

# agenda

## Ordinary Meeting of Council

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

**ON TUESDAY 19 AUGUST 2014**

**COMMENCING AT 12.00 Noon**

**GARRY HUNT**  
Chief Executive Officer  
15 August 2014

[www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au)

**PUBLIC QUESTION TIME**

Members of the public are  
requested to lodge questions in  
writing by 9.00am on  
Monday 18 August 2014

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

**QUESTIONS TO**

[council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

PO Box 21 Joondalup WA 6919

[www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au)

## PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time were adopted at the Council meeting held on 19 November 2013:

Where a meeting of a committee is open to the public the procedures for public question time and public statement time apply. In this regard these procedures are amended by substituting "Council" with "Committee" to provide proper context.

### Questions asked verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Questions asked at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per member of the public.
- 5 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be allocated a minimum of 15 minutes and may be extended in intervals of up to 10 minutes by resolution of Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed 35 minutes in total. Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 8 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
  - accept or reject any question and his/her decision is final
  - nominate a member of the Council and/or City employee to respond to the question  
or
  - take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.

- 9 Where an Elected Member is of the opinion that a member of the public is:
- asking a question at a Council meeting, that does not relate to a matter affecting the City
  - or
  - making a statement during public question time,
- they may bring it to the attention of the Presiding Member who will make a ruling.
- 10 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

#### **Questions in Writing – (Residents and/or ratepayers of the City of Joondalup only)**

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

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

### **DISCLAIMER**

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

### **PROCEDURES FOR PUBLIC STATEMENT TIME**

The following procedures for the conduct of Public Statement Time were adopted at the Council meeting held on 19 November 2013:

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

- 9 A member of the public attending a Council meeting may present a written statement rather than making the statement verbally if he or she so wishes.
- 10 Statements will be summarised and included in the minutes of the Council meeting.

## CODE OF CONDUCT

Elected Members, Committee Members and City of Joondalup employees are to observe the City of Joondalup Code of Conduct including the principles and standards of behaviour that are established in the Code.

The following principles guide the behaviours of Elected Members, Committee Members and City of Joondalup employees while performing their role at the City:

- Act with reasonable care and diligence.
- Act with honesty and integrity.
- Act lawfully.
- Avoid damage to the reputation of the City.
- Be open and accountable to the public.
- Base decisions on relevant and factually correct information.
- Treat others with respect and fairness.
- Not be impaired by mind affecting substances.

Elected Members, Committee Members and employees must:

- (a) act, and be seen to act, properly and in accordance with the requirements of the law and the Code of Conduct
- (b) perform their duties impartially and in the best interests of the City uninfluenced by fear or favour
- (c) act in good faith in the interests of the City and the community
- (d) make no allegations which are improper or derogatory and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any person unwarranted offence or embarrassment
- (e) always act in accordance with their obligations to the City and in line with any relevant policies, protocols and procedures.

\* *Any queries on the agenda, please contact Governance Support on 9400 4369.*

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#### **LATE ITEMS / ADDITIONAL INFORMATION**

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

[Additional Information190814.pdf](#)



# CITY OF JOONDALUP

Notice is hereby given that a Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday, 19 August 2014** commencing at **12.00 Noon**.

GARRY HUNT  
Chief Executive Officer  
15 August 2014

Joondalup  
Western Australia

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## VISION

*“A global City: bold, creative and prosperous.”*

## PRIMARY VALUES

- Transparent.
- Accountable.
- Honest.
- Ethical.
- Respectful.
- Sustainable.
- Professional.

## DISTINGUISHING VALUES

### **Bold**

We will make courageous decisions for the benefit of our community and future generations.

### **Ambitious**

We will lead with strength and conviction to achieve our vision for the City.

### **Innovative**

We will learn and adapt for changing circumstances to ensure we are always one step ahead.

### **Enterprising**

We will undertake ventures that forge new directions for business and the local community.

### **Prosperous**

We will ensure our City benefits from a thriving economy built on local commercial success.

### **Compassionate**

We will act with empathy and understanding of our community's needs and ambitions.

# AGENDA

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

## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

## 2 DECLARATIONS OF INTEREST

### Disclosures of Financial Interest/Proximity Interest

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

### Disclosure of interest affecting impartiality

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

<b>Name/Position</b>	<b>Cr Philippa Taylor.</b>
<b>Item No./Subject</b>	CJ131-08/14 – Proposed Additions to the Existing Consulting Room at Lot 905 (21) Coolibah Drive, Greenwood.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Taylor's son has attended this orthodontic clinic.

<b>Name/Position</b>	<b>Ms Dale Page, Director Planning and Community Development.</b>
<b>Item No./Subject</b>	CJ131-08/14 – Proposed Additions to the Existing Consulting Room at Lot 905 (21) Coolibah Drive, Greenwood.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Ms Page's daughter attends this orthodontic clinic.

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No./Subject</b>	CJ137-08/14 – Annual Plan Quarterly Progress Report for the Period 1 April to 30 June 2014.
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	Cr Corr is Secretary of the Joondalup Business Association.

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No./Subject</b>	CJ142-08/14 – Paramotor Trial – use of City Coastal Land.
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	A representative of the WA Sky Pirates (WASP) Paramotor Club is a neighbour of Mayor Pickard.

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No./Subject</b>	CJ146-08/14 – Penistone Park, Greenwood - Proposed Redevelopment.
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	Cr Corr's son plays cricket at Penistone Park, Greenwood.

### 3 PUBLIC QUESTION TIME

The following questions were taken on notice at the Council meeting held on 15 July 2014.

**Mrs M Macdonald, Mullaloo:**

*Re: Ocean Reef Marina Project.*

*Q1 Where on the City's website will I find the M P Rogers and Associates report dated 2012 titled "Coastal Vulnerability – Hillarys to Ocean Reef"?*

*A1 The "Coastal Vulnerability – Hillarys to Ocean Reef" report by M P Rogers and Associates dated 2012 is not available on the City's website.*

*Q2 When did Elected Members receive a copy of the report titled "Coastal Vulnerability – Hillarys to Ocean Reef"?*

*A2 The City has undertaken two coastal vulnerability assessments along its coastline including Sorrento to Marmion and Hillarys to Ocean Reef. A third coastal vulnerability assessment from Iluka to Burns Beach is currently being finalised by M P Rogers and Associates and is expected to be received by the City in August 2014. The coastal vulnerability studies will inform the Coastal Adaptation Planning and Implementation Project, contained within the City's Climate Change Strategy 2014-2019.*

### 4 PUBLIC STATEMENT TIME

## 5 APOLOGIES AND LEAVE OF ABSENCE

### **REQUEST FOR LEAVE OF ABSENCE – CR KERRY HOLLYWOOD - [103782]**

Cr Kerry Hollywood has requested Leave of Absence from Council duties covering the period 16 September to 19 September 2014 inclusive.

#### **RECOMMENDATION**

**That Council APPROVES the request from Cr Kerry Hollywood for Leave of Absence from Council duties covering the period 16 September to 19 September 2014 inclusive.**

#### **Leave of Absence previously approved**

Cr Russ Fishwick, JP	4 August to 23 September 2014 inclusive;
Cr Geoff Amphlett,JP	6 August to 22 August 2014 inclusive;
Cr Liam Gobbert	20 August to 27 August 2014 inclusive;
Cr Tom McLean, JP	17 September to 10 October 2014 inclusive.

Cr Philippa Taylor has advised that she no longer requires the Leave of Absence previously approved by Council at its meeting held on 15 April 2014 (C11-04/14 refers) for the period 20 August to 12 September 2014 inclusive.

## 6 CONFIRMATION OF MINUTES

### **MINUTES OF COUNCIL MEETING, 15 JULY 2014**

#### **RECOMMENDATION**

**That the Minutes of the Council Meeting held on 15 July 2014 be confirmed as a true and correct record.**

## 7 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

## 8 IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

## 9 PETITIONS

**10 REPORTS****CJ130-08/14 DEVELOPMENT, CODE VARIATION AND SUBDIVISION APPLICATIONS - JUNE 2014**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	07032, 101515
<b>ATTACHMENTS</b>	Attachment 1 Monthly Development Applications Determined – June 2014 Attachment 2 Monthly Subdivision Applications Processed – June 2014 Attachment 3 Monthly Building R-Code Applications Decision – June 2014
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to note 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 (R-Code)* 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 June 2014 (Attachments 1, 2 and 3 refer):

- 1 Planning applications (applications for planning approval (development applications) and R-Code applications).
- 2 Subdivision applications.
- 3 Building R-Code applications.

## BACKGROUND

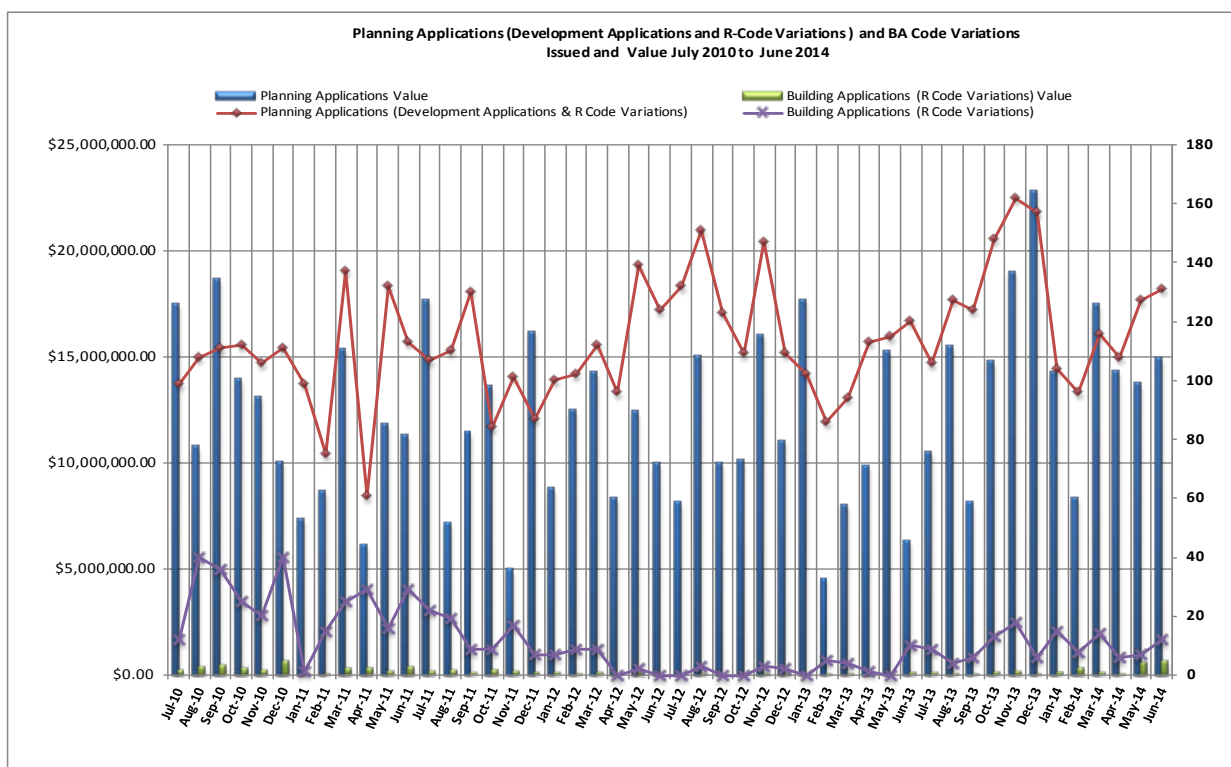
DPS2 requires that delegations be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 25 June 2013 (CJ094-06/13 refers), Council considered and adopted the most recent Town Planning Delegations via its review of the Register of Delegation of Authority manual.

## DETAILS

The number of applications determined under delegated authority during June 2014, is shown in the table below:

Applications determined under delegated authority – June 2014		
Type of Application	Number	Value (\$)
Planning applications (development applications and R-Codes applications).	131	\$ 14,905,591
Building applications (R-Codes applications).	12	\$623,062
<b>TOTAL</b>	<b>143</b>	<b>\$ 15,528,653</b>

The total number and value of planning and building R-Code applications determined between July 2010 and June 2014 is illustrated in the graph below:



The number of planning applications received during June was 140. (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 planning applications current at the end of June was 286. Of these, 78 were pending additional information from applicants, and 55 were being advertised for public comment.

In addition to the above, 231 building permits were issued during the month of June with an estimated construction value of \$21,376,187.

The number of subdivision and strata subdivision referrals processed under delegated authority during June 2014 is shown in the table below:

<b>Subdivision referrals processed under delegated authority for June 2014</b>		
<b>Type of referral</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	7	111
Strata subdivision applications	0	0

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

Not applicable.

#### **Legislation / Strategic Community Plan / policy implications**

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

#### **Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality built outcomes.

**Strategic initiative** Buildings and landscaping is suitable for the immediate environment and reflect community values.

**Policy** Not applicable. All decisions made under delegated authority have due regard to any of the City's policies that apply to the particular development.

Clause 8.6 of DPS2 permits development control functions to be delegated to persons or committees. All subdivision applications were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

#### **Risk management considerations**

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

#### **Financial/budget implications**

A total of 143 applications were determined for the month of June with a total amount of \$67,456 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 R-Codes, any relevant policy and/or DPS2.

Of the 131 planning applications determined during June 2014 consultation was undertaken for 74 of those applications. R-Codes applications for assessment against the applicable Design Principles (previously known as Performance Criteria), which are made as part of building applications, are required to include comments from adjoining landowners. Where these comments are not provided, the application will remain the subject of an R-Codes application, but be dealt with by Planning Approvals. The seven subdivision applications processed during June 2014 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.

**RECOMMENDATION**

**That Council NOTES the determinations and recommendations made under delegated authority in relation to the:**

- 1 Applications for planning approval and R-Codes applications described in Attachment 1 to Report CJ130-08/14 during June 2014;**
- 2 Subdivision applications described in Attachment 2 to Report CJ130-08/14 during June 2014;**
- 3 Building Residential Design Code applications described in Attachment 3 to Report CJ130-08/14 during June 2014.**

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf120814.pdf](#)



**Disclosures of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Philippa Taylor.</b>
<b>Item No./Subject</b>	CJ131-08/14 – Proposed Additions to the Existing Consulting Room at Lot 905 (21) Coolibah Drive, Greenwood.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Taylor's son has attended this orthodontic clinic.

<b>Name/Position</b>	<b>Ms Dale Page, Director Planning and Community Development.</b>
<b>Item No./Subject</b>	CJ131-08/14 – Proposed Additions to the Existing Consulting Room at Lot 905 (21) Coolibah Drive, Greenwood.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Ms Page's daughter attends this orthodontic clinic.

## **CJ131-08/14 PROPOSED ADDITIONS TO THE EXISTING CONSULTING ROOM AT LOT 905 (21) COOLIBAH DRIVE, GREENWOOD**

<b>WARD</b>	South-East
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	07832, 101515
<b>ATTACHMENTS</b>	Attachment 1 Location plan Attachment 2 Development plans Attachment 3 Applicant justification
<b>AUTHORITY / DISCRETION</b>	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

**PURPOSE**

For Council to determine an application for additions to an existing consulting room at Lot 905 (21) Coolibah Drive, Greenwood.

**EXECUTIVE SUMMARY**

An application for planning approval has been received for additions to an existing consulting room at Lot 905 (21) Coolibah Drive, Greenwood.

The site is zoned 'Urban' under the *Metropolitan Region Scheme* and 'Residential' under the City's *District Planning Scheme No. 2 (DPS2)*. Under DPS2, a 'Consulting Room' is a discretionary ("D") land use within the 'Residential' zone.

The application has been assessed against the requirements of DPS2. The proposal is consistent with these requirements with the exception of the proposed landscaping strip width and the standards prescribed under DPS2 with respect to rear and side building setbacks. The development also exceeds the building threshold envelope as defined in *Height and Scale of Buildings within Residential Areas Policy*. In addition, it is considered that the parking demand generated by the proposed development, though compliant with the parking standards of DPS2, will not be able to be completely accommodated on site.

It is considered that the proposed development is not in keeping with the intent of the 'Residential' zone on account of the scale of the additions proposed, which are considered excessive to the needs of one health consultant, and does not maintain the predominantly single residential character and amenity of the established residential area.

It is therefore recommended that the application be refused.

## BACKGROUND

<b>Suburb/Location</b>	Lot 405 (21) Coolibah Drive, Greenwood.
<b>Applicant</b>	Andrew Macliver.
<b>Owner</b>	Christopher Wholley; Anna Wholley; Bicuspid Nominees Pty Ltd.
<b>Zoning</b>	<b>DPS</b> Residential.
	<b>MRS</b> Urban.
<b>Site area</b>	683m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

The subject site is located on the northern side of Coolibah Drive, Greenwood and is bound by Calectasia Park to the east. On the other side of Calectasia Park are two City owned community facilities and Greenwood Village Shopping Centre. The surrounding areas to the north, south and west of the site are made up of predominantly low density, privately owned residential lots (Attachment 1 refers).

The subject site is zoned 'Residential' under DPS2, where a 'Consulting Room' is a discretionary ("D") use.

Planning approval was granted in 1974 for a single storey building to be used as a consulting room. The total floor area of the building was 91m<sup>2</sup> and consisted of two consulting rooms, a reception and waiting room area, bathroom, utilities area and tea preparation room. A total of six bays were provided at the front of the building for client parking, with staff parking accommodated at the rear.

In February 1988, approval was granted by the City for an addition to the existing building. Two consulting rooms were converted into an X-Ray room and storage/lunch room. A larger treatment room and office were also added, resulting in a total floor area of 174m<sup>2</sup>.

Further additions were approved in 1993, which included the addition of a small laboratory at the rear of the building, taking the total floor area to 192m<sup>2</sup>. Additions to the existing porch and a new front fence were approved in October 2004.

The site is located within Housing Opportunity Area 2 under the City's *Local Housing Strategy* and there is a density increase proposed for the site and surrounding residential properties from R20 to R20/40.

## DETAILS

The application is for additions to an existing consulting room, which is currently owned and operated by one registered orthodontist.

The business is proposed to continue in accordance with the original conditions of approval, which restrict use of the premise to one practitioner at any one time. The applicant has stated that the additions only serve to consolidate and streamline existing treatment processes and will not result in a greater number of staff or practitioners being accommodated on site.

The existing building has a total floor area of 192m<sup>2</sup>. This application proposes to add an additional floor area of 95m<sup>2</sup>, which will include the following additions and modifications:

- The existing waiting room will be extended 1.45 metres to the western boundary.
- The treatment room will be extended two metres to the western boundary to create room for two additional treatment chairs.
- An existing office will be converted into a storage and filling room.
- Two offices will be converted into consultation rooms.
- A staff room and staff courtyard area will be added to the rear of the building.
- An upper floor addition above the new staffroom and laboratory is proposed, which will contain the orthodontist's office, a change room with toilet and shower facilities and a practice manager and book keeper's office.

The development plans are provided as Attachment 2.

The number of car bays required to be provided under DPS2 is five bays per practitioner. The application proposes an additional car bay at the front, resulting in a total of seven car bays provided on site. The amount of parking provided is therefore in accordance with DPS2.

The proposal has been assessed against the requirements of DPS2 and related policies. The development satisfies these requirements except where set out below.

### Building threshold envelope

As the site is zoned 'Residential', Council Policy *Height and Scale of Buildings within Residential Areas* applies to the site. This policy is intended to ensure that development in the residential area does not adversely impact on adjoining or surrounding properties by way of bulk or scale. The proposed two storey addition exceeds the building threshold envelope established under the policy by approximately two metres at the highest point.

### Landscaping Strip

A 2.4 metre wide landscaping strip is proposed along the front boundary in lieu of the three metre width required by DPS2.

### Building setback

The development is required to be assessed against the building setbacks for non residential buildings under DPS2, which requires a setback of six metres from the rear boundary and three metres from the side boundaries. However, a setback of 0.963 metres is proposed to the rear boundary and setbacks of 0.683 metres and 1.06 metres are proposed to the western and eastern boundaries, respectively.

In support of the above variations, the applicant has provided justification relating to the scale and design of the development as is summarised below:

- *Forms have been expressed to complement the residential nature of the existing building and surrounds, with gable ended roof to the two storey component.*
- *The remainder of the site is to be landscaped with at least 100m<sup>2</sup> of hard and soft landscaping elements, providing more than the 8% minimum.*
- *The site is located within the Housing Opportunity Area 2, which will ultimately [recode] it to R20/R40, along with surrounding sites. This will ultimately stimulate more site subdivisions and two storey buildings with associated reduced setbacks and generally higher density built form. The proposed additions contained within this application can be seen to be compatible with that built form outcome that both the local and state government strategies and policies embrace.*

The applicant's full letter of justification is provided as Attachment 3.

### **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 Community Plan / policy implications**

<b>Legislation</b>	<i>City of Joondalup District Planning Scheme No. 2.</i>
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Quality Urban Environment.
<b>Objective</b>	Quality built outcomes.
<b>Strategic initiative</b>	Buildings and landscaping is suitable for the immediate environment and reflect community values.
<b>Policy</b>	<i>Height and Scale of Buildings within Residential Areas Policy.</i> <i>Consulting Rooms Policy.</i>

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

Clause 3.4 of DPS2 sets out the objectives and purposes of the 'Residential' zone:

#### **3.4 THE RESIDENTIAL ZONE**

*The Residential Zone is intended primarily for residential development in an environment where high standards of amenity and safety predominate to ensure the health and welfare of the population.*

*Residential development is provided for at a range of densities with a variety of housing to meet the needs of different household types. This is done through application of the Residential Design Codes (R Codes), and the allocation of a residential density code to an area of land.*

*Cultural and recreational development may be located where Council considers the same to be appropriate in residential neighbourhoods within the Residential Zone.*

*The objectives of the Residential Zone are to:*

- (a) Maintain the predominantly single residential character and amenity of established residential areas;*
- (b) Provide the opportunity for grouped and multiple dwellings in selected locations so that there is a choice in the type of housing available within the City;*
- (c) Provide the opportunity for aged persons housing in most residential areas in recognition of an increasing percentage of aged residents within the City.*

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.*

In exercising discretion under Clause 4.5, the matters listed under Clauses 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.*

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 siting 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 relevant, whether of the same nature as the foregoing or otherwise.*

Clause 8.11.2.2 of DPS2 allows Council to approve an application which does not comply with a local planning policy and states as follows:

*“A Local Planning Policy is not part of the Scheme and shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of any Policy and the objectives which the Policy is designed to achieve before making its decision.”*

#### Height and Scale of Buildings within Residential Areas

The City's *Height and Scale of Buildings within Residential Areas Policy* applies to all development in the 'Residential' zone and defines a building threshold envelope. This policy states that its objectives, which pertain to the protection and enhancement of amenity and streetscape character, have been complied with when a development does not exceed this envelope.

In this instance, the development exceeds the envelope by a maximum height of two metres at the north-western corner of the addition.

The objective of the *Height and Scale of Buildings within Residential Areas Policy* is:

*To ensure that all development within a residential area of significant height and scale is given appropriate consideration with due regard to the protection and enhancement of the amenity and streetscape character of the surrounding area.*

#### Consulting Rooms Policy

The City's *Consulting Rooms Policy* provides guidance on the establishment of consulting rooms to ensure they do not have an adverse impact on the amenity of nearby residents. While the proposed development was assessed against the objective of this policy, it is important to note that the details in the policy mainly relate to the establishment of new consulting rooms.

The objective of this policy is:

*To provide guidelines for the establishment of consulting rooms in residential areas.*

#### **Risk management considerations**

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

#### **Financial / budget implications**

The applicant has paid fees of \$800 (excluding GST) in accordance with the fees and charges schedule for the assessment of the application.

#### **Regional significance**

Not applicable.

#### **Sustainability implications**

Not applicable.

## Consultation

The application was advertised to three adjoining and nearby land owners and occupiers for a period of 21 days from 1 July 2014 to 22 July 2014. No submissions were received.

## COMMENT

The application is for additions to an existing orthodontic consulting room that has been operating from the subject site for a number of years.

### Car Parking

The orthodontic practice was approved under the City's *Town Planning Scheme No. 1* (TPS1), where the car parking standard for a 'Consulting Room' was six bays per practitioner. Under DPS2, the number of car bays required per practitioner has since been reduced to five bays.

The approved plans for the original building indicate that six parking bays are to be provided at the front of the premise and an unspecified number of staff parking bays to the rear of the site. With this proposal, the side extensions to the west of the site and the staff room and courtyard additions at the rear will remove the existing side access leg and rear area originally dedicated to staff parking.

While there is only one registered orthodontist operating from the site, there are also a number of therapists and support staff that help facilitate daily procedures. The application has stated that the orthodontist is the only person on-site generating their own patient load. Therefore, it can only be considered that there is one practitioner generating their own patient load and the provision of seven car bays is above the minimum number required under DPS2.

The applicant has identified that, at any one time, there could be as many as three therapists, additional administration staff, four patients and one orthodontist on-site. Therefore, despite the fact the proposal technically complies with the parking standards of DPS2, there are concerns that by removing the area dedicated to staff parking, there could be a significant detrimental impact on the surrounding area as a result of the associated parking not being able to be completely accommodated on-site. The City has received several notifications in the past regarding customer and staff parking on the verge at the subject site.

### Landscaping Strip

The proposed 2.4 metre landscaping strip width proposed along the front boundary will help soften views of the front car parking bays and consulting room building. However, it is considered that a width of three metres, as required by DPS2, would have further aided in softening the non-residential appearance of the proposed additions and front car parking bays.

### Building Setbacks

Under DPS2, the required side setback for non residential buildings is three metres and the rear setback is six metres. The applicant is proposing a minimum side setback of 0.683 metres to the eastern boundary and a rear setback of 0.963 metres to the northern boundary.

While building setbacks are to be in accordance with DPS2 requirements for non-residential buildings, it is acknowledged in the *Consulting Rooms Policy* that reduced setbacks may more appropriately reflect the existing building setbacks of surrounding residential properties.



The applicant is proposing a development with design considerations that respond to the surrounding residential area, such as a pitched roof and timber panel cladding on the upper floor. However, it is considered that the additions still result in a siting and scale that is not congruent with the residential dwellings that adjoin the site.

The setbacks proposed to the northern and eastern boundaries are not in accordance with the deemed-to-comply requirements of clause 5.1.3 of *State Planning Policy 3.1 Residential Design Codes* (R-Codes). The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia and applies to all residential development in this locality. Where the deemed-to-comply provisions are not met, the development is assessed against and required to meet the relevant design principles. One of the design principles under clause 5.1.3 states that buildings are to be set back from lot boundaries so as to reduce the impacts of building bulk on adjoining properties. However, due to the bulk and scale of the proposed double storey addition, the setbacks proposed to the northern and western boundaries are not considered sufficient to ameliorate impacts from building bulk. As such, the development is not considered to meet the corresponding design principles of the R-Codes.

#### Projection through the Building threshold envelope

The building threshold envelope has been the primary instrument in managing height and scale within the 'Residential' zoned areas of the City of Joondalup. In this instance, as the majority of the surrounding residential dwellings are only single storey in height, it is considered that the height of the double storey addition is not in keeping with the character or appearance of the area. This, in conjunction with the reduced setbacks, engenders a development of unreasonable bulk and scale for the 'Residential' zone.

#### Scale of Development

While the provision of small consulting rooms within residential areas is common throughout the City of Joondalup, there is an emphasis on the preservation of residential character and the appearance of any buildings proposed.

Under DPS2, the definition of 'Consulting Room' limits the use of the building to one health consultant. Under the City's *Consulting Rooms Policy*, the definition of health consultant excludes the additional orthodontic staff, including therapists. Therefore, the site is currently operating in accordance with its approved use. However, the scale of the development proposed is considered excessive to the needs of one health consultant.

The incremental approval of previous additions on the site has resulted in a use of the site that has become gradually more intensive. As such, the existing floor plan of the building, with a large treatment room and four office areas, is already at the upper limit of what is expected of a single health consultant operating a consulting room in the 'Residential' zone. The proposed development, which proposes a larger treatment room, staff room and office space, is of a scale more suited to non-residential areas.

#### Local Housing Strategy

It is acknowledged that the subject site is located in Housing Opportunity Area 2 under the City's *Local Housing Strategy* and there is a density increase proposed for the site and surrounding residential properties from R20 to R20/40. However, the site is not located in the proposed 'Mixed Use' zone and is not being developed for medium density residential purposes. Therefore, the development is still required to meet the intent of the 'Residential' zone and be consistent with the low to medium density vision of the area.

### Conclusion

The extent of the additions proposed and the prominence of client parking bays at the front results in a building appearance that will not maintain the predominantly single residential character of the established residential area. Additionally, the scale of the development is considered excessive to the needs of one health consultant within the 'Residential' zone and will have a significant detrimental effect on the surrounding area. As such, it is considered that the proposed development is not in keeping with the intent of the 'Residential' zone.

The application is therefore recommended for refusal.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That Council REFUSES the application for planning approval dated 6 June 2014 submitted by Andrew Macliver, on behalf of the owners, Christopher Wholley, Anna Wholley and Bicuspid Nominees Pty Ltd, for proposed additions to the existing consulting room at Lot 905 (21) Coolibah Drive, Greenwood for the following reason:**

- 1 The proposed additions are not considered to satisfy the objectives of the 'Residential' zone set out in the *City of Joondalup District Planning Scheme No. 2* as:
  - 1.1 The proposed additions do not assist in maintaining the predominantly single residential character and amenity of the established residential area;**
  - 1.2 The scale of the additions proposed are considered excessive to the needs of one health consultant and are not in keeping with the intent of the 'Residential' zone.****

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2agn190814.pdf](#)

**CJ132-08/14 STRATEGIC POSITION STATEMENTS – REVIEW**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	33866, 101515
<b>ATTACHMENTS</b>	Nil.
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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**PURPOSE**

For Council to consider proposed revisions to the City's strategic position statements and the adoption of new strategic positions statements relating to sustainable borrowings and significant event attraction.

**EXECUTIVE SUMMARY**

Since 2008, Council has developed and reviewed strategic position statements biennially to provide an agreed position on strategic matters of interest to the City. The primary purpose of the statements is to provide flexibility for Council in capitalising on unplanned opportunities for external funding and investment. A secondary purpose is to guide the development of future strategic planning documents where current gaps may exist.

In May 2014 Elected Members gave consideration to reviewing the City's existing strategic position statements, which cover the following issues:

- Community facilities.
- Leisure centre operations.
- Arena Joondalup.
- Tamala Park.
- Tamala Park income.
- Residential density.
- Activity centres.
- CBD land.
- Third Australian Football League team in Western Australia.
- Regional Governance Framework for the North West Corridor.
- City of Joondalup leadership and representation.
- International recognition and innovation.

The addition of several new position statements relating to sustainable borrowings and significant event attraction were also considered by Elected Members to fill potential strategic gaps identified.

Following these discussions, this Report recommends that Council:

- adopts the new strategic position statements listed above
- amends the existing statements relating to community facilities, leisure centre operations and Arena Joondalup
- revokes the existing statements relating to residential density and activity centres.

## BACKGROUND

At its meeting held on 15 July 2008 (CJ120-07/08 refers), Council considered a number of strategic, priority issues. Position statements were subsequently developed to provide the Council and City with a basis for lobbying and to effect expedient changes should opportunities from state and federal governments or the commercial industry arise.

