

# minutes

MEETING HELD ON **MONDAY 23 NOVEMBER 2015**

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**CITY OF JOONDALUP**

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON MONDAY 23 NOVEMBER 2015.**

**DECLARATION OF OPENING**

The Mayor declared the meeting open at 7.00pm.

**ANNOUNCEMENT OF VISITORS**

Nil.

**Mayor:**

TROY PICKARD

**Councillors:**

CR KERRY HOLLYWOOD	North Ward
CR TOM McLEAN, JP	North Ward – <i>Deputy Mayor</i> <i>Absent from 7.26pm to 7.27pm</i>
CR PHILIPPA TAYLOR	North Central Ward
CR NIGE JONES	North Central Ward
CR RUSSELL POLIWKA	Central Ward
CR CHRISTINE HAMILTON-PRIME	South-West Ward
CR MIKE NORMAN	South-West Ward
CR JOHN CHESTER	South-East Ward
CR JOHN LOGAN	South-East Ward
CR RUSS FISHWICK, JP	South Ward
CR SOPHIE DWYER	South Ward

**Officers:**

MR GARRY HUNT	Chief Executive Officer	<i>Absent from 7.30pm to 7.31pm</i>
MR MIKE TIDY	Director Corporate Services	
MR JAMIE PARRY	Director Governance and Strategy	
MS DALE PAGE	Director Planning and Community Development	
MR NICO CLAASSEN	Director Infrastructure Services	
MR BRAD SILLENC	Manager Governance	
MR JOHN CORBELLINI	Manager Planning Services	
MR DANIEL DAVINI	Media Advisor	
MR JOHN BYRNE	Governance Coordinator	
MRS LESLEY TAYLOR	Governance Officer	
MRS DEBORAH GOUGES	Governance Officer	

There were 28 members of the public and one member of the press in attendance.

## DECLARATIONS OF INTEREST

### Disclosures of Financial / Proximity Interest

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

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No./Subject</b>	CJ181-11/15 – Change of Use from Showroom to Shop at Lot 5010 (13) Hobsons Gate, Currambine.
<b>Nature of interest</b>	Proximity Interest.
<b>Extent of Interest</b>	Cr McLean lives within 100 metres of the showroom.

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer.</b>
<b>Item No./Subject</b>	CJ193-11/15 - Request for Annual Leave – Chief Executive Officer.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Hunt holds the position of Chief Executive Officer.

### Disclosures of interest affecting impartiality

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

<b>Name/Position</b>	<b>Cr Sophie Dwyer.</b>
<b>Item No./Subject</b>	CJ180-11/15 – Proposed Car Park and Pick-up/Drop-off Facility at St Mark's Anglican Community School at Lot 181 (20) St Marks Drive, Hillarys.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	<ul style="list-style-type: none"> <li>Cr Dwyer's children are registered to be enrolled to attend St Mark's Anglican Community School.</li> <li>A board member of the Anglican Schools Commission is known to Cr Dwyer.</li> </ul>

<b>Name/Position</b>	<b>Cr Kerry Hollywood.</b>
<b>Item No./Subject</b>	CJ194-11/15 – Tender 029/15 – Civil Works for Ocean Reef Road Carriageway Duplication.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A director of Ertech Pty Ltd is known to Cr Hollywood.

<b>Name/Position</b>	<b>Mr Nico Claassen, Director Infrastructure Services.</b>
<b>Item No./Subject</b>	CJ194-11/15 – Tender 029/15 – Civil Works for Ocean Reef Road Carriageway Duplication.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A director of one of the tenderers is personally known to Mr Claassen.

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No./Subject</b>	CJ197-11/15 – Sports Development Program – Round 1 2015-16.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Pickard is a member of the Whitford Hockey Club.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No./Subject</b>	CJ197-11/15 – Sports Development Program – Round 1 2015-16.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime is a former member of the Whitford Hockey Club.

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No./Subject</b>	CJ198-11/15 – Request for Additional Subsidies – Facility Hire Subsidy Policy.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	<ul style="list-style-type: none"> <li>Mayor Pickard is a patron of the Joondalup Lakers Hockey Club.</li> <li>A representative of the WA Sky Pirate Paramotor Club is a neighbour of Mayor Pickard.</li> </ul>

## PUBLIC QUESTION TIME

The following questions were taken on notice at the Council meeting held on 6 October 2015:

**Mr R Repke, Kallaroo:**

*Re: Restrictive Covenants to protect trees.*

*As the Mayor has confirmed the City can add restrictive covenants to a piece of land and prior to sale to protect trees:*

- Q1 *Why has that option not been explained as a possible protection before?*
- Q2 *Why has no tree been protected so far among all the lots that were sold and the funds placed into a reserve for the not yet approved Performing Arts Centre?*
- Q3 *Can such a restrictive covenant be placed onto Lot 23 (77) Gibson Avenue, Padbury, as condition of the sale?*
- Q4 *If the City is serious in protecting large trees, would such a restrictive covenant not be the way to go even if that reduced the sale price?*
- A1-4 The primary consideration in the disposal of public land is value and this also was an essential element of the land disposal strategy and a primary consideration in the disposal for this lot.

