Car parking**

The proposed development has a car parking shortfall of 16 bays (42%). The previous application for an office and showroom development was approved with a car parking shortfall of 11 car bays (CJ233-12/11 refers). The overall layout of the development was constrained by the attempt to maintain the existing car parking requirements of the adjoining lot. The adjoining shopping centre site currently relies on shared vehicular access to a crossover on Davallia Road and a crossover on Beach Road. Thus, the development was designed to avoid a car parking shortfall and traffic disruption on the adjoining shopping centre site.

For many years, an informal reciprocal access agreement existed between the owners of the subject lot and the owners of the adjoining Carine Glades shopping centre. As previously mentioned, the Carine Glades shopping centre depends on access across the northern edge of the subject lot for access to 14 parking bays on the shopping centre site. A condition of approval of the above development required a suitable legal agreement to be prepared enabling uninterrupted vehicular and pedestrian access across the appropriate portions of Lot 107 and Lot 11; and reciprocal car parking for visitors to either site. An easement for reciprocal car parking and access between Carine Glades Shopping Centre Pty Ltd and Violet Beauregarde Pty Ltd, the owners of Lot 107 (473) Beach Road is in the process of being finalised.

Council is required to determine whether the 22 bays proposed for the site are sufficient to service the proposed development. The options available to Council are to:

- 1 determine that the provision of 22 car parking bays is appropriate;
- 2 determine that the provision of 22 car parking bays is not appropriate; or
- 3 determine that a cash-in-lieu payment of \$25,929 per bay is required for the shortfall in parking. This could be either \$414,864 for the 16 bay shortfall or \$129,645 for the five bay increase in the existing shortfall as a result of this development. This is discussed further below.

The nature of the easement discussed above allows reciprocal car parking and pedestrian and vehicular access to be adopted over both sites. This permits any customers of the proposed development to utilise the car parking bays at the Carine Glades shopping centre. Further to this, the applicant envisages that the shop component will be a complementary land use to the Carine Glades shopping centre and will encourage multi-purpose trips, thus, reducing the demand for car parking for specific uses. The educational classes will predominantly be run after 6.30pm, with the maximum class size limited to five participants. As such, the classes will operate outside of the peak trading hours of the surrounding area. Employees of businesses also have the opportunity to take advantage of the bicycle racks and end-of-trip facilities available onsite.

It is not considered appropriate in this instance to request a cash in lieu payment for the shortfall in car parking. It is unlikely that in the immediate future there will be the ability to provide public car parking in the immediate locality of the proposed development. Should Council resolve to approve the application and consider that a cash in lieu payment is necessary it is only considered appropriate to base this on the five bay increase to the approved shortfall. This would result in a figure of \$129,645 being payable. Council should be mindful that any cash in lieu funds received must be used to provide additional parking in the immediate locality.

### Conclusion

The proposed variations to DPS2 are considered appropriate. The car parking being provided is considered sufficient to service the subject site having regard to the operating hours and nature of the business proposed. Furthermore, given the reciprocal nature of the car parking and the peak trading hours of various businesses, it is anticipated that there will be sufficient onsite parking to accommodate the proposed uses.

The application for planning approval for a change of use from Showroom to Shop and Educational Establishment is considered appropriate in this instance and will not have an adverse impact on the surrounding area. It is recommended that the proposal be approved subject to conditions.

No signage is proposed as part of this application. An advice note will be included on the decision letter, should the application be approved, advising that any signage is to be the subject of a separate application for planning approval.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Amphlett, Seconded Cr McLean that Council:**

- 1 DETERMINES that the land use 'Educational Establishment' under Clause 6.6.2 of the City of Joondalup District Planning Scheme No 2 is appropriate in this instance;**
- 2 EXERCISES discretion under Clauses 4.5.1 and 4.8.2 of the City of Joondalup District Planning Scheme No 2 and determines that the car parking provision of 22 bays in lieu of 38 bays is appropriate in this instance;**
- 3 APPROVES the application for planning approval dated 8 August 2012, submitted by Asha McFadzean, on behalf of the owners, Violet Beauregarde Pty Ltd, for a change of use from Showroom to Shop and Educational Establishment at Lot 107 (473) Beach Road, Duncraig, subject to the following conditions:**
  - 3.1 This decision constitutes planning approval only and is valid for a period of 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**
  - 3.2 A maximum of five students shall be permitted for each class with a maximum of one class operating at any given time.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution prior to consideration of CJ195-09/12 Page, 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf110912.pdf](#)*

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ180-09/12 – Proposed Additions to the Church of Our Lady of the Mission at Lot 1025 (270) Camberwarra Drive, Craigie.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas attends Our Lady of the Mission Church.

**CJ180-09/12      PROPOSED ADDITIONS TO THE CHURCH OF OUR  
LADY OF THE MISSION AT LOT 1025 (270)  
CAMBERWARRA DRIVE, CRAIGIE**

**WARD:** Central

**RESPONSIBLE  
DIRECTOR:** Ms Dale Page  
Planning and Community Development

**FILE NUMBER:** 16283, 101515

**ATTACHMENTS:** Attachment 1      Location plan  
Attachment 2      Development plans

**PURPOSE**

To request Council's approval of an application for proposed columbarium additions to an existing place of worship located at Lot 1025 (270) Camberwarra Drive, Craigie.

**EXECUTIVE SUMMARY**

An application for planning approval has been received for additions at Lot 1025 (270) Camberwarra Drive, Craigie. The applicant's proposal includes an extension to the existing columbarium at the front of the existing place of worship, adjacent to Camberwarra Drive. The columbarium is a place for the respectful storage of cinerary urns holding of cremated remains of deceased persons. The existing columbarium is partly roofed and the applicant proposes to extend this roof by 1 metre. Additionally the applicant proposes to provide a secure, screened area with some informal seating and landscaping. The columbarium is proposed with a minimum street setback to the Camberwarra Drive boundary of 0.3 metres in lieu of the nine metres required by the City's District Planning Scheme No 2 (DPS2).

The amount of building bulk set back at the reduced distance is limited to a small portion of the lot frontage along Camberwarra Drive and is not considered to prejudicially affect the surrounding area.

The proposed addition is in keeping with the existing buildings and given the minor nature of the structure, will not adversely impact on the amenity of the locality.

This application is recommended for approval subject to conditions.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 1025 (270) Camberwarra Drive, Craigie.
<b>Applicant:</b>	The Design Mill.
<b>Owner:</b>	Roman Catholic Archbishop of Perth.
<b>Zoning:</b>	<b>DPS:</b> Private Clubs / Recreation.
	<b>MRS:</b> Urban.
<b>Site Area:</b>	3.6407 ha.
<b>Structure Plan:</b>	Not Applicable.

The Church of Our Lady of the Mission is located on Camberwarra Drive, east of Marmion Avenue, Craigie. The site also comprises Whitford Catholic Primary School. The area surrounding the development site is mostly zoned residential and coded R20, with two primary schools, medical centre and neighbourhood shopping centre in the near vicinity. Directly across the road from the site is the former Craigie Senior High School site which has been rezoned for future residential development (Attachment 1 refers).

The Church of Our Lady of the Mission and Whitford Catholic Primary School were established in 1978, and since this time the City has dealt with a number of different building and planning applications for a range of extensions and additions, all of a complementary nature to the existing development.

## DETAILS

The proposal includes:

- Addition of an open air walled area to extend the existing columbarium;
- Extension of the existing roof of the columbarium by one metre into the site;
- Retaining existing landscaping and provision of additional landscaping; and
- Provision of informal seating within the space being created.

The development plans are provided at Attachment 2.

### Issues and options considered:

Council has the discretion to:

- Approve the application without conditions;
- Approve 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 this application Clauses 4.5, 4.7 and 6.8 apply.



#### 4.5 *Variations to site and development standards and requirements*

4.5.1 *Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*

4.5.2 *In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*

- (a) Consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1; and*
- (b) Have regard to any expressed views prior to making its decision to grant the variation.*

4.5.3 *The power conferred by this clause may only be exercised if the Council is satisfied that:*

- (a) Approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
- (b) The non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

#### 4.7 *Building setbacks for non residential buildings*

4.7.1 *Unless otherwise provided for on Part 3 of the Scheme, buildings shall be set back from property boundaries as follows:*

- Setback from street boundary 9.0 metres.*
- Setback from side boundary 3.0 metres.*
- Setback from rear boundary 6.0 metres.*

#### 6.8 *Matters to be considered by Council*

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

- (a) Interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) Any relevant submissions by the applicant;*
- (c) Any agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*

- (d) *Any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) *Any other matter which under the provisions of the Scheme the Council is required to have due regard;*
- (f) *Any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*
- (g) *Any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) *The comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) *The comments or wishes of any objectors to or supporters of the application;*
- (j) *Any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) *Any other matter which in the opinion of the Council is relevant.*

**Strategic Plan**

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

**Objective:** To ensure high quality urban development within the City of Joondalup.

**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 the *Planning and Development Act 2005*.

**Financial/Budget Implications:**

The applicant has paid fees of \$139 (excluding GST) for assessment of the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The proposed additions are minor in nature, consisting of the extension of the existing columbarium. The proposed works will be required to comply with the provisions of the *Health Act 1911* and the requirements of the *Building Code of Australia*.

**Consultation:**

The application was not advertised as the proposed development is located directly opposite a vacant site and a sufficient distance from the surrounding residential properties such that no adverse effect will result. The proposed development extends for only a small percentage of the property frontage and so is not considered to impact on the streetscape or amenity of the locality.

**COMMENT**

This application for additions at the Church of Our Lady of the Mission has been assessed against Part 4 of DPS2. During this assessment it has been identified that discretion is required to be exercised in regard to clause 4.7 – Building Setbacks for Non Residential Buildings.

The application seeks approval for extensions to the existing columbarium of the church, which is currently set back 8.2 metres from the street boundary. The proposed extensions will be set back 0.3 metres from the street boundary in lieu of the required nine metres. The location of the columbarium is considered appropriate in this instance as the minimum setback is limited to a small portion of the street frontage, with the majority of building works setback in compliance with the requirements of DPS2. In addition to this minimum setback indicated, the design of the open structure has the appearance of a visually permeable front fence above 1.37 metres. The total height of the addition to be located within the street setback does not exceed 1.8 metres and the portion setback at 0.3 metres is only 4.7 metres wide. The corners of the front wall are truncated 2.8 metres by 3.5 metres and there are no large, blank facades imposing on the streetscape. The impact will be further reduced by trees to be retained and provision of additional landscaping.

In conclusion the works proposed are generally of a minor nature and do not present any detrimental impact on the surrounding area. In light of this, the proposed development is recommended for approval subject to conditions.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1 EXERCISES discretion under clause 4.5.1 and 4.7.1 of the City of Joondalup District Planning Scheme No 2 and determines that:
  - 1.1 A building setback from the street boundary of 0.3 metres in lieu of 9 metres is appropriate in this instance;
- 2 APPROVES the application for planning approval, dated 8 May 2012 submitted by The Design Mill on behalf of the owner, Roman Catholic Archbishop of Perth, for columbarium additions at Lot 1025 (270) Camberwarra Drive, Craigie, subject to the following conditions:
  - 2.1 This decision constitutes a planning approval only and is valid for a period of two years from the date of this letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;
  - 2.2 An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of construction; and
  - 2.3 The colours and materials of the proposed additions shall match the existing building where practicable, to the satisfaction of the City.

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

- 1 **EXERCISES discretion under clause 4.5.1 and 4.7.1 of the City of Joondalup District Planning Scheme No 2 and determines that:**
  - 1.1 **A building setback from the street boundary of 0.3 metres in lieu of 9 metres is appropriate in this instance;**
- 2 **APPROVES the application for planning approval, dated 8 May 2012 submitted by The Design Mill on behalf of the owner, Roman Catholic Archbishop of Perth, for columbarium additions at Lot 1025 (270) Camberwarra Drive, Craigie, subject to the following conditions:**
  - 2.1 **This decision constitutes a planning approval only and is valid for a period of two years from the date of this letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;**
  - 2.2 **An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of construction;**

- 2.3 The colours and materials of the proposed additions shall match the existing building where practicable, to the satisfaction of the City;**
- 2.4 The external face of the columbarium shall be treated with non sacrificial anti-graffiti protection to the satisfaction of the City;**
- 2.5 Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatments of the area around the columbarium and the adjoining road verge and shall:**
- 2.5.1 Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;**
  - 2.5.2 Show spot levels and/or contours of the site;**
  - 2.5.3 Indicate landscaping of a sufficient height and density to reduce the visual impact of the columbarium walls located adjacent to Camberwarra Drive to the satisfaction of the City;**
  - 2.5.4 Indicate any vegetation to be retained and the proposed manner in which this will be managed to the satisfaction of the City;**
  - 2.5.5 Be based on water sensitive urban design principles to the satisfaction of the City;**
  - 2.5.6 Be based on Designing Out Crime principles to the satisfaction of the City; and**
  - 2.5.7 Show all irrigation design details;**
- 2.6 Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf110912.pdf](#)

**Disclosures of interest that may affect impartiality**

<b>Name/Position</b>	<b>Cr Liam Gobbert.</b>
<b>Item No/Subject</b>	CJ181-09/12 – Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Gobbert is employed at the Shopping Centre and knows an employee of Urbis.

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ181-09/12 – Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas is the Vice President of the Whitford Senior Citizens Club.

<b>Name/Position</b>	<b>Cr John Chester.</b>
<b>Item No/Subject</b>	CJ181-09/12 – Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Chester's son owns a residential property along Banks Avenue which is within the proposed Structure Plan boundary.

## **CJ181-09/12      REQUEST TO PREPARE ACTIVITY CENTRE STRUCTURE PLAN – WHITFORD ACTIVITY CENTRE**

**WARD:** South-West

**RESPONSIBLE  
DIRECTOR:** Ms Dale Page  
Planning and Community Development

**FILE NUMBER:** 101482, 101515, 102594

**ATTACHMENTS:** Attachment 1      Previously Proposed Structure Plan Area  
Attachment 2      Proposed Structure Plan Area  
Attachment 3      Planning Approval Processes - Timelines

**PURPOSE**

For Council to request the preparation of an activity centre structure plan for the Whitford Activity Centre and for Council to determine the boundary of the area to be covered by the Whitford Activity Centre Structure Plan.

## EXECUTIVE SUMMARY

The City's District Planning Scheme No 2 (DPS2) states that Council may require the preparation of a structure plan as a prerequisite to the rezoning, subdivision, amalgamation or development of land. DPS2 also states that Council shall determine the area to be covered by such a Structure Plan.

In December 2010, Westfield submitted a proposed Structure Plan for the Whitford Activity Centre to the City. The boundary of that Structure Plan was not determined in advance by the Council, but was instead proposed by the applicant. The proposed Structure Plan was refused by Council at its meeting held on 17 May 2011 (CJ080-05/11 refers). A subsequent State Administrative Tribunal (SAT) action was commenced by the applicant but was later withdrawn, as it was conceded that there was no right of review given that Council had not requested the submission of the Structure Plan as required by DPS2.

As a result of a Ministerial order issued by the Minister for Planning on 13 July 2012, under the provisions of section 76 of the *Planning and Development Act 2005*, Scheme Amendment No 66 to DPS2 has been initiated by the Council and will shortly be advertised for public comment (CJ173-08/12 refers). If approved, Amendment 66 will enable a landowner to prepare and submit a structure plan for Council's consideration, without first requiring a formal request from Council to do so.

However, this amendment will take quite some time to finalise and Westfield wants to lodge a revised Structure Plan for the Whitford Activity Centre as soon as possible and prior to the gazettal of Amendment 66. Westfield is therefore seeking a request from Council for the preparation of such a Structure Plan.

Given the requirement to progress Amendment No 66, as per the Ministerial Order, and given the inevitability of the lodgement of a Structure Plan by Westfield, it is considered reasonable that Council makes the appropriate request for a Structure Plan to be prepared for the Whitford Activity Centre. In doing so, Council will also need to determine the boundary of the area to be covered by the Structure Plan as per the current requirements of DPS2.

If Council resolves to request the submission of a Structure Plan, it should be made clear to the applicant that Council's request in no way indicates support or otherwise for that Structure Plan. The Structure Plan will be assessed and determined by Council in the same manner as any other Structure Plan.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 501 and Lot 6 Whitfords Avenue, Hillarys; Lot 503 Banks Avenue, Hillarys; Lot 14284 Endeavour Road, Hillarys; various residential lots in Hillarys.
<b>Applicant:</b>	Westfield Management Ltd.
<b>Owner:</b>	Westfield Management Ltd; City of Joondalup; Department for Family and Children's Services; various other individual owners.
<b>Zoning:</b>	<b>DPS:</b> Commercial; Business; Civic and Cultural; Residential. <b>MRS:</b> Urban.
<b>Site Area:</b>	Various (Attachment 2 refers).
<b>Structure Plan:</b>	Not Applicable.

On 22 December 2010, a draft Activity Centre Structure Plan for the Whitford Shopping Centre and surrounds was submitted to the City by a planning consultant on behalf of Westfield Management Ltd (Westfield). The area covered by that Structure Plan is outlined in Attachment 1 to this report. The Council, at its meeting held on 17 May 2011, resolved not to endorse the draft Activity Centre Structure Plan for a number of reasons as detailed in report CJ080-05/11.

The applicant subsequently lodged an application for review of Council's decision with the SAT in June 2011. Based on a previous SAT case, the City challenged the applicant's right of review given that, as per the current provisions of clause 9.1.1 of DPS2, a landowner cannot lodge a Structure Plan for approval, without the Council formally requesting or requiring the lodgement of the Structure Plan. Given the Council had not requested the preparation of the Structure Plan, the City was of the view this nullified the applicant's right of review with the SAT. The applicant subsequently withdrew from the SAT proceedings.

On 6 September 2011, a letter was received from the applicant requesting that the City initiate a Scheme Amendment to DPS2 to:

- Delete clauses 3.7.2, 3.7.3, 3.11.4 and 3.11.5 from DPS2;
- Delete Schedule 3 in DPS2; and
- Insert new Detailed Area Plan provisions in DPS2.

The proposed Scheme Amendment effectively sought to remove the existing maximum retail floor space allocations for the various commercial centres from DPS2, and to also insert provisions regarding Detailed Area Plans.

At that stage, the City was only in the initial stages of preparing its Local Commercial Strategy. The City was concerned that amending DPS2 in the manner proposed, without a Local Commercial Strategy in place to guide decision-making, had the potential to undermine the existing hierarchy of centres in the City of Joondalup and in *State Planning Policy 4.2 – Activity Centres for Perth and Peel*. (SPP4.2).

The City was also concerned that the proposal could allow the ad hoc development of centres which would have the potential to impact on the economic health and potential of other centres in the City, especially the Joondalup Strategic Metropolitan Centre. Therefore, at its meeting held on 22 November 2011 (CJ206-11/11 refers), Council resolved not to initiate the proposed Scheme Amendment.

Subsequently, as a result of representations by Westfield to the Minister for Planning, an Order was issued by the Minister for Planning under section 76 of the *Planning and Development Act 2005* requiring Council to amend the DPS2 as per the Westfield request, but to also include appropriate provisions to align the DPS2 with the Activity Centres Policy.

As a result of the above, Scheme Amendment No 66 was adopted by Council for the purpose of public advertising at the Council meeting held on 21 August 2012 (CJ173-08/12 refers). Scheme Amendment No 66 will allow a landowner to prepare and submit a Structure Plan without first requiring a formal request from Council to do so.



## **DETAILS**

Currently, DPS2 does not allow the submission of a Structure Plan by a landowner unless expressly required under the scheme, or unless formally requested or required by Council.

In order to achieve certain commercial deadlines relating to the redevelopment of Whitford City, Westfield wishes to submit an Activity Centre Structure Plan for the Whitford Activity Centre as soon as possible and prior to the finalisation of Scheme Amendment No 66. In order for this to occur, Council will need to specifically request the preparation of the Structure Plan. DPS2 also requires Council to determine the area to be covered by the Structure Plan.

Attachment 1 outlines the Structure Plan area originally proposed by Westfield in December 2010 with the lodgement of the previous proposed Activity Centre Structure Plan.

Attachment 2 outlines the City's recommended Structure Plan boundary.

This boundary has been considered and is proposed taking into account major roads that separate the Centre from surrounding uses, current activity sources and complexes, the relationship and linkages between these complexes, the existing zoning and built form of different properties and the requirement of SPP4.2 for activity centres to extend beyond the boundaries of shopping centres.

The City's proposed boundary aligns closely with a boundary for the activity centre which has notionally been developed by the Department of Planning's Directions 2031 team. The boundary proposed by the City has been discussed with and is to the satisfaction of both the applicant and the Department of Planning.

The applicant has also met with the Department for Family and Children's Services and St Mark's Anglican School to discuss the fact that whilst their landholdings may be included within the activity centre boundary and whilst the activity centre structure plan will include their landholdings, this does not necessarily mean that their land uses under the Structure Plan or their individual control over future development of their sites will be affected in any negative way.

These important stakeholders will be more closely engaged by both the applicant and the City during the course of any structure plan approvals process or associated scheme amendment process.

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

Council has the discretion to:

- Request Westfield Management Ltd to prepare an Activity Centre Structure Plan for the Whitford Activity Centre, and determine the boundary of the area to be covered by the Structure Plan; or
- Take no action.

## Legislation/Strategic Plan/Policy Implications

**Legislation** City of Joondalup District Planning Scheme No 2.

### 9.1 COUNCIL MAY REQUIRE STRUCTURE PLAN

9.1.1 *The Council may require the preparation and presentation to it of a Structure Plan as a prerequisite to:*

- (a) *the Council's support for a proposal to rezone or reclassify land in the District;*
- (b) *the Council's support for an application to subdivide or amalgamate lots; or*
- (c) *the Council's consideration of an application for Planning Approval.*

9.1.2 *To facilitate the efficient preparation of Structure Plans the Council may deal simultaneously with a number of Structure Plans in relation to the same area.*

### 9.2 DETERMINATION OF STRUCTURE PLAN AREA

*The Council shall determine the area to be covered by a Structure Plan required under the provisions of clause 9.1 upon the application of any of the following criteria it considers appropriate:*

- (a) *the pattern of roads, bus routes and dual-use paths both existing and proposed, in the surrounding area;*
- (b) *the pattern and type of existing subdivision in the surrounding area;*
- (c) *existing and proposed land uses on the subject land and in the surrounding area;*
- (d) *the land form, topography, vegetation, groundwater, wetlands and other natural features of the subject land and the surrounding area;*
- (e) *the availability of necessary services;*
- (f) *relevant expressed desires and attitudes of landowners and inhabitants of the surrounding area;*
- (g) *any other matter the Council considers relevant in the circumstances of the case.*

## Strategic Plan

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

**Objective:** To ensure high quality urban development within the City of Joondalup.

## Policy

Not Applicable.

**Risk Management Considerations:**

Due to Westfield's need to expedite planning processes and to run planning processes concurrently in order to meet their commercial deadlines, there will be an opportunity cost to the City because of the tight timeframes of activity required (Attachment 3 refers).

The City needs to deal with two scheme amendments, a complex structure plan, a subsequent complex development approval process and all the individual public consultation processes that are associated with these actions.

**Financial/Budget Implications:**

In regard to the matter before Council, there are no direct financial considerations.

It may be necessary to engage independent economic consultants to undertake a peer review of the Retail Sustainability Assessment that needs to accompany the structure plan proposal that will be submitted as a result of this report. It is unclear at this stage what the budgetary implications of the engagement of such a consultant may be.

It could also be necessary in the future to engage the services of a lawyer and/or an independent planning consultant if the Council does not support the structure plan that is submitted as a result of the Council's request for the preparation of the Structure Plan.

In the event however that a structure plan and associated scheme amendment (to rezone the activity centre to a "Centre" zone) is submitted to the City, the applicant will be required to pay both application fee(s).

**Regional Significance:**

In regard to the matter before Council, there are no direct regional significance considerations. However, when a Structure Plan is submitted to the City, the scale and extent of the proposal will be assessed in regard to the impact on other centres in the region, including the Joondalup City Centre.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

In regard to the matter before Council, consultation is not applicable or required, though it is believed the applicant has met with the Department for Family and Children's Services and St Mark's Anglican School to discuss the fact that whilst their landholdings may be included within the activity centre boundary and whilst the Activity Centre Structure Plan would therefore include their landholdings, this does not necessarily mean that their land uses under the structure plan or their individual control over future development of their sites will be affected in any negative way.

A representative of St Mark's Anglican School has contacted the City directly to discuss the matter and to seek clarification on the implications of the activity centre and associated Structure Plan boundary covering the school site.

If and when a Structure Plan is lodged, more fulsome public advertising will be undertaken in accordance with DPS2 and with a community consultation engagement strategy that has been approved by the City and the Council.

## **COMMENT**

### Request to prepare Structure Plan

In order to allow Westfield to prepare an Activity Centre Structure Plan for the Whitford Activity Centre ahead of the gazettal of Amendment No 66, Council must specifically request the preparation of such a Structure Plan.

Given the requirement to progress Amendment No 66, as per the Ministerial Order, and given the inevitability of the lodgement of a Structure Plan by Westfield, it is considered reasonable that Council makes the appropriate request for a Structure Plan to be prepared for the Whitford Activity Centre. In doing so, Council will also need to determine the boundary of the area to be covered by the Structure Plan as per the current requirements of DPS2.

It is important, however, in the event that Council does request the preparation of a Structure Plan, Westfield be advised that Council's request is in no way any endorsement of that Structure Plan.

### Structure Plan boundary

In accordance with DPS2, Council is required to determine the area to be covered by the Structure Plan.

It is considered appropriate to include the following properties within the Structure Plan area:

- Lot 501 and Lot 6 Whitfords Avenue, Hillarys. These lots contain the Whitford Shopping Centre itself and the Bunnings and showroom site(s) across Endeavour Road to the west. The reason for the inclusion of these lots is that these commercial sites form the core of the Activity Centre.
- Lot 503 Banks Avenue, Hillarys. This lot contains the City of Joondalup library and Senior Citizens Centre. The reason for inclusion of this lot is that the uses on this lot are activities that are appropriately located within an Activity Centre.
- Lot 14284 Endeavour Road, Hillarys. This lot contains the Jean Beadle Centre. The reason for inclusion of this lot is that the uses on the lot are activities that are appropriately located within an Activity Centre.
- St Marks Anglican School, Hillarys. Although the inclusion of the school was questioned during consideration of the original structure plan application, further consideration of the matter has recognised that this use is an appropriate activity with an activity centre, given the links (including pedestrian and public transport) between the school and other uses within the proposed activity centre.
- The existing residential lots opposite the shopping centre on Banks Avenue. The reason for inclusion of these properties is that the draft Local Housing Strategy that was advertised for public comment already recommended that these existing residential lots be zoned 'Mixed Use'. Therefore, given the potential change in use of these lots in the future and given the City has already consulted with the community on the proposed rezoning of these lots, their inclusion in the activity centre is appropriate.

The extent of the above properties is shown at Attachment 2.

It is not considered appropriate to include the following areas within the Structure Plan area:

- The residential areas east (across Marmion Avenue) and north (across Whitfords Avenue). The reason for not including these properties is that although these properties are within a walkable 400 metres catchment of the Whitford shopping centre, Marmion and Whitfords Avenues are significant barriers that prohibit proper integration of these areas into the activity centre.
- The residential area to the south of the shopping centre. Although these properties are more contiguous with the shopping centre than the residential properties to the north and east, and although these are proposed to be subject to an increase in residential density as a result of the Local Housing Strategy, this area would not be suitable for any additional 'activity' given that the existing road pattern does not lend itself to a mixed use style of development.

## **Conclusion**

In summary:

- Amendment No 66 to DPS2 is a result of a Ministerial order and will allow an owner to prepare and lodge a Structure Plan with the City without the Council first having to request such;
- Lodgement of a Structure Plan for the Whitford Activity Centre is therefore inevitable;
- Westfield has a timing imperative to secure structure plan approval and development approval for expansions within the activity centre;
- There is no sound planning reason why the Council shouldn't request the preparation of a structure plan for the Whitford Activity Centre, ahead of the gazettal of Amendment No 66, given the above;
- In doing so, the Council also needs to determine the boundary of the area to be covered by the Structure Plan;
- The boundary recommended by the City has been carefully considered on planning merit and taking into account the requirements of SPP4.2;
- The proposed boundary is supported by the applicant and by the Department of Planning;
- The request to prepare an Activity Centre Structure Plan for the Whitford Activity Centre does not constitute any endorsement or otherwise of any Structure Plan to be submitted;
- Any Structure Plan submitted will be carefully assessed against the provisions of DPS2, all relevant local planning policies, relevant State Planning Policies - in particular SPP4.2;
- Any Structure Plan submitted will be the subject of a community engagement and consultation process that will be proposed to the Council in conjunction with any report that might recommend that Council endorses the Structure Plan for the purposes of advertising; and
- It is therefore recommended that the Council requests Westfield to prepare an Activity Centre Structure Plan for the Whitford Activity Centre as defined by the activity centre boundary recommended in this Report.

## **VOTING REQUIREMENTS**

Simple Majority.

*Director Governance and Strategy left the Chamber at 7.59pm.*

**MOVED Cr Gobbert, SECONDED Cr Hamilton-Prime that Council:**

- 1 REQUESTS Westfield Management Ltd to prepare an Activity Centre Structure Plan for the Whitford Activity Centre;**
- 2 AGREES that the boundary of the area to be covered by the Whitford Activity Centre Structure Plan is as per the area shown on the map in Attachment 2 to Report CJ181-09/12; and**
- 3 ADVISES Westfield Management Ltd that Council's request to prepare an Activity Centre Structure Plan for the Whitford Activity Centre does not constitute, in any way, endorsement of or support for any Structure Plan submitted.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf110912.pdf](#)*

**Disclosures of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ182-09/12 – Modifications to Additions to Currambine Central at Lot 929 (1244) Marmion Avenue, Currambine.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr McLean resides in the vicinity.

<b>Name/Position</b>	<b>Cr Philippa Taylor.</b>
<b>Item No/Subject</b>	CJ182-09/12 – Modifications to Additions to Currambine Central at Lot 929 (1244) Marmion Avenue, Currambine.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Taylor's son works at Oscars Restaurant.

## **CJ182-09/12      MODIFICATIONS TO ADDITIONS TO CURRAMBINE CENTRAL 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  
Attachment 3      Previously Approved Plans  
Attachment 4      Sustainability Checklist for Original Development

**PURPOSE**

To request Council's determination of an application for modifications to previously approved additions to the Currambine Central shopping centre at Lot 929 (1244) Marmion Avenue, Currambine.

**EXECUTIVE SUMMARY**

An application for planning approval has been received for modifications to previously approved additions to the Currambine Central shopping centre at Lot 929 (1244) Marmion Avenue, Currambine. The additions were originally approved by Council in November 2011 (CJ208-11/11 refers).

The previous approval for the additions included 636m<sup>2</sup> of retail and restaurant net lettable area (NLA), an upgrade to the existing cinema facade, a pedestrian mall and a courtyard.

The subject application includes changes to the layout of the additions, a further increase in NLA by 65.8m<sup>2</sup> and a reduction in the number of on-site car parking bays to be provided.

The new proposal now incorporates 443m<sup>2</sup> of restaurant dining area and 258.8m<sup>2</sup> of retail area bringing the combined NLA of the additions to 701.8m<sup>2</sup>.

The site is zoned 'Urban' under the Metropolitan Region Scheme, with the proposed development located within the 'Commercial' zone under the City's District Planning Scheme No 2 (DPS2). Both shop and restaurant are permitted 'P' uses within the zone.

In accordance with Schedule 3 of DPS2, a total of 10,000m<sup>2</sup> retail net lettable area (NLA) is permissible for the site. The 258.8m<sup>2</sup> of new retail NLA brings the total retail NLA for the site to 8,613.47m<sup>2</sup>.

In addition to the development standards of DPS2, the development site is also subject to the provisions of the Currambine District Centre Structure Plan (CDCSP). The proposal meets the standards of DPS2 and CDCSP with the exception of pedestrian mall width and on-site car parking.

It is considered that the proposal meets the objectives of the CDCSP and that sufficient on-site car parking has been provided to service the development. 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 (CJ106-06/08 refers), Council refused an application for a Liquor Store on the north portion of the site. 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 two buildings to the north west of the cinema complex approved by Council on 19 October 2010 (CJ168-10/10 refers).



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 (CJ053-04/11 refers);
- Shop and showroom development (market hall) 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 refer);
- Change of use from Office and Take Away Food Outlet to Office and Restaurant approved by Council on 21 February 2012 (CJ004-02/12 refers); and
- Change of use from Shop to Restaurant and change of use from Convenience Store to Unlisted Use (betting agency) approved by Council on 15 May 2012 (CJ076-05/12 and CJ078-05/12 refer).

## DETAILS

The application is for modifications to previously approved additions to the north-west of the existing shopping centre. The key modifications include the following:

- Adjustments have been made to the layout of the additions, including an increase in the NLA;
- The external dining area for the restaurant which was immediately south of the courtyard has been deleted and a walkway is proposed in this location. The external dining area originally proposed did not contribute to NLA but as it has now been incorporated into the restaurant building, it now contributes to the proposed NLA;
- The previously approved external dining area was covered by a roof; however, as this space is now a walkway, the roof over this area has been removed;
- The roof line in the vicinity of the main street has been extended to the west;
- The line of the restaurant shopfront has been extended north towards the courtyard; and
- The applicant proposes to provide 734 car bays on the site, which is 52 car bays less than the number of car bays required as a condition of the previous approval.

The applicant proposes to construct the development in two stages. Stage one consists of 443m<sup>2</sup> of restaurant dining area and the removal of 27.2m<sup>2</sup> of existing retail NLA to accommodate a new entrance to the shopping centre from the north. Stage two incorporates a net increase of 286m<sup>2</sup> of retail NLA which includes 313m<sup>2</sup> of new retail NLA and the removal of 27m<sup>2</sup> of retail NLA due to the internal relocation of toilets. The courtyard will be developed as part of stage one and the water court will be established as part of Stage Two.

As the future operators have not been determined for the tenancies, the applicant has requested approval for the uses Take Away Food Outlet, Restaurant and Shop. As such, should Council resolve to approve the application, further approvals will not be required for changes of use if the proposed use is one of the abovementioned uses. Should the development be approved, the applicant has indicated that temporary landscaping will be provided to the proposed stage two areas until this stage is constructed.

### Car parking

At its meeting held on November 2011, Council considered two applications for the shopping centre site (CJ208-11/11 and CJ209-11/11 refer).

One application was for the additions which are proposed to be modified as per this report and the second application was for the reconfiguration of the car park in the south western corner of the site to create an extra 109 bays on site. Council effectively linked these two applications with a condition on the approval for the additions which reads *"a total of 786 car bays shall be provided on-site prior to the occupation of the tenancies which are the subject of this application"*. The figure of 786 car bays included the 109 new car bays created out of the abovementioned reconfiguration of the south western car park.

Reconfiguration of the car park has not yet commenced. It is still proposed to occur but contrary to the intent of the condition of planning approval mentioned above, the timing of these works may not occur prior to occupation of the tenancies the subject of this application. The applicant has however indicated that the reconfiguration of the car park and creation of the additional bays will be done prior to the construction of the market hall development (CJ175-10/11 refers).

The subject proposal seeks to increase the NLA by 65.8m<sup>2</sup> more than previously approved and to provide 734 car bays which is 52 bays less than the 786 bays originally proposed, and approved by the City.

Based on the DPS2 car parking standard of seven bays per 100m<sup>2</sup> of NLA for shopping centres under 10,000m<sup>2</sup> of NLA, the car parking situation for the site is outlined below:

<b>Car bays required for current application under DPS2</b>	<b>Car bays required for the site under DPS2</b>	<b>Car bays to be provided</b>	<b>Shortfall</b>
701.8m <sup>2</sup> of NLA proposed therefore 49.13 (rounded up to 50) car bays required	902.81 (rounded up to 903) bays	734	169 car bay shortfall (18.72%)

The Council has previously approved a parking shortfall of up to 190 bays (19.46% of the requirement at that time) for this site. Through subsequent approvals, the shortfall has decreased and increased again and is now proposed to be 18.72% of the current 734 bays requirement, which is 21 bays (0.74%) less than previously approved.

An important point for Council to consider is that under *State Planning Policy 4.2 - Activity Centres for Perth and Peel* (SPP 4.2), four to five car bays per 100m<sup>2</sup> of NLA is considered to be an appropriate provision of car parking for the subject shopping centre. If the upper ratio of five car bays per 100m<sup>2</sup> is applied to the site, based on the proposed NLA of the centre, 725 bays are required.

If the Council recognises that this is the standard that will likely be formally applied to this centre in the future via proposed amendments to DPS2 to align it with SPP4.2, this will mean that sufficient on-site parking is provided.

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

Council has the discretion to:

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

### **Legislation/Strategic Plan/Policy Implications**

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

Clause 4.5 of DPS2 allows for the development standards to be varied:

#### **4.5      *Variations to Site and Development Standards and Requirements***

*4.5.1 Except for development in respect of which the Residential Design Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*

*4.5.2 In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*

- (a) consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1 and*
- (b) have regard to any expressed views prior to making its decision to grant the variation.*

*4.5.3 The power conferred by this clause may only be exercised if the Council is satisfied that:*

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

#### 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 AS 2890.2 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 exercising discretion under Clause 4.5, the matters listed under Clause 6.8 require consideration:

#### 6.8 Matters to be considered by Council

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

- (a) *interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) *any relevant submissions by the applicant;*
- (c) *any Agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
- (d) *any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) *any other matter which under the provisions of the Scheme the Council is required to have due regard;*
- (f) *any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*
- (g) *any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) *the comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) *the comments or wishes of any objectors to or supporters of the application;*

- (j) *any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) *any other matter which in the opinion of the Council is relevant.*

**Strategic Plan**

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

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

**Policy:**

Not Applicable.

**Risk Management Considerations:**

The proponent has a right of review against the 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 \$139 (excluding GST) for the assessment of the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The applicant completed the City's sustainability checklist for the original development application. As the proposal is for minor modifications to this approval only, the applicant did not resubmit a sustainability checklist for this application. A copy of the original checklist is provided as Attachment 4.

**Consultation:**

The proposal was not advertised as the land uses proposed are permitted within the Commercial zone, and due to the separation of the subject development from surrounding residents, there will be no impact on surrounding residents as a result of the development.

**COMMENT**

The application is for modifications to previously approved additions at the Currumbine Central shopping centre. The requirements of DPS2 and the CDCSP have been met except where discussed below.

### Pedestrian Mall Width

In accordance with the CDCSP, the pedestrian mall located immediately adjacent to the cinema, is to have a minimum width of eight metres. A minimum width of 3.6 metres is proposed immediately west of the cinema, which increases to 3.9 metres east of the restaurant extension and to four metres toward the new northern entrance to the centre. The original application included a minimum pedestrian mall width of four metres.

The pedestrian mall located adjacent to the cinema is along the edge of a raised garden courtyard forming part of an overall town square, in which multiple areas of activity are proposed. This includes alfresco areas, and multiple glazed shop and restaurant frontages which will provide greater interest for pedestrians. It is noted that the garden courtyard is accessible for pedestrians.

It is considered that the 3.6 metre width is adequate to ensure there is sufficient pedestrian access as required under the CDCSP. Furthermore, as this is adjacent to the garden courtyard/town square, other opportunities for pedestrian access are provided. In regard to the water courtyard area, it is noted that there will be little surveillance offered to the area outside of trading hours, therefore a sliding gate has been included to restrict access to this area outside of centre trading hours. It is recommended this be reinforced by a condition of approval that ensures it remains open during the day and closed at night.

### Car parking

As outlined above, the car parking proposed is less than required by DPS2 by 169 car bays.

In support of the development, a transport assessment report was submitted. This demonstrated that, a standard of 4.92 bays per 100m<sup>2</sup> of gross floor area is sufficient to cater for the centre and for future expansions. The assessment concluded that the site will have an oversupply of parking once the proposed development has been constructed, taking into account current peak utilisation periods.

The number of bays being provided is also greater than that required under *State Planning Policy 4.2 – Activity Centres for Perth and Peel* (SPP 4.2). Under SPP 4.2, four to five bays per 100m<sup>2</sup> of NLA is considered to be an appropriate standard for the provision of car parking. If the upper limit of this standard is applied to the site based on the current and proposed NLA, then 725 bays are required.

In order to align the City's planning scheme with SPP4.2, it will be proposed, either as part of an upcoming omnibus amendment to DPS2 or as part of the development of Local Planning Scheme No 3, to align the car parking standards for this centre with the standards stated in SPP 4.2.

In the interim, this report recommends that the Council determines that a car parking standard of five bays per 100m<sup>2</sup> of net lettable area is appropriate for this centre and should be applied to this and future development applications on the shopping centre site.

### Conclusion

The proposed variation to DPS2 and the CDCSP are considered appropriate and the provision of 725 on-site car parking bays is considered to be sufficient to service the overall site.

The application is recommended for approval subject to conditions.

## VOTING REQUIREMENTS

Simple Majority.

*Director Governance and Strategy entered the Chamber at 8.03pm.*

## OFFICER'S RECOMMENDATION

That Council:

- 1 EXERCISES discretion under Clause 4.5.1 of the City's District Planning Scheme No 2 and determines that:
  - 1.1 A minimum pedestrian mall width of 3.6 metres in lieu of 8 metres is appropriate in this instance;
- 2 Pursuant to Clause 4.8.2 of the City's District Planning Scheme No 2, DETERMINES that a car parking standard of five bays per 100m<sup>2</sup> of net lettable area is appropriate for the Currambine Central shopping centre and should be applied to this and future development applications on the shopping centre site;
- 3 APPROVES the application for planning approval, dated 11 May 2012, submitted by TPG Town Planning and Design on behalf of the owner, Davidson Pty Ltd for additions at Lot 929 (1244) Delamere Avenue, Currambine, subject to the following conditions:
  - 3.1 This decision constitutes planning approval only and is valid for a period of 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;
  - 3.2 Car parking shall be provided on site at a ratio of five bays per 100m<sup>2</sup> of net lettable area;
  - 3.3 No tenancies shall be occupied where it will cause the number of car parking bays provided on-site to be less than five bays per 100m<sup>2</sup> of net lettable area at any given time;
  - 3.4 The sliding gate to the north of the water court shall be closed and locked outside of operating hours for the centre, and shall remain open at all other times;
  - 3.5 A Construction Management Plan being submitted and approved prior to the commencement of construction. The Management Plan shall detail how it is proposed to manage:
    - 3.5.1 all forward works for the site;
    - 3.5.2 the delivery of materials and equipment to the site;
    - 3.5.3 the storage of materials and equipment on the site;
    - 3.5.4 the parking arrangements for the contractors and subcontractors; and
    - 3.5.5 other matters likely to impact on the surrounding properties;

- 3.6 A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to the commencement of construction;
- 3.7 Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
  - 3.7.1 Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - 3.7.2 Provide all details relating to paving, treatment of verges and tree planting in the car park;
  - 3.7.3 Show spot levels and/or contours of the site;
  - 3.7.4 Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;
  - 3.7.5 Be based on water sensitive urban design principles to the satisfaction of the City;
  - 3.7.6 Be based on Designing out Crime principles to the satisfaction of the City; and
  - 3.7.7 Show all irrigation design details;
- 3.8 Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City;
- 3.9 Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of construction;
- 3.10 An onsite stormwater drainage system with the capacity to contain a 1:100 year storm of 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be provided to the City and approved prior to the commencement of construction;
- 3.11 Obscured or reflective glazing shall not be used on the ground floor building facades;
- 3.12 All signage is subject to a separate development application; and
- 3.13 Any bicycle parking facilities provided should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of construction.



**MOVED Cr McLean, SECONDED Cr Hollywood that Council:**

- 1 EXERCISES discretion under Clause 4.5.1 of the City's District Planning Scheme No 2 and determines that:**
  - 1.1 A minimum pedestrian mall width of 3.6 metres in lieu of 8 metres is appropriate in this instance;**
- 2 Pursuant to Clause 4.8.2 of the City's District Planning Scheme No 2, DETERMINES that a car parking standard of five bays per 100m<sup>2</sup> of net lettable area is appropriate for the Currambine Central shopping centre and should be applied to this and future development applications on the shopping centre site;**
- 3 APPROVES the application for planning approval, dated 11 May 2012, submitted by TPG Town Planning and Design on behalf of the owner, Davidson Pty Ltd for additions at Lot 929 (1244) Delamere Avenue, Currambine, subject to the following conditions:**
  - 3.1 This decision constitutes planning approval only and is valid for a period of 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;**
  - 3.2 Car parking shall be provided on site at a ratio of five bays per 100m<sup>2</sup> of net lettable area;**
  - 3.3 No tenancies shall be occupied where it will cause the number of car parking bays provided on-site to be less than five bays per 100m<sup>2</sup> of net lettable area at any given time;**
  - 3.4 The sliding gate to the north of the water court shall be closed and locked outside of operating hours for the centre, and shall remain open at all other times;**
  - 3.5 A Construction Management Plan being submitted and approved prior to the commencement of construction. The management plan shall detail how it is proposed to manage:**
    - 3.5.1 all forward works for the site;**
    - 3.5.2 the delivery of materials and equipment to the site;**
    - 3.5.3 the storage of materials and equipment on the site;**
    - 3.5.4 the parking arrangements for the contractors and subcontractors; and**
    - 3.5.5 other matters likely to impact on the surrounding properties;**
  - 3.6 A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to the commencement of construction;**

- 3.7 Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:**
- 3.7.1 Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;**
  - 3.7.2 Provide all details relating to paving, treatment of verges and tree planting in the car park;**
  - 3.7.3 Show spot levels and/or contours of the site;**
  - 3.7.4 Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;**
  - 3.7.5 Be based on water sensitive urban design principles to the satisfaction of the City;**
  - 3.7.6 Be based on Designing out Crime principles to the satisfaction of the City; and**
  - 3.7.7 Show all irrigation design details;**
- 3.8 Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City;**
- 3.9 Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of construction;**
- 3.10 An onsite stormwater drainage system with the capacity to contain a 1:100 year storm of 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be provided to the City and approved prior to the commencement of construction;**
- 3.11 Obscured or reflective glazing shall not be used on the ground floor building facades;**
- 3.12 All signage is subject to a separate development application; and**
- 3.13 Any bicycle parking facilities provided for the public should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of construction.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf110912.pdf](#)

**CJ183-09/12 EXECUTION OF DOCUMENTS**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	15876, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Documents executed by affixing the Common Seal for the period 31 July 2012 to 29 August 2012

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 31 July 2012 to 29 August 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.

*It is recommended that Council NOTES the Schedule of Documents covering the period 31 July 2012 to 29 August 2012, executed by means of affixing the Common Seal, as detailed in Attachment 1 to this Report.*

**BACKGROUND**

During the period 31 July 2012 to 29 August 2012, 10 documents were executed by affixing the Common Seal. A summary is provided below.

**DETAILS**

Type	Number
Deed to enable transfer of Land.	1
Amendment to DPS2.	1
Power of Attorney.	1
Deed of Variation.	1
Section 70A Notification.	5
Withdrawal of Caveat.	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.

**MOVED Cr Amphlett, SECONDED Cr McLean that Council NOTES the Schedule of Documents covering the period 31 July 2012 to 29 August 2012, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ183-09/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution prior to consideration of CJ195-09/12 Page, 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf110912.pdf](#)*

## **CJ184-09/12      STATUS OF PETITIONS**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	05386, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Status of Petitions – 28 June 2011 to 21 August 2012

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### **PURPOSE**

To advise Council of the status of outstanding petitions.

### **BACKGROUND**

Quarterly reports on outstanding petitions are to be presented to Council.

### **DETAILS**

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

Attachment 1 provides a list of all outstanding petitions, which were received during the period 28 June 2011 to 21 August 2012, with a comment on the status of each petition.

#### **Legislation/Strategic Plan/Policy Implications**

##### **Legislation**

Clause 22 of the City's *Standing Orders Local Law 2005* states:

##### *"22. Petitions*

- (1) A petition received by a member or the CEO is to be presented to the next ordinary Council meeting;*
- (2) Any petition to the Council is:
  - (a) as far as practicable to be prepared in the form prescribed in the Schedule;*
  - (b) to be addressed to the Council and forwarded to a member or the CEO;*
  - (c) to state the name and address of the person to whom correspondence in respect of the petition may be served;**
- (3) Once a petition is presented to the Council, a motion may be moved to receive the petition and refer it to the CEO for action."*

**Strategic Plan**

**Objective:** 1.2 To engage proactively with the community.

**Strategy:** 1.2.4 The City maintains its commitment to public engagement, allowing Deputations and Public Statement Times, in addition to the Legislative requirements to public participation.

**Policy Implications:**

Individual petitions may impact on the policy position of the City.

**Risk Management Considerations:**

Failure to give consideration to the request of the petitioners and take the appropriate actions may impact on the level of satisfaction by the community.

**Financial/Budget Implications:**

Individual requests made by the way of petitions may have financial implications.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The petitions are presented to Council for information on the actions taken, along with those outstanding.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr McLean that Council NOTES:**

- 1 the status of outstanding petitions submitted to Council during the period 28 June 2011 to 21 August 2012, forming Attachment 1 to Report CJ184-09/12;**
- 2 that reports in relation to the following petitions were presented to Council at its meeting held on 26 June 2012:**
  - 2.1 petition in relation to vehicular movement within Hepburn Heights and the request to prepare a business case to divest 12 Blackwattle Parade, Padbury to provide funds to address residents' concerns (CJ120-06/12 refers); and**
  - 2.2 petition in relation to vehicular movement within Hepburn Heights and a request for a pedestrian overpass over Hepburn Avenue, requesting preparation of a Business case to divest 12 Blackwattle Parade, Padbury to provide funds to address residents' concerns (CJ120-06/12 refers);**
- 3 that a report in relation to the petition requesting that Section 4.16 of the District Planning Scheme No 2 and relevant City of Joondalup Local Laws be amended to enable caravans to be parked on a verge under prescribed conditions, was presented to Council at its meeting held on 21 August 2012 (CJ159-08/12 refers);**
- 4 that community consultation, in relation to the petition with regard to the location of the replacement playground equipment at Montague Park, Kallaroo closed on 17 August 2012 and the installation of the playground equipment commenced during September 2012 and the lead petitioner has been advised accordingly;**
- 5 that no further action will be taken in relation to the petition requesting that Council close the pedestrian accessway joining Rocket Vale and Brazier Rise, Padbury, as an agreement from adjoining landowners to share the costs of the application fee and the purchase of the land was not reached;**
- 6 that a report in relation to the petition requesting the parking of a caravan on a verge at 2 Defoe Court, Kingsley is proposed to be presented to Council at its meeting to be held on 18 September 2012;**
- 7 that a report in relation to the petition requesting Council oppose the establishment of a community garden in Regents Park or Charing Cross Park, Joondalup, will be presented to Council following the development of a proposal by the Community Garden Working Group for the establishment of a community garden within the City; and**

- 8** that no further action will be taken in relation to the petition requesting Council reject Peet Ltd's current proposal for the Dome Cafe at the Foreshore Park, Burns Beach, as the applicant has withdrawn their application proposal and the lead petitioner has been advised accordingly.

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution prior to consideration of CJ195-09/12 Page, 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf110912.pdf](#)*



**CJ185-09/12 MINUTES OF EXTERNAL COMMITTEES****WARD:** All**RESPONSIBLE DIRECTOR:** Mr Jamie Parry  
Governance and Strategy**FILE NUMBER:** 101515, 60514, 48543, 41196, 03149**ATTACHMENTS:**  
Attachment 1 Minutes of the WALGA Annual General Meeting held on 1 August 2012  
Attachment 2 Minutes of the Local Emergency Management Committee held on 2 August 2012  
Attachment 3 Minutes of the Tamala Park Regional Council held on 16 August 2012  
Attachment 4 Minutes of the Mindarie Regional Council held on 23 August 2012  
Attachment 5 Minutes of the WALGA North Metropolitan Zone Meeting held on 30 August 2012*(Please Note: These minutes are only available electronically)*

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**PURPOSE**

To submit minutes of external committees to Council for information.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- WALGA – Annual General Meeting – 1 August 2012;
- Local Emergency Management Committee Meeting – 2 August 2012;
- Tamala Park Regional Council Meeting – 16 August 2012;
- Mindarie Regional Council Meeting – 23 August 2012; and
- WALGA North Metropolitan Zone Meeting – 30 August 2012.

**DETAILS****WALGA – Annual General Meeting – 1 August 2012**

An Annual General Meeting for WALGA was held on 1 August 2012.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the WALGA Annual General Meeting:

## **5.2 Consultation Process with State Government (05-050-01-0001TB)**

It was resolved by WALGA as follows:

*“That the Minister for Local Government, when calling for submissions, comment or advise on proposed amendments to the Act, Regulations or other items that affect the Local Government Sector, provide an adequate allowance for time, being a minimum of six weeks, to review the information and prepare submissions; and if Easter or the Christmas period fall within this consultation period, an additional two weeks for Easter and four weeks for the Christmas period be added to the submission period.”*

## **5.3 Revaluation of Unimproved Valuation (UV) Land (05-034-01-0001TB)**

It was resolved by WALGA as follows:

*“That this meeting seek an amendment to the Valuation of Land Act 1978 to:*

- 1 enable individual Local Governments to determine if it is considered necessary for a UV revaluation to be applied, for rating purposes, across the whole Shire in any particular year.*
- 2 include provision that every Local Government across the State must accept a general UV revaluation at least once every three years.*
- 3 enable individual Local Governments to determine if it is considered necessary for a GRV revaluation to be applied every three, four or five years.”*

## **6.1 Matter of Special Urgent Business: Native Vegetation Management (05-095-03-0001KB)**

It was resolved by WALGA as follows:

*“That WALGA press the Minister for the Environment to commit to a timeline to amend the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and the consulting process with Local Governments, with a view to providing a general exemption for the sector in relation to clearing of road reserves.”*

## **6.2 Matter of Special Urgent Business: Grant Applications (05-034-01-0003TB)**

It was resolved by WALGA as follows:

*“That WALGA requests the State Government to introduce a “One Stop Shop” for Local Government grant applications, dealing with a preregistration process, streamlining of the application process, standardising of the applications and a pre-determined approval/rejection timeline.”*

### **Local Emergency Management Committee – 2 August 2012**

An Ordinary Meeting of the Local Emergency Management Committee was held on 2 August 2012.

Cr John Chester and Cr Christine Hamilton-Prime are Council's representatives on the Local Emergency Management Committee.

### **Tamala Park Regional Council Meeting – 16 August 2012**

An Ordinary Meeting of the Tamala Park Regional Council was held on 16 August 2012.

Cr Geoff Amphlett and Cr Tom McLean are Council's representatives on the Tamala Park Regional Council.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the Tamala Park Regional Council Meeting:

#### **9.5 TPRC Draft Budget for the Financial Year 2012/2013**

It was resolved in part by Tamala Park Regional Council as follows:

- "1 ADOPTS the Budget for the Tamala Park Regional Council for the year ending 30 June 2013, incorporating:*
  - a Statement of Comprehensive Income, indicating an operating deficit of \$34,809,309.*
  - b Statement of Financial Activity, showing cash at end of year position of \$11,147,460.*
  - c Rate Setting Statement, indicating no rates levied.*
  - d Notes 1 to 27 forming part of the Budget, subject to the change in 1b. 2. ADOPT the Significant Accounting Policies as detailed in pages 13 -18.*
  
- 3 ADOPT a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.*
  
- 4 Authorise the Chief Executive Officer to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works for subsequent presentation to Council."*

### **Mindarie Regional Council Meeting – 23 August 2012**

An Ordinary Meeting of the Mindarie Regional Council was held on 23 August 2012.

Cr Russ Fishwick (Chairman) and Cr Kerry Hollywood are Council's representatives on the Tamala Park Regional Council.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the Mindarie Regional Council Meeting:

**10 Chief Executive Officer Reports****ITEM 10.2 MRC Waste Facility Site Amendment Local Law 2012**

It was resolved by Mindarie Regional Council as follows:

*“That:*

- 1 *The Council endorses the Mindarie Regional Council Waste Facility Site Amendment Local Law 2012 including its “purpose” and “effect”;*
- 2 *The Council authorises the Waste Facility Site Amendment Local Law detailed in (1) above to be advertised in accordance with section 3.12(3) of the Local Government Act 1995.”*

**WALGA – North Metropolitan Zone Meeting – 30 August 2012**

An Ordinary Meeting of the WALGA North Metropolitan Zone was held on 30 August 2012.

Crs Geoff Amphlett, Russ Fishwick, Christine Hamilton-Prime and Mike Norman are Council's representatives on the WALGA North Metropolitan Zone. Cr Amphlett was an apology for this meeting.

**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.

**MOVED Cr Chester, SECONDED Cr Amphlett that Council NOTES the Minutes of the:**

- 1 WALGA – Annual General Meeting held on 1 August 2012 forming Attachment 1 to Report CJ185-09/12;**
- 2 Local Emergency Management Committee held on 2 August 2012 forming Attachment 2 to Report CJ185-09/12;**
- 3 Tamala Park Regional Council held on 16 August 2012 forming Attachment 3 to Report CJ185-09/12;**
- 4 Mindarie Regional Council held on 23 August 2012 forming Attachment 4 to Report CJ185-09/12; and**
- 5 WALGA North Metropolitan Zone Meeting held on 30 August 2012 forming Attachment 5 to Report CJ185-09/12.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*To access this attachment on electronic document, click here: [Externalminutes110912.pdf](#)*

## **CJ186-09/12 APPOINTMENT OF A DEPUTY MEMBER – MINDARIE REGIONAL COUNCIL MEETING**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Jamie Parry  
Governance and Strategy

**FILE NUMBER:** 03149, 101515

**ATTACHMENTS:** Nil.

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### **PURPOSE**

For the Council to give consideration to appointing an Elected Member to deputise for Cr Russ Fishwick at any Mindarie Regional Council meetings to be held during the period of Cr Fishwick's leave of absence from 29 September to 9 November 2012 inclusive.

### **EXECUTIVE SUMMARY**

The Mindarie Regional Council (MRC) was established for the management of waste and comprises the following local governments:

- City of Joondalup;
- City of Perth;
- City of Stirling;
- City of Wanneroo;
- Town of Vincent;
- Town of Victoria Park; and
- Town of Cambridge.

Each local government is represented on the MRC, with the City of Joondalup being represented by Cr Russ Fishwick, who is the Chairman of the MRC, and Cr Kerry Hollywood. The MRC meets bi-monthly, with its next meeting scheduled to be held on Thursday, 25 October 2012 at the City of Perth.

Cr Russ Fishwick will be overseas on approved leave of absence for the period 29 September to 9 November 2012, which includes the next scheduled meeting. Previous legal advice requires that where the City requires to be represented in the absence of a nominated member to the MRC it must do so by specific resolution for a specified period.

*It is recommended that the Council:*

- 1 *In the absence of Cr Russ Fishwick and in accordance with the provisions of section 52 of the Interpretation Act 1984, APPOINTS an Elected Member as a deputy member to act on behalf of Cr Fishwick and represent the City at any meetings of the Mindarie Regional Council to be held during the period of Cr Fishwick's leave of absence from 29 September to 9 November 2012 inclusive; and*
- 2 *ADVISES the Mindarie Regional Council of its decision.*

## BACKGROUND

The Mindarie Regional Council (MRC) was established for the management of waste and comprises the following local governments:

- City of Joondalup;
- City of Perth;
- City of Stirling;
- City of Wanneroo;
- Town of Vincent;
- Town of Victoria Park; and
- Town of Cambridge.