Since their inception, the strategic position statements have been subject to biennial reviews in 2010 and 2012. As a result of these review processes the following changes have been adopted by the Council over the past six years:

Original Statements 2008	2010 Review	2012 Review
<b>Community facilities.</b>	Retained.	Retained.
<b>Leisure centre operations.</b>	Retained.	Retained.
<b>Arena Joondalup.</b>	Minor amendment to adjust conditions of transfer of the facility to the City.	Retained.
<b>Tamala Park.</b>	Retained.	Major amendment to require the Mindarie Regional Council to coordinate fund contributions.
<b>Debt strategy.</b>	Revoked.	Not applicable.
<b>Tamala Park Income.</b>	Minor amendment to align programs to the <i>20 Year Strategic Financial Plan</i> .	Minor amendment to refer generically to a "significant one-off community facility".
<b>Residential Density.</b>	Retained.	Major amendment to align with the state government's <i>Direction 2031 and Beyond</i> strategy.
<b>Local Centres.</b>	Retained.	Major amendment to align with the state government's <i>Direction 2031 and Beyond</i> strategy.
<b>CBD Land.</b>	Major amendment to align the statement with recently adopted project philosophies and parameters.	Retained.
	<b>NEW – Third AFL team in Western Australia.</b>	Retained.
	<b>NEW – Regional Governance Framework for the North West Corridor.</b>	Retained.

Original Statements 2008	2010 Review	2012 Review
	<b>NEW – City of Joondalup leadership and representation.</b>	Minor amendment to refer to the leveraging of new opportunities.
		<b>NEW – International recognition and innovation.</b>

In May 2014, Elected Members were again presented with information to assist in the review of current strategic position statements, as well as the introduction of new statements where strategic gaps were identified.

## DETAILS

Below is an outline of the City's current strategic position statements as adopted by Council at its meeting held on 26 June 2012 (CJ109-06/12 refers - in bold), updated background information on the current status of these statements and recommendations for retention, amendment (in italics) or removal of the statement.

### 1 COMMUNITY FACILITIES

#### *Master Planning*

**Each significant facility should be developed in accordance with a Master Plan rather than being the subject of small ad hoc fixes.**

#### *Usage*

**Facilities should be multi-use and be used at all times where possible. Facilities should include complementary services where possible.**

#### Background

The Council has adopted a master planning process (CJ062-04/08 refers) that develops an overall design and layout for an area. The process considers the current and future needs of the community to develop a concept plan that designs facilities, infrastructure and areas to best meet these identified needs. Council has endorsed a set of principles and a process that will be used in the master planning of leisure and recreation facilities.

The master planning principles include:

- community participation
- sustainability
- quality facility provision
- community engagement
- multi-purpose and shared use.

A seven step master planning process has been designed to apply to all future community sport, leisure and recreational infrastructure developments and upgrades within the City of Joondalup.

The City is currently undertaking three master planning projects: the *Edgewater Quarry Master Plan*, *Percy Doyle Reserve Master Plan* and *Heathridge Park Master Plan*.

Where possible the City should investigate with the state government, opportunities for land swaps or crown land acquisition arrangements to fund new facilities.

Recommendation: AMEND

While this statement remains relevant, there is the capacity to expand its application to include the following:

*Master Planning:*

*Private commercial facilities should also be considered within upgrades and developments of master planned community facilities.*

The reason for this suggested amendment is to expand opportunities for the City to increase the affordability of its major projects where private funding may offset costs to the City. Example projects where this may apply include proposed redevelopments at Burns Beach, Whitford and Warwick.

*Usage:*

*Opportunities for decentralised service centres should be considered for master planning upgrades of community facilities such as libraries and leisure centres.*

This suggested amendment aligns with the City's strategic initiative within *Joondalup 2022* to "employ facility design principles that will provide for longevity, diversity and inclusiveness and where appropriate, support decentralising the delivery of City services."

## 2 LEISURE CENTRE OPERATIONS

**Leisure and recreation operations overall should aim to be self-sufficient and meet all operating costs.**

### Background

The City of Joondalup Leisure Centres currently operate on a user pay principle. The fees and charges for the leisure centres are reviewed against an annual price review of similar leisure facilities throughout the state. From a market position the City's leisure centres operate in line with industry averages. To support access to the leisure facilities in price sensitive markets, the City offers one of the highest concession discounts in Western Australia. A 25% discount is offered to seniors and concession card holders who are residents in the City of Joondalup for memberships, casual swim, creche entry and lifestyle program activities.

While the City's premier leisure centre, Craigie, performs well financially against similar facilities in Western Australia, the full cost of operations for Craigie, Heathridge and Duncraig Leisure Centre (including operating costs, overhead costs and capital finance costs) requires the City to subsidise the centres' operations by approximately \$1,300,000 per annum currently which will reduce to approximately \$1,000,000 with the cessation of the subsidy to Churches of Christ for the Warwick Leisure Centre.

The Craigie Leisure Centre is exempt from the *Facility Hire Subsidy Policy*, due to the commercial realities of operating a large multi-purpose leisure facility.

The leisure centres' current management model is proving successful in attracting large participation rates from the community across a variety of facilities and programs with competitive fees and charges being applied.

Recommendation: AMEND

*Leisure centre operations overall should aim to be self-sufficient and meet all operating costs.*

A minor amendment is proposed to the statement to delete "and recreation" and replace with "centre" so that the statement reflects the intent of the heading which is about the leisure centres only and does not include the City's broader recreation operations.

### 3 ARENA JOONDALUP

**In the event that the state government agrees to the transfer of this large scale leisure and recreation facility to the City, the transfer is supported on the following conditions as a minimum:**

- **Commitment from the Minister for Transport and Perth Transport Authority that the site be designated as a special train station as part of future plans.**
- **Maintenance of existing issues to be addressed before transfer.**
- **A funding stream from the state government to be provided which reduces into future years.**
- **All caveats on the land which impede alternative land uses to be withdrawn.**
- **The state government to contribute to the construction of an independent facility within the *Structure Plan* area for a West Perth Football Club facility.**
- **Extension of facility to include basketball facilities.**

#### Background

The facility, in its current form, was principally developed by LandCorp (Joondalup Development Corporation) as part of the implementation of the *Joondalup CBD Master Plan*. It is the only facility of its type that is operated by the State Government, under the auspices of Venues West. All other Venues West facilities are predominantly used for elite sports.

Should a situation arise where transferring ownership of the facility to the City is considered, the City supports the protection of its current financial position by requiring minimum conditions in agreeing to any transfer.

The City has contributed \$7 million to the Arena so far and has agreed to contribute a further \$4 million towards future development for the West Perth Football Club and basketball facilities.

Recommendation: AMEND

- *A funding stream from the state government to off-set operational losses.*

To improve wording relating to potential funding support from the state government in the event of the venue being transferred to the City, minor amendments to the statement are recommended as shown above.

#### 4 TAMALA PARK

**The contribution of funds for the development of future regional recreation facilities at Tamala Park should be coordinated by the Mindarie Regional Council, with contributions provided by all current member Councils.**

##### Background

Over the next decade, the Tamala Park land, which is currently under the management and utilisation of the Mindarie Regional Council, will be released back to the owners. The site, which comprises 151 hectares, will be available as a regional recreation facility.

Council's position was determined in terms of both the strategic implications and financing of such a facility which, while located within the City of Wanneroo, has an interface with the border of the City of Joondalup.

While the contribution of City funds to develop a future regional recreation facility at the Tamala Park site is still supported, it is considered appropriate that such contributions are coordinated by the Mindarie Regional Council.

Recommendation: RETAIN

This position statement remains relevant and should therefore be retained.

#### 5 TAMALA PARK INCOME

**Funds from Tamala Park should be used for programs aligned to the 20 Year Strategic Financial Plan, but for the following purposes as a minimum:**

- **To invest in income producing facilities.**
- **To build a significant one-off community facility.**

##### Background

The City of Joondalup, along with six other local governments, has a strategic land investment (Tamala Park) which is currently being developed and sold as a residential lot subdivision. It is projected that in the financial period from 2013-14 – 2024-25 there is potential for the City to receive an income stream of approximately \$65 million.

The Council has adopted the current position as the basis on which it will manage these funds and for the purposes the funds might be allocated.

The City received three dividends during the 2013-14 financial period; two payments of \$666,000 and one payment of \$333,000, totalling \$1,665,000.

Recommendation: RETAIN

This position statement remains relevant and should therefore be retained.



## 6 RESIDENTIAL DENSITY

Increased residential densities should occur under the following conditions:

- The requirements of the state government strategy *Directions 2031 and Beyond* for the City to meet targets for infill residential development and increased residential density within the City, should be recognised.
- Infill and increased density should not occur on an ad-hoc basis and a strategic approach should be taken through the City's *Local Housing Strategy* on where and how infill and densification will occur.
- Infill and increased density should not be at the expense of existing residential amenity and should only be permitted where development meets policy requirements for environmentally sensitive design and building quality.

### Background

Following extensive public consultation, Council adopted the draft *Local Housing Strategy* at its meeting held on 15 February 2011 (CJ006-02/11 refers) and a revised strategy at its meeting held on 16 April 2013 (CJ044-04/13 refers), following feedback from the Western Australian Planning Commission (WAPC).

The preparation of the draft *Local Housing Strategy* has been based on:

- the Department of Planning "*Guidelines for the preparation, form and content of Local Housing Strategies*"
- State and Regional policies for example *Directions 2031 and Beyond*
- City of Joondalup draft *Local Planning Strategy*
- Council's Strategic Position Statement on Residential Density
- the outcomes of the Housing Intentions community survey conducted in 2010
- feedback from the WAPC
- the outcomes of community consultation on the revised strategy in 2013.

The WAPC has now endorsed the strategy and an amendment to the City's *District Planning Scheme No. 2 (DPS2)* was initiated by Council at its meeting held on 10 December 2013 (CJ236-12/13 refers) to implement the recommendations of the Strategy. A *Local Planning Policy* is also being developed to supplement the scheme provisions.

Recommendation: REVOKE

This strategic position statement served to highlight the City's intent and form a brief for the development of the City's draft *Local Housing Strategy*. Now that the strategy has been finalised and formally approved, there is no longer a need for this strategic position statement.

## 7 ACTIVITY CENTRES

The City recognises the aims, objectives and requirements of *Directions 2031 and Beyond* and *State Planning Policy 4.2*, as they relate to Activity Centres in the City of Joondalup. The City will apply these directions through the following:

- The City's *Local Commercial Strategy* will facilitate the development of activity centres which are sustainable and provide opportunities for people to live and work within those centres.

- **The strategy will provide a framework to guide retail expansion in the appropriate locations without impacting on other centres and will assist in meeting the employment self-sufficiency targets that have been set for the City through *Directions 2031 and Beyond*.**
- **Preparation of an *Activity Centre Structure Plan* for Joondalup will facilitate the growth and development of the City Centre in line with the vision of the City's *Strategic Community Plan 2012 – 2022*.**

### Background

Before the City can finalise its new District Planning Scheme, a *Local Commercial Strategy* is required to be in place. The *Local Commercial Strategy* needs to align with *Directions 2031 and Beyond* and *State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP4.2)*.

As per the requirements of SPP4.2, Activity Centre Plans also need to be prepared for the Strategic Metropolitan Centre of Joondalup and the secondary centres of Whitford and Warwick as a precursor to major development in these centres.

At its meeting held on 10 December 2013 (CJ230-12/13 refers), Council adopted a draft *Local Commercial Strategy*, following consideration of community consultation feedback conducted in 2012. The *Local Commercial Strategy* will inform the *Local Planning Strategy* which, in turn, will inform new and/or amended scheme and policy provisions.

Although a draft *Activity Centre Structure Plan* was submitted by consultants on behalf of Westfield in November 2012, there were a number of significant issues and concerns with the plan, and the draft *Activity Centre Structure Plan* was rejected by Council at its meeting held on 19 November 2013 (CJ206-11/13 refers). The applicant has sought a review of Council's decision through the State Administrative Tribunal.

With respect to the Warwick Centre, at its meeting held on 17 February 2014 (CJ008-02/14 refers), Council requested the preparation of an *Activity Centre Structure Plan* for the Warwick Centre and agreed to the boundary of the structure plan area. Work on the draft structure plan by consultants acting on behalf of key landowners in the centre is due to commence soon.

With respect to Joondalup, consultants will be engaged soon to prepare an *Activity Centre Structure Plan* for the City Centre.

Recommendation: REVOKE

The City's *Local Commercial Strategy* has been prepared and approved by Council. Activity centre structure planning for the City's three largest centres is a requirement of SPP4.2 and is being progressed as detailed above.

As such, there is considered no need to retain this strategic position statement.

## 8 CBD LAND

**Development of high rise commercial office space within the City Centre on City owned land is supported under the following conditions:**

- **High quality, environmentally sustainable, landmark development that will strengthen the local economic and employment base for the City.**
- **Enhances the vitality and vibrancy of the Joondalup City Centre increasing the number of people attracted to the City Centre for work, retail and commercial purposes.**
- **Provides a fast growing location for business, commercial operators and Government agencies surrounded by existing infrastructure with an increasing population base.**

### Background

At its meeting held on 25 May 2010 (CJ073-05/10 refers), the Council endorsed the Joondalup City Centre Commercial Office Development – Project Philosophy and Parameters.

The endorsement of the Joondalup City Centre Commercial Office Development – Project Philosophy and Parameters, provided the following vision for the project:

- High quality, environmentally sustainable, landmark development that will strengthen the local economic and employment base for the City.
- Enhances the vitality and vibrancy of the Joondalup City Centre increasing the number of people attracted to the City Centre for work, retail and commercial purposes.
- Provides a fast growing location for business, commercial operators and Government agencies surrounded by existing infrastructure with an increasing population base.

At its special meeting held on 2 July 2013 (JSC03-07/13 refers), Council endorsed Seven Capital (Perth) Pty Ltd as the preferred developer following an Expression of Interest process. This preference was subsequently terminated at a special meeting of Council held on 21 May 2014 (JSC01-05/14 refers), as negotiations failed to finalise and execute the proposed Memorandum of Understanding.

A new Expression of Interest process has now commenced, with submissions closing in October 2014.

Approaches have been made to the state government regarding the re-location of a state government agency to the Joondalup City Centre. In July 2013, the City of Joondalup lodged a submission in response to the state government expression of interest for office accommodation.

Recommendation:     **RETAIN**

This position statement remains relevant and should therefore be retained.

## 9 THIRD AUSTRALIAN FOOTBALL LEAGUE TEAM IN WESTERN AUSTRALIA

**In the event that the Australian Football League (AFL) decides to establish a third AFL football team in Western Australia, the City of Joondalup supports the licence being located within the City of Joondalup, with the club base located at Arena Joondalup.**

### Background

At its meeting held on 20 April 2010 (C14-04/10 refers), Council adopted the above position. It was proposed that Council adopts the statement to demonstrate its willingness to fully support any bid for a third licence within WA, and to allow the City to lobby its position where considered appropriate.

The state government has agreed to provide the funding for the West Perth Football Club (WPFC) for the club facilities.

The AFL acknowledges that the North West Corridor of Perth (Joondalup and Wanneroo) is a major growth corridor and should be a focus of the AFL and Western Australian Football Commission (WAFC). There have been discussions about an AFL Centre of Excellence at the Arena Joondalup.

The WPFC has 290 registered players and 85 volunteers. The City of Joondalup has committed \$4 million towards the upgrade of facilities at the Arena Joondalup which includes the WPFC facilities and basketball courts to enable the Wanneroo Basketball Association to relocate to the same site from the Collier Pass, Joondalup facilities.

Recommendation:     **RETAIN**

This position statement remains relevant and should therefore be retained.

## 10 REGIONAL GOVERNANCE FRAMEWORK FOR THE NORTH WEST CORRIDOR

**The City, in conjunction with the City of Wanneroo, should have a *Regional Governance Framework* for the North West Corridor that provides:**

- **an effective, transparent and co-ordinated implementation mechanism to strategically respond to the needs of the Corridor**
- **a reporting mechanism to State and Federal Government**
- **engagement and commitment from key stakeholders**
- **a high level of consensus of direction in infrastructure priorities**
- **mechanisms and planning strategies to generate timely key employment land supply**
- **integrated infrastructure planning to activate economic development in a timely manner.**

### Background

In 2010, the Councils of the Cities of Wanneroo and Joondalup endorsed a draft *Regional Governance Framework* for the North West Corridor for the purposes of providing:

- an effective, transparent and co-ordinated implementation mechanism to strategically respond to the needs of the corridor
- a reporting mechanism to state and federal government

- engagement and commitment from key stakeholders
- a high level of consensus of direction in infrastructure priorities
- mechanisms and planning strategies to generate timely key employment land supply
- Integrated infrastructure planning to activate economic development in a timely manner.

The role of the North West Corridor *Regional Governance Framework* will be to coordinate and manage economic development and infrastructure planning in the North West Corridor and its key outputs will be:

- to develop the North West Corridor Structure Plan
- to develop a North West Corridor Transport Strategy
- to develop and implement strategies to deliver employment and skills outcomes
- to develop and implement investment attraction strategies and action plans
- to identify and prioritise major projects required for a healthy North West Corridor economy
- to lobby key stakeholders for commitment to major projects
- to ensure that key projects are included in treasury forecasts.

It was considered essential that any regional governance structure have legislative legitimacy that is leveraged through an appropriate state government agency. This was to avoid replicating the ad-hoc approach to strategic planning and development that has occurred in the North West Corridor.

While regional cooperation between the Cities of Joondalup and Wanneroo has occurred in the intervening years, support from the state government has not been forthcoming until recently, following representation by the City of Joondalup to the Minister for Planning.

The City has had a number of discussions with senior officers from the Department of Planning on a coordinated approach to matters of regional significance related to planning and economic development, and a commitment to look at an appropriate governance model for the region. Any proposed amendment to the framework would need to be considered by Council.

A draft *Regional Economic Development Framework* has been developed by the Cities of Joondalup and Wanneroo which aims to highlight and provide focus on some potential areas of collaboration and joint partnership activity. This framework directly aligns with the Cities' respective Strategic Community Plans and state and federal government priorities.

This draft framework has been developed by the Cities of Joondalup and Wanneroo during 2013-14 and covers the following 10 key strategic areas of potential activity:

- Business Growth.
- Regional Investment Attraction.
- Regional Tourism.
- Cluster Development.
- Digital Futures and Innovation.
- Infrastructure Improvements.
- Low Carbon Economy.
- Workforce and Skills Development.
- Regional Data Observatory.
- Lobbying and Advocacy.

This draft *Regional Economic Development Framework* and key areas of potential activity have also been included within the City's new *Economic Development Strategy*. It is expected that the City of Wanneroo will follow the same approach during the development of their new *Economic Development Strategy* to maximise alignment of regional economic activity.

Recent engagement with the City of Stirling has sought to canvas the potential broadening of regional economic planning activities across the corridor. As this engagement progresses in the future, additional and/or modified outputs and key strategic activities may be identified, requiring amendments to the current strategic position statement.

Recommendation:     RETAIN

This position statement remains relevant and should therefore be retained, until such time as discussions with the City of Stirling require potential amendments to the statement in the future.

## 11     **CITY OF JOONDALUP LEADERSHIP AND REPRESENTATION**

**The City supports and encourages Elected Members and senior officers to actively participate in professional and/or industry associations that will further enhance the image of the City and provide a mechanism for leveraging new opportunities that benefit the City and its community.**

### Background

As the third largest local government (by population) in Western Australia and one of the largest local governments in Australia, it is considered that the City of Joondalup has a role to play with regard to representation and leadership within the local government sector, at both an Elected Member and senior officer level.

While the City already plays a leadership role as a local government in the sector, it is considered important that support and encouragement is provided to Elected Members and senior officers to actively participate in professional or industry disciplines that will further enhance the image of the City of Joondalup, as well as influence regional, state and national goals for the benefit of the City.

The following examples demonstrate the leadership exhibited by the Mayor, CEO and Directors in the local government sector:

- Mayor Troy Pickard is currently President of the WA Local Government Association, Vice President of the Australian Local Government Association and Member of the Australian Council of Local Government Steering Committee.
- Mayor Pickard also sits on the Global Executive Committee (Chair of the BiodiverCities Program) which represents local governments worldwide at major international and United Nations conferences on sustainability.
- Chief Executive Officer, Garry Hunt, is a member of the Local Government Chief Officers Group, was a former President of the Western Australian Institute of Municipal Management (now LGMA) and has served on the National Board of the Institute of Municipal Management (IMM), and as the International Vice President of the International City/Country Management Association (ICMA).
- Director of Governance and Strategy, Jamie Parry is a Director on the Board of the Local Government Managers Australia WA Division.

Recommendation: RETAIN

This position statement remains relevant and should therefore be retained.

## 12 INTERNATIONAL RECOGNITION AND INNOVATION

**The City should build upon its international recognition for liveability by continuing to demonstrate and embrace innovation and best practice in all fields of service, which are comparable on a global scale.**

### Background

In 2011, the City was awarded the prestigious honour of the “World’s Most Liveable City” for the population category of 150,001 – 400,000 in the UN-backed annual International Awards for Liveable Communities (LivCom). The LivCom Awards are the world’s only awards competition focusing on international best practice regarding the management of the local environment with the further objective of improving the quality of life of individual citizens through the creation of ‘liveable communities’.

To win the award, the City was required to meet comprehensive criteria in the areas of environmental best practice, healthy lifestyles, community engagement and arts and cultural heritage.

The City continues to build on its international recognition in the following ways:

- The City recently hosted the 2013 International BiodiverCities Conference in collaboration with ICLEI - Local Governments for Sustainability and the Western Australian Local Government Association. The Conference assembled local, national and international environmental experts to discuss the topic of addressing biodiversity conservation within the context of a changing climate.
- Joondalup is also home to some world leading research and unique educational facilities. The City will continue to support, new research activity or the development of centres of excellence in partnership with key organisations including Edith Cowan University, Joondalup Health Campus, West Coast Institute and other public/private service providers.

Recommendation: RETAIN

This position statement remains relevant and should therefore be retained.

## Proposed New Strategic Position Statements

### SUSTAINABLE BORROWING

#### Background

At its meeting held on 20 July 2010 (CJ123-07/10 refers), Council adopted a *Borrowing Strategy* to guide the City on the matters in which borrowing can be used and to contain borrowing levels within defined parameters. It was developed in response to a request by Council in 2008 to develop a *Debt Strategy* that included the following:

- Debt is to be used for long term building infrastructure rather than for parks and roads.
- Debt is to apply to an asset for no more than 50% of the life of the asset.

At its meeting held on 24 June 2014 (CJ101-06/14 refers), Council adopted the *20 Year Strategic Financial Plan – Guiding Principles*, which incorporated a review of the City's current *Borrowing Strategy*.

#### Issues Identified

The overarching principles for the *Borrowing Strategy* are currently inconsistent with the *20 Year Strategic Financial Plan*, and in particular, the key ratios as prescribed within the *Guiding Principles*. For example, the *Borrowing Strategy* prescribes a limit for borrowings based on the proportion of liabilities to assets. This measure is no longer considered necessary as the Debt Service Coverage Ratio now provides a target and reporting mechanism in this regard.

With regard to the application of borrowings, it is unlikely that the City will earn a higher rate of interest on its own cash compared to the rate of interest on borrowings. Therefore the City is normally better off to use its own cash (including reserves) in the first instance than to pursue debt options.

The City may determine that cash is set aside into reserve funds for specific future purposes, and may therefore decide to use borrowings to fund other projects rather than using its own cash – this is likely to result in a larger overall cost to the City.

#### Proposed Statement

*The City supports borrowing as an appropriate form of financing capital expenditure in the achievement of objectives contained within the Strategic Community Plan 2012-2022 and the 20 Year Strategic Financial Plan.*

*Sustainable borrowing parameters should be determined as follows:*

- *Long term borrowing requirements will be identified as part of the 20 Year Strategic Financial Plan and specific borrowings will be approved as part of the annual budget process.*
- *Borrowings should only be considered where the impacts are within the range of the key ratio targets contained within the 20 Year Strategic Financial Plan – Guiding Principles, in particular, the Debt Service Coverage Ratio.*

### **SIGNIFICANT EVENT ATTRACTION**

#### Background

In the development of *Joondalup 2022*, the following strategic initiatives were adopted by Council to support the enhanced vibrancy of the City and to promote the area as a "Destination City":

- *Actively promote and sponsor significant events and activities.*
- *Actively engage event promoters to host iconic, cultural and sporting events within the City.*

In order to provide context to the initiatives described above, a strategic position statement is required to inform a potential definition and parameters for significant event attraction activities.



### Issues Identified

In early 2012 the City was approached by Eventscorp WA and various other event promoters regarding the City's willingness and capacity to host significant events in the region. Without an agreed position or a dedicated budget allocation for attracting significant events it was difficult for the City to enter into negotiations and the opportunities were declined.

Since then, the City has identified a desire to attract significant events and activities to the region through the strategic initiatives outlined and adopted in *Joondalup 2022*.

Currently the City hosts and supports major events (for example NAB Cup AFL, Soundwave and Future Music Festival), delivers major community events (such as Joondalup Festival) and hosts and supports small community events (for example Heathridge Carols in Park event and other community group fairs/fetes).

None of these events put Joondalup on the national or international stage, which is the aim of attracting significant events.

The most recent example of an internationally-focussed event that may be considered of a 'significant' nature is the City's 2013 International BiodiverCities Conference.

### Proposed Statement

*The City will attract and support significant events that are unique to Joondalup and enhance its image as an attractive destination for visitors, tourists and business.*

*These significant events will deliver economic development benefits for local businesses while promoting Joondalup's reputation statewide, nationally and internationally as the cultural, civic and entertainment centre of the north-west region of the Perth metropolitan area.*

### **Legislation / Strategic Community Plan / policy implications**

**Legislation** This item relates to the general function of local government to provide for the good government of persons in its district.

#### **Strategic Community Plan**

**Key theme** The strategic position statements relate to themes across the City's *Strategic Community Plan*.

**Objective** Not applicable.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

### **Risk management considerations**

Consideration of future strategic issues supports the City's responsibility and accountability for the stewardship of community resources. The position statements consider the risks associated with the overall goals and objectives of the City, and set a broad direction for how the City will progress a number of key matters.

### **Financial / budget implications**

Not applicable.

### **Regional significance**

A number of the position statements relate to regional issues or facilities.

### **Sustainability implications**

The item has a general connection to sustainability in that it establishes a set of position statements on a number of key issues, and plans for sustainable success.

### **Consultation**

Not applicable.

### **COMMENT**

The position statements establish a general direction on a number of key strategic issues and provide direction to assist the City to progress a number of key projects.

It is recommended that the strategic position statements detailed in this report and recommendation be adopted.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

#### **That Council:**

#### **1 ENDORSES the following strategic position statements:**

##### **1.1 COMMUNITY FACILITIES**

##### ***MASTER PLANNING***

**Each significant facility should be developed in accordance with a master plan rather than being the subject of small ad hoc fixes.**

**Private commercial facilities should also be considered within upgrades and developments of master planned community facilities.**

## **USAGE**

Facilities should be multi-use and be used at all times where possible. Facilities should include complementary services where possible.

Opportunities for decentralised service centres should be considered for master planning upgrades of community facilities such as libraries and leisure centres.

### **1.2 LEISURE CENTRE OPERATIONS**

Leisure centre operations overall should aim to be self sufficient and meet all operating costs.

### **1.3 ARENA JOONDALUP**

In the event that the state government agrees to the transfer of this large scale leisure and recreation facility to the City, the transfer is supported on the following conditions as a minimum:

- 1.3.1 Commitment from the Minister for Transport and Perth Transport Authority that the site be designated as a special train station as part of future plans.
- 1.3.2 Maintenance of existing issues to be addressed before transfer.
- 1.3.3 A funding stream from the state government to off-set operational losses.
- 1.3.4 All caveats on the land which impede alternative land uses to be withdrawn.
- 1.3.5 The state government to contribute to the construction of an independent facility within the Structure Plan area for a West Perth Football Club facility.
- 1.3.6 Extension of facility to include basketball facilities.

### **1.4 TAMALA PARK**

The contribution of funds for the development of future regional recreation facilities at Tamala Park should be coordinated by the Mindarie Regional Council, with contributions provided by all current member Councils.

### **1.5 TAMALA PARK INCOME**

Funds from Tamala Park should be used for programs aligned to the *20 Year Strategic Financial Plan*, but for the following purposes as a minimum:

- 1.5.1 To invest in income producing facilities.
- 1.5.2 To build a significant one-off community facility.

## **1.6 CBD LAND**

Development of high rise commercial office space within the City Centre on City owned land is supported under the following conditions:

- 1.6.1 High quality, environmentally sustainable, landmark development that will strengthen the local economic and employment base for the City.
- 1.6.2 Enhances the vitality and vibrancy of the Joondalup City Centre increasing the number of people attracted to the City Centre for work, retail and commercial purposes.
- 1.6.3 Provides a fast growing location for business, commercial operators and Government agencies surrounded by existing infrastructure with an increasing population base.

## **1.7 THIRD AUSTRALIAN FOOTBALL LEAGUE TEAM IN WESTERN AUSTRALIA**

In the event that the Australian Football League (AFL) decides to establish a third AFL football team in Western Australia, the City of Joondalup support the licence being located within the City of Joondalup, with the club base located at Arena Joondalup.

## **1.8 REGIONAL GOVERNANCE FRAMEWORK FOR THE NORTH WEST CORRIDOR**

The City, in conjunction with the City of Wanneroo, should have a *Regional Governance Framework* for the North-West Corridor that provides:

- 1.8.1 An effective, transparent and co-ordinated implementation mechanism to strategically respond to the needs of the corridor.
- 1.8.2 A reporting mechanism to State and Federal Government.
- 1.8.3 Engagement and commitment from key stakeholders.
- 1.8.4 A high level of consensus of direction in infrastructure priorities.
- 1.8.5 Mechanisms and planning strategies to generate timely key employment land supply.
- 1.8.6 Integrated infrastructure planning to activate economic development in a timely manner.

## **1.9 CITY OF JOONDALUP LEADERSHIP AND REPRESENTATION**

The City supports and encourages Elected Members and senior officers to actively participate in professional and/or industry associations that will further enhance the image of the City and provide a mechanism for leveraging new opportunities that benefit the City and its community.

## **1.10 INTERNATIONAL RECOGNITION AND INNOVATION**

The City should build upon its international recognition for liveability by continuing to demonstrate and embrace innovation and best practice in all fields of service, which are comparable on a global scale.

## 1.11 SUSTAINABLE BORROWING

The City supports borrowing as an appropriate form of financing capital expenditure in the achievement of objectives contained within the *Strategic Community Plan 2012-2022* and the *20 Year Strategic Financial Plan*.

Sustainable borrowing parameters should be determined as follows:

- 1.11.1 Long term borrowing requirements will be identified as part of the *20 Year Strategic Financial Plan* and specific borrowings will be approved as part of the annual budget process.
- 1.11.2 Borrowings should only be considered where the impacts are within the range of the key ratio targets contained within the *20 Year Strategic Financial Plan – Guiding Principles*, in particular, the Debt Service Coverage Ratio.

## 1.12 SIGNIFICANT EVENT ATTRACTION

The City will attract and support significant events that are unique to Joondalup and enhance its image as an attractive destination for visitors, tourists and business.

These significant events will deliver economic development benefits for local businesses while promoting Joondalup's reputation statewide, nationally and internationally as the cultural, civic and entertainment centre of the north-west region of the Perth metropolitan area.