It was considered that imposing conditions in the contract of sale for the preservation of particular trees on the lot was not practical or appropriate.

Arborist reports are obtained where it is considered a tree may have specific amenity and environmental value, however some of these reports do not support retention of a tree where it is considered unstable or presents a risk to the public.

Placing a restrictive covenant over trees in such condition is highly undesirable given the significance of the potential for harm or injury to persons or property.

**The following questions were taken on notice at the Special Council meeting held on 9 November 2015:**

**Mr J Tuson, Spine and Limb Foundation:**

*Re: JSC04-11/15 – Local Government and Public Property Amendment Local Law 2015 – Adoption.*

*Q1 The City of Joondalup Charity Collection Day held on 19 September 2015 at Craigie Leisure Centre and the Council car park reportedly collected 2.9 tonnes of clothing and textiles for two charities involved. Can the City advise the total cost to ratepayers for the planning and execution of this event?*

*A1 There were no costs for planning the drop-off day which was incorporated into normal officer hours and based on the City's existing e-waste days model. The total staff costs were approximately \$5,800.*

*Q2 For the same event, can the City advise how many City employees were required to be working on the day to manage traffic flow and other aspects of the event?*

*A2 There were 12 staff involved, including assistance with unloading and sorting, undertaking a survey of people dropping clothing and materials off and traffic management.*

*Q4 The City has stated that there is an administrative cost incurred in dealing with complaints about charity bins on public land. Can the City advise the total of this administrative cost for the past 12 months?*

*A4 Over the course of 12 months the City incurred approximately \$2,100 in administrative costs.*



**The following questions were submitted prior to the Council meeting on 23 November 2015:**

**Mr R Repke, Kallaroo:**

*Re: Significant Tree Register.*

*Q1 How many trees have so far been checked and approved to be listed as Significant Trees?*

*A1 To date, nine trees have been nominated and progressed for an independent arboricultural significance report.*

*Q2 Can the Significant Trees Register be made a clearly visible individual item which should be the case if the City intends to profile the register?*

*A2 The intent is to have the City's Significant Tree Register accessible on the City's public website.*

*Q3 How many trees have been planted per year over the last five years and how many of those have died?*

*A3 The City estimates 5,651 trees have been planted in the last five years. This consists of:*

Year	Number
2010	737
2011	401
2012	633
2013	1,182
2014	1,110
2015	1,588

It is difficult to calculate how many of these trees planted in the last five years, have died.

*Q4 Why have these trees died?*

*A4 The main reason why the trees did not survive was due to vandalism.*

*Q5 When will the City do a heat profiling of the City's canopy and from thereon on a continuous basis as the City of Stirling does?*

*A5 The City's current heat profiling includes the following:*

- 1 Acquiring CSIRO data from previous years on the urban heat map to establish history.*
- 2 Engaging a contractor to acquire 2015 imagery and for the process, analysis and reporting of urban heat island map within the City of Joondalup and extraction of average land-surface temperatures for each suburb.*
- 3 Engaging a contractor to acquire 2015 imagery and for the process, analysis and reporting on the height-stratified canopy cover of the entire City, each suburb and CBD.*

**Mr A Carlone, Tuart Hill:**

*Re: Local Housing Strategy.*

*Q1 How many residents have taken up the Council's local housing strategy for increasing the housing density from R20 to R40?*

*A1 Prior to residents being able to develop at the higher densities, an amendment to the City's District Planning Scheme No. 2 to implement the dual densities is required to be approved by the Minister for Planning and published in the Government Gazette. The City forwarded a scheme amendment to the Western Australian Planning Commission at the end of April 2015, however, the Minister for Planning is yet to determine the amendment. Residents are unable to take advantage of the dual density coding until such time as the scheme amendment is adopted by the Minister and published in the Government Gazette.*

*Q2 Are there any plans for expanding the area of the local housing strategy depending on the success/failure of residents to increase the dwelling density in the targeted areas?*

*A2 There are currently no plans to expand the Housing Opportunity Areas. However, the City is required to review the Local Housing Strategy every five years.*

*Q3 Can residents apply for exceptions to be included into the rezoning areas if their property is just outside the rezoning areas? (for example applying to be rezoned R30 from R20).*

*A3 A scheme amendment to implement the recommendations of the City's current Local Housing Strategy has already been developed and was forward to the Western Australian Planning Commission at the end of April 2015. This scheme amendment aligned exactly with the increased densities set out in the Local Housing Strategy. The City is not supportive of ad-hoc scheme amendments to change the boundaries of Housing Opportunity Areas and believes this should only be done as a broader review of the Local Housing Strategy at the appropriate time.*

## **PUBLIC STATEMENT TIME**

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

**Mrs A Odina, Connolly:**

*Re: CJ200-11/15 - Petition Seeking Approval to Install a Memorial Plaque at Iluka Beach.*

Mrs Odina spoke in favour of the installation of a memorial plaque at Iluka Beach in memory of her son Daniel Odina.