Each local government is represented on the Council, with the City of Joondalup being represented by Cr Russ Fishwick, who is the Chairman of the MRC, and Cr Kerry Hollywood. The MRC meets bi-monthly, with its next meeting scheduled to be held on Thursday, 25 October 2012 at the City of Perth.

## DETAILS

Cr Fishwick will be overseas on approved leave of absence for the next scheduled meeting. Previous legal advice indicates that where the City requires to be represented in the absence of a nominated member to the MRC it must do so by specific resolution for a specified period.

This advice indicated that there is no power for member Councils to appoint permanent deputies to the MRC. Consequently, if the City's appointed member to the MRC is unable to attend the meeting, a nominated deputy cannot just attend in his or her place. Instead, the City needs to appoint a person to act in place of the member on each occasion when the member could not attend.

### Issues and options considered:

The options available to the Council are to:

- agree to appoint another Elected Member to act in the place of Cr Fishwick during his absence; or
- not agree to appoint another member.

### Legislation/Strategic Plan/Policy Implications

**Legislation** The legislation, which is constraining the appointment of deputies, is the *Interpretation Act 1984*.

Section 52(1) and (2) of the *Interpretation Act 1984* states:

- (1) Where a written law confers a power or imposes a duty upon a person to make an appointment to an office or position, including an acting appointment, the person having such a power or duty shall also have the power:

- b) Where a person so appointed to an office or position is suspended or unable, or expected to become unable, for any other cause to perform the functions of such office or position, to appoint a person to act temporarily in place of the person so appointed during the period of suspension or other inability but a person shall not be appointed to so act temporarily unless he is eligible and qualified to be appointed to the office or position; and
  - c) To specify the period for which any person appointed in exercise of such a power or duty shall hold his appointment.
- (2) For the purposes of subsection (1)(b), "cause" includes:
- a) Illness;
  - b) Temporary absence from the State; and
  - c) Conflict of interest.

The key provisions, which create problems for the appointment of deputies, are the word 'unable' in subsection 1(b) and the requirement to specify the period of appointment in subsection 1(c).

## **Strategic Plan**

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

**Objective:** To engage proactively with the community and other relevant organisations in the preservation of the City's natural environmental assets.

### **Policy:**

Not Applicable.

### **Risk Management considerations:**

The risk to the City of Joondalup is that if another member is not appointed to represent the City in the absence of Cr Fishwick, then the City will not be fully represented and therefore not have its allocated voting rights on matters before the Mindarie Regional Council.

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

Not Applicable.

### **Policy implications:**

Not Applicable.

### **Regional Significance:**

The Mindarie Regional Council is the primary Waste Management Authority for a number of metropolitan local government authorities. The City's representation at Mindarie Regional Council meetings is of critical importance to the regional management of waste.



**Sustainability implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

It is considered to be of regional and strategic importance that the Council exercises its ability to be represented at each and every meeting of the Mindarie Regional Council. It is recommended that a deputy member be appointed to represent the City at any meetings of the Mindarie Regional Council to be held during the period of Cr Fishwick's leave of absence from 29 September to 9 November 2012 inclusive.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1 In the absence of Cr Russ Fishwick and in accordance with the provisions of section 52 of the *Interpretation Act 1984*, APPOINTS an Elected Member as deputy member to act on behalf of Cr Fishwick and represent the City at any meetings of the Mindarie Regional Council to be held during the period of Cr Fishwick's leave of absence from 29 September to 9 November 2012 inclusive; and
- 2 ADVISES the Mindarie Regional Council of its decision.

*Manager, Planning Services left the Chamber at 8.05pm and returned at 8.07pm.*

**MOVED Cr Norman, SECONDED Cr Fishwick that Council:**

- 1 **In the absence of Cr Russ Fishwick and in accordance with the provisions of section 52 of the *Interpretation Act 1984*, APPOINTS Mayor Troy Pickard as deputy member to act on behalf of Cr Fishwick and represent the City at any meetings of the Mindarie Regional Council to be held during the period of Cr Fishwick's leave of absence from 29 September to 9 November 2012 inclusive; and**
- 2 **ADVISES the Mindarie Regional Council of its decision.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

## **CJ187-09/12 COMMUNITY SPORTING AND RECREATION FACILITY FUND (CSRFF) ANNUAL AND FORWARD PLANNING GRANT APPLICATIONS - 2012/2013**

**WARD:** North and North-Central

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

**FILE NUMBER:** 22209, 101515

**ATTACHMENTS:**

Attachment 1	Iluka District Open Space – Aerial Map
Attachment 2	Analysis of 'Iluka District Open Space, Iluka – Proposed Floodlighting Infrastructure Upgrade Project' community consultation
Attachment 3	Prince Regent Park – Aerial Map
Attachment 4	Analysis of 'Prince Regent Park, Heathridge – Proposed Floodlighting Infrastructure Upgrade Project' community consultation

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### **PURPOSE**

To provide details and recommendations on the applications received for the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) Annual and Forward Planning Grant for funding in 2013/14.

### **EXECUTIVE SUMMARY**

The Department of Sport and Recreation has \$20 million allocated state-wide for the annual Community Sporting and Recreation Facilities Fund (CSRFF).

The CSRFF program aims to increase participation in physical activity through the provision of funding that assists the development of well planned and designed infrastructure for sport and recreation. The City of Joondalup is required to assess and rank all applications received from sport and recreation clubs located within the City, prior to their submission to the Department of Sport and Recreation.

One community organisation submitted an application to the City for consideration and one application has been prepared by the City, for a total of two CSRFF Forward Planning Grant applications. Applications must be received by the Department of Sport and Recreation by 4.00pm Friday, 28 September 2012.

*It is recommended that Council:*

- 1 *ENDORSES the ranking and rating of Community Sporting and Recreation Facility Fund applications below:*

<i>Applicant's Rank</i>		<i>Applicant's Rating</i>
<i>1</i>	<i>Iluka District Open Space, Iluka – upgrade of floodlighting at Iluka District Open Space, Iluka.</i>	<i>Well planned and needed by the local government.</i>
<i>2</i>	<i>Prince Regent Park, Heathridge – upgrade of floodlighting at Prince Regent Park, Heathridge.</i>	<i>Well planned and needed by the local government.</i>

- 2 *ENDORSES an application to the Department of Sport and Recreation's CSRFF program for \$239,442.76 (ex GST) to part fund the upgrade of floodlighting at Iluka District Open Space, Iluka;*
- 3 *Subject to the application in Part 2 above being successful LISTS an additional \$58,885.54 (ex GST) for consideration in the 2013/14 Capital Works Program, for the upgrade of floodlighting at Iluka District Open Space, Iluka;*
- 4 *Subject to the application in Part 2 above being successful, NOTES that an additional amount of \$19,606.40 will be included in the City's Annual Budget for maintenance of the floodlighting infrastructure at Iluka District Open Space, Iluka;*
- 5 *ENDORSES an application to the Department of Sport and Recreation's CSRFF program for \$73,849.57 (ex GST) to part fund the upgrade of floodlighting at Prince Regent Park, Heathridge;*
- 6 *Subject to the application in Part 5 above being successful LISTS \$73,849.57 (ex GST) for consideration in the 2013/14 Capital Works Program, for the upgrade of floodlighting at Prince Regent Park, Heathridge; and*
- 7 *Subject to the application in Part 5 above being successful, NOTES that an additional amount of \$10,000 will be included in the City's Annual Budget for maintenance of the floodlighting infrastructure at Prince Regent Park, Heathridge.*

## **BACKGROUND**

The CSRFF program aims to increase participation in physical activity through the provision of funding that assists the development of well designed infrastructure for sport and recreation.

The CSRFF program represents a partnership opportunity for community organisations to work with local government authorities and the Department of Sport and Recreation. Applications for funding may be submitted by a community organisation or a local government authority. A CSRFF grant will not exceed one third of the total completed cost of the project, with the remaining funds to be contributed by the applicant's own cash or 'in-kind' contribution, and/or the local government authority.

The State Government allocates \$20 million per year for CSRFF grants in three categories:

**Small Grants (\$1.5 million per year; \$750,000 each round)**

Small Grants are offered on a bi-annual basis for projects that have a total value of between \$7,500 and \$150,000. Applications close in August and March of each year.

**Annual Grants (\$3 million per year)**

Annual Grants require greater detail and planning and have a total project value of between \$150,001 and \$500,000. Applications close in September of each year.

**Forward Planning Grants (\$15.5 million per year)**

Forward Planning Grants are for projects requiring a period of between one and three years to complete with a maximum grant amount of \$4 million (total project value up to \$12 million). Applications close in September of each year.

The City of Joondalup is required to place a priority ranking and rating on applications from organisations that fall within its boundaries based on the following criteria:

- Well planned and needed by the local government;
- Well planned and needed by the applicant;
- Needed by the local government, more planning required;
- Needed by the applicant, more planning required;
- Idea has merit, more preliminary work needed; and
- Not recommended.

The Department of Sport and Recreation places a strong emphasis on a planned approach towards CSRFF applications.

## **DETAILS**

The City received one application and has prepared one application for the CSRFF Forward Planning Grant round for 2012/13 (to be funded in 2013/14).

The City assessed the applications, and developed a project summary and justification for the recommendations for the projects as part of the assessment process.

Iluka District Open Space, Iluka – (Application by the City)

In March 2011, the City conducted an Active Reserve review, which identified a strategic approach to ongoing management of reserves and provision of infrastructure.

One of the recommendations to come out of the review was to upgrade floodlighting at selected sites over the next five years. Iluka District Open Space was considered a high priority venue and it is recommended that the City submit an application to CSRFF to part fund the project in 2013/14.

The Iluka District Open Space floodlighting project involves the upgrade of the current floodlighting to provide opportunities for more efficient use of the park and lighting to the current Australian lighting standards for large ball sports.

Currently, there are six 12 metre light poles, each with 2 x 1,000 watt lights providing floodlighting to the reserve, lighting only small sections of the park to a lux level that is below the Australian Standard for large ball sports training. The proposed project will involve the installation of lights to provide sufficient lighting for training for large ball sports (50 lux) over the entire surface of both playing fields. This will require installing ten 25 metre floodlighting towers each fitted with two to four luminaries.

The proposed level of lighting meets current Australian Standards for large ball sports training, and will therefore increase training opportunities as well as flexibility for the seasonal hirers of the park.

Iluka District Open Space is one of the City's most heavily utilised reserves catering for five active sporting clubs with a total membership of approximately 3,766. Currently the clubs are restricted by the limited availability of parks for training. Upgrading the floodlighting at Iluka District Open Space will provide the clubs with much needed additional time for training. The current sporting clubs/users at the venue include:

- Beaumaris Sporting Association;
- Joondalup Districts Cricket Club;
- Joondalup Brothers Rugby Union Club;
- Joondalup City Football Club;
- Joondalup Lakers Hockey Club;
- Beaumaris Bowling Club; and
- Step into Life (Group Fitness).

In addition, it will provide the City with greater flexibility to manage and conduct park bookings and maintenance. The project also has the potential to positively impact on the community's ability to participate in physical activity and provides increased opportunities for the safe use of the City's grounds.

The Beaumaris Sports Association has previously been successful in applying for a CSRFF application for a floodlighting upgrade project at Iluka District Open Space in 2008. This grant was terminated in November 2010 after technical advice was provided that due to sub-surface irregularities the total project would exceed the initial budget. Over the past 12 months the City has been working with several consultants to ensure the quantity surveyor was provided with as accurate information as was available regarding the sub surface and its impact on the floodlight footings.

The project includes a power upgrade to the site to enable sufficient power supply to operate the lights.

A quantity surveyor was engaged to provide an indicative cost as required for the CSRFF application. The cost estimate provided was \$618,502 (ex GST). Included in the grant application will also be the Western Power power upgrade which has been quoted at \$74,035, and \$1,500 for signage as required by the Department of Sport and Recreation.

Should the funding be approved by the Department of Sport and Recreation further investigation into the suitability of previously purchased poles for Iluka District Open Space will commence. Should the poles be suitable their use would decrease the final amount of the City's contribution.

Currently there is \$420,000 listed in the 2013/14 Capital Works Budget for the upgrade of the Iluka District Open Space flood lights. A copy of the site plan showing the location of the proposed floodlights is detailed in Attachment 1.

<b>Total Project Cost:</b>	<b>\$718,328.30 (ex GST)</b>
City of Joondalup Contribution:	\$478,885.54 (ex GST)
CSRFF Grant requested:	\$239,442.76 (ex GST)

The total project cost listed above includes a 10% consideration for construction contingency and a 5% consideration for planning contingency as included by the quantity surveyor. The total project cost also includes 3.5% escalation.

If the project proceeds, an additional \$19,606.40 per annum is required to maintain the infrastructure. These ongoing maintenance costs include replacement of luminaries and general maintenance.

#### Assessment Summary

Assessment Criteria	Evidence Provided		
	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity	✓		
Sustainability	✓		

#### Recommendation Summary

Ranking:	1 (of 2).
Rating:	Well planned and needed by the applicant.
Funding request:	\$239,442.76 (ex GST).

#### Prince Regent Park, Heathridge – (Application by the City on behalf of Westside Football Club)

The Westside Football Club (WFC) submitted an application for the upgrade of the existing floodlighting at Prince Regent Park in Heathridge.

Currently, there are two 12 metre poles each with 2 x 1000 watt lights providing floodlighting to the reserve, lighting only a small section of the park to a lux level that is below the Australian Standard for large ball sports training. The proposed project will involve the installation of lights to provide sufficient lighting for training for large ball sports (50 lux). This will include installing four 30 metre floodlighting towers each fitted with four luminaries.

WFC operates throughout the City, with over 340 members. Currently the club utilises Prince Regent Park and MacNaughton Park, Kinross. The upgrade of the existing floodlighting infrastructure at Prince Regent Park will provide the club with a venue with lighting that meets the Australian Standards for large ball training.

The project also has the potential to positively impact on the community's ability to participate in physical activity and provides increased opportunities for the safe use of the City's grounds. The upgrade of the existing floodlighting infrastructure will also provide the City with greater flexibility to manage and conduct park bookings and maintenance.

The project provides value for money and the approach taken with the City managing any works provides assurance that the project will be delivered in accordance with City and Australian Standards.

As per CSRFF requirements the WFC received three quotes ranging from \$175,000 to \$205,000. The final figure will include a Western Power upgrade, removal of existing floodlight towers, a consideration for cost escalation and a design/construction contingency.

The Westside Football Club has provided financial statements to prove financial sustainability and an ability to contribute financially to this project should it be successful. The club has also provided a letter of support ensuring their 1/3 financial contribution to the project (up to \$82,000).

<b>Total Project Cost:</b>	<b>\$221,548.71 (ex GST)</b>
City of Joondalup Contribution:	\$73,849.57 (ex GST)
CSRFF Grant requested:	\$73,849.57 (ex GST)
Club contribution:	\$73,849.57 (ex GST)

The total project cost includes 10% for design and construction contingency and 3.25% for cost escalation. A copy of the site plan showing the proposed floodlights is detailed in Attachment 3.

If the project proceeds, an additional \$10,000 per annum is required to maintain the facilities which relate to general maintenance and replacement of luminaries.

### Assessment Summary

Assessment Criteria	Evidence Provided		
	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity	✓		
Sustainability	✓		

## Recommendation Summary

Ranking: 2 (of 2).  
Rating: Well planned and needed by the applicant.  
Funding request: \$73,849.57 (ex GST).

## Issues and options considered:

The City has received a number of expressions of interest for CSRFF this year. The assessment and ranking of these applications is important in terms of the City's strategic approach to these types of projects.

## Legislation/Strategic Plan/Policy Implications

### Legislation

### Strategic Plan

Key Focus Area Community Wellbeing.

Objective 5.2 To facilitate healthy lifestyles within the community.

5.2.1 The City provides high quality recreation facilities and programs.

### Policy

The assessment process undertaken for the CSRFF program is in line with the following City policies:

- Community Funding;
- Reserves, Parks and Recreation Grounds;
- Community Facilities – Built;
- Asset Management;
- Leisure (Council); and
- Management of Community Facilities.

## Risk Management Considerations:

The key risk associated with the installation or upgrade of floodlighting is related to the quality of completed works. This risk is mitigated by the City's Building Approvals process. All floodlighting projects must meet Australian Standards legislation in order to receive building approval. As project manager, the City will meet regularly with the approved contractor during construction and assesses all works on completion.

Should the Iluka District Open Space Project not be successful in receiving funding from the Department of Sport and Recreation the City would investigate further the option to fully fund the project.



**Financial/Budget Implications:**

It is anticipated that the Department of Sport and Recreation will advise the outcome of the Forward Planning Grant assessments in March 2013.

City of Joondalup – Iluka District Open Space

As part of the City's Floodlight and Pole Replacement Program, there is currently \$420,000 listed in the 2013/14 capital works program for floodlight works. It is a recommendation of this report that the Council lists an additional \$58,885.54 for consideration in the 2013/14 budget for this project.

Westside Football Club – Prince Regent Park

It is a recommendation of this report that the Council lists \$73,849.57 for consideration in the 2013/14 budget for this project.

There are no funds included in the City's 2013/14 Capital Works Program.

Any grant monies provided by the Department of Sport and Recreation for these projects would be required to be acquitted by 30 June 2014.

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Nil.

**Sustainability Implications:**City of Joondalup – Iluka District Open Space

The proposed design of the Iluka District Open Space floodlighting project has been developed to ensure flexibility in the switching of specific groups of poles and the park lighting as a whole, which will enable the extent of lighting to be adjusted depending on the training requirements of each group. Considerations have been made for future technologies that would enable an automated system linking the lighting to the formal park bookings.

Westside Football Club – Prince Regent Park

The proposed design of the Prince Regent Park floodlighting project has been developed to ensure flexibility in the switching of individual poles and the park lighting as a whole, which will enable the extent of lighting to be adjusted depending on the training requirements of each group. Considerations have been made for future technologies that would enable an automated system linking the lighting to the formal park bookings.

**Consultation:**

Consultation for both applications were conducted in accordance with the City's approved Community Consultation and Engagement Policy and Protocol.

Consultation was advertised through the following methods:

- direct mail out – cover letter, frequently asked questions sheet and comment form;
- signage on site;
- City's website – information and survey were added to the 'community consultation' section; and
- 'Clubs in Focus' newsletter.

Consultation was undertaken with the following Stakeholders:

Iluka Open Space	Prince Regent Park
<ul style="list-style-type: none"> <li>• Surrounding residents within 200 metres</li> <li>• Current park users</li> <li>• Iluka Homeowners' Association</li> <li>• State Sporting Association</li> </ul>	<ul style="list-style-type: none"> <li>• Surrounding residents within 200 metres</li> <li>• Current park users</li> <li>• State Sporting Association</li> </ul>

#### Iluka District Open Space, Iluka

A consultation pack comprising of a cover letter, Frequently Asked Questions and Survey Form was sent to all stakeholders, who were invited to reply with any concerns. A period of 21 days was allowed for submissions to be made, commencing on Friday, 22 June and closing on Friday, 13 July 2012.

A total of 492 consultation packs were sent with 228 responses (46.3%) received. Of those 228 responses received, 80 came from surrounding residents within 200 metres (66 supported/14 did not support).

Of the 14 responses (6.1%) that **did not** support the upgrade of floodlighting infrastructure the most common comments were regarding parking concerns and the lights being left on. Concerns regarding the parking around Boynton Gardens in Iluka have been addressed with the City who will investigate the concerns further and take relevant action. The City will also liaise with the Beaumaris Sports Association to further educate their members regarding appropriate parking surrounding Iluka District Open Space.

214 responses (93.9%) received **did** support the project including the six stakeholders listed below:

- Western Australia Cricket Association;
- Beaumaris Sporting Association;
- Joondalup Districts Cricket Club;
- Joondalup Lakers Hockey Club;
- Beaumaris Bowling Club; and
- Joondalup City Football Club.

A summary of responses made in relation to the proposed project has been included in Attachment 2.

### Prince Regent Park, Heathridge

A consultation pack comprising of a cover letter, Frequently Asked Questions and Survey Form was sent to all stakeholders, who were invited to reply with any concerns. A period of 21 days was allowed for submissions to be made commencing on Friday, 22 June and closing on Friday, 13 July 2012.

A total of 349 consultation packs were sent with 109 responses (31.2%) received. Of those 109 responses received, 62 came from surrounding residents within 200 metres (58 supported/four did not support).

Comments were received from four respondents (3.7%) who **did not** support the upgrade of floodlighting infrastructure. The most common comments related to lights being left on after training, the location of poles and the lack of playground/bbq facilities.

105 responses (96.3%) received **did** support the project including the three stakeholder groups listed below.

- Football West;
- Westside Football Club; and
- Ocean Ridge Senior Cricket Club.

A summary of responses made in relation to the proposed project has been included in Attachment 4.

### **COMMENT**

The Department of Sport and Recreation, through the CSRFF, aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities. The CSRFF provides the City with an excellent opportunity to upgrade community facilities and City infrastructure with the support of the state government (Department of Sport and Recreation) and the community organisations that will directly benefit from the upgrades.

Supporting the two projects represents a sound financial contribution toward sport and recreation in the Joondalup region for clubs and the community.

If the projects are funded, it is anticipated that the projects will commence and be completed within the 2013/14 financial year.

### **VOTING REQUIREMENTS**

Simple Majority.

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

**1 ENDORSES the ranking and rating of CSRFF applications below:**

Applicant's Rank		Applicant's Rating
1	Iluka District Open Space, Iluka – upgrade of floodlighting at Iluka District Open Space, Iluka.	Well planned and needed by the local government.
2	Prince Regent Park, Heathridge – upgrade of floodlighting at Prince Regent Park, Heathridge.	Well planned and needed by the local government.

**2 ENDORSES an application to the Department of Sport and Recreation's CSRFF program for \$239,442.76 (ex GST) to part fund the upgrade of floodlighting at Iluka District Open Space, Iluka;**

**3 Subject to the application in Part 2 above being successful LISTS an additional \$58,885.54 (ex GST) for consideration in the 2013/14 Capital Works Program, for the upgrade of floodlighting at Iluka District Open Space, Iluka;**

**4 Subject to the application in Part 2 above being successful, NOTES that an additional amount of \$19,606.40 will be included in the City's Annual Budgets for maintenance of the floodlighting infrastructure at Iluka District Open Space, Iluka;**

**5 ENDORSES an application to the Department of Sport and Recreation's CSRFF program for \$73,849.57 (ex GST) to part fund the upgrade of floodlighting at Prince Regent Park, Heathridge;**

**6 Subject to the application in Part 5 above being successful LISTS \$73,849.57 (ex GST) for consideration in the 2013/14 Capital Works Program, for the upgrade of floodlighting at Prince Regent Park, Heathridge; and**

**7 Subject to the application in Part 5 above being successful, NOTES that an additional amount of \$10,000 will be included in the City's Annual Budgets for maintenance of the floodlighting infrastructure at Prince Regent Park, Heathridge.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution prior to consideration of CJ195-09/12 Page, 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf110912.pdf](#)

## **CJ188-09/12      HAWKER PARK – PROPOSED COMMUNITY SPORTING FACILITY**

**WARD:** South

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

**FILE NUMBER:** 27121

**ATTACHMENTS:** Attachment 1      Hawker Park Aerial Map  
Attachment 2      Proposed Facility Layout  
Attachment 3      City's Endorsement Master Planning Process  
Attachment 4      Community Consultation Results Analysis Report

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### **PURPOSE**

To present the results of the Community Consultation undertaken for the proposed Community Sporting Facility and associated infrastructure at Hawker Park, Warwick and seek endorsement to proceed to the Concept Design stage of the project.

### **EXECUTIVE SUMMARY**

Hawker Park, Warwick is located on Hawker Avenue, Warwick and is currently utilised by Warwick Greenwood Junior Football Club in winter and Warwick Greenwood Junior Cricket Club and Warwick Greenwood Senior Cricket Club in summer. Current infrastructure at the park includes a toilet/changeroom facility, cricket centre wicket, '3 on 3' basketball practice hardstand, tennis 'hit up wall', playground, two floodlights and 42 car parking bays.

To accommodate the needs of the local sporting clubs, it is proposed to replace the existing toilet/changeroom facility with a Community Sporting Facility. It is proposed that the Community Sporting Facility would not only cater for the sporting groups using the oval but also be available to the wider local community for community based meetings and activities. Other infrastructure proposed for the site includes a set of three cricket practice nets, sports floodlighting and replacement playground.

As part of the concept design, it is proposed to include the existing infrastructure on the park such as the '3 on 3' basketball pad and tennis hit-up wall.

Community consultation with residents and user groups of the oval was conducted in July 2012 outlining the proposed facilities, layout, design and management. The City received 85 valid responses of which 80 were from residents living within a 200 metre radius of the site, which is a response rate of 33%. The high level of responses from people living close to the park indicates the importance of the site to the local and nearby residents and a strong level of interest in the outcome of the redevelopment of the area.

The facilities proposed for the site were supported by the majority of respondents. Given the results of the consultation, it is recommended that the Hawker Park project proceed to the next stage of the City's endorsed Master Planning process which is Concept Design.

If supported, draft Concept Plans and associated estimated costings will be developed and presented to Council for feedback before taking these designs to the community for public comment.

*It is recommended that Council:*

- 1 *NOTES the findings of the Community Consultation process undertaken for the Hawker Park project;*
- 2 *NOTES the timeline proposed for the Hawker Park project as detailed in Report CJ188-09/12;*
- 3 *NOTES the listing of \$1,500,000 within 2014/15 of the City's 5 Year Capital Works Program for construction of the proposed Community Sporting Facility and additional infrastructure;*
- 4 *REQUESTS the Chief Executive Officer to arrange for the development of Concept Plans for the Hawker Park site with the inclusion of the following:*
  - 4.1 *Multipurpose Community Sporting Facility;*
  - 4.2 *Four sports floodlights;*
  - 4.3 *Three cricket practice nets;*
  - 4.4 *Relocated playground adjacent to the Community Sporting Facility;*
  - 4.5 *'3 on 3' basketball hardstand area; and*
  - 4.6 *Tennis 'hit up wall';*
- 5 *NOTES that the Concept Plan will be developed with consideration given to:*
  - 5.1 *reducing antisocial behaviour and noise impact to residents residing in close proximity to Hawker Park; and*
  - 5.2 *environmental sustainability design features, Access and Inclusion principles, Landscape Master Plan principles and 'Designing out Crime' planning guidelines;*
- 6 *Subject to endorsement of the Concept Plan, AGREES to list for consideration an amount of \$170,000 as part of the 2013/14 Annual Budget for the development of detailed design and the preparation of tender documentation for the Hawker Park project.*

## **BACKGROUND**

Hawker Park, Warwick is a 'Neighbourhood Park' located on Hawker Avenue, Warwick (Attachment 1 refers). The park is currently utilised by Warwick Greenwood Junior Football Club in winter and Warwick Greenwood Junior Cricket Club and Warwick Greenwood Senior Cricket Club in summer. Current infrastructure at the park includes a toilet/changeroom facility built in 1987, cricket centre wicket, '3 on 3' basketball practice hardstand, tennis 'hit up wall', playground, two floodlights and 42 car parking bays.

During peak periods the park has high utilisation rates in both summer for cricket with 77% and winter for football with 71% usage.

The main issues with the existing facilities at the park are the inadequate changerooms and lack of meeting space, kitchen and storage space for the clubs. Given the age and condition of the existing toilet/changeroom, a new facility would be more cost effective than a facility extension and remove the problem of a facility comprising of new and old building components.

## DETAILS

To accommodate the needs of the local sporting clubs, it is proposed to replace the existing toilet/changeroom facility with a clubroom. The proposed Community Sporting Facility will consist of:

- Toilet/changerooms;
- Meeting room;
- Kitchen/Kiosk;
- Furniture storeroom (tables and chairs for the meeting room); and
- Storage – Sporting Club and Community Group.

It is proposed that the Community Sporting Facility would not only cater for the sporting groups using the oval but also be available to the wider local community for community based meetings and activities.

To better cater for the needs of the existing cricket clubs using the oval it is proposed to construct a set of three cricket practice nets.

A recent review of floodlighting within the City found the footings of the existing two floodlights at the park to be in need of repair, which the City is addressing through a floodlighting repair program. The existing floodlights do not currently meet Australian Standards (large ball sports – training) and will not after the repair works. The floodlighting upgrade would involve the installation of four 25 metres high light poles, each fitted with three to four floodlights. The poles would replace the existing two, currently located at the park, with an additional two for increased playing surface lighting.

The overall level of brightness that would be achieved by the proposed floodlighting is 50 lux. This is consistent with the current Australian Standard (AS2560.2.3). The floodlighting upgrade intends to increase the illuminated playing surface of the park from localised areas to most of the oval playing space. This will enable greater opportunities for sport training that can be undertaken in a safer manner.

There is a tennis 'hit up wall' and '3 on 3' basketball hardstand area that the City recently sought community feedback on. It is intended to include this infrastructure as part of the Concept Plan.

In addition, there is currently a playground located on the eastern side of the oval which is not due for replacement within the next five years however, it is proposed to replace the equipment as part of any development at the site. As part of the project the existing equipment will be replaced with similar style new play equipment. It is proposed as part of the project to relocate the playground to the western side of the park to complement the new Community Sporting Facility. This will provide better access to the playground from parking facilities and allow users of the Community Sporting Facility to easily see and access the playground. Feedback on the relocation of the playground was also recently sought from the community.

Currently on the site is a 42 bay carpark which is considered adequate if a Community Sporting Facility is developed.

The locations of the proposed Community Sporting Facility and other infrastructure is shown on Attachment 2.

The project will be managed by the City and conducted in accordance with the City's endorsed Master Planning process (Attachment 3 refers):

- 1 Project Initiation and Planning;
- 2 Site and Needs Analysis;
- 3 Concept Design;
- 4 Feasibility Analysis;
- 5 Funding and Approvals;
- 6 Construction; and
- 7 Operations and Review.

It has been identified that this project would be suitable for consideration as part of the Department of Sport and Recreation's Community Sport Recreation Facilities Fund (CSRFF) program. In order to construct the facilities in 2014/15 as per the City's Five Year Capital Works Program (and to meet CSRFF application deadlines), planning for the project has commenced. Project timelines have been determined and are outlined in the table below.

Phase	Task	Recommended Timeline
<b>Stage 1 – Project Initiation and Planning</b>		
1	Develop a Project Plan	Completed
2	Form a Project Management Team	Completed
<b>Stage 2 – Site and Needs Analysis</b>		
3	Conduct Initial Stakeholder and Community Consultation	Completed
4	Update Council on results of Consultation	September 2012
<b>Stage 3 – Concept Design</b>		
5	Complete Scope of Works	November 2012
6	Develop Concept Plan	February 2013
<b>Stage 4 – Feasibility Analysis</b>		
7	Complete Detailed Cost Estimate	March 2013
8	Seek Council endorsement to undertake Community Consultation on Concept Plan	May 2013
9	Conduct Community Consultation on Concept Plan	July 2013
10	Update Council on results of Community Consultation and seek endorsement to proceed project	October 2013
<b>Stage 5 – Funding and Approvals (if project supported)</b>		
11	Complete CSRFF Council report	October 2013
12	Submit CSRFF application	October 2013
13	Funding notification from DSR	March 2014



Phase	Task	Recommended Timeline
<b>Stage 6 – Construction (if project supported)</b>		
14	Complete Detailed Design and Tender Process	June 2014
15	Construction	2014/15

The proposed timeline would allow the City to seek grant funding through the Department of Sport and Recreation's CSRFF program.

### **Legislation/Strategic Plan/Policy Implications**

#### **Legislation**

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.

#### **Policy:**

Not Applicable.

#### **Risk Management Considerations:**

The City's Five Year Capital Works Program lists the total project cost. The financial risk to the City if CSRFF is not secured is that it will have to realise the total cost of the project.

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

Currently there is \$15,000 in the 2012/13 budget to undertake initial Community Consultation, Concept Design and a cost estimate for the project.

A further allocation of \$170,000 will be listed for consideration within the 2013/14 budget to undertake Community Consultation on the Concept Plan (July 2013), Detailed Design and preparation of the tender documentation (June 2014).

Listed in 2014/15 of the City's Five Year Capital Works Program is \$1,500,000 for the construction of the facility and other associated infrastructure.

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**Environmental

Any developments at Hawker Park will consider and minimise impact to important flora and fauna in the area. Facilities will be planned to reduce the impact of the carbon footprint and consider environmental sustainability design features.

Social

The project will include consultation with residents and user groups of the oval to ensure that feedback received represents the diverse needs of the City's community. Any developments at the site will consider access and inclusion principles and will aim to enhance the amenity of the public space.

Economic

One of the main principles of the City's Master Planning Framework is the development of 'shared' and 'multipurpose' facilities to avoid duplication of facilities and reduce the ongoing maintenance and future capital expenditure requirements.

**Consultation:**

Consultation for this project was conducted in accordance with the City's approved Community Consultation and Engagement Policy and Protocol.

Community Consultation with residents living within a 200 metre radius from the site (243 households) and user groups of the oval was conducted for 21 days from Monday, 9 July 2012 to Friday, 27 July 2012. The consultation outlined the proposed facilities, layout, design and management. Meetings were also held in July 2012 with the sporting clubs currently using the oval to discuss the proposed development.

The consultation was advertised through the following methods:

- Direct mail out - Cover letter, Frequently Asked Question sheet and Comment Form was sent to all stakeholders;
- Site signage - Two signs were placed at Hawker Park during the community consultation period;
- 'Club's In Focus' e-newsletter - Information was added to the July edition with links to website for further details or to complete the survey;
- Website - Information and survey added to the 'community consultation' section of the City's website during the community consultation period; and
- A3 poster - Displayed at Warwick Leisure Centre and the Recreation Services Bookings Office during the consultation period.

## **Results of Consultation**

### Sporting Club Consultation

The City met with the three sporting clubs currently using Hawker Park in July 2012 to discuss the proposed project. All three groups responded to the consultation giving a response rate of 100% from stakeholders. The feedback received from these groups in regards to the project was that they support the development of the Community Sporting Facility and infrastructure proposed for the park.

### Community Consultation

The full results of the Community Consultation are included as Attachment 4. The City received 85 valid responses of which 80 were from residents living within a 200 metre radius of the site, which is a response rate of 33%. There were also two submissions made by people living outside the 200 metre radius of the site. The three sporting clubs currently using Hawker Park also submitted consultation comment forms. A summary of the results is included below.

#### *Demographics*

Of the responses received, over a quarter of these were completed by people aged between 45 and 54 and over a third were completed by people aged between 55 and 64 years of age.

#### *Use of Hawker Park*

The majority of respondents (88.2%) use Hawker Park for informal sport or recreation. 13 respondents or 15.3% use the park for organised sport or recreation (for example football, cricket, fitness training). Only 9.4% of respondents indicated that they do not currently use Hawker Park. (Note: the percentage of total responses is greater than 100% as respondents were permitted to select more than one response.)

#### *Existing Infrastructure*

Respondents were asked to indicate if it is important for a tennis 'hit up wall' and '3 on 3' basketball hardstand area to be included in the proposed redevelopment of the site. 71.8% of respondents think it is important for a tennis 'hit up wall' to remain at the park with 78.8% thinking it is important for a '3 on 3' basketball hardstand area to remain.

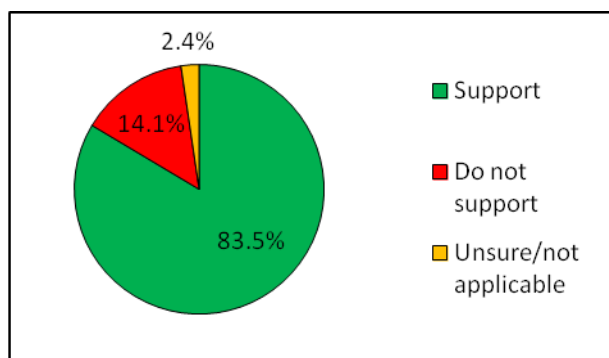
#### *Playground*

Respondents were asked to indicate their preference for the replacement playground equipment to remain at the existing location or to be relocated adjacent to the proposed Community Sporting Facility. Of the feedback received, 62.4% of respondents prefer the playground to be relocated to adjacent to the proposed new Community Sporting Facility.

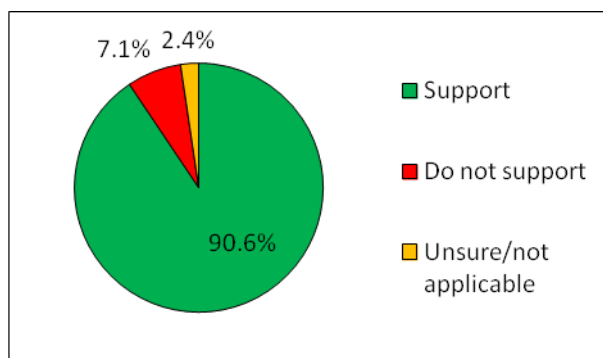
#### *New proposed infrastructure*

Respondents were asked to indicate if they supported the development of a multi-purpose Community Sporting Facility, new sports floodlighting and cricket practice nets. Of the responses received, the majority indicated support for a multi-purpose Community Sporting Facility, floodlighting and cricket practice nets being constructed/installed at Hawker Park as shown in the below charts.

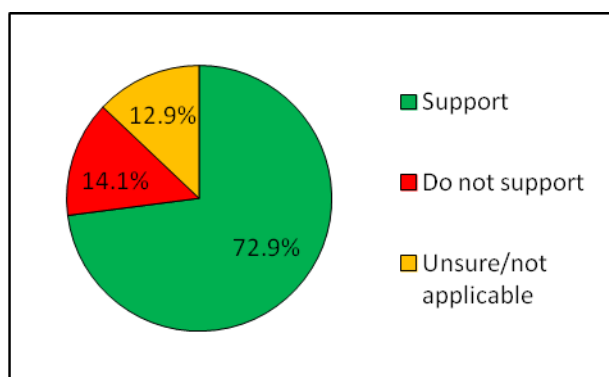
## Multi-purpose Community Sporting Facility



## Floodlighting



## Cricket practice nets



Respondents that did not support the construction/installation of the proposed infrastructure were asked to outline their reasons why which are outlined in full in Tables 8 – 10 of Attachment 7. In summary, the main concerns raised about the proposed infrastructure are summarised below.

*Multipurpose Community Sporting Facility – reasons for not supporting*

12 respondents did not support the development of a new multipurpose Community Sporting Facility at Hawker Park. The main reasons raised as concerns were:

- Increase in traffic;
- Lack of parking;
- Increase in antisocial behaviour;
- Will no longer be a 'family-friendly' park;
- Will increase park usage; and
- Too expensive.

*Sports floodlighting – reasons for not supporting*

Six respondents did not support the installation of floodlighting (replacing existing floodlighting infrastructure) at Hawker Park. The main reason raised as a concern was:

- Lighting could disturb residents.

### *Cricket practice nets – reasons for not supporting*

12 respondents did not support the construction of cricket practice nets at Hawker Park. The main reasons raised as concerns were:

- Dislike of cricket (in general);
- Increase in antisocial behaviour; and
- Inappropriate location.

If the project is endorsed to proceed to Concept Design Stage, further Community Consultation will be conducted once a proposed Concept Plan has been developed and approved by Council for public comment.

### **COMMENT**

The City received a good response rate (33%) from the Community Consultation undertaken for the Hawker Park project. The high level of responses from people living within 200 metres of the park indicates the importance of the site to the local and nearby residents and a strong level of interest in the outcome of the redevelopment of the area.

The facilities proposed for the site were supported by the majority of respondents. Given the results of both the Stakeholder and Community Consultation, it is recommended that the Hawker Park project proceed to the next stage of the City's endorsed Master Planning process which is Concept Design.

Draft Concept Plans will consider the development of a Community Sporting Facility, sports floodlighting, cricket practice nets, relocation of the playground and new tennis 'hit up wall' and '3 on 3' basketball hardstand area.

The Concept Plans will also consider environmental sustainability design features as well as access and inclusion principles. The City's Landscape Master Plan principles, 'Designing out Crime' planning guidelines and reducing antisocial behaviour, traffic and noise impact to residents residing in close proximity to Hawker Park will also be considered.

If supported, draft Concept Plans and associated estimated costings will be developed and presented to Council for feedback before taking these designs to the community for public comment.

### **VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1 NOTES the findings of the Community Consultation process undertaken for the Hawker Park project;
- 2 NOTES the timeline proposed for the Hawker Park project as detailed in Report CJ188-09/12;
- 3 NOTES the listing of \$1,500,000 within 2014/15 of the City's Five Year Capital Works Program for construction of the proposed Community Sporting Facility and additional infrastructure;
- 4 REQUESTS the Chief Executive Officer to arrange for the development of Concept Plans for the Hawker Park site with the inclusion of the following:
  - 4.1 Multipurpose Community Sporting Facility;
  - 4.2 Four sports floodlights;
  - 4.3 Three cricket practice nets;
  - 4.4 Relocated playground adjacent to the Community Sporting Facility;
  - 4.5 '3 on 3' basketball hardstand area; and
  - 4.6 Tennis 'hit up wall';
- 5 NOTES that the Concept Plan will be developed with consideration given to:
  - 5.1 reducing antisocial behaviour and noise impact to residents residing in close proximity to Hawker Park; and
  - 5.2 environmental sustainability design features, Access and Inclusion principles, Landscape Master Plan principles and 'Designing out Crime' planning guidelines;
- 6 Subject to endorsement of the Concept Plan, AGREES to list for consideration an amount of \$170,000 as part of the 2013/14 Annual Budget for the development of detailed design and the preparation of tender documentation for the Hawker Park project.

**MOVED Cr Fishwick, SECONDED Cr Ritchie that Council:**

- 1 **NOTES** the findings of the Community Consultation process undertaken for the Hawker Park project;
- 2 **NOTES** the timeline proposed for the Hawker Park project as detailed in Report CJ188-09/12;
- 3 **NOTES** the listing of \$1,500,000 within 2014/15 of the City's Five Year Capital Works Program for construction of the proposed Community Sporting Facility and additional infrastructure;
- 4 **REQUESTS** the Chief Executive Officer to arrange for the development of Concept Plans for the Hawker Park site with the inclusion of the following:
  - 4.1 **Multipurpose Community Sporting Facility;**
  - 4.2 **Four sports floodlights;**
  - 4.3 **Three cricket practice nets;**
  - 4.4 **Relocated playground adjacent to the Community Sporting Facility;**
  - 4.5 **'3 on 3' basketball hardstand area; and**
  - 4.6 **Tennis 'hit up wall';**
- 5 **NOTES** that the Concept Plan will be developed with consideration given to:
  - 5.1 **reducing antisocial behaviour and noise impact to residents residing in close proximity to Hawker Park; and**
  - 5.2 **environmental sustainability design features, Access and Inclusion principles, Landscape Master Plan principles and 'Designing out Crime' planning guidelines;**
- 6 **Subject to endorsement of the Concept Plan, AGREES** to list for consideration an amount of \$170,000 as part of the 2013/14 Annual Budget for the development of detailed design and the preparation of tender documentation for the Hawker Park project; and
- 7 **REQUESTS** the Chief Executive Officer to arrange a meeting involving His Worship the Mayor, Ward Councillors, existing sporting clubs located at Hawker Park and local Senior Football Club(s) to discuss the possible future management arrangement of the proposed Community Sporting Facility.

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 11 refers*

To access this attachment on electronic document, click here: [Attach11brf110912.pdf](#)

## **CJ189-09/12 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 JUNE 2012**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	07882, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Financial Activity Statement for the Period Ended 30 June 2012

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### **PURPOSE**

The June 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 June 2012 Financial Activity Statement Report shows an overall favourable variance from operations and capital of \$13,073,148 for the period when compared to the 2011/12 Revised Budget.

This variance can be summarised as follows:

The Operating deficit is \$5,348,233 below budget, made up of higher revenue of \$3,131,512 and lower operating expenditure of \$2,216,721.

Higher Operating revenues have been driven by higher Grants and Subsidies \$1,789,628, Fees and Charges \$728,614, Investment Earnings \$342,476, Rates \$178,783, Other Revenue \$76,414 and Contributions, Reimbursements and Donations \$62,930. The additional revenue arose from the early receipt of part of the 2012/13 General Assistance Grant, Sports and Recreation Fees, Parking Fees and Investments due to higher funds being invested.

Operating expenditure is below budget due to Materials and Contracts \$1,323,670 and Employee Costs \$1,167,260. Expenditure is above budget due to Depreciation \$243,928, Utilities \$31,043 and Insurance \$25,885.

The Materials and Contracts favourable variance is spread across a number of areas including Professional Fees \$468,769, Public Relations, Advertising and Promotions \$206,959, Contributions and Donations \$229,136 and External Services Expenses \$290,369. These are partially offset by an unfavourable variance for Waste Management Services of \$280,562.



The Capital Revenue and Expenditure deficit is \$7,452,520 below budget and is made up of lower revenue of \$2,599,251 and under expenditure of \$10,051,771.

Capital Expenditure is below budget on Capital Projects \$860,495, Capital Works \$8,681,119 and Vehicle and Plant replacements \$518,673.

Further details of the material variances are contained in Appendix 3 of Attachment 1 to Report CJ189-09/12.

*It is recommended that Council NOTES the Financial Activity Statement for the period ended 30 June 2012 forming Attachment 1 to Report CJ189-09/12.*

## **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 30 June 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.

**MOVED** Cr Amphlett, **SECONDED** Cr McLean that Council **NOTES** the Financial Activity Statement for the period ended 30 JUNE 2012 Forming Attachment 1 to Report CJ189-09/12.

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution prior to consideration of CJ195-09/12 Page, 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 12 refers*

To access this attachment on electronic document, click here: [Attach12brf110912.pdf](#)

## **CJ190-09/12 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JULY 2012**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	07882, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Financial Activity Statement for the Period Ended 31 July 2012

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### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

Council adopted the Annual Budget for the 2012/13 Financial Year at its meeting held on 10 July 2012 (JSC04-07/12 refers). The figures in this report are compared to the Adopted Budget figures.

The July 2012 Financial Activity Statement Report shows an overall favourable variance from operations and capital of \$2,433,805 for the period when compared to the 2012/13 Adopted Budget.

This variance can be summarised as follows:

The Operating surplus is \$1,214,302 above budget, made up of higher revenue of \$413,098 and lower operating expenditure of \$801,204.

Higher Operating revenues have been driven by higher Fees and Charges \$386,872, Investment Earnings \$90,456 and Grants and Subsidies \$24,044. Revenue is below budget on Contributions, Reimbursements and Donations \$67,018 and Rates \$50,388. The additional revenue arose from Refuse Charges, Sports and Recreation Fees and Investments.

Operating expenditure is below budget on Materials and Contracts \$938,333 and Insurance \$37,355. Expenditure is over budget on Employee Costs \$109,533, Utilities \$43,598 and Depreciation \$18,937.

The Materials and Contracts favourable variance is spread across a number of areas including External Services Expenses \$555,728, Material Purchases \$126,783 and Contributions and Donations \$66,751. These are partially offset by an unfavourable variance for Waste Management Services of \$77,982.

The Capital Revenue and Expenditure deficit is \$1,229,922 below budget due to lower expenditure on Capital Projects \$287,917, Capital Works \$187,839 and Vehicle and Plant replacements \$754,166.

Further details of the material variances are contained in Appendix 3 of Attachment 1 to Report CJ190-09/12.

*It is recommended that Council NOTES the Financial Activity Statement for the period ended 31 July 2012 forming Attachment 1 to Report CJ190-09/12.*

## **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 July 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 2012/13 Adopted Budget or have been authorised in advance by Council where applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Amphlett, **SECONDED** Cr McLean that Council **NOTES** the Financial Activity Statement for the period ended 31 July 2012 forming Attachment 1 to Report CJ190-09/12.

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution prior to consideration of CJ195-09/12 Page, 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf110912.pdf](#)*

## **CJ191-09/12      PETITION TO KEEP A CARAVAN ON THE VERGE AT 2 DEFOE COURT, KINGSLEY**

**WARD:** South-East

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

**FILE NUMBER:** 59497, 101515

**ATTACHMENTS:** Nil.

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### **PURPOSE**

This report is to consider a response to a petition seeking to allow the resident at 2 Defoe Court, Kingsley to keep a caravan on the verge.

### **EXECUTIVE SUMMARY**

At its August 2012 meeting (C56-08/12 refers), Council received a six signature petition from residents in Defoe Court Kingsley seeking consideration by Council to allow the resident of 2 Defoe Court, Kingsley to park his caravan on his verge as none of the other residents in the street had an objection.

It is considered that the proposal would adversely affect the amenity of residents in the City's suburbs by potentially leading to a proliferation of similar requests for both caravans and other large vehicles currently prohibited from parking under the City's *Parking Local Law 1999*.

*It is recommended that Council:*

- 1      *DECLINES the request of the petitioners to allow the resident of 2 Defoe Court, Kingsley to park a caravan on the verge contrary to the City's Parking Local Law 1999; and*
- 2      *Advises the lead petitioner of the Council's decision.*

### **BACKGROUND**

Council considered and declined a similar request to park a caravan on the verge by amending the *Parking Local Law 1999* at the August 2012 meeting (CJ159-08/12 refers).

Council received a petition at its August 2012 meeting (C56-08/12 refers) with a request to "give consideration to allowing the resident of 2 Defoe Court Kingsley to park his caravan on his verge as none of the undersigned, all being residents of Defoe Court has any objection to this occurring."

There are seven properties in Defoe Court Kingsley. A resident from each of the other six properties signed the petition.

Two City Local laws are relevant to the petition, the City of Joondalup's *Parking Local Law 1999* in relation to parking a caravan and the *Local Government and Public Property Local Law 1999* in relation to verge treatments. The intent of the relevant clauses in these Local Laws is to make clear that verges, as part of the road reserve, remain the property of the Local Government and are subject to City control as to their use.

The definition of a caravan in the City of Joondalup *Parking Local Law 1999* states:

*“caravan” means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle or which is capable of self propulsion’*

Clause 38.1 of the City of Joondalup *Parking Local Law* classifies a caravan as a type of commercial vehicle and states:

*A person shall not park:*

(b) a caravan

*on a road or verge for more than 3 hours consecutively between the hours of 7.00am and 6.00pm and not at any other time.*

The intention is to keep large vehicles and trailers away from residential streets except for the purposes of carrying out work, making deliveries, dropping off or picking up items in relation to the vehicle such as preparing a caravan for a trip.

Clause 13 (g) of the *Local Government and Public Property Local Law 1999* states:

13 A person shall not on or from any local government property, without having first obtained a written approval from the local government to do so:

(g) carry out any works in a street, thoroughfare or other public place, including but not limited to:

(i) verge treatments;

(ii) vehicle crossing treatments; and

(iii) crossing a footpath with a vehicle which is likely to or does cause damage to the footpath;

In this case, there are requirements to verge treatments which may be installed so that the safety and amenity of road users and pedestrians are not compromised by obstructions or sight hazards.

## **DETAILS**

There are occasions when a resident finds it difficult to keep various types of vehicles entirely on their property. The most common of these is a private motor vehicle when households have several, one or more of which cannot be stored conveniently on the driveway or behind the property line. In the case of commercial vehicles it is expected that the resident will make alternative arrangements for their storage so that they are not on public property, in this case the road or verge.

The petitioners are seeking to extend the allowance made to private motor vehicles to include this caravan.

**Issues and options considered:**

There are three options which can be considered.

Option 1

Amend the Local Law to allow caravans to be parked on residential verges at any time.

This would have detrimental impacts for:

- the residential streetscape generally and particularly in higher density living areas such as the Joondalup City Centre;
- traffic safety as a result of obscured sight lines particularly in proximity to bends and corners;
- pedestrian safety where there is no footpath; and
- establishing a precedent to allow other large items on verges which do not fit conveniently behind the property line such as boats on trailers, box trailers, motor homes and large play equipment such as trampolines.

This option is not recommended.

Option 2

Allow a caravan on verges under certain conditions.

The possible conditions would need to include:

- There would need to be support for the proposal from neighbours within a defined radius such as the properties on each side of the subject property and the properties immediately adjacent;
- There would need to be provision for cancellation of an approval in circumstances where a neighbour who previously supported the parking changes their mind or a neighbouring property is sold and the new owner does not support the parking;
- Approval would not be given for parking caravans on verges:
  - within 10 metres of a junction;
  - on the outside bend of a curved street due to sight hazard;
  - on or adjacent to the crown of a hill due to sight hazard;
  - in any other situation that would result in a sight or pedestrian access hazard; and
  - in any situation that impeded access to City infrastructure in the verge including street trees.

There would need to be a system of property inspections to enable these requests to be assessed.

This option is not recommended.



### Option 3

Refuse the petitioners' request.

The current prohibition for permanently parking caravans on verges preserves the local streetscape and prevents unnecessary hazards arising. The prohibitions have been in place for many years. It is not unreasonable to expect that the purchaser/owner of a caravan should make appropriate arrangements for its adequate storage that does not adversely impact on other members of the local community either from an amenity or a safety perspective.

This option is recommended.

### **Legislation/Strategic Plan/Policy Implications**

**Legislation**                      *City of Joondalup's Parking Local Law 1999* and the *Local Government and Public Property Local Law 1999*.

### **Strategic Plan**

**Key Focus Area:**      Leadership and Governance.

**Objective:**                      To lead and manage the City effectively.

### **Policy:**

There is no current policy in relation to this matter. Should caravans be allowed to be kept on public verges it is possible a policy would be needed to support the *Parking Local Law 1999*.

### **Risk Management Considerations:**

There is a risk that if caravans are permitted to be parked on public verges adjacent to some residential properties that future petitioners would seek to keep other large items such as trailers, boat-trailers, commercial vehicles and potentially play equipment on the verge as well.

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

There would be significant budget implications for implementing Option 2 as this would require a system of property inspections to enable these requests to be assessed.

There are no financial implications for the recommended option.

### **Regional Significance:**

Not Applicable.

### **Sustainability Implications:**

Not Applicable.

**Consultation:**

No community consultation has been undertaken, however, if either Options 1 or 2 were adopted then the community would be consulted in regard to the required local law changes and a new policy if required.

**COMMENT**

Residents who choose to have a caravan should be aware of their responsibilities for storing them off the street or verge as is required under the *Parking Local Law 1999*. It is not unreasonable to expect that the purchaser/owner of a caravan should make appropriate arrangements for its adequate storage that does not adversely impact on other members of the local community either from an amenity or a safety perspective.

Amending the Parking Local Law in the fashion provided for in either Option 1 or Option 2 may be in conflict with the provisions of the *Local Government Act (Uniform Local Provisions) Regulations* which are designed to ensure that public property which is in the care of the Local Government, in this case the verge or carriageway, is not given over to private use. Temporary private use of public land is tolerated, such as the regular parking and removal of vehicles, however permanent or semipermanent storage such as keeping a caravan or trailer is not permitted.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, Seconded Mayor Pickard that Council:**

- 1 **DECLINES** the request of the petitioners to allow the resident of 2 Defoe Court, Kingsley to park a caravan on the verge contrary to the City's *Parking Local Law 1999*; and
- 2 **ADVISES** the lead petitioner of the Council's decision.

**The Motion was Put and**

**CARRIED (11/2)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Ritchie and Thomas

**Against the Motion:** Crs Norman and Taylor

## **CJ192-09/12 TENDER 018/12 - OCEANSIDE PROMENADE ROAD CONSTRUCTION UPGRADE**

<b>WARD:</b>	North-Central
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	102442, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Summary of Tender Submissions

---

### **PURPOSE**

To seek the approval of Council to accept the tender submitted by Curnow Group Pty Ltd for Oceanside Promenade road construction upgrade.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 16 June 2012 through state wide public notice for the Oceanside Promenade road construction upgrade. Tenders closed on 3 July 2012. Three submissions were received from:

- Downer EDI works Pty Ltd;
- Curnow Group Pty Ltd; and
- Neo Infrastructure (Aust) Pty Ltd.

The submission from Curnow Group Pty Ltd represents best value to the City. The company has sufficient resources and adequate experience to complete the City's requirements. Its submission demonstrated an appropriate understanding of the project and the ability to complete the works in the specified ten week timeframe.

The company has previously completed civil projects for the City of Wanneroo, Shires of Roebourne and Carnarvon and the Burns Beach Road landscaping project for the City.

*It is recommended that Council ACCEPTS the tender submitted by Curnow Group Pty Ltd for the Oceanside Promenade road construction upgrade as specified in Tender 018/12 for the fixed lump sum of \$875,106 (GST Exclusive) for completion of the works within 10 weeks from possession of the site.*

### **BACKGROUND**

This requirement is to undertake civil works including road widening, median and roundabout works in Oceanside Promenade, Mullaloo between Mullaloo Drive and Warren Way.

## DETAILS

Tenders were advertised on 16 June 2012 through state wide public notice for the Oceanside Promenade road construction upgrade. The tender period was for two weeks and tenders closed on 3 July 2012.

This Contract is for a fixed lump sum with completion of the works within 10 weeks from possession of the site.

### Tender Submissions

Three submissions were received from:

- Downer EDI works Pty Ltd;
- Curnow Group Pty Ltd; and
- Neo Infrastructure (Aust) Pty Ltd.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 1.

### Evaluation Panel

The Evaluation Panel comprised of three members:

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

The Panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

### Compliance Assessment

All offers received were assessed as partially compliant.

The submissions were subject to the City agreeing to various amendments to the conditions of contract. These relate to security, indemnity, limit of liability and consequential loss, liquidated damages, delay costs, payments terms, working hours and insurance.

All offers were included for further assessment on the basis that the potential for such amendments to increase the contractual risk to the City would be assessed prior to final consideration.

### Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Capacity	35%
2	Demonstrated experience in completing similar projects	35%
3	Demonstrated understanding of the required tasks	25%
4	Social and economic effects on the local community	5%

Neo Infrastructure (Aust) Pty Ltd scored 30% and was ranked third in the qualitative assessment. The company did not demonstrate sufficient experience completing projects of a similar nature with high volumes of traffic. It did not provide sufficient information demonstrating its capacity and understanding of the project requirements. The submission lacked information on the source of its additional resources and personnel, its safety record, safety procedures and did not provide a written methodology for the project.

Curnow Group Pty Ltd scored 62% and was ranked second in the qualitative assessment. The company demonstrated sufficient capacity to complete the project in the required timeframe. It demonstrated an appropriate understanding of the requirements, with its work methodology and provisional program addressing the main components of the project. Curnow Group Pty Ltd has experience completing civil projects with elements of similarity to the Oceanside Promenade upgrade, some of which included traffic management in high volume traffic areas. It has previous completed projects for the Shires of Roebourne and Carnarvon and the Cities of Wanneroo and Joondalup.

Downer EDI Works Pty Ltd scored 69.7% and was ranked first in the qualitative assessment. It demonstrated extensive experience completing similar and larger scale projects for the Cities of Perth, Melville and Wanneroo and Main Roads. The company has the largest capacity in terms of personnel and equipment of the three tenderers and demonstrated the clearest understanding of the project in its work methodology and provisional program.

### Price Assessment

Following the qualitative assessment, the Panel carried out a comparison of the submitted lump sum prices offered by each tenderer to assess conformance to the specification and value for money to the City.