## 2 REVOKES the following strategic position statements:

### 2.1 RESIDENTIAL DENSITY

Increased residential densities should occur under the following conditions:

- 2.1.1 The requirements of the state government strategy *Directions 2031 and Beyond* for the City to meet targets for infill residential development and increased residential density within the City, should be recognised.
- 2.1.2 Infill and increased density should not occur on an ad-hoc basis and a strategic approach should be taken through the City's *Local Housing Strategy* on where and how infill and densification will occur.
- 2.1.3 Infill and increased density should not be at the expense of existing residential amenity and should only be permitted where development meets policy requirements for environmentally sensitive design and building quality.

## 2.2 ACTIVITY CENTRES

The City recognises the aims, objectives and requirements of *Directions 2031 and Beyond* and *State Planning Policy 4.2*, as they relate to Activity Centres in the City of Joondalup. The City will apply these directions through the following:

- 2.2.1 The City's *Local Commercial Strategy* will facilitate the development of activity centres which are sustainable and provide opportunities for people to live and work within those centres.
- 2.2.2 The strategy will provide a framework to guide retail expansion in the appropriate locations without impacting on other centres and will assist in meeting the employment self-sufficiency targets that have been set for the City through *Directions 2031 and Beyond*.
- 2.2.3 Preparation of an *Activity Centre Structure Plan* for Joondalup will facilitate the growth and development of the City Centre in line with the vision of the City's *Strategic Community Plan 2012 – 2022*.

## **CJ133-08/14      FENCING LOCAL LAW 2014 - REQUEST TO ADVERTISE**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	08475, 101515
<b>ATTACHMENTS</b>	Attachment 1    Local law comparison matrix Attachment 2 <i>Private Property Local Law 1998</i> Attachment 3    Draft <i>Fencing Local Law 2014</i> (unofficial version with footnotes) Attachment 4    Draft <i>Fencing Local Law 2014</i> (official gazettal version)
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to make the *City of Joondalup Fencing Local Law 2014* for the purposes of public advertising.

### **EXECUTIVE SUMMARY**

The *City of Joondalup Private Property Local Law 1998* (Attachment 2 refers) was adopted by the Joint Commissioners at its meeting held on 9 February 1999 (CJ02-02/99 refers) and has been in operation since 22 March 1999. The local law contained provisions relating to the regulation, control and management of fencing (among other things) within the district.

A local government is required to review its local laws within a period of eight years from the day the local law commenced or was last reviewed by Council. The *City of Joondalup Private Property Local Law 1998* has been amended on two occasions, first in 2000 and subsequently in 2002. The local law was last reviewed by Council at its meeting held on 26 April 2006 (CJ043-04/06 refers), where it was resolved to retain the City's local laws as presented at that point in time.

The Council again considered the eight year statutory review of its local laws at its meeting held on 19 March 2013 (CJ026-03/13 refers) where it resolved to approve the intent to, among other things, repeal the *City of Joondalup Private Property Local Law 1998* and create a new local law.

The proposed *City of Joondalup Fencing Local Law 2014* seeks to determine the minimum standard of a sufficient fence for the purposes of the *Dividing Fences Act 1961*.

*It is therefore recommended that Council MAKES the City of Joondalup Fencing Local Law 2014, as detailed in Attachment 4 to Report CJ133-08/14, for the purposes of public advertising.*

## **BACKGROUND**

At its meeting held on 9 February 1999 (CJ02-02/99 refers) the Joint Commissioners adopted the *City of Joondalup Private Property Local Law 1998* (Attachment 2 refers). The purpose of the local law was to provide for the regulation, control and management of street numbering, fencing, tennis court floodlighting, sand drift abatement and vehicle wrecking on private property within the district.

The current local law was published in the *Government Gazette* on 8 March 1999 and has been in operation since 22 March 1999 (14 days after its publication in the *Government Gazette*).

A local government is required to review its local laws within a period of eight years from the day the local law commenced or was last reviewed by Council. The *City of Joondalup Private Property Local Law 1998* has been amended on two occasions, first in 2000 and subsequently in 2002. At its meeting held on 26 April 2006 (CJ043-04/06 refers), Council considered the eight year statutory review of its local laws and resolved to retain the City's local laws as presented at that point in time.

At its meeting held on 19 March 2013 (CJ026-03/13 refers), Council again considered the eight year statutory review of its local laws, where it resolved to approve the intent to, among other things, repeal the *City of Joondalup Private Property Local Law 1998* and create a new local law.

The outcomes of that review have been progressively actioned, with the majority of the City's local laws having been revised and new local laws made. An internal working group has been developing a new Fencing Local Law for Council's consideration.

## **DETAILS**

The current *City of Joondalup Private Property Local Law 1998* provides for the regulation, control and management of street numbering, fencing, tennis court floodlighting, sand drift abatement and vehicle wrecking on private property within the district.

Aspects of this local law relating to street numbering, floodlighting, sand drift abatement and vehicle wrecking are considered to be a replication of statutory enforcement provisions detailed in the *Local Government Act 1995* (the Act), and their inclusion in a local law does not provide the City with any additional power or mechanisms to enforce the relevant provisions. Research was therefore undertaken with a view to developing a local law focussing on the regulatory requirements relating to fencing.

The proposed *City of Joondalup Fencing Local Law 2014* establishes the minimum requirements for fencing within the district and is structured into various Parts as follows:

Part 1 - Preliminary – details the purpose and effect of the local law, its application and commencement, relationship with other laws, repeal provisions, a list of the definitions used throughout the local law and the relationship of the local law with other laws.

Part 2 – Sufficient fences – defines what is a 'sufficient fence' for the purposes of the *Dividing Fences Act 1961*.



Part 3 – Fencing materials and requirements – outlines the types of fences that do not require a building permit in accordance with the provisions of the *Building Act 2011* and the *Building Regulations 2012*, materials that are prohibited to be used in the construction of a fence, the standard of construction for masonry fences, the requirements associated with installing a gate in a fence, and fencing materials that require the written approval of the local government prior to their use within the district.

Part 4 – Offences and penalties – outlines what constitutes an offence under the local law and the applicable penalty on conviction.

Schedule 1 – Specifications for a sufficient fence on a residential lot – this schedule is read in conjunction with clause 2.1 and details the minimum standard of sufficient fence on a residential lot for the purposes of the *Dividing Fences Act 1961*.

Schedule 2 – Specifications for a sufficient fence on a commercial lot or an industrial lot – this schedule is read in conjunction with clause 2.1 and details the minimum standard of sufficient fence on a commercial lot or an industrial lot for the purposes of the *Dividing Fences Act 1961*.

Schedule 3 – Specifications for a sufficient fence on a rural lot – this schedule is read in conjunction with clause 2.1 and details the minimum standard of sufficient fence on a rural lot for the purposes of the *Dividing Fences Act 1961*.

The proposed local law has been drafted taking into account contemporary drafting standards, various reports and rulings of the Joint Standing Committee on Delegated Legislation (JSCDL), and operational needs as identified by various Business Units of the City.

An unofficial copy of the proposed local law that includes footnotes to aid understanding of various legislative provisions is provided at Attachment 3. The official version of the local law that will be used for gazettal is included as Attachment 4.

Comparison between the proposed local law and the provisions of the existing local law to be repealed are summarised in the comparison matrix (Attachment 1 refers). This attachment indicates whether a similar clause is provided in the existing local law, whether there is a new clause in the new local law, and those clauses that are not provided for and an appropriate explanation.

The procedure for making local laws is detailed in the Act and is a specific legislative process that must be adhered to in order for the local law to be accepted by the JSCDL and by Parliament.

Section 3.12(2) of the Act states that the first action in the process of making a local law is for the Mayor to give notice to the meeting of the purpose and effect of the proposed local law. Regulation 3 of the *Local Government (Functions and General) Regulations 1996* states that this is achieved by ensuring that:

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting
- (b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.

In view of this, the **purpose** of the *City of Joondalup Fencing Local Law 2014* is to prescribe a sufficient fence and the standard for the construction of fences throughout the district.

The **effect** of the *City of Joondalup Fencing Local Law 2014* is to establish the minimum requirements for fencing within the district.

### Issues and options considered

Council can either:

- make the *City of Joondalup Fencing Local Law 2014* as presented for the purposes of public advertising
- make the *City of Joondalup Fencing Local Law 2014* as proposed with any necessary amendments  
or
- not recommend the making of the *City of Joondalup Fencing Local Law 2014* and retain the existing local law.

Option 1 is the preferred option considering the outcomes of the City's eight year statutory review.

### Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	<i>Local Government Act 1995.</i> <i>Local Government (Functions and General) Regulations 1996.</i> <i>Dividing Fences Act 1961.</i> <i>Building Act 2011.</i> <i>Building Regulations 2012.</i>
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### Strategic Community Plan

<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Corporate capacity.
<b>Strategic initiative</b>	Not applicable.
<b>Policy</b>	<i>Subdivision and Dwelling Development Adjoining Areas of Public Space Policy.</i>

Subdivision 2, Division 2 of Part 3 of the Act applies to the creation, amending and repealing of local laws. It is anticipated that the local law making process will take approximately four months.

### Risk management considerations

Should the City not follow the local law creation process as detailed in the Act, the local law may be disallowed by the JSCDL. The local law must also be cognisant of previous findings of the JSCDL, specifically with regard to provisions that the JSCDL has stated are outside the local law making power of local governments.

### **Financial / budget implications**

The cost associated with the local law making process is approximately \$2,500, being public advertising costs and costs to publish the local law in the *Government Gazette*. Funds are available in the *2013-14 Budget* and have also been identified in the draft *2014-15 Budget* for statutory advertising.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

The proposed local law has been developed following a thorough review by an internal working group, comprising officers from affected Business Units across the organisation. Consideration has also been given to the requirements of the various legislation, the WALGA Model Local Laws and contemporary local laws of other local governments. Previous findings of the JSCDL have also been taken into account.

Should Council decide to make the *City of Joondalup Fencing Local Law 2014* for the purposes of public advertising, statutory advertising and consultation with all members of the public will occur, as follows:

- Giving statewide public notice advertising the proposed local law and inviting submissions to be made within no less than six weeks from the date of advertising, including:
  - advertising in a newspaper circulating throughout the state
  - displaying public notices at the City of Joondalup Administration Centre, public libraries and customer service centres
  - advertising on the City's website.
- Providing a copy of the notice and a copy of the proposed local law to the Minister responsible for the Act under which the proposed local law is being made.

### **COMMENT**

The proposed *City of Joondalup Fencing Local Law 2014* is a refinement of the current *City of Joondalup Private Property Local Law 1998*, taking into account the WALGA Model Local Law, local laws of other local governments and previous findings of the JSCDL. It has been developed following extensive review and consultation with officers from across the organisation.

Should the proposed *City of Joondalup Fencing Local Law 2014* be subsequently made by Council following the public advertising process, the existing *City of Joondalup Private Property Local Law 1998* will need to be repealed.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council MAKES the *City of Joondalup Fencing Local Law 2014*, as detailed in Attachment 4 to Report CJ133-08/14, for the purposes of public advertising.**

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf120814.pdf](#)

## **CJ134-08/14      STRATEGIC COMMUNITY PLAN 2012-2022 – MINOR REVIEW**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	01529, 101515
<b>ATTACHMENTS</b>	Attachment 1    Amended <i>Strategic Community Plan 2012-2022</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to approve the public advertising of minor amendments to the *Strategic Community Plan 2012-2022*, following the completion of a recent desktop review process.

### **EXECUTIVE SUMMARY**

At its meeting held on 23 October 2012 (CJ210-10/12 refers), Council adopted its first *Strategic Community Plan 2012-2022* (SCP) under the Department of Local Government and Communities' (DLGC) new *Integrated Planning and Reporting Framework* (IPRF).

The revised *Local Government (Administration) Regulations 1996* require strategic community plans to be reviewed at least every four years. In addition to this statutory requirement, the DLGC's *Advisory Standard* also supports the completion of a biennial desktop review.

Consultation with the community is not a requirement of the desktop review process, however, should Council indicate an intention to amend the SCP, it is recommended that an opportunity for feedback from the community be provided. Advice received from the DLGC indicates that only amendments of significance would attract the need for broader consultation requirements beyond a simple feedback process.

A preliminary assessment has not revealed the need for significant amendments to the document, with the City's general strategic direction and transformational projects remaining relevant. However, there is an identified need to adjust some of the City's strategic KPIs. These adjustments are considered minor in nature, as they do not alter the overall intent or delivery of the plan's strategic direction.

*It is therefore recommended that Council:*

- 1 *NOTES the outcomes of the desktop review process for the Strategic Community Plan 2012-2022 as outlined in Report CJ134-08/14;*
- 2 *APPROVES the release of the revised Strategic Community Plan 2012-2022, as shown in Attachment 1 of Report CJ134-08/14, for public comment over 21 days;*
- 3 *NOTES that following the completion of the public comment period, the Strategic Community Plan 2012-2022 will be presented back to Council for adoption.*

## **BACKGROUND**

In alignment with the DLGCs new IPRF the City developed a SCP in consultation with Council, its community and stakeholders.

During the consultation process, significant levels of support were received from the community for all proposed outcomes and objectives contained within the draft plan. The City also obtained a reliable number of responses through the consultation process to support the confident consideration of results by Council.

Following this process, at its meeting held on 23 October 2012 (CJ210-10/12 refers), Council adopted its first SCP. The plan now drives all services and activities delivered by the City, providing high level direction and aspirational targets for achievement over the next 10 years. In light of its high level positioning within the City's planning framework, the plan's content is relatively broad in order to guide lower level issue specific and/or operational plans. As such, only significant changes in strategic direction or unanticipated external factors tend to affect the SCP.

## **DETAILS**

A desktop review of the SCP was recently conducted by the City, which considered the on-going relevance of the following:

- vision
- values
- aspirational outcomes for each key theme
- objectives
- strategic initiatives
- strategic KPIs.

In addition to reviewing the strategic components of the plan, general consideration was also given to grammatical errors and administrative updates within the plan. Any minor administrative amendments of this nature are highlighted in Attachment 1 for Council's consideration.

The review process indicated that most strategic components of the plan remained highly relevant to the City and were recently translated into projects and actions through the revised *Corporate Business Plan 2013-2018*; adopted by Council at its meeting held on 19 November 2013 (CJ212-11/13 refers).

The only area of concern within the plan relates to some of the strategic KPIs. This has been highlighted over the past two years in compiling the Annual Report, where several key targets have been unable to be measured due to a lack of sufficient data or were deemed inconsistent with revised targets endorsed by Council after the plan's adoption. (The latter relates mainly to financial KPIs that were amended during the review of the *20 Year Strategic Financial Plan Guiding Principles* in 2013 and the *Local Housing Strategy* targets that were recently amended on the advice of the Western Australian Planning Commission).

Current strategic KPIs contained within the SCP are listed in the tables below, including commentary and recommendations as to whether they be retained, amended or removed from the plan. It should be noted that it is not the City's intention to remove or alter KPIs based on a failure to meet stated targets, as the targets are aligned to Council-adopted aspirational outcomes of which the City should aspire to deliver upon. Instead, KPIs are being reviewed on the basis of their continued relevance/appropriateness and any unforeseen externalities that may significantly impact on the City's ability to achieve the targets.

### Strategic KPI Review

Note: the tables below do not all include 2013-14 measures, as the Annual Report 2013-14 is still being compiled.

<b>Governance and Leadership</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
Since 2010, the City has achieved representation on four significant national and international strategic bodies.	Maintain Elected Member or Executive representation on two or more national or international strategic bodies.  <b>Measure:</b> Number of national or international strategic bodies with City representation.	Target met.  <b>Target:</b> 2.  <b>Measure:</b> 2.	The KPI and target remains relevant and aligned to City's leadership aspirations.  <b>Recommendation:</b> <b>Retain.</b>
The City continually responds to requests for submissions on proposed major plans, strategies and policies affecting local governments by State and federal government departments and agencies.	100% of requests for submissions on major plans, strategies and policies affecting local government are responded to.  <b>Measure:</b> % submissions made versus requests received.  <b>Source:</b> City of Joondalup Annual Report.	Target not met.  <b>Target:</b> 100%.  <b>Measure:</b> 80%.	While not met in 2012-13, the KPI and target remains relevant, with internal system improvements assisting future target achievements.  Of the five requests for submissions in 2012-13, one was not responded to by the City, namely, the review of the <i>Regional Parks Fire Response Plans 2013</i> from the Department of Parks and Wildlife.  <b>Recommendation</b> <b>Retain.</b>

<b>Governance and Leadership</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
<p>For strategic matters affecting the community at large, the City often uses sample sizes as a cost-effective methodology for large consultation processes. If the City can obtain a statistically reliable response for City-wide consultations, it is a reflection of an actively engaged community, effective encouragement for participation and an elected body that can make decisions with confidence.</p> <p>Of the four major sample sized consultations undertaken by the City since 2009, 75% have produced a statistically reliable result.</p>	<p>100% of City-wide sample sized community consultations achieve a statistically reliable response rate based on a confidence rating of 95% and +/-5% margin for error.</p> <p><b>Measure:</b> % City-wide sample sized consultations that receive &gt;384 returned surveys.</p> <p><b>Source:</b> City of Joondalup Council Minutes.</p>	<p>Target not measured in 2012-13.</p>	<p>This KPI was not applicable in 2012-13, as no City-wide consultations were conducted during this period.</p> <p>The KPI and target remains relevant and aligned to City's engagement aspirations.</p> <p><b><u>Recommendation:</u></b> <b>Retain.</b></p>
<p>At the 2011 local government election, the average voter turnout rate for the City was 22.8%, compared to the state average of 28.4%.</p>	<p>To meet or exceed the state average for voter turnout at local government elections.</p> <p><b>Measure:</b> Average number of returned election packages.</p> <p><b>Source:</b> Western Australian Electoral Commission <i>Voter Participation Report</i> (biennial).</p>	<p>Target not measured in 2012-13.</p> <p>Target will not be met in 2013-14.</p> <p><b>Target:</b> 27.8%.</p> <p><b>Projected Measure:</b> 22.1%.</p>	<p>While the target will not be met due to low voter participation in the 2013 elections, the KPI remains relevant and aspirational.</p> <p>The City did undertake an extensive communication and awareness campaign for the 2013 election. However, unique factors occurred in this year, in particular, possible voter fatigue from multiple federal, state and local government elections and the delayed distribution of postal votes across the City. It is not considered appropriate that unusual occurrences such as these act as a catalyst to revise the aspirational target.</p> <p><b><u>Recommendation:</u></b> <b>Retain.</b></p>



<b>Governance and Leadership</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
<p>In 2011-12 the City achieved an overall community satisfaction rating of 83%, which is consistent with its average rating since 2008-09.</p> <p>Due to the unique characteristics of community surveys undertaken by each local government, data is not validly comparable on a statewide basis. As such, benchmarking will need to be against the City's own performance.</p>	<p>To maintain or exceed the average annual customer satisfaction rating since 2008.</p> <p><b>Measure:</b> % overall community satisfaction rating.</p> <p><b>Source:</b> City of Joondalup annual <i>Community Satisfaction Survey</i> results.</p>	<p>Target met.</p> <p><b>Target:</b> =/&gt;83%.</p> <p><b>Measure:</b> 89.1%.</p>	<p>The KPI and target remains relevant and aligned to the City's business improvement aspirations.</p> <p><b><u>Recommendation:</u></b> <b>Retain.</b></p>

<b>Financial Sustainability</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
<p><i>Note: At its meeting held on 16 July 2013, Council adopted revised guiding principles for the 20 Year Strategic Financial Plan (SFP) (CJ141-07/13 refers). This included amendments to primary financial targets and assumptions that are discussed below.</i></p>			
<p>In accordance with good financial management practices, the City aims to generate enough annual surplus to allow it to meet:</p> <ul style="list-style-type: none"> <li>• additional financial costs for new capital expenditure.</li> <li>• any deficit from new facilities that are now operational.</li> <li>• projected annual operational costs.</li> </ul>	<p>To maintain an annual net closing position of 0%.</p> <p><b>Measure:</b> City of Joondalup annual net closing position.</p> <p><b>Source:</b> City of Joondalup Annual Budget.</p>	<p>Target not measured in 2012-13.</p>	<p>Meeting a target of exactly 0% is almost impossible to achieve due to the complexities of estimating planned expenditure 6-12 months in advance. As a guiding principle, the aim of this KPI is to balance as close as possible to 0%, without going into deficit.</p> <p>To better align with the revised SFP guiding principles, it is recommended that the target is adjusted to "between 0% and 1%".</p> <p><b><u>Recommendation:</u></b> <b>Amend.</b></p>

<b>Financial Sustainability</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
<p>In 2011–12, the City's operating surplus ratio was 3.6%.</p> <p>The DLG's advanced standards require an annual operating surplus ratio of &gt;15%.</p> <p>The current advanced standard ratio is considered inconsistent with the City's ambition of maintaining an appropriate surplus and rate affordability level that reflects planned activities on an annual basis.</p>	<p>To maintain a positive operating surplus ratio that exceeds 0%.</p> <p><b>Measure:</b> City of Joondalup annual operating surplus ratio.</p> <p><b>Source:</b> City of Joondalup Annual Report.</p>	<p>Target not met.</p> <p><b>Target:</b> &gt;0%.</p> <p><b>Measure:</b> -3.8%.</p>	<p>The target was not met in the last financial year and the City's current long term financial forecasts do not estimate the achievement of a positive operating surplus ratio until 2020-21.</p> <p>The revised SFP guiding principles also establish a new target of between 2%-8% over a five year average. This amendment should be reflected within the SCP, noting that the current SFP does not project the City to achieve this target until 2023-24, which is outside the life of the SCP. Notwithstanding, the City will look to continuously improve upon and report against the ratio, which may change as the City's financial position is adjusted and reflected upon annually.</p> <p>In addition, the 2011-12 ratio stated within the baseline data should also be amended, given the figure was estimated prior to the finalisation of the 2011-12 financial statements; during which the SCP was still in development. This would change the baseline from 3.6% to -0.4%.</p> <p><b><u>Recommendation:</u></b> <b>Amend.</b></p>

<b>Financial Sustainability</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
<p>In 2011–12, the City's current ratio was 2.4.</p> <p>The DLG's standards require a current ratio equal to or greater than 1.0.</p> <p>It is in the City's interests to ensure that its current assets are equal to or greater than its current liabilities for the purposes of maintaining an appropriate level of liquidity.</p>	<p>To annually maintain or exceed a current ratio of 1.0.</p> <p><b>Measure:</b> City of Joondalup annual current ratio.</p> <p><b>Source:</b> City of Joondalup Annual Report.</p>	<p>Target not met.</p> <p><b>Target:</b> &gt;1.0.</p> <p><b>Measure:</b> 0.97.</p>	<p>The revised guiding principles in the SFP do not highlight this KPI as a primary financial target. This is due to the limited relevance that the current ratio has for local governments and the effect that the reporting period has on the measurement. (Namely, reporting at one point in time on 30 June, which precedes the timing of rate collection when liquidity is at its lowest for the City).</p> <p>As such, it is recommended that this KPI be removed from the SCP and reported as a statutory KPI in the Annual Report.</p> <p><b><u>Recommendation:</u></b> <b>Remove.</b></p>

<b>Financial Sustainability</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
<p>In 2011-12, the City's debt service cover ratio was 7.5.</p> <p>The DLG's advanced standards require a debt coverage ratio greater than five.</p> <p>The current advanced standard ratio is considered inconsistent with the City's ambition of optimising funding options according to favourable economic conditions. While the capacity to service debt is considered imperative, capitalising on opportunities for debt affordability is also important.</p>	<p>Not to exceed five consecutive years with an annual debt service cover ratio of between two and five, with all other periods exceeding a ratio of five.</p> <p><b>Measure:</b> City of Joondalup annual debt service cover ratio.</p> <p><b>Source:</b> City of Joondalup Annual Report.</p>	<p>Target met.</p> <p><b>Target:</b> &gt;5.</p> <p><b>Measure:</b> 9.8.</p>	<p>The KPI and target remain relevant and directly aligned to the revised SFP guiding principles.</p> <p>Similar to the operating surplus target stated previously in the table, the baseline data for 2011-12 will require amending to reflect updated measurements. This will change the baseline from 7.5 to 10.8.</p> <p><b>Recommendation:</b> <b>Retain.</b></p>
<p>Asset consumption ratio: to be determined.</p>	<p>To be able to identify the City's asset consumption ratio with a high confidence level by 2014.</p>	<p>Target not measured in 2012-13.</p> <p><b>Projected Measure 2013-14:</b> High confidence level achieved for the asset classes of buildings, drainage and fleet in 2013-14.</p>	<p>While this ratio was reported in the financial statements of the Annual Report 2012-13, data improvement processes will impact on the level of confidence in its calculation, especially for smaller asset groups.</p> <p>Recent revaluation exercises were completed in 2013-14 for the asset classes of buildings and drainage that improved the calculation of this ratio.</p> <p>Work will continue throughout 2014-15, to continue to improve data for the asset classes of transport, parks and public open spaces and lighting.</p> <p><b>Recommendation:</b> <b>Retain.</b></p>

<b>Financial Sustainability</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
Asset sustainability ratio: to be determined.	To be able to identify the City's asset sustainability ratio with a high confidence level by 2014.	Target not measured in 2012-13.  <b>Projected Measure 2013-14:</b> High confidence level achieved for the asset classes of buildings, drainage and fleet in 2013-14.	As above.  <b><u>Recommendation:</u></b> <b>Retain</b>
Asset renewal funding ratio: to be determined.	To be able to identify the City's asset renewal ratio with a high confidence level by 2014.	Target not measured in 2012-13.	The achievement of this target is linked to the completion of detailed asset class management plans to inform the long term renewal requirements of the City's assets.  As part of the overall asset management improvement project, the City will continue to work towards the achievement of this target in 2018, reporting annually on its progress.  As such, it is recommended that the KPI is amended from achieving a high confidence level in 2014 to 2018.  <b><u>Recommendation:</u></b> <b>Amend.</b>

Quality Urban Environment			
BASELINE DATA	CITY TARGET	2012-13 MEASURE	COMMENT
<p>In 2011, the total number of residential dwellings within the City was 58,524.</p> <p>The Department of Planning's <i>Outer Metropolitan Perth and Peel Sub-Regional Strategy</i> provides a target of 12,300 additional greenfill and infill redevelopment lots by 2031.</p> <p>The City's draft <i>Local Housing Strategy</i> provides a target of 3,781 new dwellings in identified 'housing opportunity areas' by 2031. Up-take trends in these areas are expected to be identifiable from 2017 when the <i>Local Housing Strategy</i> will be implementable.</p>	<p>Additional dwelling targets for 2031 are as follows:</p> <p>1,500 number of new dwellings in the City Centre.</p> <p>1,305 number of new dwellings on known development sites outside of the City Centre.</p> <p>3,781 dwellings in 'housing opportunity areas'.</p> <p>935 new dwellings on existing sites which have capability for subdivision.</p> <p><b>Measure:</b> To be determined.</p> <p><b>Source:</b> To be established.</p>	<p>Target not measured in 2012-13.</p>	<p>A system for automating the calculation of this measurement on an annual basis is still in development and should be in place for the 2014-15 reporting period. (Due to the complexity of the data being extracted).</p> <p>The KPI remains relevant, however, it will be affected by the timing of the <i>District Planning Scheme</i> review, which will give effect to new dwelling developments within housing opportunity areas.</p> <p>In the meantime, the targets will require amendment to align with the City's current <i>Local Housing Strategy</i>, which was altered on the advice of the Western Australian Planning Commission in 2013.</p> <p>This would change:</p> <ul style="list-style-type: none"> <li>• 1,305 new dwellings on known development sites outside of the City Centre to 1,519.</li> <li>• 3,781 dwellings in 'housing opportunity areas' to 18,898.</li> <li>• 935 dwellings on existing sites which have capability for subdivision to 2,214.</li> </ul> <p>And include:</p> <ul style="list-style-type: none"> <li>• New target of 1,014 new dwellings in Burns Beach and Iluka.</li> </ul> <p><b><u>Recommendation:</u></b> <b>Amend.</b></p>

<b>Quality Urban Environment</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
<p>The City's <i>Landscape Master Plan</i> guides the coordinated and holistic approach to public open space planning with sustainable water management outcomes.</p> <p>Implementation of the Plan demonstrates the City's commitment to public open space renewal and water reduction targets.</p>	<p>The City undertakes two <i>Landscape Master Plan</i> projects per annum.</p> <p><b>Measure:</b> Number of <i>Landscape Master Plan</i> projects completed per annum.</p> <p><b>Source:</b> City of Joondalup Annual Report.</p>	<p>Target met.</p> <p><b>Target:</b> 2.</p> <p><b>Measure:</b> 2.</p>	<p>The KPI remains relevant and consistent with the City's objectives under its <i>Landscape Master Plan 2009-2019</i>.</p> <p>However, the affordability of delivering two LMP projects per annum was recently questioned during this year's budget workshop process. As such, it is recommended that the KPI target be amended from two projects per annum to one.</p> <p><b><u>Recommendation:</u></b> <b>Amend.</b></p>

<b>Economic Prosperity, Vibrancy and Growth</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
<p>In 2009, the north-west region's employment self-sufficiency percentage was 41%.</p> <p>The Department of Planning's <i>Directions 2031 and Beyond</i> requires a regional employment self-sufficiency target of 60% by 2031. This will require an additional 77,200 jobs within the region, based on the Australian Bureau of Statistics' 2009 estimated regional resident population for the Cities of Joondalup and Wanneroo (306,300 people).</p>	<p>To achieve a regional employment self-sufficiency percentage 10% greater than the 2009 baseline data by 2022.</p> <p><b>Measure:</b> Residential location of workers that live and work within the Cities of Joondalup and Wanneroo.</p> <p><b>Source:</b> Australian Bureau of Statistics' <i>Journey to Work</i> data (released every five years).</p>	<p>Target on track.</p> <p><b>Target:</b> &gt;50% by 2022.</p> <p><b>Measure:</b> 45% (4% increase).</p>	<p>This is a long-term KPI which remains relevant and consistent with the state government's employment self-sufficiency targets for the metropolitan north-west region.</p> <p><b><u>Recommendation:</u></b> <b>Retain.</b></p>

<b>Economic Prosperity, Vibrancy and Growth</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
In December 2011, the City's unemployment rate was 2.0% compared to the Perth metropolitan unemployment rate of 4.2%.	Maintain unemployment rates under the Perth metropolitan average.  <b>Measure:</b> Subtract average City of Joondalup unemployment rate from the average Perth metropolitan rate over an annual period.  <b>Source:</b> Australian Bureau of Statistics' <i>Labour Force Survey</i> (monthly) and Department of Education, Employment and Workplace Relations' <i>Small Area Labour Markets</i> dataset (released quarterly).	Target met.  <b>Target:</b> <4.2%.  <b>Measure:</b> 2%.	This KPI remains relevant and consistent with the City's employment aspirations under its <i>Economic Development Strategy</i> .  <b><u>Recommendation:</u></b> <b>Retain.</b>
Between 2007 and 2011, the City's Local Gross Regional Product by industry increased on average by 5%.	To exceed the current five year trend for Local Gross Regional Product.  <b>Measure:</b> Annual Headline Gross Regional Product.  <b>Source:</b> City of Joondalup's <i>Economy i.d</i>	Target met.  <b>Target:</b> >5%.  <b>Measure:</b> 12.6%.	This KPI remains relevant and consistent with the City's aspirations for economic growth under its <i>Economic Development Strategy</i> .  <b><u>Recommendation:</u></b> <b>Retain.</b>