**Ms D Bradley, Craigie:**

*Re: CJ201-11/15 - Petition of Electors Requesting Improvement to Facilities at Camberwarra Park, Craigie.*

Ms Bradley spoke in favour of improvements to the facilities at Camberwarra Park, Craigie urging Council to implement the project.

**Mr R Repke, Kallaroo:**

*Re: CJ180-11/15 - Proposed Car Park and Pick-Up/Drop-Off Facility at St Mark's Anglican Community School at Lot 181 (20) St Marks Drive, Hillarys.*

Mr Repke spoke in favour of the construction of a bridge across Whitfords Avenue and Endeavour Road. Mr Repke felt the construction of a bridge would reduce traffic, the use of parking bays at Whitfords Shopping Centre, Bunnings and the school and would also reduce the risk of accidents.

**Mr J Pereira, Warwick:**

*Re: CJ199-11/15 - Community Consultation for Proposed Upgrades to Ellersdale Park, Warwick.*

Mr Pereira spoke in favour of the upgrades at Ellersdale Park, Warwick urging Council to vote in favour of allowing the project to proceed.

**APOLOGIES AND LEAVE OF ABSENCE****Leave of Absence previously approved**

Cr Liam Gobbert	22 November to 23 November 2015 inclusive;
Cr Mike Norman	7 December to 11 December 2015 inclusive;
Cr Liam Gobbert	10 December to 15 December 2015 inclusive;
Cr John Chester	30 November 2015 to 8 December 2015 inclusive;
Cr Nige Jones	14 December to 18 December 2015 inclusive;
Cr Mike Norman	21 February to 5 March 2016 inclusive.

**C68-11/15****REQUESTS FOR LEAVE OF ABSENCE – CRS RUSSELL POLIWKA,  
JOHN LOGAN AND NIGE JONES - [104767]**

Cr Russell Poliwka requested Leave of Absence from Council duties covering the period 26 December 2015 to 6 January 2016 inclusive.

Cr John Logan requested Leave of Absence from Council duties covering the period 4 January to 10 January 2016 inclusive.

Cr Nige Jones requested Leave of Absence from Council duties covering the period 24 January to 26 January 2016 inclusive.

**MOVED** Cr Hollywood, **SECONDED** Cr Logan that Council **APPROVES** the Requests for Leave of Absence from Council Duties covering the following dates:

- |          |                           |  |
|----------|---------------------------|--|
| <b>1</b> | <b>Cr Russell Poliwka</b> | <b>26 December 2015 to 6 January 2016 inclusive;</b> |
| <b>2</b> | <b>Cr John Logan</b>      | <b>4 January to 10 January 2016 inclusive;</b>       |
| <b>3</b> | <b>Cr Nige Jones</b>      | <b>24 January to 26 January 2016 inclusive.</b>      |

**The Motion was Put and****CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

**CONFIRMATION OF MINUTES****OFFICER'S RECOMMENDATION****MINUTES OF COUNCIL MEETING HELD 6 OCTOBER 2015**

That the Minutes of the Council Meeting held on 6 October 2015 be CONFIRMED as a true and correct record.

**MINUTES OF SPECIAL COUNCIL MEETING HELD 20 OCTOBER 2015**

That the Minutes of the Special Council Meeting held on 20 October 2015 be CONFIRMED as a true and correct record.

**MINUTES OF SPECIAL COUNCIL MEETING HELD 3 NOVEMBER 2015**

That the Minutes of the Special Council Meeting held on 3 November 2015 be CONFIRMED as a true and correct record.

**MINUTES OF SPECIAL COUNCIL MEETING HELD 9 NOVEMBER 2015**

That the Minutes of the Special Council Meeting held on 9 November 2015 be CONFIRMED as a true and correct record.

**C69-11/15****MINUTES OF ORDINARY MEETING OF COUNCIL HELD  
6 OCTOBER AND SPECIAL MEETINGS OF COUNCIL HELD  
20 OCTOBER, 3 NOVEMBER AND 9 NOVEMBER 2015**

**MOVED** Cr McLean, **SECONDED** Cr Chester that the Minutes of the following meetings of Council be CONFIRMED as a true and correct record:

- 1 Ordinary meeting of Council held on 6 October 2015;**
- 2 Special meeting of Council held on 20 October 2015;**
- 3 Special meeting of Council held on 3 November 2015;**
- 4 Special meeting of Council held on 9 November 2015.**

**The Motion was Put and****CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

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

### **City Summer Events Calendar**

Mayor Pickard announced the City's popular summer events started, noting that thousands of local residents had already enjoyed the outstanding free and family-friendly entertainment on offer.

Mayor Pickard stated the Little Feet Festival drew over 7,000 people to the ECU Joondalup campus late last month, while the City's first Music in the Park concert for 2015-16 was held last Saturday night at the picturesque Central Park in the Joondalup City Centre.

Mayor Pickard advised beginning last weekend was the 2015 Joondalup Twilight Markets, which will be held for another four consecutive Friday evenings from 5.30pm to 9.00pm in Central Walk.

Mayor Pickard was pleased to see almost 5,000 people flock to the City Centre last weekend for the Twilight Markets and Music in the Park.

Mayor Pickard advised the summer events calendar, which runs until the end of March 2016, offers a fantastic variety of events so the community has access to outstanding entertainment in their backyard.