<b>Tenderer</b>	<b>Lump Sum Price</b>
Neo Infrastructure (Aust) Pty Ltd	\$628,000
Curnow Group Pty Ltd	\$875,106
Downer EDI Works Pty Ltd	\$990,205

### Evaluation Summary

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

<b>Tenderer</b>	<b>Contract Price</b>	<b>Price Rank</b>	<b>Evaluation Score</b>	<b>Qualitative Rank</b>
Downer EDI Works Pty Ltd	\$990,205	3	69.7%	1
Curnow Group Pty Ltd	\$875,106	2	62%	2
Neo Infrastructure (Aust) Pty Ltd	\$628,000	1	30%	3

Based on the evaluation result and assessment of amendments to contractual conditions set out in the offers, the Panel concluded that the tender that provides best value and lowest risk to the City is that of Curnow Group Pty Ltd and is therefore recommended.

**Issues and options considered:**

Civil works are required to complete the road construction upgrade to Oceanside Promenade. The City does not have the internal resources to undertake the works and as such requires an appropriate external service provider.

**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:** The Built Environment.

**Objective:** To progress a range of innovative and high quality urban development projects within the City.

**Policy**

Not Applicable.

**Risk Management Considerations:**

The recommended tenderer's submission was subject to two amendments to the City's conditions of contract. These amendments are:

- A limit to liquidated damages of 5% of the contract sum (equating to 8.75 weeks); and
- Security would be in the form of retention monies in place of a bank guarantee.

The variations to the conditions of contract proposed by the recommended tenderer were assessed by the assessment panel and deemed to pose an acceptable level of contractual risk to the City.

Should the contract not proceed, the risk to the City will be moderate as the City may lose its black spot funding for the project.

It is considered that the Contract will represent a low risk to the City as the recommended tenderer is an established company with sufficient civil works experience and the capacity to complete the works within the required 10 week timeframe.

**Financial/Budget Implications:**

<b>Account No:</b>	CW000296
<b>Budget Item:</b>	SBS2025 Oceanside Promenade - Mullaloo Drive to Warren Way
<b>Budget Project Cost 12/13:</b>	\$360,000
<b>Budget Amount:</b>	\$360,000
<b>Expenditure:</b>	\$3,424
<b>Committed:</b>	\$0
<b>Proposed Contract Cost:</b>	\$875,106
<b>Contingency &amp; Associated Works:</b>	\$65,576
<b>Budget Deficit:</b>	(\$584,106)

The budget deficit is proposed to be funded by \$200,000 municipal funding reallocated from project number RDC2011. This will be the subject of a separate report to Council. The City has also received approval for \$390,000 additional grant funding from the Black Spot program specifically for this project.

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The road construction upgrade of Oceanside Promenade will assist in regulating the flow of traffic and improve the safety of the road for members of the public using the facilities in the vicinity.

**Consultation:**

Not Applicable.

**COMMENT**

The Evaluation Panel carried out the evaluation of the submissions in accordance with the qualitative criteria in a fair and equitable manner and concluded that the offer representing best value to the City is that as submitted by Curnow Group Pty Ltd.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Taylor, Seconded Cr Thomas that Council ACCEPTS the tender Submitted by Curnow Group Pty Ltd for the Oceanside Promenade Road construction upgrade as specified in Tender 018/12 for the fixed lump sum of \$875,106 (GST Exclusive) for completion of the works within 10 weeks from possession of the site.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 14 refers*

To access this attachment on electronic document, click here: [Attach14brf110912.pdf](#)



## **CJ193-09/12 TENDER 019/12 - PROVISION OF DRILLING, DEVELOPMENT AND TESTING OF BORES**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	102443, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Schedule of Items
	Attachment 2	Summary of Tender Submissions

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### **PURPOSE**

To seek the approval of Council to accept the tender submitted by Ardmay Pty Ltd trading as RBM Drilling for the provision of drilling, development and testing of bores.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 7 July 2012 through state wide public notice for the provision of drilling, development and testing of bores for a period of three years. Tenders closed on 24 July 2012 and one submission was received from Ardmay Pty Ltd trading as RBM Drilling.

The submission from Ardmay Pty Ltd trading as RBM Drilling represents good value to the City. The company has demonstrated the capacity, experience and a sound understanding of the required tasks. It has over the past six years successfully completed similar works for the Cities of Melville and Stirling. RBM Drilling is the City's current contractor for drilling, development and testing of bores.

*It is recommended that Council ACCEPTS the tender submitted by Ardmay Pty Ltd trading as RBM Drilling for the provision of drilling, development and testing of bores as specified in Tender 019/12 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.*

### **BACKGROUND**

The City has a requirement for the drilling, casing, screening, developing and test pumping of new bores at various locations within the City. The estimated total number of new bores drilled per year is six. The depth and diameter of the bores are subject to the irrigation system requirements and site topography conditions.

The City currently has a single contract for the provision of drilling, development and testing of bores with Ardmay Pty Ltd trading as RBM Drilling, which will expire on 18 October 2012.

RBM Drilling has provided a satisfactory level of service throughout the term of its contract. The contractor has worked with the City to overcome some difficult situations when drilling bores in locations that have been unpredictable.

## DETAILS

The tender for the provision of drilling, development and testing of bores was advertised through state wide public notice on 7 July 2012. The tender period was for two weeks and tenders closed on 24 July 2012.

### Tender Submissions

One submission was received from Ardmay Pty Ltd trading as RBM Drilling.

The schedule of items listed in the tender is provided in Attachment 1.

A summary of the tender submission including the location of the tenderer is provided in Attachment 2.

### Evaluation Panel

The Evaluation Panel comprised of three members:

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

The Panel carried out the assessment of the submission in accordance with the City's evaluation process in a fair and equitable manner.

### Compliance Assessment

The offer received was fully compliant and was considered for further evaluation.

### Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Capacity	35%
2	Demonstrated experience in providing similar services	35%
3	Demonstrated understanding of the required tasks	25%
4	Social and economic effects on the local community	5%

RBM Drilling scored 65% in the qualitative assessment. The company demonstrated a sound understanding of the required tasks and the capacity to meet the City's volume of work. RBM Drilling is the City's current contractor for drilling, development and testing of bores and has provided similar services to the Cities of Melville and Stirling for the past six years.

## Price Assessment

To provide an estimated expenditure over a 12 month period, the bores listed in the capital works and maintenance programs were identified and used in the calculation.

The rates are fixed for the first year of the contract, but are subject to a price variation in years two and three of the contract to a maximum of the Perth All Groups CPI percentage change for the preceding year. For estimation purposes, a 3% CPI increase was applied to the rates in years two and three.

The table below provides the estimated expenditure. Any future requirements will be based on demand and subject to change in accordance with the operational needs of the City.

Tenderer	Year 1	Year 2	Year 3	Total
Ardmay Pty Ltd trading as RBM Drilling	\$112,297 (four bores)	\$168,446 (six bores)	\$173,499 (six bores)	\$454,242

During the last financial year 2011/12, the City incurred \$248,159 for the provision of drilling, development and testing of bores and is expected to incur in the order of \$454,242 over the three year contract period. The City projects four capital upgrade bores for year one and six for years two and three thereafter.

## Evaluation Summary

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

Tenderer	Estimated Year 1 Contract Price	Estimated Total Contract Price	Weighted Percentage Score
Ardmay Pty Ltd trading as RBM Drilling	\$112,297	\$454,242	65%

Based on the evaluation result the Panel concluded that the tender from Ardmay Pty Ltd trading as RBM Drilling provides good value to the City and is therefore recommended.

## Issues and options considered:

The City has a requirement for drilling, development and testing of bores to be provided at various locations within the City. 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:** The Natural Environment.

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

**Policy:**

City Policy - Reserves, Parks and Recreation Grounds.

**Risk Management Considerations:**

Should the contract not proceed, the risk to the City will be high. The City relies on bores for its water supply to parks, streetscapes and would not be able to drill new bores for new landscaped areas or replace old ineffective bores.

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 proven capacity to provide the services to the City.

**Financial/Budget Implications:**

<b>Account No:</b>	Various Parks Maintenance / Capital Works accounts
<b>Budget Item:</b>	Drilling, development and testing of bores
<b>Estimated Budget Amount:</b>	\$120,000
<b>Amount Spent To Date:</b>	\$0
<b>Proposed Cost:</b>	\$112,297
<b>Balance:</b>	\$7,703

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Water bores are an integral component in the efficient management of the City's water resources. The City has 188 existing bores at various locations throughout its irrigated parks and public open spaces. Bores to be drilled under this contract include replacement of existing bores which are nearing the end of their effective operational life and new bores approved by the Department of Water.

The drilling of new bores will provide the City with a more efficient and effective means of water usage and assist in compliance with water consumption statutory requirements and the City's commitment to the continued enhancement of its open spaces for the community.

**Consultation:**

Not Applicable.

**COMMENT**

The Evaluation Panel carried out the evaluation of the submission in accordance with the City's evaluation process and concluded that the offer submitted by Ardmay Pty Ltd trading as RBM Drilling represents good value to the City.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, Seconded Cr McLean that Council ACCEPTS the tender submitted by Ardmay Pty Ltd trading as RBM DRILLING for the provision of drilling, development and testing of bores as specified in TENDER 019/12 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the PERTH CPI (All Groups) Index.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution prior to consideration of CJ195-09/12 Page, 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 15 refers*

To access this attachment on electronic document, click here: [Attach15brf110912.pdf](#)

**CAPITAL WORKS COMMITTEE****CJ194-09/12 MONTHLY CAPITAL WORKS PROJECTS REPORT AND REALLOCATION OF FUNDS****WARD:** All**RESPONSIBLE A/DIRECTOR:** Mr Charlie Reynolds  
Infrastructure Services**FILE NUMBER:** 102496, 101515, 02111, 03309, 102320, 00468, 55541, 22103**ATTACHMENTS:**

Attachment 1	Oceanside Promenade Redevelopment
Attachment 2	Moore Drive Duplication
Attachment 3	Currambine Community Centre and Delamere Park Construction
Attachment 4	Tom Simpson Park Upgrade
Attachment 5	Entry Statements
Attachment 6	Mirror Park Skate Park

**PURPOSE**

The purpose of this report is to provide monthly project status reports for capital works projects, and seek Council's approval to reallocate capital works funding.

**EXECUTIVE SUMMARY**

At the Capital Works Committee meeting of 7 August 2012 the Committee determined which capital works project reports were required and the frequency of reporting. The first monthly project reports are attached. Council approval is sought to transfer capital works funding from the Hodges Drive duplication works to the Oceanside Promenade redevelopment project.

*It is recommended that Council:*

- 1 *NOTES the monthly capital works project reports as detailed in Attachments 1 to 6 to Report CJ194-09/12; and*
- 2 *BY ABSOLUTE MAJORITY, APPROVES the budget reallocation of \$200,000 from RDC 2011 'Hodges Drive - Marmion Avenue to Ocean Reef Road' to SBS 2025 'Oceanside Promenade - Mullaloo Drive to Warren Way'.*

## BACKGROUND

At its meeting held on 7 August 2012, the Capital Works Committee requested that the following project reports be provided on a monthly basis:

- Oceanside Promenade redevelopment;
- Moore Drive duplication;
- Currambine Community Centre and Delamere Park construction;
- Tom Simpson Park upgrade;
- Entry Statements; and
- Mirror Park skate park.

## DETAILS

At the 7 August 2012 Capital Works Committee meeting the Committee determined which capital work project reports were required on a monthly and quarterly basis. A summary of each project and its current status is detailed below, with more detailed information in the attached project reports.

### Oceanside Promenade Redevelopment

**Project description:** The redevelopment of Oceanside Promenade in accordance with the final concept plan, as approved by Council on 17 May 2011 (CJ092-05/11 refers).

**Current status:** Tender advertised in June 2012. All three submissions were substantially over budget. A quantity surveyor review has been undertaken which concluded that the prices tendered were not over inflated. The City has met with Main Roads WA to discuss additional funding.

**Changes to scope:** The original budget of \$380,000 was based on a design that incorporated a narrow carriageway width to limit road widening and reduce costs. In order to comply with the outcomes of a road safety audit the road widths were significantly increased. This was one of four options presented to Council in April 2012 (CJ065-04/12 refers).

Main Roads WA have rescored the project and confirmed that it is eligible for additional Blackspot funding. This still leaves a funding shortfall. It is proposed to reallocate \$200,000 from project RDC 2011 Hodges Drive – Marmion Avenue to Ocean Reef Road duplication which is also in the 2012/13 financial year. The full project cost of RDC 2011 (the total budget is \$2.2 million) and timing of the construction will only be known on completion of the tender process during the first quarter of 2013 but part of this project can be extended into 2013/14.

### Moore Drive Duplication

Project description: Construction of a second carriageway on Moore Drive from Connolly Drive to Joondalup Drive.

Current status: Parking lane improvements for Currambine Primary School were completed during the July school holidays to improve traffic flow around the school as parking on Moore Drive verge is no longer permitted. Construction commenced on 6 August 2012.

Changes to scope: Not Applicable.

### Currambine Community Centre and Delamere Park Construction

Project description: Design, tender and project management of the construction of Currambine Community Centre and a new park and car park at Delamere Park.

Current status: Endorsement by Council in August 2012 to appoint builder (Pindan Pty Ltd) for the construction of the centre at the fixed lump sum of \$4,026,923 (excl GST) and completion of works within 48 weeks from possession of the site and an additional car park for the fixed lump sum of \$95,851 (excl GST).

Changes to scope: Not Applicable.

### Tom Simpson Park Upgrade

Project description: Redevelopment of Tom Simpson Park in accordance with the final concept plan, as approved by Council on 17 May 2011 (CJ092-05/11 refers).

Current status: Works completed in stage one of southern section of the park include new concrete paths, new dual use paths, new bollards and associated ground works for the entry statement. Part of the southern section was opened to the public on 27 July 2012.

Relocation works on barbecues is continuing within the southern section, including construction of limestone retaining walls.

Changes to scope: Work to the northern section of Tom Simpson Park will be delayed due to late start of Oceanside Promenade redevelopment.

### Entry Statements

Project description: Installation of two Entry Statements to be installed at both ends of Marmion Avenue. The Entry Statement project underpins the concept of 'a memorable gateway into the City of Joondalup, with visitors and residents "moving through" the design'. The scope of the project includes the installation of poles, signage, trees and ground treatments.



**Current status:** Tender for construction of Entry Statements advertised in March 2012. All submissions received were over budget. Specifications have been reviewed by the consultant and new tender documents (including specifications) developed reflecting the revised scope of works and materials. This revised scope is currently being costed by a firm of external Quantity Surveyors.

**Changes to scope:** The original budget of \$375,750 (2010/11) was based on a design that did not incorporate the crash barrier required for Main Roads WA approval. These funds were carried forward to 2011/12. \$33,787 was expended on consultancy and ground service surveys. \$340,000 has been carried forward to 2012/13.

### Mirror Park Skate Park

**Project description:** Construction of a skate park facility at Mirror Park, Ocean Reef in accordance with Council resolution CJ099-06/11.

**Current status:** Council endorsed the final design of the skate park in August 2012 and appointed a contractor (Convic Pty Ltd) to construct at a cost of \$439,000. Total project cost is \$660,350 (CJ147-08/12 refers). Works scheduled to commence in September 2012.

**Changes to scope:** Not Applicable.

### **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.

### **Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:****Oceanside Promenade redevelopment:**

The original budget was \$380,000 and was based on a design that incorporated a narrow carriageway. Following changes to the design to comply with a road safety audit the road widths were significantly increased resulting in a higher cost.

Main Roads WA have agreed to provide additional Blackspot funding which still leaves a funding shortfall.

It is proposed to reallocate \$200,000 from the \$2.2 million budgeted for RDC 2011 Hodges Drive – Marmion Avenue to Ocean Reef Road duplication. The full project cost of RDC 2011 will only be known on completion of the tender process. This may mean that RDC 2011 is not completed until 2013/14.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The attached capital works project reports provide an update on the activities undertaken in the last month.

**VOTING REQUIREMENTS**

Absolute Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Capital Works Committee at its meeting held on 4 September 2012.

The Committee recommendation is the same as recommended by City Officers.

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

- 1 NOTES the monthly capital works project reports as detailed in Attachments 1 to 6 to Report CJ194-09/12; and**
- 2 BY ABSOLUTE MAJORITY, APPROVES the budget reallocation of \$200,000 from RDC 2011 'Hodges Drive - Marmion Avenue to Ocean Reef Road' to SBS 2025 'Oceanside Promenade - Mullaloo Drive to Warren Way'.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Appendix 16 refers*

*To access this attachment on electronic document, click here: [Attach16brf110912.pdf](#)*

**C64-09/12                    COUNCIL DECISION – EN BLOC RESOLUTION - [02154] [08122]**

**MOVED Cr Amphlett, SECONDED Cr McLean that Council that pursuant to the Standing Orders Local Law 2005 – CLAUSE 48 – Adoption of Recommendations En Bloc, Council ADOPTS the following items:**

**CJ176-09/12, CJ179-09/12, CJ183-09/12, CJ184-09/12, CJ187-09/12, CJ189-09/12, CJ190-09/12 and CJ193-09/12.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

**REPORT OF THE CHIEF EXECUTIVE OFFICER****Disclosure of Financial / Proximity Interest**

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ195-09/12, Business Development Association Inc.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	A party in legal action with the Business Development Association Inc.

<b>Name/Position</b>	<b>Cr Geoff Amphlett, JP.</b>
<b>Item No/Subject</b>	CJ195-09/12, Business Development Association Inc.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Subject of a legal action being undertaken by the Business Development Association Inc.

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No/Subject</b>	CJ195-09/12, Business Development Association Inc.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr is a Member/Committee Member/Chairman of the Business Development Association.

<b>Name/Position</b>	<b>Cr Teresa Ritchie.</b>
<b>Item No/Subject</b>	CJ195-09/12, Business Development Association Inc.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Ritchie is a current Member of the Business Development Association and previously a Member of the Business Development Association as a representative of the City of Joondalup.

*Crs Amphlett and McLean left the Chamber at 8.18pm.*

*Principal Legal Officer entered the Chamber at 8.19pm.*

**CJ195-09/12 BUSINESS DEVELOPMENT ASSOCIATION INC.**

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<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Gary Hunt Chief Executive Officer
<b>FILE NUMBER:</b>	03082, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Letter from City to BDA dated 23 August 2012

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**PURPOSE**

The purpose of this report is to advise Council of recent events concerning the governance of the Business Development Association and its inability to conduct meetings and fulfil the purposes for which it was established.

**EXECUTIVE SUMMARY**

The Business Development Association (BDA) was established over a decade ago to assist in the development of sustainable small business through the provision of incubator facilities in the North West Metro region.

The BDA is an incorporated association made up of the City, Edith Cowan University (ECU) and the Joondalup Business Association (the Foundation Members), together with a small number of community members.

The affairs of the BDA are managed by a Committee of Management which is constituted by two representatives from each Foundation Member and three community members.

Governance of the BDA is regulated by its Constitution and the *Associations Incorporation Act* (the Act).

In May this year, Council received a report into the affairs of the BDA (Item CJ098-05/12 refers) which concluded that with the successful transition of the incubator facility to the ECU Business and Innovation Centre, the original purpose of the Association may well have been served. However Council decided to maintain the City's involvement in the BDA in the short term for the purposes of exploring alternative delivery options for a business incubator facility.

At its May meeting, Council revoked the appointment of Crs Corr and Ritchie as the City's representatives and requested the Chief Executive Officer to appoint two officer representatives instead.

In the three months since that decision no meetings of the Committee have been convened and the BDA Secretary has failed to respond to requests from the City for minutes of previous Committee meetings or for any information about future meetings.

Only after a request from the City (and ECU and a community representative) for a Special General Meeting (available under the Constitution at the request of members) did

the Secretary respond by convening two meetings – a General Meeting for 22 August 2012 and the Special General Meeting for 24 August 2012.

The City's request to the BDA Secretary for clarification concerning the reason for convening two meetings went unanswered.

The City's representatives attended the meetings however they soon became dysfunctional without making any valid decisions or achieving any useful purpose.

Over the nine months which have passed since the transition arrangements for the ECU Business and Innovation Centre were concluded in November 2011 it is reasonable to conclude that the BDA has done little to advance the interests of small business in the Joondalup area.

Given this state of affairs, it is considered that the BDA has served its purpose and in light of its incapacity to function, it is now time for the City to withdraw from the Association.

The ECU has advised the City that it is also considering withdrawal from the Association.

Once the Association has been advised of the City's withdrawal, the Commissioner for Consumer Affairs should be notified of the state of affairs at the Association to enable cancellation of its incorporation.

## **BACKGROUND**

The City is a Foundation Member of the BDA, along with ECU and the Joondalup Business Association Inc. (JBA). The BDA was established to assist in the formulation and development of new and sustainable small business through the provision of incubator facilities and ancillary services in the North West Metro region. Over the course of the last decade the BDA has been extremely successful in its mission.

Through the agency of the Joondalup Business Centre the BDA operated out of premises situated on Barron Parade which were leased from ECU. As the lease was due to expire in June 2011, the BDA Committee considered a number of proposals for the ongoing operation of the Joondalup Business Centre after that time.

Out of this discussion came a proposal to extend the Barron Parade facility under a *Heads of Agreement* which the BDA executed with ECU in August 2010. Under the Agreement, the running of the Centre was taken over by ECU and the business incubator facility was extended with the assistance of a transfer of \$250,000 in accumulated funds from the BDA to ECU with the balance of the funding (in an amount equal to the BDA contribution) coming from ECU.

The City's representatives, together with ECU and Community members on the Committee supported the *Heads of Agreement*.

The JBA opposed the *Heads of Agreement* executed in August 2010 and continued to oppose the transition arrangements which were implemented under the Agreement throughout 2011.

In December 2011, there was a change in the composition of the BDA Committee which saw JBA members occupying a majority of office holder positions. The JBA members appear to have been focussed on finding ways to unravel the transition arrangements overseen by the previous Committee which concluded in November 2011.

Since that time the Committee has met four times and the minutes of those meetings disclose that its focus has not shifted.

## **DETAILS**

At its May meeting, Council revoked the appointment of Crs Corr and Ritchie as the City's representatives and requested the Chief Executive Officer to appoint two officer representatives instead.

In the three months since that decision no meetings of the Committee have been convened and the BDA Secretary has failed to respond to requests from the City for minutes of previous Committee meetings or for any information about future meetings.

Only after a request from the City (and ECU and a community representative) for a Special General Meeting (available under the Constitution at the request of members) did the Secretary respond by convening two meetings – a General Meeting for 22 August 2012, to be conducted two days before the Special General Meeting requested by the members.

The City's request to the BDA Secretary for clarification concerning the reason two meetings went unanswered.

The City's representatives attended the meetings however they soon became dysfunctional without making any valid decisions or achieving any useful purpose.

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

#### *General Meeting Wednesday 22 August 2012*

The person chairing the meeting, JBA member Russell Poliwka, overrode the objections of the City and ECU, and put a membership application (in the name of Ms Teresa Ritchie) before the meeting. When a motion was moved to approve the application, Mr Poliwka refused to count the votes of the ECU.

This and numerous other rulings from the chair were made without any satisfactory or coherent explanation when requested and in the City's view were made without any lawful authority either under the Constitution, the Act or the general law applicable to incorporated associations.

At this point the City and the ECU withdrew from the meeting as it became clear that there was no prospect of the meeting being conducted lawfully.

The City wrote to the BDA Secretary the next day to place on the public record its concerns about the conduct of the meeting and sought assurances that the same thing would not happen at the Special General Meeting which was to convene on Friday, 24 August 2012. A copy of the City's letter is at Attachment 1.



*Special General Meeting Friday 24 August 2012*

When the City's representatives attended at the JBA offices for the Friday meeting they were met by Mr Brian Corr who advised them that he was chairing the meeting. He further advised them that he had been elected as a community member of the BDA and had been appointed at the meeting on Wednesday, 22 August 2012.

As these assertions could not possibly be correct, the City objected on the basis that:

- Any application for membership of the BDA (whether it was from Mr Corr or Ms Ritchie) could not be approved under the Constitution of the Association as it was not considered by the Committee but was considered at the General Meeting of Wednesday, 22 August 2012 – the Constitution does not enable membership to be approved at a General Meeting;
- Any 'decision' at the Wednesday meeting (regardless of whether it was a General Meeting or a Committee Meeting) could not be considered a valid decision as it excluded the votes of the ECU; and
- Once the City and ECU withdrew from the Wednesday meeting there was no longer a quorum (as required under the Constitution) and no further business could be conducted after this withdrawal. Without a quorum there was no capacity for the Association to make any appointments or decisions of any kind.

When it became clear that Mr Corr and the JBA members were not moved by the City's objections and appeared intent on conducting the meeting in a similar manner to the Wednesday meeting, members in attendance agreed the meeting be discontinued.

The net result of these 'meetings' is that no lawful decisions were taken and no useful purpose was served. The City has no reason to believe that this situation will change.

It is the view of the City the membership applications of Mr Corr and Ms Ritchie are a nullity and of no legal effect.

The BDA has served its purpose and in light of its incapacity to properly function, it is now considered timely for the City to withdraw.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                      *Local Government Act 1995; Associations Incorporation Act 1987.*

**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:**

Not Applicable.

**Risk Management considerations:**

There is the potential for reputational damage to the City if it continues its involvement in an external entity which has become dysfunctional and does not conduct its affairs in accordance with its Constitution and good governance principles.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Not Applicable.

**Consultation:**

The ECU has advised the City that it is considering withdrawal from the BDA.

**COMMENT**

With the successful transition of the incubator facility from the Joondalup Business Centre to the ECU Business and Innovation Centre, it is apparent that the original purpose of the BDA has been served.

As the BDA has served its purpose and in light of its incapacity to properly function, it is now considered timely for the City to withdraw from the Association and notify the Commissioner of this fact so that its incorporation can be cancelled.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Hollywood, Seconded Cr Gobbert that Council:**

- 1** NOTES Report CJ195–09/12 into the governance of the Business Development Association;
- 2** RESOLVES that the City resign from the Business Development Association;
- 3** REQUESTS the Chief Executive Officer to advise the Secretary of the Business Development Association of the City's decision to resign from the Association; and
- 4** REQUESTS the Chief Executive Officer to write to the Commissioner of Consumer Affairs advising of the state of affairs at the Business Development Association and of the City's decision to resign its membership of the Association.

**The Motion was Put and****CARRIED (10/1)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Norman, Ritchie and Thomas

**Against the Motion:** Cr Taylor

*Appendix 17 refers*

*To access this attachment on electronic document, click here: [Attach17brf110912.pdf](#)*

*Crs Amphlett and McLean entered the Chamber at 8.27pm.*

**C65-09/12                    MOTION TO GO BEHIND CLOSED DOORS – [02154, 08122]**

**MOVED** Cr Hamilton-Prime, Seconded Cr Hollywood that Council:

**1**        in accordance with Sections 5.23(2)(a) of the *Local Government Act 1995* and Clause 67 of the City's *Standing Orders Local Law 2005*, **RESOLVES** to close the meeting to members of the public to consider the following item:

1.1      CJ196-09/12        **Confidential Report – Appointment of Director Infrastructure Services;**

**2**        **PERMITS** the following employees to remain in the Chamber during discussion on Item CJ196-09/12 while the meeting is sitting behind closed doors as detailed in part 1 above:

- **Chief Executive Officer, Mr Garry Hunt;**
- **Director Corporate Services, Mr Mike Tidy;**
- **Director Governance and Strategy, Mr Jamie Parry;**
- **Director Planning and Community Development, Ms Dale Page;**
- **Acting Director Infrastructure Services, Mr Charlie Reynolds;**
- **Manager Governance and Marketing, Mr Brad Sillence;**
- **Governance Coordinator, Mr John Byrne;**
- **Governance Officer, Mrs Lesley Taylor; and**
- **Governance Officer, Mrs Deborah Gouges.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Members of the staff (with the exception of the Chief Executive Officer, Director Corporate Services, Director Governance and Strategy, Director Planning and Community Development, Acting Director Infrastructure Services, Manager Governance and Marketing, Governance Coordinator and two Governance Officers) and members of the public and press left the Chambers at this point; the time being 8.28pm.*

**CJ196-09/12      CONFIDENTIAL REPORT - APPOINTMENT OF  
DIRECTOR INFRASTRUCTURE SERVICES****WARD:** All**RESPONSIBLE  
DIRECTOR:** Mr Garry Hunt  
Office of the Chief Executive Officer**FILE NUMBER:** 86609**ATTACHMENTS:** Attachment 1      Confidential – Applicant Interview Notes  
Attachment 2      Confidential – Applicant Details  
Attachment 3      Confidential – Recommended Applicant CV

**(Please Note:**      *The Report and Attachments are confidential and  
will appear in the official Minute Book only)*

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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 an employee or employees.*

A full report is provided to Elected Members under separate cover. The report is not for publication.

**MOVED Mayor Pickard, Seconded Cr McLean that Council ENDORSES the recommendation of the Chief Executive Officer to Appoint Mr Nico Claassen to the position of Director Infrastructure Services on a performance based contract for a maximum period of five years at a commencing Total Employment Cost of \$225,000.**

**The Motion was Put and****CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

**C66-09/12                    MOTION TO GO TO OPEN DOORS – [02154, 08122]**

**MOVED Cr Gobbert, Seconded Cr Hollywood that Council in accordance with Clause 67 of the City's *Standing Orders Local Law 2005*, RESOLVES the meeting be now held with OPEN DOORS.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

*Doors opened at 8.37pm.*

*No members of the public or press were present.*

In accordance with the City's *Standing Orders Local Law 2005*, Mayor Pickard read aloud the motions in relation to:

CJ196-09/12      Confidential Report – Appointment of Director Infrastructure Services

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****C67-09/12                    NOTICE OF MOTION – MAYOR TROY PICKARD – SETTING OF COUNCIL MEETING DATES FOR 2012 - [02154, 08122]**

In accordance with Clause 26 of the *Standing Orders Local Law 2005*, Mayor Troy Pickard gave his intention to move the following Motion at the Council meeting to be held on 18 September 2012:

***“That Council:***

- 1            *BY AN ABSOLUTE MAJORITY, REVOKES the following Council meeting date from its decision of 22 November 2011, (CJ216-11/11 refers) as follows:***  
  
***“7.00pm on Tuesday, 16 October 2012”;***
- 2            *SETS the date for the Ordinary Meeting of Council in October to occur at 7.00pm on Tuesday, 23 October 2012 in the City of Joondalup Council Chambers.”***

**Reason for Motion:**

It is current Council practice to rotate the position of Deputy Mayor on an annual basis amongst suitable Elected Members. In accordance with this practice, at the Ordinary Council meeting to be held on 16 October 2012, the Council will elect the new Deputy Mayor.

The Mayor, who is Presiding Member of the Council, is required to attend a meeting in his capacity as Chairman of the Biodivercities Advisory Committee and will be an apology for the Council meeting on 16 October 2012. It is considered an onerous proposition to place a newly elected Deputy Mayor into a Presiding Member role in their first Council meeting as Deputy Mayor.

Given there are two Tuesdays at the end of October where no meetings are held, it is preferable that the Council meeting be rescheduled to 23 October 2012.

**ELECTED MEMBER SUPPORT FOR REVOCATION MOTION**

In accordance with Clause 57 of the *City of Joondalup Standing Orders Local Law 2005* (Clause 10 of the *Local Government (Administration) Regulations 1996*), this Notice of Motion is signed by the following five Elected Members (being one-third of the number of offices of members of Council):

- Mayor Troy Pickard
- Cr Mike Norman
- Cr Christine Hamilton-Prime
- Cr Kerry Hollywood
- Cr Tom McLean

**Officer's Comment:**

Any change to the schedule of meeting dates for Council meetings is required to be advertised.

**Moved Mayor Pickard, Seconded Cr Hollywood that Council:**

- 1 **BY AN ABSOLUTE MAJORITY, REVOKES the following Council meeting date from its decision of 22 November 2011, (CJ216-11/11 refers) as follows:**

**“7.00pm on Tuesday, 16 October 2012”;**

- 2 **SETS the date for the Ordinary Meeting of Council in October to occur at 7.00pm on Tuesday, 23 October 2012 in the City of Joondalup Council Chambers.”**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

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

Nil.

**CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 8.41pm the following Elected Members being present at that time:

MAYOR TROY PICKARD  
CR KERRY HOLLYWOOD  
CR TOM MCLEAN, JP  
CR PHILIPPA TAYLOR  
CR SAM THOMAS  
CR LIAM GOBBERT  
CR GEOFF AMPHLETT, JP  
CR CHRISTINE HAMILTON-PRIME  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR BRIAN CORR  
CR RUSS FISHWICK, JP  
CR TERESA RITCHIE





## Monthly Development Applications Determined - July 2012

Ward	DA Number	Receive Date	Application Details	Property Address	Estimated Cost	Stage Decision
Central	DA12/0319	27/03/12	GROUPED DWELLING (new single storey dwelling)	21A Dromana Place CRAIGIE WA 6025	180,000	Approved
Central	DA12/0381	10/04/12	SINGLE HOUSE (retaining and fill additions)	26 Ensign Way BELDON WA 6027	4,600	Approved
Central	DA12/0453	26/04/12	SINGLE HOUSE (outbuilding addition)	16 Cordova Court CRAIGIE WA 6025	7,200	Approved
Central	DA12/0457	30/04/12	SINGLE HOUSE (outbuilding and patio addition)	60 Nautilus Way KALLAROO WA 6025	103,000	Approved
Central	DA12/0560	17/05/12	SINGLE HOUSE (patio and outbuilding additions)	21 The Crest WOODVALE WA 6026	15,000	Approved
Central	DA12/0591	29/05/12	SINGLE HOUSE (solid front fence)	5 Pacific Way BELDON WA 6027	12,000	Approved
Central	DA12/0609	01/06/12	SINGLE HOUSE (deck addition)	27 Standish Way WOODVALE WA 6026	19,990	Approved
Central	DA12/0665	15/06/12	SINGLE HOUSE (patio addition)	15 Tallering Heights WOODVALE WA 6026	3,300	Approved
Central	DA12/0674	18/06/12	SINGLE HOUSE (outbuilding addition)	6 Claybush Court WOODVALE WA 6026	5,456	Approved
Central	DA12/0675	20/06/12	HOME BUSINESS CATEGORY 2 (chiropractor)	91 Bridgewater Drive KALLAROO WA 6025	0	Approved
Central	DA12/0681	20/06/12	SINGLE HOUSE (patio additions)	4 Europa Court KALLAROO WA 6025	12,500	Approved
Central	DA12/0686	20/06/12	SINGLE HOUSE (patio addition)	16 Oleander Way KALLAROO WA 6025	10,850	Approved
Central	DA12/0694	25/06/12	SINGLE HOUSE (patio additions)	17 Altair Way BELDON WA 6027	15,550	Approved
Central	DA12/0699	25/06/12	SINGLE HOUSE (garage addition)	94 Bridgewater Drive KALLAROO WA 6025	5,000	Approved
Central	DA12/0712	28/06/12	SINGLE HOUSE (outbuilding addition - retrospective)	37 Streeton Promenade WOODVALE WA 6026	5,000	Approved
Central	DA12/0728	25/06/12	SINGLE HOUSE (patio addition)	23 Keatley Crescent WOODVALE WA 6026	8,865	Approved
Central	DA12/0736	29/06/12	GROUPED DWELLING (patio addition)	14A Ormond Court WOODVALE WA 6026	6,700	Approved
Central	DA12/0743	04/07/12	SINGLE HOUSE (retaining addition)	12 Nautilus Way KALLAROO WA 6025	13,310	Approved
Central	DA12/0750	03/07/12	GROUPED DWELLING (carport addition)	12A Windsor Place KALLAROO WA 6025	4,685	Approved

Ward	DA Number	Receive Date	Application Details	Property Address	Estimated Cost	Stage Decision
Central	DA12/0781	12/07/12	HOME BUSINESS CATEGORY 2 (drum tuition - renewal)	32 Fallbrook Avenue WOODVALE WA 6026	0	Approved
Central	DA12/0809	18/07/12	GROUPED DWELLING (patio addition)	35B Koombana Way KALLAROO WA 6025	8,000	Approved
Central	DA12/0819	20/07/12	HOME BUSINESS CATEGORY 2 (chiropractor - renewal)	57 Castlecrag Drive KALLAROO WA 6025	0	Approved
North	DA12/0052	17/01/12	SINGLE HOUSE (additions)	9 Setoma Court JOONDALUP WA 6027	100,000	Approved
North	DA12/0161	15/02/12	SINGLE HOUSE (garage addition)	1 La Grange Loop CURRAMBINE WA 6028	18,500	Approved
North	DA12/0184	15/02/12	SINGLE HOUSE (additions - retrospective)	15 Snowbird Gardens JOONDALUP WA 6027	6,193	Approved
North	DA12/0449	26/04/12	SINGLE HOUSE (additions)	3 Coliban Grove JOONDALUP WA 6027	100,000	Approved
North	DA12/0514	03/05/12	GROUPED DWELLING (two new two storey dwellings)	6 Albright Hill JOONDALUP WA 6027	509,380	Approved
North	DA12/0551	18/05/12	SINGLE HOUSE (patio addition - retrospective)	3 Bambra Lane CURRAMBINE WA 6028	8,500	Approved
North	DA12/0552	18/05/12	SINGLE HOUSE (outbuilding - retrospective)	25 Carlton Turn CURRAMBINE WA 6028	5,000	Approved
North	DA12/0569	23/05/12	SINGLE HOUSE (patio addition)	11 Huxleys Trail BURNS BEACH WA 6028	6,906	Approved
North	DA12/0592	29/05/12	VEHICLE REPAIRS (signage addition)	8 Packard Street JOONDALUP WA 6027	12,000	Approved
North	DA12/0597	29/05/12	GROUPED DWELLING (new single storey dwelling)	2 Nashville Loop CURRAMBINE WA 6028	130,000	Approved
North	DA12/0604	31/05/12	SINGLE HOUSE (new two storey dwelling)	1 Burlos Court JOONDALUP WA 6027	378,894	Approved
North	DA12/0637	08/06/12	SINGLE HOUSE (additions)	5 Cypress Point Retreat CONNOLLY WA 6027	65,000	Approved
North	DA12/0638	07/06/12	DISPLAY HOME (new dwelling)	9 Umina Way BURNS BEACH WA 6028	280,000	Approved
North	DA12/0645	08/06/12	DISPLAY HOME (new two storey dwelling)	5 Romano Crescent ILUKA WA 6028	472,727	Approved
North	DA12/0652	08/06/12	SINGLE HOUSE (patio addition)	17 Ocean Shores Edge CONNOLLY WA 6027	2,560	Approved
North	DA12/0663	19/06/12	SINGLE HOUSE (patio addition)	167 Delgado Parade ILUKA WA 6028	3,500	Approved

Ward	DA Number	Receive Date	Application Details	Property Address	Estimated Cost	Stage Decision
North	DA12/0672	18/06/12	SINGLE HOUSE (patio addition)	12 Westwind Place CURRAMBINE WA 6028	13,500	Approved
North	DA12/0673	19/06/12	DISPLAY HOME & LAND SALES OFFICE TEMPORARY (temporary car park addition)	43 O'Mara Boulevard ILUKA WA 6028	117,500	Approved
North	DA12/0683	20/06/12	SINGLE HOUSE (patio addition)	42 Quarram Crescent BURNS BEACH WA 6028	6,570	Approved
North	DA12/0691	22/06/12	SINGLE HOUSE (boat port addition)	17 Taroona Lane CURRAMBINE WA 6028	1,200	Approved
North	DA12/0700	21/06/12	GROUPED DWELLING (patio addition)	5/200 Fairway Circle CONNOLLY WA 6027	3,996	Approved
North	DA12/0702	26/06/12	SINGLE HOUSE (patio addition)	14 Dundaff Turn KINROSS WA 6028	4,000	Approved
North	DA12/0721	28/06/12	SINGLE HOUSE (patio and screen wall additions)	18 Blairgowie Heights KINROSS WA 6028	5,000	Approved
North	DA12/0726	02/07/12	SHOP (change of use to office)	Kinross Central Shopping Centre 3 Selkirk Drive KINROSS WA 6028	0	Approved
North	DA12/0729	28/06/12	SINGLE HOUSE (patio addition)	9 Sorata Place CURRAMBINE WA 6028	9,850	Approved
North	DA12/0739	04/07/12	SINGLE HOUSE (patio addition - retrospective)	130 Naturaliste Boulevard ILUKA WA 6028	8,000	Approved
North	DA12/0756	05/07/12	HOME BUSINESS CATEGORY 2 (hairdressing)	16 Thornton Retreat KINROSS WA 6028	5,000	Approved
North	DA12/0771	11/07/12	SINGLE HOUSE (patio addition)	28 Delamere Avenue CURRAMBINE WA 6028	5,800	Approved
North	DA12/0775	10/07/12	DISPLAY HOME (new two storey dwelling)	10 Larvotto Turn BURNS BEACH WA 6028	400,000	Approved
North	DA12/0776	06/07/12	HOME BUSINESS CATEGORY 2 (beauty therapy - renewal)	17 Sottogrande View CONNOLLY WA 6027	0	Approved
North	DA12/0793	12/07/12	HOME BUSINESS CATEGORY 2 (bowen therapy - renewal)	24 Naturaliste Boulevard ILUKA WA 6028	0	Approved
North	DA12/0795	16/07/12	HOME BUSINESS CATEGORY 2 (massage therapy - renewal)	25 Boynton Gardens ILUKA WA 6028	0	Approved
NorthCentr	DA12/0279	16/03/12	SINGLE HOUSE (addition)	10 Reliance Close OCEAN REEF WA 6027	90,000	Approved
NorthCentr	DA12/0363	05/04/12	GROUPED DWELLING (new single storey dwelling)	10A Berkeley Street HEATHRIDGE WA 6027	225,952	Approved
NorthCentr	DA12/0385	11/04/12	SINGLE HOUSE (retaining, fill and solid front fence)	2 Olive Cove MULLALOO WA 6027	20,000	Approved
NorthCentr	DA12/0476	02/05/12	SINGLE HOUSE (patio additions - retrospective)	17 Atoll Court MULLALOO WA 6027	5,000	Approved

Ward	DA Number	Receive Date	Application Details	Property Address	Estimated Cost	Stage Decision
NorthCentr	DA12/0539	11/05/12	GROUPED DWELLING (new single storey dwelling)	25 Ironwood Avenue HEATHRIDGE WA 6027	137,878	Approved
NorthCentr	DA12/0610	01/06/12	SINGLE HOUSE (outbuilding addition - retrospective)	99 Conidae Drive HEATHRIDGE WA 6027	12,000	Approved
NorthCentr	DA12/0618	06/06/12	SINGLE HOUSE (patio addition - retrospective)	12 David Street MULLALOO WA 6027	6,000	Approved
NorthCentr	DA12/0624	31/05/12	SINGLE HOUSE (patio and carport additions)	75 Caridean Street HEATHRIDGE WA 6027	17,569	Approved
NorthCentr	DA12/0636	08/06/12	SINGLE HOUSE (garage addition and retaining)	50 Oakover Way HEATHRIDGE WA 6027	19,000	Approved
NorthCentr	DA12/0646	12/06/12	GROUPED DWELLING (retaining & fill and patio additions)	15B Baler Court MULLALOO WA 6027	20,000	Approved
NorthCentr	DA12/0657	18/06/12	SINGLE HOUSE (new two storey dwelling)	1 Page Drive MULLALOO WA 6027	500,000	Approved
NorthCentr	DA12/0662	14/06/12	SINGLE HOUSE (retaining)	5 Fireball Way OCEAN REEF WA 6027	7,231	Approved
NorthCentr	DA12/0666	18/06/12	SINGLE HOUSE (outbuilding addition)	4 Lyndon Court HEATHRIDGE WA 6027	11,406	Approved
NorthCentr	DA12/0684	20/06/12	SINGLE HOUSE (retaining and fill)	1 Thimble Court OCEAN REEF WA 6027	3,554	Approved
NorthCentr	DA12/0685	20/06/12	GROUPED DWELLING (new single storey dwelling)	16B Balga Way MULLALOO WA 6027	209,630	Approved
NorthCentr	DA12/0704	27/06/12	SINGLE HOUSE (patio addition - retrospective)	2 Kylena Glade OCEAN REEF WA 6027	10,000	Approved
NorthCentr	DA12/0716	22/06/12	GROUPED DWELLING (addition)	5A Imperial Court OCEAN REEF WA 6027	19,000	Approved
NorthCentr	DA12/0719	29/06/12	BUSINESS (multi-tenancy pylon sign addition)	1-16/1 The Gateway EDGEWATER WA 6027	27,000	Approved
NorthCentr	DA12/0722	26/06/12	GROUPED DWELLING (patio addition)	3A Corsair Court HEATHRIDGE WA 6027	4,000	Approved
NorthCentr	DA12/0723	26/06/12	SINGLE HOUSE (carport and patio additions)	18 Korella Street MULLALOO WA 6027	24,405	Approved
NorthCentr	DA12/0758	09/07/12	ANCILLARY ACCOMMODATION (new accommodation)	28 Harvest Loop EDGEWATER WA 6027	40,000	Approved
NorthCentr	DA12/0760	09/07/12	SINGLE HOUSE (patio enclosure - retrospective)	65 Scaphella Avenue MULLALOO WA 6027	2,000	Approved
NorthCentr	DA12/0778	10/07/12	HOME BUSINESS CATEGORY 2 (home office - renewal)	32 Gnober Way MULLALOO WA 6027	0	Approved
NorthCentr	DA12/0787	12/07/12	SINGLE HOUSE (patio addition)	15 Cliffside Trail EDGEWATER WA 6027	7,500	Approved

Ward	DA Number	Receive Date	Application Details	Property Address	Estimated Cost	Stage Decision
NorthCentr	DA12/0789	13/07/12	HOME BUSINESS CATEGORY 2 (computer repairs - renewal)	150 Caridean Street HEATHRIDGE WA 6027	0	Approved
South	DA12/0276	16/03/12	SINGLE HOUSE (additions)	48 Parnell Avenue MARMION WA 6020	200,000	Approved
South	DA12/0443	17/04/12	HOME BUSINESS CATEGORY 2 (music teaching and arranging - retrospective)	26 Quilter Drive DUNCRAIG WA 6023	0	Approved
South	DA12/0519	07/05/12	MEDICAL CENTRE (signage additions)	20 Burregah Way DUNCRAIG WA 6023	3,000	Approved
South	DA12/0531	10/05/12	SINGLE HOUSE (additions - part retrospective)	15 Benton Way WARWICK WA 6024	47,000	Approved
South	DA12/0668	15/06/12	SINGLE HOUSE (additions)	18 Griffell Way DUNCRAIG WA 6023	190,396	Approved
South	DA12/0678	21/06/12	SINGLE HOUSE (additions)	2 Telford Street MARMION WA 6020	50,000	Approved
South	DA12/0688	22/06/12	SINGLE HOUSE (patio addition)	34 Arkwell Way MARMION WA 6020	19,000	Approved
South	DA12/0717	26/06/12	GROUPED DWELLING (patio addition)	U 4/86 Ellersdale Avenue WARWICK WA 6024	2,200	Approved
South	DA12/0732	28/06/12	HOME BUSINESS CATEGORY 2 (consultancy - renewal)	29 Griffell Way DUNCRAIG WA 6023	0	Approved
South	DA12/0751	06/07/12	SINGLE HOUSE (carport addition - retrospective)	70 Dorchester Avenue WARWICK WA 6024	2,000	Approved
South	DA12/0768	11/07/12	SINGLE HOUSE (patio addition)	1 Wallace Court DUNCRAIG WA 6023	2,900	Approved
South	DA12/0772	06/07/12	AGED OR DEPENDANT PERSONS DWELLING (modification to windows of unit 1 and patio additions to all units)	8 Devon Court WARWICK WA 6024	22,000	Approved
South	DA12/0777	06/07/12	SINGLE HOUSE (patio addition)	18 Davallia Road DUNCRAIG WA 6023	22,500	Approved
South	DA12/0788	13/07/12	HOME BUSINESS CATEGORY 2 (hairdressing - renewal)	3 Tasca Place DUNCRAIG WA 6023	0	Approved
South	DA12/0792	12/07/12	HOME BUSINESS CATEGORY 2 (real estate settlement - renewal)	46 Davallia Road DUNCRAIG WA 6023	0	Approved
South	DA12/0808	13/07/12	SINGLE HOUSE (patio addition)	6 Parkway WARWICK WA 6024	7,000	Approved
SouthEast	DA12/0630	07/06/12	SINGLE HOUSE (garage addition - retrospective)	71 Wanneroo Road GREENWOOD WA 6024	2,000	Approved
SouthEast	DA12/0639	07/06/12	SINGLE HOUSE (outbuilding addition)	16 Twickenham Drive KINGSLEY WA 6026	19,800	Approved
SouthEast	DA12/0709	27/06/12	SINGLE HOUSE (new single storey dwelling)	5 Ranleigh Way GREENWOOD WA 6024	175,171	Approved

Ward	DA Number	Receive Date	Application Details	Property Address	Estimated Cost	Stage Decision
SouthEast	DA12/0714	29/06/12	SINGLE HOUSE (patio addition - retrospective)	8 Romford Place KINGSLEY WA 6026	5,000	Approved
SouthEast	DA12/0727	03/07/12	SINGLE HOUSE (patio addition)	4 Glenfield Road KINGSLEY WA 6026	19,440	Approved
SouthEast	DA12/0745	02/07/12	SINGLE HOUSE (patio addition)	7 Godfrey Place KINGSLEY WA 6026	13,000	Approved
SouthEast	DA12/0762	09/07/12	SINGLE HOUSE (carport addition)	9 Gilmerton Way GREENWOOD WA 6024	10,000	Approved
SouthEast	DA12/0784	10/07/12	HOME BUSINESS CATEGORY 2 (accountant)	34 Ricketts Way GREENWOOD WA 6024	0	Approved
SouthEast	DA12/0786	13/07/12	HOME BUSINESS CATEGORY 2 (chiropractor - renewal)	1 Cabarita Lane KINGSLEY WA 6026	0	Approved
SouthEast	DA12/0818	20/07/12	EDUCATIONAL ESTABLISHMENT (outbuilding addition)	Liwara Catholic Primary School (& Parish) 5 Tuart Road GREENWOOD WA 6024	1,500	Approved
SouthWest	DA12/0021	09/01/12	SINGLE HOUSE (garage and patio additions)	74 Flinders Avenue HILLARYS WA 6025	18,000	Approved
SouthWest	DA12/0034	13/01/12	SINGLE HOUSE (additions)	43 Gemmell Way HILLARYS WA 6025	50,000	Refused
SouthWest	DA12/0213	27/02/12	SINGLE HOUSE (carport addition)	18 Corsair Place PADBURY WA 6025	11,245	Approved
SouthWest	DA12/0393	13/04/12	SINGLE HOUSE (patio addition)	10 Algarve Way HILLARYS WA 6025	18,000	Approved
SouthWest	DA12/0468	02/05/12	HOME BUSINESS CATEGORY 2 (beauty therapy)	28 Marine Terrace SORRENTO WA 6020	500	Approved
SouthWest	DA12/0470	02/05/12	SINGLE HOUSE (carport and driveway addition)	7 Urbahns Way HILLARYS WA 6025	16,800	Approved
SouthWest	DA12/0488	07/05/12	SINGLE HOUSE (two storey dwelling and retaining and fill)	36 Raleigh Road SORRENTO WA 6020	681,900	Approved
SouthWest	DA12/0534	16/05/12	SINGLE HOUSE (retaining addition)	19 Sheffield Place HILLARYS WA 6025	4,000	Approved
SouthWest	DA12/0564	18/05/12	GROUPED DWELLING (new single storey dwelling)	7 Gore Place HILLARYS WA 6025	226,714	Approved
SouthWest	DA12/0579	24/05/12	SINGLE HOUSE (additions)	27 Deverall Square HILLARYS WA 6025	139,997	Approved
SouthWest	DA12/0582	25/05/12	SINGLE HOUSE (new two storey dwelling)	7 Tahiti Lane HILLARYS WA 6025	1,325,274	Approved
SouthWest	DA12/0654	14/06/12	SINGLE HOUSE (carport addition)	6 Madeira Turn HILLARYS WA 6025	5,578	Approved
SouthWest	DA12/0671	15/06/12	SINGLE HOUSE (patio addition)	45 Ranford Way HILLARYS WA 6025	19,000	Approved

Ward	DA Number	Receive Date	Application Details	Property Address	Estimated Cost	Stage Decision
SouthWest	DA12/0690	22/06/12	SINGLE HOUSE (patio addition)	4 Chadwin Place PADBURY WA 6025	12,000	Approved
SouthWest	DA12/0693	25/06/12	SINGLE HOUSE (cubby house addition)	19 Pinnaroo Drive PADBURY WA 6025	3,000	Approved
SouthWest	DA12/0710	28/06/12	SINGLE HOUSE (retaining and fill addition)	78 High Street SORRENTO WA 6020	15,000	Approved
SouthWest	DA12/0715	22/06/12	SINGLE HOUSE (patio addition)	6 Rae Place HILLARYS WA 6025	6,895	Approved
SouthWest	DA12/0718	25/06/12	SINGLE HOUSE (patio addition)	214 Flinders Avenue HILLARYS WA 6025	4,300	Approved
SouthWest	DA12/0730	28/06/12	SINGLE HOUSE (patio addition)	7 Sandpiper Street SORRENTO WA 6020	10,500	Approved
SouthWest	DA12/0737	29/06/12	SINGLE HOUSE (patio addition)	6 Alabaster Terrace HILLARYS WA 6025	15,000	Approved
SouthWest	DA12/0740	04/07/12	EDUCATIONAL ESTABLISHMENT (additions)	St Mark's Anglican Community School 20 St Marks Drive HILLARYS WA 6025	150,000	Approved
SouthWest	DA12/0747	05/07/12	SINGLE HOUSE (patio addition)	27 Cunningham Place PADBURY WA 6025	16,000	Approved
SouthWest	DA12/0767	10/07/12	HOME BUSINESS CATEGORY 2 (sewing - renewal)	43 Chandler Road SORRENTO WA 6020	0	Approved
SouthWest	DA12/0773	10/07/12	HOME BUSINESS CATEGORY 2 (hairdressing - renewal)	1 Willandra Place HILLARYS WA 6025	0	Approved
SouthWest	DA12/0791	16/07/12	HOME BUSINESS CATEGORY 2 (lymph drainage therapist & massage - renewal)	5 Cohn Place HILLARYS WA 6025	0	Approved
SouthWest	DA12/0843	24/07/12	SINGLE HOUSE (patio addition)	8 Biscay Road SORRENTO WA 6020	11,000	Approved
SouthWest	DA12/0844	24/07/12	SINGLE HOUSE (patio addition)	10 Biscay Road SORRENTO WA 6020	10,000	Approved
<b>132</b>					<b>8,124,317</b>	



# Subdivision Applications Processed

# City of Joondalup

Decision Date Between 1/07/2012 and 31/07/2012

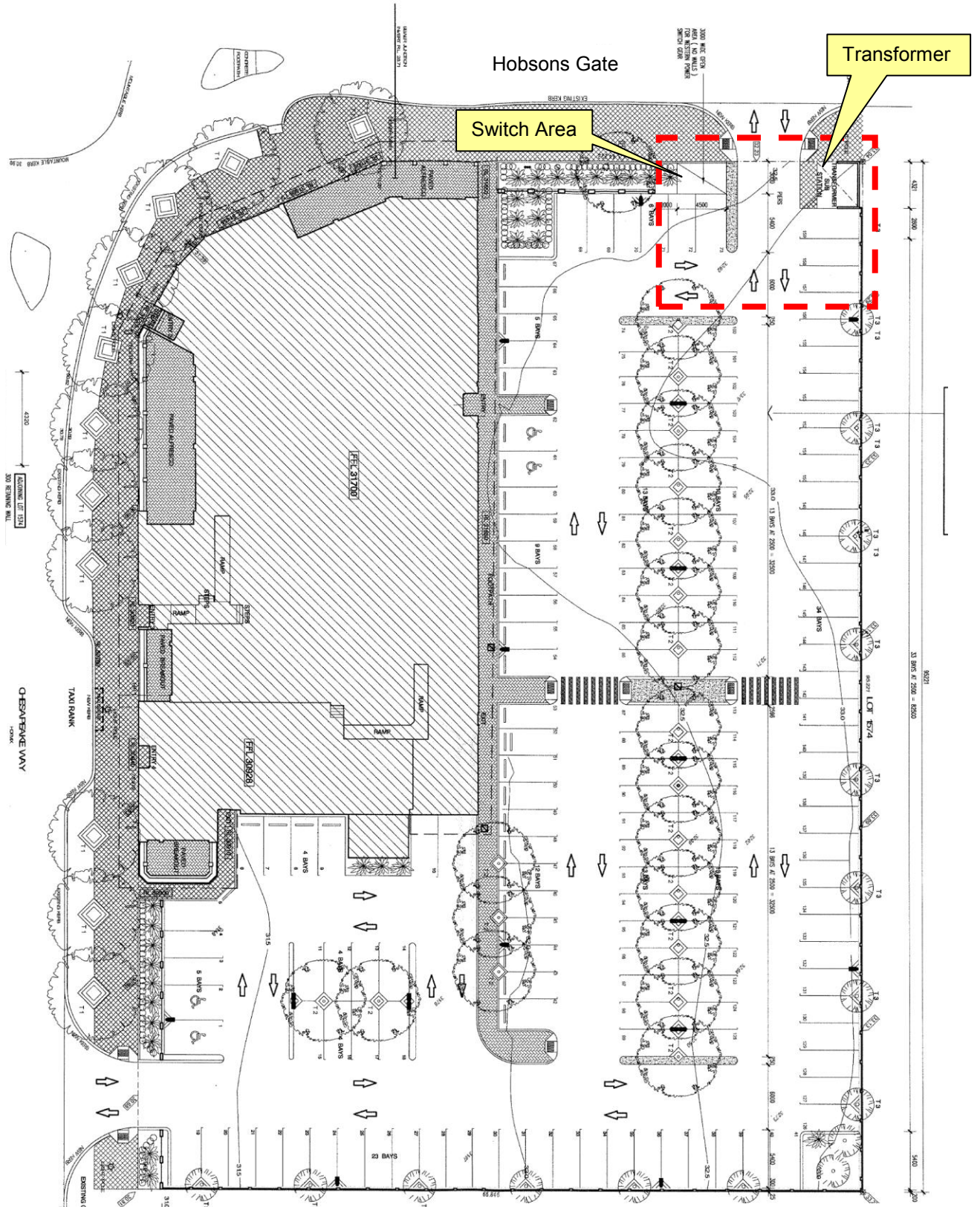
<i>Application Details</i>	<i>Legal Description</i>	<i>Decision</i>	<i>Ward</i>
<b>SU146272</b> 1 additional residential lot 22/06/12 <i>Owner:</i> Mr Michael Andrew Mckenzie <i>Applicant:</i> R G Lester & Associates 8 Lismore Court DUNCRAIG WA 6023	Lot 216 P 10652 Vol 1361 Fol 0151	support 03/07/2012	South
<b>SU524-12</b> 2 strata residential lots 04/07/12 <i>Owner:</i> Mr Stephan Chikich & Mrs Tatiana Gayer-Chikich <i>Applicant:</i> DB Surveys 18 Dinghy Place OCEAN REEF WA 6027	Lot 111 P 16517 Vol 1820 Fol 712	support 23/07/2012	North Central
<b>SU546-12</b> 2 strata residential lots 09/07/12 <i>Owner:</i> Jay Savur <i>Applicant:</i> Vision Surveys 1 Mainsail Drive OCEAN REEF WA 6027	Lot 505 P 16715 Vol 1841 Fol 942	support 23/07/2012	North Central

**Total**                      **3**

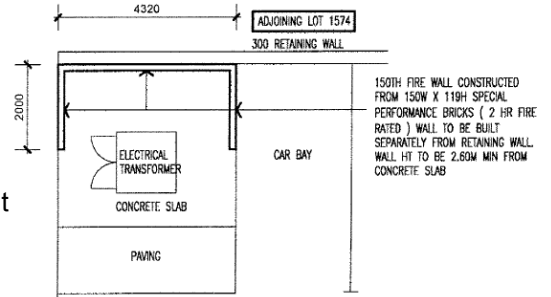
Location plan

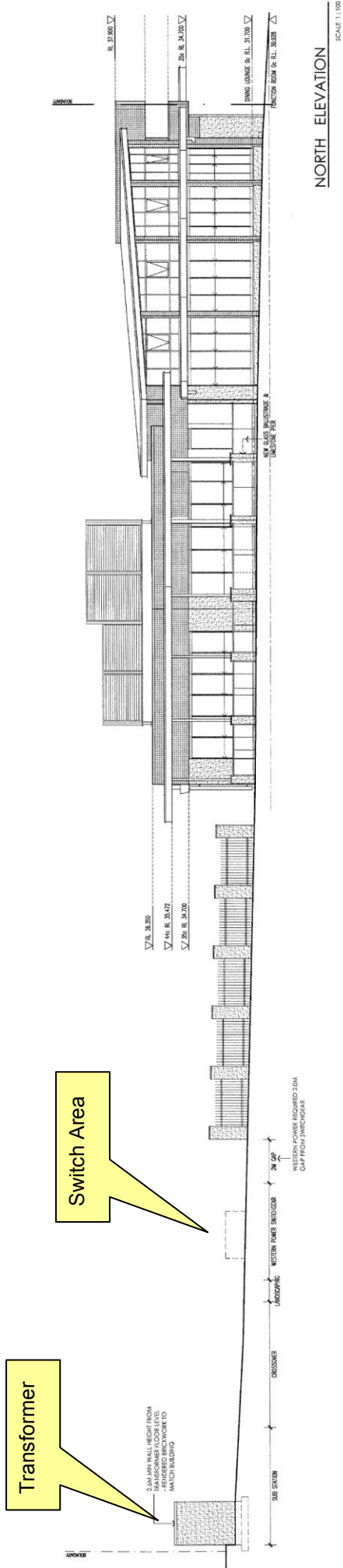






Transformer Layout







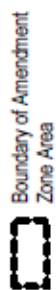
Location plan



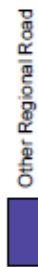
Zoning plan (existing and proposed)

District Planning Scheme No.2  
Amendment No.