<b>The Natural Environment</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
The City currently participates in many activities and programs that aim to promote and recognise best practice in environmental management.  These extend to publishing case studies and articles, presenting at conferences and seminars and applying for project and	To participate in a minimum of three environmental best practice promotional initiatives per annum.  <b>Measure:</b> Number of case study and article publications, awards won and conference and seminar presentations delivered on environmental matters per annum.	Target met.  <b>Target:</b> >=3.  <b>Measure:</b> 10.	This KPI remains relevant and consistent with the City's environmental leadership aspirations.  <b><u>Recommendation:</u></b> <b>Retain.</b>



<b>The Natural Environment</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
management awards.	<b>Source:</b> City of Joondalup Annual Report.		
Between 2009 and 2011, the City has received an average of \$337,000 in grant funding relating to environmental management per annum.	To exceed the baseline amount for grant funding received per annum for environmental management projects.  <b>Measure:</b> \$ amount of grant funding received per annum that relate to environmental management projects.  <b>Source:</b> City of Joondalup Annual Report.	Target met.  <b>Target:</b> >\$337,000.  <b>Measure:</b> \$758,550.	While this KPI was met in the last financial period, external grant funding for environmental projects has since been significantly reduced by state and federal governments.  As such, grant funding will become more competitive in the future, making this KPI increasingly difficult to meet. It is therefore recommended for removal from the SCP.  <b><u>Recommendation:</u></b> <b>Remove.</b>
Between 2009 and 2011, the City applied for 49 grants relating to environmental management, of which 27 were successful.  This creates an average success rate of 55%.	To exceed 55% of successful grant applications per annum.  <b>Measure:</b> % successful grant applications relating to environmental management received per annum.  <b>Source:</b> City of Joondalup <i>Grants Register</i> .	Target not met.  <b>Target:</b> >55%.  <b>Measure:</b> 45.5%.	Similar to the KPI above, environmental grant funding will become increasingly competitive in the future from reduced funding options.  Applications will continue to be pursued by the City however, it is considered unreasonable to retain this KPI within the SCP given the current external funding environment and increased competitiveness for funding applications.  <b><u>Recommendation:</u></b> <b>Remove.</b>

<b>The Natural Environment</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
% of native vegetation protected across the City's natural areas: to be determined.	% of native vegetation protected across the City's natural areas able to be calculated by 2014.	Target not measured in 2012-13.	<p>Target will be met in 2013-14 and will be reported in the upcoming Annual Report.</p> <p>This KPI continues to be relevant and consistent with the City's aspirations for environmental protection.</p> <p><b><u>Recommendation:</u></b> <b>Retain.</b></p>

<b>Community Wellbeing</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
In 2011, the City's local volunteering percentage was 16.7% compared to the Perth metropolitan average of 16.9%.	<p>Exceed the Perth metropolitan average for local volunteering.</p> <p><b>Measure:</b> Subtract % City of Joondalup population that volunteer for an organisation or group from Perth metropolitan average.</p> <p><b>Source:</b> Australian Bureau of Statistics' <i>Census of Population and Housing</i>, usual residence (released every five years)</p>	Target not measured in 2012-13.	<p>This target can only be measured in five years, as it is based on ABS Census data.</p> <p>Despite this, the KPI remains relevant and consistent with the City's aspirations of increasing volunteer participation amongst residents.</p> <p>The KPI will be reported following the release of new Census data in 2016-17.</p> <p><b><u>Recommendation:</u></b> <b>Retain</b></p>
To be developed.	To be able to measure the community's perceptions of safety by 2014.	Target not measured in 2012-13.	<p>This KPI relied on the completion of a Community Wellbeing Survey in 2013, which was delayed.</p> <p>It is anticipated that perception data will not be available until 2015 and therefore, the KPI should be adjusted accordingly.</p> <p><b><u>Recommendation:</u></b> <b>Amend</b></p>

<b>Community Wellbeing</b>			
<b>BASELINE DATA</b>	<b>CITY TARGET</b>	<b>2012-13 MEASURE</b>	<b>COMMENT</b>
To be developed.	To be able to measure the community's level of participation in local cultural activities by 2014.	Target not measured in 2012-13.	Target anticipated to be met in 2014-15, following the introduction of a new system for more accurately calculating event attendances.  This KPI continues to be relevant and consistent with the City's aspirations for enhancing community participation in cultural activities.  <b><u>Recommendation:</u></b> <b>Retain.</b>
The City has yet to attract a significant event that is able to generate over \$4 million of expenditure within the local economy.	To have a minimum of one significant event held within the City during the duration of <i>Joondalup 2022</i> .  <b>Measure:</b> Number of significant events per annum.  <b>Source:</b> City of Joondalup <i>Annual Report</i> — Significant Event Sponsorship.	Target not measured in 2012-13.	This is a long-term KPI, which remains relevant and consistent with the City's aspirations of developing into a destination City.  Following the implementation of further cultural, marketing and economic development activities over the duration of the SCP, the ability to attract a significant event within the City of Joondalup will improve.  <b><u>Recommendation:</u></b> <b>Retain.</b>

### Issues and options considered

The desktop review process provides an opportunity for the City and Council to assess the appropriateness and relevance of its high-level strategic direction and make adjustments where necessary in consultation with the community. Following recent discussions with Elected Members, the City is not recommending major amendments to the SCP as part of the desktop review process, but rather, seeks to retain the overall strategic direction of the plan.

At this stage, the City is not recommending the adoption of the proposed minor amendments by Council, just the approval to release the document for public feedback.

Council may choose to approve the release of the revised plan as shown in Attachment 1 to Report CJ134-08/14, or propose further suggestions for amendments.

**Legislation / Strategic Community Plan / policy implications**

<b>Legislation</b>	<i>Local Government Act 1995.</i> <i>Local Government (Administration) Regulations 1996.</i>
<b>Strategic Community Plan</b>	This report relates to the review of the <i>Strategic Community Plan 2012-2022.</i>
<b>Key theme</b>	Not applicable.
<b>Objective</b>	Not applicable.
<b>Strategic initiative</b>	Not applicable.
<b>Policy</b>	<i>Community Consultation and Engagement Policy.</i>

**Risk management considerations**

The key risk associated with the desktop review process, is the retention of strategic KPIs within the SCP that are unable to be measured or reported against, or do not appropriately reflect the strategic intentions of the City.

While not a significant risk, it may undermine and/or lower the value of information reported within the Annual Report from which the City's performance is assessed. If the City is perceived to be under-performing with regard to strategic KPIs that are irrelevant or inappropriate; or alternatively, it is unable to effectively assess its performance due to a lack of data, business improvement activities may be hindered.

As such, it is considered appropriate that the opportunity for reviewing strategic KPIs within the SCP is capitalised upon.

**Financial / budget implications**

There are no identified financial or budget implications associated with the desktop review process.

**Regional significance**

The SCP highlights many commitments to regional partnership and development opportunities over the life of the plan; particularly in relation to governance and economic development activities.

**Sustainability implications**

The SCP sets a strategic and sustainable direction for the City until 2022. The initial desktop review process has not revealed any significant issues regarding the City's sustainable future and if it continues to implement its strategic objectives accordingly; the City's annual budgeting, resource planning and reporting processes will provide effective mechanisms from which to assess the City's ongoing sustainable performance.

The City's strategic KPIs feed into these processes and must therefore remain relevant and appropriate.

## Consultation

Should Council consider amendments to the SCP as necessary during the desktop review phase, it is recommended that consultation with the community is undertaken. Advice received from the DLGC indicates that consultation requirements under the IPRF are not extensive during a minor review, unless significant changes to the City's strategic direction are being canvassed.

Given that only minor amendments are being suggested at this stage, it is recommended that a simple community feedback process is pursued through general advertising and online submissions.

This should be completed by October 2014, when the biennial review process will require finalisation.

## COMMENT

Not applicable.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### That Council:

- 1 **NOTES** the outcomes of the desktop review process for the *Strategic Community Plan 2012-2022* as outlined in Report CJ134-08/14;
- 2 **APPROVES** the release of the revised *Strategic Community Plan 2012-2022*, as shown in Attachment 1 of Report CJ134-08/14, for public comment over 21 days;
- 3 **NOTES** that following the completion of the public comment period, the *Strategic Community Plan 2012-2022* will be presented back to Council for adoption.

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf120814.pdf](#)

**CJ135-08/14 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 1 July 2014 To 15 July 2014.
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 1 July 2014 to 15 July 2014 (Attachment 1 refers).

**EXECUTIVE SUMMARY**

The City 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 Council for information on a regular basis.

*It is therefore recommended that Council NOTES the Schedule of Documents covering the period 1 July 2014 to 15 July 2014 executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ135-08/14.*

**BACKGROUND**

During the period 1 July 2014 to 15 July 2014, eight documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Lease Agreement	2
Section 70A Notification	1
Licence Agreement	2
Withdrawal of Caveat	1
Burns Beach Structure Plan No 10 – Part 9 of DPS2	1
Amendment to DPS2	1

**Issues and options considered**

Not applicable.

**Legislation / Strategic Community Plan / policy implications**

**Legislation** *Local Government Act 1995.*

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

**Strategic initiative** Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial/budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

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

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council NOTES the Schedule of Documents covering the period 1 July 2014 to 15 July 2014, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ135-08/14.**

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf120814.pdf](#)



**CJ136-08/14 MINUTES OF EXTERNAL COMMITTEES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	03149, 60514, 00033, 29094, 101515
<b>ATTACHMENTS</b>	Attachment 1 Minutes of the Management Committee meetings of the Joondalup Lotteries House Inc held on 13 February 2014 and 10 April 2014 Attachment 2 Minutes of the special meeting of the Mindarie Regional Council held on 26 June 2014 Attachment 3 Minutes of the meeting of the West Australian Local Government Association North Metropolitan Zone held on 26 June 2014 Attachment 4 Summary Minutes of the Western Australian Local Government Association State Council held on 2 July 2014 Attachment 5 Minutes of the ordinary meeting of the Mindarie Regional Council held on 3 July 2014
	<i>(Please Note: These minutes are only available electronically).</i>
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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**PURPOSE**

For Council to note the minutes of various external bodies on which the City has current representation.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Minutes of the Management Committee meetings of the Joondalup Lotteries House Inc held on 13 February 2014 and 10 April 2014.
- Minutes of the special meeting of the Mindarie Regional Council (MRC) held on 26 June 2014.
- Minutes of the meeting of the West Australian Local Government Association North Metropolitan Zone held on 26 June 2014.
- Summary Minutes of the Western Australian Local Government Association (WALGA) State Council held on 2 July 2014.
- Minutes of the ordinary meeting of the Mindarie Regional Council (MRC) held on 3 July 2014.

## DETAILS

The following information details those matters that were discussed at the external meetings and may be of interest to the City of Joondalup.

### **Joondalup Lotteries House Inc Management Committee meetings – 13 February 2014 and 10 April 2014**

A meeting of the Joondalup Lotteries House Inc (JLH) Management Committee was held on 13 February 2014 and 10 April 2014 respectively.

The City's representative on the Joondalup Lotteries House Inc Management Committee is the Community Development Coordinator, Julie Forrester.

There were no matters requiring action or decision by the City of Joondalup resolved at both Joondalup Lotteries House Inc Management Committee meetings.

### **Mindarie Regional Special Council meeting – 26 June 2014.**

A special meeting of the Mindarie Regional Council (MRC) was held on 26 June 2014.

Cr Russ Fishwick (Chair) and Cr Kerry Hollywood are Council's representatives on the Mindarie 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:

#### 7.1 Budget Approval Financial Year 2014-15

It was resolved by the MRC as follows:

*"That Council:*

- (i) adopt the Budget for the Mindarie Regional Council for Financial Year 2014-15;*
- (ii) endorse the on-going strategy of deferred payment of operational surplus, as approved by Council at its August 2005 meeting, for the Financial Year 2005-06 and future years to meet its on-going capital requirement;*
- (iii) approve the use of an on-going overdraft facility of \$1 million to manage cashflow 'short falls' during financial year 2014-15 and future years;*
- (iv) approve the Capital Budget Program of \$16,360,300 for 2014-15 as follows:*

#### *New capital expenditures*

	\$
• Cell lining	2,800,000
• Building upgrades	35,000
• Office furniture and equipment	42,000
• Computer equipment	66,300
• Plant and equipment	245,000
• Infrastructure	25,000
• Vehicles	<u>2,302,000</u>
	5,245,300

Carried forward capital expenditures

• Land Purchase (new Landfill Site)	6,000,000
• Sorting shed 4,000,000	
• Cell lining	1,000,000
• Admin office renovation	25,000
• Recycling centre and education redevelopment	90,000
	11,115,000
<i>Total Capital expenditure</i>	16,360,300

- (v) approve that \$471,197 will be transferred from the Operating Surplus to the Site Rehabilitation Reserve;
- (vi) approve that \$1,500,000 will be transferred from the Operating Surplus to the Reserve for Capital Expenditure;
- (vii) approve that \$2,560,300 be transferred from the Reserve for Capital Expenditure to Operating Surplus to fund capital expenditures;
- (viii) approve that the funds required to acquit the MRC's carbon price liability at 30 June 2014 will be transferred from the Carbon Price Reserve to the Operating Surplus;
- (ix) approve that all interest earned on cash funds associated with cash-backed reserves will not be credited to the reserve;
- (x) Approve that \$96,630 of operational expenditures will be carried forward from the 2013-14 Budget to the 2014-15 Budget.

*(Absolute Majority Required)."*

### **West Australian Local Government Association North Metropolitan Zone – 26 June 2014**

An ordinary meeting of the Western Australian Local Government (WALGA) North Metropolitan Zone was held on 26 June 2014.

The Council's representatives on the WALGA North Metropolitan Zone are Crs Geoff Amphlett, Russ Fishwick, Sam Thomas and Philippa Taylor. On this occasion Crs Geoff Amphlett and Russ Fishwick were apologies, with Cr John Chester and Cr Mike Norman acting as deputies.

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

#### **5.4 Draft Submission to the WA Planning Commission: Draft Planning Policy 3.7 – Planning for Bushfire Risk Management**

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

*"That WALGA give consideration to the findings and recommendations made in the City of Wanneroo's submission to the WAPC and provided to WALGA on 26 June 2014."*

## **West Australian Local Government Association State Council – 2 July 2014.**

A meeting of the West Australian Local Government Association (WALGA) State Council was held on 2 July 2014.

The Council's representatives on the WALGA State Council for this meeting were Mayor Pickard (President) and Cr Amphlett.

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

### **5.1 Local Government Reform and Poll Provisions**

It was resolved by the WALGA State Council as follows:

*"That WALGA:*

- 1 *Reaffirm its policy position opposing forced amalgamations and supporting voluntary reform;*
- 2 *Adopt, and advocate for, a policy position that the poll provisions contained in the Local Government Act 1995 should be amended so that Electors of a local government where one or more local governments will be abolished or significantly affected by a boundary change proposal are able to demand a poll on the proposal, with 'significantly affected' being specifically defined as causing a 50% variation in:*
  - (i) *population; or*
  - (ii) *rateable properties; or*
  - (iii) *revenue."*

### **5.2 Road Funding Campaign**

It was resolved by the WALGA State Council as follows:

*"That State Council:*

- 1 *Rescind resolution number 29.2/2014;*
- 2 *Not proceed with a statewide road funding advertising campaign and continue with political advocacy for increased road funding as per Association policy."*

### **5.3 Microeconomic Reform Inquiry Draft Report Submission**

It was resolved by the WALGA State Council as follows:

*"That the Association's interim submission in response to the Economic Regulation Authority's Microeconomic Reform Inquiry Draft Report be endorsed, subject to the following change:*

*In ERA recommendation 26 add in part b, after "residential transfer duty" the words "and rural transfer duty"."*

5.5 DFES Concept Paper: Review of the Emergency Services Acts – WALGA Submission

It was resolved by the WALGA State Council as follows:

- “1 *That the Association’s submission on the Department of Fire and Emergency Services’ Concept paper: Review of the Emergency Services Acts recommending the following, be endorsed:*
- (a) *That the new Emergency Services Act includes the risk mitigation obligations of State agencies, as well as those for local government and private landowners;*
  - (b) *That DFES undertakes a full assessment of the potential costs for State agencies, local government and private landowners associated with the new risk mitigation obligations outlined in the Concept Paper;*
  - (c) *That the State Government commits to identifying a sustainable funding option for risk mitigation activities and functions under the new Emergency Services Act. This should include a review of the future purpose and use of the Emergency Services Levy.*
  - (d) *That DFES commit to working in consultation with local governments and volunteer brigades to develop hazard-appropriate training for emergency services personnel;*
  - (e) *That any future DFES training program is adequately resourced to deliver training across Western Australia on an equitable basis, in line with local needs and schedules;*
  - (f) *That DFES work in consultation with Local Government Insurance Services and WALGA to explore the liability implications for local government in relation to risk mitigation activities prescribed in the new Emergency Services Act;*
  - (g) *That DFES makes a commitment to explore the cost and resource implications of expanding the legislation to include all hazards, and to develop a proposal to build capacity and resources to meet these requirements under the Act;*
  - (h) *That DFES undertakes further assessment and scenario planning on the streamlined risk mitigation strategies outlined in the Concept paper to identify the potential risks to community safety, if the proposals were to be adopted;*
  - (i) *That WALGA liaise with DFES, Department of Planning and WA Planning Commission about the potential impacts of the increased planning requirements in rural areas on regional development.”*

### 5.10 WALGA Submission – Review of Contaminated Sites Act 2003

It was resolved by the WALGA State Council as follows:

*“That State Council endorse the Western Australian Local Government Association’s interim submission – Review of the Contaminated Sites Act 2003.”*

## 6 MATTERS FOR NOTING INFORMATION

### 6.2 Rating Exemptions for Land Used Exclusively for Charitable Purposes

It was resolved by the WALGA State Council as follows:

*“That the item ‘Rating Exemptions for land used exclusively for Charitable Purposes’ be noted.”*

### 6.3 Cessation of the Local Biodiversity Program

It was resolved by the WALGA State Council as follows:

*“That State Council note:*

- 1 *the cessation of the Association grant funded Local Biodiversity Program;*
- 2 *acknowledge the significant contribution the program has made to improved land use planning and environmental management outcomes for local government;*
- 3 *the proposed continuation (subject to State Council approval of the 2014-15 Association budget) of the Environmental Planning Tool and the Natural Area Managers’ Forums under a subscription based model for the 2014-15 financial year.”*

## **Mindarie Regional Council Ordinary meeting – 3 July 2014.**

An ordinary meeting of the Mindarie Regional Council (MRC) was held on 3 July 2014.

Cr Russ Fishwick (Chair) and Cr Kerry Hollywood are Council’s representatives on the Mindarie Regional Council. On this occasion, Cr Mike Norman was an observer at this meeting.

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

The MRC held elections for the positions of Chairman and Deputy Chairman, with the following outcomes:

Election of Chairman                      Cr Russ Rishwick – City of Joondalup.  
Election of Deputy Chairman          Cr B Stewart – City of Stirling.

11.3 CEO Performance Review Committee – Engagement of Consultant to assist in the review of the CEOs Performance

It was resolved by the MRC as follows:

*“The Council appoints John Philips to assist the CEO Performance Review Committee in reviewing the performance and remuneration of the Chief Executive Officer.”*

11.4 Member Council management of residues from recycling processes

It was resolved by the MRC as follows:

*“That the Council:*

- 1 in accordance with part 4A.2 of its Constitution exempt Member Councils from bringing the residue waste, which is produced as a result of a recycling process, to Tamala Park;*
- 2 approve that the exemption detailed in (1) is to remain valid until the new Establishment Agreement has been gazetted;*
- 3 The Member Councils be formally advised, in writing, of the exemption detailed in (1) above.”*

16 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

16.1 Confidential – Tender for development of a conceptual site model and the provision of consulting services to assist with the management of groundwater and landfill gas

It was resolved by the MRC as follows:

*“A That Council:*

- 1 Award Tender Number 13/123 – Development of a conceptual site model and provision of consultant services to GHD at an expected contract price of \$96,630 (excluding GST), based on their tendered price and rates;*
- 2 Inform Coffey and Golder:*
  - (a) that their tender was unsuccessful;*
  - (b) the name and value of the successful tenderer;*
- 3 Inform SERS:*
  - (a) that their tender was non-confirming as it did not respond to the following essential criteria:*
    - (i) Part 5.A – Compliance Criteria – clause (b) and (c):*
      - “Tenders are to provide their DER Contaminated Sites Audit Accreditation” – did not submit adequate information;*

- “Do they comply with the specifications of the Tender” – did not submit adequate information;
- (ii) Part 5.E – Tenders Price
- Price Schedule – did not complete;
- (b) of the outcome of the tender including the name and value of the successful tenderer;
- 4 Inform Civil One:
- (a) that their tender was non-conforming as it did not respond to the following essential criteria:
- (i) Part 5 – Selection Criteria – did not submit documentation;
- (ii) Part 5.A – Compliance Criteria – clause (b) and (c)
- “Tenders are to provide their DER Contaminated Sites Audit Accreditation” – did not submit adequate information;
  - “Do they comply with the specifications of the Tender” – did not submit adequate information;
- (b) of the outcome of the tender including the name and value of the successful tenderer;

B The expected contract value of \$96,630 (excluding GST) detailed in (1) above to be funded from the following reallocations of the 2013-14 Budget as follows:

G/L Number	Activity Code	Amount (\$)
5230	00201 (G/w auditor)	30,000
5230	50148 (G/w Management Plan)	30,000
5230	50981 (G/w Monitoring)	6,630
5245	52495 (LFG Management Plan)	30,000

which will be carried forward as “Monitoring Program” expenditure in the 2014-15 financial year budget.

(Absolute Majority Required).”



**Legislation / Strategic Community Plan / policy implications**

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Strong leadership.

**Strategic initiative** Seek out City representation on key external and strategic bodies.

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the minutes of the:**

- 1 Management Committee meetings of the Joondalup Lotteries House Inc held on 13 February 2014 and 10 April 2014 forming Attachment 1 to Report CJ136-08/14;**
- 2 Special Mindarie Regional Council meeting held on 26 June 2014 forming Attachment 2 to Report CJ136-08/14;**
- 3 WALGA North Metropolitan Zone meeting held on 26 June 2014 forming Attachment 3 to Report CJ136-08/14;**
- 4 Western Australian Local Government Association State Council held on 2 July 2014 forming Attachment 4 to Report CJ136-08/14;**
- 5 Mindarie Regional Council meeting held on 3 July 2014 forming Attachment 5 to Report CJ136-08/14.**

*To access this attachment on electronic document, click here: [External Minutes120814.pdf](#)*

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No./Subject</b>	CJ137-08/14 – Annual Plan Quarterly Progress Report for the Period 1 April to 30 June 2014.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr is Secretary of the Joondalup Business Association.

## CJ137-08/14 ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 APRIL TO 30 JUNE 2014

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	20560, 101515
<b>ATTACHMENTS</b>	Attachment 1 Annual Plan Quarterly Progress Report for the period 1 April-30 June 2014 Attachment 2 Capital Works Program Quarterly Report for the period 1 April-30 June 2014
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to receive the Annual Plan Quarterly Progress Report for the period 1 April to 30 June 2014.

**EXECUTIVE SUMMARY**

The Annual Plan contains the major projects and priorities which the City proposed to deliver in the 2013-2014 financial year.

The Annual Plan Quarterly Progress Report provides information on the progress of projects and programs documented in the Annual Plan 2013-2014. The Annual Plan Quarterly Progress Report for the period 1 April-30 June 2014 is shown as Attachment 1 to Report CJ137-08/14.

A Capital Works Quarterly Report, which details all projects within the *Capital Works Program*, is provided as Attachment 2 to Report CJ137-08/14.

*It is therefore recommended that Council RECEIVES the:*

- 1 *Annual Plan Quarterly Progress Report for the period 1 April to 30 June 2014, which is shown as Attachment 1 to Report CJ137-08/14;*
- 2 *Capital Works Quarterly Report for the period 1 April to 30 June 2014, which is shown as Attachment 2 to Report CJ137-08/14.*

## BACKGROUND

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

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

## DETAILS

The Annual Plan contains a brief description of the key projects and programs that the City proposes to deliver in the 2013-14 financial year. Milestones are set for the key projects and programs to be delivered in each quarter.

The Quarterly Progress Report provides information on progress against the milestones and a commentary is provided against each milestone.

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

As this is the final Quarterly Progress Report for the 2013-14 Annual Plan, the following provides an overall summary of significant achievements for the financial year:

### Governance and Leadership

- Annual Customer Satisfaction Survey conducted with high rates of satisfaction.
- A significant number of policies reviewed and new policies developed.
- 2013 Council Elections conducted.
- Revised *Code of Conduct* endorsed.
- Annual Review of the *Delegated Authority Manual* conducted.
- Ward Boundary Review conducted.
- Meetings of the Strategic Community Reference Group conducted.
- Community consultation conducted on the following projects:
  - Ward Boundary Review.
  - Seacrest Park, Sorrento-Sports Floodlighting Project.
  - Penistone Park, Greenwood-Proposed Park redevelopment.
  - Bramston Park, Burns Beach-Proposed Park redevelopment.
  - Warrantdyte Park, Craigie-Proposed irrigation works.
  - Penistone Park, Greenwood Proposed Redevelopment-Concept Plans.
  - Draft *Warwick Open Space Bushland Management Plan*.
  - Draft *Economic Development Strategy*.
  - Draft *Climate Change Strategy*.
  - Draft *Environment Plan 2014-2019*.
  - Draft *Coastal Foreshore Management Plan 2014-2024*.
  - Pinnaroo Point-Paramotor Trial.
- An increase in the level of communication via Facebook and Twitter which has now reached an on-line following of more than 9,000 people.
- Wi-Fi installed at Duncraig Library and the Library Management System upgraded at all libraries.

- A number of awards won or recognition received for achievements including:
  - National Australia Bank Asia Ready Impact Award-Community Partnership
  - Planet Footprint-Gold Standard
  - Waterwise Aquatic Centre Accreditation-Craigie Leisure Centre
  - AIM WA WestBusiness Pinnacle Awards-finalist in Human Resource Management category.

### **Financial Sustainability**

- Council endorsement of the revised *20 Year Strategic Financial Plan*.
- Significant work undertaken as part of the review of the City's *Asset Management Plan*.
- Council endorsement of the revised *Risk Management Framework and Risk Management Policy*.
- Major Capital Works Projects completed including:

New or upgraded park equipment in:

- Fairway Park-Connolly
- Glengarry Park-Duncraig
- Roxburgh Park-Kinross
- Moolanda Park-Kingsley
- Fernwood Park-Padbury
- Edgewater Park-Edgewater
- Bridgewater Park-Hillarys
- Beldon Park-Beldon
- Timberlane Park-Woodvale.

Traffic management upgrades along:

- Fantome Road-Craigie
- Quilter Drive-Duncraig
- Eddystone Avenue-Heathridge
- Gradient Way-Beldon
- Trailwood Drive-Woodvale
- Woodvale Drive-Greenwood
- Whitfords Avenue-Kallaroo
- Prendiville Way-Ocean Reef
- Merivale Way-Greenwood.

Road modifications as part of the Black Spot Program at the intersections of:

- Hepburn Avenue and Kingsley Drive-Greenwood
- Endeavour Road-Hillarys
- Blue Mountain Drive-Joondalup
- Joondalup Drive and Eddystone Avenue-Edgewater
- Candlewood Boulevard-Joondalup.

Road preservation and resurfacing along:

- Renegade Way-Kingsley
- Celina Crescent-Kingsley
- Justin Drive-Sorrento
- Windlass Avenue-Ocean Reef
- The Plaza and Padbury Circle-Sorrento
- Page Drive-Mullaloo
- Eucalypt Court-Duncraig
- Fantome Road-Craigie

- MacFarlane Rise-Duncraig
- Atwick Way-Craigie
- Brisbane Drive-Padbury
- Joondalup Drive-Joondalup
- Whitfords Avenue-Craigie.

Stormwater drainage upgrades in:

- Wandoo Road-Duncraig
- Cliff Street-Sorrento
- Roche Road-Duncraig
- Glenn Place-Duncraig
- Duffy Terrace-Woodvale
- Cadogan Street-Kingsley.

New or resurfaced paths along:

- Connolly Drive Shared Path-Currabine
- Allenswood Drive-Greenwood
- Ackworth Crescent-Warwick
- Warwick Road-Warwick
- Lilburne Road-Duncraig
- Glengarry Drive-Duncraig
- Hepburn Avenue-Kingsley
- West Coast Drive-Sorrento.

Major building works completed at:

- Currabine Community Centre-Currabine
- Admiral Park Clubrooms-Heathridge
- The Civic Centre, Library and Reception Centre (replacement chillers installed).

### **Quality Urban Environment**

- Submission of a revised *Metropolitan Region Scheme Amendment* request to rezone the land at Ocean Reef Marina to the Western Australian Planning Commission.
- Three Ocean Reef Marina Project forums held to provide an update on the progress and outline the next stages of the project attended by over 600 people.
- An Expression of Interest lodged for the provision of State Government office accommodation in Joondalup on Lot 507 Boas Avenue, Joondalup.
- Twenty-one submissions from local and international architects received for the City's Architectural Design Competition for the design of the proposed Joondalup Performing Arts and Cultural Facility and Jinan Garden.
- The design of the multi- storey car park in the Joondalup City Centre approved and contractors for construction appointed.
- Three visual entry and exit statements installed to mark the major entry points to the City
- The revised *Local Planning Strategy* presented to Elected Members.
- Significant number of City facilities retrofitted with water and energy efficient products.
- Delivery of actions from the City's *Bike Plan* and *Walkability Plan*.
- Stage One of the lighting upgrade for Central Walk, Joondalup, completed.

## Economic Prosperity, Vibrancy and Growth

- Council endorsement of the City's Economic Development Strategy, '*Expanding Horizons*'.
- Implementation of activities in line with the Digital Strategy, including the endorsement of the City's funding contribution to the Co-Working space at West Coast Institute to support business development in Joondalup.
- A draft Significant Event Attraction Position Statement presented to Elected Members.
- Council endorsement of the Stage One preferred respondents for the development of a café/kiosk at Pinnaroo Point.
- Successful business forums delivered and regular communication conducted with the business community.
- Distribution of the Joondalup Business Online Quarterly e-newsletter which reached a milestone of 2,300 registrations from businesses, organisations and individuals. The e-newsletter provides regular updates on business, investment and tourism related news within the City.

## The Natural Environment

- The hosting of the 2013 International BiodiverCities Conference in September 2013 as part of the City's involvement in the *BiodiverCities Program*.
- Endorsement of the City's *Climate Change Strategy*.
- Implementation of activities in line with the *Yellagonga Integrated Catchment Management Plan*.
- Council endorsement of the *Central Park Natural Area Management Plan* and the *Warwick Open Space Bushland Management Plan*.
- Irrigation and upgrade works completed at Mawson Park and Hillarys Park, Hillarys, and Warrandyte Park, Craigie in line with the *Landscape Master Plan*.
- Activities delivered as part of the City's *Think Green – Environmental Education Program* including a Sustainable Gardens Workshop, Creatures of the Night Stalks in Neil Hawkins Park, Nyungar Bushtucker and Cultural Heritage Tours, delivery of 100 Eco Home Audits, delivery of the Capture Nature Photography Competition and a Garage Sale Trail Program.
- On-going commitment to achieving sustainable water management by the successful implementation of actions from the City's Water Plan, including retaining Waterwise Council accreditation.
- Delivery of *Adopt a Coastline Project*.