Mayor Pickard noted information on all summer events is available on the City's website or through the City's Facebook and Twitter pages.

### **Annual General Meeting of Electors**

Mayor Pickard advised the City's Annual General Meeting of Electors for 2015 would be held on Tuesday 15 December 2015 in the Council Chambers.

Mayor Pickard informed the meeting will start at 5.30pm and encouraged members of the community to attend as it is a great opportunity to see what was achieved by the City in the last financial year and ask questions about the City's performance.

Mayor Pickard stated the City's Annual Report will also be received, together with the Annual Financial Statements and Auditor's Report and a video presentation highlighting achievements in the 2014-15 financial year would be shown.

### **Climate Change Strategy Showcased at COP21**

Mayor Pickard announced the City of Joondalup's *Climate Change Strategy 2014-2019* would be featured at the upcoming global climate change summit, COP21, in Paris, where delegates from across the world are brought together to address issues associated with global warming.

Mayor Pickard stated with the eyes of the world on Joondalup, it proves the City is a global leader in environmental management, working closely with its local community to protect and enhance its natural areas.

Mayor Pickard advised he would be attending COP21, noting that it is an honour for the City's Climate Change Strategy to be showcased to an audience of world leaders, underlining the fact that our City is recognised as a bold, creative and prosperous City on the global stage.

Mayor Pickard hoped the model of the City's Climate Change Strategy, which is unique, as it combines both mitigation and adaptation strategies, could be applied in local governments and cities across the world to enable the facilitation of climate action.

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

Nil.

#### **PETITIONS**

Nil.

**REPORTS****CJ179-11/15 DEVELOPMENT, R-CODE, AND SUBDIVISION APPLICATIONS – SEPTEMBER 2015**

<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 – September 2015 Attachment 2 Monthly Subdivision Applications Processed – September 2015 Attachment 3 Monthly Building R-Code Applications Decision – September 2015
<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 during September 2015.

**EXECUTIVE SUMMARY**

Prior to the *Planning and Development (Local Planning Schemes) Regulations 2015* taking effect from 19 October 2015, clause 8.6 of *District Planning Scheme No. 2 (DPS2)* allowed Council to delegate all or some of its development control powers to 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 September 2015 (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

At its meeting held on 21 October 2014 (CJ180-10/14 refers), Council considered and adopted the Town Planning Delegations via its review of the Register of Delegation of Authority.

At its meeting held on 6 October 2015 (CJ167-10/15 refers), Council considered and adopted changes to the delegations necessitated by the *Planning and Development (Local Planning Schemes) Regulations 2015* taking effect from 19 October 2015. These delegations took effect from 19 October 2015.

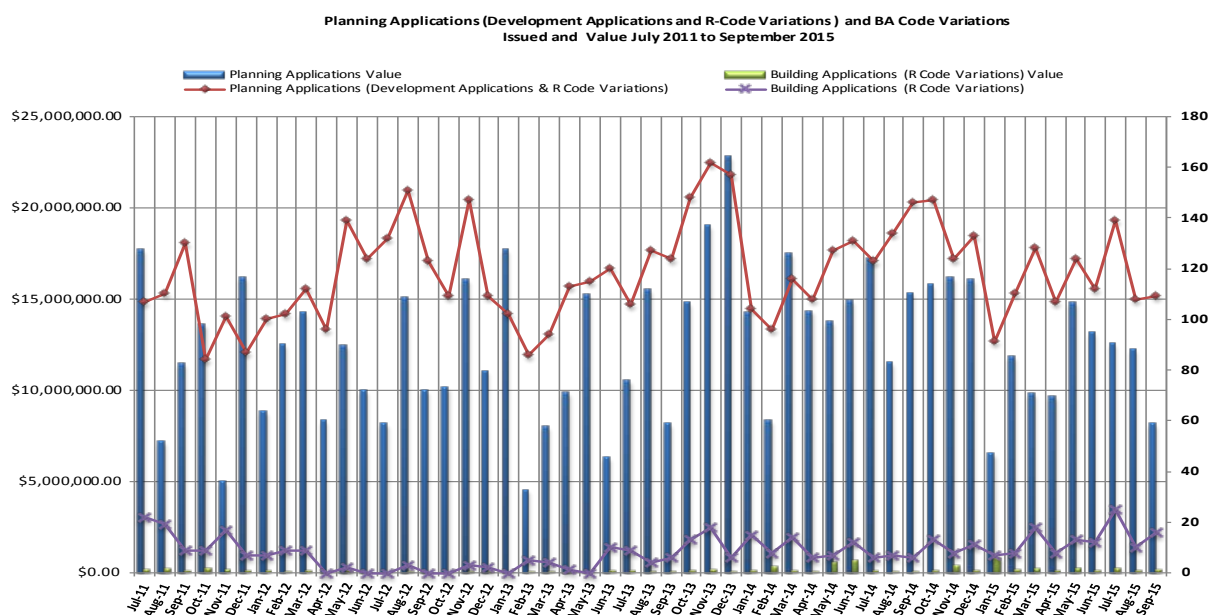
As this report relates to decisions made during September 2015, decisions on these applications were made under the delegations adopted by Council on 21 October 2014.