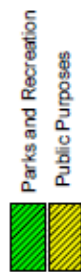
LEGEND SCALE 1: 2000



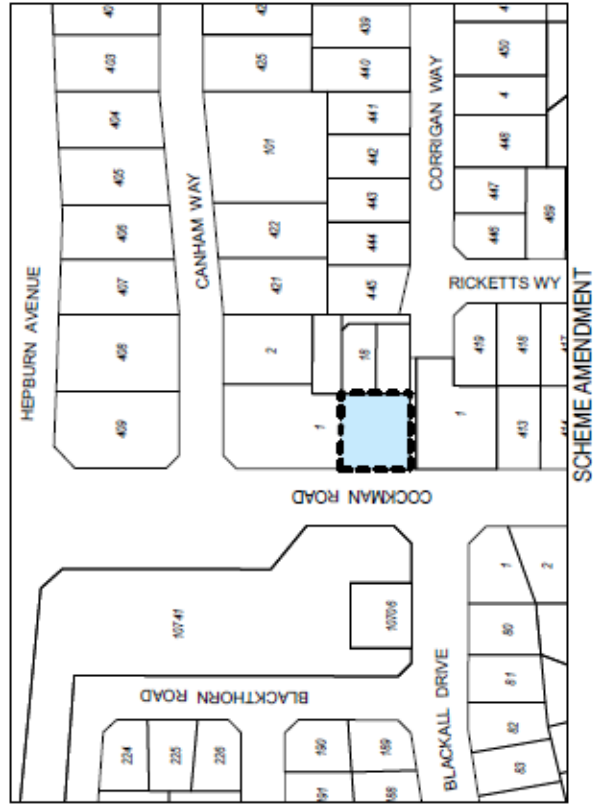
METROPOLITAN REGION SCHEME RESERVES



LOCAL RESERVES

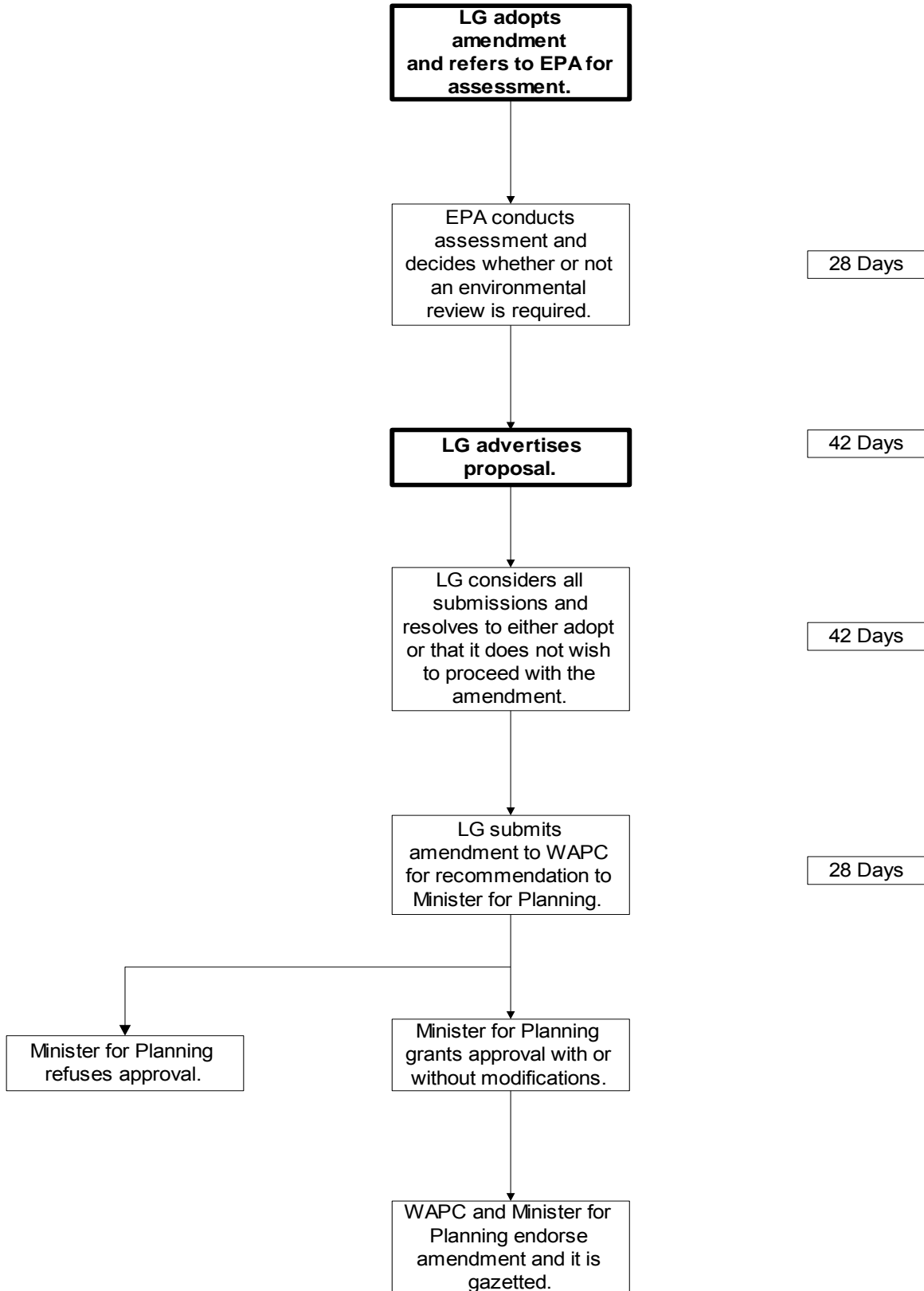


ZONES



Scheme amendment process flowchart

**Scheme Amendment Process**





Consultation map

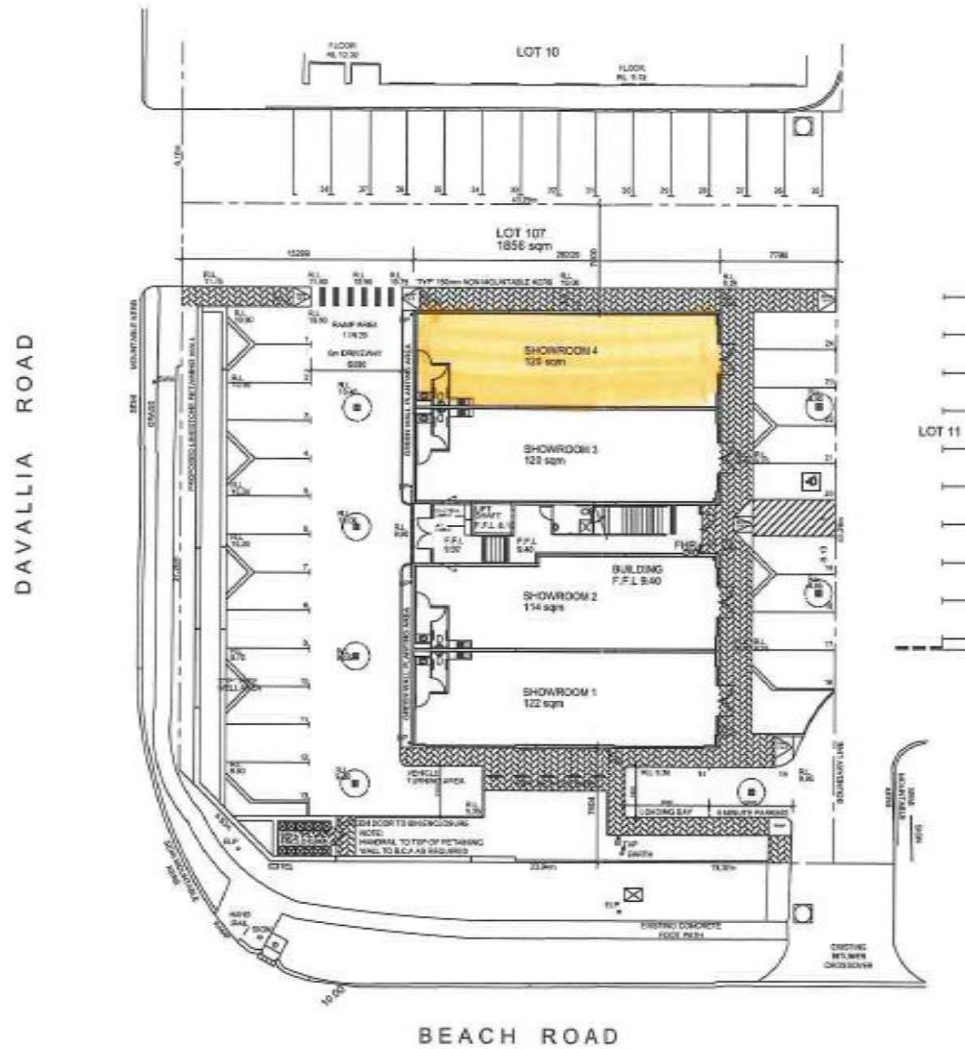




Location plan



Development Plans



SITE PLAN  
SCALE 1:200

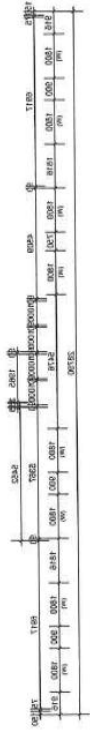
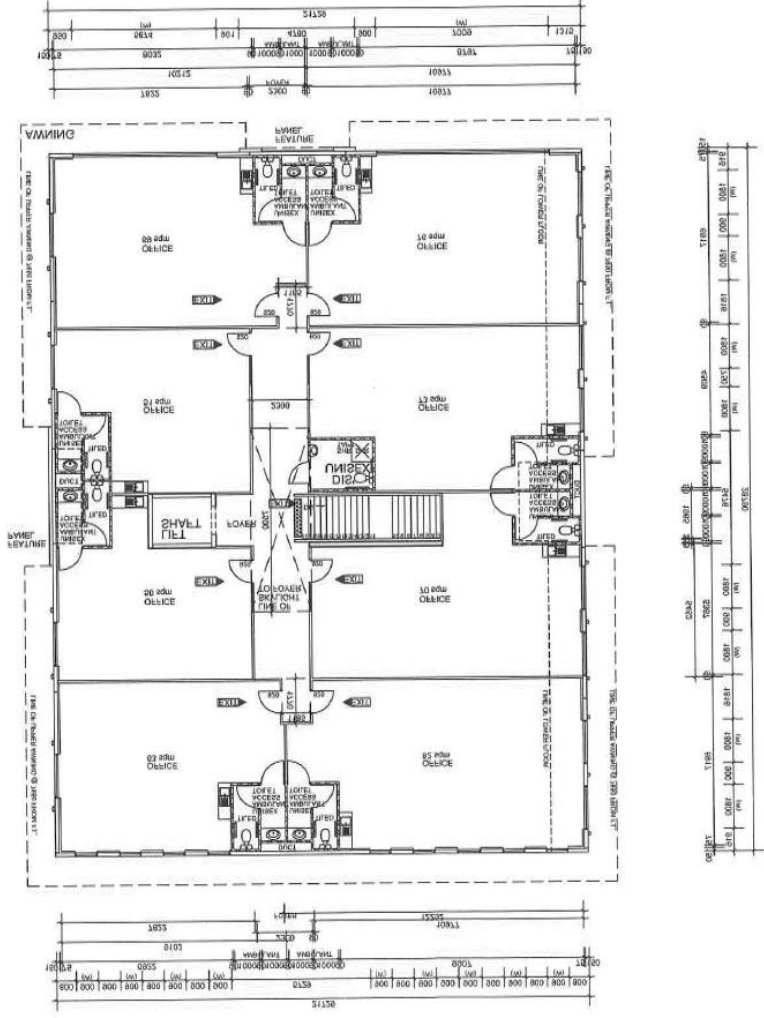
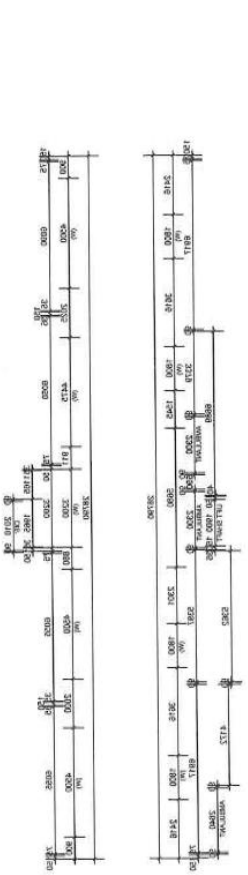
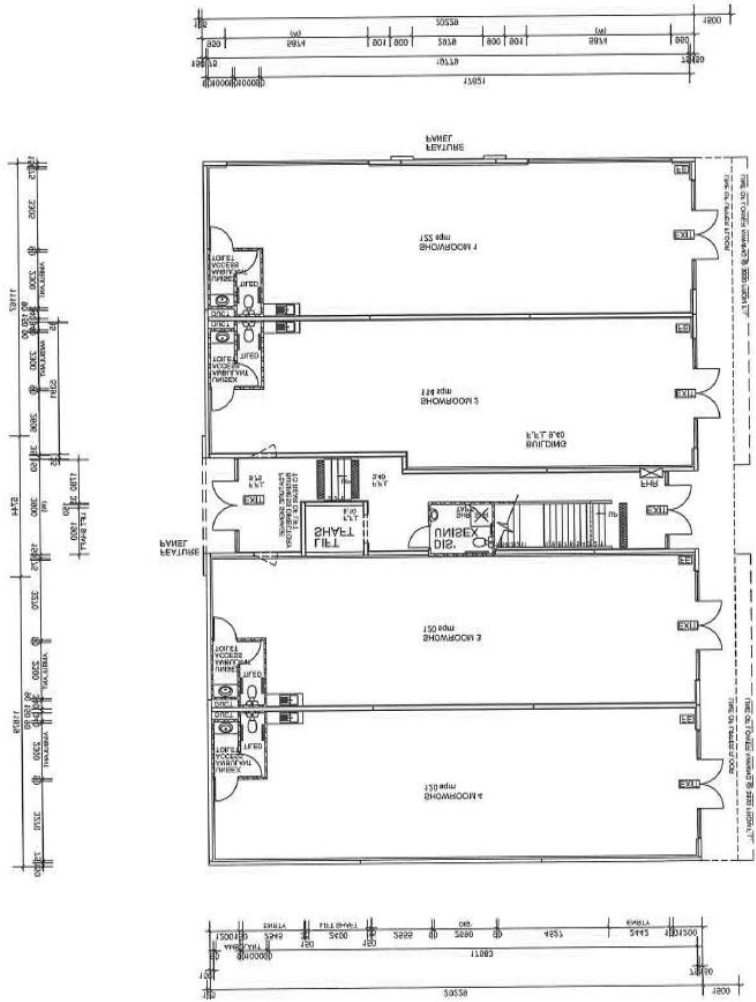


EXISTING  
OUTLINE  
CROSSOVER



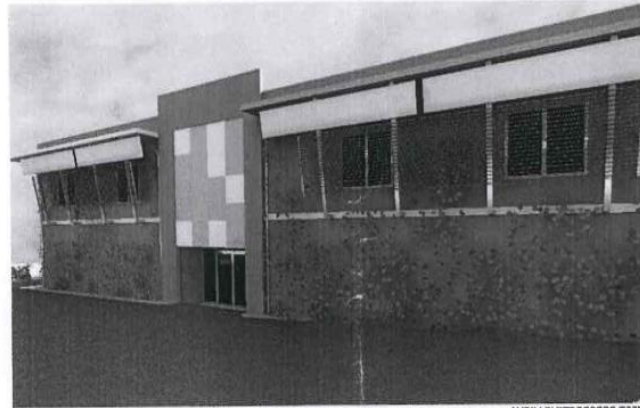


# Development Plans





EAST PERSPECTIVE VIEW



WEST PERSPECTIVE VIEW



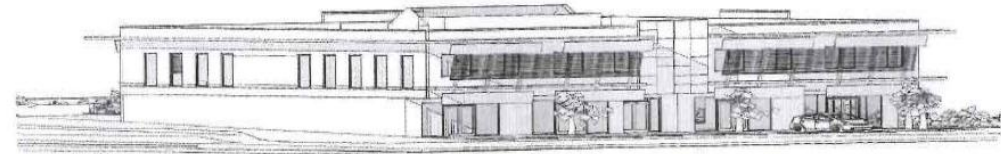
SOUTH PERSPECTIVE VIEW



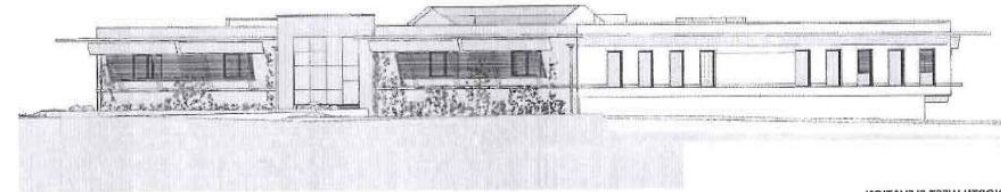
SOUTH WEST ELEVATION



SOUTH EAST ELEVATION



NORTH EAST ELEVATION



NORTH WEST ELEVATION







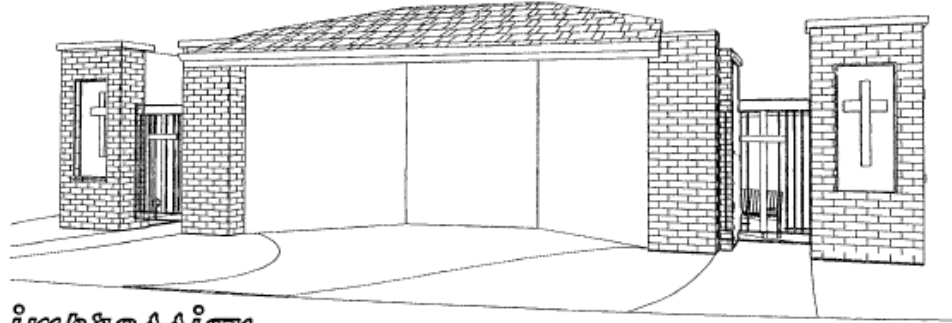
Location Plan



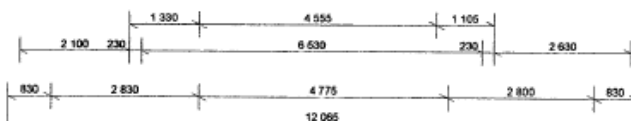
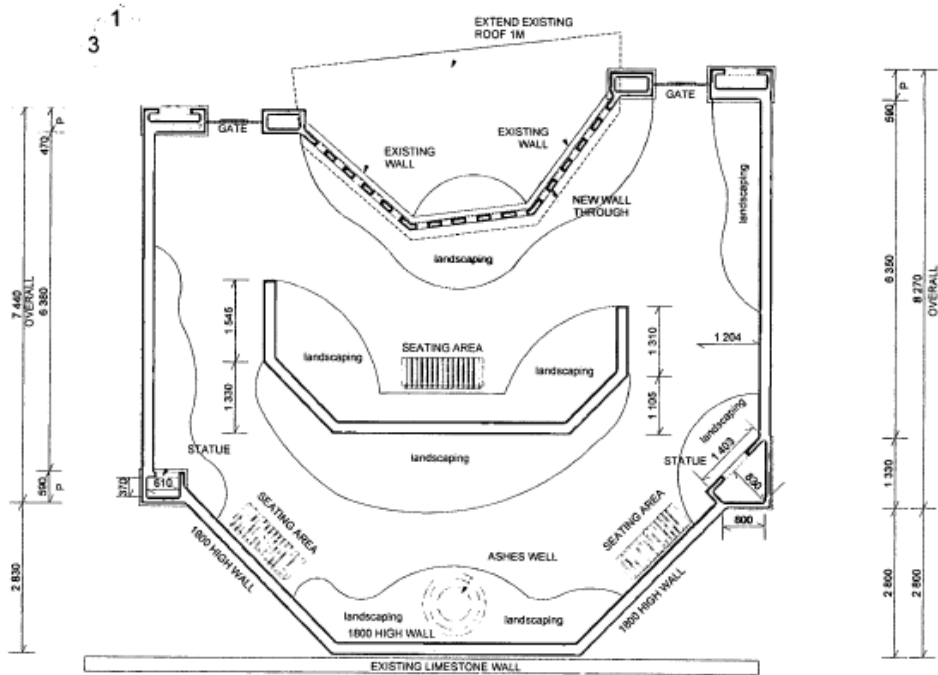
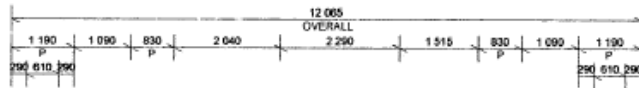




Development Plans

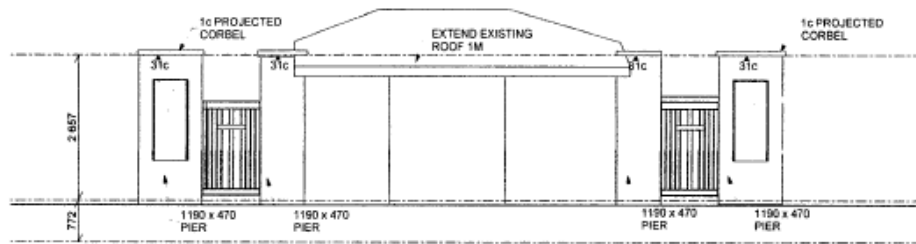


*Artist's impression  
only*

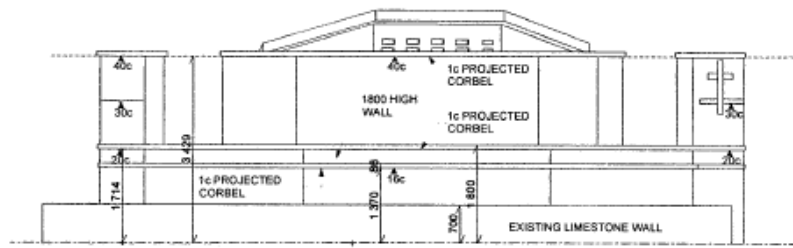


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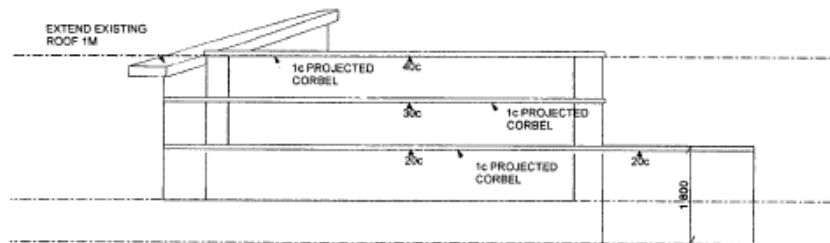
### Development Plans



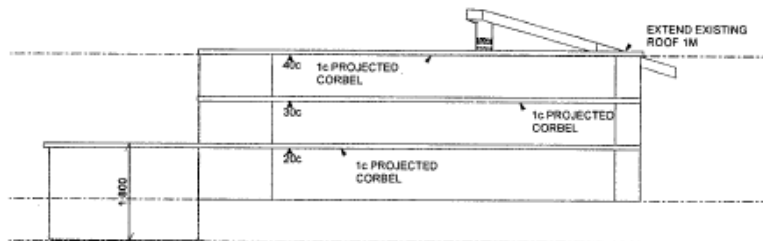
ELEVATION 1



ELEVATION 2



ELEVATION 3



ELEVATION 4



.....Previously proposed structure plan area





Proposed Structure Plan boundary





## Planning Approval processes – Timelines

		Normal process	Shortened timeframes and concurrent processes		
		Sequential	Scheme Amendment	Activity Centre Structure Plan (ACSP)	Development application
2012	Aug	Council initiates Amendment 66 for advertising	Council initiates Amendment 66 for advertising		
	Sept			Council requests preparation of ACSP	
	Oct			ACSP lodged	
	Nov	Advertising closes	Advertising closes		
	Dec	Council adopts amendment	Council adopts amendment		
2013	Jan				
	Feb			Council adopts ACSP for public advertising	
	Mar				
	Apr			Advertising of ACSP closes	
	May	Amendment 66 gazetted	Amendment 66 gazetted		
	June	ACSP lodged		Council adopts ACSP	Development application lodged
	July			WAPC approves ACSP	
	Aug				DAP decision on development application
	Sept	Council adopts ACSP for public advertising			
	Oct				
	Nov	Advertising of ACSP closes			
	Dec				
2014	Jan				
	Feb	Council adopts ACSP			
	Mar				
	Apr	WAPC approves ACSP			
	May	Development application lodged			
	June				
	July	DAP decision on development application			

Notes:

1. The sequential timelines are estimates only and have been derived from the manner in which the City would normally deal with these processes, given other projects and programmes.
2. The timelines assume no requirement for major reworking of any documentation and assume no deferral of decisions by Council, WAPC, DAP.
3. The City has no control over the timing of external processes (EPA comments, WAPC decisions, DAP decisions, Minister decisions, gazettal)
4. The shortened timeframes and concurrent processes have been proposed by Westfield.



LOCATION OF PROPOSED DEVELOPMENT

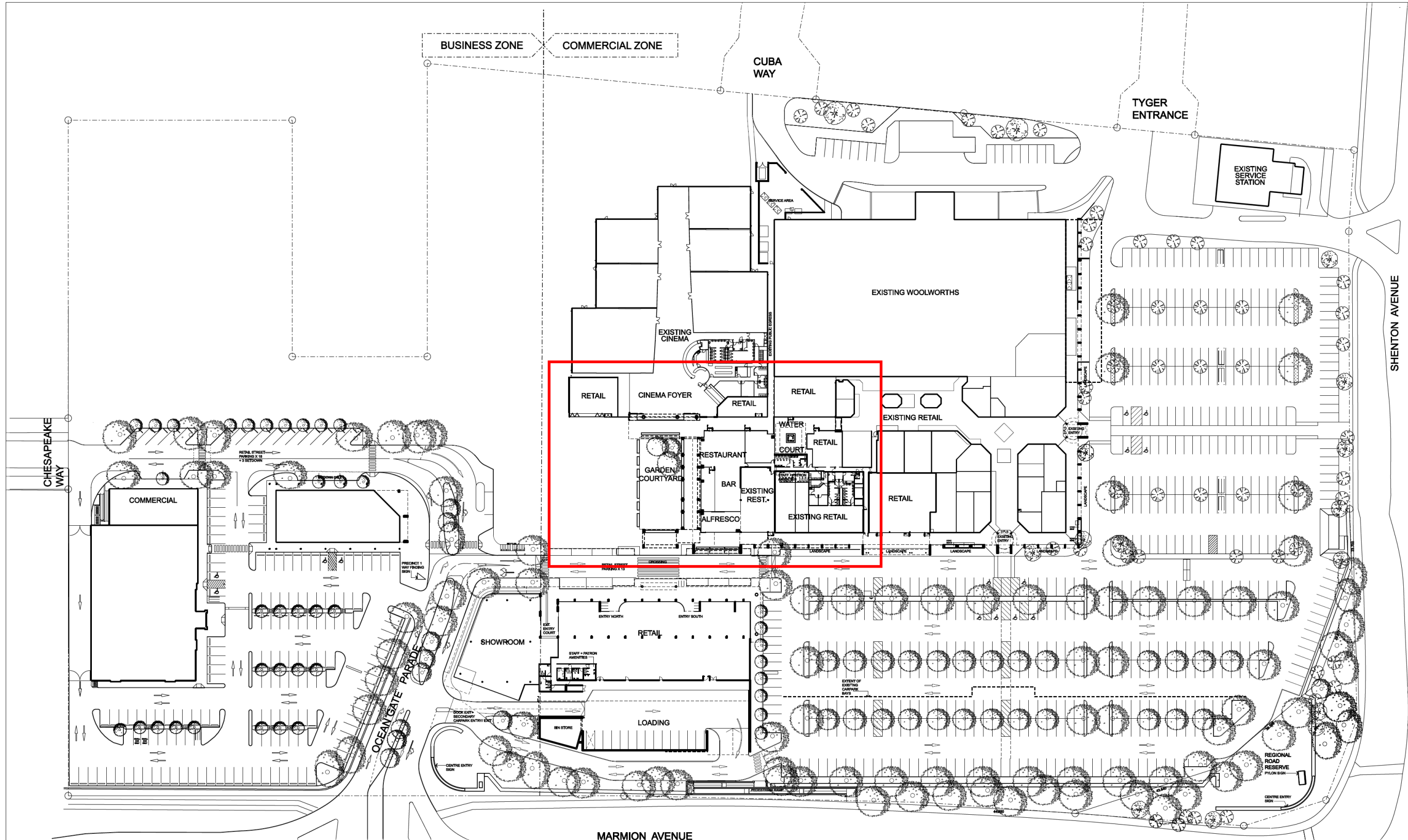
Location of shop and showroom development approved October 2011

Currambine Marketplace and cinema

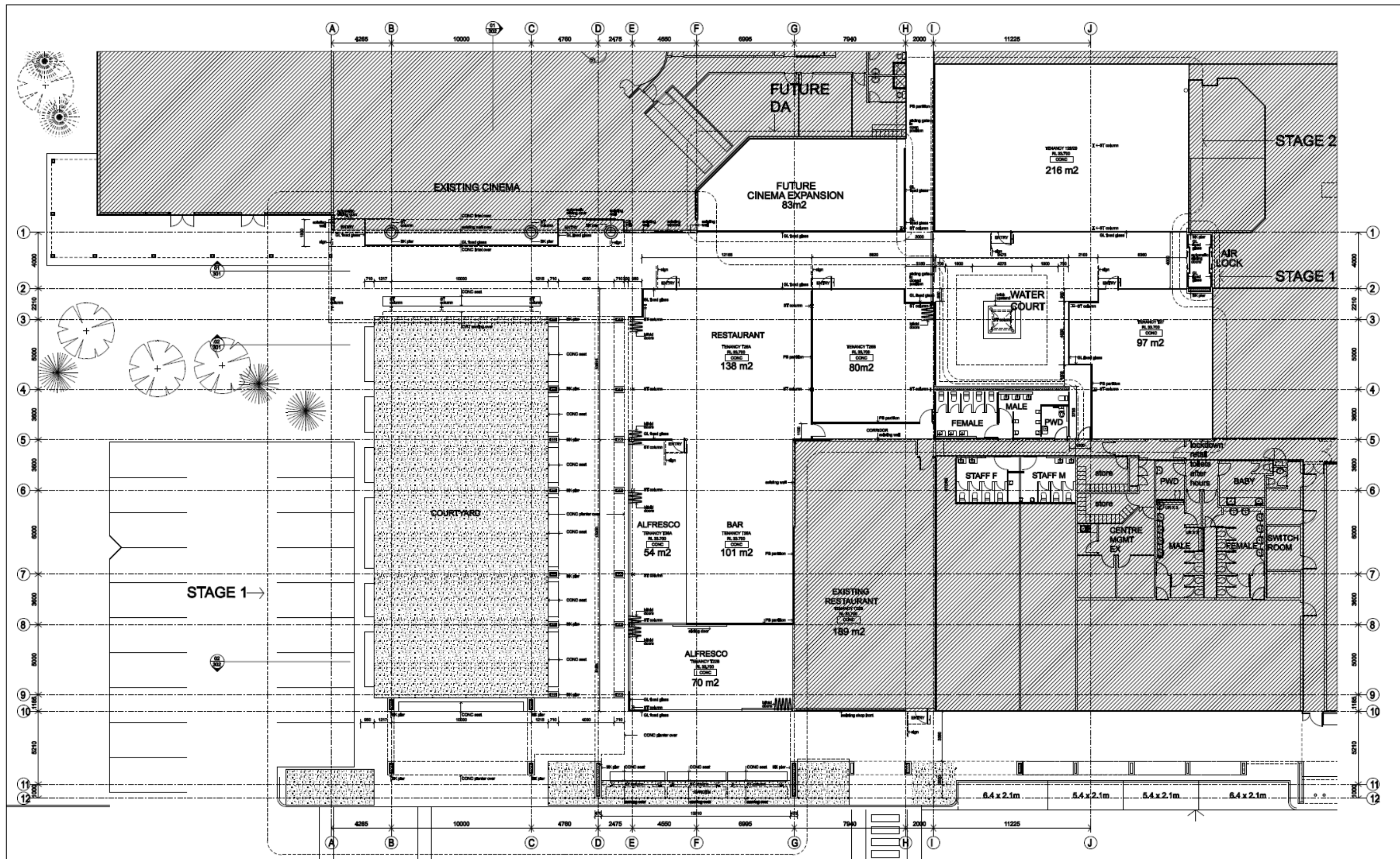
Location of approved reconfiguration and addition of car parking



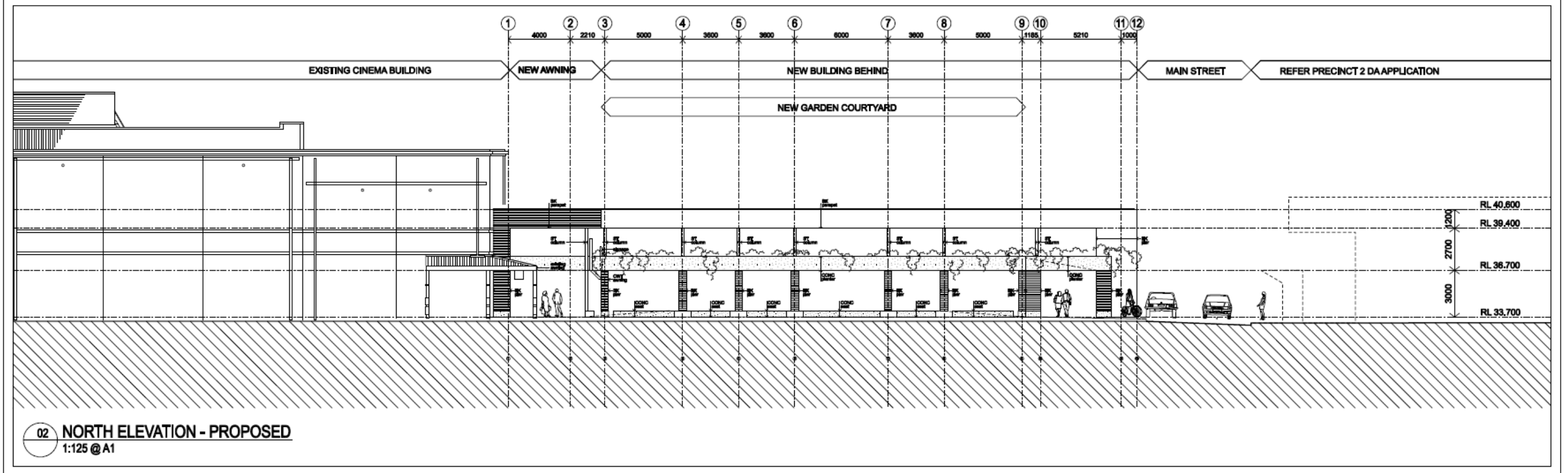
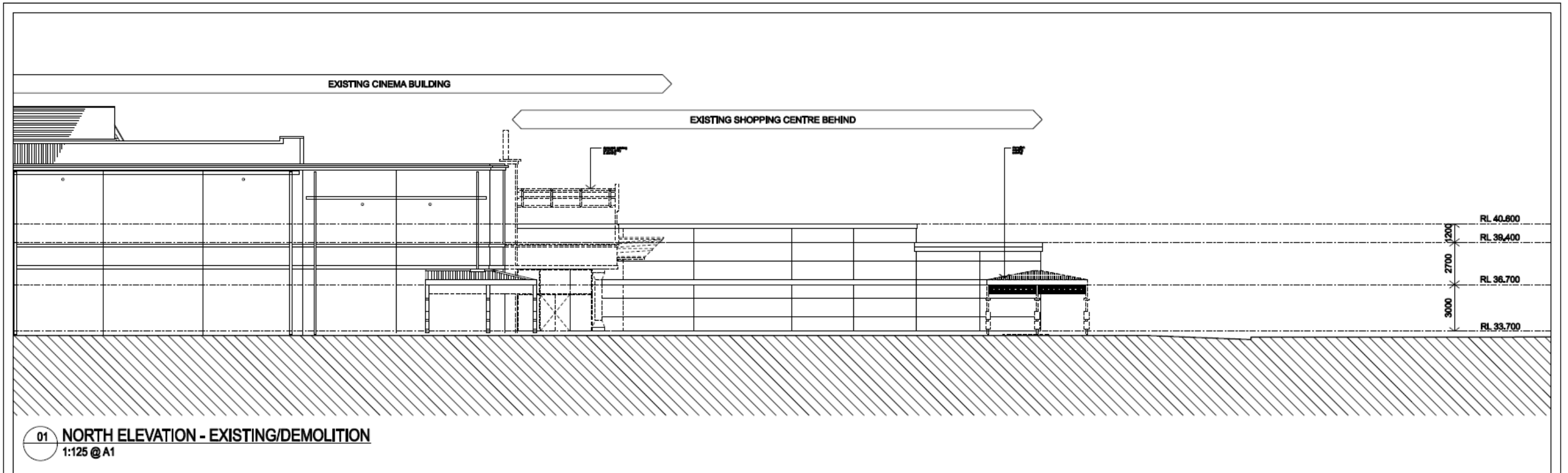


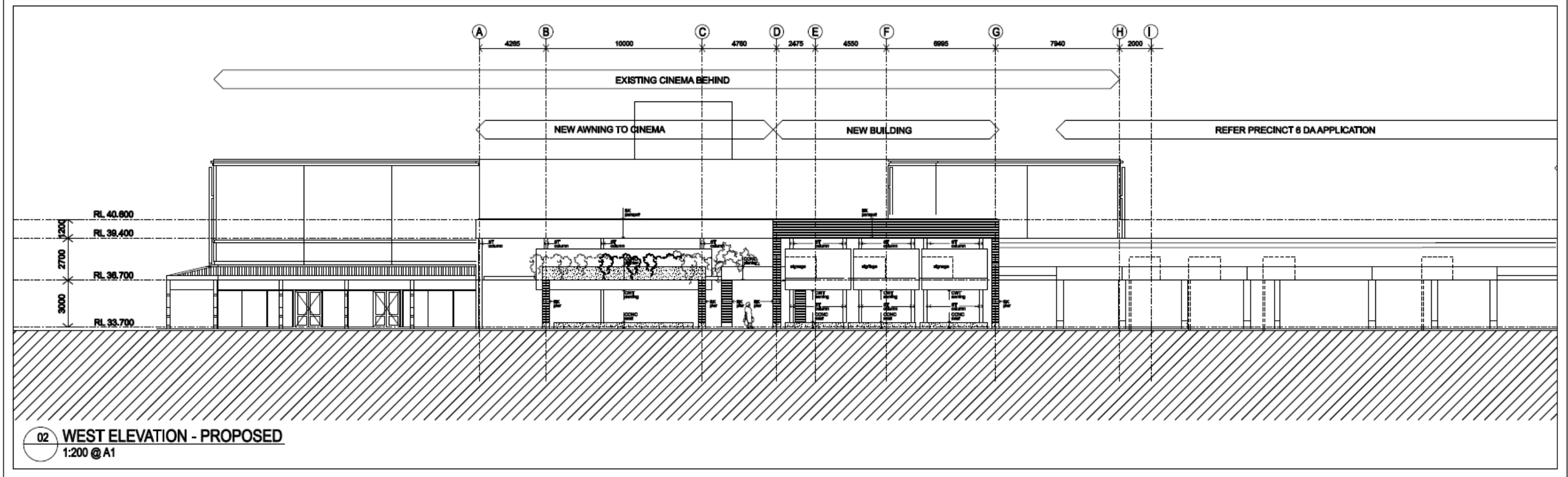
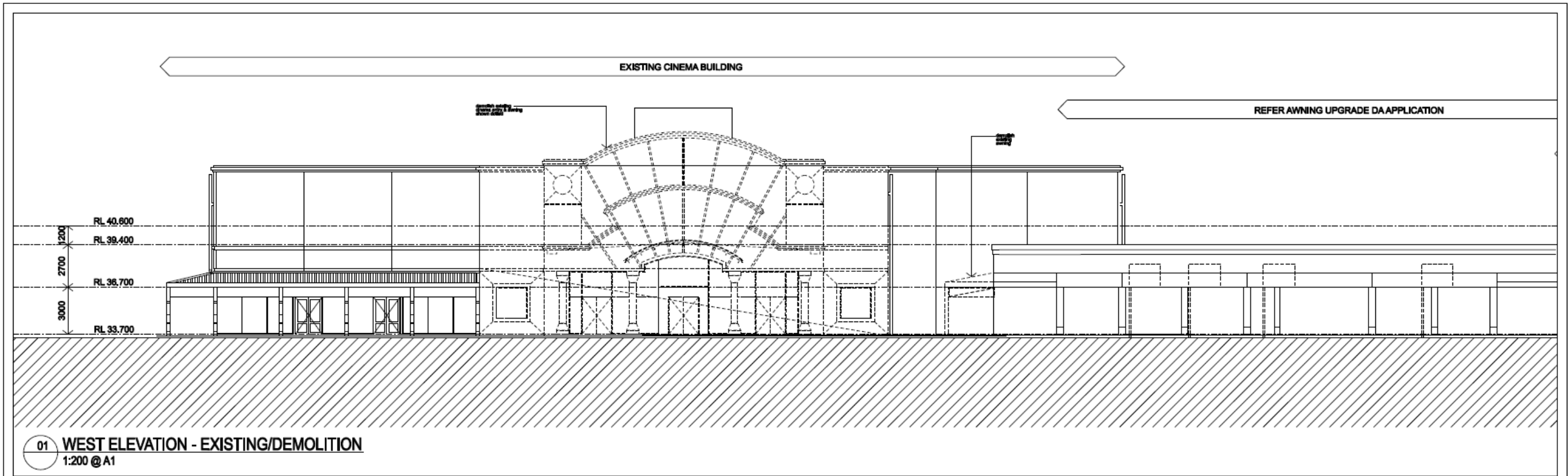


<b>RICHARDS&amp;SPENCE</b> 38 Werry Street, Fortitude Valley, Brisbane QLD 4006 Tel: 617 3257 0077 Email: info@richardsandspence.com adrian@richardsandspence.com		Rev Description By Date AA CLIENT REVIEW 27.08.10 BB CLIENT REVIEW 08.09.10 A CLIENT REVIEW 15.09.10 B CLIENT REVIEW 19.09.10 C ROAD RESERVE ADDED 20.09.10 D CLIENT REVIEW ISSUE 30.09.10 E TRAFFIC REVIEW ISSUE 30.09.10 F TRAFFIC REVIEW ISSUE 21.10.10		Rev Description By Date G MASTERPLAN REVIEW ISSUE 27.10.10 H MASTERPLAN REVIEW ISSUE 28.10.10 I CLIENT REVIEW ISSUE 04.11.10 J CLIENT REVIEW ISSUE 15.11.10 K NOTES ADDED 17.11.10 L EXTENT OF SERVICE AREA AMENDED 23.11.10 M PRECINCT SA DA ISSUE 03.12.10 N REVISED PRECINCT SA DA ISSUE 06.12.10		Rev Description By Date O UPDATED ROADS + PARKING 07.01.11 P UPDATED LEVELS 25.01.11 Q CLIENT REVIEW 21.02.11 R WW SUBMISSION 22.02.11 S TENANCY PLAN 07.03.11 T TENANCY PLAN 29.03.11 U TENANCY PLAN 04.09.12		Keyplan North 	Document Control Status <b>PRELIMINARY</b> NOT FOR CONSTRUCTION Original Scale at A1: 1:500@A1	Project <b>CURRAMBINE MARKET REDEVELOPMENT</b> Client <b>RAY WHITE INVEST</b>	Drawing Title <b>PROPOSED SITE PLAN MARKETING</b> Drawn: _____ Date: _____ Proj. Director: _____ Date: _____ Proj. Architect: _____ Date: _____ Co-ordinated: _____ Date: _____ Cad File: _____ Scale: <b>1:500@A1</b> Project No: <b>100005</b> Drawing Number: _____ Revision: _____ <b>AA-100</b> <b>U</b>
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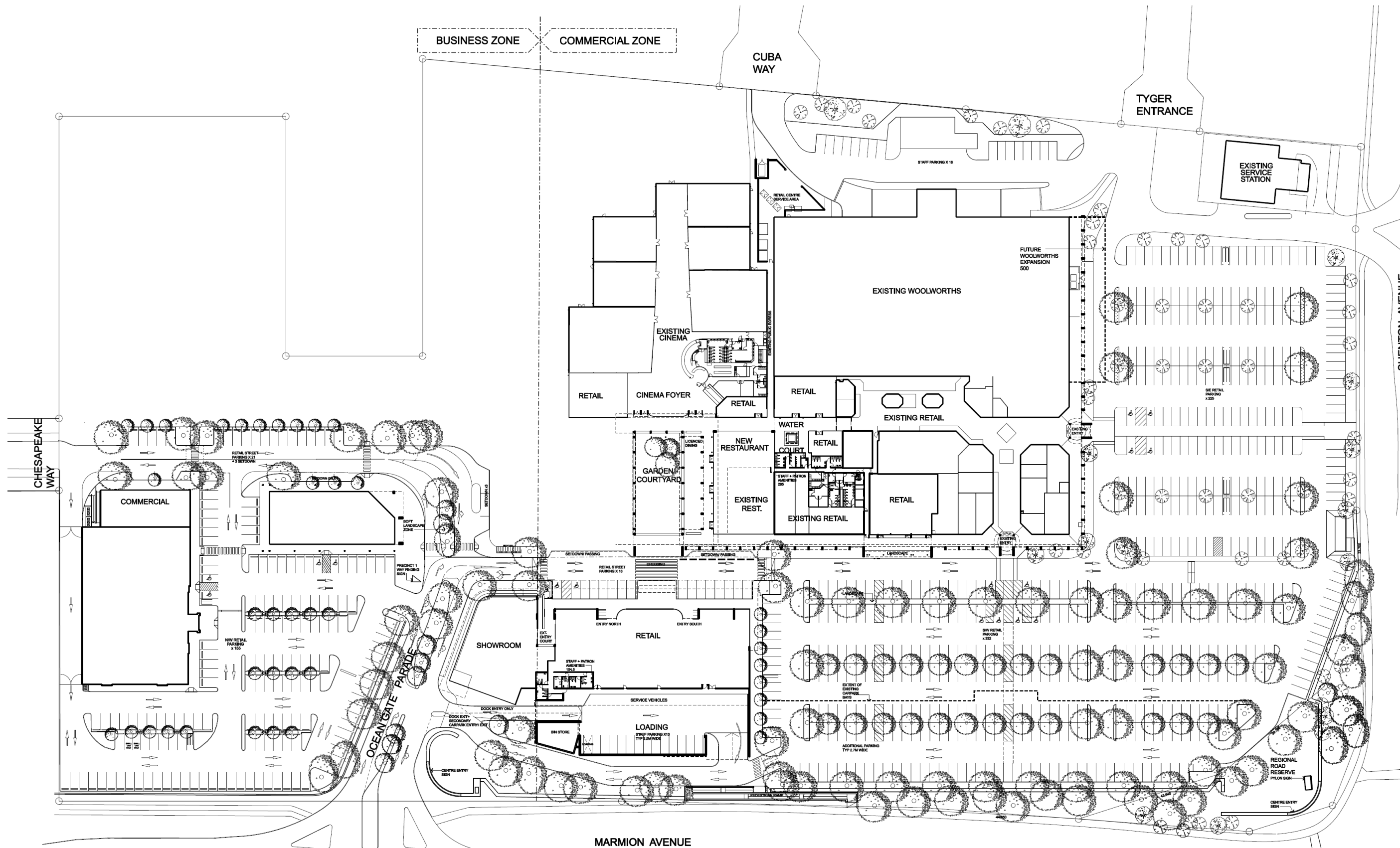




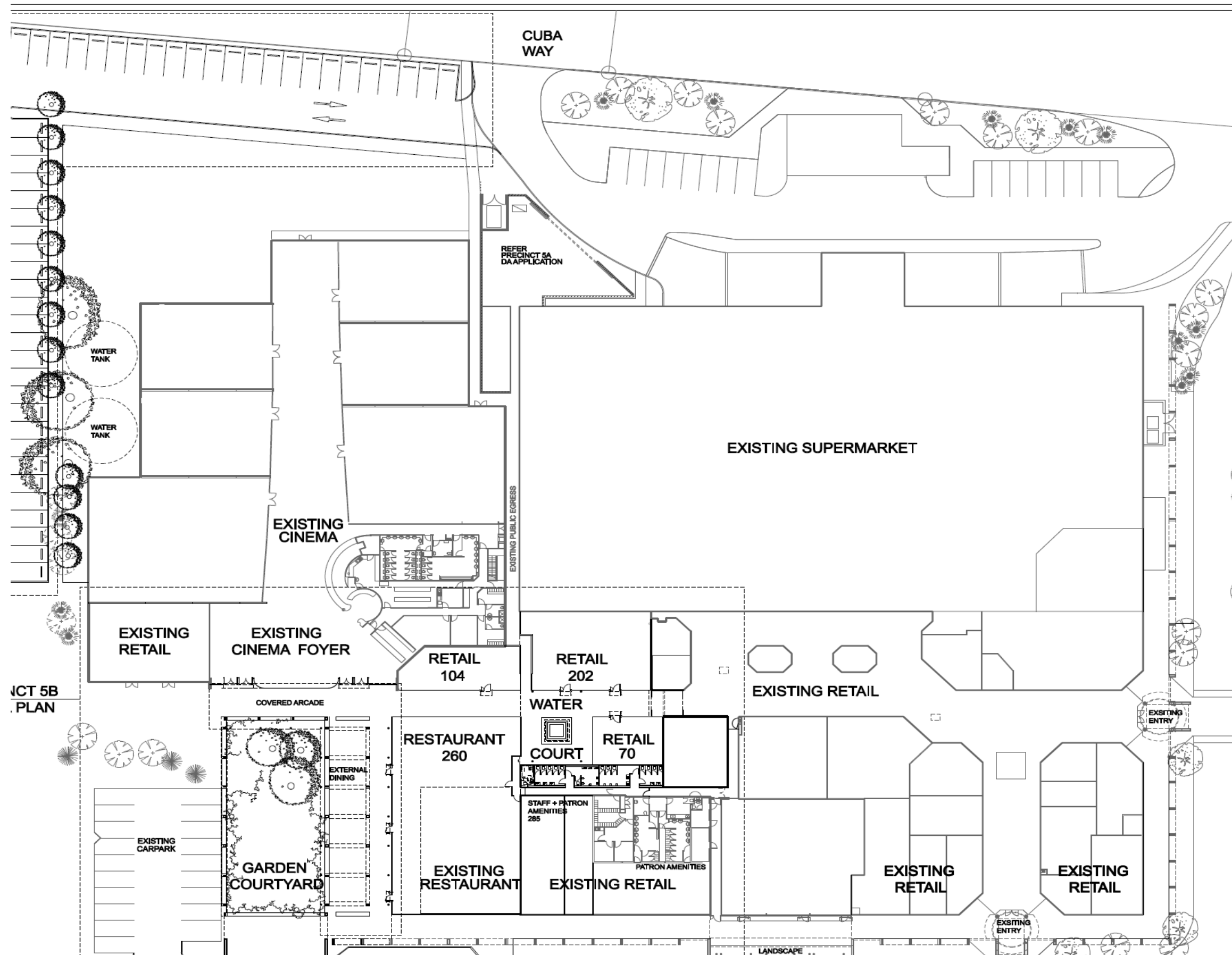




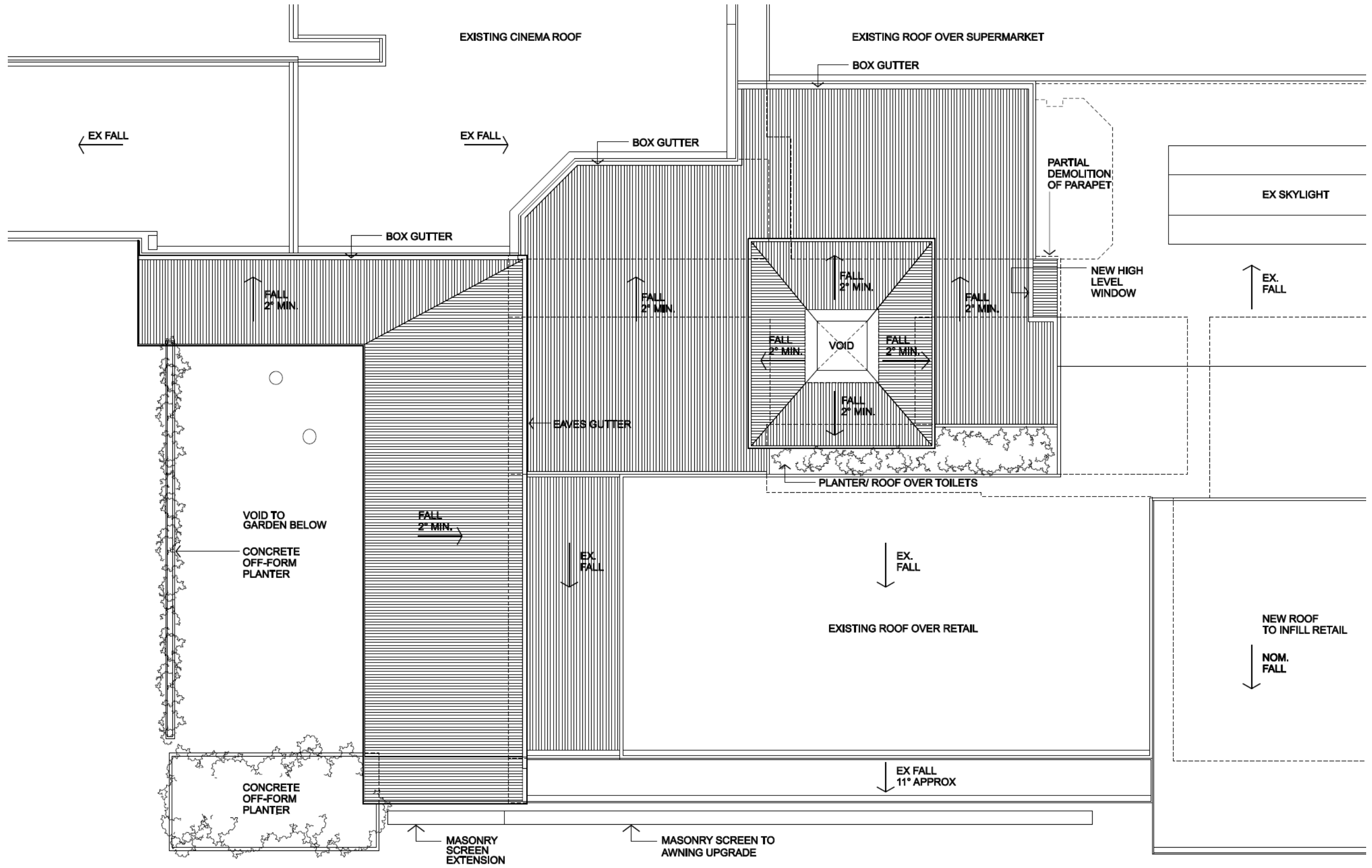
Previously approved plans



Previously approved plans

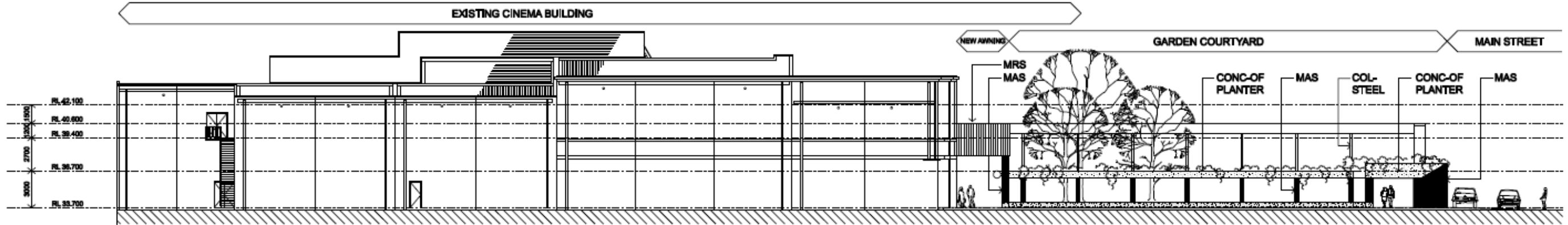


Previously approved plans

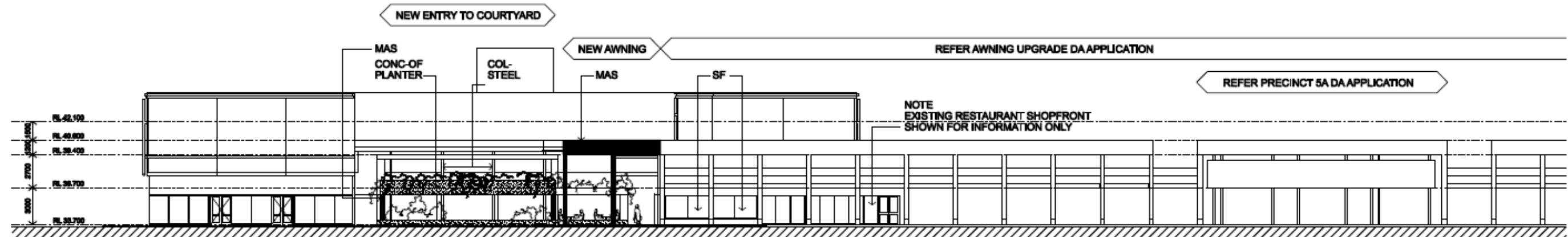




Previously approved plans



02 NORTH ELEVATION - PROPOSED  
1:200 @ A1

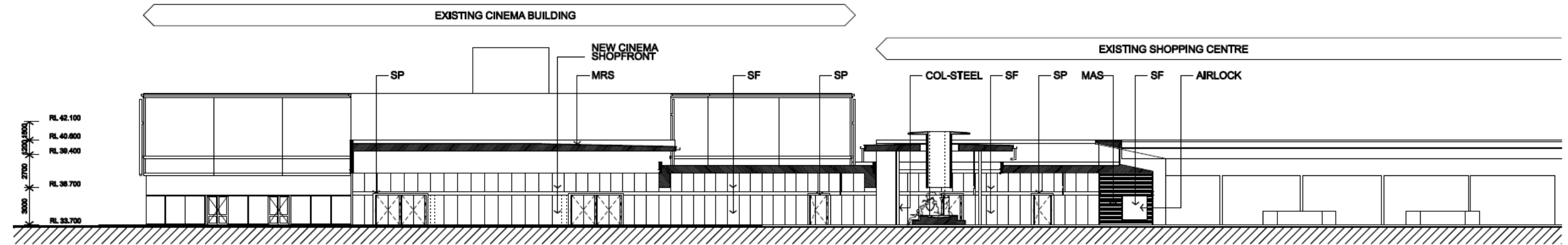


04 WEST ELEVATION - PROPOSED  
1:200 @ A1

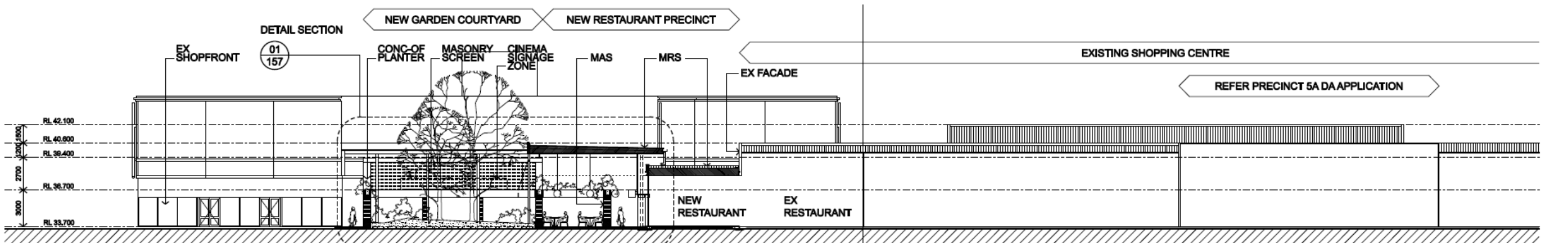
Previously approved plans

LEGEND

COL	COLUMN
CONC-OF	CONCRETE OFF FORM
MAS	MASONRY WALLS - LIGHT/WHITE COLOUR
MRS	METAL ROOF SHEETING
SF	SHOPFRONT GLAZING
SF-O	SHOPFRONT - OPERABLE
SF-F	SHOPFRONT - FIXED
SP	STEEL PORTAL