## Community Wellbeing

- Official opening of Currambine Community Centre and development of a new park (Delamere Park) and car park adjacent to the Community Centre.
- Citizenship Ceremonies conducted at which approximately 1,600 residents became Australian Citizens.
- Delivery of a comprehensive program of cultural events throughout the year, including:
  - NAIDOC Week
  - Joondalup Festival
  - Summer Concert Series – Music in the Park
  - Valentine's Concert
  - Joondalup Eisteddfod
  - Sunday Serenades
  - Inaugural Community Invitation Art Award Exhibition
  - Community Art Exhibition

- Little Feet Festival
- Inside-Out Billboard Art Project.
- Delivery of a range of youth programs, including the Snap! Youth Music Festival, 2013 Defeat the Beat, (formerly known as Battle of the Bands) and skate park competitions at Mirror Park and Kinross Skate Park.
- Delivery of a range of life-long learning programs within the City's libraries attracting more than 18,800 adults, children and seniors.
- Completion of major and minor upgrades at community facilities.
- Implementation of actions from the *Beach Management Plan*.
- Funding of approximately \$85,300 distributed to community groups as part of the *Community Funding Program*.
- Successful implementation of the *Cat Act 2011*.
- Implementation of actions in line with the *Community Safety and Crime Prevention Plan*.

### Legislation / Strategic Community Plan / policy implications

#### Legislation

The *Local Government Act 1995* provides a framework for the operations of Local Governments in Western Australia. Section 1.3(2) states:

*This Act is intended to result in:*

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

#### Strategic Community Plan

##### Key theme

Governance and Leadership.

##### Objective

Corporate capacity.

##### Strategic initiative

Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.

##### Policy

The City's *Governance Framework* recognises the importance of effective communication, policies and practices in Section 7.2.4. Section 10.2 further acknowledges the need for accountability to the community through its reporting framework which enables an assessment of performance against the *Strategic Community Plan, 20 Year Strategic Financial Plan, Annual Plan* and Annual Budget.

#### Risk management considerations

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



**Financial / budget implications**

All projects and programs in the Annual Plan 2013-14 were included in the 2013-14 Budget.

**Regional significance**

Not applicable.

**Sustainability implications**

The projects and programs in the Annual Plan are aligned to the key themes in the City's *Strategic Community Plan, Joondalup 2022* which have been developed to ensure the sustainability of the City.

The key themes are as follows:

- Governance and Leadership.
- Financial Sustainability.
- Quality Urban Environment.
- Economic Prosperity, Vibrancy and Growth.
- The Natural Environment.
- Community Wellbeing.

**Consultation**

Not applicable.

**COMMENT**

The Annual Plan 2012-2013 was received by Council at its meeting held on 20 August 2013 (CJ157-08/13 refers).

A detailed report on progress of the *Capital Works Program* has been included with the Annual Plan Quarterly Progress Report. This report provides an overview of progress against all of the projects and programs in the 2013-2014 *Capital Works Program*.

The Capital Works Quarterly Report includes a column which contains the *percent completed on site* and comments regarding the progress of projects.

**VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council RECEIVES the:**

- 1 Annual Plan Quarterly Progress Report for the period 1 April – 30 June 2014, which is shown as Attachment 1 to Report CJ137-08/14;**
- 2 Capital Works Quarterly Report for the period 1 April – 30 June 2014, which is shown as Attachment 2 to Report CJ137-08/14.**

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf120814.pdf](#)*

**CJ138-08/14 ANNUAL PLAN 2014-15**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	20560, 101515
<b>ATTACHMENTS</b>	Attachment 1 <i>Annual Plan 2014-15</i> Attachment 2 <i>Capital Works Program 2014-15</i>
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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**PURPOSE**

For Council to receive the *Annual Plan 2014-15* and the *Capital Works Program 2014-15*.

**EXECUTIVE SUMMARY**

The Annual Plan contains the major projects and priorities which the City intends to deliver in the 2014-15 financial year. The *Capital Works Program 2014-15* details all the projects within the *Capital Works Program*.

*It is therefore recommended that Council RECEIVES the:*

- 1 *Annual Plan 2014-15 which is shown as Attachment 1 to Report CJ138-08/14;*
- 2 *Capital Works Program 2014-15 which is shown as Attachment 2 to Report CJ138-08/14.*

**BACKGROUND**

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

**DETAILS**

The Annual Plan contains a brief description of the key projects and programs that the City proposes to deliver in the 2014-15 financial year.

Quarterly milestones are set for each key project and program to be delivered, and a report will be presented to Council at the end of each quarter detailing progress against these milestones. Progress against the *Capital Works Program 2014-15* will be provided with the quarterly reports. The *Capital Works Program 2014-15* is shown as Attachment 2 to Report CJ138-08/14.

**Legislation / Strategic Community Plan / policy implications****Legislation**

The *Local Government Act 1995* provides a framework for the operations of Local Governments in Western Australia. Section 1.3(2) states:

*This Act is intended to result in:*

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

**Strategic Community Plan****Key theme**

Governance and Leadership.

**Objective**

Corporate capacity.

**Strategic initiative**

Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.

**Policy**

The City's *Governance Framework* recognises the importance of effective communication, policies and practices in Section 7.2.4. Section 10.2 further acknowledges the need for accountability to the community through its reporting framework which enables an assessment of performance against the *Strategic Community Plan, 20 Year Strategic Financial Plan, Annual Plan and Annual Budget*.

**Risk management considerations**

The development of the Annual Plan and quarterly reports provides a mechanism for tracking progress against milestones for major projects and programs.

**Financial / budget implications**

All projects in the *Annual Plan 2014-15* have been included in the 2014-15 Budget.

**Regional significance**

A number of the projects in the *Annual Plan 2014-15* have regional significance.

## Sustainability implications

The projects and programs in the Annual Plan are aligned to the key themes in Joondalup 2022 which have been developed to ensure the sustainability of the City in the future.

The key themes are:

- Governance and Leadership.
- Financial Sustainability.
- Quality Urban Environment.
- Economic Prosperity, Vibrancy and Growth.
- The Natural Environment.
- Community Wellbeing.

## Consultation

Not applicable.

## COMMENT

It is important that the City develops and communicates to the community a clear plan of the projects and activities it intends to undertake each year. Measuring performance on the timely delivery of projects and programs enables the community to assess the City's achievements against the Annual Plan.

The City's *Annual Plan 2014-15* is in line with Department of Local Government and Communities '*Integrated Planning and Reporting Framework*' which sets out the requirements for local governments to undertake planning and reporting.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

**That Council RECEIVES the:**

- 1      *Annual Plan 2014-15 forming Attachment 1 to Report CJ138-08/14;***
- 2      *Capital Works Program 2014-15 forming Attachment 2 to Report CJ138-08/14.***

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf120814.pdf](#)*

## **CJ139-08/14 LIST OF PAYMENTS MADE DURING THE MONTH OF JUNE 2014**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENTS</b>	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of June 2014 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of June 2014 Attachment 3 Municipal and Trust Fund Vouchers for the month of June 2014
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

### **PURPOSE**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of June 2014.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of June 2014 totalling \$14,427,857.57.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for June 2014 paid under delegated authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 in Attachments 1, 2 and 3 to Report CJ139-08/14, totalling \$14,427,857.57.*

### **BACKGROUND**

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

### **DETAILS**

The table below summarises the payments drawn on the funds during the month of June 2014. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Municipal Account	Municipal Cheques & EFT Payments - 98595 -98823 & EF040011 - EF040684 Net of cancelled payments	\$10,171,128.22
	Vouchers 1295A - 1299A & 1302A - 1303A	\$4,228,149.35
Trust Account	Trust Cheques 206374-206423 Net of cancelled payments	\$28,580.00
<b>Total</b>		\$14,427,857.57

### Issues and options considered

There are two options in relation to the list of payments.

#### Option 1

That Council declines to note the list of payments paid under delegated authority. The list is required to be reported to Council in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, and the payments listed have already been paid under the delegated authority. This option is not recommended.

#### Option 2

That Council notes the list of payments paid under delegated authority. This option is recommended.

### Legislation / Strategic Community Plan / policy implications

#### Legislation

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

#### Strategic Community Plan

**Key theme** Financial Sustainability.

**Objective** Effective management.

**Strategic initiative** Not applicable.

**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**

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

**Regional significance**

Not applicable.

**Sustainability implications**

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

**Consultation**

Not applicable.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the 2013-14 Annual Budget as adopted by Council at its meeting held on 25 June 2013 (CJ117-06/13 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Chief Executive Officer's list of accounts for June 2014 paid under Delegated Authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* forming Attachments 1, 2 and 3 to Report CJ139-08/14, totalling \$14,427,857.57.**

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8brf120814.pdf](#)



## **CJ140-08/14      TENDER 013/14 - SUPPLY AND APPLICATION OF TURF ENHANCEMENT PRODUCTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	104109, 101515
<b>ATTACHMENTS</b>	Attachment 1      Schedule of Items Attachment 2      Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to accept the tender submitted by The Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management for the supply and application of turf enhancement products.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 7 June 2014 through statewide public notice for the supply and application of turf enhancement products for a period of three years. Tenders closed on 24 June 2014. Submissions were received from:

- The Trustee for Parker Family Trust trading as Lawn Doctor.
- Lovegrove R & A trading as Lovegrove Turf Services.
- The Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management.
- A.K.C. Pty Ltd (Baileys Fertilisers).

The qualitative weighting method of tender evaluation was selected to evaluate the offers and the minimum acceptable pass score was predetermined at 60%. A.K.C. Pty Ltd (Baileys Fertilisers) did not meet the minimum score to qualify for stage two of the assessment.

The submission from The Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management represents best value to the City. Turf Master demonstrated a sound understanding of the required tasks. It currently provides similar services for local governments including the Cities of Wanneroo, Stirling and Gosnells. It is a well established organisation with industry experience and the capacity to provide the services.

*It is therefore recommended that Council ACCEPTS the tender submitted by The Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management for the supply and application of turf enhancement products as specified in Tender 013/14 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups) Index.*

## **BACKGROUND**

The City has a requirement for the supply and application of turf enhancement products to various sporting ovals and landscaped areas within the City as required.

The City currently has a single contract for turf enhancement products and services with D & E Parker Pty Ltd trading as Lawn Doctor which expires on 24 August 2014.

Lawn Doctor has provided a quality service throughout the term of the contract.

Tender assessment is based on the best value for money concept. Best value is determined after considering whole of life costs, fitness for purpose, respondents' experience and performance history, productive use of City resources and other environmental or local economic factors.

## **DETAILS**

The tender for the supply and application of turf enhancement products was advertised through statewide public notice on 7 June 2014. The tender period was for two weeks and tenders closed on 24 June 2014.

### **Tender Submissions**

A submission was received from:

- The Trustee for Parker Family Trust trading as Lawn Doctor.
- Lovegrove R & A trading as Lovegrove Turf Services.
- The Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management.
- A.K.C. Pty Ltd (Baileys Fertilisers).

The schedule of items listed in the tender is provided in Attachment 1.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 2.

### **Evaluation Panel**

The evaluation panel was composed of three members being:

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

The panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

### **Compliance Assessment**

All Offers received were fully compliant and were considered for further evaluation.

## Qualitative Assessment

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. Prior to assessment of individual submissions a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the tenderer to satisfactorily deliver the services. The predetermined minimum acceptable qualitative score was set at 60%.

The qualitative criteria and weighting used in evaluating the submissions 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%

A.K.C. Pty Ltd (Baileys Fertilisers) scored 52.3% and was ranked fourth in the qualitative assessment. The company commenced operation in 1926 and has been manufacturing and supplying horticultural products to the WA markets since its inception. It demonstrated an understanding of the required tasks. However, it did not demonstrate experience in providing similar services. Examples of works provided did not represent long term contracts similar to the City's requirement. All three examples of works, carried out for Warren's Lawn Mowing, the Cities of Rockingham and Mandurah, were short terms from three days to seven weeks.

Turf Master Facility Management scored 68.2% and was ranked third in the qualitative assessment. It has been in business since 1960, initially in the application of herbicides and for the past 16 years in the turf care industry. It currently provides contracted turf enhancement services for local governments including the Cities of Wanneroo, Stirling and Gosnells. However, it stated these do not include application of soil improvers and fungicides though it is often called upon to provide such services. It demonstrated a sound understanding of the required tasks and has sufficient capacity and experience to provide the services.

Lovegrove Turf Services scored 70.4% and was ranked second in the qualitative assessment. It has been in operation for over 35 years providing horticultural and agricultural services to public and private organisations in WA. It demonstrated a thorough understanding of the required tasks. It has the capacity and experience to provide the services. Examples of works undertaken for local governments were provided and these included the Cities of Canning, Belmont, Swan and Wanneroo. However, most of these works were for a short period of one to two months.

Lawn Doctor scored 84.5% and was ranked first in the qualitative assessment. It demonstrated a thorough understanding of the City's requirements. It was established in 1975 and its main focus has been turf management including turf renovations, golf course maintenance, pesticide spraying, liquid and granular fertilising. It is currently providing similar services to WA governments including the Department of Education and Cities of Gosnells and Joondalup. Lawn Doctor has the capacity and experience required to provide the services to the City.

Given the minimum acceptable qualitative score of 60%, Lawn Doctor, Lovegrove Turf Services and Turf Master Facility Management were the suppliers that qualified for stage two of the assessment.

## Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted rates offered by those that passed stage one evaluation to assess value for money to the City.

To provide an estimated expenditure over a 12 month period, the most commonly used items and their typical usage based on historical data have been used. Any future requirements will be based on demand and subject to change in accordance with the operational needs of the City.

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 percentage change in the Perth CPI (All Groups) Index for the preceding year. For estimation purposes, a 3.5% CPI increase in years two and three was applied to the tendered rates.

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Turf Master Facility Management	\$206,823	\$214,062	\$221,554	<b>\$642,440</b>
Lawn Doctor	\$249,370	\$258,097	\$267,131	<b>\$774,598</b>
Lovegrove Turf Services	\$260,720	\$269,845	\$279,290	<b>\$809,855</b>

During 2013-14, the City incurred \$215,373 for the supply and applications of turf enhancement products and is expected to incur in the order of \$642,440 over the three year contract period.

## Evaluation Summary

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

<b>Tenderer</b>	<b>Price Ranking</b>	<b>Estimated Total Contract Price</b>	<b>Qualitative Ranking</b>	<b>Weighted Percentage Score</b>
Lawn Doctor	2	\$774,598	1	84.5%
Lovegrove Turf Services	3	\$809,855	2	70.4%
Turf Master Facility Management	1	\$642,440	3	68.2%
A.K.C. Pty Ltd (Baileys Fertilisers)	Not Assessed - Failed to meet the acceptable qualitative score			52.3%

Based on the evaluation result the panel concluded that the tender from Turf Master Facility Management provides best value to the City and is therefore recommended.

While Lawn Doctor scored 84.5% and was ranked first in the qualitative assessment, it was more expensive by 21% when compared to Turf Master.

## Issues and options considered

The City has a requirement for the supply and application of turf enhancement products to various sporting ovals and landscaped areas within the City. The City does not have the internal resources to provide the required goods and services and requires the appropriate external contractor to undertake the works.

## Legislation / Strategic Community Plan / policy implications

**Legislation** A statewide public tender was advertised, opened and evaluated in accordance with Clause 11(1) of Part 4 of the *Local Government (Functions and 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 Community Plan

**Key theme** Quality Urban Environment.

**Objective** Quality open spaces.

**Strategic initiative** Apply a strategic approach to the planning and development of public open spaces.

**Policy** Not applicable.

## Risk management considerations

Should the contract not proceed, the risk to the City will be moderate as the City will not be able to maintain its sporting grounds and provide quality playing surface for sporting groups.

It is considered that the contract will represent a low risk to the City as the recommended tenderer is a well established organisation with industry experience and the capacity to provide the goods and services to the City.

## Financial / budget implications

<b>Account no.</b>	Various accounts.
<b>Budget Item</b>	Supply and application of turf enhancement products.
<b>Budget amount</b>	\$284,000.
<b>Amount spent to date</b>	\$0.
<b>Proposed cost</b>	\$207,808.
<b>Balance</b>	\$76,192.

All amounts quoted in this report are exclusive of GST.

## Regional significance

Not applicable.

## Sustainability implications

The supply and application of turf enhancement products maintains the health of turf, reduces the need for water and enhances the amenity of public open space.

**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 The Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management represents best value to the City.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the Tender submitted by The Trustee for Turfmaster Unit Trust trading as Turf Master Facility Management for the supply and application of turf enhancement products as specified in Tender 013/14 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups) Index.**

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf120814.pdf](#)

## **CJ141-08/14      REVIEW OF CITY WATCH PATROL SHIFTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	100404, 101515
<b>ATTACHMENTS</b>	Attachment 1    Zone patrol map Attachment 2    Current Patrol Roster Attachment 3    City Watch Requests and Shifts for 2013-14 Attachment 4    City Watch Incident Statistics 2010-11 to 2013-14
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to consider options to modify the existing security patrol contract so that peak period patrol cars have two officers in at least one vehicle to improve their ability to address anti-social behaviour, surveillance and reporting to the Western Australian Police Service (WAPOL).

### **EXECUTIVE SUMMARY**

At its meeting held on 18 March 2014 (C10-03/14 refers), Council requested a report be provided on options to modify the existing security patrol contract so that peak period patrol cars could have two officers in at least one vehicle to improve their ability to respond to instances of anti-social behaviour, surveillance and reporting to the Western Australian Police Service. The current City Watch Patrol Service provide patrols of the City in four principal zones with a 5<sup>th</sup> sub-zone which is within zone 1 and covers the Central Business District (CBD) operating Thursday to Saturday. This has operated since 2009 when the service was re-modelled from the previous seven zone structure with a corresponding decrease in patrol staff.

To provide extra officers in patrol vehicles will either require a reduction in coverage of the present zones with possible impact on the current Key Performance Indicators provided in the service contract or require additional funding. The current contract is due to expire on 31 March 2015.

*It is therefore recommended that Council:*

- 1      AGREES to trial Option 4 with additional City Watch officers on half shifts covering zone 1 on Saturday day shift, Sunday night shift and zone 2 Saturday and Sunday night shifts over a six month period up to the end of the current City Watch contract on 31 March 2015;*
- 2      REQUESTS that the outcomes of the trial be reported to Elected Members following its conclusion.*

## BACKGROUND

At its meeting held on 18 March 2014 (10-03/14 refers), Mayor Pickard presented a notice of motion in which Council resolved in part:

*"That Council REQUESTS the Chief Executive Officer to prepare reports on:*

- 2 *options to modify the existing security patrol contract so that peak period patrol cars have two officers in at least one vehicle to improve their ability to address anti-social behaviour, surveillance and reporting to the Western Australian Police Service;"*

The supporting commentary for the notice of motion presented was as follows:

*Since 1997, the City of Joondalup's City Watch patrols have successfully provided the community with a permanent physical presence and useful deterrent to activities such as anti-social behaviour, graffiti and vandalism. However, City Watch is unable to investigate disturbances in-person involving multiple individuals due to the risk of personal harm for City Watch officers. There is a growing trend for such disturbances in parks and public places, requiring a need to review the composition of patrol structures. It is suggested that during peak periods such as Thursday, Friday and Saturday nights, two officers are present in at least one patrol car, enabling disturbances to be inspected in-person providing an improved level of deterrent as well and ensuring greater intelligence is collected for an appropriate response, if required, by the Police Service. It is suggested that two options could be explored, either including an extra officer/s during peak demand periods based on the current understanding of incident types (at an additional cost) or including an extra officer/s during peak demand periods based on the current understanding of incident types by rescheduling existing operations (at no additional cost).*

The current City Watch contract commenced on 1 April 2010 for an initial three years with an optional two year extension period which was exercised in 2013 and the contract expires on 31 March 2015.

The current service levels are specified in the contract including staffing levels on a rotational roster basis providing 531 hours per week of patrol activity.

Under the contract arrangements all standard rostered City Watch zone patrols are by a single officer each in their own City Watch vehicle. The current practice in relation to incidents and reports of disturbances involving multiple persons is for the officer to respond to the request and assess the situation before making a decision on the action to be taken. The officer will approach the persons concerned if they feel safe to do so.

Should the situation appear unsafe or dangerous due to the number of people present or the activity evident, the officer will observe what is happening and report this directly to the Police and request they attend. The observation capability offered by City Watch officers enables the Police to be confident of the priority for attendance.

While City Watch officers have been given authority to issue infringements, subject to direction from the City, they have no statutory powers of enforcement against other persons or property.



## DETAILS

For the delivery of City Watch services the City has been split into four principal zones as shown on Attachment 1. These zones are covered by patrol officers as per the current roster arrangement as indicated by the roster schedule provided as Attachment 2. There is also a 5<sup>th</sup> sub-zone that operates in the Joondalup CBD Thursday to Saturday nights. This zone is within zone 1, so in effect zone 1 has two single manned patrol cars operating Thursday to Saturday.

In summary the patrols are:

- Between 5.30am and 5.30pm (day shift) daily Monday to Friday and between 5.30pm and 5.30am (night shift) on Tuesday and Wednesday night there are two City Watch officers on patrol each covering two zones (shown in yellow in the shift roster at Attachment 2).
- Between 4.30pm and 4.30am, (night shift) Thursday through to Monday there are four City Watch officers on patrol covering one zone each (shown in blue in the shift roster at Attachment 2).
- Between 4.30am and 4.30pm (day shift) on weekends there are four City Watch officers on patrol covering one zone each (the additional patrols shown in pink in the shift roster in Attachment 2).
- Between 8.00pm and 5.00am (night shift) on Thursday to Saturday nights there is an additional City Watch officer providing a dedicated patrol of the CBD only (the 5<sup>th</sup> sub-zone) (shown in amber in the shift roster in Attachment 2).

There are overlaps with some shifts to allow for a handover.

The above coverage arrangements were derived during a review of the service prior to commencement of the current contract and after assessment of required attendances. This included the reduction of the previous seven principal zones to the current four.

The coverage was determined as the base level of coverage required to be able to adequately respond to requests from residents and provide an eyes and ears patrol service that identified issues requiring attention from the City and WAPOL in regard to maintenance, graffiti vandalism and anti-social incidents.

Attachment 3 contains three tables analysing City Watch requests and patrol hours for 2013-14. As the 5<sup>th</sup> sub-zone shifts do not operate on the same time cycle as other shifts and the zone is wholly within zone 1, zones 1 and 5 have been combined for ease of analysis. The tables show total City watch requests for 2013-14 by day of the week, zone and shift, the total patrol hours by day of the week, zone and shift and the ratio of patrol hours per request.

The table shows the highest number of requests serviced by each shift in each zone on each day highlighted in green and the lowest in pink.

Zone 1 (including zone 5) attracts more requests than any other zone. On average, over the course of 2013-14, zone 1 received more requests on every day of the week and on both day and night shifts except for Saturday nights. On Saturday nights zone 2 receives the most requests.

In the case of the lowest number of requests it varies. Monday to Thursday it is between zones 3 and zone 4 depending on the shift and the day. Friday to Sunday however it is zone 4 that receives the least number of requests.

Attachment 4 shows the City Watch Incident statistics for the four full financial years of the current City Watch contract both the raw numbers and as a graph. In total the incidents for 2013-14 are down from the previous years, although this is not an established trend.

In terms of the individual categories the biggest reductions are in anti-social behaviour, noise complaints and vandalism/damage and these do appear to be trends. On the other hand customer requests for attendance are increasing as are maintenance requests and alarm responses.

### **Issues and options considered**

The last table in Attachment 3 showing the ratio of patrol hours per request compares how patrol resources are being used across the days of the week, zones and shifts, the higher the ratio, the lower the use of patrol resources that is servicing the most requests.

The ratios show that City Watch patrol resources are not used equally according to the level of requests. The highest, circled in green, are all on the weekend and the lowest, circled in red are all during the week. In terms of the totals for the day, Mondays and Thursdays with ratios of 9.04 and 9.42 respectively are making lower use of resources than any other days of the week. Saturday at 5.26 and Sunday at 5.46 are making the most use of resources although Tuesday and Wednesday are not far behind.

Part of the reason for the low ratios for Mondays and Thursdays is that while the total number of requests are slightly higher than Tuesday and Wednesday, 414 and 447 compared to 401 and 389 respectively, the patrol hours on Monday and Thursdays are considerably higher than Tuesday and Wednesdays. On Tuesdays and Wednesdays there are single patrols covering two zones each on both the day and night shifts. On Mondays and Thursdays there are single patrols covering two zones each on the day shift only. On the night shift there is a single patrol for each zone including zone 5.

If there was to be any reallocation of resources then it is suggested that that these could come from reducing patrol hours on Mondays and Thursdays and increasing patrol hours on Saturdays and Sundays.

In considering any change to the current roster arrangement it must be recognised that the contract has performance criteria in regard to responding to incidents, such as attendance within 15 minutes of a request being received. While reducing coverage may result in a better spread of resources relative to the number of incidents the distances required to be covered may make this criteria difficult in some circumstances. By the same token having two officers in a single patrol vehicle will not make any change to response times.

In considering the allocation of resources it is also worth noting from the statistics in Attachment 4 that some of the key categories of incidents that additional resources may target such as anti-social behaviour, noise complaints and vandalism/damage are already trending down.

There are a number of options available that may facilitate the provision of two man car crews in at least one or more City Watch patrol vehicle.

**Option 1 – Reallocation of CBD Night Shift**

An option that would not have any detrimental impact for any other zones but would deliver two officers in a vehicle in the zone with the highest level of requests would be to combine the current separate zone 5 CBD patrol with the zone 1 patrol. This would provide a two man patrol for two thirds of the night shift Thursday to Saturday.

In doing this, however, the ability to respond to incidents is halved (single vehicle used) and considering the volume of requests the CBD and Zone 1 officers are required to respond to it would potentially impact on response times and the current 15 minute contract requirement. This option is not recommended.

**Option 2 – Reduce Monday and Thursday Night Shift Coverage and Reallocate to Weekends**

As discussed above, on Tuesdays and Wednesdays there are single patrols covering two zones each on both the day and night shifts. On Mondays and Thursdays there are single patrols covering two zones each on the day shift only. On the night shift there is a single patrol for each zone including zone 5. The ratios of patrols hours per request suggests that the coverage on Mondays and Thursdays could be reduced. This could be done by changing the night shift from a single patrol for each zone to a single patrol covering two zones the same as for Tuesdays and Wednesdays. The zone 5 patrol on Thursdays could be dropped.

This would free up 57 hours/week of patrol time to be reallocated. This would be sufficient to cover two man patrols in zone 1 on Saturday day shift, Sunday night shift and zone 2 Saturday and Sunday night shifts being the four most resource intensive shifts.

The impact of this proposal would potentially reduce response times in the Monday and Thursday night shifts where the coverage is reduced. This option is not recommended.

**Option 3 – Remove some Day Shifts Completely**

It is possible that City Watch patrols could cease for certain current shifts. In considering this option there would need to be alternatives to the City Watch service to respond to issues and requests. This makes the day shift the only realistic opportunity with Tuesdays to Thursdays experiencing the lowest levels of City Watch requests.

Despite the lower levels of requests during these day shifts any requests received would need to be responded to and there are not sufficient resources elsewhere within the City to address these. Not responding to these requests would be a significant reduction in service. This option is not recommended.

**Option 4 – Fund Additional Patrol Hours**

An option that would leave all other zones and shifts unchanged would be to consider additional funding to enable two person patrols in selected zones and shifts. If the two man patrols proposed in Option 2 were implemented, for instance, zone 1 on Saturday day shift, Sunday night shift and zone 2 Saturday and Sunday night shifts being the four most resource intensive shifts, were implemented, funding for an additional 48 hours per week would be required at an approximate cost of \$149,344 for a full year (night shift rates are more expensive than day shift rates). If this arrangement was to be put in place for the duration of the current contract only, that is for six months from 1 October 2014 to 31 March 2015, then the cost would be in the order of \$74,672.

The costs above are based on the additional officers working a full 12 hour shift from either 4.30pm or 5.30pm to 4.30am or 5.30am. The evening and early morning potentially from 9.00pm to 3.00am are the times that present the greatest challenges for anti-social behaviour and noise type incidents. A less costly option would be to employ the additional officers for a half shift of six hours covering the evening and early morning period. For six months from 1 October 2014 to 31 March 2015 the cost would be in the order of \$37,496.

This option is recommended based on a trial of half shifts for additional officers covering zone 1 on Saturday day shift, Sunday night shift and zone 2 Saturday and Sunday night shifts over a six month period.

### **Option 5 – No Change to Current Shifts and Hours pending the Conclusion of the Contract**

The current City Watch patrol service contract concludes on 31 March 2015. The analysis suggests there are opportunities to realign the resource allocation but with no real change to the service delivery. Options 1 to 4 all offer various opportunities to make changes to the current resource allocation. Some have potential impacts for meeting the current contract criteria for example response times and the current 15 minute contract requirement, and some have impacts for the contractor's resources such as vehicle resources that are currently committed to shifts that could be removed.

Rather than a change to resource allocation at this point it may be preferable to await the review of the whole City Watch service and what may be proposed beyond 31 March 2015.

This option is not recommended.

### **Legislation / Strategic Community Plan / policy implications**

**Legislation** Not applicable.

#### **Strategic Community Plan**

**Key theme** Community Well Being.

**Objective** Community safety.

**Strategic initiative** Build a community that works in partnership with government and non-government organisations to achieve real and long lasting improvements in safety and wellbeing.

**Policy** Not applicable.

### **Risk management considerations**

Implementation of Options 1, 2 or 3 may adversely impact the ability of the current contractor to meet some of the performance criteria of the current contract. There also may be reductions in service to residents and customers in those areas from which resources would be reduced or removed. Options 4 and 5 have no implications for meeting the current performance criteria. There is the risk with Option 4 however that it does not result in the benefit desired although additional costs are incurred. There is already evidence of a declining trend in incidents of anti social behaviour, noise complaints and vandalism/damage with the current shifts although incidents as a total are not showing that trend.

## Financial / budget implications

The budget for City watch patrols has an allowance that covers additional patrols that are requested at various times during the course of the financial year. This is sufficient to cover the cost of additional half shift patrols proposed under option 4 for six months but would not leave any available funding for other additional patrols such as additional summer beachside patrols.

### Current financial year impact

<b>Account no.</b>	344-A3404-3359-0000.
<b>Budget Item</b>	External Contractor Services.
<b>Budget amount</b>	\$1,592,012.
<b>Amount spent to date</b>	\$0.
<b>Proposed cost</b>	\$Nil.
<b>Balance</b>	\$1,592,012.

### Future financial year impact

<b>Annual operating cost</b>	Unknown beyond expiry of current contract 31 March 2015.
<b>Estimated annual income</b>	Nil.
<b>Capital replacement</b>	Not applicable.
<b>20 Year Strategic Financial Plan impact</b>	Unknown.
<b>Impact year</b>	Not applicable.

## Regional significance

Not applicable.

## Sustainability implications

Not applicable.