## DETAILS

The number of applications determined under delegated authority during September 2015 is shown in the table below:

Applications determined under delegated authority – September 2015		
Type of Application	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	109	\$ 8,108,321
Building applications (R-Codes applications)	16	\$ 146,495
<b>TOTAL</b>	<b>125</b>	<b>\$ 8,254,816</b>

The total number and value of planning and building R-Code applications determined between July 2011 and September 2015 is illustrated in the graph below:



The number of planning applications received during September was 125. 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 September was 267. Of these, 64 were pending additional information from applicants, and 17 were being advertised for public comment.

In addition to the above, 262 building permits were issued during the month of September with an estimated construction value of \$24,384,816.

The number of subdivision and strata subdivision referrals processed under delegated authority during September 2015 is shown in the table below:

<b>Subdivision referrals processed under delegated authority for September 2015</b>		
<b>Type of referral</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	0	0
Strata subdivision applications	4	8

### **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 permitted 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.

This function of DPS2 has subsequently been superseded by the *Planning and Development (Local Planning Schemes) Regulations 2015*, which came into effect from 19 October 2015.

As the determination of the applications the subject of this report was made prior to 19 October 2015, the delegations in accordance with Clause 8.6 of DPS2 applied to these applications.

**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 125 applications were determined for the month of September with a total amount of \$44,366 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 have been required by the provisions of the R-Codes, any relevant policy and/or DPS2.

Of the 109 planning applications determined during September 2015 consultation was undertaken for 32 of those applications. R-Codes applications for assessment against the applicable Design Principles, 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 Services. The four subdivision applications processed during September 2015 were not advertised for public comment.

**COMMENT**

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

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

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Logan 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 CJ179-11/15 during September 2015;**
- 2 Subdivision applications described in Attachment 2 to Report CJ179-11/15 during September 2015;**
- 3 Building Residential Design Code applications described in Attachment 3 to Report CJ179-11/15 during September 2015.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf091115.pdf](#)*

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Sophie Dwyer.</b>
<b>Item No./Subject</b>	CJ180-11/15 – Proposed Car Park and Pick-up/Drop-off Facility at St Mark's Anglican Community School at Lot 181 (20) St Marks Drive, Hillarys.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	<ul style="list-style-type: none"> <li>Cr Dwyer's children are registered to be enrolled to attend St Mark's Anglican Community School.</li> <li>A board member of the Anglican Schools Commission is known to Cr Dwyer.</li> </ul>

## CJ180-11/15      PROPOSED CAR PARK AND PICK-UP/DROP-OFF FACILITY AT ST MARK'S ANGLICAN COMMUNITY SCHOOL AT LOT 181 (20) ST MARKS DRIVE, HILLARYS

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	06377, 101515
<b>ATTACHMENT</b>	Attachment 1      Location plan Attachment 2      Development plans Attachment 3      Development perspectives
<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 a car park addition and pick-up/drop-off facility at St Mark's Anglican Community School (St Mark's) at Lot 181 (20) St Marks Drive, Hillarys.

**EXECUTIVE SUMMARY**

An application for development approval has been received for a 23 bay car park and pick-up/drop-off facility with access off Whitfords Avenue to St Mark's at Lot 181 (20) St Marks Drive, Hillarys.

The City's *District Planning Scheme No. 2* (DPS2) requires a three metre wide landscaping strip where a car parking area abuts a street. However, the application does not propose to have a landscape strip between the proposed car park addition and the Whitfords Avenue road reserve. Further to this, a retaining wall to a maximum height of 1.9 metres is proposed along the northern boundary of the site. As the retaining wall setback does not meet the

DPS2 requirement by more than 1.5 metres and no landscaping strip is proposed, the application is required to be determined by Council.

As Whitfords Avenue is designated an Other Regional Road (ORR) under the *Metropolitan Region Scheme* (MRS), the proposal was referred to the Department of Planning (DoP) for comment. While DoP had no objections on technical transport grounds, it raised concerns that the development was not in accordance with the objectives of *Development Control Policy 5.1 Regional Roads (Vehicular Access)* (DCP 5.1), and, as such, the facility would need to be integrated with the future street proposed west of Endeavor Drive in the draft *Whitfords Activity Centre Structure Plan* (WACSP).

In response to the above, the applicant requested that the draft WACSP wording be amended to require an eventual public road connection to be provided by the school between the new roundabout opposite Belrose Entrance and the eastern boundary of St Mark's. At its meeting held on 15 September 2015 (CJ153-09/15 refers) Council adopted the WACSP with this provision included.

The applicant has also provided additional concept plans demonstrating that the proposed facility will not preclude the ability for a future public road connection to be provided, with priority given to this public road from the roundabout (Attachment 3 refers). Based on these plans and the amended wording to the WACSP, the DoP has confirmed that it is satisfied that the future public road in the school area will occur in due course and, as such, the current application is satisfactory.

Further to the above, the lack of a formal landscaping strip and the reduced retaining wall setback are considered to be minor in nature and will not have a detrimental impact on the existing streetscape or locality.