02 SECTION N-S - PROPOSED - CINEMA  
1:200 @ A1

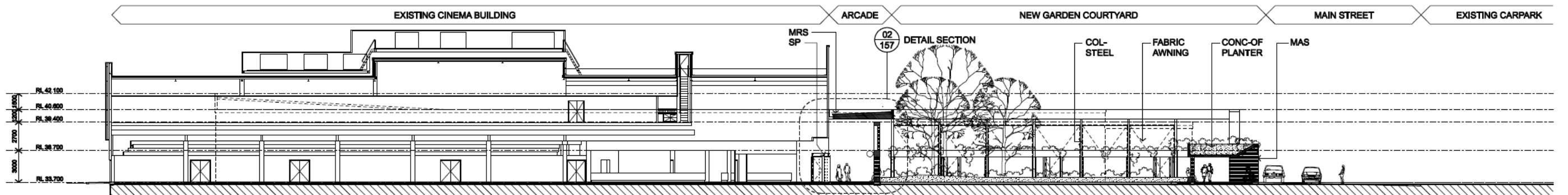


03 SECTION N-S - PROPOSED - COURTYARD  
1:200 @ A1

Previously approved plans

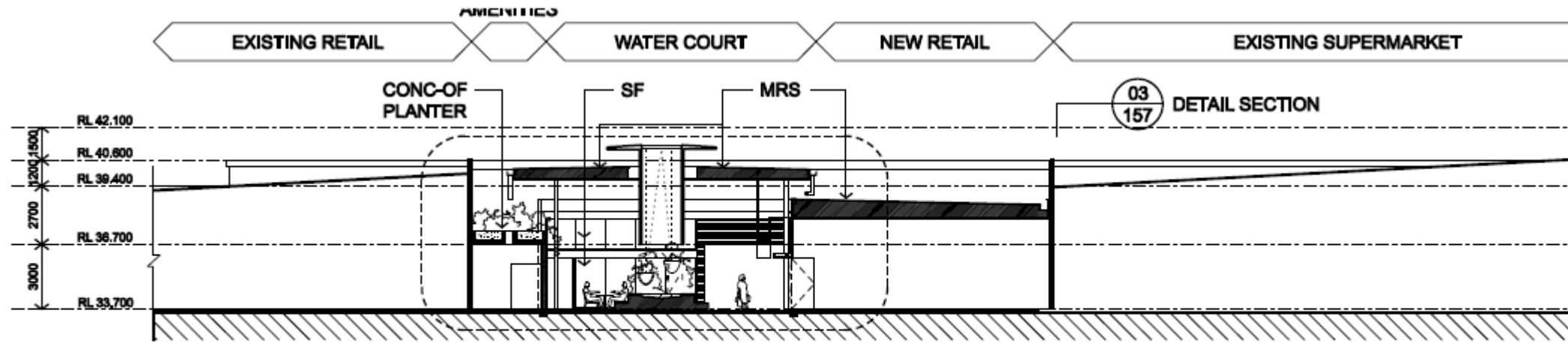
LEGEND

- COL COLUMN
- CONC-OF CONCRETE OFF FORM
- MAS MASONRY WALLS - LIGHT/WHITE COLOUR
- MRS METAL ROOF SHEETING
- SP STEEL PORTAL



02 SECTION E-W FACING SOUTH - PROPOSED  
1:200 @ A1

Previously approved plans

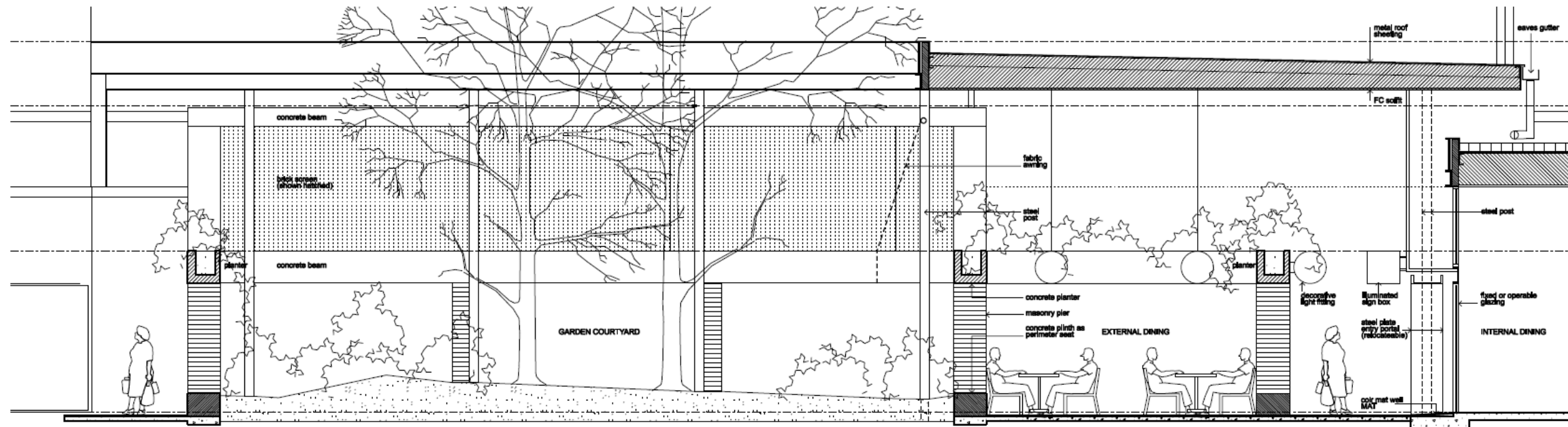


03 SECTION E-W FACING NORTH - PROPOSED  
1:200 @ A1

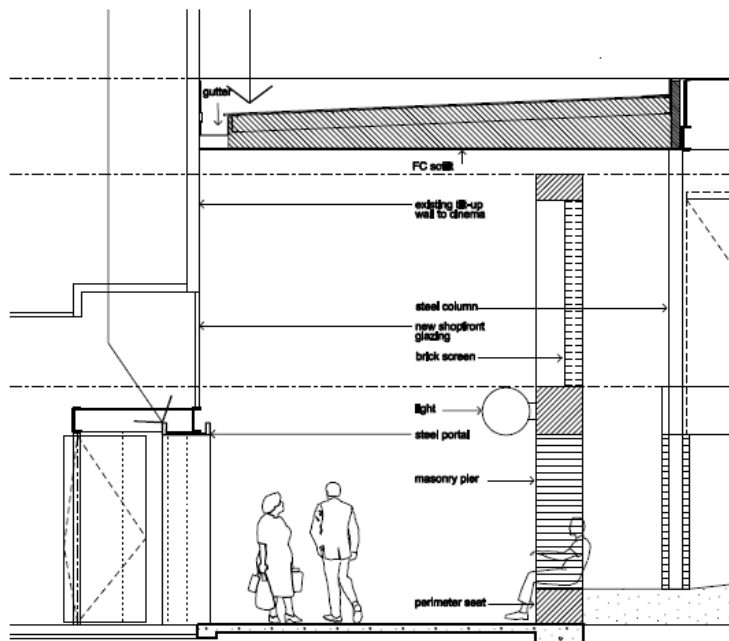
LEGEND

- COL COLUMN
- CONC-OF CONCRETE OFF FORM
- MAS MASONRY WALLS - LIGHT/WHITE COLOUR
- MRS METAL ROOF SHEETING
- SP STEEL PORTAL

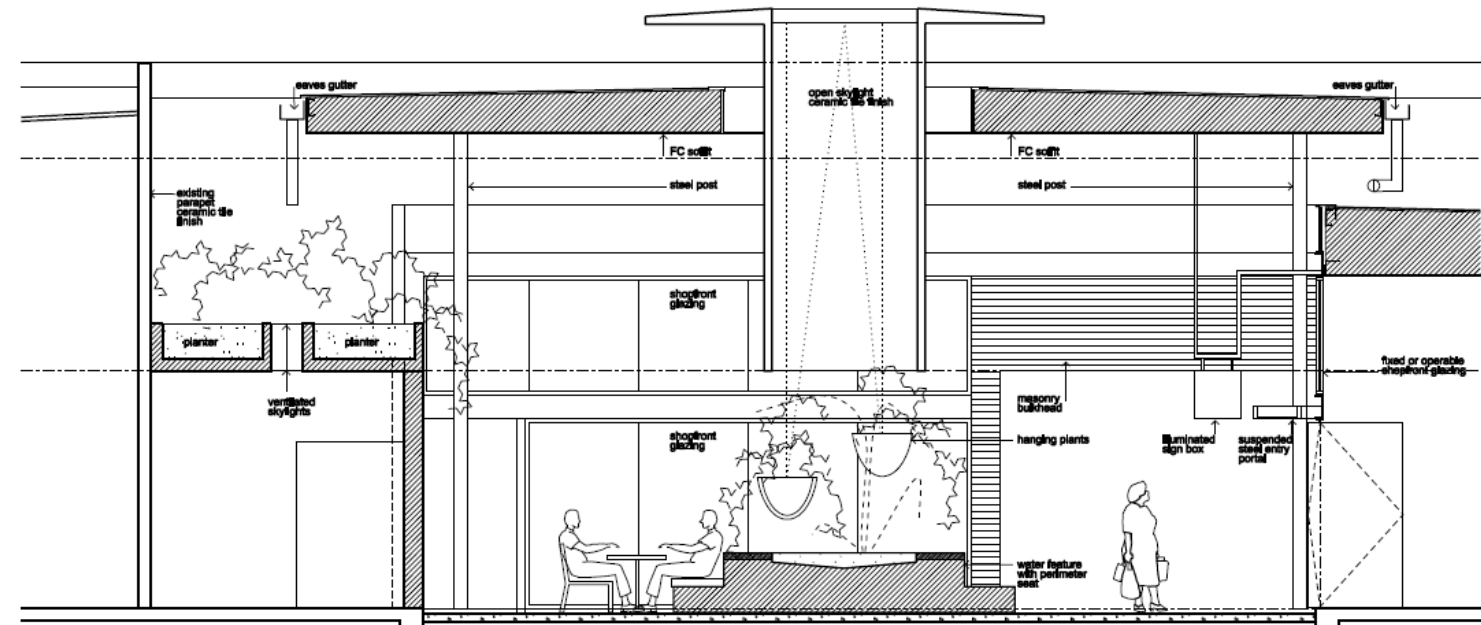
Previously approved plans



01 DETAIL SECTION - PROPOSED - GARDEN COURTYARD/ RESTAURANT DINING  
1:50 @ A1



03 DETAIL SECTION - PROPOSED - CINEMA ENTRY ARCADE  
1:50 @ A1



EXISTING RETAIL    NEW AMENITIES    RESTAURANT/ RETAIL PRECINCT - WATERCOURT    ARCADE FROM CINEMA TO SUPERMARKET    NEW RETAIL

03 DETAIL SECTION - PROPOSED - WATER COURT  
1:50 @ A1

PRECINCT 2  
MARKET BUILDINGS



## Environmentally Sustainable Design – Checklist

Under the City's planning policy, *Environmentally Sustainable Design in the City of Joondalup*, the City encourages the integration of environmentally sustainable design principles into the construction of all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

Environmentally sustainable design is an approach that considers each building project from a 'whole-of-life' perspective, from the initial planning to eventual decommissioning. There are five fundamental principles of environmentally sustainable design, including: siting and structure design efficiency; energy efficiency; water efficiency; materials efficiency; and indoor air quality enhancement.

For detailed information on each of the items below, please refer to the *Your Home Technical Manual* at: [www.yourhome.gov.au](http://www.yourhome.gov.au), and *Energy Smart Homes* at: [www.clean.energy.wa.gov.au](http://www.clean.energy.wa.gov.au).

This checklist must be submitted with the planning application for all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

The City will seek to prioritise the assessment of your planning application and the associated building application if you can demonstrate that the development has been designed and assessed against a national recognised rating tool.

Please tick the boxes below that are applicable to your development.

### Siting and structure design efficiency

Environmentally sustainable design seeks to affect siting and structure design efficiency through site selection, and passive solar design.

Does your development retain:

- existing vegetation; and/or
- natural landforms and topography

Does your development include:

- northerly orientation of daytime living/working areas with large windows, and minimal windows to the east and west
- passive shading of glass
- sufficient thermal mass in building materials for storing heat
- insulation and draught sealing
- floor plan zoning based on water and heating needs and the supply of hot water; and/or
- advanced glazing solutions

**Energy efficiency**

Environmentally sustainable design aims to reduce energy use through energy efficiency measures that can include the use of renewable energy and low energy technologies.

Do you intend to incorporate into your development:

- renewable energy technologies (e.g. photo-voltaic cells, wind generator system, etc); and/or
- low energy technologies (e.g. energy efficient lighting, energy efficient heating and cooling, etc); and/or
- natural and/or fan forced ventilation

**Water efficiency**

Environmentally sustainable design aims to reduce water use through effective water conservation measures and water recycling. This can include stormwater management, water reuse, rainwater tanks, and water efficient technologies.

Does your development include:

- water reuse system(s) (e.g. greywater reuse system); and/or
- rainwater tank(s)

Do you intend to incorporate into your development:

- water efficient technologies (e.g. dual-flush toilets, water efficient showerheads, etc)

**Materials efficiency**

Environmentally sustainable design aims to use materials efficiently in the construction of a building. Consideration is given to the lifecycle of materials and the processes adopted to extract, process and transport them to the site. Wherever possible, materials should be locally sourced and reused on-site.

Does your development make use of:

- recycled materials (e.g. recycled timber, recycled metal, etc)
- rapidly renewable materials (e.g. bamboo, cork, linoleum, etc); and/or
- recyclable materials (e.g. timber, glass, cork, etc)
- natural/living materials such as roof gardens and "green" or planted walls

**Indoor air quality enhancement**

Environmentally sustainable design aims to enhance the quality of air in buildings, by reducing volatile organic compounds (VOCs) and other air impurities such as microbial contaminants.

Do you intend to incorporate into your development:

- low-VOC products (e.g. paints, adhesives, carpet, etc)

**'Green' Rating**

Has your proposed development been designed and assessed against a nationally recognised "green" rating tool?

- Yes
- No

If yes, please indicate which tool was used and what rating your building will achieve:

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If yes, please attach appropriate documentation to demonstrate this assessment.

If you have not incorporated or do not intend to incorporate any of the principles of environmentally sustainable design into your development, can you tell us why:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is there anything else you wish to tell us about how you will be incorporating the principles of environmentally sustainable design into your development:

This new development is constructed primarily of masonry (brick and concrete) chosen for lowest cost-life cycle based on low maintenance and durability.

The design has maximised deep eaves over circulation spaces which greatly reduces dependence on air conditioning. South light glazing introduced also to maximise natural lighting.

When you have checked off your checklist, sign below to verify you have included all the information necessary to determine your application.

Thank you for completing this checklist to ensure your application is processed as quickly as possible.

Applicant's Full Name: DANIEL LEES Contact Number: 9289 8300

Applicant's Signature: *Daniel Lees* Date Submitted: 24.08.2011

Accepting Officer's Signature: \_\_\_\_\_



**DOCUMENTS EXECUTED BY AFFIXING THE COMMON SEAL  
FOR THE PERIOD 31 JULY 2012 TO 29 AUGUST 2012**

**Deed:**

<b>Document:</b>	Deed to enable transfer of Land.
<b>Parties:</b>	<b>City of Joondalup and Trek Holdings Pty Ltd</b>
<b>Description:</b>	Deed to enable the transfer of land from the current owners into their Company Name. The Deed ensures permanent internal access through Lot 6 for Lot 7 is maintained. Lots 6 and 7 on Strata Plan 35609 (No.6) Davallia Road, Duncraig.
<b>Date:</b>	31.07.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>Planning and Development Act 2005.</i> <i>Strata Titles Act 1985.</i> <i>Land Administration Act 1997.</i>
<b>Strategic Plan Key Focus Area:</b>	Not Applicable.
<b>Policy:</b>	Not Applicable.
<b>Risk Management Considerations:</b>	Not Applicable.
<b>Financial/Budget Implications:</b>	Not Applicable.
<b>Regional Significance:</b>	Not Applicable.
<b>Sustainability Implications:</b>	Not Applicable.
<b>Consultation:</b>	Not Applicable.

## Amendment to DPS2:

<b>Document:</b>	Amendment No 61 to District Planning Scheme No 2.
<b>Parties:</b>	<b>City of Joondalup and Western Australian Planning Commission.</b>
<b>Description:</b>	Amendment No 61 to District Planning Scheme No 2 to change the density code from R20 to R40 and restrict the use of land for aged persons dwelling.
<b>Date:</b>	31.07.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>Residential Design Codes.</i> <i>Planning and Development Act 2005.</i>
<b>Strategic Plan</b> <b>Key Focus Area:</b>	The Built Environment. 4.1 To ensure high quality urban development.
<b>Policy:</b>	Not Applicable.
<b>Risk Management Considerations:</b>	There is a chance that the community may respond negatively to the use of the site for residential development as there could be the perception that the site is part of Leichhardt Park and should be retained as part of the park.
<b>Financial/Budget Implications:</b>	The City, as the applicant, is required to cover the costs associated with the scheme amendment process. The cost incurred for the advertising of the amendment was \$1,505.00 which included placing a notice in the relevant newspapers and erecting a sign on the subject site.
<b>Regional Significance:</b>	Not Applicable.
<b>Sustainability Implications:</b>	The proposed amendment to increase the residential density code would enable additional residential dwellings to be developed on the site, which will contribute to the environmental, economic and social sustainability by providing dwellings near existing infrastructure within established suburbs.  The City's draft Local Housing Strategy identifies a sharp increase in the number of residents aged over 65. The provision of aged persons' dwellings in Padbury will provide the opportunity for people to downsize their dwelling but remain in the area.

<b>Consultation:</b>	<p>The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 24 August 2011 as follows:</p> <ul style="list-style-type: none"><li>• 75 letters were sent to nearby landowners, residents and property managers and five letters to service authorities;</li><li>• One sign was placed on site;</li><li>• A notice placed in the local and the West Australian newspapers; and</li><li>• A notice and documents were placed on the City's website.</li></ul>
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**Power of Attorney:**

<b>Document:</b>	Power of Attorney.
<b>Parties:</b>	<b>City of Joondalup and Tamala Park Regional Council (TPRC).</b>
<b>Description:</b>	<p>A modified Power of Attorney in favour of Tamala Park Regional Council Chief Executive Officer concerning all necessary dealings with the Tamala Park land:</p> <ul style="list-style-type: none"><li>• Lot 9001 on deposited Plan 73462;</li><li>• Lot 9510 on deposited Plan 73462; and</li><li>• Lot 9511 on deposited Plan 73462.</li></ul> <p>Reference Report to Council – CJ125-07/12.</p>
<b>Date:</b>	31.07.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>Local Government Act 1995.</i>
<b>Strategic Plan Key Focus Area:</b>	Leadership and Governance.
<b>Policy:</b>	Not Applicable.
<b>Risk Management Considerations:</b>	To avoid any uncertainty in the Regional Council's dealings with the Tamala Park Land.
<b>Financial/Budget Implications:</b>	Not Applicable.
<b>Regional Significance:</b>	As a member local government of the TPRC, it is important that the City acts to ensure the continuing efficacy of the Regional Council in the implementation of the Tamala Park project.
<b>Sustainability Implications:</b>	Not Applicable.
<b>Consultation:</b>	Not Applicable.

**Deed of Variation:**

<b>Document:</b>	Deed Variation of Constitution Agreement of Mindarie Regional Council.
<b>Parties:</b>	<b>City of Joondalup, Town of Cambridge, City of Perth, Town of Victoria Park, City of Vincent and City of Wanneroo.</b>
<b>Description:</b>	Mindarie Regional Council Member participants agree to vary the terms and conditions of the Constitution Agreement to satisfy the requirements of Section 699 of the <i>Local Government Act 1960</i> to facilitate the withdrawal of the City of Stirling from the Mindarie Regional Council.
<b>Date:</b>	31.07.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>Section 699 (3) (b) of the Local Government Act 1960.</i>
<b>Strategic Plan Key Focus Area:</b>	Leadership and Governance.
<b>Policy:</b>	Not Applicable.
<b>Risk Management Considerations:</b>	Not Applicable.
<b>Financial/Budget Implications:</b>	Not Applicable.
<b>Regional Significance:</b>	The City is a participating member local government of the Mindarie Regional Council (MRC) and as such it is important that the constitutional arrangements which govern the MRC's affairs are appropriate, relevant and of the highest standards of governance.
<b>Sustainability Implications:</b>	The Maintenance of a properly functioning waste collection and recycling program is a critical ingredient in the City's drive towards sustainability.
<b>Consultation:</b>	Consultation occurs on a regular basis with other member local governments of the MRC.

## Section 70A Notification

<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	<b>City of Joondalup and S and M Crane.</b>
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 664 (280) Harvest Loop, Edgewater.
<b>Date:</b>	31.07.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No 2.</i>
<b>Strategic Plan Key Focus Area:</b>	The Built Environment.
<b>Policy:</b>	The purpose of the Section 70A is to alert future landowners of the restrictions that apply to this dwelling. This reduces the risk that purchasers of the property will not be informed of the applicable restrictions.
<b>Risk Management Considerations:</b>	Not Applicable.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$139.00 excluding GST to cover all costs associated with the application.
<b>Regional Significance:</b>	Not Applicable.
<b>Sustainability Implications:</b>	Ancillary Accommodation assists in providing diversity in housing choice for large extended families.
<b>Consultation:</b>	The proposal was not advertised, as the development met the acceptable development standards of the Residential Design Codes of Western Australia.

<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	<b>City of Joondalup and J and P Culpan.</b>
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 619 (9) Lysander Drive, Heathridge.
<b>Date:</b>	31.07.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No 2.</i>
<b>Strategic Plan Key Focus Area:</b>	The Built Environment.
<b>Policy:</b>	The purpose of the Section 70A is to alert future landowners of the restrictions that apply to this dwelling. This reduces the risk that purchasers of the property will not be informed of the applicable restrictions.
<b>Risk Management Considerations:</b>	Not Applicable.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$459.00 (patio and ancillary accommodation) excluding GST to cover all costs associated with the application.
<b>Regional Significance:</b>	Not Applicable.
<b>Sustainability Implications:</b>	Ancillary Accommodation assists in providing diversity in housing choice for large extended families.
<b>Consultation:</b>	The proposal was not advertised to neighbouring properties for comment during the assessment process as the proposed ancillary accommodation met the acceptable development standards of the Residential Design Codes.

<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	<b>City of Joondalup and Loreen and Peter Bombak</b>
<b>Description:</b>	To restrict the occupation of the ancillary accommodation (Studio) to be used as part of the main dwelling only at Lot 34 (6) Albright Hill, Joondalup.
<b>Date:</b>	14.08.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No 2.</i>
<b>Strategic Plan Key Focus Area:</b>	The Built Environment.
<b>Policy:</b>	The purpose of the Section 70A is to alert future landowners of the restrictions that apply to this dwelling. This reduces the risk that purchasers of the property will not be informed of the applicable restrictions.
<b>Risk Management Considerations:</b>	Not Applicable.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$1,623.45 (excluding GST) to cover all costs associated with the application.
<b>Regional Significance:</b>	Not Applicable.
<b>Sustainability Implications:</b>	Not Applicable.
<b>Consultation:</b>	The proposal was advertised to two neighbouring properties for comment during the assessment process.



<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	<b>City of Joondalup and Kim Baxter, Neil Trainor and Anne Trainor.</b>
<b>Description:</b>	To restrict the occupation of the Studio to be used as part of the main dwelling only at Lot 1 (66) Lakeside Drive, Joondalup. <i>Note: Duplicate of the document processed 13 March 2012 due to misspelling of name.</i>
<b>Date:</b>	14.08.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No 2.</i>
<b>Strategic Plan Key Focus Area:</b>	The Built Environment.
<b>Policy:</b>	The purpose of the Section 70A is to alert future landowners of the restrictions that apply to this dwelling. This reduces the risk that purchasers of the property will not be informed of the applicable restrictions.
<b>Risk Management Considerations:</b>	Not Applicable.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$256.00 (excluding GST) to cover all costs associated with the application.
<b>Regional Significance:</b>	Not Applicable.
<b>Sustainability Implications:</b>	Not Applicable.
<b>Consultation:</b>	The proposal was advertised to two neighbouring properties for comment during the assessment process.

<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	<b>City of Joondalup and M and A Bench</b>
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 300 (15) Tandou Court, Edgewater.
<b>Date:</b>	29.08.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No 2.</i>
<b>Strategic Plan Key Focus Area:</b>	The Built Environment.
<b>Policy:</b>	The purpose of the Section 70A is to alert future landowners of the restrictions that apply to this dwelling. This reduces the risk that purchasers of the property will not be informed of the applicable restrictions.
<b>Risk Management Considerations:</b>	Not Applicable.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$269.00 (excluding GST) to cover all costs associated with the application.
<b>Regional Significance:</b>	Not Applicable.
<b>Sustainability Implications:</b>	Ancillary Accommodation assists in providing diversity in housing choice for large extended families.
<b>Consultation:</b>	The proposal was not advertised as it was deemed to meet the acceptable development requirements of the Residential Design Codes and the provisions set out in the City of Joondalup District Planning Scheme No 2.

## Withdrawal of Caveat

<b>Document:</b>	Withdrawal of Caveat
<b>Parties:</b>	<b>City of Joondalup and JBT Corp Pty Ltd.</b>
<b>Description:</b>	<p>Temporary withdrawal of caveat L275604 to enable the transfer of land:</p> <ul style="list-style-type: none"> <li>• Lot 311 (24) McLarty Avenue, Joondalup;</li> <li>• Lot 312 (28) McLarty Avenue, Joondalup; and</li> <li>• Lot 313 (32) McLarty Avenue, Joondalup.</li> </ul> <p>The City's caveat is supported by the terms of a Deed dated 29 March 2010 relating to reciprocal access easement over the lots.</p>
<b>Date:</b>	14.08.12
<b>Signed/Sealed:</b>	Sealed.
<b>Legislation:</b>	<i>Transfer of Land Act 1893 as amended.</i>
<b>Strategic Plan Key Focus Area:</b>	Not Applicable.
<b>Policy:</b>	Not Applicable.
<b>Risk Management Considerations:</b>	Not Applicable.
<b>Financial/Budget Implications:</b>	Not Applicable.
<b>Regional Significance:</b>	Not Applicable.
<b>Sustainability Implications:</b>	Not Applicable.
<b>Consultation:</b>	Not Applicable.

**STATUS OF PETITIONS PRESENTED TO COUNCIL**

Petition details	Date of presentation to Council	Status	Comment
<p>25-signature petition in relation to vehicular movement within Hepburn Heights and the request to prepare a Business case to divest 12 Blackwattle Parade, Padbury to provide funds to address residents' concerns.</p> <p><b>RIS01824</b></p>	<p>28 June 2011</p>	<p>Completed.</p>	<p><b><u>Update as at September 2012</u></b> A report was presented to Council on 26 June 2012 (CJ120-06/12 refers).</p> <p><b><u>Update as at February 2012</u></b> It is anticipated that a report will be presented to Council in April 2012.</p> <p><b><u>Update as at November 2011</u></b> A report to be presented to Council in March 2012.</p> <p><b><u>Update as at August 2011</u></b> It is anticipated that a report will be presented to Council in November 2011.</p>
<p>A 25-signature petition in relation to vehicular movement within Hepburn Heights and a request for a pedestrian overpass over Hepburn Avenue, requesting preparation of a Business case to divest 12 Blackwattle Parade, Padbury to provide funds to address residents' concerns.</p> <p><b>RIS01825</b></p>	<p>28 June 2011</p>	<p>Completed.</p>	<p><b><u>Update as at September 2012</u></b> A report was presented to Council on 26 June 2012 (CJ120-06/12 refers).</p> <p><b><u>Update as at February 2012</u></b> It is anticipated that a report will be presented to Council in April 2012.</p> <p><b><u>Update as at November 2012</u></b> A report should be presented to Council in March 2012.</p> <p><b><u>Update as at August 2011</u></b> It is anticipated that a report will be presented to Council in November 2011. The report will also consider vehicular movement within Hepburn Heights (Action Request No RIS01824 refers).</p>

Petition details	Date of presentation to Council	Status	Comment
<p>A 92 signature petition requesting that Council oppose the establishment of a community garden in Regents Park or Charing Cross Park, Joondalup.</p> <p><b>RCE00489</b></p>	<p>21 February 2012</p>	<p>Outstanding</p>	<p><b><u>Update as at September 2012</u></b></p> <p>The Community Garden Working Group is in the process of developing a proposal for the potential establishment of a community garden, but are not yet ready to present this to the City. A report dealing with this petition cannot be considered by the Council until the proposal is received from the working group. Following receipt of a proposal, a report will be prepared for Council's consideration which will incorporate all community feedback received to date and will also deal with this petition.</p> <p><b><u>Update as at June 2012</u></b></p> <p>At this time there are no plans to develop a Community Garden in Regents Park or Charing Cross Park, Joondalup. Receipt of this petition will be noted in a further report relating to Community Gardens which is anticipated to be presented to Council in September 2012.</p> <p><b><u>Update as at February 2012</u></b></p> <p>A report on community gardens was presented to Council at its meeting held on 21 February 2012 (CJ007-02/12 refers).</p> <p>Receipt of this petition will be noted as part of any future report presented to Council in relation to the potential establishment of a Community Garden within the City.</p>

Petition details	Date of presentation to Council	Status	Comment
<p>A 47 signature petition requesting Council reject Peet Ltd's current proposal for the Dome Cafe at the Foreshore Park, Burns Beach</p> <p><b>RPC01382</b></p>	<p>20 March 2012</p>	<p>Outstanding</p>	<p><b><u>Update as at September 2012</u></b></p> <p>The applicant has withdrawn the current proposal for the Dome Cafe, which is the subject of the petition. The lead petitioner and those people who lodged a submission during the public advertising period have been advised accordingly.</p> <p><b><u>Update as at June 2012</u></b></p> <p>The proposal for the Dome restaurant is currently being held pending the submission of an amended design. The concerns raised in the petition will be taken into account and discussed in the report to Council when the proposal (or an amended version of this) is in a position to be determined.</p>
<p>A 9 signature petition has been received requesting that Council closes the pedestrian accessway joining Rocket Vale and Brazier Rise, Padbury.</p> <p><b>RPC01405</b></p>	<p>17 April 2012</p>	<p>Completed.</p>	<p><b><u>Update as at September 2012</u></b></p> <p>Only one adjoining landowner out of the five contacted by the City, agreed to share the costs of the application fee and the purchase of the land. The City contacted the lead petitioner advising of the outcome and it was agreed that no further action will be taken.</p> <p><b><u>Update as at June 2012</u></b></p> <p>The City has contacted the landowners adjoining the PAW advising that the petition was tabled at the Council meeting on April 17 2012. They have been advised that the closure process is pending an agreement from the adjoining landowners to submit the fees for the application and agree to the purchasing of the land. Once this has occurred the closure process can commence which will include a public consultation period and a report to Council for consideration of the closure.</p>

Petition details	Date of presentation to Council	Status	Comment
<p>A 12 signature petition has been received requesting that Section 4.16 of the District Planning Scheme No 2 and relevant City of Joondalup Local Laws be amended to enable caravans to be parked on a verge under prescribed conditions, including demonstrated support from neighbouring properties within the vicinity of the concerned property and the appropriate treatment of the verge area to accommodate a caravan.</p> <p><b>RCS01077</b></p>	15 May 2012	Completed	<p><b><u>Update as at September 2012</u></b>  A report was presented to Council on 21 August 2012 (CJ159-08/12 refers).</p> <p><b><u>Update as at June 2012</u></b>  It is anticipated that a report will be presented to Council in August 2012.</p>
<p>A 62 signature petition has been received from residents of the City of Joondalup with regard to the location of the replacement playground equipment at Montague Park, Kallaroo.</p> <p><b>RIS02422</b></p>	26 June 2012	Completed	<p><b><u>Update as at September 2012</u></b>  Community consultation closed on 17 August 2012 and the results show that:</p> <ul style="list-style-type: none"> <li>• 80% of respondents were in favour of the new playground equipment being located at the same location as the existing playground; and</li> <li>• 80% of people were in favour of keeping the half basketball court in the same location.</li> </ul> <p>Installation of the playground equipment will commence during September 2012.</p>
<p>A six signature petition has been received from residents of the City of Joondalup with regards to the parking of a caravan on a verge at 2 Defoe Court, Kingsley.</p> <p><b>RCS01187</b></p>	21 August 2012	Outstanding	<p><b><u>Update as at September 2012</u></b>  It is anticipated that a report will be presented to Council at its meeting to be held on 18 September 2012.</p>





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Iluka Open Space

Tuesday, 29 May 2012

1:2519





## ANALYSIS OF 'ILUKA OPEN SPACE — PROPOSED FLOODLIGHTING UPGRADE PROJECT' SURVEY

The following provides an analysis of the quantitative and qualitative data gathered from the *Iluka Open Space, Iluka — Proposed Floodlighting Upgrade Project Survey*.

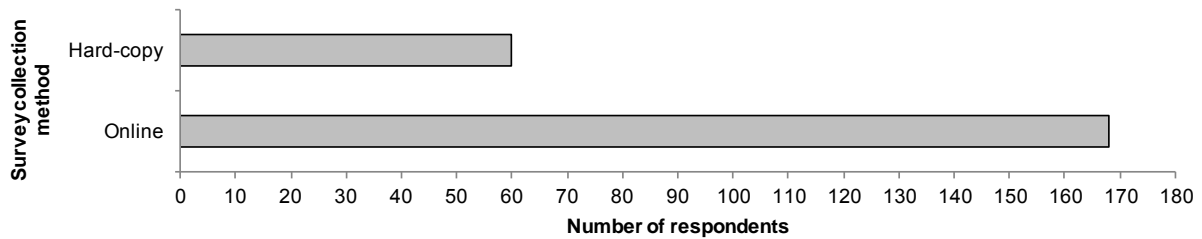
### RESPONSE RATES

The City sent out a total of 492 surveys and received 228 responses. Of the 228 responses received the City collected a total of 228 valid survey responses through online surveys and hard-copy surveys; these are summarised in Table 1 and Chart 1 below.

**Table 1: Survey responses by collection method**

Collection method	N	%
Online	168	74.0%
Hard-copy	60	26.0%
<b>total (valid) survey responses</b>	<b>228</b>	<b>100.0%</b>

**Chart 1: Survey responses by collection method**



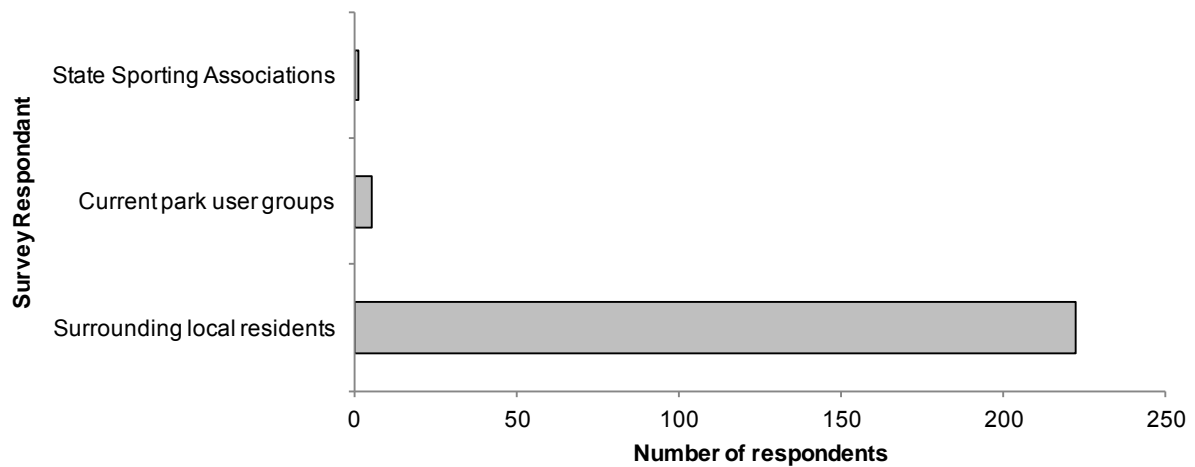
### DEMOGRAPHICS

Of the 492 survey packs sent out, 479 were sent to surrounding local residents, 7 were sent to current park user groups, 1 was sent to the Iluka Homeowners Association and 5 were sent to State Sporting Associations. The response data is summarised in Table 2 and Chart 2 below.

**Table 2: Survey responses by type of respondent**

Type of respondent	N	%
Surrounding local residents	222	97.4%
Current park user groups	5	2.2%
State Sporting Associations	1	0.4%
<b>total (valid) respondents</b>	<b>228</b>	<b>100.0%</b>

**Chart 2: Survey responses by type of respondent**



**QUESTION 1: DO YOU SUPPORT/NOT SUPPORT THE PROPOSAL TO UPGRADE THE FLOODLIGHTING AT ILUKA OPEN SPACE, ILUKA AS DESCRIBED IN THE FREQUENTLY ASKED QUESTIONS?**

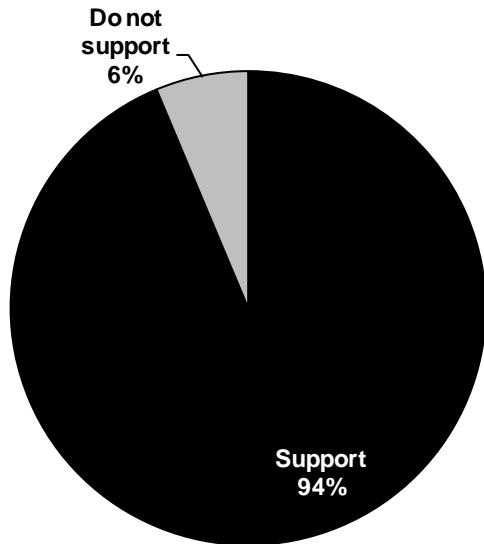
All 228 survey respondents provided a response to this question; responses have been summarised in Table 3 and Charts 3 and 4 below.

**Table 3: Types of responses to the question: “Do you support/not support the proposal to upgrade floodlighting at Iluka Open Space in Iluka”**

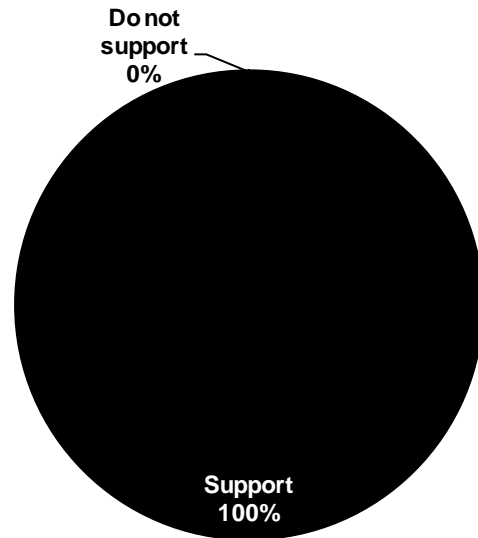
Type of respondent	Support		Do Not Support	
	N	%	N	%
Surrounding local residents	208	91.2%	14	6.1%
Current park user groups	5	2.2%	0	0.0%
State sporting associations	1	0.4%	0	0.0%
<b><i>total (valid) respondents</i></b>	<b>214</b>	<b>93.8%</b>	<b>14</b>	<b>6.1%</b>

**Charts 3 and 4: Types of responses to the question: “DO YOU SUPPORT/NOT SUPPORT THE PROPOSAL TO UPGRADE THE FLOODLIGHTING AT ILUKA OPEN SPACE, ILUKA AS DESCRIBED IN THE FREQUENTLY ASKED QUESTIONS?”**

**Chart 3:**  
Responses from surrounding local residents.

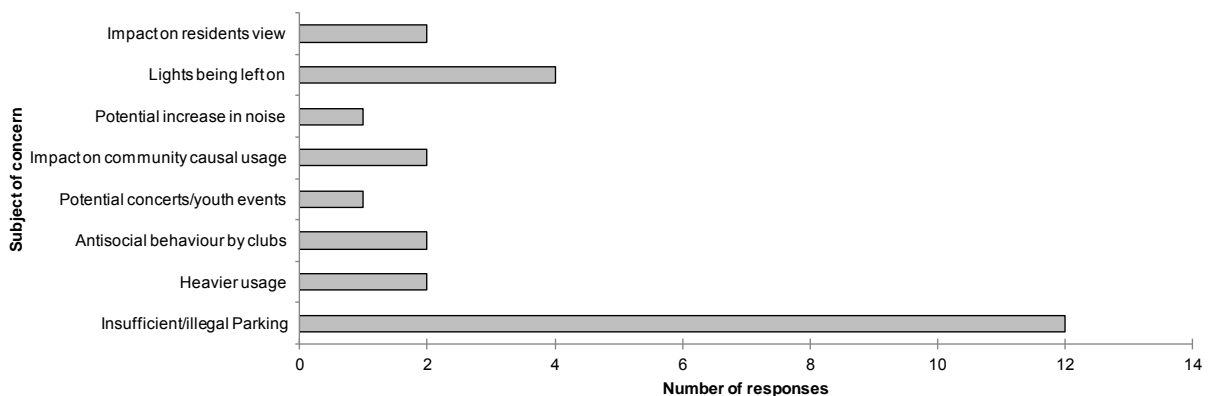


**Chart 4:**  
Responses from current park user groups and state sporting associations





The Survey asked respondents to outline their reasons for **not** supporting the proposal. As there were only 14 respondents that did not support the proposal, these responses have been quantified and are shown below in Chart 4 (also includes any relevant comments received on responses that were in support of the project).

**Chart 4: Reasons for not supporting the proposal**





Proposed floodlighting	
Existing floodlighting	



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Prince Regent Proposed Floodlighting

Wednesday, 5 September 2012

1:1326



## ANALYSIS OF ‘PRINCE REGENT PARK — PROPOSED FLOODLIGHTING UPGRADE PROJECT’ SURVEY

The following provides an analysis of the quantitative and qualitative data gathered from the *Prince Regent, Heathridge — Proposed Floodlighting Upgrade Project Survey*.

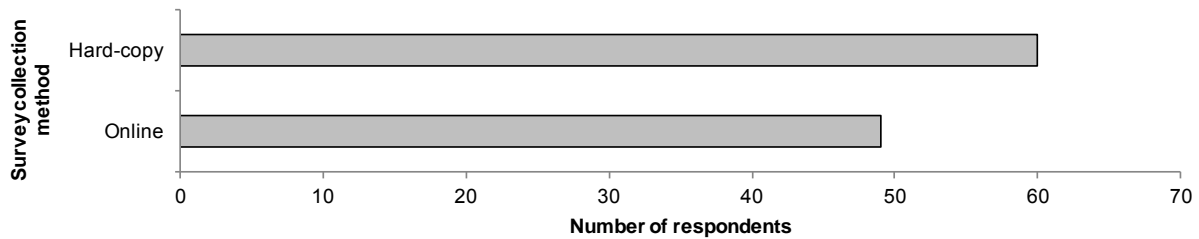
### RESPONSE RATES

The City sent out a total of 349 surveys and received 109 responses. Of the 109 responses received the City collected a total of 109 valid survey responses through online surveys and hard-copy surveys; these are summarised in Table 1 and Chart 1 below.

**Table 1: Survey responses by collection method**

Collection method	N	%
Online	49	45.0%
Hard-copy	60	55.0%
<b>total (valid) survey responses</b>	<b>109</b>	<b>100.0%</b>

**Chart 1: Survey responses by collection method**



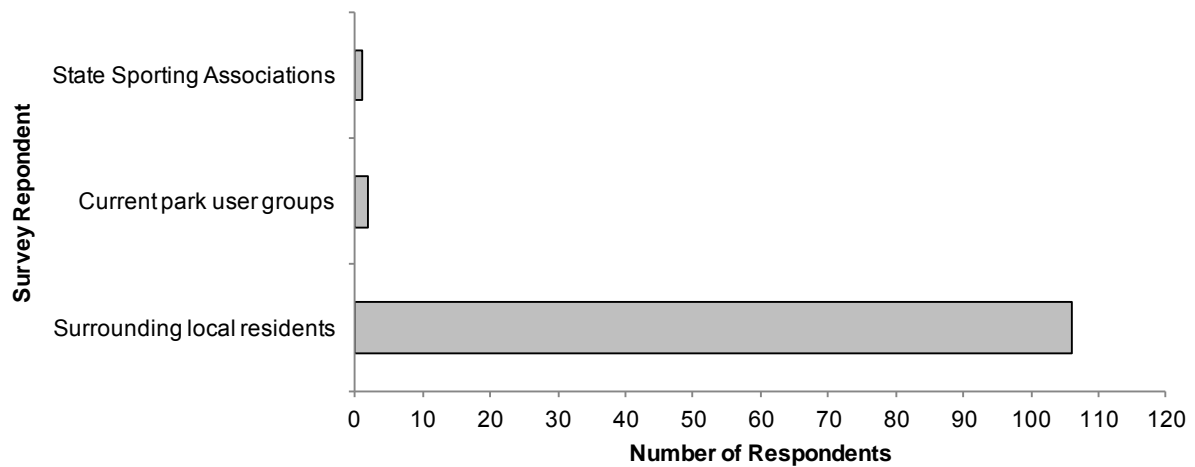
### DEMOGRAPHICS

Of the 349 survey packs sent out, 345 were sent to surrounding local residents, 2 were sent to current park user groups, and 2 were sent to State Sporting Associations. The response data is summarised in Table 2 and Chart 2 below.

**Table 2: Survey responses by type of respondent**

Type of respondent	N	%
Surrounding local residents	106	97.0%
Current park user groups	2	2.0%
State Sporting Associations	1	1.0%
<b>total (valid) respondents</b>	<b>109</b>	<b>100.0%</b>

**Chart 2: Survey responses by type of respondent**



**QUESTION 1: DO YOU SUPPORT/NOT SUPPORT THE PROPOSAL TO UPGRADE THE FLOODLIGHTING AT PRINCE REGENT PARK, HEATHRIDGE AS DESCRIBED IN THE FREQUENTLY ASKED QUESTIONS?**

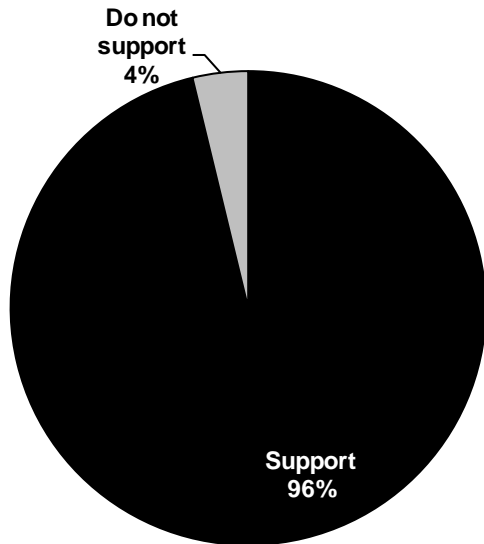
All 109 survey respondents provided a response to this question; responses have been summarised in Table 3 and Charts 3 and 4 below.

**Table 3: Types of responses to the question: “Do you support/not support the proposal to upgrade Floodlighting at Prince Regent Park, Heathridge”**

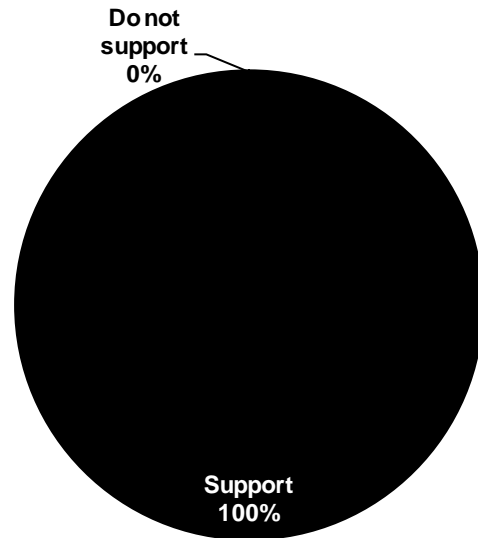
Type of respondent	Support		Do Not Support	
	N	%	N	%
Surrounding local residents	102	93.6%	4	3.7%
Current park user groups	2	1.8%	0	0.0%
State sporting associations	1	0.9%	0	0.0%
<b><i>total (valid) respondents</i></b>	<b>105</b>	<b>96.3%</b>	<b>4</b>	<b>3.7%</b>

**Charts 3 and 4: Types of responses to the question: “DO YOU SUPPORT/NOT SUPPORT THE PROPOSAL TO UPGRADE THE FLOODLIGHTING AT PRINCE REGENT PARK, HEATHRIDGE AS DESCRIBED IN THE FREQUENTLY ASKED QUESTIONS?”**

**Chart 3:**  
Responses from surrounding local residents.

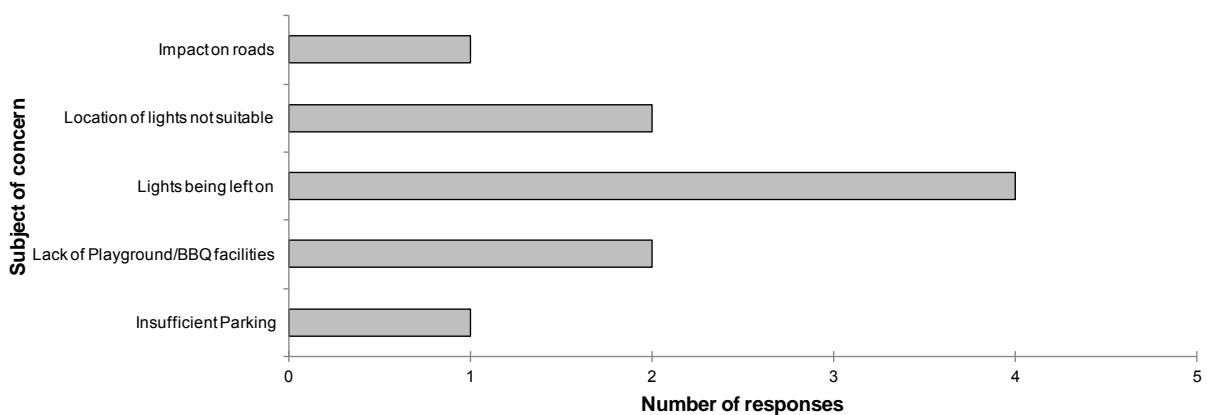


**Chart 4:**  
Responses from current park user groups and state sporting associations



The Survey asked respondents to outline their reasons for *not* supporting the proposal. As there were only 4 respondents that did not support the proposal, these responses have been quantified and are shown below in Chart 4 (also includes any comments received on responses that were in support of the project).

**Chart 4: Reasons for not supporting the proposal**







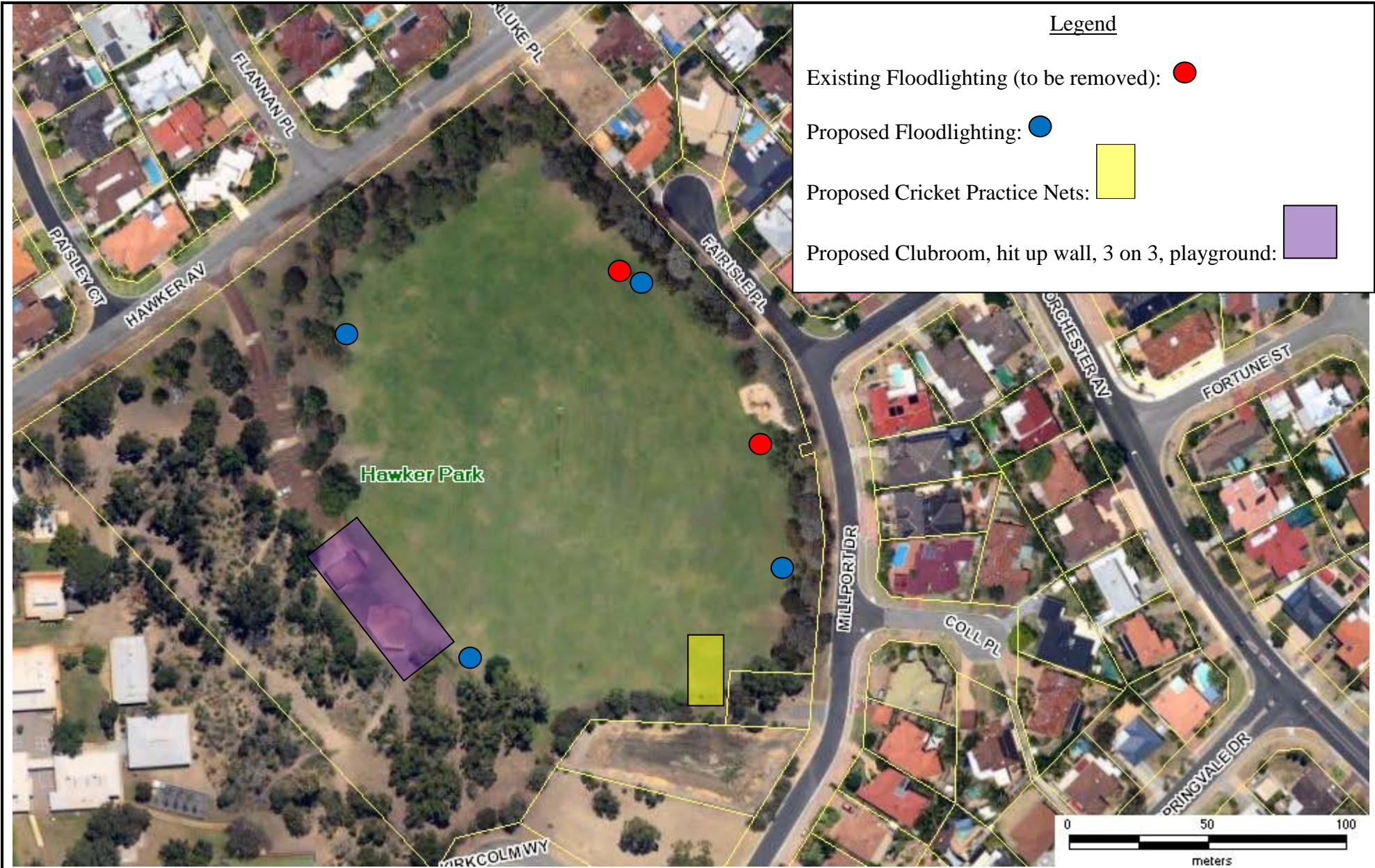

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**HAWKER PARK**





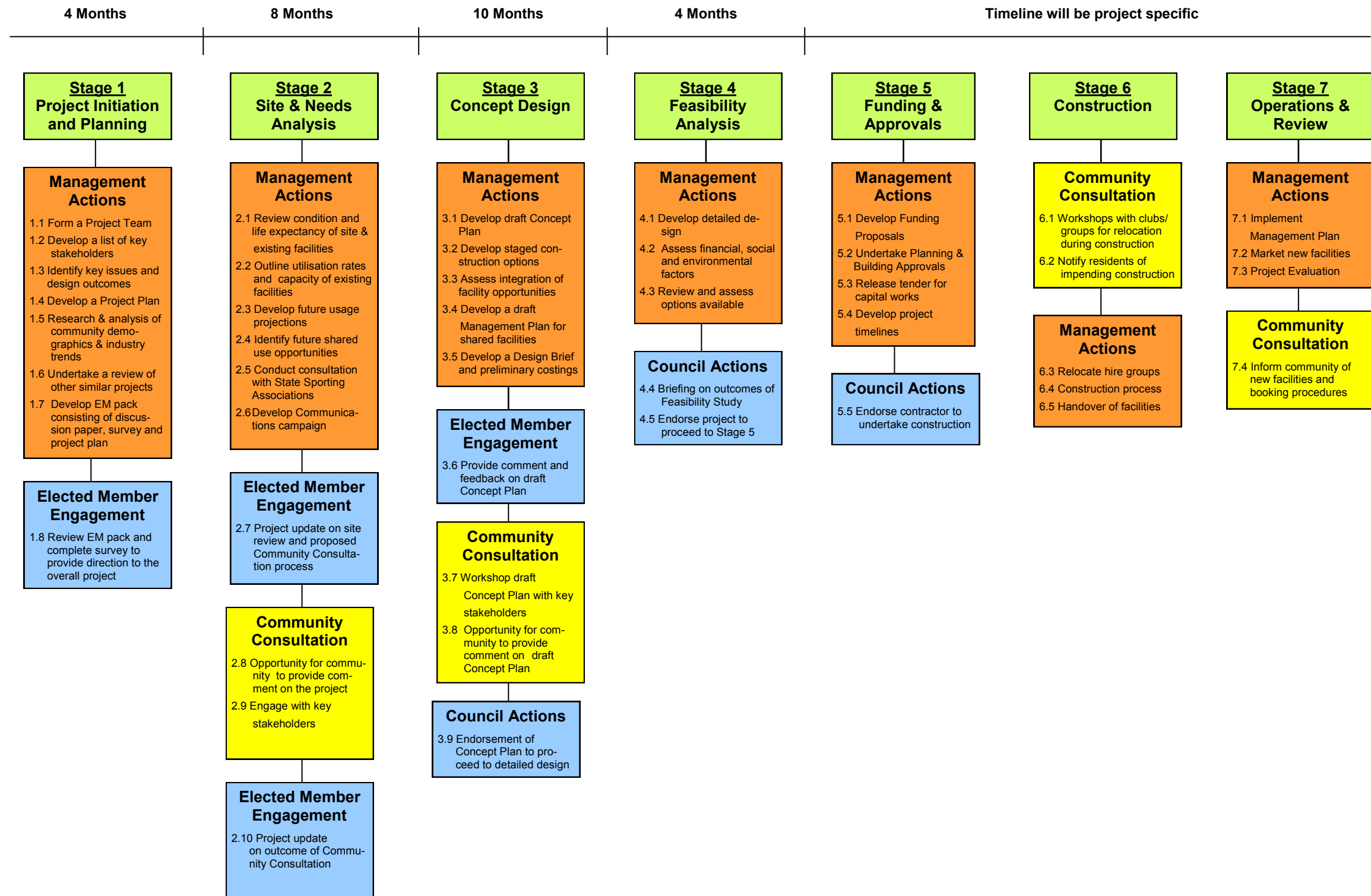

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**HAWKER PARK – PROPOSED CLUBROOM AND INFRASTRUCTURE**



# Master Planning Process





## ANALYSIS OF 'HAWKER PARK, WARWICK PROPOSED CLUBROOM' COMMENT FORM

The following provides an analysis of the quantitative and qualitative data gathered from the *Hawker Park, Warwick Proposed Clubroom* Comment Form.