## Consultation

Not applicable.

## COMMENT

Having an additional officer in a City Watch vehicle would provide a higher level of officer safety in response to anti-social incidents such as noisy parties. The current process followed by City Watch officers is to respond to the request and assess the situation before making a decision on the action to be taken. The officer will approach the persons concerned if they feel safe to do so.

Should the situation appear unsafe or dangerous due to the number of people present or the activity evident, the officer will observe what is happening and report this directly to the Police and request they attend. The observation capability offered by City Watch officers enables the Police to be confident of the priority for attendance. Having two officers in the vehicle may see officers feel safer to attend to incidents but where their presence does not resolve the situation and there is obvious anti-social activity the matter would continue to be referred to Police for action.

Any benefits from two-man patrols would only apply where those patrols could be delivered and the proposals considered are suggesting two man patrols only in zones 1 and 2 and only on weekends.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1      AGREES to trial Option 4 with additional City Watch Officers on half shifts covering zone 1 on Saturday day shift, Sunday night shift and zone 2 Saturday and Sunday night shifts over a six month period up to the end of the current City Watch contract on 31 March 2015;**
- 2      REQUESTS that the outcomes of the trial be reported to Elected Members following its conclusion.**

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf120814.pdf](#)

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No./Subject</b>	CJ142-08/14 – Paramotor Trial – use of City Coastal Land.
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	A representative of the WA Sky Pirates (WASP) Paramotor Club is a neighbour of Mayor Pickard.

**CJ142-08/14 PARAMOTOR TRIAL - USE OF CITY COASTAL LAND**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	04048, 101515
<b>ATTACHMENTS</b>	Attachment 1 Approved Paramotor Site Attachment 2 Site Management Plan
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For Council to provide direction for the on-going management of paramotor activity within the City, following the trial use of Pinnaroo Point, Hillarys by the WA Sky Pirates (WASP) Paramotor Club.

**EXECUTIVE SUMMARY**

At its meeting held on 20 August 2013 (CJ161-08/13 refers), Council approved a six month trial for the WASP Paramotor Club's use of City managed land at the Pinnaroo Point site in Hillarys.

The WASP Paramotor Club has operated through this trial period between Saturday 4 January 2014 and Saturday 5 July 2014. Club members undertook five flights from the site with no incidents reported. During the same period there were two other incidents of paramotor use within the City:

- One at MacNaughton Park, Kinross which could not be linked to the WASP Paramotor Club.
- One at Bramston Park, Burns Beach that was unauthorised use of City managed land by WASP Paramotor Club members.

The City undertook consultation during this period and received correspondence from local residents. In total, the City received 54 comments regarding the activity, with five responses not supporting the activity. The main concerns regarding the activity included conflicting usage of the area, an increase in noise and a potential invasion of privacy.

This report considers the results of the consultation and the trial together with the activity and the risks associated. As a result it is proposed that paramotor activity is approved for seasonal use between 1 April and 30 September each year. This usage would reduce the risk of conflict between paramotorists and kite surfers and other users of the beach/foreshore during the more heavily utilised summer period.

*It is therefore recommended that Council:*

- 1 *ENDORSES Option 3 for the on-going management of the paramotor take-off and landing at Pinnaroo Point, Hillarys subject to:*
  - 1.1 *The WA Sky Pirates Paramotor Club submitting a seasonal application for venue hire with an updated site specific Operations Manual prior to commencement of use of the site;*
  - 1.2 *The WA Sky Pirates Paramotor Club being advised that the City may cancel their approval at any time should the Club or any of its members breach the City's local laws or the activity is deemed to conflict with any other current or future use (including potential cafe/kiosk development);*
  - 1.3 *The WA Sky Pirates Paramotor Club maintaining and submitting annually a log of all flights taken including, dates, times, routes, pilots and any incidents;*
- 2 *REQUESTS the Chief Executive Officer include the Paramotor activity within the Beach Management Plan at its next review.*

## **BACKGROUND**

At its meeting held on 16 April 2013, Council received a petition (C014-04/13 refers) signed by 191 City of Joondalup residents submitted by the WASP Paramotor Club. The petition endorsed an application from the WASP Paramotor Club to be given access to suitable areas of the City of Joondalup's coastal land, so they may safely participate in their activity.

Subsequently at its meeting held on 20 August 2013 (CJ161-08/13 refers), Council approved a six month trial for the WASP Paramotor Club's use of City managed land at the Pinnaroo Point site in Hillarys. Council also requested a report at the conclusion of the trial.

## **DETAILS**

The WASP Paramotor Club has operated under a trial at Pinnaroo Point, Hillarys between Saturday, 4 January 2014 and Saturday, 5 July 2014.

Prior to this trial, the club submitted a site specific operations manual which was approved by the City and considered the concerns previously raised by the City and Council as well as risk management strategies.

During the trial the club provided monthly updates on their operations from Pinnaroo Point. These details are listed below.



Month	No. of Flights	Date	Time	Details
January 2014	1 flight	Sunday 12 January	12pm – 1pm	
February 2014	No flights			
March 2014	2 flights	Saturday 1 March	11.30am - 11.40am	Demonstration for Cr Norman
		Saturday 29 March	9.30 am -11am	
April 2014	1 flight	Saturday 12 April	10am – 11.30am	
May 2014	No flights			
June 2014	1 flight	Sunday 15 June	12pm – 12.45pm	

During the trial, the City did not receive any direct complaints regarding the activity. Several emails and responses were received in regards to the activity, however, none of these referred to a specific incident or a flight out of the site.

There were two incidents recorded during the trial but not at the Pinnaroo Point site.

On Wednesday 5 February 2014, a paramotor pilot made an emergency landing at MacNaughton Park, Kinross. The landing was observed by a City officer as they were undertaking maintenance at the reserve. The pilot could not be linked to the WASP Paramotor Club.

On Friday 25 April 2014, a complaint was received by the City in regard to paramotor pilots taking off and landing at Bramston Park, Burns Beach. City Rangers attended the site but the pilots had left the area. A description of the vehicle was provided to the City. The following day (Thursday 26 April 2014) at 3.00pm the City received another complaint and a Ranger was able to attend and speak with the pilots. It is believed they were the same pilots that were present the previous day. Both pilots identified themselves as members of the WASP Paramotor Club and were issued with infringements for failing to obtain approval under Clause 13 of the *Local Government and Public Property Local Law 1999*.

The WASP Paramotor Club responded to this incident and provided an apology on behalf of the club and the members involved. The club informed the City that they would further educate their members on the expectations of their use of City of Joondalup facilities and the local law.

During this trial period it was also noted by City officers that the paramotor activity may conflict with City use of the Pinnaroo Point site. The area that is utilised by the paramotor pilots is also utilised by City officers for beach cleaning and park maintenance activities. This includes the storage of several large capacity skip bins at the site. While there was no conflict or incidents between paramotorists and City staff or infrastructure during the trial, there is nevertheless scope for conflict in the future.

### Community Consultation

During the trial, the City undertook formal community consultation between Monday 10 February 2014 and Monday 3 March 2014.

The consultation was advertised to the general public via the community newspaper, on the City's websites and two signs located at Pinnaroo Point. Members of the public were able to complete a survey form via the City's website, or were able to contact the City for a hard-copy.

The City received 51 responses during this period of which 49 supported the activity and two were against it. Of the responses, 10 were received from residents within Hillarys, 14 from residents of the City (but not within Hillarys) and 27 from residents outside of the City. The two responses against the activity were from residents of Hillarys.

Comments against the activity mentioned concerns about conflicting usage of the area, an increase in noise and an invasion of privacy.

Comments for the activity centred on the activity bringing increased and more diverse use of the area, an exciting activity that was fun to watch, that people felt safer having “eyes in the sky” and that they did not see any reason why the activity should not occur at that venue.

During the trial, the City also received three emails from residents regarding the activity outside of the community consultation process. All three emails commented that they were against the activity and felt that the increased noise and risk it brought to the area impacted negatively on their existing usage.

### **Pinnaroo Point Cafe/Kiosk Expression of Interest**

Between October 2013 and December 2013, the City undertook an expression of interest period for the development of a cafe/kiosk facility at Pinnaroo Point, Hillarys. Within the expression of interest documents, respondents were asked to comment on how the paramotor activity may affect the proposed cafe/kiosk. Two respondents have been invited for further consideration. They both commented on the compatibility of the cafe/kiosk and paramotor activity at the same location.

Respondent 1*	“Respondent 1 is committed to its local community and enjoys working with community groups and associations. The proposed WA Sky Pirates paramotor take-off and landing area may impact walkers or other beach exercisers. This area would also influence the development of additional parking”.
Respondent 2*	“With respect to the City’s trial and potential long-term use of the area to the north of the existing parking lot by the WA Sky Pirates Paramotor Club, the interested party has no specific concerns at this time based on an understanding that the <i>Environmental Protection Act</i> (EPA) guidelines would be adhered to by all parties”.

\*Names withheld as per confidential Report CJ105-06/14.

### **Issues and options considered**

There are three options provided for consideration:

Option 1 – Not approve the usage – Paramotor not approved for use on any City of Joondalup managed land.

<b>Pros</b>	<b>Cons</b>
No impact on public use of City of Joondalup land, especially land close to beaches and pathways.	Paramotor use will most likely continue to take place on privately owned land with less regulation than currently envisioned if use is approved.
No need to review <i>Beach Management Plan</i> .	Possible paramotor users disregarding regulations. The City has found it difficult to follow up on complaints of paramotor use due to the use of private land and the speed and flying time of users.

**Follow up Actions**

City officers will inform the Club of the Council decision not to approve land for on-going paramotor use and enforce the local law.

Option 2 - Approve usage – Paramotor approved for use at previously approved site at Pinnaroo Point, Hillarys.

Pros	Cons
The use of paramotors within the City would be easier to regulate due to booking processes the Club would be required to follow.	The use of paramotors on the beach is not approved in the current version of the <i>Beach Management Plan</i> .  Any beach usage would require an amendment to the <i>Beach Management Plan</i> . Further community consultation and stakeholder engagement may also be required.
The City has already worked with the Club to create a site-specific operation manual to regulate the operations within the approved area.	Possible conflict with kite surfers during summer months.
	Paramotor use prefers light wind conditions. These are the same conditions preferred by beach users walking, bathing and jet skiing. There is a potential conflict of use between these parties.

**Follow up Actions**

City officers will inform the Club of the Council's decision to approve the use of paramotor on City land. Club will be required to submit a booking application for their usage.

Option 3 - Approve seasonal usage – Paramotor approved for use at previously approved site at Pinnaroo Point, Hillarys from 1 April to 30 September.

Pros	Cons
The City has already worked with the Club to create a site-specific operation manual to regulate the operations within the approved area.	The use of paramotors on the beach is not approved in the current version of the <i>Beach Management Plan</i> .  Any beach usage would require an amendment to the <i>Beach Management Plan</i> . Significant community consultation and stakeholder engagement may also be required.
Limited conflict with kite surfers. <ul style="list-style-type: none"> <li>Paramotor use is preferred with winds of fewer than 10 knots.</li> <li>Kite surfers prefer winds over 10 knots.</li> </ul> Autumn to winter wind patterns are considerably weaker than spring and summer wind patterns.	Paramotor use prefers light wind conditions. The same conditions preferred by beach users walking, bathing and jet skiing. There is a potential conflict of use between these parties.
The use of paramotors within the City of Joondalup is easier to manage due to the booking processes the Club would follow.	

Pros	Cons
It is expected that given lower temperatures at this time of the year that public usage of Pinnaroo Point would be significantly lower during this period. It is anticipated this would result in less risk of conflict between different users of the site.	
<b>Follow up Actions</b>	
City officers will inform the Club of the Council decision to approve the use of paramotor on City land between <i>1 April and 30 September</i> . The Club will be required to submit a seasonal booking application for their usage.	

### Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	Under the <i>Local Government and Public Property Local Law 1999</i> Clause 13 –  “A person shall not on or from any local government property, without first obtained a written approval from the local government to do so: <i>(h) Hire or use a building, reserve or other local government facility.”</i>
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### Strategic Community Plan

<b>Key theme</b>	Quality Urban Environments.
<b>Objective</b>	Quality open spaces.
<b>Strategic initiative</b>	Adopt consistent principles in the management and provision of urban community infrastructure.
<b>Policy</b>	Not applicable.

Any use of City managed land without prior approval would be in breach of Clause 13 of the *Local Government and Public Property Local Law 1999*. A person in breach of this local law could be penalised with a \$100 infringement notice.

The approval of the use of paramotors within the City would require them to book the areas they wish to use. The use of a booked venue would ensure the group is in line with the local law.

### Risk management considerations

The activity of paramotor use carries inherent risks for both the pilots and the general public in the area that the pilots operate.

The pilots minimise their risk by undergoing formal training before flying solo. All pilots must be certified by the Hang Gliding Federation of Australia (HGFA) before flying solo. Trainee pilots operate under the supervision of an accredited trainer. All pilots must also abide by the HGFA and the Civil Aviation Safety Authority guidelines while in the air. Operations on the ground are managed by the club and regulated by the land owner.

Not allowing the use of paramotors on City land would reduce the risk to the general public. Should the activity be approved for the period 1 April to 30 September, this would also reduce the risks to other beach users, due to the lower beach usage by the public during this time.

The WASP Paramotor Club's Site Operations Manual does include provisions for risk minimisation, including risks to pilots, the general public and the environment. These provisions include requirements for flying heights (such as not below 1000 feet over a built up area), no fly zones (that is not east of West Coast Drive, Whitfords Ave, Northshore Drive), public buffer zones and requirements for duty officers to be present during take-off and landing.

### **Financial / budget implications**

Should Council decide to amend the *Beach Management Plan* to include the paramotor activity, the City may be required to undertake further community consultation and engagement involved which would require a financial commitment to cover printing, postage and signage requirements. The City would receive a small income stream should the club be approved to book City of Joondalup land.

### **Regional significance**

Should Council not support the use of paramotors at Pinnaroo Point, Hillarys the Club has indicated that paramotor pilots may seek other locations with cleared land along the coast. This land may be private or other state or local government managed land in other local government authorities.

### **Sustainability implications**

#### Social

The use of Pinnaroo Point, Hillarys for paramotor use will limit public access to certain areas during preferred times. Beach users prefer the use of the beach and nearby facilities during the same time preferred by paramotor users, times when the wind is light.

Should the activity be approved for the period 1 April to 30 September this would also reduce the risks to other beach users, due to the lower beach usage by the public during this time of the year.

### **Consultation**

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

Results of the community consultation that was undertaken from 10 February to 3 March 2014 have been provided in the details section of this Report.

### **COMMENT**

Should Council decide to endorse Option 1 and not allow approved use of City land for paramotor users, it is likely that pilots will continue to use privately owned land within the City. It is also possible some pilots may use City land without approval thereby committing an offence under local law. The management of offences and complaints can prove difficult due to the nature of the activity and the limited time pilots are on the ground.

Should Council decide to endorse Option 2 or 3 City officers would undertake the following actions:

- Review the *Beach Management Plan* and the inclusion of paramotoring as an activity (may require community and stakeholder engagement).
- Liaise with the WASP Paramotor Club to select a site.
- Work with the WASP Paramotor Club to create a site specific operations manual which will provide direction of pilots using the approved site.
- Require WASP Paramotor Club to book the approved site.
- Conduct site inspections of Club operations ensuring the adherence to the agreed operations manual, requirements under the *Beach Management Plan* and condition of booking a City facility.

The WASP Paramotor Club has provided comment on the proposed seasonal use of the Pinnaroo Point site. While supportive of any use of this site, the club would like the opportunity to partake in the activity year round. The club responded “The site only takes a West to North Westerly wind direction, in Summer for this wind pattern to happen there must be a slow moving cold front coming in and overcast, generality showers come in later in the day so the impact on other beach users would be very low due to the chance of rain and being overcast”.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### That Council:

- 1 ENDORSES Option 3 for the ongoing management of the paramotor take-off and landing at Pinnaroo Point, Hillarys subject to:**
  - 1.1 The WA Sky Pirates Paramotor Club submitting a seasonal application for venue hire with an updated site specific Operations Manual prior to commencement of use of the site;**
  - 1.2 The WA Sky Pirates Paramotor Club being advised that the City may cancel their approval at any time should the club or any of its members breach the City’s local laws or the activity is deemed to conflict with any other current or future use (including potential cafe/kiosk development);**
  - 1.3 The WA Sky Pirates Paramotor Club maintaining and submitting annually a log of all flights taken including, dates, times, routes, pilots and any incidents;**
- 2 REQUESTS the Chief Executive Officer include the Paramotor activity within the *Beach Management Plan* at its next review.**

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf120814.pdf](#)

## REPORTS – AUDIT COMMITTEE – 4 AUGUST 2014

### CJ143-08/14      OPTIONS AND ALTERNATIVE MECHANISMS TO REVIEW AND ANALYSE LEVELS OF EXPENDITURE OF CITY SERVICES AND ACTIVITIES

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	103906, 101515
<b>ATTACHMENTS</b>	Attachment 1      Progress of Cost Efficiency and Service Reviews Program Attachment 2      Options and Alternative Mechanisms
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

#### PURPOSE

For Council to note the options and alternative mechanisms to review and analyse levels of expenditure of City services and activities, and the progress of the cost efficiency and service reviews program.

#### EXECUTIVE SUMMARY

Since July 2013 the City has been undertaking reviews of activities in order to identify areas to reduce costs by eliminating and identifying waste and improving efficiency and effectiveness throughout the City's operations.

*It is therefore recommended that Council NOTES the:*

- 1      *options and alternative mechanisms to review and analyse levels of expenditure of City services and activities;*
- 2      *progress of the cost efficiency and service reviews program.*

#### BACKGROUND

At the Audit Committee meeting held on 10 March 2014 the Chief Executive Officer provided an update of the activities relating to the program of cost efficiency, service reviews and the approach to be undertaken.

The Chief Executive Officer initiated an extensive program of reviews to be undertaken of a number of the City's activities in order to identify opportunities for increasing efficiencies, reducing waste and reducing the costs of the services.

The intent of the cost efficiency and service reviews program is to enable the City to demonstrate effectiveness and efficiency of services provided. The reviews are aimed at identifying opportunities for:

- service and activity improvements
- assisting longer-term financial sustainability
- ensuring value for money and operational efficiency
- service level adjustments
- considering alternative modes of service delivery
- improved utilisation of available resources.

At its meeting held on 18 March 2014 (C10-03/14 refers) Council requested the Chief Executive Officer to prepare a report (among other things) on the options and alternative mechanisms to review and analyse levels of expenditure of City services and activities with the objective of improving efficiency (cost reduction) of the City's operations and services.

## **DETAILS**

Service reviews, process mapping and continuous improvement are a long established practice at the City, where improvement plans are implemented following reviews of existing service levels. As part of the City's annual business planning process, business units are required to identify main customer groups and determine the service expectations of each of these groups.

Since 2005 the City has had a policy framework that aligns the City's performance management systems and practices with the principles of the *Business Excellence Framework*. This is a practical methodology for continuous improvement across all management aspects of the organisation, and better practice in the provision of services to the community.

As part of the annual budget process Managers are required to assess assumptions on which estimates and/or proposals are based for customers, volumes, legislative change and significant cost changes. Proposals for any changes (resources, service levels, internal restructuring and processes) are to include the impacts to the 'business as usual' budget estimate. These annual reviews are aimed at identifying the same opportunities listed above as well as:

- identifying the service drivers (statutory, financial, operational) and reviews what is currently delivered
- considering desirable service levels – what should be delivered (within budgeting realities) while maintaining customer needs and process improvement focus
- reviewing and recommending how the service would be best delivered (delivery model).

Attachment 1 provides details on the progress of the cost efficiency and service reviews program.



## Issues and options considered

Five major review methodologies have been identified to assist the City's approach. These include the following:

- Cost Efficiency and Service Reviews.
- Performance Audits/Reviews as guided by the *Standard on Assurance Engagement ASAE 3500 Performance Engagements*.
- *Cost Management Program*.
- Structured Cost Reduction.
- ISO 9001:2008 Quality Management Systems Audits.

This analytical framework will aid in assessing opportunities to reduce costs while understanding the cost levers. Attachment 2 provides further details on the options and alternative mechanisms.

These methodologies have been identified from partnering with other local government authorities, researching of leading practice approaches and advice sought from the Western Australian Office of the Auditor General on the conduct of efficiency and effectiveness reviews.

In order to be able to make sound and sustainable decisions, it is critical that data and information be gathered to ensure a data-driven approach to understanding, comparing and interrogating costs and service levels.

The local government authorities who have partnered with the City undertake service delivery and needs assessments for every product and service (which is a wider scope of the City's current review) which provides a rating that is mapped on a product services quadrant to question whether the service should be provided by the local government authority or if there are other providers that can provide the service.

The weightings used for their assessments are as follows:

### Service Delivery

- 40% for service provider analysis
- 40% for risk
- 20% for financial.

### Service/Program Needs

- 30% for community wellbeing
- 25% for environmental wellbeing
- 20% for economic wellbeing
- 25% for governance/civic leadership.

One of the local government authorities also undertake value for money audits, which are used for the assessment of sound and strategic management, strategic commission and good governance, and the management of natural resources, assets and people.

### Outcome of Reviews

The outcome of these review methodologies is to identify *productive efficiencies* (the carrying out of the same activities at a lower cost, while maintaining performance) and *allocative efficiencies* (switching resources from activities that contribute less to the City's outcomes to those that contribute more, ensuring that there is no adverse effect on overall performance).

### Resources

The resources to undertake these reviews will be a mix of internal expertise (as there is a need of familiarity with the City's operations and challenges faced) and external consulting firms. Informal multi-functional teams will be utilised where appropriate.

### Data and Information

The data and information collected during these reviews will be used to develop a state of play matrix which can include:

- customer definition
- degree of discretion
- financial impact
- level of service definition
- reason for service
- method of delivery
- mandatory or minimum requirements
- service utilisation
- constraints
- links to Community Strategic Plan
- partners and/or competitors
- opportunity to generate revenue from the service
- alternatives to level of service
- potential to improve efficiencies
- alternatives to method of delivery.

The facilitation of these reviews will be undertaken in line with the City's *Project Management Framework* to ensure a consistent process for planning, implementation, monitoring and reporting.

The City's approach previously outlined to the Audit Committee at its meeting held on 10 March 2014 has now been updated and will be:

1	<b>Topic Selection.</b>	Via the annual budget/planning process, Chief Executive Officer and ISO:9001 Quality Management System Audits.
2	<b>Review Methodology.</b>  <i>(dependant on activity being reviewed).</i>	<p><b>Cost Efficiency and Service Reviews</b> – including the use of delivery and needs assessments, and value for money audits.</p> <p><b>Performance Audits / Reviews</b> as guided by the Standard on Assurance Engagement ASAE 3500 Performance Engagements (as advised by the Office of the Auditor General).</p> <p><b>Cost Management Program</b> – procurement value for money reviews; activity based costing; market testing and benchmarking.</p> <p><b>Structured Cost Reduction</b> – long-term aim to continually challenge the cost base, monitoring the relationship of costs incurred to outcomes achieved and aspiring to create an environment for continuous improvement (top-slicing of budgets or indiscriminate cost-cutting can leave organisations exposed and unprepared for the future and can lead to higher overall costs or the displacement of costs elsewhere).</p>
3	<b>Outcomes.</b>	<p><b>Tactical Efficiency Savings</b></p> <ul style="list-style-type: none"> <li>• Quick wins.</li> <li>• Prioritisation, localised cost savings / process improvement / performance improvement.</li> </ul> <p><b>Strategic Operational Realignment</b></p> <ul style="list-style-type: none"> <li>• Cost:value ratio – better utilisation / optimisation of people, processes, technology, procurement, capital assets.</li> <li>• Change customer expectations / consider alternative delivery models / shift customer channels.</li> </ul> <p><b>Sustainable Cost Reduction</b></p> <ul style="list-style-type: none"> <li>• Structured cost reduction program / transformational change program.</li> <li>• Ongoing embedded cost management and continuous improvement.</li> </ul>

**Legislation / Strategic Community Plan / policy implications**

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

**Strategic initiative** Continuously strive to improve performance and service delivery across all corporate functions.

**Policy** Not applicable.

**Risk management considerations**

The review of the City's activities will ensure the effective and efficient allocation of resources and service levels. Cost efficiency targets are essential to ensure the City's *20 Year Strategic Financial Plan* and *Strategic Community Plan* is achievable.

**Financial / budget implications**2013-14 financial year impact

<b>Account no.</b>	1.210.A2101.3265.0000.
<b>Budget Item</b>	Consultancy.
<b>Budget amount</b>	\$50,000.
<b>Amount spent to date</b>	\$13,095.
<b>Proposed cost</b>	\$36,905.

**Regional significance**

Not applicable.

**Sustainability implications**

Cost efficiency and service reviews will contribute to the long term financial sustainability of the City and strengthen capacity to achieve the key objectives of the *Strategic Community Plan*.

**Consultation**

Not applicable.

**COMMENT**

Other than the 2012 study of service delivery reviews by the Australian Centre of Excellence for Local Government there is a limited body of research within Australia for options and alternative mechanisms to review and analyse levels of expenditure. In 2011, the Great Lakes Council in New South Wales implemented a Service Level Review to critically examine all aspects of its operations to identify efficiencies, cost savings, and revenue generation, in view of the long term projected budget deficit position.

In June 2014 the Australian Centre of Excellence for Local Government issued a Report 'Service Delivery Review' – a how to manual for local government.

The approaches recommended largely align with the program being pursued by the City.

Recent international reviews include:

- In March 2014, the County of Perth (and municipalities of North Perth, Perth East, West Perth and Perth South in Ontario, Canada) engaged KPMG to undertake a joint service delivery review intended to realise improvements and efficiencies in governance structures. The cost of this review is not known.
- In 2013, the Corporation of the City of Dryden (Ontario, Canada) engaged KPMG LLP to undertake a service delivery and operational review, the objective of which is to change its operations to reflect the loss in taxation revenue and become financially sustainable in the long-term, while still providing the services that make Dryden a desirable place to work and for businesses to thrive. The cost of this review is not known.
- In 2013, the City of Marshall (Texas, United States of America) received a final report from The Azimuth Group Inc. who were engaged to complete a city wide efficiency review as a part of its ongoing effort to ensure the cost effective and responsive delivery of services to the citizens and taxpayers of Marshall. The cost of this review is not known.

The objectives, scopes, methodology, approach and outcomes for all these reviews are, or will be, continuously reviewed and monitored.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Audit Committee at its meeting held on 4 August 2014.

The Committee recommendation is the same as recommended by City officers.

## RECOMMENDATION

**That Council NOTES the:**

- 1 Options and alternative mechanisms to review and analyse levels of expenditure of City services and activities;**
- 2 Progress of the cost efficiency and service reviews program.**

*Appendix 12 refers*

To access this attachment on electronic document, click here: [Attach12brf120814.pdf](#)

## REPORTS – CAPITAL WORKS COMMITTEE – 5 AUGUST 2014

### CJ144-08/14 EAST-WEST ARTERIAL ROADS PROGRAM PHASING AND COSTS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services
<b>FILE NUMBER</b>	102496, 101515
<b>ATTACHMENT</b>	Attachment 1 Typical landscape and entry signage treatment
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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#### PURPOSE

For Council to review the phasing and costs for implementation of the east-west arterial road upgrades in the *2015-16 Capital Works Program*.

#### EXECUTIVE SUMMARY

A report on the East West Arterial Roads Upgrade Program was presented to Council at its meeting held on 15 April 2014 (CJ059-04/14 refers). Council agreed in part to Option 3 for implementation, to provide landscape treatments to selected sections on more than one arterial road simultaneously and requested further clarity around the project phasing and costs of SSE2011 for the *2015-16 Capital Works Program*.

A report on the Design Review for Priority Two and Priority Three Entry Statements was presented to Council at its meeting held on 24 June 2014 (CJ099-06/14 refers). Council agreed to the progressive installation of priority two entry signage as part of the East-West Arterial Roads Upgrade Program SSE2011 for the *2015-16 Capital Works Program* and approved the proposed locations for those installations.

The landscape treatment will be a level one, applying the original design of provenance planting in concrete banded garden beds for approximately 100 metres. The priority two entry signage comprises the fabrication and installation of entry monolith signage and interpretive poles situated within a larger garden bed of the landscape treatment.

The design for each intersection varies according to the existing infrastructure. A typical example of Hepburn Avenue is provided with this report (Attachment 1 refers).

The project will be undertaken in three phases (Table 1 refers) which include the following:

- Documentation phase - to be completed by 30 January 2015.
- Tender phase - to be completed by 20 May 2015.
- Construction phase - to be completed by 18 November 2015.

The preliminary estimated cost for this project is \$625,000. Items included are hard and soft landscape treatments, irrigation and entry signage in five separate designated locations (Table 2 refers). A pre-tender estimate will be sought from consulting quantity surveyors on completion of technical documentation in January 2015.

The East West Arterial Roads Upgrade Program, project SSE2011, for the *2015-16 Capital Works Program* can be delivered in a timely manner and within budget.

*It is therefore recommended that Council APPROVES the project phasing and costs for the East West Arterial Roads Upgrade Program SSE2011 for the 2015-16 Capital Works Program.*

## **BACKGROUND**

A report on the East-West Arterial Roads Program was presented to the Capital Works Committee on 1 April 2014. The report proposed a design strategy and implementation methodology for all future arterial road upgrades and made recommendations for the east-west arterial road upgrades for the *2015-16 Capital Works Program*.

At its meeting held on 15 April 2014 (CJ059-04/14 refers) Council agreed to the following:

- “1 *NOTES the methodology of analysis and design strategy proposed for all arterial roads;*
- 2 *APPROVES Option 3 for implementation to provide landscape treatments to selected sections on more than one arterial road simultaneously;*
- 3 *REQUESTS the Chief Executive Officer to provide further clarity around the costings and phasing of Option 3 for the east-west arterial road program.”*

On 3 June 2014 a report on the design review for priority two and priority three entry statements was presented to the Capital Works Committee. The report proposed a design variation, nominated locations for both levels of entry statements and put forward an implementation strategy.

At its meeting held on 24 June 2014 (CJ099-06/14 refers) Council agreed in part that it:

- “3 *APPROVES the locations of the priority two and priority three entry statements forming Attachment 5 to Report CJ099-06/14;*
- 4 *APPROVES the progressive installation of the priority two entry statements under the East West Arterial Roads Upgrade Program SSE2011 for the 2015-16 Capital Works Program.”*

Council approval provides the mandate to implement Option 3 and include the priority two entry signage as part of the works undertaken within the *East-West Arterial Roads Upgrade Program* project SSE2011 in 2015-16. The five selected locations approved for landscape upgrade and priority two entry signage are:

- Warwick Road
- Hepburn Avenue
- Whitfords Avenue
- Ocean Reef Road
- Connolly Drive.

## DETAILS

The project will include landscape treatments and priority two entry signage to the medians at local government boundary entry points into the City of Joondalup.

The landscape treatment will be a level one, applying the original design of provenance planting in concrete banded garden beds for approximately 100 metres. The design for each intersection varies according to the existing infrastructure.

The priority two entry signage comprise the fabrication and installation of entry monolith signage and interpretive poles situated within a larger garden bed of the landscape treatment.

The entry signage designs have been revised and costed to incorporate outcomes from the Design Review for Priority Two and Priority Three Entry Statements report (CJ099-06/14 refers) approved by Council. A typical example of Hepburn Avenue is provided with this report (Attachment 1 refers).