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

## BACKGROUND

<b>Suburb/Location</b>	Lot 181 (20) St Marks Drive, Hillarys.
<b>Applicant</b>	Oakley Architecture.
<b>Owner</b>	The Anglican Schools Commission Inc.
<b>Zoning</b>	<b>DPS</b> Private Clubs/Recreation.
	<b>MRS</b> Urban.
<b>Site area</b>	10.719 ha.
<b>Structure plan</b>	Draft <i>Whitford Activity Centre Structure Plan</i> .

The subject site is bound by Whitfords Avenue to the north, residential properties to the west and south, and commercial development to the east, with vehicle access from Endeavour Road and St Marks Drive (Attachment 1 refers).

The site is zoned 'Urban' under the *Metropolitan Region Scheme* (MRS) and 'Private Clubs/Recreation' under DPS2.

At its meeting held on 15 September 2015 (CJ153-09/15 refers), Council endorsed the draft *Whitfords Activity Centre Structure Plan* (WACSP) following public consultation. The draft structure plan has been submitted to the Western Australian Planning Commission (WAPC) for adoption and certification. The subject site is located within the proposed Education and Civic District in the WACSP.

Due to increasing traffic flows along Whitfords Avenue, the City is currently in the process of widening Whitfords Avenue to four lanes. As part of these works, the City is looking to construct a new roundabout opposite Belrose Entrance. The proposed car park and pick-up/drop-off facility will have access off a fourth leg of this future roundabout.

Whitfords Avenue is designated an ORR under the MRS. As such, in accordance with the Notice of Delegation published in the *Government Gazette* No. 83 on 10 June 2014, the application was referred to the DoP for comment.

## **DETAILS**

This applicant proposes the creation of a car park and pick-up/drop-off facility for St Mark's with access off a fourth leg of the future roundabout opposite Belrose Entrance.

The Whitfords Avenue verge adjacent to St Mark's was previously being used as an informal pick-up/drop-off zone by parents of students who attended the school. The applicant has stated that the current works to the Whitfords Avenue – Belrose Entrance junction have removed the ability for safe verge parking. As such, the applicant has indicated that a formal pick-up/drop-off facility is required to be constructed to provide appropriate pick-up/drop-off opportunities at the school and, thereby, improve safety for pedestrians and road users.

The proposal consists of the following:

- A single entry and exit lane accessing the site off the proposed new roundabout at Belrose Entrance.
- A long queuing lane for pick-up/drop-off sufficient to accommodate 18 vehicles.
- 22 angled parking spaces, including one ACROD space.

The development proposes a nil landscaping strip width in lieu of the minimum width of three metres required by DPS2 where a car park abuts a street.

A retaining wall to a maximum height of 1.9 metres is also proposed along the northern boundary. This retaining wall will enable the facility to achieve acceptable grades for vehicles and allow pedestrian access to the facility via the existing raised area adjacent to the existing tennis courts. Under DPS2 retaining walls are considered buildings and therefore are subject to the same building setback requirement of three metres from a street boundary where it is not considered the street frontage. However, the retaining wall has a nil setback to the street boundary.

## **Issues and options considered**

Council is required to consider whether the proposed car park and pick-up/drop-off facility is appropriate.

Council may determine an application for development approval by:

- granting development approval without conditions
- granting development approval with conditions
- or
- refusing to grant development approval.

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

*City of Joondalup District Planning Scheme No. 2 (DPS2).  
Planning and Development (Local Planning Schemes)  
Regulations 2015 (the Regulations).  
Draft Whitfords Activity Centre Structure Plan.*

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

Quality Urban Environment.

**Objective**

Quality built outcomes.

**Strategic initiative**

Building and landscape is suitable for the immediate environment and reflect community values.

**Policy**

*Development Control Policy 5.1 Regional Roads (Vehicular Access).*

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

Clause 3.9 of DPS2 sets out the objective for development within the 'Private Clubs and Recreation' zone:

3.9 *The Private Clubs/ Recreation Zone*

*The objective of the Private Clubs/Recreation Zone is to accommodate uses such as private golf clubs, private educational, institutional and recreational activities.*

Clause 4.5 of DPS2 allows for certain standards and requirements of the scheme to be varied by Council.

## 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, 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 64 of the deemed provisions 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 67 of the deemed provisions; 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.*

*Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).*

Clause 67 of Schedule 2 of the Regulations sets out the matters to be considered by Council when determining an application for development approval.