### RESPONSE RATES

The City directly consulted with the following stakeholders:

- Residents living within a 200 metres radius from the site
- Representatives from current oval user groups
- Representative(s) from the adjacent Primary School
- Representative(s) from the local Resident's Association

The City collected a total of 85 valid responses through online and hardcopy collection methods; these are summarised in Tables 1 and 2 and Chart 1 below. (Note: valid responses are those in which all contact details were provided.)

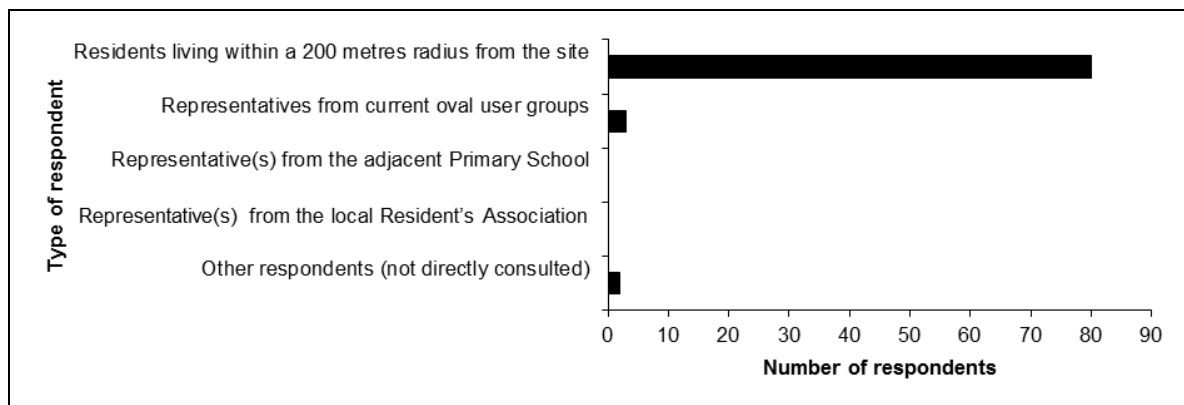
**Table 1: Responses by collection method**

Collection method	N	%
Hard-copy	80	94.1%
Online	5	5.9%
<b>total (valid) responses</b>	<b>85</b>	<b>100.0%</b>

**Table 2: Responses by type of respondent**

Type of respondent	Sent N	Received N	Response Rate %
Residents living within a 200 metres radius from the site	243	80	33%
Representatives from current oval user groups	3	3	100%
Representative(s) from the adjacent Primary School	1	0	0%
Representative(s) from the local Resident's Association	0	2	0%
Other respondents (not directly approached)	N/A		
<b>total (valid) responses</b>		<b>85</b>	

**Chart 1: Responses by type of respondent**



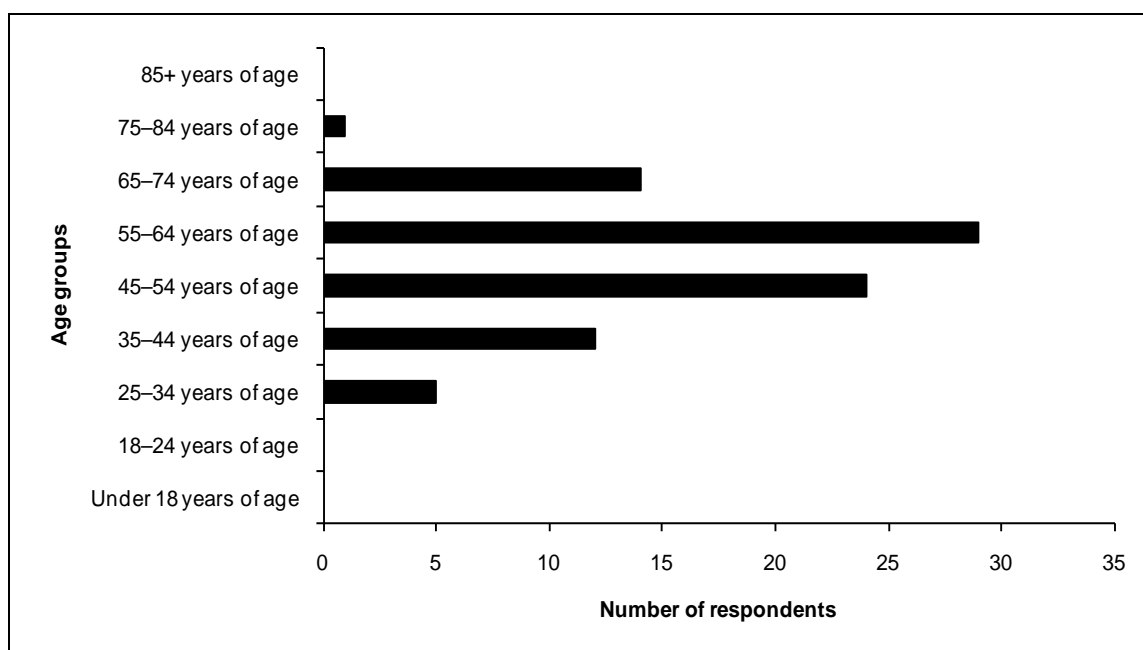
### DEMOGRAPHICS

Of the 85 valid responses collected, over a quarter of these were completed by people aged between 45 and 54 and over a third were completed by people aged between 55 and 64 years of age. These are the largest age segments of the population for the Warwick–Greenwood Statistical Area, so we would expect more responses from these age groups; however, it should be noted that these groups are still somewhat over-represented in the responses. This data is summarised in Table 3 and Chart 2 below.

**Table 3: Responses by age**

Age groups	Demographics	Responses	
	% <sup>1</sup>	N	%
Under 18 years of age	28.7%	0	0.0%
18–24 years of age		0	0.0%
25–34 years of age	13.3%	5	5.9%
35–44 years of age	14.9%	12	14.1%
45–54 years of age	12.4%	24	28.2%
55–64 years of age	15.5%	29	34.1%
65–74 years of age	8.3%	14	16.5%
75–84 years of age	3.7%	1	1.2%
85+ years of age	3.2%	0	0.0%
<b>total (valid) responses</b>	<b>100.0%</b>	<b>85</b>	<b>100.0%</b>

**Chart 2: Responses by age**



<sup>1</sup> Demographics represent the Warwick–Greenwood Statistical Area as defined by the Australian Bureau of Statistics (Source: Australian Bureau of Statistics 2011, *Census of Population and Housing*)

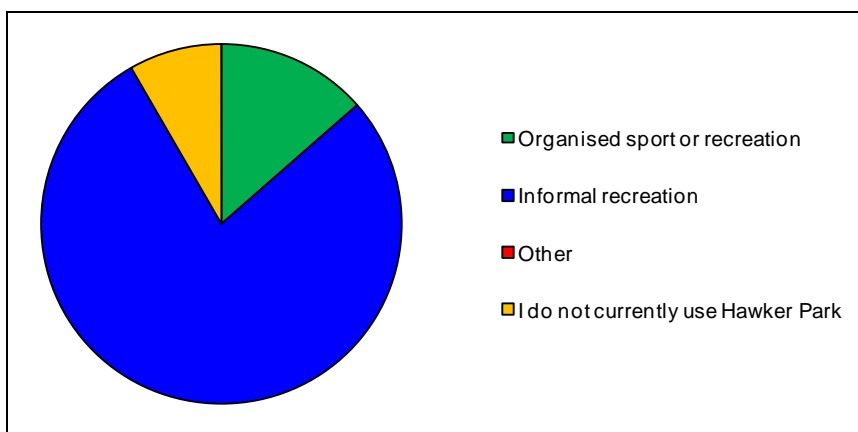
**QUESTION 1: ‘HOW DO YOU CURRENTLY USE HAWKER PARK?’**

A total of 85 respondents provided a valid response to this question. Of the responses collected, the majority use Hawker Park for informal sport or recreation. Of the respondents who provided an ‘Other’ response, the explanations provided fitted within one or more of the categories provided and the results were adjusted accordingly. These data are summarised in Table 4 and Chart 3 below. (Note: the percentage of total responses is greater than 100% as respondents were permitted to select more than one response.)

**Table 4: Types of responses to ‘How do you currently use Hawker Park?’**

Type of park usage	N	%
Organised sport or recreation (eg: football, cricket, fitness training)	13	15.3%
Informal recreation (eg: walking, running, playing, dog walking)	75	88.2%
Other	0	0.0%
I do not currently use Hawker Park	8	9.4%
<i>total (valid) responses</i>	<i>85</i>	<i>112.9%</i>

**Chart 3: Types of responses to ‘How do you currently use Hawker Park?’**



**QUESTION 2: ‘BELOW IS A LIST OF CURRENT INFRASTRUCTURE AT HAWKER PARK. PLEASE INDICATE IF YOU THINK IT IS IMPORTANT FOR THESE TO REMAIN AT THE PARK.’**

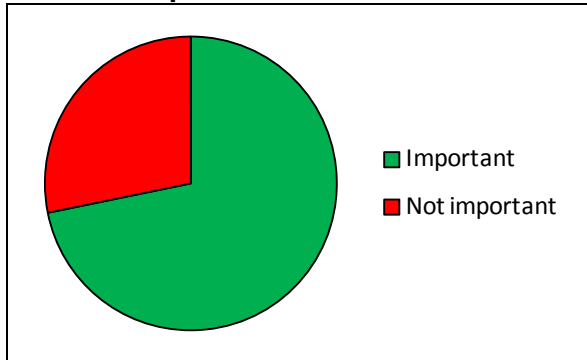
A total of 85 respondents provided a valid response to this question. Of the responses collected, the majority indicated that it is important for both the tennis hit-up wall and the 3-on-3 basketball pad/ring to remain at Hawker Park. These data are summarised in Table 5 and Chart 4 below.

**Table 5: Types of responses to ‘Below is a list of current infrastructure at Hawker Park. Please indicate if you think it is important for these to remain at the park.’**

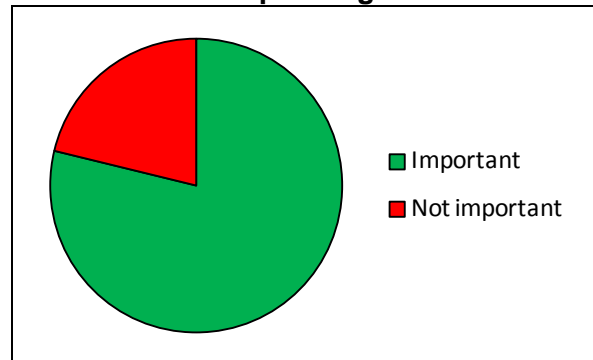
Type of park infrastructure	Important		Not important	
	N	%	N	%
Tennis hit-up wall	61	71.8%	24	28.2%
3-on-3 basketball pad/ring	67	78.8%	18	21.2%
<i>total (valid) responses</i>				<i>85</i>

**Chart 4: Types of responses to ‘Below is a list of current infrastructure at Hawker Park. Please indicate if you think it is important for these to remain at the park.’**

**Tennis hit-up wall**



**3-on-3 basketball pad/ring**



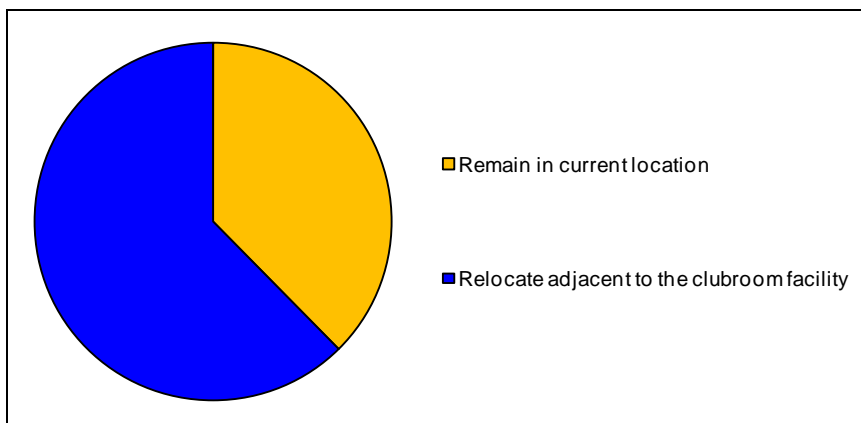
**QUESTION 3: ‘AS PART OF THE DEVELOPMENT, THE PLAYGROUND EQUIPMENT WILL BE REPLACED WITH NEW EQUIPMENT. IT IS ALSO PROPOSED TO RELOCATE THE PLAYGROUND ADJACENT TO THE CLUBROOM FACILITY. PLEASE INDICATE PREFERENCE BELOW.’**

A total of 85 survey respondents provided a valid response to this question. Of the responses collected, the majority indicated a preference for the new playground equipment to be relocated adjacent to the clubroom facility. These data are summarised in Table 6 and Chart 5 below.

**Table 6: Types of responses to ‘As part of the development, the playground equipment will be replaced with new equipment. It is also proposed to relocate the playground adjacent to the clubroom facility. Please indicate preference below.’**

Preferred location of playground infrastructure	N	%
Remain in current location	32	37.6%
Relocate adjacent to the clubroom facility	53	62.4%
<b>total (valid) responses</b>	<b>85</b>	<b>100.0%</b>

**Chart 5: Types of responses to ‘As part of the development, the playground equipment will be replaced with new equipment. It is also proposed to relocate the playground adjacent to the clubroom facility. Please indicate preference below.’**



**QUESTION 3: 'THE FOLLOWING NEW INFRASTRUCTURE IS PROPOSED AS PART OF THE PROJECT. DO YOU SUPPORT THE FOLLOWING BEING CONSTRUCTED/INSTALLED?'**

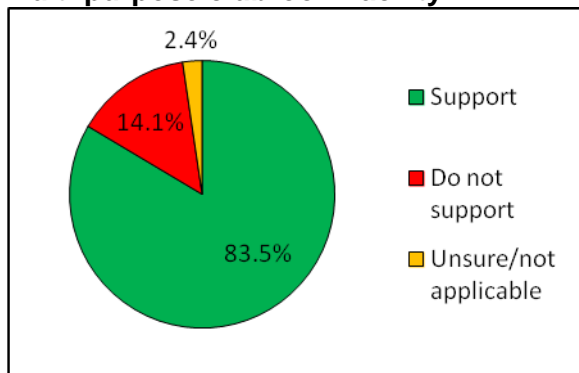
A total of 85 survey respondents provided a valid response to this question. Of the responses collected, the majority indicated support for a multi-purpose clubroom facility, floodlighting infrastructure and cricket practice nets being constructed/installed at Hawker Park. These data are summarised in Table 7 and Chart 6 below.

**Table 7: Types of responses to 'The following new infrastructure is proposed as part of the project. Do you support the following being constructed/installed?'**

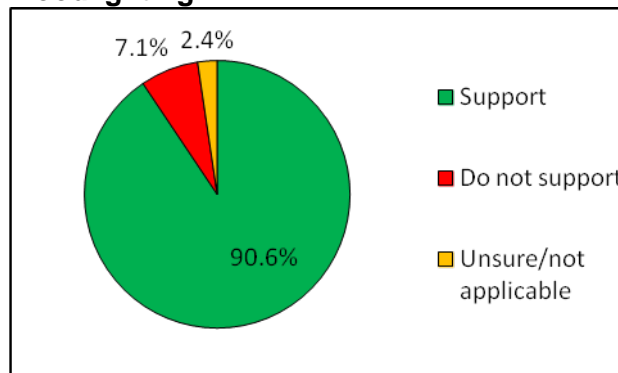
Type of park infrastructure	Support		Do not support		Unsure/not applicable	
	N	%	N	%	N	%
<b>Multi-purpose clubroom facility</b> including toilets, changerooms, kitchen, storage for the sporting clubs and a meeting space (replacing existing toilet/changerooms facility)	71	83.5%	12	14.1%	2	2.4%
<b>Floodlighting</b> (replacing existing floodlighting infrastructure)	77	90.6%	6	7.1%	2	2.4%
<b>Cricket practice nets</b>	62	72.9%	12	14.1%	11	12.9%
<b>total (valid) responses</b>						<b>85</b>

**Chart 6: Types of responses to 'The following new infrastructure is proposed as part of the project. Do you support the following being constructed/installed?'**

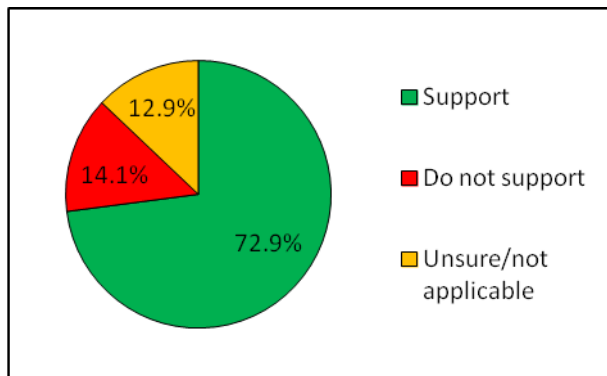
**Multi-purpose clubroom facility**



**Floodlighting**



**Cricket practice nets**



Respondents were also asked if they did not support the construction/installation of the proposed infrastructure (multi-purpose clubroom facility, floodlighting infrastructure and cricket practice nets), to outline their reasons why. 19 respondents provided reasons which are outlined in full in Tables 8–10 below. These reasons have been presented under the type of infrastructure they are opposing and have been summarised at the end of each Table. (Note: where respondents have opposed multiple infrastructure, their reasons have been placed under the most relevant infrastructure.)

**Table 8: Reasons for opposing the construction/installation of a new multi-purpose clubroom facility including toilets, changerooms, kitchen, storage for the sporting clubs and a meeting space (replacing existing toilet/changerooms facility).**

<ul style="list-style-type: none"> <li>• The proposed redevelopment of Hawker Park comes as no surprise. As a long-term resident in the area, I have noticed that over the past few years there has been an increased usage of Hawker Park by organised sporting teams and during this time the surface of Hawker Park has undergone a noticeable improvement.</li> <li>• Unfortunately, further development of Hawker Park will be accompanied by a noticeable increase in local area traffic and put a strain on the limited number of parking spaces currently available or is there a plan to increase the number of spaces?</li> <li>• It will also attract an undesirable element to the area.</li> <li>• It will change the character of Hawker Park from a family-friendly area to one which discourages use by family groups,</li> <li>• It has resulted in an increase in noise from those participating in organised sport, an increase in traffic will further add to this noise, sadly, those residents whose homes overlook Hawker Park bear the brunt of this form of pollution.</li> </ul>
<ul style="list-style-type: none"> <li>• Don't build this, use the \$1.5M for the Councillors' Arts Centre and don't sell 25 Millport Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Do not support operation after dark for the facilities.</li> <li>• Clubrooms mean parties, presentations after-hours drinking, more evening use of the park. No sufficient parking areas, so street parking.</li> <li>• Clubrooms being let out for extra social events over and above sporting venue.</li> <li>• Insufficient parking in parking area.</li> <li>• Hawker Park area is always quiet at night time. Produce noise and more drunken people and residents do not need that.</li> <li>• I am aware that Warwick Football want to take our clubrooms as their home centre. Every weekend in football season we will have noise, drunks and rubbish.</li> <li>• Penistone Clubrooms has less residents as close as Hawker Park has to annoy at evenings.</li> </ul>



<ul style="list-style-type: none"> <li>• Has concerns that it will affect the public use of the park, parking problems and social events which includes alcohol.</li> </ul>
<ul style="list-style-type: none"> <li>• Local families will have to walk young children or push prams around the perimeter of the oval to get to the play equipment because the sporting groups occupy the whole oval. Why not install a second set of equipment closer to the clubrooms?</li> <li>• Multi-purpose meeting place with kitchen — does this mean groups will hold functions at night with the sound travelling throughout this quiet pocket of Warwick? Will there be control over the types of Functions held? Football/cricket crowds tend to be very noisy when celebrating victory.</li> </ul>
<ul style="list-style-type: none"> <li>• We are concerned about undesirable activity taking place around the facility, especially as there is bushland at the back of it. We would not want the trees and bush destroyed.</li> <li>• Also, would more parking bays be made, would security be increased?</li> </ul>
<ul style="list-style-type: none"> <li>• If rooms are hired out, there is a very strong possibility that we will have to put up with loud music and 'undesirables' hanging around.</li> <li>• Traffic would also be increased — both day and night</li> </ul>
<ul style="list-style-type: none"> <li>• Clubroom not needed for the amount of use the park gets</li> </ul>
<ul style="list-style-type: none"> <li>• Increased social risk late night functions, alcohol in suburban area usage, should retain suburban community park focus, not for heavy sporty and function usage. There is Carine open Space and Sorrento Sports Grounds close by to be used for those reasons. Keep this park for light usage.</li> </ul>
<ul style="list-style-type: none"> <li>• I don't believe that it would be used frequently and it would spoil the natural bush setting of our beautiful park. The playground is in a perfect position where it can be seen by our local residents. It would be too cold to move it to the west side and really only suit the visiting sports clubs. My children grew up on the playground and they still love it.</li> </ul>
<p><b>Summary of reasons opposing:</b></p>
<ul style="list-style-type: none"> <li>• Increase in traffic</li> <li>• Lack of parking</li> <li>• Increase in antisocial behaviour</li> <li>• Will no longer be a 'family-friendly' park</li> <li>• Will increase park usage</li> <li>• Too expensive</li> </ul>

**Table 9: Reasons for opposing the construction/installation of floodlighting (replacing existing floodlighting infrastructure).**

<ul style="list-style-type: none"> <li>• Lighting could disturb residents</li> </ul>
<p><b>Summary of reasons opposing:</b></p>
<ul style="list-style-type: none"> <li>• Disturbing to residents</li> </ul>

**Table 10: Reasons for opposing the construction/installation of cricket practice nets.**

<ul style="list-style-type: none"> <li>• Don't believe the cricket pitch is used and would prefer the park is made available for informal recreation all year round. Happy for Football over winter months.</li> </ul>
<ul style="list-style-type: none"> <li>• The more activities you have there the more graffiti and vandals there will be.</li> </ul>
<ul style="list-style-type: none"> <li>• I'm happy for football training in the evenings and Saturday morning games. However, I feel that in summer, the park should not be used for Cricket and should be available for informal recreation. I also think that the Football goal posts should be in place all year and remove the Cricket pitch. Instead of Cricket nets how about a 'practice' soccer goal as quite a few youths use the mesh fence near the basketball court for this now.</li> </ul>
<ul style="list-style-type: none"> <li>• I hate cricket</li> </ul>

- Location intrusive in planned location — place near rooms if must have. Strong opposition to planned location.

**Summary of reasons opposing:**

- Dislike of cricket (in general)
- Increase in antisocial behaviour
- Inappropriate location



# City of Joondalup

Financial Activity Statement for the  
Period Ended 30 June 2012

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# City of Joondalup

## City of Joondalup Financial Activity Statement for the period ended 30 June 2012

		Budget	YTD Revised Budget	YTD Actual	YTD Variance \$	YTD Variance %
<b>OPERAT</b>						
Rates	1	(74,324,119)	(74,324,119)	(74,502,902)	178,783	0%
Grants and Subsidies	2	(3,228,940)	(3,228,940)	(5,018,568)	1,789,628	55%
Contributions Reimbursements and Donations	3	(2,741,133)	(2,741,133)	(2,804,063)	62,930	2%
Profit on Asset Disposals	4	(111,115)	(111,115)	(63,782)	(47,333)	(43)%
Fees and Charges	5	(31,790,619)	(31,790,619)	(32,519,233)	728,614	2%
Investment Earnings	6	(5,470,132)	(5,470,132)	(5,812,608)	342,476	6%
Other Revenue/Income	7	(208,080)	(208,080)	(284,494)	76,414	37%
<b>Total Operating Revenue</b>		<b>(117,874,138)</b>	<b>(117,874,138)</b>	<b>(121,005,650)</b>	<b>3,131,512</b>	<b>3%</b>
<b>OPERATING EXPENSES</b>						
Employee Costs	8	49,113,097	49,113,097	47,945,837	1,167,260	2%
Materials and Contracts	9	44,182,414	44,182,414	42,858,744	1,323,670	3%
Utilities (gas, electricity, water etc.)		5,533,040	5,533,040	5,564,083	(31,043)	(1)%
Depreciation of Non-Current Assets	10	22,760,376	22,760,376	23,004,304	(243,928)	(1)%
Loss on Asset Disposal	4	148,505	148,505	129,639	18,866	13%
Interest Expenses		675,101	675,101	667,320	7,781	1%
Insurance Expenses		1,342,161	1,342,161	1,368,046	(25,885)	(2)%
<b>Total Operating Expenses</b>		<b>123,754,694</b>	<b>123,754,694</b>	<b>121,537,973</b>	<b>2,216,721</b>	<b>2%</b>
<b>(SURPLUS)/DEFICIT FROM OPERATIONS</b>		<b>5,880,556</b>	<b>5,880,556</b>	<b>532,323</b>	<b>5,348,233</b>	<b>(91)%</b>
<b>OPERATING NON-CASH ADJUSTMENTS</b>						
Depreciation on Assets		(22,760,376)	(22,760,376)	(23,004,304)	243,928	1%
Loss on Asset Disposal		(148,505)	(148,505)	(129,639)	(18,866)	(13)%
Profit on Asset Disposals		111,115	111,115	63,782	47,333	(43)%
<b>OPERATING CASH (SURPLUS)/DEFICIT</b>		<b>(16,917,209)</b>	<b>(16,917,210)</b>	<b>(22,537,838)</b>	<b>5,620,628</b>	<b>33%</b>
<b>NON-OPERATING REVENUE</b>						
Capital Grants and Subsidies	11	(6,477,471)	(6,477,471)	(5,217,169)	(1,260,302)	(19)%
Capital Contributions	12	(22,375)	(22,375)	(83,426)	61,051	273%
Acquired Infrastructure Assets	13	(1,400,000)	(1,400,000)	-	(1,400,000)	(100)%
<b>Total Non-Operating Revenue</b>		<b>(7,899,846)</b>	<b>(7,899,846)</b>	<b>(5,300,595)</b>	<b>(2,599,251)</b>	<b>(33)%</b>
<b>CAPITAL EXPENDITURE</b>						
Capital Projects	14	2,346,368	2,346,368	1,485,873	860,495	37%
Capital Works	15	23,983,685	23,983,685	15,302,566	8,681,119	36%
Motor Vehicle Replacements	16	3,174,146	3,174,146	2,655,473	518,673	16%
Loan Repayment Principal		1,479,763	1,479,763	1,479,763	(0)	(0)%
Equity Investments		34,000	34,000	42,516	(8,516)	(25)%
<b>Total Capital Expenditure</b>		<b>31,017,962</b>	<b>31,017,962</b>	<b>20,966,191</b>	<b>10,051,771</b>	<b>32%</b>
<b>CAPITAL (SURPLUS)/DEFICIT</b>		<b>23,118,116</b>	<b>23,118,116</b>	<b>15,665,596</b>	<b>7,452,520</b>	<b>32%</b>
<b>(SURPLUS)/DEFICIT FROM OPERATIONS AND CAPITAL</b>		<b>6,200,906</b>	<b>6,200,906</b>	<b>(6,872,242)</b>	<b>13,073,148</b>	<b>(211)%</b>
<b>FUNDING</b>						
Proceeds from Disposal	4	(774,906)	(774,906)	(304,892)	(470,014)	(61)%
Loan Funds		-	-	-	-	0%
Materials Recovery Facility		-	-	(200,000)	200,000	100%
Transfer from Reserve		(9,943,896)	(9,943,896)	(6,799,111)	(3,144,786)	(32)%
Transfer to Reserve		6,103,953	6,103,953	12,801,098	(6,697,145)	(110)%
Transfer to Accumulated Surplus		1,400,000	1,400,000	-	1,400,000	100%
Opening Funds		(2,987,469)	(2,987,469)	(3,019,295)	31,826	1%
<b>CLOSING FUNDS</b>	17	<b>(1,412)</b>	<b>(1,412)</b>	<b>(4,394,441)</b>	<b>4,393,029</b>	<b>311121%</b>



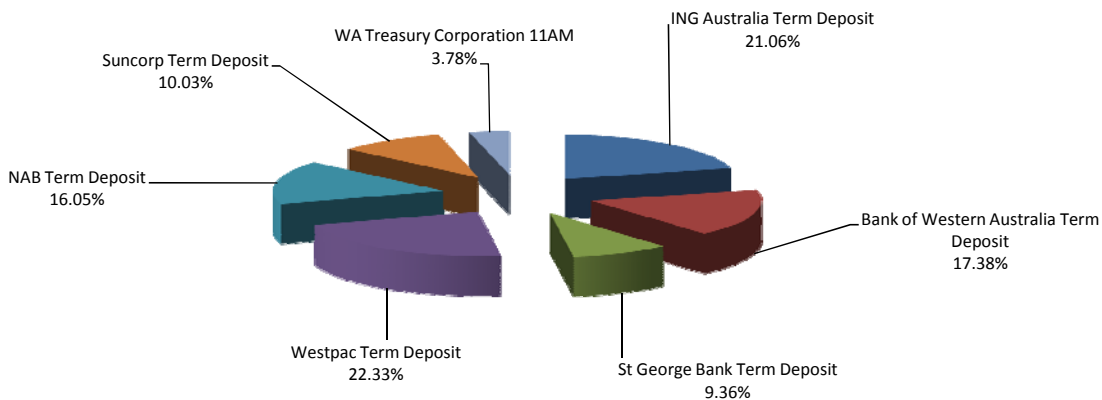
# Investment Summary

**CITY OF JOONDALUP**  
June-12

Credit Rating		Investment Account	MTD Return	YTD Return	Value \$	% of Portfolio	Policy Limit
Long Term	Short Term						
A	A-1	ING Australia Term Deposit	5.99%	5.99%	\$ 15,750,000	20.78%	15%
AA-	A-1+	Bank of Western Australia Term Deposit	5.73%	6.05%	\$ 13,000,000	19.97%	20%
AA-	A-1+	St George Bank Term Deposit	5.73%	5.72%	\$ 7,000,000	13.11%	20%
AA-	A-1+	Westpac Term Deposit	5.56%	5.90%	\$ 16,700,000	14.60%	20%
AA-	A-1+	NAB Term Deposit	5.63%	5.85%	\$ 12,000,000	14.98%	20%
A+	A-1	Suncorp Term Deposit	5.87%	6.29%	\$ 7,500,000	13.60%	15%
A-1+	AAA	WA Treasury Corporation 11AM	3.49%	4.31%	\$ 2,828,000	2.96%	20%

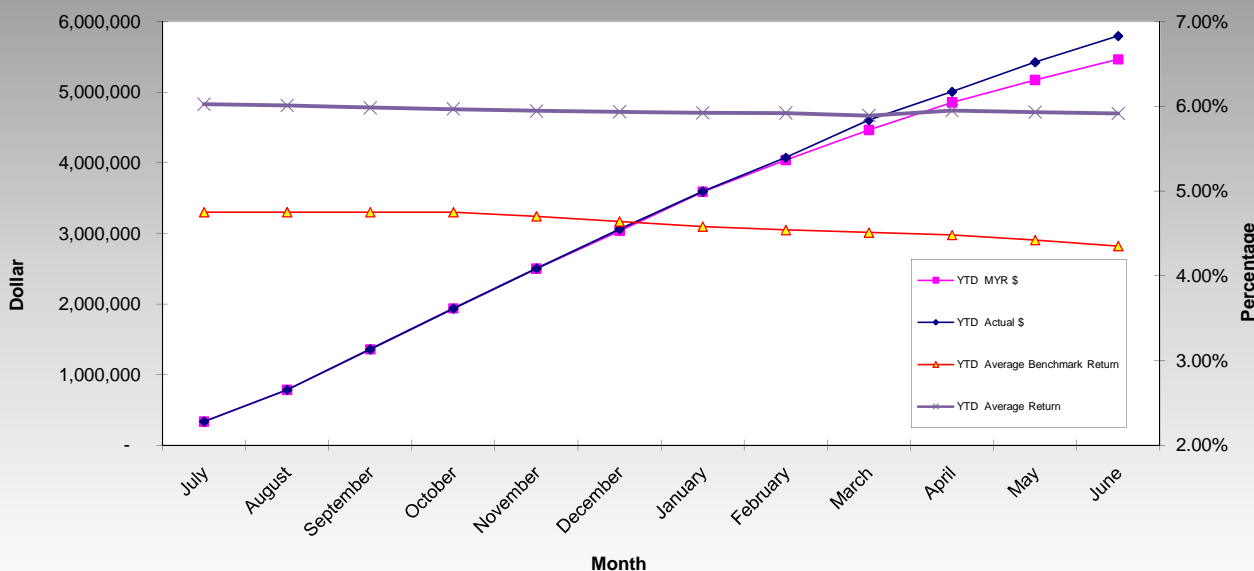
<b>Total Investment Portfolio</b>		5.92%	<b>74,778,000</b>	100.00%
Municipal Funds			26,630,669	
Reserve Funds			48,147,331	
			<b>74,778,000</b>	

## City of Joondalup - Investment Balances



Month	MTD MYR \$	MTD Actual \$	YTD MYR \$	YTD Actual \$	YTD Average Benchmark Return	YTD Average Return
July	336,133	336,115	336,133	336,115	4.75%	6.02%
August	448,736	448,605	784,869	784,720	4.75%	6.01%
September	572,893	572,870	1,357,762	1,357,590	4.75%	5.98%
October	579,857	579,807	1,937,619	1,937,397	4.75%	5.97%
November	565,747	565,746	2,503,366	2,503,143	4.70%	5.94%
December	530,843	556,767	3,034,209	3,059,910	4.64%	5.94%
January	555,537	534,637	3,589,746	3,594,548	4.58%	5.92%
February	447,615	478,108	4,037,361	4,072,656	4.54%	5.92%
March	428,320	532,199	4,465,681	4,604,185	4.51%	5.89%
April	386,824	401,994	4,852,505	5,006,179	4.48%	5.95%
May	318,752	417,698	5,171,257	5,423,877	4.42%	5.93%
June	292,692	370,931	5,463,949	5,794,808	4.35%	5.92%

## Return on Investments





**NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY STATEMENT**  
**FOR THE PERIOD ENDED ON 30 JUNE 2012**

(Subject to final audited accounts)

**1. Rates**

Interim Rates issued are \$202,725 above budget. This is partially offset by Administration fees and Interest charges to date which are (\$18,591) below budget.

**2. Grants & Subsidies**

	YTD Revised Budget	YTD Actual	Variance
a) State General Purpose Assistance Grant	\$2,680,786	\$4,418,883	\$1,738,097
b) Other Grants & Subsidies	\$548,154	\$599,685	\$51,531
	<u>\$3,228,940</u>	<u>\$5,018,568</u>	<u>\$1,789,628</u>

a) The first payment of \$1,738,098 for the 2012/13 State General Purpose Assistance Grant has been received in June 2012.

b) The City received an unbudgeted subsidy of \$49,796 from Main Roads WA for 50% of the cost of street lighting on qualifying roads. In addition, an unbudgeted Count Me In Inclusion grant of \$39,800 was received for the Bits and Bytes Training Program and Internet Cafe Project.

The Walkability Master Plan project has experienced delays and is forecast to be completed by October 2012. The budgeted Grant funding of (\$40,000) will be received after completion.

**3. Contributions, Reimbursements and Donations**

	YTD Revised Budget	YTD Actual	Variance
a) Sale of Recyclable Materials	\$1,640,000	\$1,734,780	\$94,780
b) Other Contributions, Reimbursements and Donations	\$1,101,133	\$1,069,283	(\$31,850)
	<u>\$2,741,133</u>	<u>\$2,804,063</u>	<u>\$62,930</u>

a) Recyclable revenue received is above budget estimates for the period.

b) Favourable variances arose on Event Sponsorship \$30,127, Insurance reimbursements \$13,363 and Marmion Avenue median reimbursement from Main Roads \$14,894. These are offset by Utility charges to occupants of City buildings which is (\$94,016) below budget. The balance of the variance is spread across a number of areas.



#### 4. Asset Disposals

These variances are mainly due to the actual disposal of assets occurring later than estimated in the budget as a result of Fleet and Plant replacements being purchased later than planned in the budget.

#### 5. Fees & Charges

	YTD Revised Budget	YTD Actual	Variance
a) Refuse Charges	\$16,984,374	\$17,043,674	\$59,300
b) Parking Fees	\$1,585,000	\$1,767,352	\$182,352
c) Sports & Recreation Fees	\$6,937,283	\$7,318,153	\$380,870
d) Building and Development Fees	\$1,744,305	\$1,848,623	\$104,318
e) Hire and Rentals	\$613,497	\$705,722	\$92,225
f) Fines & Penalties	\$1,689,424	\$1,614,315	(\$75,109)
Other variances – not material	\$2,236,736	\$2,221,394	(\$15,342)
	<u>\$31,790,619</u>	<u>\$32,519,233</u>	<u>\$728,614</u>

- a) This variance is due to the actual number of refuse collection services charged being higher than budgeted.
- b) On and Off Street Parking Fees is \$168,089 above budget due to higher level of use. In addition Private Property Agreements revenue is \$14,263 above budget.
- c) Revenue for the Hire of Facilities and Parks is \$115,177 above budget. In addition revenue is above budget for the Learn to Swim program \$154,011 and Admission Fees \$91,495 driven by strong pool admissions.
- d) Revenue is above budget for Development Application Fees \$206,950 and Land Purchase Enquiries \$62,420. These are partially offset by Building License Fees that are (\$170,075) below budget
- e) Property Rental is \$79,775 above budget for the year due to a number of new telecommunication leases and a review of all existing leases to ensure that the correct rental fees are being charged.
- f) This includes unfavourable variances for Parking infringements (\$93,719) and Poundage Fees (\$20,040) offset by a favourable variance for Fines and Penalties issued by the Rangers of \$41,761.

#### 6. Investment Earnings

Investment income exceeded budget by \$342,476 as the volume of funds invested is higher than budgeted.





## 7. Other Revenue / Income

	YTD Adopted Budget	YTD Actual	Variance
a) Discounts Received	\$115,080	\$130,021	\$14,941
b) Adshell – Advertising	\$90,000	\$139,256	\$49,256
Other variances - not material	-	\$15,217	\$15,217
	<u>\$208,080</u>	<u>\$284,494</u>	<u>\$76,414</u>

- a) The discount received on early settlement of supplier invoices is \$14,941 above budget.
- b) This variance includes \$27,436 revenue received this year relating to advertising during the last quarter of the previous financial year and \$21,820 additional revenue for 2011/12 than budgeted.

## 8. Employee Costs

	YTD Revised Budget	YTD Actual	Variance
a) Salaries & Wages	\$46,570,605	\$45,407,898	\$1,162,707
b) Other Employment Costs	\$2,542,492	\$2,537,939	\$4,553
	<u>\$49,113,097</u>	<u>\$47,945,837</u>	<u>\$1,167,260</u>

- a) This favourable variance is due to vacancies and savings in a number of areas.
- b) This includes favourable variances for Staff Training costs \$109,681, Conferences and Seminars \$37,653, Study Assistance \$42,598 and Fringe Benefits Tax \$21,822. These are offset by unfavourable variances for Agency Employees (\$122,228) which are used to cover vacant positions and Staff Recruitment costs (\$92,971).



## 9. Materials and Contracts

	YTD Revised Budget	YTD Actual	Variance
a) Administration	\$1,306,227	\$1,221,192	\$85,035
b) Professional Fees & Costs	\$2,204,288	\$1,735,519	\$468,769
c) Public Relations, Advertising & Promotions	\$1,109,710	\$902,751	\$206,959
d) Computing	\$1,352,920	\$1,156,510	\$196,410
e) Travel, Vehicles & Plant	\$1,467,197	\$1,532,419	(\$65,222)
f) Contributions & Donations	\$2,069,965	\$1,840,829	\$229,136
g) Other Materials	\$1,569,587	\$1,467,573	\$102,014
h) Waste Management Services	\$9,341,495	\$9,622,057	(\$280,562)
i) External Services Expenses	\$18,968,184	\$18,677,815	\$290,369
j) Elected Member Costs	\$415,335	\$331,712	\$83,623
k) Charges and Recoveries	(\$378,552)	(\$327,726)	(\$50,826)
Other Variances - not material	\$4,756,058	\$4,698,093	\$57,965
	<u>\$44,182,414</u>	<u>\$42,858,744</u>	<u>\$1,323,670</u>

- a) This is primarily attributable to favourable variances for Election Costs \$40,147 and Printing \$68,294 which are partially offset by an unfavourable variance for Other Sundry Administration Expenses (\$32,676).
- b) This favourable variance is attributable to lower than expected expenditure on Consultancy \$420,442, Lodgment Fees \$19,052 and Legal expenses \$16,212.
- c) This favourable variance arose on a number of expenditure items which includes Promotions \$47,056, Advertising \$37,026, Catering \$67,104, Bar Stocks \$34,096 and Signage \$12,280.
- d) This favourable variance includes Software Maintenance renewals \$103,096 as a result of a change in the accounting treatment where by annual renewals were charged in full in the year they commenced and are now charged on a monthly basis from the anniversary date and Centaman software maintenance that was duplicated in the budget. Additional favourable variances include Software Purchases \$31,516, Data Communication Links costs \$17,169, Software Licences \$16,721 and Internet Provider costs \$11,576.
- e) This unfavourable variance is predominantly due to Fuel costs which are (\$66,839) over budget.
- f) Favourable variances arose for Contributions for the Joondalup CAT bus service \$10,945, Woodvale Waters \$55,000 and Yellagonga ICM Project \$22,000. In addition favourable variances also arose for Donations \$34,293 for Kidsport grant disbursements that have been included in the 2012/13 budget, Sponsorships \$85,314 and Prizes and Trophies \$15,769.

Contributions to fund the operating deficit for the Warwick Leisure Centre are (\$30,297) higher than budget for the financial year. The balance of the variance is spread across a number of areas.



- g) Material purchases are below budget for Building Maintenance \$114,168. This is offset by an increase in expenditure for External Contractors who invoice the City for labour and materials supplied combined (ref. i below). This variance also includes a favourable variance for Administration Building Works \$33,972. Unfavourable variances occurred for Material purchases for Operation Services (\$26,517) and the purchase of Trading Stock (\$13,299) for the pro shop at the Craigie Leisure Centre.
- h) The Materials Recovery Facility operating costs are \$466,929 over budget due to glass disposal costs and the operational cost of the facility being higher than estimated. In addition a favourable variance of \$186,368 occurred for domestic, bulk and weekend green waste collection for the year.
- i) External Contractor Service expenditure for the City is (\$46,335) over budget. Favourable variances arose for Graffiti Removal \$116,196, Infrastructure Inventory Data Collection \$91,564, Waste Management \$94,166, Marketing \$53,507 and Financial Services TechOne work \$51,959. Building Maintenance external contractor charges are (\$390,237) above budget as a result of higher reactive maintenance to date and material purchases being included in contractor combined charges (ref. h above). Operation Services external contractor charges are (\$166,823) over budget mainly for refuse removal, medium strip maintenance and tree pruning under power lines. The balance is mainly attributable to the reversal of prior year accruals that were not required.
- Other favourable variances arose for Program Activities \$35,513, Pest Control \$34,778, Production Costs \$14,612, Poundage Fees \$14,520 and Domestic and Bulk Tipping Fees \$201,086. The balance of the variance is spread across a number of areas.
- j) Elected Member Conference and Training Expenses are \$105,049 below budget. This is partially offset by Telecommunications Allowances which are (\$10,767) over budget as a result of an amendment to the City policy in respect of the frequency of payment of these allowances and Travel and Child Care reimbursements that are (\$11,369) over budget.
- k) Capital Overhead Recoveries are (\$99,027) below budget as the capital work crew is undertaking more maintenance work instead of capital work. This is partially offset by Fleet and Plant Recovery on capital work that is \$48,916 above budget.

#### **10. Depreciation of Non-Current Assets**

Depreciation is over budget on Property, Plant and Equipment Assets (\$107,763) and Infrastructure Assets (\$136,165).



## 11. Capital Grants and Subsidies

	YTD Revised Budget	YTD Actual	Variance
a) Major Road Construction	\$1,914,667	\$181,818	(\$1,732,849)
b) Blackspot Projects	\$604,118	\$223,763	(\$380,355)
c) Road Preservation / Resurfacing program	\$3,654,969	\$4,598,364	\$943,395
d) New Paths	\$167,943	\$70,893	(\$97,050)
Other	\$135,774	\$142,331	\$6,557
	<u>\$6,477,471</u>	<u>\$5,217,169</u>	<u>(\$1,260,302)</u>

- a) The grant revenue from the final claim for the Moore Drive / Connolly Drive dual carriageway project was (\$364,849) below budget. In addition grant funding for the Moore Drive (East) project (\$1,368,000) is to be received in 2012/13.
- b) Net final grants to be claimed on projects that are complete total (\$74,163) with an additional (\$110,158) pertaining to projects completed below budget estimates (ref. 15e below). In addition an unfavourable timing variance of (\$190,000) arose for grants to fund carried forward projects to be completed in 2012/13 including work on Oceanside Promenade.
- c) This favourable variance includes the first payment of \$1,133,381 for the 2012/13 State Local Road Grant that was received in June 2012. This is partially offset by unfavourable grant revenue variances for Roads to Recovery (\$122,618) and the 2011/12 State Local Road Grant (\$59,421).
- d) Grants for Hepburn Avenue (\$23,300) and Marmion Avenue (\$23,750) will not be received because the projects have been withdrawn. In addition an unfavourable variance of (\$50,000) arose for the Public Transport Authority Disability Access grant. This will not be claimed because the Public Transport Authority actually completed one project themselves to which the City contributed 50%.

## 12. Capital Contributions

The City received unbudgeted Contributions of \$69,301 for Small Technology Certificates for the installation of solar panels on various buildings.

## 13. Acquired Infrastructure Assets

The City did not acquire any assets from developers during the financial year.



#### 14. Capital Projects

	YTD Revised Budget	YTD Actual	Variance
a) Ocean Reef Marina Development	\$585,618	\$375,452	\$210,166
b) Information Technology Projects - various	\$564,364	\$400,406	\$163,958
c) Joondalup Performing Arts & Cultural Facility	\$235,000	\$140,294	\$94,706
d) Materials Recovery Facility upgrade	\$299,667	\$151,934	\$147,733
e) Public Art	\$50,000	-	\$50,000
f) Cafes / Restaurants / Kiosks	\$111,803	\$28,812	\$82,991
g) Joondalup City Centre Commercial Office Development	\$100,000	\$40,969	\$59,031
Other Projects – not material	\$399,916	\$348,006	\$51,910
	<u>\$2,346,368</u>	<u>\$1,485,873</u>	<u>\$860,495</u>

- a) The City has been progressing the tasks associated with the Environmental and Planning Approvals Strategy. The anticipated expenditure assumed that a number of additional tasks would need to be undertaken to contribute to the Environmental Planning Approvals Section 16 submission; however the previous work undertaken by the City was considered sufficient by the consultants for inclusion in the submission.
- b) This favourable variance is due to timing differences on a number of Information Technology projects as equipment on order has not yet arrived.
- c) Consultants are currently undertaking the Feasibility Study and Market Analysis for the Joondalup Performing Arts and Cultural Facility and the shortfall in expenditure relates to the timing of receipt of consultants progress invoices.
- d) The glass cleaning facility upgrade is complete and operational. Projects totalling \$89,667 are to be carried forward into 2012/13.
- e) Although an artist has been identified it was determined to carry the \$50,000 forward into a new Public Art reserve. This will be combined with an additional budget allocation in 2012/13.
- f) A report is pending submission to Elected Members and further expenditure on this project is conditional on Elected Members' decision.
- g) The shortfall in expenditure for 2011/12 was influenced by the delayed announcement from the State Government on the relocation of agencies to strategic Metropolitan centres. In anticipation of a favourable announcement from the State Government, the Strategic Financial Management Committee has instructed the CEO to engage consultants to progress with the preparation of an Expression of Interest process.



## 15. Capital Works

	YTD Revised Budget	YTD Actual	Variance
a) Road Preservation / Resurfacing Program	\$4,833,719	\$4,574,667	\$259,052
b) Stormwater Drainage Program	\$946,348	\$670,054	\$276,294
c) Paths Program	\$1,077,474	\$809,375	\$268,099
d) Streetscape Enhancement Program	\$2,644,472	\$1,833,402	\$811,070
e) Traffic Management Program	\$1,904,312	\$1,053,631	\$850,681
f) Parks Equipment Program	\$2,419,646	\$1,556,375	\$863,271
g) Major Road Construction Program	\$4,448,642	\$556,705	\$3,891,937
h) Parks Development Program	\$1,255,417	\$1,062,855	\$192,562
i) Major Projects Program	\$721,991	\$465,872	\$256,119
j) Building Capital Works Program	\$2,344,664	\$1,953,421	\$391,243
k) Parking Facilities Program	\$393,207	\$169,122	\$224,085
l) Street Lighting Program	\$356,955	\$52,351	\$304,604
Other Works variances - not material	\$636,838	\$544,736	\$92,102
	<u>\$23,983,685</u>	<u>\$15,302,566</u>	<u>\$8,681,119</u>

- a) The Road Preservation & Resurfacing Program has been completed with a net favourable variance to budget of \$240,090, this includes Marjorie Street \$55,500 as the project was completed in 2010/11.
- b) The Stormwater Drainage program has experienced delays in the design phase of a number of projects. Favourable timing variances on projects to be carried forward include Kingsley Drive sump \$61,527, Mullaloo Surf Club car park \$45,000, Tom Simpson car park \$45,000, Ellersdale Park sump \$80,000 and Craigie sump improvement \$49,950.
- c) The Paths Replacement Program has been completed \$16,688 below budget. The New Paths Program variance includes Bankhurst Way \$34,000 and Lakeway Drive Upgrade \$46,609 that are to be completed in 2012/13. Marmion Ave - Monkhouse Way and Hepburn Ave - Claygate Way have both been withdrawn with savings of \$47,500 and \$46,000 respectively.
- d) This variance includes \$760,402 for projects to be carried forward into 2012/13 including Entry Statements \$349,893, Joondalup Drive Landscaping \$169,200 and Central Walk Renewal Works \$70,526. In addition a favourable variance arose on the City Centre Planter Boxes \$60,500 which was to be funded from reserve.
- e) The net saving on completed projects in the Traffic Management Program is \$351,016, this includes projects at Craigie Drive / Haddington Street, Sheppard Way, Mullaloo Drive and Marmion Avenue / Whitfords Avenue turn pocket. This is partially offset by reduced Blackspot Grant funding (ref. 12b above).

A number of projects are to be carried forward to 2012/13, these are Oceanside Promenade \$363,460, Whitfords and Eddystone Avenue \$42,898, Endeavour Road \$44,000, Illyarrie / Tuart Road \$39,000 and Regatta Drive \$10,307.





- f) Variances arose for Flood Light and Pole replacement \$445,736, the Shade Structure Program \$40,978, Montague Park \$74,251, Duncraig Community Centre \$103,000, Burns Beach Park \$31,421, Charonia Kindy Playground \$26,582, Ocean Reef Skate Park \$21,731 and the decommissioning of Fenton Park Tennis Courts \$20,000 which have all been identified to be carried forward and completed in 2012/13.

In addition the resurfacing of Tennis Courts at Heathridge Park was completed \$57,731 below budget however this saving will be carried forward to fund other related projects in 2012/13.

- g) Moore Drive (East) is to be carried forward and completed in 2012/13 causing a favourable variance of \$4,059,375. This is offset by an unfavourable variance of (\$167,437) for Moore Drive / Connolly Drive dual carriageway which is complete.
- h) Variances include Carlton Park \$55,416, Iluka SAR Landscaping \$23,816 and Kinglsey Park Landscaping \$136,337 which are all to be carried forward into 2012/13.
- i) This favourable variance is predominantly a timing variance for Tom Simpson Park \$271,023 which is to be carried forward to the next financial year
- j) This includes favourable variances for photo voltaic installation at Joondalup Library \$61,842 and photo voltaic and lighting at Fleur Freame \$245,066 which are both to be carried forward into 2012/2013.
- k) This includes variances for the construction / modification of car parks at Sacred Heart College \$195,000, Patricia Giles Centre \$40,000 and Robin Reserve \$26,810 which will be completed in 2012/13.
- l) The Street lighting favourable variance is mainly due to projects being carried forward to 2012/13 including Joondalup City Centre \$183,005, Davidson Terrace \$60,060 and Arterial and Urban Roads \$24,095.

#### **16. Motor Vehicle Replacements**

This favourable variance is mainly due to timing differences to budget. Orders totalling \$429,585 have been placed and are scheduled for delivery in July 2012. The balance of the variance reflects a net saving to budget on acquisitions for the year.