### Project phasing

A condensed schedule of the project phasing is as follows:

Table 1: Project schedule

Phase 1 - Documentation	
Item	Date
Preliminary cost estimates	7 July 2014
Detailed documentation	19 December 2014
Final technical docs for Quantity Surveyor estimate	30 January 2015
Phase 2 - Tender	
Item	Date
Tender period and assessment	30 May 2015



Phase 3 - Construction	
Item	Date
Commence site works	1 July 2015
Complete construction	13 November 2015
Practical completion and project handover	18 November 2015

### Project costs

Preliminary cost estimates have been prepared for each location. The items included are as follows:

- Documentation.
- Preliminaries.
- Earthworks.
- Irrigation.
- Hardscape works.
- Entry signage - supply and installation.
- Plant supply.
- Softscape works.

Cost estimates per location are listed as follows:

Table 2: Cost estimates

No	Location	Cost estimate
1	Warwick Road	\$145,000
2	Hepburn Avenue	\$115,000
3	Whitfords Avenue	\$120,000
4	Ocean Reef Road	\$120,000
5	Connolly Drive	\$125,000
	<b>Total</b>	<b>\$625,000</b>

On completion of technical documentation a pre-tender estimate will be sought from consulting quantity surveyors.

### **Issues considered**

The project has been phased to ensure the project is completed prior to the commencement of the summer period in 2015-16. Provenance planting will be watered for a minimum of two consecutive summers to ensure plant establishment.

**Legislation / Strategic Community Plan / policy implications**

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality built outcomes.

**Strategic initiative** Buildings and landscaping is suitable for the immediate environment and reflect community values.

**Policy** Not applicable.

**Risk management considerations**

The risk to the City for the delivery of the East-West Arterial Roads Upgrade Program project SSE2011 for 2015-16 is failure to provide items required for the project that are nominated outside the tender documentation. The substantial lead time for the project provides for the placement of orders ensuring the timely delivery of those items.

**Financial / budget implications**

The East West Arterial Roads Upgrade Program SSE2011 is listed for commencement in the *2015-16 Capital Works Program* with an allocated budget of \$750,000.

**Capital Costs**Landscape upgrade

For the five designated locations:  
Cost estimate - \$531,000.

Priority two entry signage

For the five designated locations:  
Cost estimate - \$94,000.

**Total - \$625,000.**

**Annual Operating Costs**Landscape upgrade

Maintenance cost per annum - \$7.00m<sup>2</sup>.  
Approximate total combined area of the project - 3,610m<sup>2</sup>.  
Total cost per annum - \$25,270.

Priority two entry signage

Individual cost per annum - \$2,500.  
Five proposed installations.  
Total cost per annum - \$12,500.

Current financial year impact

Not applicable.

Future financial year impact**Annual operating cost**

Installation of the east-west arterial road upgrades and priority two entry signage is scheduled for the *2015-16 Capital Works Program* with operating costs applicable in 2015-16. The annual operating cost will be included in the *Parks Operational Budget* allocation for specific arterial roads.

**20 Year Strategic Financial Plan impact**

The capital cost for the priority two entry statement signage and associated landscaping is covered in the current adopted *20 Year Strategic Financial Plan* within the *2015-16 Capital Works Program* under the East West Arterial Roads Upgrade Program SSE2011 with an allocated budget of \$750,000.

**Impact year**

2015-16.

**Regional significance**

Not applicable.

**Sustainability implications**Environmental

The landscaping of the iconic arterial road medians utilising provenance plant-stock and applying the *Landscape Master Plan* and Water Sensitive Urban Design principles will support the protection of natural assets and retention of local biodiversity. The long-term maintenance requirements will be minimised, for example, reduction of mowing requirements and watering of provenance plant species. Increasing the vegetated surface area will also contribute to reduced greenhouse gas emissions and reduce surface temperatures.

Social

The social sustainability of the program is geared towards life-enhancing conditions for all sectors of the community through improved aesthetics in the public environment. The East-West Arterial Roads Upgrade Program provides a unique identity for the City of Joondalup through landscape enhancement.

The inclusion of 1.2 metre concrete bands back of kerb delineating work zones in high speed environments will assist in the provision of a safer work place during maintenance operations.

Economic

The program will increase the general value of the City assets and make the City a more desirable place in which to invest and live.

**Consultation**

Not applicable.

**COMMENT**

The substantial lead time for the East West Arterial Roads Upgrade Program project SSE2011 for 2015-16 facilitates a timely delivery of this project.

Should there be a substantial budget surplus in the project, consideration could be given to commencing priority 3 entry signage and landscaping.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Capital Works Committee at its meeting held on 5 August 2014.

The Committee recommendation is the same as recommended by City officers.

**RECOMMENDATION**

**That Council APPROVES the project phasing and costs for the East West Arterial Roads Upgrade Program SSE2011 for the 2015-16 Capital Works Program.**

*Appendix 13 refers*

To access this attachment on electronic document, click here: [Attach13brf120814.pdf](#)

## **CJ145-08/14      BRAMSTON PARK, BURNS BEACH - PROPOSED DEVELOPMENT**

<b>WARD</b>	North	
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER</b>	87611, 101515	
<b>ATTACHMENT</b>	Attachment 1	Bramston Park aerial map
	Attachment 2	Proposed development site plan
	Attachment 3	Proposed multi-purpose community sporting facility floor plan
	Attachment 4	Proposed multi-purpose community sporting facility elevations (side views)
	Attachment 5	Proposed multi-purpose community sporting facility exterior colours
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.	

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### **PURPOSE**

For Council to consider the detailed designs for the proposed multi-purpose community sporting facility at Bramston Park, Burns Beach and endorse progression of the project.

### **EXECUTIVE SUMMARY**

Bramston Park is 3.93 hectares in area and is located on Bramston Vista, Burns Beach. The park is classified as Crown Land and was managed by the developer (Peet Limited) until it was transferred to the City in July 2013. There are currently no facilities or floodlights at the park.

A development project was identified for Bramston Park including a multi-purpose community sporting facility, synthetic centre cricket wicket, sports floodlighting, BBQ/picnic area, playground and car park.

Two rounds of community consultation have been conducted for the project with the most recent (undertaken in July/August 2013) demonstrating that less than 50% of respondents opposed the development of a multi-purpose community sporting facility and the majority of respondents supported the additional infrastructure elements proposed as part of the project.

At its meeting held on 24 September 2013 (CJ175-09/13 and CJ176-09/13 refers), Council considered the results of the second round of community consultation and approved an application to be submitted to the Department of Sport and Recreation's (DSR) Community Sporting and Recreation Facilities Fund (CSRFF) program seeking a contribution of up to one-third of the project.

In February 2014, the City received notification from the DSR on the City's CSRFF applications.

The Bramston Park development project received partial funding with \$750,000 of the requested \$977,167 approved.

At its meeting held on 20 May 2014 (CJ072-05/14 refers), Council considered the outcome of the CSRFF applications and approved the Bramston Park development project to proceed to detailed design and to fund the shortfall for the project. It was noted at this meeting that prior to the preparation of construction tender documentation, the final detailed designs for the proposed multi-purpose community sporting facility would be submitted to Council for consideration.

The multi-purpose community sporting facility will be single storey using rendered brick walls, colorbond roof and aluminium windows. The colour selection and appearance of the community sporting facility is in keeping with the surrounding residential development. Particular attention has been paid to the colours and design styles of the houses surrounding the park to ensure the facility complements these houses.

As part of the CSRFF grant agreement, the City must commence construction on the project by June 2015. Before the City can commence construction, approval on the detailed designs is needed; construction tender documentation is to be completed; then tenders can be sought.

In order to ensure the City meets the CSRFF grant agreement timelines, it is suggested the authority to appoint a construction contractor could be delegated to the Chief Executive Officer. The project will be tendered in two parts – the floodlighting works and the rest of the development project. Based on the capital cost estimates for the project, it is recommended that Council delegate to the Chief Executive Officer the authority to appoint a floodlighting construction contractor up to the value of \$387,712 and a construction contractor for the rest of the development project up to the value of \$1,949,238.

*It is therefore recommended that Council:*

- 1 *APPROVES the proposed detailed design of the multi-purpose community sporting facility for Bramston Park, Burns Beach as detailed in Report CJ145-08/14 subject to additional glazing being installed to the meeting room on the western side of the building;*
- 2 *REQUESTS the Chief Executive Officer to arrange for the tender process to be undertaken for the Bramston Park development project;*
- 3 *BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer in accordance with section 5.42 of the Local Government Act 1995 the authority to accept tenders for the Bramston Park floodlighting works subject to the price of tenders not exceeding \$387,712;*
- 4 *BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer in accordance with section 5.42 of the Local Government Act 1995 the authority to accept tenders for the Bramston Park development project (minus the floodlighting works) subject to the price of tenders not exceeding \$1,949,238;*
- 5 *AGREES to name the facility to be constructed at Bramston Park, Burns Beach, 'Bramston Park Community Sporting Facility' in accordance with the Naming of Public Facilities Policy.*

## BACKGROUND

Bramston Park is 3.93 hectares in area and is located on Bramston Vista, Burns Beach (Attachment 1 refers). The park is classified as Crown Land and was managed by the developer (Peet Limited) until it was transferred to the City in July 2013. There are currently no facilities or floodlights at the park. Recent research conducted by Curtin University (over 2011 and 2012) demonstrated that in the City's north (Burns Beach, Iluka, Kinross, Currambine and Joondalup), there is a shortage of available and usable active public open space for organised sporting activities.

A development project was identified for Bramston Park including the following facilities:

- Multi-purpose community sporting facility including changerooms, toilets, kitchen/kiosk/bar, meeting rooms, umpires room and storage.
- Synthetic centre cricket wicket.
- Sports floodlighting (four poles) to Australian Standards (50 lux).
- BBQ/picnic area with drinking fountain.
- Playground.
- Car park.

In August 2012, initial community consultation was undertaken on the proposal and the City received a response rate of over 39%. Slightly less than 50% of respondents did not oppose the development of a multi-purpose community sporting facility and floodlighting at the site. Slightly more than 50% of respondents did not oppose the car parking and there was strong support for the construction of a playground at Bramston Park.

At its meeting held on 11 December 2012 (CJ280-12/12 refers), Council requested the development of concept plans for the Bramston Park site. These concept plans were developed and a capital cost estimate was obtained for the proposed development.

At its meeting held on 16 July 2013 (CJ142-07/13 refers), the developed concept plans and capital cost estimate were considered and it was agreed to undertake further community consultation for the project to provide more information and detail on the proposed works to the community.

The City undertook a second round of community consultation from 22 July to 12 August 2013 and received a total of 121 valid responses. The results of the consultation demonstrated that less than 50% of respondents opposed the development of a multi-purpose community sporting facility and the majority of respondents supported the additional infrastructure elements proposed as part of the project.

At its meeting held on 24 September 2013 (CJ175-09/13 and CJ176-09/13 refers), Council considered the results of the second round of community consultation and approved an application to be submitted to the Department of Sport and Recreation's (DSR) Community Sporting and Recreation Facilities Fund (CSRFF) program seeking a contribution of up to one-third of the project.

In February 2014, the City received notification from the DSR on the City's CSRFF applications.

The Bramston Park development project received partial funding with \$750,000 of the requested \$977,167 approved. It is understood that full grant funding for this project was not approved due to the nature of some project components and the CSRFF guideline to only fund aspects of a project that will increase participation in sport.

At its meeting held on 20 May 2014 (CJ072-05/14 refers), Council considered the outcome of the CSRFF applications and approved the Bramston Park development project to proceed to detailed design and to fund the shortfall for the project. It was noted at this meeting that prior to the preparation of construction tender documentation, the final detailed designs for the proposed multi-purpose community sporting facility would be submitted to Council for consideration.

## **DETAILS**

The agreed site plan (Attachment 2 refers), shows the layout of the development which was used to seek feedback from the community in the second round of community consultation.

Proposed internal pathways within the park have been designed to accommodate universal access. This will enable safe passage through and around the park, connecting the car park and multi-purpose community sporting facility with the BBQ facilities and playground.

The BBQ area will include an electric, double hotplate BBQ set on a timer and a shelter with a picnic setting that is universally accessible. The location of the shelter will allow for supervision over the playground and views to the sporting field. A drink fountain will also be located nearby for the utilisation of all park users.

All new City playgrounds incorporate universal access, with selected equipment to cater for children between the ages of 2 -12 years old. The selected play equipment will offer a variety of play opportunities and experiences that engage children and encourage their development.

Trees will be planted adjacent to the playground in a garden bed including groundcovers and low shrubs. The selected trees will provide natural shade over the play equipment, with species to reflect local coastal flora and existing site planting. The species will be selected to allow for passive surveillance of the area.

The multi-purpose community sporting facility will be single storey using rendered brick walls, colorbond roof and aluminium windows. The agreed floor plan (Attachment 3 refers) shows the layout of the building and details of the rooms that was used to seek feedback from the community in the second round of community consultation. The elevations (side views) of the facility are shown in Attachment 4. The proposed colours for the exterior of the building are shown in Attachment 5. The colour selection, materials and appearance of the multi-purpose community sporting facility is in keeping with the surrounding residential development. Particular attention has been paid to the colours and design styles of the houses surrounding the park to ensure the facility complements these houses. The most dominant roof colour and rendered wall colour in the surrounding houses has been chosen for the multi-purpose community sporting facility. The proposed facility accent (contrast) colour reflects the grass of the playing field and the steel and window colour reflects the proximity to the ocean.

Low shrubs and groundcovers that are in keeping with the local coastal flora and existing site planting will be selected for the garden beds to the front of the multi-purpose community sporting facility and car park. Trees planted next to the car park will be chosen to provide adequate shade and to allow for passive surveillance of the area.

Fit out of the interior of the building will be in line with the City's standard provision for new community sporting facilities (similar to recent new facilities at Seacrest Park Sorrento, Forrest Park Padbury and Gibson Park Padbury).



The meeting room will have windows and doors overlooking the playing field with a partition movable wall system to allow for the room to be divided into two separate areas. The meeting room kitchen will be fitted out with fridge, mini-boil hot water unit, stove/oven, sink, hand-wash basin, servery to the oval and kitchen benches/cupboards. When the meeting room is divided into two separate areas, the one without access to the main kitchen area will have access to a kitchenette with a sink, mini-boil hot water unit and fridge. Standard City tables, chairs and furniture trolley will be provided for the meeting room and will be stored in the facility furniture storeroom.

The changerooms and umpire room will consist of changing area, showers, toilets, hand-wash basins, bench seating and wall hooks.

### **Issues and options considered**

Not applicable.

### **Legislation / Strategic Community Plan / policy implications**

**Legislation** Not applicable.

#### **Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Quality facilities.

**Strategic initiative**

- Support a long-term approach to significant facility upgrades and improvements.
- Understand the demographic context of local communities to support effective facility planning.
- Employ facility design principles that will provide for longevity, diversity and inclusiveness and where appropriate, support decentralising the delivery of City services.

**Policy** Not applicable.

### **Risk management considerations**

Any capital project brings risks in relation to contingencies and over runs against original design. The capital cost estimate for this project was based on concept designs and may differ once tenders are undertaken for the project.

As part of the CSRFF grant agreement, the City must commence construction on the project by June 2015. In order to meet this deadline, the preparation of construction tender documentation would need to commence immediately following approval of the proposed detailed designs. Construction tender documentation for a project of this scale is very detailed and extensive so any delays in the approval of the proposed detailed designs, may risk the City not meeting the CSRFF construction commencement date and may require a new grant funding application to be made for the project.

## **Financial / budget implications**

The Bramston Park development project is listed for construction in 2014-15 and is estimated at \$2,931,500 with the City to receive a contribution from the CSRFF program of \$750,000.

All amounts quoted in this report are exclusive of GST.

## **Regional significance**

Not applicable.

## **Sustainability implications**

### Environmental

The facility has been designed to reduce the impact of the carbon footprint and consider environmental sustainability design features.

### Social

The project has included consultation with local residents to ensure that feedback received represents the diverse needs of the City's community. The facility has been designed to consider access and inclusion principles and aims to enhance the amenity of the public space.

### Economic

The development includes a multi-purpose community sporting facility in line with one of the main principles of the City's *Master Planning Framework* which is the development of 'shared' and 'multi-purpose' facilities to avoid duplication of facilities and reduce the ongoing maintenance and future capital expenditure requirements.

## **Consultation**

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

In August 2012, initial community consultation was undertaken on the proposal and the City received a response rate of over 39%. Slightly less than 50% of respondents did not oppose the development of a multi-purpose community sporting facility and floodlighting at the site. Slightly more than 50% of respondents did not oppose the car parking and there was strong support for the construction of a playground at Bramston Park.

The City undertook a second round of community consultation from 22 July to 12 August 2013 and received a total of 121 valid responses. The results of the consultation demonstrated that less than 50% of respondents opposed the development of a multi-purpose community sporting facility and the majority of respondents supported the additional infrastructure elements proposed as part of the project.

## **COMMENT**

The multi-purpose community sporting facility will be single storey using rendered brick walls, colorbond roof and aluminium windows. The colour selection and appearance of the multi-purpose community sporting facility is in keeping with the surrounding residential development. Particular attention has been paid to the colours and design styles of the houses surrounding the park to ensure the facility complements these houses.

As part of the CSRFF grant agreement, the City must commence construction on the project by June 2015. Before the City can commence construction, approval on the detailed designs is needed; construction tender documentation is to be completed; then tenders can be sought.

In order to ensure the City meets the CSRFF grant agreement timelines, it is suggested the authority to appoint a construction contractor could be delegated to the Chief Executive Officer. The project will be tendered in two parts – the floodlighting works and the rest of the development project. Based on the capital cost estimates for the project, it is recommended that Council delegate to the Chief Executive Officer the authority to appoint a floodlighting construction contractor up to the value of \$387,712 and a construction contractor for the rest of the development project up to the value of \$1,949,238. The remainder of the project budget is for items that will not form part of either tender for example professional fees, project contingency, signage and public artwork.

### **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 5 August 2014.

The original recommendation as presented by City officers to the Committee is as follows:

*That Council:*

- 1 *APPROVES the proposed detailed design of the multi-purpose community sporting facility for Bramston Park, Burns Beach as detailed in this Report;*
- 2 *REQUESTS the Chief Executive Officer to arrange for the tender process to be undertaken for the Bramston Park development project;*
- 3 *BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer in accordance with section 5.42 of the Local Government Act 1995 the authority to accept tenders for the Bramston Park floodlighting works subject to the price of tenders not exceeding \$387,712;*
- 4 *BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer in accordance with section 5.42 of the Local Government Act 1995 the authority to accept tenders for the Bramston Park development project (minus the floodlighting works) subject to the price of tenders not exceeding \$1,949,238;*
- 5 *AGREES to name the facility to be constructed at Bramston Park, Burns Beach, 'Bramston Park Community Sporting Facility' in accordance with the Naming of Public Facilities Policy.*

The Committee's subsequent recommendation to the Council is as follows (changes identified):

*That Council:*

- 1 *APPROVES the proposed detailed design of the multi-purpose community sporting facility for Bramston Park, Burns Beach as detailed in this Report, subject to additional glazing being installed to the meeting room on the western side of the building;*
- 2 *REQUESTS the Chief Executive Officer to arrange for the tender process to be undertaken for the Bramston Park development project;*
- 3 *BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer in accordance with section 5.42 of the Local Government Act 1995 the authority to accept tenders for the Bramston Park floodlighting works subject to the price of tenders not exceeding \$387,712;*
- 4 *BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer in accordance with section 5.42 of the Local Government Act 1995 the authority to accept tenders for the Bramston Park development project (minus the floodlighting works) subject to the price of tenders not exceeding \$1,949,238;*
- 5 *AGREES to name the facility to be constructed at Bramston Park, Burns Beach, 'Bramston Park Community Sporting Facility' in accordance with the Naming of Public Facilities Policy.*

## **RECOMMENDATION**

**That Council:**

- 1 **APPROVES the proposed detailed design of the multi-purpose community sporting facility for Bramston Park, Burns Beach as detailed in Report CJ145-08/14, subject to additional glazing being installed to the meeting room on the western side of the building;**
- 2 **REQUESTS the Chief Executive Officer to arrange for the tender process to be undertaken for the Bramston Park development project;**
- 3 **BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer in accordance with section 5.42 of the *Local Government Act 1995* the authority to accept tenders for the Bramston Park floodlighting works subject to the price of tenders not exceeding \$387,712;**
- 4 **BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer in accordance with section 5.42 of the *Local Government Act 1995* the authority to accept tenders for the Bramston Park development project (minus the floodlighting works) subject to the price of tenders not exceeding \$1,949,238;**
- 5 **AGREES to name the facility to be constructed at Bramston Park, Burns Beach, 'Bramston Park Community Sporting Facility' in accordance with the *Naming of Public Facilities Policy*.**

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf120814.pdf](#)

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No./Subject</b>	CJ146-08/14 - Penistone Park, Greenwood - Proposed Redevelopment.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr's son plays cricket at Penistone Park, Greenwood.

**CJ146-08/14 PENISTONE PARK, GREENWOOD - PROPOSED REDEVELOPMENT**

<b>WARD</b>	South-East
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	02184, 101515
<b>ATTACHMENT</b>	Attachment 1 Penistone Park aerial map Attachment 2 Penistone Park clubroom floor plan (existing) Attachment 3 Penistone Park community sporting facility floor plan (new) Attachment 4 Penistone Park community sporting facility elevations (new) Attachment 5 Penistone Park site plan (option 3A) Attachment 6 Community consultation results analysis report Attachment 7 Penistone Park site plan (option 3B)
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For Council to consider the results of the community consultation undertaken for the proposed redevelopment at Penistone Park, Greenwood and endorse progression of the project.

**EXECUTIVE SUMMARY**

Penistone Park located on Penistone Street, Greenwood is approximately 11.4 hectares in size and is classified as a 'District Park' within the City's existing *Parks and Public Open Spaces Classification Framework*. The park has two active sporting ovals, a clubroom, floodlighting, car parking, three practice cricket nets, two outdoor basketball courts, two tennis courts, a tennis shelter and a playground. The clubroom was constructed in 1975, which consists of a hall, toilets, changerooms, furniture store and user group storage. In 2007-08 the facility was refurbished with an upgrade to the toilets and changerooms and painting.



In July-August 2013, the City undertook community consultation on the proposed redevelopment of the Penistone Park clubrooms and other site infrastructure. Given the support from the community on proposed redevelopment, at its meeting held on 24 September 2013 (CJ179-09/13 refers), Council requested the development of concept plans for the Penistone Park redevelopment project.

A facility floor plan and three site concept plan options were developed for the project. At its meeting held on 17 February 2014 (CJ026-02/14 refers), Council considered the proposed facility floor plan and site concept plan options and endorsed option 3A. This option includes the redevelopment of the existing facility and the re-location of the tennis courts to the northern area of the site (subject to the outcome of further community consultation), the development of a new car park in the location of the existing tennis courts with access from Penistone Street and removal of the internal service road and south-western car park. This option addresses all of the current challenges with the facility and site and creates safe and strong connections between both ovals and the new facility. The total project has been estimated at \$3,820,000.

Also at its meeting held on 17 February 2014 (CJ026-02/14 refers), Council requested that the City arrange further community consultation on the proposed redevelopment and in particular, include the proposal to decommission the two tennis courts. The City undertook community consultation from 31 March to 23 April 2014 and received a total of 163 valid responses. Respondents were requested to indicate their level of support for the various elements proposed at Penistone Park. The following is a summary of the results:

- New multi-purpose community sporting facility – 94.5% support, 1.2% oppose and 4.3% unsure/no response.
- Relocated playground with connecting pathways – 85.9% support, 6.1% oppose and 8% unsure/no response.
- Relocation of existing cricket practice nets – 85.3% support, 5.6% oppose and 9.1% unsure/no response.
- 3-on-3 basketball pad - 81% support, 6.2% oppose and 12.8% unsure/no response.
- Barbeque and picnic shelter – 96.9% support, 1.2% oppose and 1.9% unsure/no response.
- Tennis hit-up wall – 79.8% support, 6.2% oppose and 14% unsure/no response.
- Construction of a new car park and removal of the western car park and internal service road – 89.6% support, 4.9% oppose and 5.5% unsure/no response.
- Decommissioning of the two existing tennis courts – 50.3% support, 27% oppose and 22.7% unsure/no response.

The results of the consultation demonstrated that over 80% of respondents supported the elements proposed as part of the project (except the decommissioning of the tennis courts).

Given the relatively low utilisation rates of the existing tennis courts; the location of other tennis courts nearby; the cost to construct new tennis courts; and the results of the community consultation; it is recommended that the tennis courts at Penistone Park be decommissioned as part of the redevelopment project as shown in site plan option 3B for a revised capital cost estimate of \$3,503,000.

Given the project timelines are on schedule, it is recommended that a submission be made to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) Forward Planning Grant round subject to Council support at the 19 August 2014 ordinary Council meeting. If supported, the project will be listed as part of the City's CSRFF project submission report to be considered by Council at the 16 September 2014 ordinary Council meeting.

*It is therefore recommended that Council:*

- 1 *NOTES the findings of the second round of community consultation undertaken for the Penistone Park redevelopment project as detailed in Report CJ146-08/14;*
- 2 *in view of the findings in Part 1 above, APPROVES the proposed redevelopment project for Penistone Park to include the removal of the two existing tennis courts and proposed extension/upgrade of the Carine Radio Control Car Club facilities as presented in Option 3B and as detailed in Report CJ146-08/14 at a revised project cost estimate of \$3,503,000 with the inclusion of glass bi-fold doors on the eastern and western sides of the main hall to the building;*
- 3 *NOTES the following amounts are currently listed within the City's Five Year Capital Works Program for the redevelopment project at Penistone Park:*
  - 3.1 *\$240,000 within 2014-15 for detailed design of the redevelopment project;*
  - 3.2 *\$3,580,000 within 2015-16 for construction of the redevelopment project (subject to a successful CSRFF grant application of \$1,273,333);*
- 4 *REQUESTS that a revised amount of \$3,263,000 be listed for consideration within 2015-16 of the City's Five Year Capital Works Program for the construction of the Penistone Park redevelopment project (subject to a successful CSRFF grant application of \$1,167,666);*
- 5 *REQUESTS the Chief Executive Officer to work with the Carine Radio Control Car Club on the proposed extension/upgrade of their facilities and to develop a lease agreement for their use of the site as part of the Penistone Park redevelopment project;*
- 6 *NOTES the Penistone Park redevelopment project will be listed as part of the City's CSRFF project submission report to be considered by Council at the 16 September 2014 Council meeting.*

## **BACKGROUND**

Penistone Park located on Penistone Street, Greenwood (Attachment 1 refers) is approximately 11.4 hectares in size and is classified as a 'District Park' within the City's existing *Parks and Public Open Spaces Classification Framework*. The park has two active sporting ovals, a clubroom, 118 car parking bays (including verge parking), three cricket practice nets, a synthetic centre cricket pitch, two outdoor basketball courts, two tennis courts, a playground and a tennis shelter. In October 2013, the City upgraded floodlighting on both sporting ovals with four towers on each oval. The upper (east) oval provides lighting levels of 250 lux (Australian Standard small ball sports training), while the lower (west) oval provides levels of 50 lux (Australian Standard large ball sports training). The additional lux levels above the City's standard level of provision (50 lux) on the upper (east) oval was provided as the Wanneroo Lacrosse Club contributed approximately \$29,000 to the project to improve the level of the lighting.

The existing clubroom (Attachment 2 refers) was constructed in 1975 which consists of a hall, kitchen, toilets, changerooms, furniture store and user group storage. In 2007-08 the facility was refurbished with an upgrade to the toilets and changerooms, and painting. In 2009-10, the playground was upgraded with new equipment, rubber softfall and new path. Currently, there are a number of issues with the existing building and site including the age of the existing facility, drainage issues around the building, limited available storage and the service road that disconnects users from the AFL/cricket oval and changerooms and causes pedestrian crossing concerns.



Over 1,300 registered members from the following seven user groups hire the ovals and/or the clubroom on a regular basis:

- Penistone Playgroup.
- Warwick/Greenwood Cricket Club.
- Warwick/Greenwood Junior Cricket Club.
- Wanneroo Modcrosse/Lacrosse Club.
- Warwick/Greenwood Amateur Football Club.
- Warwick/Greenwood Junior Football Club.
- Greenwood Little Athletics Club.

In July-August 2013, initial community consultation was undertaken with 92% supporting the redevelopment of a new multi-purpose community sporting facility and subsequently at its meeting held on 24 September 2013 (CJ179-09/13 refers), Council requested the development of concept plans for Penistone Park with the inclusion of the following:

- New multi-purpose community sporting facility.
- Replacement of the existing basketball courts with a 3-on-3 basketball pad.
- Replacement of existing cricket practice nets.
- Removal of outdoor storage sheds and tennis shelter and consolidation of these into the new multi-purpose community sporting facility.
- Consideration of the existing two tennis courts located on the southern portion of the site.

A facility floor plan and three site concept plan options were developed for the project. The facility floor plan (Attachment 3 and 4 refers) has been designed to meet the functional needs of the user groups using the facility, the two ovals and playground and with the key learning's from other recently constructed facilities including Seacrest Community Sporting Facility, Sorrento and Forest Park Community Sporting Facility, Padbury. The facility includes changerooms, umpire room, toilets, kitchen, 140m<sup>2</sup> main hall that overlooks both ovals, associated storage and a covered verandah area.

At its meeting held on 17 February 2014 (CJ026-02/14 refers), Council considered the proposed facility floor plan and site concept plan options and endorsed option 3A (Attachment 5 refers), the option that was developed at the request of Council at its meeting held on 24 September 2013 (CJ179-09/13 refers) to consider the location of the tennis courts. This option includes the redevelopment of the existing facility and the re-location of the tennis courts to the northern area of the site (subject to the outcome of further community consultation), the development of a new car park in the location of the existing tennis courts with access from Penistone Street and removal of the internal service road and south-western car park. This option addresses all of the current challenges with the facility and site and creates safe and strong connections between both ovals and the new facility. The total project has been estimated at \$3,820,000.