*In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application:*

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or. any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) any policy of the Commission;*
- (f) any policy of the State;*
- (g) any local planning policy for the Scheme area;*
- (h) any structure plan, activity centre plan or local development plan that relates to the development;*
- (i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (k) the built heritage conservation of any place that is of cultural significance;*
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;*

- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following:*
  - (i) *environmental impacts of the development;*
  - (ii) *the character of the locality;*
  - (iii) *social impacts of the development;*
- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of:*
  - (i) *the proposed means of access to and egress from the site; and*
  - (ii) *arrangements for the loading, unloading, maneuvering and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *the availability and adequacy for the development of the following:*
  - (i) *public transport services;*
  - (ii) *public utility services;*
  - (iii) *storage, management and collection of waste;*
  - (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
  - (v) *access by older people and people with disability;*
- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*
- (w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*

(zb) *any other planning consideration the local government considers appropriate.*

**Development Control Policy 5.1 Regional Roads (Vehicular Access) (DCP 5.1)**

DCP 5.1 is a state operational policy that sets out the principles to be applied when considering proposals for vehicle access to or from developments abutting regional roads. The objectives of the policy are as follows:

- *To outline planning principles to be applied in the determination of proposals for vehicle access to regional roads.*
- *To ensure that vehicle access to regional roads and the type of abutting developments is controlled and conforms with sound town planning principles.*
- *To improve traffic flow and safety on all regional roads, either new or existing, by minimising the number of junctions or driveways.*

**Risk management considerations**

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

**Financial / budget implications**

The applicant has paid fees of \$2,422.17 (excluding GST) in accordance with the Schedule of Fees and Charges, to cover all costs associated with assessing the application.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Clause 64 of the deemed provisions of the regulations states that public consultation is not required to be undertaken where the local government is satisfied that the departure from the requirements of the scheme is of a minor nature. In this instance, the variations to DPS2 were not considered to impact the surrounding landowners. As such, public comment has not been sought.

The City referred the application to the DoP for comment as the proposal seeks access off Whitfords Avenue, which is designated an ORR under the MRS. The DoP provided transport comments on the proposal which is summarised below:

*“The proposal to build this pick up/drop off facility seeks a fourth access point for the school off the highest order road (District Distributor - Whitfords Avenue) which is an ORR for regional traffic. This is not considered to be in accordance with the Commission's Regional Roads (Vehicular Access) Policy D.C. 5.1 which seeks to minimise the number of new access points onto regional roads and rationalise existing access arrangements.*

*It is noted from the Draft Whitford Activity Centre Structure Plan (dated March 2015), that a new street/road is being proposed within the Endeavour District west of Endeavour Drive within proximity to this proposal.*

*It is DoP's view that the proposed pick up/drop off facility should be integrated with this future access street if possible. The proposed access street could connect to the proposed roundabout via the school site rather than the facility alone being constructed off the proposed roundabout."*

The City has since liaised with the applicant, DoP and the proponents of the WACSP to address the issues raised. As a result of discussions held, it was determined that the draft WACSP wording would be amended to require an eventual public road connection between the new roundabout and the eastern boundary of St Mark's. This road will be provided by St Mark's prior to completion of any development on the oval in the north-eastern portion of the school, excluding minor development, and will eventually connect with the future public road in the Endeavour District of the WACSP.

The applicant also provided an additional plan with a possible conceptual design for the future public road link through St Mark's. A further plan was also provided to show a possible long term solution which removes the current access proposed and replaces it with an east bound road with complete priority given to road users.

Based on these plans, the DoP has confirmed that it is satisfied that, with the amendment to the WACSP, the future public road in the school area will occur in due course and, as such, the current application can proceed.

## **COMMENT**

### Landscape strip

DPS2 requires a three metre wide landscape strip to be designed, developed and maintained to the satisfaction of the City where a car parking area abuts a street. However, the proposal does not include a landscaping strip along the northern boundary, where the car park abuts Whitfords Avenue. Rather, it proposes a concrete pedestrian path along the boundary to provide safe pedestrian movement around the facility from Whitfords Avenue to the school. It is noted, however, that large trees are proposed to be planted at intervals of around 12.6 metres within this path to provide shade and shelter to pedestrians and users of the car park. These trees will also soften views of the development from Whitfords Avenue and reduce the visual impact of the car park on the locality. Further to this, the City will be undertaking landscaping works along Whitfords Avenue which will also serve to soften views to the development. As such, the lack of a three metre wide landscaping strip is considered to have a minimal impact on both the overall development and on the existing streetscape.

### Retaining wall

Only part of the proposed retaining wall will reach a maximum height of 1.9 metres. As only visually permeable fencing will be placed atop this part of the wall, it will not appear to dominate or present a continuous blank façade to the Whitfords Avenue streetscape. Further to this, the City will be undertaking landscaping works along Whitfords Avenue which will serve to soften views of the retaining wall from the street, as shown in Attachment 3.

### Department of Planning comments

DCP 5.1 seeks to minimise the creation of new junctions or driveways on regional roads and rationalise existing access arrangements. As such, the creation of a new access from Whitfords Avenue for a private road does not provide any public benefit. Accordingly, concerns were raised by the City and DoP regarding the compliance of the proposal with DCP 5.1.

In response to this, the applicant has provided concept plans presenting a future scenario whereby a public road connection is provided between St Mark's and the adjoining lot to the east as a means of rationalising access to the regional road.

It is acknowledged that the proposed public street shown in the Endeavor District of the WACSP may not be developed for a number of years. As such, the proposed facility is acceptable as an interim solution, with the modification to the WACSP wording requiring the future public road to be constructed prior to completion of any development on the school's oval. The eventual future road will improve access and permeability for movements between the lots for both public use and the school's traffic. As such, it is considered that the intent of DCP 5.1 will be met. The DoP has now provided comments of support for the proposal.