### 17. Closing Funds

	June 2011	June 2012
<b>Current Assets</b>		
Cash Assets	\$66,889,699	\$74,807,969
Rates and Sundry Debtors	\$2,835,602	\$1,828,476
GST Receivable	\$871,475	\$729,744
Accrued Income	\$1,127,694	\$1,503,567
Advances and Prepayments	\$938,303	\$514,040
	\$72,662,773	\$79,383,796
<b>Less: Current Liabilities</b>		
Creditors	(\$5,007,309)	(\$2,915,453)
Sundry Payables	(\$243,257)	(\$291,233)
Provisions - Annual Leave	(\$3,026,905)	(\$3,402,016)
Provisions - Other	(\$4,849,904)	(\$5,616,370)
Accrued Expenses	(\$5,314,529)	(\$5,238,139)
Income in Advance	(\$1,020,183)	(\$1,105,017)
Borrowings	(\$1,479,763)	(\$1,565,374)
GST Payable	(\$225,176)	(\$116,874)
	(\$21,167,026)	(\$20,250,476)
<b>Net Current Assets</b>	<b>\$51,495,747</b>	<b>\$59,133,320</b>
<b>Add:</b> Borrowings	\$1,479,763	\$1,565,374
<b>Less:</b> Reserves	(\$48,526,878)	(\$54,528,866)
<b>Less:</b> Non-current Provision	(\$1,460,326)	(\$1,850,357)
<b>Closing Funds - Surplus</b>	<b>\$2,988,306</b>	<b>\$4,319,471</b>
<b>Add/(less):</b> Other non-current adjustments	\$30,989	\$74,970
<b>Adjusted Closing Funds - Surplus</b>	<b>\$3,019,295</b>	<b>\$4,394,441</b>





# City of Joondalup

Financial Activity Statement for the  
Period Ended 31 July 2012

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**City of Joondalup**  
**Financial Activity Statement**  
for the period ended 31 July 2012

	Notes	Adopted Budget	YTD Adopted Budget	YTD Actual	YTD Variance \$	YTD Variance %
<b>OPERATING REVENUE</b>						
Rates		(78,599,804)	(77,154,975)	(77,104,587)	(50,388)	(0)%
Grants and Subsidies	1	(2,231,117)	(38,163)	(62,207)	24,044	63%
Contributions Reimbursements and Donations	2	(2,200,007)	(177,998)	(110,980)	(67,018)	(38)%
Profit on Asset Disposals	3	(51,230)	-	(29,465)	29,465	100%
Fees and Charges	4	(33,495,504)	(19,263,825)	(19,650,697)	386,872	2%
Investment Earnings	5	(3,654,070)	(260,641)	(351,097)	90,456	35%
Other Revenue/Income		(167,000)	(333)	-	(333)	(100)%
<b>Total Operating Revenue</b>		<b>(120,398,732)</b>	<b>(96,895,935)</b>	<b>(97,309,033)</b>	<b>413,098</b>	<b>0%</b>
<b>OPERATING EXPENSES</b>						
Employee Costs	6	52,088,573	5,013,001	5,122,534	(109,533)	(2)%
Materials and Contracts	7	45,254,280	3,653,526	2,715,193	938,333	26%
Utilities (gas, electricity, water etc.)	8	5,880,263	488,185	531,783	(43,598)	(9)%
Depreciation of Non-Current Assets		20,635,630	1,733,625	1,752,562	(18,937)	(1)%
Loss on Asset Disposal		340,409	-	109	(109)	(100)%
Interest Expenses		589,992	51,904	54,211	(2,307)	(4)%
Insurance Expenses		1,475,713	852,279	814,924	37,355	4%
<b>Total Operating Expenses</b>		<b>126,264,859</b>	<b>11,792,520</b>	<b>10,991,316</b>	<b>801,204</b>	<b>7%</b>
<b>(SURPLUS)/DEFICIT FROM OPERATIONS</b>		<b>5,866,128</b>	<b>(85,103,415)</b>	<b>(86,317,717)</b>	<b>1,214,302</b>	<b>1%</b>
<b>OPERATING NON-CASH ADJUSTMENTS</b>						
Depreciation on Assets		(20,635,630)	(1,733,625)	(1,752,562)	18,937	1%
Loss on Asset Disposal		(340,409)	-	(109)	109	(100)%
Profit on Asset Disposals		51,230	-	29,465	(29,465)	100%
<b>OPERATING CASH (SURPLUS)/DEFICIT</b>		<b>(15,058,681)</b>	<b>(86,837,040)</b>	<b>(88,040,923)</b>	<b>1,203,883</b>	<b>1%</b>
<b>NON-OPERATING REVENUE</b>						
Capital Grants and Subsidies		(8,247,704)	-	-	-	0%
Capital Contributions		(1,615,000)	-	-	-	0%
Acquired Infrastructure Assets		(500,000)	-	-	-	0%
<b>Total Non-Operating Revenue</b>		<b>(10,362,704)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0%</b>
<b>CAPITAL EXPENDITURE</b>						
Capital Projects	9	3,672,657	321,809	33,892	287,917	89%
Capital Works	10	32,437,935	437,195	249,356	187,839	43%
Motor Vehicle Replacements	11	3,195,000	783,000	28,834	754,166	96%
Loan Repayment Principal		1,565,374	23,700	23,700	(0)	(0)%
Equity Investments		37,431	-	-	-	0%
<b>Total Capital Expenditure</b>		<b>40,908,397</b>	<b>1,565,704</b>	<b>335,782</b>	<b>1,229,922</b>	<b>79%</b>
<b>CAPITAL (SURPLUS)/DEFICIT</b>		<b>30,545,693</b>	<b>1,565,704</b>	<b>335,782</b>	<b>1,229,922</b>	<b>79%</b>
<b>(SURPLUS)/DEFICIT FROM OPERATIONS AND CAPITAL</b>		<b>15,487,012</b>	<b>(85,271,336)</b>	<b>(87,705,141)</b>	<b>2,433,805</b>	<b>3%</b>
<b>FUNDING</b>						
Proceeds from Disposal		(774,100)	(64,508)	(72,373)	7,865	12%
Loan Funds		-	-	-	-	0%
Materials Recovery Facility		(240,000)	-	-	-	0%
Transfer from Reserve		(16,289,984)	-	-	-	0%
Transfer to Reserve		3,867,807	-	-	-	0%
Transfer to Accumulated Surplus		500,000	-	-	-	0%
Opening Funds		(2,650,015)	(2,650,015)	(4,394,441)	1,744,426	66%
<b>CLOSING FUNDS</b>	12	<b>(99,280)</b>	<b>(87,985,859)</b>	<b>(92,171,955)</b>	<b>4,186,096</b>	<b>5%</b>



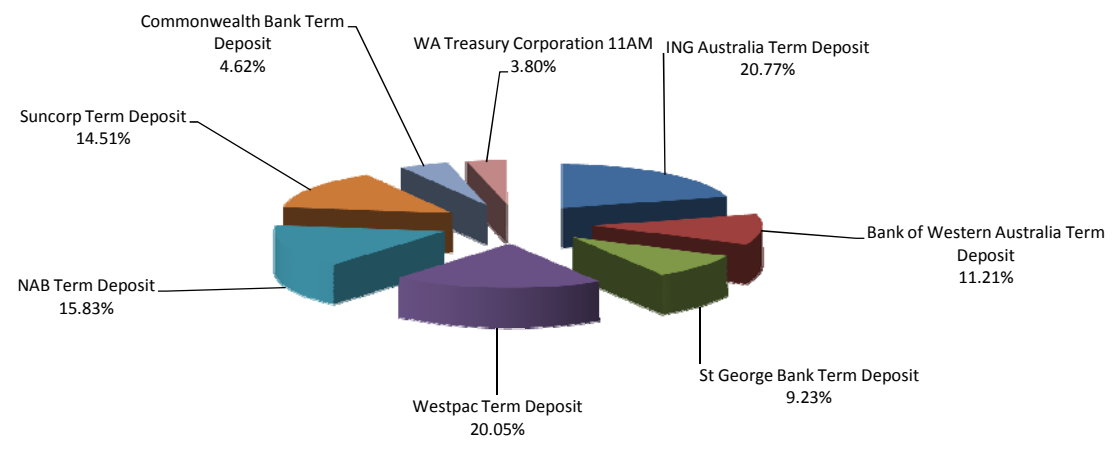
# Investment Summary

**CITY OF JOONDALUP**  
July-12

Credit Rating		Investment Account	MTD Return	YTD Return	Value \$	% of Portfolio	Policy Limit
Long Term	Short Term						
A	A-1	ING Australia Term Deposit	5.99%	5.99%	\$ 15,750,000	20.77%	15%
AA-	A-1+	Bank of Western Australia Term Deposit	5.61%	5.61%	\$ 8,500,000	11.21%	20%
AA-	A-1+	St George Bank Term Deposit	5.70%	5.70%	\$ 7,000,000	9.23%	20%
AA-	A-1+	Westpac Term Deposit	5.39%	5.39%	\$ 15,200,000	20.05%	20%
AA-	A-1+	NAB Term Deposit	5.57%	5.57%	\$ 12,000,000	15.83%	20%
A+	A-1	Suncorp Term Deposit	5.36%	5.36%	\$ 11,000,000	14.51%	15%
AA-	A-1+	Commonwealth Bank Term Deposit	4.48%	4.48%	\$ 3,500,000	4.62%	20%
A-1+	AAA	WA Treasury Corporation 11AM	3.45%	3.45%	\$ 2,878,000	3.80%	20%

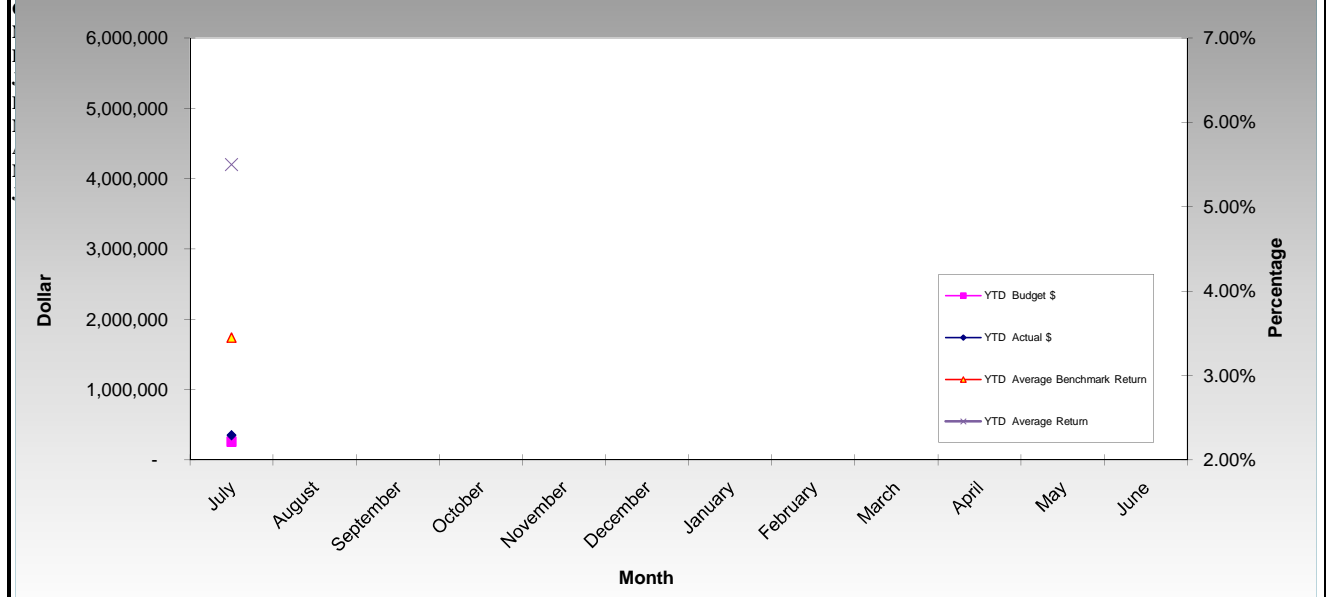
<b>Total Investment Portfolio</b>		5.50%	<b>75,828,000</b>	100.00%
<b>Municipal Funds</b>			21,349,561	
<b>Reserve Funds</b>			54,478,439	
			<b>75,828,000</b>	

## City of Joondalup - Investment Balances



Month	MTD Budget \$	MTD Actual \$	YTD Budget \$	YTD Actual \$	YTD Average Benchmark Return	YTD Average Return
July	261,184	350,809	261,184	350,809	3.45%	5.50%

## Return on Investments





**NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY STATEMENT**  
**FOR THE PERIOD ENDED ON 31 JULY 2012**

**1. Grants & Subsidies**

A favourable timing variance of \$19,250 arose for the Fire and Emergency Services Authority quarterly grant. In addition Financial Counselling grants were \$2,294 higher than budget and the City received an unbudgeted grant of \$2,500 for the Supporting Parents of Teenagers Program.

**2. Contributions, Reimbursements and Donations**

	YTD Adopted Budget	YTD Actual	Variance
a) Contributions	\$52,708	\$2,447	(\$50,261)
b) Sale of Recyclables	\$95,739	\$78,272	(\$17,467)
Reimbursements and Donations	\$29,551	\$30,261	\$710
	<u>\$177,998</u>	<u>\$110,980</u>	<u>(\$67,018)</u>

a) An unfavourable timing variance arose of (\$50,000) for Contributions from the Department of Education for the maintenance of school ovals under the shared use agreements which commenced in July 12; however, revenue will not be received until June 2013.

b) Recyclables revenue received is below budget estimates for the period.

**3. Profit on Asset Disposals**

This variance is due to assets being disposed in the period that were budgeted to be disposed of in the previous financial year.

**4. Fees & Charges**

	YTD Adopted Budget	YTD Actual	Variance
a) Refuse Charges	\$17,675,115	\$17,902,350	\$227,235
b) Sports & Recreation Fees	\$630,450	\$738,805	\$108,355
c) Building and Development Fees	\$126,512	\$165,550	\$39,038
Other variances – not material	\$831,748	\$843,992	\$12,244
	<u>\$19,263,825</u>	<u>\$19,650,697</u>	<u>\$386,872</u>

a) This variance is due to the actual number of refuse collection services charged being higher than budgeted.



- b) Revenue for the Leisure Centres exceeded budget by \$88,625 due to higher aquatic admissions, “Beat the Price Rise” membership promotion and strong term 3 enrolments for the Learn to Swim program. The balance is spread across a number of areas.
- c) Favourable variances arose for Building Licenses \$33,515 and Land Purchase Enquiries \$10,514. These are partially offset by Building and Development Charges that are (\$6,740) below budget.

## 5. Investment Earnings

Investment income exceeded budget by \$90,456 as the volume of funds invested is higher than budgeted.

## 6. Employee Costs

	YTD Adopted Budget	YTD Actual	Variance
a) Salaries & Wages	\$4,157,327	\$4,313,422	(\$156,095)
b) Other Employment Costs	\$855,674	\$809,112	\$46,562
	<u>\$5,013,001</u>	<u>\$5,122,534</u>	<u>(\$109,533)</u>

a) The Provision for Employee Entitlements is (\$346,782) higher than budget and is dependant on when employees take their annual and long service leave. This is partially offset by a favourable variance of \$190,687 for vacancies and savings in a number of areas.

b) Capital Labour Recoveries are \$41,113 higher than budget due to the timing of using internal labour on capital work.

## 7. Materials and Contracts

	YTD Adopted Budget	YTD Actual	Variance
a) Administration	\$102,086	\$69,371	\$32,715
b) Accommodation & Property	\$72,398	\$33,574	\$38,824
c) Public Relations, Advertising & Promotions	\$105,931	\$55,970	\$49,961
d) Computing	\$176,151	\$129,485	\$46,666
e) Travel, Vehicles & Plant	\$164,549	\$136,823	\$27,726
f) Contributions & Donations	\$102,733	\$35,982	\$66,751
g) Other Materials	\$193,251	\$66,468	\$126,783
h) Waste Management Services	\$685,551	\$763,533	(\$77,982)
i) External Services Expenses	\$1,512,011	\$956,283	\$555,728
j) Furniture, Equipment and Artworks	\$100,068	\$54,142	\$45,926
k) Charges and Recoveries	(\$33,007)	(\$65,696)	\$32,689
l) Books & Publications	\$37,120	\$70,075	(\$32,955)
Other Variances - not material	\$434,684	\$409,183	\$25,501
	<u>\$3,653,526</u>	<u>\$2,715,193</u>	<u>\$938,333</u>



- a) This includes a favourable variance for Printing of \$45,518 offset by unfavourable variances for Photocopying (\$8,093) and Photography & Video Production (\$3,768).
- b) Refuse Removal charges for the City are \$31,657 below budget due to invoices not being received for the period.
- c) This favourable variance arose on a number of expenditure items including Advertising \$42,496, mainly due to a delay in advertising the Local Commercial Strategy, and Promotions \$13,284.
- d) Computer Software Licences are \$46,507 below budget mainly due to timing variances including \$32,400 for Centaman Licences.
- e) This favourable variance is predominantly due to Vehicle Servicing Costs and Parts and Repairs which are \$24,902 below budget.
- f) A favourable timing variance arose for Sponsorship \$24,167. Grants and Contributions made are \$30,874 below budget which includes \$15,833 for the Warwick Leisure Centre. The balance of the variance is spread across a number of areas.
- g) An order has not yet been placed for the replacement of litter bins in public places generating a favourable variance of \$66,000. In addition favourable timing variances for material purchases have arose for Operation Services \$55,487 and Building Maintenance \$30,207 offset by Craigie Leisure Centre Trading Stock purchases which are (\$16,250) over budget.
- h) The Materials Recovery Facility operating costs are (\$79,854) over budget estimates.
- i) External Contractor Service expenditure for the City is \$613,479 below budget predominantly due to timing variances including Operation Services \$321,355 and Building Maintenance \$118,550. Orders have been raised for budgeted work that is now progressing. In addition timing variances arose for Marketing \$100,398 and Infrastructure Inventory Data Collection \$45,000.  
  
This variance also includes Domestic and Bulk Tipping Fees which are (\$66,220) over budget for the period.
- j) Favourable timing variances occurred for Parking Ticket Machine repairs and maintenance \$28,333 and Computer Equipment purchases \$12,255.
- k) Capital Overhead Recoveries are \$27,534 higher than budget due to the timing of using internal labour on capital work.
- l) Subscription invoices for Tutoring Australasia were processed a month earlier than budget generating an unfavourable timing variance of \$33,600.



## 8. Utilities

	YTD Adopted Budget	YTD Actual	Variance
a) Gas / Water	\$54,405	\$113,756	(\$59,351)
Electricity – not material	\$433,780	\$418,027	\$15,753
	<u>\$488,185</u>	<u>\$531,783</u>	<u>(\$43,598)</u>

- a) An unfavourable phasing variance has arisen for Water charges (\$60,030), invoices were processed for Community Facilities and City Buildings in July but were budgeted for in August.

## 9. Capital Projects

	YTD Adopted Budget	YTD Actual	Variance
a) Ocean Reef Marina Development	\$183,551	\$4,281	\$179,270
b) Joondalup Performing Arts & Cultural Facility	\$58,000	\$7,026	\$50,974
c) Survey Equipment	\$45,000	-	\$45,000
Other Projects – not material	\$35,258	\$22,585	\$12,673
	<u>\$321,809</u>	<u>\$33,892</u>	<u>\$287,917</u>

- a) In collaboration with consultants, the City is re-evaluating the optimal approach to obtaining environmental and planning approval.

- b) The City is reviewing the work undertaken prior to acceptance and then submission of invoices by the consultant.

- c) The Survey Equipment is now forecast to be ordered in August 2012.

## 10. Capital Works

	YTD Adopted Budget	YTD Actual	Variance
a) Road Preservation / Resurfacing Program	\$301,695	\$8,147	\$293,548
b) Stormwater Drainage Program	-	\$38,071	(\$38,071)
c) Traffic Management Program	-	\$29,110	(\$29,110)
d) Parks Equipment Program	\$95,500	\$39,654	\$55,846
e) Major Projects Program	-	\$35,018	(\$35,018)
f) Parking Facilities Program	\$40,000	\$72,076	(\$32,076)
Other Works variances - not material	-	\$27,280	(\$27,280)
	<u>\$437,195</u>	<u>\$249,356</u>	<u>\$187,839</u>

- a) The Road Preservation & Resurfacing Program is progressing. Commitments at the end of July totalled \$762,456.





- b) This variance is due to unbudgeted expenditure on projects that are funded from 2011/12 carry forward funds, including Periwinkle Park \$21,137 and Waterford Drive \$10,240.
- c) This variance is mainly due to unbudgeted expenditure on Illyarrie / Tuart Road (\$20,449) that was completed in 2011/12 and is funded by funds carried forward from the previous year.
- d) The playground equipment replacement at Burns Beach Park is due to be completed at the end of August giving a favourable timing variance of \$66,308.
- e) The Major Projects Program variance is due to works for Currambine Community Centre \$28,298 and Tom Simpson Park \$6,619 starting earlier than expected.
- f) An unfavourable variance of (\$60,287) has arisen for the construction of an additional car park at Sacred Heart College, this will be funded from 2011/12 carry forwards. In addition the Currambine Primary School project has commenced, generating a favourable timing variance to budget of \$28,212.

#### **11. Motor Vehicle Replacements**

This favourable variance is mainly due to timing differences to budget of \$663,000 and a saving of \$120,000 for a vehicle that was actually purchased in 2011/12. This is partially offset by an unbudgeted fleet purchase (\$28,834) which is funded from 2011/12 carry forwards.

Orders totalling \$762,180 have been placed and are scheduled for delivery in the coming months.



## 12. Closing Funds

	June 2012	July 2012
<b>Current Assets</b>		
Cash Assets	\$74,807,969	\$76,536,546
Rates and Sundry Debtors	\$1,818,801	\$99,841,550
GST Receivable	\$729,744	\$543,481
Accrued Income	\$1,503,567	\$1,471,810
Advances and Prepayments	\$514,040	\$303,431
	\$79,374,121	\$178,696,818
<b>Less: Current Liabilities</b>		
Creditors	(\$2,915,452)	(\$403,473)
Sundry Payables	(\$279,059)	(\$15,282,776)
Provisions - Annual Leave	(\$3,402,016)	(\$3,535,117)
Provisions - Other	(\$5,618,870)	(\$6,074,928)
Accrued Expenses	(\$5,238,139)	(\$4,684,836)
Income in Advance	(\$1,105,017)	-
Borrowings	(\$1,565,374)	(\$1,541,674)
GST Payable	(\$116,874)	(\$151,619)
	(\$20,240,801)	(\$31,674,423)
<b>Net Current Assets</b>	<b>\$59,133,320</b>	<b>\$147,022,395</b>
<b>Add:</b> Borrowings	\$1,565,374	\$1,541,674
<b>Less:</b> Reserves	(\$54,528,866)	(\$54,528,866)
<b>Less:</b> Non-current Provision	(\$1,850,357)	(\$1,938,218)
<b>Closing Funds - Surplus</b>	<b>\$4,319,471</b>	<b>\$92,096,985</b>
<b>Add/(less):</b> Other non-current adjustments	\$74,970	\$74,970
<b>Adjusted Closing Funds - Surplus</b>	<b>\$4,394,441</b>	<b>\$92,171,955</b>

**SUMMARY OF TENDER SUBMISSIONS**

Respondent & Description of Response	Is it Compliant? Yes or No	Comment Against Criteria				Evaluation Score	Price	Rank
		Capacity	Demonstrated experience completing similar projects	Demonstrated understanding of the requirements	Social and economic effects on the local community			
<p>Downer EDI Works Pty Ltd</p> <p>Offer subject to 14 amendments to contract conditions</p>	Partially	<p>It has operated in WA since 1968 with 656 staff in its WA civil division. A breakdown of staff in each WA location was supplied with an organisational chart. This was supported by the role, experience, qualifications and CVs of four key staff. A list of equipment to be used on the project was provided. The project manager was nominated for after hours support and additional resources would be sourced in-house or through subcontractors. The company operates an AS/NZS 4801:2001 OHS management system.</p>	<p>Downer EDI Works Pty Ltd demonstrated extensive experience completing similar projects. 12 example projects demonstrated its experience. The company is the current contractor to the City of Perth for minor civil construction and maintenance works. Other examples of completed works were for the Cities of Melville and Wanneroo and Main Roads. The referees supplied are the Cities of Melville, Perth and Wanneroo.</p>	<p>Downer EDI Works Pty Ltd demonstrated a thorough understanding of the project. A methodology specific to the project was supplied. This addressed site mobilisation and preparation, delineation of work areas, earthworks, road surfacing and site management. A provisional program was also included. No allowance has been made in the Offer for inclement weather and the program nominated a provisional delay period of five weeks.</p>	<p>The company will source locally for sub-contractors and use local suppliers where possible.</p> <p>The company's WA office is located in Redcliffe.</p>	69.7%	\$990,205	1

Respondent & Description of Response	Is it Compliant? Yes or No	Comment Against Criteria				Evaluation Score	Price	Rank
		Capacity	Demonstrated experience completing similar projects	Demonstrated understanding of the requirements	Social and economic effects on the local community			
<p>Curnow Group Pty Ltd</p> <p>Offer subject to retention monies in place of bank guarantee &amp; limit of liquidated damages to 5% of contract sum.</p>	Partially	<p>It has been in operation since 2009 with 26 staff. An organisational chart was supplied listing 13 key staff plus operators, crew leaders and labour groups. This was supported by the role, experience and qualifications of 12 employees. A list of all the equipment held by the company was supplied which meets the project requirements. After-hours contact, additional resources and personnel were supplied upon clarification. A safety management plan and safety record for 2010 to 2011 was supplied with various additional safety and health policies</p>	<p>It demonstrated experience in completing civil projects. 11 example projects were supplied. These consisted of demolition, road construction &amp; modifications &amp; associated traffic management, lighting, drainage works and landscaping. The projects were completed for the City of Wanneroo, Department of Transport, Shire of Roebourne, East Perth Redevelopment and various companies. The references supplied were the Shire of Carnarvon, EPRA/ NS Projects and Cardno BSD.</p>	<p>Curnow Group Pty Ltd demonstrated sufficient understanding of the project requirements. The work method statement addressed planning, mobilisation, demolition, earthworks, sub-base, basecourse and asphalt, drainage and practical completion. A provisional program was supplied upon clarification. The company has nominated Fulton Hogan as its subcontractor for asphalt.</p>	<p>The company employs local residents and uses other local subcontractors and suppliers.</p> <p>Curnow Group is based in Joondalup.</p>	62%	\$875,106	2

Respondent & Description of Response	Is it Compliant? Yes or No	Comment Against Criteria				Evaluation Score	Price	Rank
		Capacity	Demonstrated experience completing similar projects	Demonstrated understanding of the requirements	Social and economic effects on the local community			
<p>Neo Infrastructure (Aust) Pty Ltd</p> <p>Offer subject to fortnightly payment terms, limit on liquidated damages to 10% of contact sum, extended working hours and variation terms.</p>	Partially	<p>It has been in operation since 2009 with an unknown total number of staff. 8 staff plus construction workers were set out on the supplied organisational chart. CVs were also supplied for four key personnel. A brief list of equipment was listed on the provisional program. The submission did not address after-hours contact or the ability to provide additional resources and personnel. The company's risk management policy was supplied; however no safety record or procedures were submitted.</p>	<p>It did not demonstrate sufficient experience completing projects of a similar nature. The 11 example projects supplied included bridge works, coastal drainage works, subdivisional roads and works on rural roads. Although they were civil projects, no project demonstrated experience completing road works in a high volume traffic area. Referees included: AECOM, VDM Consulting and the Cities of Onkaparinga and Marion in SA &amp; the City of Gosnells.</p>	<p>The company did not demonstrate sufficient understanding of the project. A provisional program was supplied which set out the main tasks of the project; however no written methodology was provided. The company proposed an extended range of working hours not in accordance with those set out in the specification. The evaluation panel is not confident that the company understands the restriction of working hours for the project due to the use of facilities in the vicinity and volume of traffic in peak periods.</p>	<p>No response was supplied for this criterion.</p> <p>The company is located in Wangara.</p>	30%	\$628,000	3

**SCHEDULE OF ITEMS**

ITEM	DESCRIPTION	UOM
<b>ROTARY METHOD</b>		
<b>I.D. Casing 155 mm</b>		
1	Drill to suit 155 mm casing	metre
2	Drill (hard rock) to suit 155 mm casing	metre
3	Supply and fit 155 mm PVC casing and centralisers	metre
4	Supply and fit inline screen and fittings	metre
5	Bore development (compressed air)	hour
6	Bore development (water jetting)	hour
7	Bore development (surging)	hour
8	Test pumping	hour
9	Air free water sample and analysis	each
10	Bore cap	each
11	Withdraw casing (abandoned borehole)	Metre
<b>I.D. Casing 200 mm</b>		
12	Drill to suit 200 mm casing	metre
13	Drill (hard rock) to suit 200 mm casing	metre
14	Supply and fit 200 mm PVC casing and centralisers	metre
15	Supply and fit inline screen and fittings	metre
16	Bore development (compressed air)	hour
17	Bore development (water jetting)	hour
18	Bore development (surging)	hour
19	Test pumping	hour
20	Air free water sample and analysis	each
21	Bore cap	each
22	Withdraw casing (abandoned borehole)	metre
<b>CABLE TOOL METHOD</b>		
<b>I.D. Casing 155 mm</b>		
23	Drill to suit 155 mm casing	metre
24	Drill (hard rock) to suit 155 mm casing	metre
25	Supply and fit 155 mm steel casing	metre
26	Supply and fit telescopic screen and fittings	metre
27	Supply and fit 155 mm casing shoe and clamps	each
28	Screen fittings 200mm to packer base plate	each
29	Bore Development (compressed air)	hour
30	Bore Development (water jetting)	hour
31	Bore Development (surging)	hour
32	Test pumping	hour
33	Air free water sample and analysis	each
34	Bore cap	each
35	Withdraw casing (abandoned borehole)	metre

## TENDER 019/12 DRILLING, DEVELOPMENT AND TESTING OF BORES

ITEM	DESCRIPTION	UOM
<b>I.D. Casing 200mm</b>		
36	Drill to suit 200 mm casing	metre
37	Drill (hard rock) to suit 200 mm casing	metre
38	Supply and fit 200 mm steel casing	metre
39	Supply and fit telescopic screen and fittings	metre
40	Supply and fit screen	metre
41	Supply and fit 200 mm casing shoe and clamps	each
42	Screen fittings 200mm to packer base plate	each
43	Bore Development (compressed air)	hour
44	Bore Development (water jetting)	hour
45	Bore Development (surging)	hour
46	Test pumping	hour
47	Air free water sample and analysis	each
48	Bore cap	each
49	Withdraw casing (abandoned borehole)	Metre
<b>I.D. Casing 250mm</b>		
50	Drill to suit 250 mm casing	metre
51	Drill (hard rock) to suit 250 mm casing	metre
52	Supply and fit 250 mm steel casing	metre
53	Supply and fit telescopic screen and fittings	metre
54	Supply and fit 250 mm casing shoe and clamps	each
55	Screen fittings 250mm to packer base plate	each
56	Bore Development (compressed air)	hour
57	Bore Development (water jetting)	hour
58	Bore Development (surging)	hour
59	Test pumping	hour
60	Air free water sample and analysis	each
61	Bore cap	each
62	Withdraw casing (abandoned borehole)	metre

## SUMMARY OF TENDER SUBMISSIONS

Respondent & Description of Response	Is it Compliant? Yes or No	Comment Against Criteria				Evaluation Score	Price
		Demonstrated Experience in Providing Similar Services	Capacity	Demonstrated Understanding of the Required Tasks	Social and economic effects on the local community		
Ardmay Pty Ltd trading as RBM Drilling All requirements have been met.	Yes	It commenced operation in April 2004. It is a small family owned and operated business. It currently employs 4 full time staff. Details of key personnel including their years of experience and qualifications were provided. The submission also included a company structure, after hours contact for emergency requirements and details of specialised equipment that will be used to carry out the works. It operates with its own quality system and has an OSH policy in place. It has a good safety record with no reported injuries since its inception.	It demonstrated experience in providing similar services. It has over the past six years successfully completed similar works for the Cities of Melville and Stirling. RBM Drilling is the City's current contractor for drilling, development and testing of bores.	It demonstrated a sound understanding of the required tasks. Its proposed methodology included a timeline to carry out the works and complete each of the tasks.	It encourages the involvement of local businesses. It will, whenever possible, hire equipment and casual labour from local suppliers.  The company is located in Ballajura.	65%	\$454,242





## Capital Works Committee Monthly Project Status Report

<b>Project Name</b>	Oceanside Promenade Redevelopment		
<b>Project description:</b> Redevelopment of Oceanside Promenade in accordance with the final concept plan, as approved by Council on 17 May 2011 (CJ092-05/11 refers).			
<b>Project Manager</b>	Team Leader Civil Project Services	<b>Project Sponsor</b>	A/Director Infrastructure Services
<b>Report period</b>	August 2012	<b>Report date</b>	27 August 2012
<b>*Overall status</b>			

<b>*Status key</b>	Proceeding according to Plan	Green
	Manageable Issues Exist	Amber
	Serious Issues – Need Help	Red
	Completed	Blue

Tasks/Milestones	Status	Planned Start Date	Expected completion date	Date actually completed
Concept design		November 2011	May 2012	May 2012
Detailed design		March 2012	May 2012	May 2012
Preparation of tender documentation		June 2012	June 2012	June 2012
Tender period		June 2012	June 2012	June 2012
Tender evaluation		July 2012	July 2012	July 2012
Council approval		August 2012	September 2012	
Commence construction		August 2012	December 2012	
Review		December 2012	December 2012	

**Overall summary and comment**

**August 2012**

- Meeting held with Main Roads WA to discuss additional grant funding – confirmation received that additional grant funding will be received from Main Roads.
- Reallocation of funding from Hodges Drive – Marmion Avenue to Ocean Reef Road (RDC 2011) to support the construction commencing to be considered at Capital Works Committee in September 2012.

**July 2012**

- Three submissions received; all substantially over budget in part due to the adopted option of the redevelopment.
- Quantity Surveyor review undertaken which concluded that the prices tendered were not over inflated.

**June 2012**

- Tender advertised.

**April 2012**

- Endorsement by Council in April 2012 of the Oceanside Promenade Road Design Option A (CJ065-04/12 refers).

**Previous Milestones**

- Design revised and preliminary approval received from Main Roads WA.
- Preliminary design which was prepared in accordance with the endorsed final concept plan (May 2011) failed the Road Safety Audit test and Main Roads WA preliminary approval.

**Outlook for next period / key tasks**

- Tender report to Council dependant on outcome of Capital Works Committee consideration at 4 September 2012 meeting.

<b>Key Issues for next period</b>	<b>Priority</b> <i>(Low, Medium, High)</i>
• Council approval of tender.	High

<b>Key Risks to project / task completion</b>	<b>Potential Extent of Impact</b> <i>(Low, Medium, High, Catastrophic)</i>
Oceanside Promenade redevelopment not starting in early October 2012 will necessitate a delay to construction to the beginning of Easter 2013 to avoid roadworks being undertaken in the summer months.	High
The northern section of the redevelopment of Tom Simpson Park cannot be progressed until works for Oceanside Promenade (including car parking) have been completed.	High



## Capital Works Committee Monthly Project Status Report

<b>Project Name</b>	Moore Drive – Road Duplication – Connolly Drive to Joondalup Drive		
<b>Project description:</b> Construction of a second carriageway on Moore Drive from Connolly Drive to Joondalup Drive.			
<b>Project Manager</b>	Team Leader Civil Project Services	<b>Project Sponsor</b>	A/Director Infrastructure Services
<b>Report period</b>	August 2012	<b>Report date</b>	27 August 2012
<b>*Overall status</b>			

<b>*Status key</b>	Proceeding according to Plan	Green
	Manageable Issues Exist	Amber
	Serious Issues – Need Help	Red
	Completed	Blue

Tasks/Milestones	Status	Planned Start Date	Expected completion date	Date actually completed
Concept design	Blue	November 2011	November 2011	November 2011
Detailed design	Blue	January 2012	January 2012	July 2012
Preliminaries	Green	July 2012	August 2012	
Removal of trees, vegetation clearing	Green	August 2012	August 2012	
Earthworks	Green	August 2012	August 2012	
Sub base construction	Green	August 2012	September 2012	
Basecourse construction	Green	August 2012	September 2012	
Asphalt	Green	September 2012	November 2012	
Kerbing	Green	September 2012	November 2012	
Drainage	Green	August 2012	October 2012	

Tasks/Milestones	Status	Planned Start Date	Expected completion date	Date actually completed
Signage and linemarking		September 2012	December 2012	
Review		December 2012	March 2013	

Overall summary and comment
<p>Construction commenced on 6 August 2012.</p> <p><b>July 2012</b></p> <ul style="list-style-type: none"> <li>Parking lane improvements for Currambine Primary School completed during school holidays to improve traffic flow around the school as parking on Moore Drive verge is no longer permitted.</li> </ul> <p><b>June 2012</b></p> <ul style="list-style-type: none"> <li>Endorsement by Council in June 2012 to appoint contractor (VDM Construction Pty Ltd) for civil works for Moore Drive carriageway duplication at the fixed lump sum of \$3,468,735 (excl GST) and completion of works within 18 weeks from possession of the site (CJ115-06/12 refers).</li> </ul> <p><b>April 2012</b></p> <ul style="list-style-type: none"> <li>Five tender submissions received.</li> </ul> <p><b>March 2012</b></p> <ul style="list-style-type: none"> <li>Western Power lighting approval is pending a check on a light pole and provision of quotation.</li> <li>Minor alterations to drawings for line markings following discussions with Main Roads WA.</li> </ul>

Outlook for next period / key tasks
<ul style="list-style-type: none"> <li>Construction phase: sub-base construction.</li> </ul>

Key Issues for next period	Priority <i>(Low, Medium, High)</i>
<ul style="list-style-type: none"> <li>Traffic management</li> </ul>	High
<ul style="list-style-type: none"> <li>Western Power scheduling of work</li> </ul>	Medium
<ul style="list-style-type: none"> <li>Main Roads WA linemarking and signage scheduling</li> </ul>	Medium

Key Risks to project / task completion	Potential Extent of Impact <i>(Low, Medium, High, Catastrophic)</i>	Likelihood of Occurrence <i>(Low, Medium, High, Catastrophic)</i>
Street lighting – possible delay in scheduling of Western Power construction works	Medium	Medium
School traffic and parking issues have potential to affect school and local traffic	Medium	Medium



## Capital Works Committee Monthly Project Status Report

<b>Project Name</b>	Currambine Community Centre and Delamere Park Construction		
<b>Project description:</b>	Design, tender and project management of: <ol style="list-style-type: none"> <li>1. The construction of Currambine Community Centre.</li> <li>2. A new park and carpark at Delamere Park.</li> </ol>		
<b>Project Manager</b>	A/Manager Asset Management	<b>Project Sponsor</b>	A/Director Infrastructure Services
<b>Report period</b>	August 2012	<b>Report date</b>	27 August 2012
<b>*Overall status</b>			

<b>*Status key</b>	Proceeding according to Plan	Green
	Manageable Issues Exist	Amber
	Serious Issues – Need Help	Red
	Completed	Blue

Tasks/Milestones	Status	Planned Start Date	Expected completion date	Date actually completed
Presentation to Strategy Session		July 2011	July 2011	July 2011
Report to Council		July 2011	July 2011	July 2011
Design and design development (ongoing through tender stage)		December 2011	May 2012	June 2012
Preparation of tender documentation		February 2012	April 2012	May 2012
Tender period		April 2012	May 2012	June 2012
Tender evaluation		May 2012	May 2012	August 2012
Council approval		June 2012 Council meeting	July/August 2012 Council meeting	August 2012
Commence construction		June 2012	Commence in	

Tasks/Milestones	Status	Planned Start Date	Expected completion date	Date actually completed
			September 2012. Complete in June 2013.	
Official opening		June 2013	June 2013	

Overall summary and comment
<p><b>August 2012</b></p> <ul style="list-style-type: none"> <li>Tender evaluations completed.</li> <li>Green Star Professional accreditation received for City employee.</li> <li>Endorsement by Council in August 2012 to appoint builder (Pindan Pty Ltd) for the construction of the centre at the fixed lump sum of \$4,026,923 (excl GST) and completion of works within 48 weeks from possession of the site and construction of an additional car park for the fixed lump sum of \$95,851 (excl GST).</li> </ul> <p><b>July 2012</b></p> <ul style="list-style-type: none"> <li>Meeting held with the adjoining land owner/developer regarding town square area nominated on their current master plan.</li> <li>Documentation amended to reflect the building moving three metres eastwards.</li> <li>Amended documentation provided for the building licence approval.</li> <li>Tender evaluation completed. Report to be presented to Council on 21 August 2012.</li> <li>Projected builder's start date is 3 September 2012.</li> </ul> <p><b>Previous Milestones</b></p> <ul style="list-style-type: none"> <li>Consultants for electrical, hydraulic, mechanical, Part J of the BCA and Green Star accredited professional appointed.</li> <li>Design and specification of all building components being assessed as part of the Green Star rating application requirement.</li> <li>Department of Health confirmed that a child health centre will be included within the building; Memorandum of Understanding between the Department and the City to be progressed.</li> <li>Application submitted for building licence approval.</li> <li>Expression of Interest advertised in the West Australian newspaper and City website for builders interested in tendering. Request for Tender documents would require builders to have a Green Building Council of Australia accredited professional as part of the building team for the project. Submissions assessed and list of contractors to be invited to tender to be completed.</li> <li>Pre-tender estimate submitted by Quantity Surveyor – \$4,238,100. Tenders received vary from \$3,723,005 to \$4,930,470.</li> <li>Addenda issued for separate cost for 59 car parking bays adjacent to Delamere Avenue.</li> </ul>



<b>Outlook for next period / key tasks</b>
<ul style="list-style-type: none"> <li>• Obtain building licence approval.</li> <li>• Appoint builder (proposed schedule to commence is beginning of September 2012).</li> </ul>

<b>Key Issues for next period</b>	<b>Priority</b> <i>(Low, Medium, High)</i>
<ul style="list-style-type: none"> <li>• Continue to compile information for Green Star rating by the Green Building Council of Australia.</li> </ul>	High

<b>Key Risks to project / task completion</b>	<b>Potential Extent of Impact</b> <i>(Low, Medium, High, Catastrophic)</i>	<b>Likelihood of Occurrence</b> <i>(Low, Medium, High, Catastrophic)</i>
Additional costs likely due to decision to construct building with a Green Star rating.	Medium to High	Medium



## Capital Works Committee Monthly Project Status Report

<b>Project Name</b>	Tom Simpson Park Redevelopment		
<b>Project description:</b>	Redevelopment of Tom Simpson Park in accordance with the final concept plan, as approved by Council on 17 May 2011 (CJ092-05/11 refers).		
<b>Project Manager</b>	A/Manager Asset Management	<b>Project Sponsor</b>	A/Director Infrastructure Services
<b>Report period</b>	August 2012	<b>Report date</b>	27 August 2012
<b>*Overall status</b>			

<b>*Status key</b>	Proceeding according to Plan	Green
	Manageable Issues Exist	Amber
	Serious Issues – Need Help	Red
	Completed	Blue

Tasks/Milestones	Status	Planned start date	Expected completion date	Date actually completed
<b>SOUTHERN SECTION</b> <b>Stage one</b> <ul style="list-style-type: none"> <li>• New concrete paths</li> <li>• New dual use paths</li> <li>• New bollards</li> <li>• Entry statement</li> <li>• Viewing platform</li> <li>• Path lighting</li> <li>• New picnic shelters</li> </ul>		May 2012	September 2012	July 2012
<b>SOUTHERN SECTION</b> <b>Stage two</b> <ul style="list-style-type: none"> <li>• Plant trees (if required)</li> <li>• Relocation of barbecues</li> <li>• New playground</li> </ul>		August 2012	December 2012	



<b>NORTHERN SECTION</b>  <b>Stage one</b> <ul style="list-style-type: none"> <li>• Demolition of existing infrastructure</li> </ul>		September 2012	September 2012	
<b>NORTHERN SECTION</b>  <b>Stage two</b> <ul style="list-style-type: none"> <li>• New concrete paths</li> <li>• New barbecues</li> <li>• New shelters</li> <li>• New path lighting</li> <li>• New playground shade structure</li> </ul>		October 2012	December 2012	

**Overall summary and comment**

**August 2012**

- Discussions occurring with consultant regarding the impact of the size of the playground and location within the park.

**July 2012**

- Works completed in stage one of southern section of the park include new concrete paths, new dual use paths, new bollards and associated ground works for the entry statement. Part of the southern section was opened to the public on 27 July 2012.
- Relocation works on barbecues is continuing within the southern section, including construction of limestone retaining walls.
- Equipment for the new playground (plus associated works for extra soffall, earthworks and kerbing) in the southern section of the park is being finalised following request for additional equipment. Additional costs to be known in August 2012. Refer to picture below of proposed playground.



**(Proposed playground within southern section)**

**Outlook for next period / key tasks**

**SOUTHERN SECTION**

- Installation of picnic shelters scheduled for August 2012.
- Installation of light poles for new paths scheduled for August 2012.

Key Issues for next period	Priority <i>(Low, Medium, High)</i>
<ul style="list-style-type: none"> <li>• Completion of design for costings for northern section.</li> </ul>	High
<ul style="list-style-type: none"> <li>• Costings of design for northern section.</li> </ul>	High

Key Risks to project / task completion	Potential Extent of Impact <i>(Low, Medium, High, Catastrophic)</i>
<ul style="list-style-type: none"> <li>• Oceanside Promenade not completed which will delay Tom Simpson Park north.</li> </ul>	High



## Capital Works Committee Monthly Project Status Report

<b>Project Name</b>	Entry Statements		
<b>Project description:</b> Installation of two Entry Statements to be installed at both ends of Marmion Avenue. The Entry Statement project underpins the concept of 'a memorable gateway into the City of Joondalup, with visitors and residents "moving through" the design'. The scope of the project includes the installation of poles, signage, trees and ground treatments.			
<b>Project Manager</b>	A/Manager Asset Management	<b>Project Sponsor</b>	A/Director Infrastructure Services
<b>Report period</b>	August 2012	<b>Report date</b>	27 August 2012
<b>*Overall status</b>			

<b>*Status key</b>	Proceeding according to Plan	Green
	Manageable Issues Exist	Amber
	Serious Issues – Need Help	Red
	Completed	Blue

Tasks/Milestones	Status	Planned start date	Expected completion date	Date actually completed
2009 / 2010 budget adopted			July 2009	July 2009
Development of project plan		October 2009	November 2009	November 2009
Kick-off meeting with consultants		October 2009	November 2009	November 2009
Undertake additional costing estimate		November 2009	January 2010	January 2010
Determine Western Power costs (not factored into original budget)		November 2009	January 2010	January 2010
Prepare report to Council to determine whether two or three entry statements will be installed		February 2010	February 2010	January 2010
Determine exact locations of entry statements		March 2010	March 2010	April 2011

Tasks/Milestones	Status	Planned start date	Expected completion date	Date actually completed
Preparation of tender documentation		January 2011	September 2011	January 2012
Tender phase and tender approval		March 2011	April 2012	August 2012
Re-tender phase and tender approval		September 2012	October 2012	
Commence construction		November 2012	February 2013	

Overall summary and comment
<p><b>August 2012</b></p> <ul style="list-style-type: none"> <li>• New tender documents (including specifications) developed of revised scope of works.</li> <li>• Tenders declined.</li> </ul> <p><b>July 2012</b></p> <ul style="list-style-type: none"> <li>• Report being prepared for Council to decline tender submissions due to cost.</li> <li>• New tender documents being prepared with revised scope of works and materials.</li> </ul> <p><b>June 2012</b></p> <ul style="list-style-type: none"> <li>• Consultant has reviewed the tender specifications and is preparing alternative specifications to re-tender.</li> </ul> <p><b>April / May 2012</b></p> <ul style="list-style-type: none"> <li>• Tender submission received from three contractors.</li> <li>• All quotes over allocated budget.</li> </ul> <p><b>March 2012</b></p> <ul style="list-style-type: none"> <li>• Tender advertised in the West Australian newspaper with 20 contractors expressing an interest.</li> <li>• Tender closes on 18 April 2012.</li> </ul> <p><b>February 2012</b></p> <ul style="list-style-type: none"> <li>• Final design and specifications forwarded to Contract Services to initiate tender process.</li> </ul> <p><b>January 2012</b></p> <ul style="list-style-type: none"> <li>• Design and specifications complete.</li> </ul> <p><b>December 2011</b></p> <ul style="list-style-type: none"> <li>• Design philosophy complete.</li> <li>• Detailed specifications commenced.</li> </ul> <p><b>November 2011</b></p> <ul style="list-style-type: none"> <li>• Final design meetings held with consultant.</li> <li>• Method of tendering determined and agreed to with consultant.</li> </ul> <p><b>October 2011</b></p> <ul style="list-style-type: none"> <li>• No action – awaiting final design.</li> </ul>

**Overall summary and comment**

**September 2011**

- Confirmation of quote for construction drawings. Purchase order placed.
- Site surveys for the north and south locations completed.
- Construction drawings sent to consultant for comment.

**August 2011**

- Fee proposal and construction cost estimate received from consultant.

**July 2011**

- Meeting held with consultant to confirm design requirements.
- Project listed in 2011/2012 Capital Works Program as a carry forward to be delivered by Asset Management.

**June 2011**

- Revised design received support at Strategy Session held on 7 June 2011.
- Meeting organised with consultant to commence tender process.

**Outlook for next period / key tasks**

- Project to be re-tendered due to substantial changes to specifications (revised scope of works and materials).
- Quantity surveyor to be appointed to advise costings of revised scope of works prior to tender being re-called.

Key Issues for next period	Priority <i>(Low, Medium, High)</i>
Development of documentation for re-tendering and quantity surveyor estimate.	High
Decision to reallocate funds from SSE 2020 (\$150,000) to this project. Project SSE 2020 is for the construction of suburb entry statements at various locations on arterial roads.	High

Key Risks to project / task completion	Potential Extent of Impact <i>(Low, Medium, High, Catastrophic)</i>	Likelihood of Occurrence <i>(Low, Medium, High, Catastrophic)</i>
Completion of project in accordance with Main Roads WA guidelines.	High	High
Substantial changes to specifications required to due costs following receipt of tender submissions.	High	High



## Capital Works Committee Monthly Project Status Report

<b>Project Name</b>	Mirror Park Skate Park		
<b>Project description:</b>	Construction of a skate park facility at Mirror Park, Ocean Reef in accordance with Council resolution CJ099-06/11.		
<b>Project Manager</b>	A/Manager Asset Management	<b>Project Sponsor</b>	A/Director Infrastructure Services
<b>Report period</b>	August 2012	<b>Report date</b>	27 August 2012
<b>*Overall status</b>			

<b>*Status key</b>	Proceeding according to Plan	Green
	Manageable Issues Exist	Amber
	Serious Issues – Need Help	Red
	Completed	Blue

Tasks/Milestones	Status	Planned start date	Expected completion date	Date actually completed
Presentation of Council report on final design, costing, contracting requirements, noise mitigation and management		April 2012	May 2012	May 2012
Changes to be made to skate park design following site visit. Park to be lowered 0.5 metres		May 2012	June 2012	July 2012
Consultations with playing field users and clubs		May 2012	May 2012	May 2012
Final design drawings received		May 2012	June 2012	July 2012
Council endorsement of final design and appointment of contractor to construct		August 2012	August 2012	August 2012

Tasks/Milestones	Status	Planned start date	Expected completion date	Date actually completed
Construct skate park		September 2012	December 2012	
Install landscaping, lighting and other infrastructure		October 2012	December 2012	
Conduct event to launch skate park		November 2012	December 2012	

**Overall summary and comment**

**August 2012**

- Endorsement by Council in August 2012 of the final design of the skate park; appointment of contractor to construct (Convic Pty Ltd) at a total cost of between \$600,350 and \$660,350 (CJ147-08/12 refers).

**July 2012**

- Final design drawings received from consultant.
- Council report prepared for August 2012.

**May 2012**

- Consultations occurred with the playing field users and Ocean Ridge Junior Football Club regarding integration of skate park and playing field and the requirements of the Junior Football Club.



<b>Outlook for next period / key tasks</b>
<ul style="list-style-type: none"> <li>Appointment of Convic Pty Ltd to construct skate park.</li> </ul>

<b>Key Issues for next period</b>	<b>Priority</b> <i>(Low, Medium, High)</i>
<ul style="list-style-type: none"> <li>Ensuring works program commences on time (scheduled for 10 September 2012).</li> </ul>	High

<b>Key Risks to project / task completion</b>	<b>Potential Extent of Impact</b> <i>(Low, Medium, High, Catastrophic)</i>	<b>Likelihood of Occurrence</b> <i>(Low, Medium, High, Catastrophic)</i>





Date: 23 August 2012

Your Ref:

Enquiries: Jamie Parry

Our Ref: 03082

Mr Ray Foster  
Secretary  
Business Development Association Inc.  
PO Box 24  
JOONDALUP WA 6919

Dear Mr Foster

**GENERAL MEETING 22 AUGUST & SPECIAL MEETING 24 AUGUST 2012**

I refer to your email dated 8 August 2012 whereby you gave notice to BDA members of a General Meeting convened by you as Secretary under clause 15(5) of the BDA Constitution. By the same email you also gave notice of a Special General Meeting convened at the request of five members under clause 15(1)(c) of the Constitution.

Your notice included an agenda for each meeting.

Representatives of the City attended the General Meeting of the BDA on 22 August 2012.

A summary of what occurred from the City's perspective is as follows.

- The meeting opened with Russell Poliwka, as vice chairperson, taking the chair, as the office of chairperson was vacant.
- When the status of the meeting was raised by members attending Mr Poliwka refused to acknowledge that the meeting was a general meeting and proceeded to preside at the meeting as if it was a committee meeting saying that there was no difference between them – this is not consistent with the Constitution.
- Mr Poliwka set the published agenda aside, over the objections of members attending, and without lawful authority to do so.
- The authority of the office of Chairperson is limited to presiding at meetings – a decision to set the agenda aside or to move to a new matter not on the agenda can only be made by a resolution of the members attending the meeting.

- Mr Poliwka moved to a matter not on the agenda, and over the objections of members attending, proceeded to have the meeting consider an application for membership (of the Association, not the committee) which was not in accordance with the provisions of the Constitution concerning the appointment of new members.
- When a motion was put on a membership application, Mr Poliwka refused to accept the votes of the ECU members on the basis that ECU had a conflict of interest with respect to all matters concerning the BDA.
- The actions of the vice chairperson were taken without lawful authority and are of no legal effect – the Chairperson does not have the authority to make a ruling about conflict of interest (even assuming a conflict existed, when clearly it did not).
- Under the *Associations Incorporation Act* the obligation to disclose a conflict of interest is a matter for the individual, not the presiding member or the meeting.
- Once it became clear that the meeting was not capable of making lawful decisions, the representatives of the City, ECU and Mr Chris Baker withdrew.
- Upon this withdrawal, the meeting was without a quorum and unable to lawfully continue.

The net result of these events is that nothing was achieved by the meeting.

No lawful decisions were made and no useful business was conducted.

This is an unsustainable situation for the BDA and the City urges you as Secretary, and the other office holder Mr David Curry, to take some measure of responsibility for the actions of the vice chairperson.

The City is extremely concerned about the actions of Mr Poliwka and his unlawful and unauthorised actions.

Notwithstanding the dysfunctional conduct of this meeting, the City intends to attend the Special General Meeting tomorrow.

However it wishes to place the following matters on the public record –

- The current membership of the BDA consists of the City, ECU and the JBA (Foundation Members) together with three ordinary members Mr Chris Baker, Mr David Curry and Ms Marisa Powell.
- The Committee of the Association consists of two representatives from the City, two representatives from ECU, two representatives from JBA and three ordinary members.

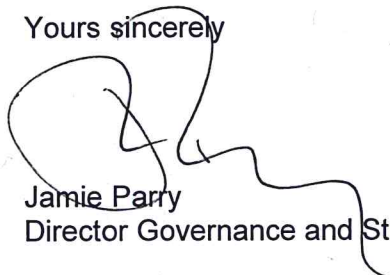
- Currently filled offices on the committee include vice chairperson, treasurer and secretary.
- The office of Chairperson is vacant.
- The attempt to recruit a new member at the General Meeting on 22 August is a nullity and of no effect.
- Each of the actions of the vice chairperson at the General Meeting in setting aside the published agenda, placing a membership application before the meeting, and refusing to accept the votes of a member, was unlawful, and not authorised by a resolution of the Association, the Constitution or the Act.
- Each member of the Association present in person or by proxy is entitled to vote at a general meeting – clause 18(1).

When the City attends the Special General meeting tomorrow it does so with the expectation that the purpose of the meeting will be genuinely considered with all members present acting lawfully, in good faith and in the best interests of the Association. All members will be exercising their right to vote on matters and take personal responsibility for declaring any relevant interests they consider necessary to declare, in accordance with the *Associations Incorporation Act*.

It does not expect to see any further attempted manipulation of the Constitution and it does not expect to see any further attempts to deprive members of their right to vote.

This letter will be copied to all Association members.

Yours sincerely



Jamie Parry  
Director Governance and Strategy



WALGA

# MINUTES

## Annual General Meeting

Perth Convention Exhibition Centre  
Perth

wednesday

1 AUGUST 2012

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## Annual General Meeting - Order of Proceedings

### 1. Record of Attendance and Apologies

Apologies received from:  
Shire of Augusta-Margaret River  
Shire of Cocos (Keeling Islands)  
Shire of Dowerin  
Shire of Kalamunda  
Shire of Upper Gascoyne  
Shire of West Arthur  
Shire of Wongan-Ballidu  
The Right Hon Lord Mayor Lisa Scaffidi  
Mayor Ron Yuryevich

#### 1.1 Announcements

There were no announcements.

### 2. Confirmation of Minutes

Minutes of the 2011 WALGA Annual General Meeting are contained within this AGM Agenda.

**Moved:** Cr G Pule (Bassendean)  
**Seconded:** President Cr W Barrett (Murray)

**That the Minutes of the 2011 Annual General Meeting be confirmed as a true and correct record of proceedings.**

**CARRIED**

### 3. Adoption of President's Annual Report

The President's Annual Report for 2011/2012 is contained within this AGM Agenda.

**Moved:** President Cr J Gardiner (Dardanup)  
**Seconded:** Cr B Thomson (Murray)

**That the President's Annual Report for 2011/2012 be received.**

**CARRIED**

**4. WALGA 2010/2011 Financial Statements**

The audited 2010/2011 WALGA Financial Statements will be distributed to all members prior to the meeting.

**Moved: Mayor T Roberts (Wanneroo)**  
**Seconded: President Cr S Love (Dandaragan)**

**That the WALGA Financial Statements for 2011/2012 be received.**

**CARRIED**

**5. Consideration of Executive and Member Motions**

As per motions listed:

**6. Closure**

There being no further business, the President declared the meeting closed at 4.40pm

## Consideration of Executive and Member Motions

### 5.1 Transport Contributions from Heavy Vehicles Users (05-006-03-0001ID)

Shire of Perenjori

#### **MOTION**

Moved: President Cr C King (Perenjori)  
Seconded: Cr L Butler (Perenjori)

That WALGA press the State Government to regulate large freight campaigns on local roads to either prevent them, or provide a fair means for Local Governments to recover costs arising from these campaigns.

#### **AMENDMENT**

Moved: President Cr S McDonnell (Kelleberrin)  
Seconded: Cr G Pule (Bassendean)

That WALGA press the State Government to regulate large freight campaigns on local roads to either prevent them, or provide a fair means for Local Governments to recover costs arising from these campaigns and request the President to form a working party to advocate to the State Government on behalf of the sector.

The Amendment was put and

**CARRIED**

The Amendment became the Motion and was put and

**CARRIED**

#### **MEMBER COMMENT**

The Restricted Access Vehicle (RAV) System provides a means for Local Governments to recommend to Main Roads which of its roads should be available to RAV combinations. These recommendations will generally be based on a reasonable understanding of the likely usage of the road by the businesses and the community served by that road.



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Once a road has been included on the RAV data base there is nothing to stop the road being used for freight campaigns well outside the scope of the Local Government's expectations. Local Governments have no formal means available to them to recover the costs that arise from these unexpected campaigns.

There have been several recent examples of large freight campaigns on local roads that have been out of proportion with the design and expectations for that road. A particular example involved the transport of in excess of 100,000 tonnes of ballast on local roads that had been designated as RAV routes for the transport of occasional loads of fertiliser, grain or stock. The road was literally destroyed over the course of a few days. By the time the affected Local Governments became aware of the campaign, much of the damage had been done and there was no legitimate means to stop it.

Local Governments rely on instruments such as local planning policies (for timber plantations) and local laws (for the likes of extractive industries) to try to regulate some freight tasks. These instruments are ineffective when the campaign is unexpected and does not require other approvals from Local Government.

The recent WA Transport Forum discussed the problem but no solutions were identified. Providing a RAV network to service local farms and businesses should not expose Local Governments to these large and unexpected campaigns.

#### **SECRETARIAT COMMENT**

The existing legislative framework does not provide for effective control of large freight tasks that have a major impact on road infrastructure, without placing an onerous regulatory burden on local businesses and Local Governments.

The COAG initiated reform processes, intended to provide a mechanism to enable road managers, including Local Governments, to recover costs proportional to the damage caused by heavy vehicles, have not progressed significantly. While Local Governments receive a share of motor vehicle licence fee revenue, including that from heavy vehicles, to fund roads the quantum and allocation of this funding does not respond to damage from major freight transport activities.

Changes in State legislation are required in order to enable Local Governments to effectively and efficiently avoid the high costs of road damage from heavy vehicles being transferred to local communities.

## 5.2 Consultation Process with State Government (05-050-01-0001TB)

Town of Narrogin:

### **RESOLUTION**

**Moved:** Mayor D Ennis (Town of Narrogin)  
**Seconded:** Cr R Madson (Town of Narrogin)

**That the Minister for Local Government, when calling for submissions, comment or advise on proposed amendments to the Act, Regulations or other items that affect the Local Government Sector, provide an adequate allowance for time, being a minimum of six weeks, to review the information and prepare submissions; and if Easter or the Christmas period fall within this consultation period, an additional two weeks for Easter and four weeks for the Christmas period be added to the submission period.**

**CARRIED**

### **MEMBER COMMENT**

The Town of Narrogin has expressed concern with the way that the Minister consults with Local Government and forces some issues through during public holiday times and holidays like Easter and Christmas, reducing the time and ability for Councils to respond formally with Council motions.

The period of six weeks allows any Council to have at least one Council meeting during this time and should the consultation fall over one of the holiday periods, that the consultation period be further extended to all for Councillors to return from leave and inform themselves on the issues at hand.