At its meeting held on 17 February 2014 (CJ026-02/14 refers), Council considered the project and the results of the initial community consultation and endorsed the following:

*That Council:*

*“1 NOTES the following amounts are currently listed within the City's Five Year Capital Works Program in relation to Penistone Park:*

- 1.1 \$50,000 within 2013-14 for new cricket nets;*
- 1.2 \$240,000 within 2014-15 for detailed design of the redevelopment project;*
- 1.3 \$2,000,000 within 2015-16 for construction of the redevelopment project;*

- 2 *APPROVES the proposed redevelopment project including demolition and site works, construction of a new community sporting facility, relocated playground, new BBQ/picnic area, new 3-on-3 basketball pad, new tennis hit-up wall, relocated tennis courts (subject to the outcome of the community consultation in part 5 below), construction of new car park, relocated cricket nets at Penistone Park as included in Option 3A and detailed in Report CJ026-02/14 at a project cost estimate of \$3,820,000;*
- 3 *Subject to the approval of site concept plan Option 3A, REQUESTS that the \$50,000 allocated in the 2013-14 Capital Works Program for the Penistone Park cricket net replacement will be carried forward and listed for consideration in the draft 2015-16 Capital Works Program;*
- 4 *Subject to the approval of the transfer of funds in Part 3 above REQUESTS that a further \$1,530,000 be listed for consideration within the 2015-16 Capital Works Program for the Penistone Park redevelopment project subject to a successful CSRFF grant application of \$1,273,333;*
- 5 *REQUESTS the Chief Executive Officer to arrange further community consultation on site concept plan Option 3A as detailed in Report CJ027-02/14 for the Penistone Park redevelopment project, including the proposal to decommission the tennis courts, to be conducted from 31 March – 21 April 2014;*
- 6 *GIVES consideration to upgrading the sump at Penistone Park in the 2015-16 financial year.”*

## DETAILS

At its meeting held on 17 February 2014 (CJ026-02/14 refers), Council requested that the City arrange further community consultation on the proposed redevelopment and in particular, include the proposal to decommission the tennis courts. The City undertook community consultation from 31 March to 23 April 2014. The consultation was advertised through the following methods:

- Direct mail out - a cover letter, information brochure, frequently asked questions sheet and a comment form was sent to all stakeholders.
- Site signage – two signs were placed at Penistone Park during the consultation period.
- City's website – information brochure, frequently asked questions sheet and comment form was added to the 'Community Consultation' section during the consultation period.
- A3 poster – displayed at the existing clubroom at Penistone Park during the consultation period.

Targeted consultation was undertaken with the following stakeholders:

- Residents living within a 500 metre radius of the site (1,446 residents).
- Representatives from the park and facility user groups (seven groups).
- Representatives from the Greenwood Primary School.
- Representative from the local Residents' Association.
- The community consultation was aimed to determine the level of support for the following various features of the proposed redevelopment:
  - New multi-purpose community sporting facility.
  - Relocated playground with connecting pathways.

- Relocation of existing cricket practice nets.
- 3-on-3 basketball pad.
- Barbeque and picnic shelter.
- Tennis hit-up wall.
- Construction of a new car park and removal of the western car park and internal service road.
- Decommissioning of the two existing tennis courts.

### Consultation results

The full results of the community consultation are included as Attachment 6. The City received 163 valid responses of which 124 were from residents living within a 500 metre radius of the site (76.1%). There were 39 submissions made from people living outside a 500 metres radius of the site. 75 respondents stated that they are affiliated with a club/group that utilise Penistone Park for a variety of activities. Of these, the majority of respondents (27) are associated with the Warwick/Greenwood Junior Football Club, Warwick/Greenwood Cricket Club (16) and the Warwick/Greenwood Junior Cricket Club (14).

### *Demographics*

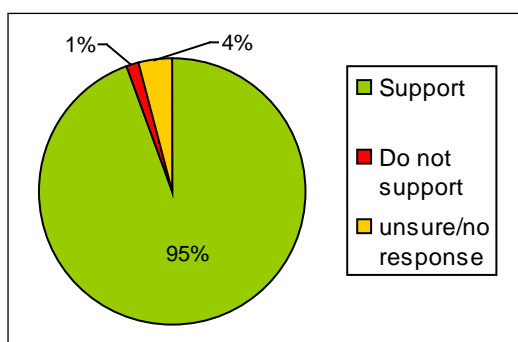
Of the 163 valid responses, the majority of respondents are aged 35–44 (25.8%), 55–64 (22.7%), 65–74 (20.2%). These age groups represent similar segments of the local population, so it is expected that a large response from these age groups would be received.

### *Use of Penistone Park*

The majority of respondents use Penistone Park for informal recreation (74.8%), while 39 (23.9%) use it for organised sport or recreation. Twenty three respondents (14.1%) don't use Penistone Park, however are interested in the project. Six respondents (3.7%) use Penistone Park for 'other' uses. (Note: the percentage of total responses is greater than 100% as respondents were permitted to select more than one response).

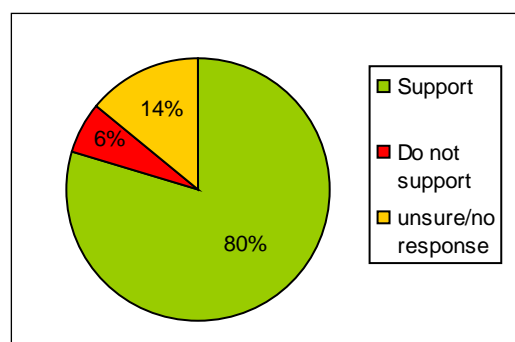
As outlined previously, respondents were asked to indicate their level of support for the proposed infrastructure to be redeveloped. The following charts summarise the level of support from the community consultation undertaken:

New multi-purpose community sporting facility

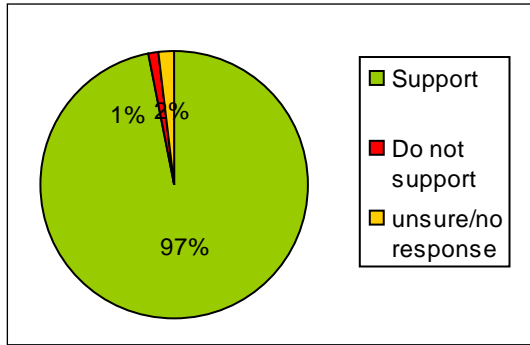


Barbeque and picnic shelter

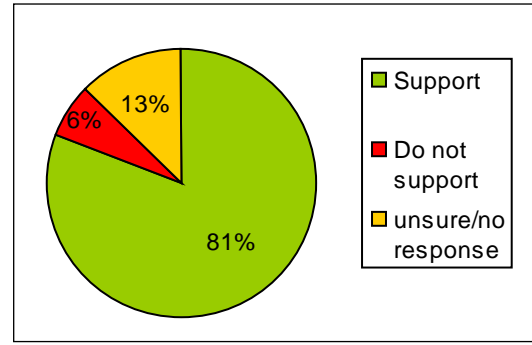
Tennis hit-up wall



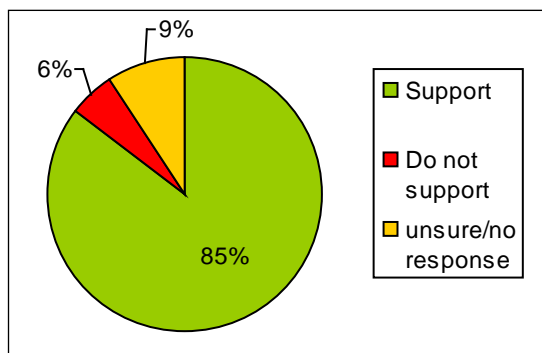
3-on-3 basketball pad



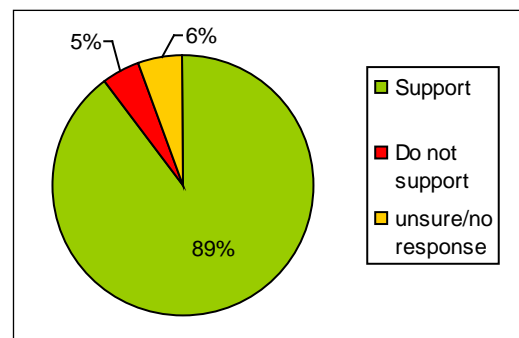
Relocation of existing cricket practice nets



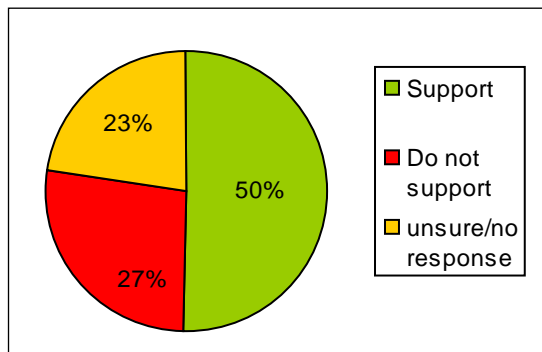
New carpark and removal of western carpark and internal service road.



Decommissioning of the two existing tennis courts



Relocated playground with pathways



*Tennis Courts*

As part of the consultation, respondents were asked how often they use the tennis courts at Penistone Park. Of the responses collected, the majority of respondents had not used the existing two tennis courts in the past 12 months (79.1%). Some respondents indicated they use the tennis courts at least once per week (6.1%) or once per month (4.3%).

As shown in the chart above, half of the respondents supported the decommissioning of the two existing tennis courts (50.3%), with 27% opposed to the decommissioning and 22.7% were unsure or no response was provided. From these responses, it may be inferred that only 27% of respondents have indicated a clear desire to retain the tennis courts as part of the redevelopment project.

Respondents who indicated that they either opposed or strongly opposed the decommissioning of the two existing tennis courts were asked why. A total of 44 respondents provided 73 reasons for their opposition. The results have been summarised in the below table.

Reasons for Opposition	Responses	
	Number	%
Believe courts would be utilised more if free for hire	7	9.6%
Believe that the courts are currently well utilised	22	30.1%
Believe the courts need to be accessible to be utilised	7	9.6%
Comments in relation to the design of the tennis courts (including incorporating multi-use courts)	7	9.6%
Still use/would like to keep using the courts on a casual basis	13	17.8%
Would like to see the courts relocated	8	11.0%
Would like to see the tennis courts widely promoted	9	12.3%

As part of the consultation, the City also received a multi-signed letter in relation to retaining the tennis courts (62 signatures).

While there is currently no tennis clubs or coaches booking the tennis courts at Penistone Park through the annual tennis courts booking process, an analysis of the casual tennis court booking forms demonstrates a number of casual users regularly utilise the courts. It is understood that two of these groups are 'ladies tennis groups' who use the courts Thursday mornings from 8.00am to 12.00noon and Friday mornings from 9.00am to 12.00noon and have been doing so for a number of years.

Up until recently the tennis courts at Penistone Park were able to be booked and used through the City's tennis court hire arrangement whereby people contact a tennis court booking officer, pay the applicable fee and get access to a court for the duration of their booking.

At its meeting held on 13 May 2014 (CJ074-05/14 refers), Council endorsed to extend the tennis court free use trial arrangement up until June 2015 and agreed that Penistone Park tennis courts would now be part of the free use trial.

It is possible that with free use, the usage of the tennis courts at Penistone Park may increase as demonstrated as part of the free use trial at other tennis courts (estimated increase of around 12.1% occupancy rate).

In order to construct a new car park with access from Penistone Street and to remove the internal service road the tennis courts need to be removed. There is sufficient space on the park for the tennis courts to be re-located, however, it is recommended to decommission the courts and not replace them as part of the project for the following reasons:

- On average during 2013, the courts have only been used approximately eight to nine hours per week (which is approximately 8% of the available time per month).
- No formal club or coach book the courts on a regular basis (through the annual tennis court booking process).

- The City owns/manages a number of tennis courts in nearby locations including:
  - Warwick Open Space – 12 courts (1 kilometre from Penistone Park) – used by Greenwood Tennis Club and the Old Farts Tennis Association (OFTA) Tennis Club.
  - Glengarry Park – two courts with free use (2.5 kilometres from Penistone Park) – used by two tennis coaches.
  - Kingsley Park – two courts with free use (3.5 kilometres from Penistone Park) – not booked by any tennis club or coach.
- It has been estimated that new tennis courts with fencing, lighting, shelter and a picnic shelter will cost \$317,000 to construct in a new location.
- A tennis hit-up wall will be constructed and can be used for casual use.
- The consultation indicated that nearly 80% of respondents had not used the existing tennis courts in the past 12 months.
- The consultation indicated that only 27% of respondents opposed the decommissioning of the tennis courts.

In recent years, Council has agreed to decommission tennis courts facilities at two locations.

In September 2010, the Duncraig tennis courts at Percy Doyle Reserve were endorsed for decommissioning due to the location in close proximity to the Sorrento tennis courts (130 metres away). The courts were utilised for 22.5 hours per week by two small tennis clubs and a commercial coach and used casually for approximately 2.5 hours per week (total usage of 20% of the available time).

In December 2012, the Fenton Reserve tennis court was endorsed for decommissioning as it was not used by any tennis club and only used casually on average for 2.5 hours per week (total usage of less than 0.5% of the available time).

#### *Additional Comments*

Respondents were asked if they had any further comments on the proposed redevelopment of Penistone Park. A summary of the main concerns (those with five or more responses) have been included in the following table with a comment response.

<b>Concern</b>	<b>Response</b>
Comments regarding the condition of the surface of the oval (13 responses).	<p>Penistone Park has a problem with nematodes (worm like parasites) that impact on the quality and durability of the turf. The City has specific management strategies in place to address this issue including regular fertilising and renovation. In previous years the City has also applied an organic mulch product to the park in spring (end of the winter sporting season) to promote stronger root growth. Unfortunately this has meant the summer user groups have been delayed from using the park by 3 – 4 weeks at the start of their summer season.</p> <p>Like a number of other high use sporting parks throughout the City, Penistone Park gets very heavy use in winter which affects the quality of the turf leading into the summer season. The City addresses this with localised returfing of damaged areas and renovation techniques on both the upper and lower ovals.</p>

Concern	Response
Concern for the size of the basketball pad (five responses).	Nearly 70% of respondents in the first round of community consultation indicated they had not used the existing full size basketball courts in the last 12 months. The proposed redevelopment includes a 3-on-3 basketball pad which is a smaller playing area with one goal that casual basketball is played on. This is considered the City's new standard provision for this type of infrastructure and has been included in other recent park developments for example Tom Simpson Park, Mullaloo.
Concern for natural bushland (six responses).	The proposed redevelopment has been designed to retain as much vegetation as possible while meeting the overall needs of the community. The small number of trees that have been identified as obstructions to the development or in poor condition, will either be relocated or replaced.
Would like additional BBQ facilities (five responses).	The City is currently revising its <i>Parks and Public Open Spaces Classification Framework</i> as a guiding document for the provision of infrastructure on the City's parks. Currently Penistone Park does not have any BBQ facilities. As part of the redevelopment project is it proposed to include one BBQ unit and picnic shelter which is in line with the <i>Parks and Public Open Spaces Classification Framework</i> .
Would like artificial shade of the playground (18 responses).	The City is currently revising its <i>Parks and Public Open Spaces Classification Framework</i> as a guiding document for the provision of infrastructure on the City's parks. The draft framework supports the City's preference to supply natural shade over artificial shade options. A number of trees are proposed to be planted in close proximity to the playground in order to provide natural shade.
Would like connected pathways installed (five responses).	The proposed redevelopment includes connection pathways to the new and existing car parks, community sporting facility, playground, tennis courts and BBQ/picnic area.

### *Carine Radio Control Car Club*

Through the community consultation process, the City was contacted by the Carine Radio Control Car Club who use a purpose built fenced area adjacent to the existing sump at the site. The club holds race days on Sundays twice a month, weather permitting. They also host two events per year in March and November.

The club has requested that as part of the redevelopment project, the City consider the club's request to extend their track area and upgrade some of their facilities such as fencing and drivers' platform/viewing area.

Currently the club does not have an existing lease over the area they use. The City has agreed to work with the club in developing a lease agreement in line with the endorsed *Property Management Framework*. The City has also requested the club develop a proposal for their extension/upgrade works and provide this to the City for consideration of a contribution to the project.

As the details of the requested works and associated costs are unknown at this stage, if the City wanted to include a notional amount within the project budget should a decision to contribute be made, up to \$10,000 could be allocated. The contribution would be subject to receiving the requested CSRFF grant, the equipment/track being compliant with relevant building and health and safety regulations and a lease agreement being developed. The club's track can only be extended if the relocation of the cricket nets as proposed in the redevelopment project takes place.

### Issues and options considered

There are two options in regards to the tennis courts at Penistone Park which are detailed in the below table.

Tennis Court Option	Advantages	Disadvantages
Decommission the tennis courts and not replace them.	<ul style="list-style-type: none"> <li>Project capital cost saving of an estimated \$317,000.</li> <li>The provision of future maintenance and renewal expenditure for the courts would not be required.</li> </ul>	<ul style="list-style-type: none"> <li>Existing regular casual tennis court users would need to use other nearby tennis facilities.</li> <li>Service levels of tennis courts from the community's perspective is reduced (for example the number of courts provided and maintained is reduced).</li> </ul>
Include new tennis courts in the redevelopment project.	<ul style="list-style-type: none"> <li>Existing regular casual tennis court users would continue to have access to tennis facilities at Penistone Park.</li> <li>No change to service levels of tennis courts from the community's perspective (for example the same number of courts are provided and maintained).</li> </ul>	<ul style="list-style-type: none"> <li>City funds are used to redevelop tennis courts that have relatively low community usage.</li> </ul>

It is considered that Council has two options in regards to the total project, either to endorse to proceed with the project or not proceed with the project. If Council endorses to proceed, the City will submit an application to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) for a contribution of up to one-third of the project costs. Applications are due on 31 September 2014. A report to Council will be considered at its 16 September 2014 meeting for all projects proposed to have CSRFF grant applications submitted.



**Legislation / Strategic Community Plan / policy implications**

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Quality facilities.

**Strategic initiative**

- Support a long-term approach to significant facility upgrades and improvements.
- Understand the demographic context of local communities to support effective facility planning.
- Employ facility design principles that will provide for longevity, diversity, inclusiveness and where appropriate support the decentralising of City services.

**Policy** Not applicable.

**Risk management considerations**

Any capital project brings risks in relation to contingencies and over runs against original design. The capital cost estimate is based on concept designs and may differ once further detailed designs are undertaken for the project.

This is intended to be one of several major projects for which the City will be seeking a CSRFF contribution in the next Forward Planning Grant funding round. They will effectively be competing against each other and there are significant risks that not all projects will be funded.

**Financial / budget implications**

At its meeting held on 17 February 2014 (CJ026-02/14 refers), Council agreed to the following to be included in the City's *Five Year Capital Works Program* for the project:

- \$240,000 within 2014-15 for detailed design.
- \$2,580,000 within 2015-16 for construction (subject to a successful CSRFF grant application of \$1,273,333).

If it is agreed to decommission the tennis courts as part of the project and not replace them as shown in site concept plan option 3B (Attachment 7 refers), there will be a reduction in the estimated capital cost of around \$317,000 giving the revised project total of 3,503,000.

Operating expenses (existing and estimated future) and total 20 year cash flows for the project were included in the report considered by Council at its meeting held on 17 February 2014 (CJ026-02/14 refers).

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

## **Sustainability implications**

### Environmental

All facility redevelopment projects are planned to reduce the impact of the carbon footprint and consider environmental sustainability design features where possible within the project budget. In addition, the site concept plan has been developed with the aim of minimising the impact on important flora and fauna at Penistone Park.

### Social

The project has included consultation with existing user groups and the local wider community to ensure that the proposed redevelopment represents the communities' diverse needs. The proposed re-location of the playground closer to the facility will also assist the playgroup's programs and support greater interaction with other members of the community. Furthermore, any development 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 endorsed *Master Planning Framework* is the development of 'shared' and 'multipurpose' facilities to avoid their duplication, and to reduce the ongoing maintenance and future capital expenditure requirements.

## **Consultation**

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

Results of the initial community consultation for this project were included in the September 2013 report to Council (CJ179-09/13 refers).

Results of the second round of community consultation that was undertaken from 31 March to 23 April 2014 have been provided in the details section of this report.

## **COMMENT**

The results of the consultation demonstrates that over 80% of respondents support the elements proposed as part of the project (except the decommissioning of the tennis courts).

Given the relatively low utilisation rates of the existing tennis courts; the location of other tennis courts nearby; the cost to construct new tennis courts; and the results of the community consultation; it is recommended that the tennis courts at Penistone Park are decommissioned as part of the redevelopment project as shown in site plan option 3B for a revised capital cost estimate of \$3,503,000.

Given the project timelines are on schedule, it is recommended that a submission be made to the CSRFF Forward Planning Grant round subject to Council support at the August 2014 Ordinary Meeting. If supported, the project will be listed as part of the City's CSRFF project submission report to be considered by Council at the September 2014 Ordinary Meeting.

## VOTING REQUIREMENTS

Simple 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 5 August 2014.

The original recommendation as presented by City officers to the Committee is as follows:

*That Council:*

- 1 *NOTES the findings of the second round of community consultation undertaken for the Penistone Park redevelopment project as detailed in this Report;*
- 2 *in view of the findings in Part 1 above, APPROVES the proposed redevelopment project for Penistone Park to include the removal of the two existing tennis courts and proposed extension/upgrade of the Carine Radio Control Car Club facilities as presented in Option 3B and as detailed in this Report at a revised project cost estimate of \$3,503,000;*
- 3 *NOTES the following amounts are currently listed within the City's Five Year Capital Works Program for the redevelopment project at Penistone Park:*
  - 3.1 *\$240,000 within 2014-15 for detailed design of the redevelopment project;*
  - 3.2 *\$3,580,000 within 2015-16 for construction of the redevelopment project (subject to a successful CSRFF grant application of \$1,273,333);*
- 4 *REQUESTS that a revised amount of \$3,263,000 be listed for consideration within 2015-16 of the City's Five Year Capital Works Program for the construction of the Penistone Park redevelopment project (subject to a successful CSRFF grant application of \$1,167,666);*
- 5 *REQUESTS the Chief Executive Officer to work with the Carine Radio Control Car Club on the proposed extension/upgrade of their facilities and to develop a lease agreement for their use of the site as part of the Penistone Park redevelopment project;*
- 6 *NOTES the Penistone Park redevelopment project will be listed as part of the City's CSRFF project submission report to be considered by Council at the 16 September 2014 Council meeting.*

The Committee's subsequent recommendation to the Council is as follows (changes identified):

*That Council:*

- 1 *NOTES the findings of the second round of community consultation undertaken for the Penistone Park redevelopment project as detailed in this Report;*
- 2 *In view of the findings in Part 1 above, APPROVES the proposed redevelopment project for Penistone Park to include the removal of the two existing tennis courts and proposed extension/upgrade of the Carine Radio Control Car Club facilities as presented in Option 3B and as detailed in this Report at a revised project cost estimate of \$3,503,000 with the inclusion of glass bi-fold doors on the eastern and western sides of the main hall to the building;*
- 3 *NOTES the following amounts are currently listed within the City's Five Year Capital Works Program for the redevelopment project at Penistone Park:*
  - 3.1 *\$240,000 within 2014-15 for detailed design of the redevelopment project;*
  - 3.2 *\$3,580,000 within 2015-16 for construction of the redevelopment project (subject to a successful CSRFF grant application of \$1,273,333);*
- 4 *REQUESTS that a revised amount of \$3,263,000 be listed for consideration within 2015-16 of the City's Five Year Capital Works Program for the construction of the Penistone Park redevelopment project (subject to a successful CSRFF grant application of \$1,167,666);*
- 5 *REQUESTS the Chief Executive Officer to work with the Carine Radio Control Car Club on the proposed extension/upgrade of their facilities and to develop a lease agreement for their use of the site as part of the Penistone Park redevelopment project;*
- 6 *NOTES the Penistone Park redevelopment project will be listed as part of the City's CSRFF project submission report to be considered by Council at the 16 September 2014 Council meeting.*

## RECOMMENDATION

### That Council:

- 1 **NOTES** the findings of the second round of community consultation undertaken for the Penistone Park redevelopment project as detailed in Report CJ146-08/14;
- 2 in view of the findings in Part 1 above, **APPROVES** the proposed redevelopment project for Penistone Park to include the removal of the two existing tennis courts and proposed extension/upgrade of the Carine Radio Control Car Club facilities as presented in Option 3B and as detailed in Report CJ146-08/14 at a revised project cost estimate of \$3,503,000 with the inclusion of glass bi-fold doors on the eastern and western sides of the main hall to the building;
- 3 **NOTES** the following amounts are currently listed within the City's *Five Year Capital Works Program* for the redevelopment project at Penistone Park:
  - 3.1 \$240,000 within 2014-15 for detailed design of the redevelopment project;
  - 3.2 \$3,580,000 within 2015-16 for construction of the redevelopment project (subject to a successful CSRFF grant application of \$1,273,333);
- 4 **REQUESTS** that a revised amount of \$3,263,000 be listed for consideration within 2015-16 of the City's *Five Year Capital Works Program* for the construction of the Penistone Park redevelopment project (subject to a successful CSRFF grant application of \$1,167,666);
- 5 **REQUESTS** the Chief Executive Officer to work with the Carine Radio Control Car Club on the proposed extension/upgrade of their facilities and to develop a lease agreement for their use of the site as part of the Penistone Park redevelopment project;
- 6 **NOTES** the Penistone Park redevelopment project will be listed as part of the City's CSRFF project submission report to be considered by Council at the 16 September 2014 Council meeting.

*Appendix 15 refers*

To access this attachment on electronic document, click here: [Attach15brf120814.pdf](#)

**11 REPORT OF THE CHIEF EXECUTIVE OFFICER****CJ147-08/14 APPOINTMENT OF A DEPUTY MEMBER TO MINDARIE REGIONAL COUNCIL**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	03149, 101515
<b>ATTACHMENTS</b>	Nil.
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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**PURPOSE**

For Council to give consideration to appointing an Elected Member to deputise for Cr Russ Fishwick at any meetings of the Mindarie Regional Council to be held between 20 August and 23 September 2014.

**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
- 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, and Cr Kerry Hollywood. The MRC meets bi-monthly, with its next meeting scheduled to be held on Thursday, 4 September 2014, at the City of Vincent.

Cr Russ Fishwick is on approved leave of absence for the period 4 August to 23 September 2014, 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 therefore recommended 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 a deputy member to act on behalf of Cr Russ Fishwick and represent the City at any meetings of the Mindarie Regional Council to be held between 20 August and 23 September 2014;*
- 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
- 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, and Cr Kerry Hollywood. The MRC meets bi-monthly, with its next meeting scheduled to be held on Thursday, 4 September 2014, at the City of Vincent.

## **DETAILS**

Cr Russ Fishwick is on approved leave of absence for the period 4 August to 23 September 2014, 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.

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 cannot 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 Community 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:

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:

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

To specify the period for which any person appointed in exercise of such a power or duty shall hold his appointment.

For the purposes of subsection (1)(b), "cause" includes:

Illness

Temporary absence from the State

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 Community Plan

#### Key theme

Governance and Leadership.

#### Objective

Strong leadership.

#### Strategic initiative

Seek out City representation on key external and strategic bodies.

#### 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 MRC.



**Financial / budget 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 MRC 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 Council exercises its ability to be represented at each and every meeting of the MRC. 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 20 August to 23 September 2014 inclusive.

**VOTING REQUIREMENTS**

Simple Majority.

**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 a deputy member to act on behalf of Cr Russ Fishwick and represent the City at any meetings of the Mindarie Regional Council to be held between 20 August and 23 September 2014;**
- 2 ADVISES the Mindarie Regional Council of its decision.**

**12 URGENT BUSINESS**

**13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**14 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

**15 CLOSURE**



**DECLARATION OF  
FINANCIAL INTEREST/PROXIMITY INTEREST/INTEREST THAT MAY  
AFFECT IMPARTIALITY**

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

<b>Name/ Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Proximity Interest* Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

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

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

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



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

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

**QUESTIONS**

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Please submit this form at the meeting or:

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

**Please note that:**

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



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

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

**STATEMENT**

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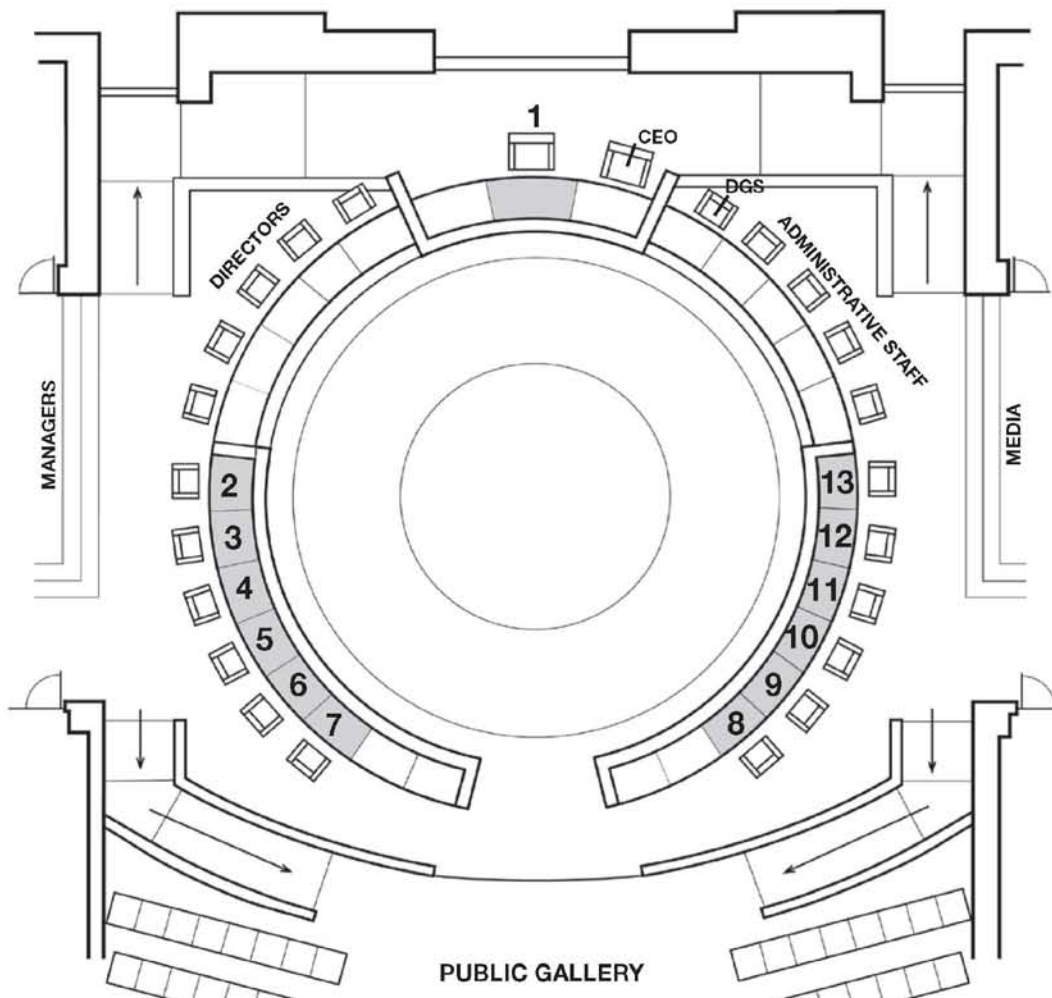
Please submit this form at the meeting or:

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**Please note that:**

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

## Council Chambers – Seating Diagram



### Mayor

1 His Worship the Mayor, Troy Pickard (Term expires 10/17)

### North Ward

- 2 Cr Kerry Hollywood (Term expires 10/17)
- 3 Cr Tom McLean, JP (Term expires 10/15)

### North-Central Ward

- 4 Cr Philippa Taylor (Term expires 10/17)
- 5 Cr Sam Thomas (Term expires 10/15)

### Central Ward

- 6 Cr Liam Gobbert (Term expires 10/17)
- 7 Cr Geoff Amphlett, JP (Term expires 10/15)

### South-West Ward

- 8 Cr Christine Hamilton-Prime (Term expires 10/17)
- 9 Cr Mike Norman (Term expires 10/15)

### South-East Ward

- 10 Cr John Chester (Term expires 10/17)
- 11 Cr Brian Corr (Term expires 10/15)

### South Ward

- 12 Cr Russ Fishwick, JP (Term expires 10/17)
- 13 Cr Teresa Ritchie, JP (Term expires 10/15)