### **SECRETARIAT COMMENT**

The requirement for adequate consultation with the sector on anything effecting Local Government by the State Government has been a long standing advocacy base for the Association. WALGA together with the Local Government Managers Association (LGMA) has signed a State/Local Government Agreement with the State Government. In the agreement there is provision for a Communication and Consultation Protocol. This provision states;

*“An appropriate protocol will be developed which defines the range of communication and consultation mechanisms to be applied to the development of legislation, regulation, administrative and operation guidelines and other matters impacting on Local Government.”*

WALGA has presented a draft *Communication and Consultation Protocol* to the State Government that suggests the following protocols;

- i. *New legislation and amendments, proposals and legal mandate that will have an impact on Local Government expenditure - Minimum of twelve (12) weeks consultation.*

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*ii. Consultation for a minimum of eight weeks on proposed changes to Regulations or other compliance requirements that will have an impact on Local Government's responsibilities.*

*iii. Communication between both spheres of government relating to changes in operating procedure or practice which will have minimal impact requires advice prior to any action.*

The above protocol requires either 8 or 12 weeks consultation depending on whether it is legislation or regulation. This is a greater requirement than the 6 weeks proposed in this motion.

The most recent example of the State Government not providing sufficient consultation related to a proposal to amend the Local Government (Financial Management) Regulations 1996, immediately prior to Easter 2012. The consultation carried out in this instance was not adequate and the Association has communicated our objection to the Minister for Local Government.

The most appropriate course of action is for the Communication and Consultation protocol to be signed and then this would require all State Government agencies to follow the protocol.

### **5.3 Revaluation of Unimproved Valuation (UV) Land (05-034-01-0001TB)**

Shire of Kulin:

#### **MOTION**

**Moved:** President Cr J Sullivan (Kulin)  
**Seconded:** President Cr T Wittwer (Cuballing)

That this meeting seek an amendment to the Valuation of Land Act 1978 so that individual Local Governments are able to determine if it is considered necessary for a UV revaluation to be applied, for rating purposes, across the whole Shire in any particular year. Further that the legislation be further amended to include provision that every Local Government across the State must accept a general UV revaluation at least once every three (3) years.

#### **AMENDMENT**

**Moved:** President Cr M Scott (Capel)  
**Seconded:** Cr J Scott (Capel)

That this meeting seek an amendment to the Valuation of Land Act 1978 to:-

1. enable individual Local Governments to determine if it is considered necessary for a UV revaluation to be applied, for rating purposes, across the whole Shire in any particular year.
2. include provision that every Local Government across the State must accept a general UV revaluation at least once every three (3) years.
3. enable individual Local Governments to determine if it is considered necessary for a GRV revaluation to be applied every three (3), four (4) or five (5) years.

The Amendment was put and

**CARRIED**

The Amendment became the Motion and was put and

**CARRIED**

#### **MEMBER COMMENT**

*Annual revaluations for UV properties were introduced some 20 years ago due largely to:*

- *Revaluations were somewhat adhoc and there were occasions where a revaluation caused issues when significant changes in rural values for specific areas within a particular LG occurred over a period of time. Many landowners faced significant rate increases and it became a difficult process to explain the reasons for increased rates to those in the affected areas.*

- *The Valuer General's Office (VGO) had concerns over properties that covered two or more Shires where those LG's revaluation schedule were not in sync. In some instances this again caused angst as on occasions one ratepayer would be more severely affected by rate increases on land he held in one LG as opposed to the other, regardless of what the actual overall rate increase was.*
- *Where there was an extended period between revaluations there were occasions where no land sales actually occurred in that particular shire for the year the revaluation was being carried out. This did cause difficulties for the VG in determining the appropriate values.*

While it is agreed the above reasons are sound, revaluations in recent years has seen little change, due mainly to the limited land sales taking place. Examples in the changes for total valuations from year to year are as follows;

<b>Local Government</b>	<b>Last Year</b>	<b>This year</b>
Kulin	+ 0.90%	- 0.50%
Brookton	- 1.05%	- 0.29%
Cuballing	- 0.10%	- 0.03%
Corrigin	- 1.30%	+ 0.02%
Pingelly	- 0.61%	+ 0.26%
Williams	- 3.02%	- 0.24%
Quairading	- 2.00%	- 1.10%
Wickepin	+ 0.78%	- 2.65%

While it is not the intention to return to the “old days” where there were issues with irregular revaluations, it is our belief that it is unlikely there will be any major changes in UV's into the foreseeable future and we can see little point in:

- Paying the revaluation fee of approximately \$5,000 per annum for little benefit,
- Spending valuable administration time in amending the rate records annually, again for little benefit.

A procedure where individual Local Governments can request annual values can be introduced thereby reducing the financial and resource burden on rural Local Governments as well as reducing the workload on the Valuer General's Office. If the above is accepted there would need to be a fixed date where a Local Government can request not to have the annual valuation.

## **SECRETARIAT COMMENT**

WALGA recognises the issue in rural areas where there are limited sales evidence and little change in valuations that questions the need for annual valuations and the cost incurred.

The main issue is that there is consistency in the valuation period. The motion proposes that a general UV revaluation is required every three years; this is a logical approach.

The revaluations of Gross Rental Valuation (GRV) properties are re-valued based on activity, however at least every 5 years.

**6.0 MATTER OF SPECIAL URGENT BUSINESS:**

**MOTION**

**Moved: Cr M Wainwright (Swan)**  
**Seconded: President Cr P Blight (Wagin)**

**That the Members agree that the following two items of Special Urgent Business, relating to:**

- **Native Vegetation Management**
- **Grant Applications**

**be considered.**

**CARRIED BY ABSOLUTE MAJORITY**

## 6.1 MATTER OF SPECIAL URGENT BUSINESS : Native Vegetation Management (05-095-03-0001 KB)

Shire of Bridgetown-Greenbushes:

### RESOLUTION

**Moved:** Cr T Practico (Bridgetown-Greenbushes)  
**Seconded:** Cr G Aird (Boyup Brook)

**That WALGA press the Minister for the Environment to commit to a timeline to amend the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and the consulting process with Local Governments, with a view to providing a general exemption for the sector in relation to clearing of road reserves.**

### **IN BRIEF**

- Road maintenance in existing transport corridors does not require a permit unless in a declared Environmentally Sensitive Area.
- The Min. for Environment has been asked to commit to consultations with the sector on proposed legislative amendments.

**CARRIED**

### **MEMBER COMMENT**

WALGA has been working closely with the Department of Environment and Conservation (DEC) to assist Local Governments to work within the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*. WALGA has stated it regularly receives feedback from Local Governments that compliance with the requirement to obtain clearing permits can be time consuming and expensive. DEC has provided advice for Local Governments to streamline their clearing permit application practices which is being provided through Sustainability Officers and Regional Road Group networks. In addition, the Association is focusing on proposals to change the legislation arising from a Middle Committee Review.

The WALGA President, Troy Pickard has written to the Minister for the Environment to request a timeline for the consultation process with Local Governments prior to any legislative amendments being made.

At the June 2012 meeting of the South West Zone, discussion indicated there was conflict with the Policy, especially in relation to road reserves. It was strongly considered by Local Government delegates attending the Zone Meeting that there needs to be an exemption for Local Governments in respect for clearing of road reserves and this needs to be resolved when amending the Regulations.

### **SECRETARIAT COMMENT**

*The Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Regulations) provides an exemption for clearing for maintenance in existing transport corridors (Regulation 5, item 22, Schedule 2) providing the site is not within a declared "Environmentally Sensitive Area". Any new works, e.g. road widening or realignment or infrastructure upgrade requires a permit.*

*The WALGA President has written to the Minister for Environment on 2 occasions to request that he honour his commitment to local government to consult with the sector on proposed amendments (The Middle Review) to the legislation by late 2011, and will be raising it a matter of priority at the next Ministerial meeting, scheduled for Monday 20 August 2012.*

## 6.2 MATTER OF SPECIAL URGENT BUSINESS : Grant Applications (05-034-01-0003 TB)

City of Kalgoorlie-Boulder:

### RESOLUTION

**Moved: CEO Don Burnett (Kalgoorlie-Boulder)**  
**Seconded: Cr Anne Petz (Kalgoorlie-Boulder)**

**That WALGA requests the State Government to introduce a “One Stop Shop” for Local Government grant applications, dealing with a preregistration process, streamlining of the application process, standardising of the applications and a pre-determined approval/rejection timeline**

### **IN BRIEF**

- Grant application and assessment processes at both a State and Federal level requires updating
- Proposal to streamline the process for Local Governments applying to State Government Agencies for grants.

### CARRIED

### **MEMBER COMMENT**

The grant application and assessment processes at both a State and Federal level requires updating to enable Local Governments a clearly defined application process that is standard across all departments with a clearly defined timeline for approval and rejection.

To streamline the process:

1. Local Governments are to have the ability to pre-register with one central body for each of the spheres of government. This preregistration will collect the general Council information required for all grants; this information is updated by Councils on a annual basis.
2. Online application forms to be standardised to ensure ease of completion and consistency is maintained.
3. An assessment timeline should be adopted across all agencies so Local Governments can plan the approval process to align with their program and other funding sources/grant providers.

This motion is a motion pertaining to the State Government Departments and the streamlining of grant application processes for Local Government.

Both State and Federal Governments have a myriad of agencies and departments that Councils can apply for grants through. Each one has a different application process, requires different information and has different timelines to do the initial assessment and/or a final determination.

There is a need at both State and Federal level for the grant application and assessment process to be modernised, streamlined and centralised.

A similar motion was passed in relation to the Federal Government at the recent ALGA Congress.



**SECRETARIAT COMMENT**

This item was recently considered at the Australian Local Government Association (ALGA) National General Assembly where the item was carried.

*That the National General Assembly calls on the Federal Government to introduce a "One Stop Shop" for Local Government grant applications, dealing with a preregistration process, streamlining of the application process, standardising of the applications and a pre-determined approval/rejection timeline.*

The issue is also raised in a report prepared by Ernst and Young "*Strong Foundations for Sustainable Local Infrastructure*". The report suggests that the Australian Government develop a portal to bring together information and application material relating to Local Government grants (Recommendation 1), as a response to concerns raised about the complexity of the current administration of grants programs. The portal (or application) could build upon the GrantsLINK website which has been set up by the Australian Government to help individuals, businesses and communities identify Commonwealth grants and assistance.

***"Recommendation 1: Information portal for grants programs***

*The Australian Government should develop a portal to bring together information and application material relating to Local Government grants programs in a single location."*

## LOCAL EMERGENCY MANAGEMENT COMMITTEE MINUTES

City of Wanneroo and City of Joondalup  
Local Emergency Management Committee Meeting

City of Wanneroo and City of Joondalup  
Local Emergency Management Committee  
City of Joondalup, Civic Centre, Conference Room 2  
Boas Avenue, Joondalup  
10:00am, 2 August 2012

### 1. ATTENDANCES AND APOLOGIES

ATTENDANCES:		
Name	Position	Organisation
Cr Dot Newton, JP	LEMC Chairperson	City of Wanneroo
Alan McColl	Manager Regulatory Services	City of Wanneroo
Ian McDowell	Coordinator Community Safety	City of Wanneroo
Resmie Greer	Senior Emergency Management and Community Safety Officer	City of Wanneroo
Wayne Harris	Coordinator Health Services	City of Wanneroo
Darragh Wills	A/Community Emergency Services Manager (CESM)/Chief Bush Fire Control Officer (CBFCO)	City of Wanneroo/FESA
Cr John Chester	Elected Member	City of Joondalup
Christine Robinson	A/Manager Asset Management	City of Joondalup
Derek Fletcher	Emergency Management Officer	City of Joondalup
Charles Slavich	Principal Environmental Health Officer	City of Joondalup
Derrick Briggs	Emergency Management Officer NW Metro	WA Police
Charlie Carver	Superintendent NW Metro District	WA Police
Craig Wanstall	OIC – Wanneroo	WA Police
Mal Jones	OIC – Clarkson	WA Police
Allan Daw	District Officer – North Coastal	FESA BFS
Stuart Palmer	District Officer – North Coastal	FESA
Jo-Anne Bennett	District Emergency Services Officer	DCP
Bill Hansen	Local Manager	SES
Steve Pethick	Primary Response Coordinator	Western Power
<b>Visitor</b> John Lane	Coordinator Emergency Management Services	WALGA

<b>APOLOGIES:</b>		
<b>Name</b>	<b>Position</b>	<b>Organisation</b>
Karen Caple	Director City Businesses	City of Wanneroo
Phil Hay	Community Emergency Services Manager (CESM)/Chief Bush Fire Control Officer (CBFCO)	City of Wanneroo/FESA
Charlie Reynolds	A/Director Infrastructure Services	City of Joondalup
Christine Hamilton-Prime	Councillor (Deputy)	City of Joondalup
Nadine McLoughlin	A/Community Emergency Management Officer	EMWA (FESA)
Wayne Dohmen	Inspector – Assistant District Officer Joondalup	WA Police
Alex Ryan	OIC – Warwick	WA Police
Peter Reeves	OIC – Yanchep	WA Police
Chris Ruck	OIC – Joondalup	WA Police
Geoff DeSanges	Inspector – Assistant District Officer Joondalup	WA Police
Rick Corkill	Northern Beaches Emergency Group	WA Police
Leigh Sage	Fire Protection Officer	DEC
Helen Barrett	Disaster Management Coordinator	Ramsay Health
Mary McConnell	Disaster Management Coordinator	Ramsay Health
Ruth Lane	Emergency Services Manager	Red Cross
Darryl Welsby	Manager Business Risk	ECU
Mary-Ann Jackson	Local Welfare Coordinator	DCP

Cr Dot Newton opened the meeting at 10:00am and welcomed those members in attendance.

## 2. PRESENTATION

2.1 John Lane, Coordinator Emergency Management Services, WALGA tabled the final report on the “Review of the City of Wanneroo’s Emergency Management Risk Register”. A disk was also distributed to all agencies.

The City of Joondalup’s Risk Register was not tabled at this meeting as the report content is still under review by the City of Joondalup’s Risk Assessment Group.

John Lane explained that the Project Risk Assessment Group for the City of Wanneroo established the following natural hazards that would most likely impact the City of Wanneroo:

Bushfire;  
Severe Storm;  
Human Pandemic/Epidemic; and  
Road Transport Emergency (Chemical Spills)

It was explained that the City of Wanneroo had recently adopted an internal risk management

framework ensuring that the corporate risks are managed appropriately and the emergency risk management framework will now align with the City's organisational risk register.

John Lane reported that local governments are required to acknowledge ownership of emergency management risks and that state government agencies are responsible as the risk responders.

The LEMC is responsible for the ongoing management of the risks identified and will be included in the LEMC Business Plan where treatment options will be considered.

The Emergency Management Risk Register was accepted by members at the LEMC meeting on 2 August 2012.

### 3. CONFIRMATION OF PREVIOUS MINUTES (3 May 2012)

**Moved** Derek Fletcher, **Seconded** Derrick Briggs

That the Minutes of the Local Emergency Management Committee meeting held on 3 May 2012 be confirmed as a true and accurate record.

**CARRIED**

### 4. BUSINESS ARISING

Item	LEMC Meeting	Subject	Responsible Agency/Person
2.1	2 February 2012  3 May 2012  2 August 2012	Risk register review update  Refer Item 6 below – Risk Mitigation (Risk register review update)  Draft copy of the Emergency Management Risk Registers will be distributed to LEMC members. Any comments/feedback to be discussed at the next LEMC meeting of 2 August 2012.  Risk register review – D Fletcher advised City of Joondalup are still working through some minor issues. The register should be finalised for endorsement by the LEMC at the next meeting, 1 November 2012.	(a) City of Joondalup (b) City of Wanneroo  R Greer provided the project status update.  <b>RISK REVIEW COMPLETED FOR THE CITY OF WANNEROO (2 AUGUST 2012)</b>  City of Joondalup
6.2	2 February 2012	(a) City of Wanneroo Local Emergency Management Arrangements and Recovery Arrangements. (b) City of Joondalup Local Emergency Management Arrangements and Recovery Arrangements	Resmie Greer  Derek Fletcher

	3 May 2012	Refer Item 6 below – Local Emergency Management Arrangements.	Resmie Greer advised that City of Wanneroo will submit a report to Council and recommend Emergency Management Plans be noted and seeking Council sign-off.
	2 August 2012	City of Joondalup Local Emergency Management Arrangements and Recovery Arrangements  City of Wanneroo Local Emergency Management Arrangements and Recovery Arrangements.	City of Joondalup LEMA endorsed by SEMC at its meeting in June 2012. <b>COMPLETED</b>  Resmie Greer advised of Council endorsement of the LEMA on 26 June 2012. LEMA have been sent to SEMC for endorsement at its next meeting on 4 September 2012.
6.2	3 November 2011	Joint LEMC Exercise	Phil Hay
	3 May 2012	Joint LEMC Exercise to be held on Wednesday 8 <sup>th</sup> August 2012. Further details to be disclosed at a later date.	Phil Hay
	2 August 2012	Joint LEMC exercise has been rescheduled to Thursday 27 September 2012 at the City of Joondalup commencing at 10am – 1pm.	Phil Hay

## 5. CORRESPONDENCE

The Inwards and Outwards correspondence was tabled at the meeting for reviewing and comments. Resmie Greer referred members to Items 14 (Bunbury Conference 12 September 2012), 15 (WESPLAN Heatwave Review) and 18 (Training Calendar for 2012 - report from A/Community Emergency Management Officer).

It was noted that there was no inwards correspondence relating to the review of the Green Paper. This document was received post the agenda being sent out. The Green Paper is the review of the Emergency Management Act and will be emailed to LEMC members with a copy of the Minutes.

## 6. STANDING ITEMS

### 6.1. District Agency Updates:

- **City of Wanneroo**

Resmie Greer – Nil to add following John Lane's report on the final production of the City of Wanneroo's Emergency Management Risk Register.

**City of Joondalup**

Derek Fletcher – nothing to report.

○ **WA Police**

Derrick Briggs reported the next DEMC meeting remains to be scheduled on Thursday, 16 August 2012 at the North West District Office, 1<sup>st</sup> Floor, 5 Davidson Terrace, Joondalup.

Charlie Carver reported that Emergency Management has lifted its profile within the North West Metro District Police with Derrick Briggs recently relocating from the Warwick Police Station to the North West District Office. Derrick will oversee Emergency Management training for WA Police Officers and Inspector Wayne Dohmen will oversee Emergency Management and Police response.

○ **Fire and Emergency Services Authority (FESA)**

Allan Daw informed the meeting that he has recently been appointed as the FESA BFS District Officer for the North Coastal area. Previous to this, Allan was District Officer to the South Coastal Metropolitan District and also prior to this, the North East District.

Stuart Palmer also introduced himself to the LEMC as the newly appointed FESA (Hazardous Materials) District Officer North West Coastal District.

Resmie Greer provided an update on behalf of Nadine McLoughlin, Acting Community Emergency Management Officer (EMWA) as follows:

(a) **State Emergency Management Committee (SEMC)** – Next scheduled SEMC meeting will be held on 4 September 2012. The City of Wanneroo's LEMA will be put forward for endorsement;

(b) **Exercise Schedule** – SEMC requested all HMA's and DEMC's to provide details of proposed exercises; and

(c) **Training Calendar for 2012** – New training dates have been scheduled and are available to view on the EMWA Extranet. Confirmed dates for the Introduction to Emergency Management in Joondalup on 4 September 2012 and the Introduction to Recovery Management in Wanneroo on the 6 September 2012. Nominations close two weeks prior to course dates. These courses are open to all local governments and support organisations. Nomination forms and additional information about courses can be located on EMWA Extranet site or by emailing [emtraining@fesa.wa.gov.au](mailto:emtraining@fesa.wa.gov.au)

Stuart Palmer reported that a "Management of CBRN Incidence Course will be held at the Joondalup Police Academy on 23 – 26 September 2012. Details available on the EMWA Extranet.

○ **Department of Environment and Conservation (DEC)**

No one in attendance.

○ **Department of Child Protection (DCP)**

Jo-Anne Bennett reported the following:

(a) DCP Early Response Teams have increased from 3 to 6 Teams with relevant training conducted, this ensures a greater pool of trained staff available and takes the pressure off Districts for large activations;

(b) Nil activations within the City of Wanneroo/City of Joondalup;

(c) Provided assistance to a local government authority (LGA) in relation to the

industrial hazmat fire incident in Carr Street, West Perth which involved the evacuation of residents from a Department Housing Complex in the vicinity;

(d) Provided assistance and advice to the ISG in relation to the Dianella/Morley Tornado disaster which also included evacuation of residents and a primary school in the vicinity;

(e) Attended and provided significant support to the Huckle Street apartment building complex, Tuart Hill (CaLD Tenants) – building lost its roof. This incident was significant and problematic for DCP in that the tenants required accommodation, meals, financial assistance, personal and outreach support. The building was condemned by the local authority.

(f) Attended the apartment building fire and explosion incident in Mosman Park. Provided accommodation, personal support, including meals to the tenants.

(g) Conducted a major exercise that simulated the opening, operating and closing of an evacuation centre over a 2 day period on behalf of the Western/Central LEMC.

○ **Western Power**

Steve Pethick reported that there was excellent communication between the SES, Police and Western Power during the Dianella Tornado disaster and was managed very professionally by the SES.

○ **Joondalup Health Campus**

Nil to report.

○ **Red Cross**

Nil to report.

○ **Edith Cowan University**

Nil to report.

○ **Other Key Stakeholders**

Nil to report.

**6.2. LEMC Arrangements:**

○ **Planning:**

Refer comments above, Section 4 “Business Arising”, item 6.2, for update on current status of City of Wanneroo and City of Joondalup Emergency Management Arrangements and Recovery Plans (LEMA).

○ **Risk Register/Mitigation Treatments:**

Refer Section 2 “Presentation from John Lane”.

It was noted that the City of Joondalup’s Risk Register was not tabled at this meeting as the report content is still under review by the City of Joondalup’s Risk Assessment Group.

It was **Moved** Derrick Briggs, **Seconded** Ian McDowell, that the LEMC accept the City of Wanneroo’s Risk Register as tabled at the meeting.

**CARRIED**

○ **Training Activities/Simulations:**

Training dates confirmed as follows:

(a) Introduction to Emergency Management at the City of Joondalup  
4 September 2012;

(b) Introduction to Recovery Management at the City of Wanneroo  
6 September 2012.

Nominations close two weeks prior to course date.

A copy of the training calendar for 2012 will be forwarded to LEMC members.

Desktop Exercise:

Joint LEMC exercise has been rescheduled to Thursday 27 September 2012 at the City of Joondalup commencing at 10am and concluding at 1pm.

- ***Other Emergency Activations for mention:***  
Nil to report within the Cities of Wanneroo and Joondalup.
- ***Review/Outcomes/Lessons Learnt:***  
Nil to report.

## **7. REPORTING REQUIREMENTS**

The LEMC Annual Report has been completed and endorsed by the DEMC, and submitted to SEMC.

## **8. NEW BUSINESS**

Charlie Carver asked if letters could be sent to all agencies requesting that a nominee or their respective proxy attends future LEMC meetings to ensure continuity of interagency relationships.

Further discussion took place concerning the LEMC membership as detailed within the Terms of Reference and the different levels of officers attending the LEMC and DEMC meetings.

Ian McDowell reported that when the change of the LEMC Chair occurred in October 2011, the Cities of Wanneroo and Joondalup reviewed the LEMC Terms of Reference and that a further review will be undertaken in the near future.

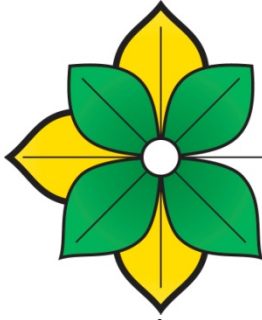
## **9. NEXT MEETINGS**

The next City of Wanneroo/City of Joondalup Local Emergency Management Committee meeting will be held on Thursday 1 November 2012 at the City of Wanneroo.

## **10. CLOSE**

There being no further business, the meeting was closed at 10:55am.





**TAMALA PARK**  
**Regional Council**

# Ordinary Meeting of Council

## MINUTES

Thursday 16 August 2012  
City of Stirling, 6.00pm

TAMALA PARK  
REGIONAL COUNCIL  
(TPRC)  
COMPRISES THE  
FOLLOWING  
COUNCILS:

Town of Cambridge  
City of Joondalup  
City of Perth  
City of Stirling  
Town of Victoria Park  
City of Vincent  
City of Wanneroo

**MEMBERSHIP**

<b>OWNER COUNCIL</b>	<b>MEMBER</b>	<b>ALTERNATE MEMBER</b>
Town of Cambridge	Cr Corinne MacRae	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Giovanni Italiano (CHAIRMAN) Cr David Michael Cr Terry Tyzack Cr Rod Willox	Cr Stephanie Proud
Town of Victoria Park	Mayor Trevor Vaughan (DEPUTY CHAIRMAN)	Cr David Ashton
City of Vincent	Mayor Alannah MacTiernan	
City of Wanneroo	Cr Frank Cvitan Cr Dianne Guise	Cr Bob Smithson Cr Stuart Mackenzie

NB: Although some Councils have nominated alternate members, it is a precursor to any alternate member acting that a Council carries a specific resolution for each occasion that the alternate member is to act, referencing Section 51 of the Interpretation Act. The current Local Government Act does not provide for the appointment of deputy or alternate members of Regional Councils. The DLGRD is preparing an amendment to rectify this situation.

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**PRESENT**

<b>Chairman</b>	Cr Giovanni Italiano
<b>Councillors</b>	Cr Geoff Amphlett Cr Frank Cvitan Cr Eleni Evangel Cr Corinne MacRae Cr Alannah MacTiernan Cr Tom McLean Cr David Michael Cr Terry Tyzack Cr Trevor Vaughan Cr Rod Willox
<b>Alternate Members</b>	Nil
<b>Staff</b>	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) Mrs Kylie Jeffs (Executive Assistant)
<b>Apologies Councillors</b>	Cr Dianne Guise
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Nil
<b>Consultants</b>	Mr Justin Crooks (Satterley Property Group) Mr Aaron Grant (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group)
<b>Apologies Participant Councils' Advisers</b>	Nil
<b>In Attendance Participant Councils' Advisers</b>	Mr Lewis Bond (City of Perth) Mr Garry Hunt (City of Joondalup) Mr Stuart Jardine (City of Stirling) Mr Len Kosova (City of Wanneroo) Mr Arthur Kyron (Town of Victoria Park) Mr Jason Lyon (Town of Cambridge)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

**1. OFFICIAL OPENING**

At 6.04pm the Chairman declared the meeting of the Tamala Park Regional Council open.

**DISCLOSURE OF INTERESTS**

Mr Nigel Satterley from Satterley Property Group declared a financial interest for Item 9.4 – Sponsored Charity Home Proposals.

**2. PUBLIC STATEMENT/QUESTION TIME**

Nil

**3. APOLOGIES AND LEAVE OF ABSENCE**

Apologies were received from Cr Dianne Guise.

**4. PETITIONS**

Nil

**5. CONFIRMATION OF MINUTES**

*Ordinary Meeting of Council – 21 June 2012*

Moved Cr T McLean, Seconded Cr R Willox

That the minutes of the Ordinary Meeting of Council of 21 June 2012 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (11/0).

**5A. BUSINESS ARISING FROM THE MINUTES**

Nil

**6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)**

Nil

**7. MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

**8. REPORTS OF COMMITTEES**

Moved Cr T Tyzack, Seconded Cr E Evangel

That the recommendations of the following committees be approved:

- Management Committee Meeting – 12 July 2012
- Audit Committee Meeting – 2 August 2012
- CEO Performance Review Committee Meeting – 2 August 2012

The Motion was put and declared CARRIED (11/0).

**9. ADMINISTRATION REPORTS**

**9.1 BUSINESS REPORT – PERIOD ENDING 9 AUGUST 2012**

*It was noted that the City of Perth has now executed the Power of Attorney document and will return the document to TPRC office ASAP.*

Moved Cr F Cvitan, Seconded Cr A MacTiernan

[The recommendation in the agenda]

**That the Council RECEIVE the Business Report for the period to 9 August 2012.**

The Motion was put and declared CARRIED (11/0).

**9.2 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF JUNE & JULY 2012**

*It was agreed that the value of lots sales will periodically be sent to each owner Council.*

Moved Cr G Amphlett, Seconded Cr T Vaughan

[The recommendation in the agenda]

**That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of June and July 2012:**

- **Month ending 30 June 2012 (Total \$756,468.18)**
- **Month ending 31 July 2012 (Total \$1,254,812.55)**
- **Total Paid - \$2,011,280.73**

The Motion was put and declared CARRIED (11/0).

**9.3 SALES AND SETTLEMENT REPORT**

Moved Cr D McLean, Seconded Cr R Willox

[The recommendation in the agenda]

**That the Council RECEIVE the Sales Report to 9 August 2012.**

The Motion was put and declared CARRIED (11/0).

**9.4 SPONSORED CHARITY HOME PROPOSALS**

[The recommendation in the agenda]

1. ACCEPT the proposal presented by the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group, in support of the Channel 7 Telethon Trust.
2. APPROVE the Satterley Property Group's preferred location for the Charity Home of Lot 192 Elsbury Approach.
3. AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the legal agreement.
4. NOTE the involvement and endorsement of the Council's probity auditor in the tender assessment process.

Moved Cr F Cvitan, Seconded Cr R Willox an alternative recommendation as follows:

1. **ACCEPT** the Tender submitted for the disposal of land for the development of a charity home by the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group, in support of the Channel 7 Telethon Trust.
2. **APPROVE** the Satterley Property Group's preferred location for the Charity Home of Lot 192 Elsbury Approach.
3. **AUTHORISE** the Chairman and CEO to sign and affix the TPRC common seal to the legal agreement.
4. **NOTE** the involvement and endorsement of the Council's probity auditor in the tender assessment process.

Moved Cr E Evangel, Seconded Cr A MacTiernan an addition to the recommendation as follows:

5. That options be investigated with Habitat for Humanity for a proposal within the next 12 months.

The Motion was put and declared LOST (7/4).

Against: Cr G Amphlett, Cr F Cvitan, Cr G Italiano, Cr C MacRae, Cr T McLean, Cr T Tyzack, Cr R Willox.

For: Cr E Evangel, Cr A MacTiernan, Cr D Michael, Cr T Vaughan.

The Motion for amendment was put and declared CARRIED (11/0).

The Motion as then amended was put and declared CARRIED (11/0).

## 9.5 TPRC DRAFT BUDGET FOR THE FINANCIAL YEAR 2012/2013

*Cr D Michael departed the meeting during discussion on this item at 6.43pm.*

[The recommendation in the agenda]

1. **ADOPTS** the Budget for the Tamala Park Regional Council for the year ending 30 June 2013, incorporating:
  - a. Statement of Comprehensive Income, indicating an operating deficit of \$34,809,309.
  - b. Statement of Financial Activity, showing cash at end of year position of \$11,407,460.
  - c. Rate Setting Statement, indicating no rates levied.
  - d. Notes 1 to 27 forming part of the Budget.
2. **ADOPT** the Significant Accounting Policies as detailed in pages 13 -18.
3. **ADOPT** a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.
4. Authorise the CEO to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works for subsequent presentation to Council.

Moved Cr T McLean, Seconded Cr T Tyzack an alternative recommendation as follows:

1. **ADOPTS the Budget for the Tamala Park Regional Council for the year ending 30 June 2013, incorporating:**
  - a. **Statement of Comprehensive Income, indicating an operating deficit of \$34,809,309.**
  - b. **Statement of Financial Activity, showing cash at end of year position of \$11,147,460.**
  - c. **Rate Setting Statement, indicating no rates levied.**
  - d. **Notes 1 to 27 forming part of the Budget, subject to the change in 1b.**
2. **ADOPT the Significant Accounting Policies as detailed in pages 13 -18.**
3. **ADOPT a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.**
4. **Authorise the CEO to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works for subsequent presentation to Council.**

The Motion for amendment was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

The Motion as then amended was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

*Cr D Michael returned to the meeting at 6.45pm.*

## **9.6 COMPLEMENTARY WATER SAVING MEASURES**

*Aaron Grant provided advice on the water saving measures.*

Moved Cr T McLean, Seconded Cr R Willox

[The recommendation in the agenda]

1. To RECEIVE the Water Re-Use Options report provided by Satterley Property Group correspondence dated 1 August 2012.
2. To APPROVE the reallocation of \$1,000 per lot within the approved sustainability initiatives budget from Third Pipe (non potable water supply system) to Waterwise Landscaping Packages, to implement the following water saving initiatives:-
  - a. Waterwise irrigation controllers;
  - b. Water Crystals to enhance soil moisture retention abilities; and
  - c. Subsurface irrigation of garden beds to reduce water loss by evaporation.

Moved Cr A MacTiernan, Seconded Cr E Evangel an amendment to recommendation 2(b) as follows:

1. **To RECEIVE the Water Re-Use Options report provided by Satterley Property Group correspondence dated 1 August 2012.**



2. To **APPROVE** the reallocation of \$1,000 per lot within the approved sustainability initiatives budget from Third Pipe (non potable water supply system) to Waterwise Landscaping Packages, to implement the following water saving initiatives:-
  - a. **Waterwise irrigation controllers;**
  - b. **Enhance soil moisture retention abilities; and**
  - c. **Subsurface irrigation of garden beds to reduce water loss by evaporation.**

The Motion for amendment was put and declared CARRIED (10/1).

For: Cr G Amphlett, Cr F Cvitan, Cr E Evangel, Cr G Italiano, Cr A MacTiernan, Cr T McLean, Cr D Michael, Cr T Tyzack, Cr T Vaughan, Cr R Willox.

Against: Cr C MacRae.

The Motion as then amended was put and declared CARRIED (10/1).

## 9.7 STAGES 4 and 6A SALES PROCESS

Moved Cr G Amphlett, Seconded Cr T Tyzack

[The recommendation in the agenda]

1. **APPROVE** the sale of Stage 4 and Stage 6A traditional lots and 10 metre lots (Plan 2228-114A-01) by the Sales Procedure – Private Purchaser Lots Strategy, September 2011, approved by the Council at its meeting held on 13 October 2011, subject to the same sales contract, building incentives and commercial terms.
2. **APPROVE** the disposal of the Stage 4 and Stage 6A traditional lots and 10 metre lots (Plan 2228-114A-01) by Private Treaty in accordance with Section 3.58(3) and (4) of the Local Government Act 1995.
3. **APPROVE** the sale of Stage 4 medium density lots (7.5m rear loaded cottage lots) (Plan 2228-114A-01) as builder allocation lots by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 the Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.
4. **NOTE** that the Stage 4 group housing site will be the subject of a separate report in terms of the potential sales process, design guidelines and development methodology.

The Motion was put and declared CARRIED (11/0).

## 9.8 SALES OFFICE AND INFORMATION CENTRE TENDER ASSESSMENT

Moved Cr F Cvitan, Seconded Cr R Willox

[The recommendation in the agenda]

1. **ACCEPT** the National Homes Tender dated 30 July 2012, for the construction of a Sales Office and Information Centre within the Stage 2 Builders Display Village.

2. **AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the contract documents.**

The Motion was put and declared CARRIED (11/0).

#### 9.9 NATIONAL STORMWATER CONFERENCE 2012

Moved Cr Evangel, Seconded Cr R Willox

[The recommendation in the agenda]

That the CEO be AUTHORISED to attend the 2012 2<sup>nd</sup> National Stormwater Conference in Melbourne to be held on 15-19 October 2012.

Moved Cr T Tyzack, Seconded Cr F Cvitan an addition to the recommendation as follows:

1. **That the CEO be AUTHORISED to attend the 2012 2<sup>nd</sup> National Stormwater Conference in Melbourne to be held on 15-19 October 2012.**
2. **That Cr Rod Willox be AUTHORISED to attend the 2012 2<sup>nd</sup> National Stormwater Conference in Melbourne to be held on 15-19 October 2012, within the adopted policy.**

The Motion for amendment was put and declared CARRIED (11/0).

The Motion as then amended was put and declared CARRIED (11/0).

#### 9.10 STAGE 3 BUILDERS ALLOCATION LOTS TENDER – LATE ITEM

Moved Cr T Tyzack, Seconded Cr G Amphlett

[The recommendation in the agenda]

1. **APPROVE the allocation of Lots 66 – 69, to the Homebuyers Centre subject to the conditions of Tender 5/2012.**
2. **AUTHORISE the CEO and Chairman to sign and seal relevant Put Option Deed documentation.**

The Motion was put and declared CARRIED (11/0).

#### 10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

#### 11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

#### 12. URGENT BUSINESS APPROVED BY THE CHAIRMAN

Nil

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. GENERAL BUSINESS**

Cr A MacTiernan requested a review into the landscape gardening for the next stage of the Catalina Estate development, to ensure the landscaping is to the highest standard.

**15. FORMAL CLOSURE OF MEETING**

The Chairman declared the meeting closed at 7.08pm.

These minutes were confirmed at a meeting on .....

SIGNED this ..... day of ..... 2012

as a true record of proceedings.

\_\_\_\_\_  
CHAIRMAN



# MINUTES

## ORDINARY COUNCIL MEETING

TIME: 5.30PM

23 AUGUST 2012

CITY OF VINCENT

---

*Managing waste and recovering resources responsibly*  
Constituent Members: *Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo*  
*Towns of Cambridge and Victoria Park*



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*Prior to taking their seats for the meeting Cr Boothman and Cr Cooke elected by the City of Stirling to represent Mindarie Regional Council made the required Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council in accordance with s.702 of the Local Government Act 1960.*

**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

*The Chair declared the meeting open at 6.30pm.*

**2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

<b>PRESENT:</b>	<b>Chairman</b>	Cr R Fishwick JP Cr J Bissett Cr D Boothman Cr R Butler Cr S Cooke Cr L Gray JP Cr K Hollywood Cr D Newton JP Cr B Stewart Cr S Withers
<b>APOLOGIES:</b>		Cr A MacTiernan Cr J Robbins
<b>ABSENT :</b>		Nil
<b>IN ATTENDANCE:</b>		
Mindarie Regional Council Officers:	B Callander G Hoppe L Nyssen	Chief Executive Officer Director Corporate Services Governance Officer
Member Council Officers:	K Caple G Eves A Kyron R Lotznicker A Vuleta	City of Wanneroo City of Stirling Town of Victoria Park City of Vincent Town of Victoria Park
<b>VISITORS</b>		Peg Davies MRC – Education Officer
<b>MEDIA:</b>		Nil
<b>PUBLIC:</b>		Nil

**3 DECLARATION OF INTERESTS**

Nil

**4 PUBLIC QUESTION TIME**

Nil

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**5 ANNOUNCEMENTS BY THE PRESIDING PERSON**

*The Chair advised that a Special Council Meeting will be held on Thursday 20 September 2012 to consider:*

- *Odour emission from the Resource Recovery Facility;*
- *Resource Recovery Facility Agreement - Compost Performance; and*
- *The outcome of the CEO's Performance Review.*

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Fishwick requested a leave of absence from 29 September 2012 to 10 November 2012.

**RESOLVED**

**Cr Hollywood moved, Cr Butler seconded**  
*CARRIED UNANIMOUSLY (10/0)*

Cr Butler requested a leave of absence from 17 September 2012 to 1 October 2012.

**RESOLVED**

**Cr Hollywood moved, Cr Butler seconded**  
*CARRIED UNANIMOUSLY (10/0)*

**7 PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

**8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**8.1 ORDINARY COUNCIL MEETING – 5 JULY 2012**

The Minutes of the Ordinary Council Meeting held on 5 July 2012 have been printed and circulated to members of the Council.

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Minutes of the Ordinary Council Meeting of Council held on 5 July 2012 be confirmed as a true record of the proceedings.**

**RESOLVED**

**Cr Butler moved, Cr Boothman seconded**  
**That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (10/0)*

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<b>9 PROJECT MANAGER REPORTS</b>
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<b>ITEM 9.1</b>	<b>RESOURCE RECOVERY FACILITY AGREEMENT – COMPOST PERFORMANCE</b>
<b>File No:</b>	<b>WST/147</b>
<b>Appendix(s):</b>	
<b>Date:</b>	<b>1 August 2012</b>
<b>Responsible Officer:</b>	<b>Ian Watkins</b>

*Report Withdrawn*

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<b>10 CHIEF EXECUTIVE OFFICER REPORTS</b>
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<b>ITEM 10.1 REVIEW OF DELEGATION REGISTER</b>	
<b>File No:</b>	<b>GOV/27</b>
<b>Appendix(s):</b>	<b>Nil</b>
<b>Attachment(s):</b>	<b>1. Instrument of Delegation to the Chief Executive Officer</b>
<b>Date:</b>	<b>16 July 2012</b>
<b>Responsible Officer:</b>	<b>CEO</b>

### **SUMMARY**

The review of the Register of Delegations as previously approved by Council at its meeting on 13 October 2011 in accordance with s5.46 (2) of the *Local Government Act 1995 (LGA95)*.

### **BACKGROUND**

The delegation register was last reviewed in September 2011 where the Acting Chief Executive Officer made amendments to the register as he considered that they needed both rewording for clarity purposes and separated as standalone delegations.

### **DETAIL**

The new Chief Executive Officer (CEO) has reviewed the current delegation register and considers that the delegations it contains are acceptable and provides the ability for the administration to operate effectively. A further review of the delegations will be required when the CEO undertakes a full review of the current policies and operational procedures prior to the end of the calendar year.

### **CONSULTATION**

Nil

### **STATUTORY ENVIRONMENT**

The Council has the power to delegate authority to the CEO in accordance with s.5.42 of the LGA95 and as delegator it is required to review the delegations annually in accordance with s.5.46(2), of the *LGA95, which state, inter alia, the following:*

“5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

(a) *this Act other than those referred to in section 5.43.*

*\* Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.”*
-

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**COMMENT**

The delegations are adequate for their purpose at this point in time however the CEO will be undertaking a full review of MRC's current Business Manual that contains a mixture of policies and administrative procedures to bring them in line with the new organisation structure and cultural changes. This will more than likely require the Council to consider additional delegations

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That Council approve the Instrument of Delegation to the Chief Executive Officer as detailed in attachment 1 of this agenda.**

**RESOLVED**

**Cr Stewart moved, Cr Butler Seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (10/0)*

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**ATTACHMENT 1**  
**TO ITEM 10.1**  
**ORDINARY COUNCIL MEETING**  
**23 AUGUST 2012**  
**INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER**

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**MINDARIE REGIONAL COUNCIL – Delegations of Authority Register – Sept 2011  
COUNCIL TO CHIEF EXECUTIVE OFFICER**

<b>1. GOVERNANCE</b>				
No.	Reference	Delegation	Condition(s)	Assignee(s)?
1.1	LGAct 1995 s.9.10	Appoint persons or classes of persons to be authorised for the purposes of performing particular functions	Each authorised person to be issued with a certificate of authorisation	NO
1.2	LGAct 1995 s.5.42	Appoint an employee of the MRC to the position of Acting CEO where the CEO is unable, or expected to be unable by reason of illness, temporary absence from WA, or any other reason, to perform the functions of the position	Not exceeding 3 months in any period of 12 months	NO
<b>2. FINANCE</b>				
2.1		Approve requisitions and purchase orders for the supply of goods and services	Requisitions and purchase orders to be within the budget allocation as reviewed from time to time	YES
2.2	LG(Financial Management Regulations) 1996 Reg.8	Open and close bank accounts, access accounts electronically and transfer funds electronically		YES
2.3	LG(Financial Management Regulations) 1996 Reg.12	Approve and make payment of accounts	1. In accordance with approved procedure set out in Reg.11; 2. Where funds have been provided in the budget and the accounts are acquitted prior to payment; 3. List of accounts paid to be reported to Council as required by Reg.13	YES
2.4	LG(Financial Management Regulations) 1996 Reg.34(1)(a)	Prepare monthly financial reports	In accordance with Reg.34	YES
2.5	LGAct s.6.14	Invest funds surplus to the immediate needs of the Council	Subject to the internal control procedures set out in Reg.19	YES
2.6	LGAct s.6.12	Waive Fees and Write Off Debts	1. Not exceeding a total of \$10,000 for any one debtor in any financial year; 2. Ensure all reasonable effort has been made to recover the debt; 3. Where fees or debts have been waived, or concessions granted, they are to be reported in the mid-year budget review	NO
2.7	LGAct s.3.57	Seek Expressions of Interest and/or call tenders for goods or services	For items listed on the budget and subsequently approved for proceeding by Council	YES
2.8	LG(Functions & General) Regs.14(2a) and 20	Vary contracts up to \$50,000 or 10% of the contract value, whichever is the lesser	1. For the RRFA only if it incurs no additional risk or liability to the MRC; 2. Variations approved for significant contracts, including all contracts awarded following public tenders, to be reported to the next following council meeting	NO
2.9	LGAct s.3.58(5) and LG(Functions & General) Regs.30(3)	Dispose of items or material arising from the waste management activities	1. The value of the item or material is less than \$20,000; 2. Ensure all reasonable effort has been made to secure current market prices for the item or material	NO

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<b>ITEM 10.2</b>	<b>MRC WASTE FACILITY SITE AMENDMENT LOCAL LAW 2012</b>
<b>File No:</b>	<b>LAW/5</b>
<b>Appendix(s):</b>	<b>Appendix 1 Appendix 2</b>
<b>Date:</b>	<b>30 July 2012</b>
<b>Responsible Officer:</b>	<b>CEO</b>

### **SUMMARY**

Seeking Council's approval to approve Mindarie Regional Council's Waste Facility Site Amendment Local Law 2012 and give Statewide Public Notice.

### **BACKGROUND**

The Joint Standing Committee on Delegated Legislation (the Committee) has reviewed the Mindarie Regional Council Waste Facility Site Local Law (Principal Local Law) and has written to the Mindarie Regional Council (MRC) recommending a number of minor changes be addressed in the Principal Local Law.

In the letter the Committee requested the MRC to provide to them, in writing, an undertaking that it will amend a number of drafting errors prior to Monday 23 July 2012. The MRC responded to the Committee on 5 July 2012 advising that it will make the amendments to the Principal Local Law as requested.

### **DETAIL**

The amendments have been made to the Local Law and are contained in Appendix 1. Appendix 2 contains the Amended Local Law as it will be presented to the public during the Statewide public notice period.

The purpose and effect of the amended Local Law will be the same as the Principal Local Law, which reads as follows:

**The purpose** of the local law is to regulate the conduct of the public whilst they are on the "site" on which the MRC conducts its waste operations.

**The effect** of the local law is to regulate and prohibit certain conduct by the public whilst on the site. It provides that some activities may only take place with permission and that some activities are restricted or prohibited. Restricted activities include parking and removal of flora, fauna and other property.

To amend the text of a Local Law steps will need to be taken under s3.12 of the *Local Government Act 1995* for the Council to amend the Local Law.

The first step is for the council to endorse the amendments to the Local Law including its purpose and effect and give Statewide public notice of the proposed Amendment to the Mindarie Regional Council Waste Facility Site Local Law 2012.

### **CONSULTATION**

Nil

### **STATUTORY ENVIRONMENT**

The process for amending the text of a Local Law is covered in s3.12 of the *Local Government Act 1995*, which reads as follows:

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“3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
  - (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
  - (3) *The local government is to —*
    - (a) *give Statewide public notice stating that —*
      - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice;*
      - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
      - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
    - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
    - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
  - (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
  - (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.*

*\* Absolute majority required.*
  - (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
  - (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
    - (a) *stating the title of the local law;*
    - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
    - (c) *advising that copies of the local law may be inspected or obtained from the local government’s office.*
  - (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
-

(8) *In this section —*

**making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. *Procedure where significant change in proposal*

*If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.*

3.14. *Commencement of local laws*

(1) *Unless it is made under section 3.17, a local law comes into operation on the 14th day after the day on which it is published in the Gazette or on such later day as may be specified in the local law.*

(2) *A local law made under section 3.17 comes into operation on the day on which it is published in the Gazette or on such later day as may be specified in the local law.*

3.15. *Local laws to be publicized*

*A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.*

3.16. *Periodic review of local laws*

(1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*

(2) *The local government is to give Statewide public notice stating that —*

- (a) *the local government proposes to review the local law;*
- (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
- (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*

(2a) *A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.*

(3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*

(4) *When its council has considered the report, the local government may determine\* whether or not it considers that the local law should be repealed or amended.*

*\* Absolute majority required."*

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**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**COMMENT**

The Committee has advised the MRC of textual errors in the Principal Local Law as it was presented and requested that they be addressed. To amend the text of a Local Law requires the same process as if a new Local Law was being developed. Therefore it is recommended that the Council endorses the changes to the local law and confirm its purpose and effect and authorise that the Principal Local Law as amended be advertised Statewide as required by s.3.12 (3) of the *Local Government Act 1995*.

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

That:

1. The Council endorses the Mindarie Regional Council Waste Facility Site Amendment Local Law 2012 including its “purpose” and “effect”;
2. The Council authorises the Waste Facility Site Amendment Local Law detailed in (1) above to be advertised in accordance with section 3.12(3) of the Local Government Act 1995.

**RESOLVED**

Cr Hollywood moved, Cr Newton seconded  
That the recommendation be adopted

*CARRIED UNANIMOUSLY (10/0)*

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<b>ITEM 10.3</b>	<b>FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31 MAY 2012 AND 30 JUNE 2012</b>
<b>File No:</b>	<b>FIN/5-02</b>
<b>Appendix(s):</b>	<b>Appendix 3 Appendix 4 Appendix 5</b>
<b>Date:</b>	<b>30 July 2012</b>
<b>Responsible Officer:</b>	<b>Gunther Hoppe</b>

### **SUMMARY**

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

### **BACKGROUND**

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Nature – RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

### **DETAIL**

The Financial Statements attached are for the months ended 31 May 2012 and 30 June 2012 are attached at **Appendix 3 and 4** to this Item. The Tonnage Report for the 12 months to 30 June 2012 is attached at **Appendix 5**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

These Statements includes:

- Accruals
- Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure

to provide meaningful reporting to Stakeholders.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

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These adjustments have not yet been made in the 30 June 2012 financial statements attached to this report, but will be included in as part of the year end close and audit process.

Summary of results for the year

	<b>Actual</b>	<b>Budget</b>	<b>Variance</b>
	<b>t</b>	<b>t</b>	<b>t</b>
Tonnes – Members	246,013	242,235	3,778
Tonnes – Others	49,185	53,009	(3,824)
<b>TOTAL TONNES</b>	<b>295,198</b>	<b>295,244</b>	<b>(46)</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Revenue - Members	29,973,065	29,507,856	465,209
Revenue – Other	9,390,262	9,914,232	(524,970)
<b>TOTAL REVENUE</b>	<b>39,363,327</b>	<b>39,423,088</b>	<b>(59,761)</b>
Expenses	39,563,449	40,026,837	463,388
<b>NET DEFICIT</b>	<b>(200,122)</b>	<b>(603,749)</b>	<b>403,627</b>

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Financial Statements set out in Appendix 3 and 4 for the months ended 31 May 2012 and 30 June 2012 be received.**

**RESOLVED**

**Cr Boothman moved, Cr Butler seconded  
That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (10/0)*

<b>ITEM 10.4</b>	<b>LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 MAY 2012 AND 30 JUNE 2012</b>
<b>File No:</b>	<b>FIN/5-02</b>
<b>Appendix(s):</b>	<b>Appendix 6 Appendix 7</b>
<b>Date:</b>	<b>30 July 2012</b>
<b>Responsible Officer:</b>	<b>Gunther Hoppe</b>

**SUMMARY**

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under delegated authority to the Chief Executive Officer, that a list of payments made from the Municipal Fund, since the last Ordinary Council meeting be presented to Council.

**COMMENT**

The lists of payments for the months ended 31 May 2012 and 30 June 2012 are at **Appendix 6 and 7** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to CEO that allows payments to be made between meetings. At the Ordinary Council Meeting held on 13 October 2011, the Council delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and Mindarie Regional Council is able to claim this tax as an input credit when remittance of GST collected is made each month to the ATO.

Months Ended	Account	Vouchers	Amount
31 May 2012	General Municipal	Cheques	\$163,741.42
		EFT	\$2,038,261.03
		DP	\$473,601.14
		<b>Total</b>	<b>\$2,675,603.59</b>
30 June 2012	General Municipal	Cheques	\$75,530.09
		EFT	\$2,707,514.19
		DP	\$366,511.89
		<b>Total</b>	<b>\$3,149,556.17</b>

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 31 May 2012 and 30 June 2012 be noted.**

**RESOLVED**

**Cr Hollywood moved, Cr Gray seconded  
 That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (10/0)*

<b>11 MEMBERS INFORMATION BULLETIN – ISSUE NO. 6</b>
--

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Members Information Bulletin Issue No. 6 be received.**

**RESOLVED**

**Cr Cooke moved, Cr Gray Seconded**

**That the recommendation be adopted.**

*CARRIED UNANIMOUSLY (10/0)*

---

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

Nil

**13 URGENT BUSINESS**

Nil

**14 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

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**15 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

<b>ITEM 15.1</b>	<b>RESOURCE RECOVERY FACILITY – REQUEST FOR RELOCATION OF ADJOINING TENANT</b>
<b>File No:</b>	<b>WST/118</b>
<b>Appendix(s):</b>	<b>Nil</b>
<b>Date:</b>	<b>1 August 2012</b>
<b>Responsible Officer:</b>	<b>CEO</b>

*Report Withdrawn*

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**16 NEXT MEETING**

*Next meeting to be held on Thursday 25 October 2012 in the Council Chambers at City of Perth commencing at 5.30pm.*

**17 CLOSURE**

***The Chairman closed the meeting at 5.38pm and thanked the City of Vincent for their hospitality and the use of their meeting facilities.***

*These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 23 August 2012.*

Signed ..... Chairman

Dated this ..... day of ..... 2012

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**WALGA**

**North Metropolitan Zone  
Minutes**

**30 August 2012**





# North Metropolitan Zone WALGA

Hosted by the City of Wanneroo  
23 Dundobar Road WANNEROO Phone: 9405 5000  
Thursday 30 August 2012 - Commenced at 6:00 pm

## Minutes

### MEMBERS

#### 4 Voting Delegates from each Member Council

City of Joondalup	Cr Russ Fishwick Cr Mike Norman Cr Christine Hamilton-Prime Mr Jamie Parry, Director Governance and Strategy – non-voting delegate
City of Stirling	Mayor David Boothman Cr Bill Stewart Cr David Michael Mr Stuart Jardine, Chief Executive Officer Mr Aaron Bowman, Manager Governance & Council Support – non-voting delegate
City of Wanneroo	Mayor Tracey Roberts- <b>Chair</b> Cr Stuart Mackenzie – <b>Deputy Chair</b> Cr Frank Cvitan Cr Rudi Steffens
WALGA Representatives	Mayor Troy Pickard, WALGA President Ms Karen Barlow, Environment Policy Manager
DLG Representative	Mr Mark Glasson, Executive Director Strategic Policy & LG Reform
Guest Speakers	Ms Lynn MacLaren MLC Member for South Metropolitan Region

### APOLOGIES

City of Joondalup	Cr Geoff Amphlett JP Mr Garry Hunt, Chief Executive Officer – non-voting delegate
City of Wanneroo	Cr Diane Guise Mr Daniel Simms, Chief Executive Officer – non-voting delegate
City of Stirling	Cr Giovanni Italiano JP

## **ANNOUNCEMENTS**

Confirmation of Attendance: an attendance sheet was circulated prior to the commencement of the meeting to register your name for the Minutes.

## **ATTACHMENTS**

1. Minutes of previous meeting
2. Zone Status Report
3. Standing Orders
4. President's Report

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## **1. DEPUTATIONS**

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### **1.1 Climate Change Readiness (Coastal Planning and Protection) Bill 2012**

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Ms Lynn MacLaren MLC Member for South Metropolitan Region presented on the Climate Change Readiness (Coastal Planning and Protection) Bill 2012.

Information was attached with the Agenda.

#### **Noted**

WALGA President Mayor Troy Pickard arrived at the meeting at 6.25pm.

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## **2. CONFIRMATION OF MINUTES**

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### **RESOLUTION**

**That the Minutes of the meeting of the North Metropolitan Zone held on 26 April 2012 be confirmed as a true and accurate record of the proceedings. No meeting was held during June 2012.**

**Moved Cr Christine Hamilton-Prime Seconded Cr Stuart Mackenzie**

**CARRIED**

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## **3. DECLARATION OF INTEREST**

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Pursuant to our Code of Conduct, Councillors must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Cr Michael, declared an interest in item 1.1 as he is employed by the Shadow Minister for Planning.

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## **4. BUSINESS ARISING**

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**Nil**

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## 5. REPORTS FROM MEMBER COUNCILS

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Nil

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## 6. STATE COUNCIL AGENDA - MATTERS FOR DECISION

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*(Zone delegates to consider the Matters for Decision contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)*

### RESOLUTION

That the North Metropolitan Zone endorse 'en-bloc' all items within the September 2012 State Council Agenda.

Moved Cr Christine Hamilton-Prime Seconded Cr Stuart Mackenzie

CARRIED

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## 7. EXECUTIVE REPORTS

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### 7.1 President's Report to the Zone

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The WALGA President, Mayor Troy Pickard, presented his President's Report which was distributed with the Agenda. Mayor Pickard highlighted positive feedback from the Local Government Convention and provide a brief précis of WALGA's strategies for the forthcoming State Election.

Noted

### RESOLUTION

That the North Metropolitan Zone members extend their thanks to WALGA CEO Ricky Burges and staff for the successful running of the Local Government Convention 2012.

Moved Mayor Tracey Roberts Seconded Mayor David Boothman.

CARRIED

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### 7.2 State Councillor's report to the Zone

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WALGA State Council matters were covered in Mayor Pickard's report.

Noted

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### 7.3 Department of Local Government Representative Update Report.

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Mr Mark Glasson presented the Director General's Update Report to the meeting.

Noted

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## 8.1 Proposed Meeting Dates for 2013 – North Metropolitan Zone

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*By Margaret Degebrodt Zone Executive Officer*

A schedule of the proposed meeting dates for the North Metropolitan Zone 2013 has been prepared and is set out below. The dates have been set to coincide with the WALGA State Council meetings.

Please note that Thursday 25 April is Anzac Day and a Public Holiday, suggested dates for the April meeting are Thursday 18 April or Wednesday 24 April.

The proposed meeting dates for the North Metropolitan Zone for 2013 require adoption by delegates. As with previous years, the venue for each meeting has been rotated amongst Member Local Governments.

PROPOSED NOTICE OF MEETINGS  
NORTH METROPOLITAN ZONE MEETING  
2013

Meeting Dates Thursday	Time	HOST COUNCIL	State Council Meeting Date 2013
28 February	Thursday 6.00 pm	Joondalup	6 March
<b>Thurs 18 April</b>	Thursday 6.00 pm	Wanneroo	1 May (Regional TBC)
27 June	Thursday 6.00 pm	Stirling	3 July
29 August	Thursday 6.00 pm	Joondalup	4 September
28 November	Thursday 6.00 pm	Wanneroo	4 December

### RESOLUTION

**That the 2013 proposed schedule of meetings for the North Metropolitan Zone be adopted, noting that the second meeting of the year will be held 18 April 2013.**

**Moved Cr Frank Cvitan Seconded Cr Bill Stewart.**

**CARRIED**

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## 9. OTHER BUSINESS

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Nil

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## 10. DATE, TIME AND PLACE OF NEXT MEETING

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### RESOLVED

**That the next ordinary meeting of the North Metropolitan Zone be held on Thursday 29 November at the City of Stirling commencing at 6pm.**

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## 11. CLOSURE

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There being no further business the Chair declared the meeting closed at 7:10pm.