### WACSP

The draft WACSP has been endorsed by Council following public consultation and submitted to the WAPC for adoption and certification. The development will not be prejudicial to future development, including built form or subdivision that may be undertaken in accordance with the draft WACSP.

### Conclusion

The development requirements of DPS2 are generally met by the proposal, with the exception of those discretions discussed above. It is considered, however, that the proposal will have no impact on the amenity of Whitfords Avenue and will not hinder the provision of a future public road across the site, as required by the WACSP.

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

## **VOTING REQUIREMENTS**

Simple Majority.

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

- 1 EXERCISES discretion under clause 4.5.1 of the *City of Joondalup District Planning Scheme No. 2* and determines that:**
  - 1.1 building (retaining wall) setback from the street boundary of nil in lieu of three metres;**
  - 1.2 no landscaping strip where the car parking area abuts Whitfords Avenue,**

**are appropriate in this instance;**
- 2 APPROVES under clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2* the application for development approval, dated 16 February 2015 submitted by Oakley Architects on behalf of the owner, The Anglican Schools Commission Inc, for proposed car park and pick-up/drop-off facility to an existing 'Educational Establishment' at Lot 181 (20) St Marks Drive, Hillarys, subject to the following conditions:**
  - 2.1 a Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:**
    - 2.1.1 all forward works for the site;**
    - 2.1.2 the delivery of materials and equipment to the site;**
    - 2.1.3 the storage of materials and equipment on the site;**
    - 2.1.4 the parking arrangements for the contractors and subcontractors;**
    - 2.1.5 the management of sand and dust during the construction process;**
    - 2.1.6 the management of noise during the construction process;**
    - 2.1.7 other matters likely to impact on the surrounding properties,**

**and all works shall be undertaken in accordance with the approved plan;**
  - 2.2 an on-site stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval prior to the commencement of development. Works shall be undertaken in accordance with the approved plans;**
  - 2.3 the car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), prior to the occupation of the development. These bays are to be thereafter to the satisfaction of the City;**
  - 2.4 detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:**

- 2.4.1 be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - 2.4.2 provide all details relating to paving, treatment of verges and tree planting in the car park;
  - 2.4.3 show spot levels and/or contours of the site;
  - 2.4.4 be based on water sensitive urban design principles to the satisfaction of the City;
  - 2.4.5 be based on Designing out Crime principles to the satisfaction of the City;
  - 2.4.6 show all irrigation design details;
- 2.5 landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the car park first being utilised and thereafter maintained to the satisfaction of the City;
- 2.6 car parking shade trees shall be installed within the car park tree wells indicated on the approved plans and shall be installed prior to the car park first being utilised.

**AMENDMENT MOVED** Cr Norman, **SECONDED** Cr Hamilton-Prime that Part 2.4 of the Motion be amended to read as follows:

- “2.4 Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) of the development site and the adjoining road verge(s) to sufficiently screen the proposed retaining wall to the satisfaction of the City, and shall:***
- 2.4.1 Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;***
  - 2.4.2 Show spot levels and/or contours of the site;***
  - 2.4.3 Provide all details relating to paving, treatment of verges and tree planting in the car park;***
  - 2.4.4 Provide landscaping of a sufficient height and density to screen the retaining wall as viewed from Whitfords Avenue;***
  - 2.4.5 Be based on water sensitive urban design principles to the satisfaction of the City;***
  - 2.4.6 Be based on Designing out Crime principles to the satisfaction of the City;***
  - 2.4.7 Show all irrigation design details;”***

**The Amendment was Put and**

**CARRIED (12/0)**

**In favour of the Amendment:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

The Original Motion as amended, being:

That Council:

- 2 EXERCISES discretion under clause 4.5.1 of the *City of Joondalup District Planning Scheme No. 2* and determines that:

- 2.1 building (retaining wall) setback from the street boundary of nil in lieu of three metres;
- 2.2 no landscaping strip where the car parking area abuts Whitfords Avenue,

are appropriate in this instance;

- 2 APPROVES under clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2* the application for development approval, dated 16 February 2015 submitted by Oakley Architects on behalf of the owner, The Anglican Schools Commission Inc, for proposed car park and pick-up/drop-off facility to an existing 'Educational Establishment' at Lot 181 (20) St Marks Drive, Hillarys, subject to the following conditions:

- 2.2 a Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:

- 2.1.1 all forward works for the site;
- 2.1.2 the delivery of materials and equipment to the site;
- 2.1.3 the storage of materials and equipment on the site;
- 2.1.4 the parking arrangements for the contractors and subcontractors;
- 2.1.5 the management of sand and dust during the construction process;
- 2.1.6 the management of noise during the construction process;
- 2.1.7 other matters likely to impact on the surrounding properties,

and all works shall be undertaken in accordance with the approved plan;

- 2.2 an on-site stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval prior to the commencement of development. Works shall be undertaken in accordance with the approved plans;

- 2.3 the car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), prior to the occupation of the development. These bays are to be thereafter to the satisfaction of the City;



- 2.4 Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) of the development site and the adjoining road verge(s) to sufficiently screen the proposed retaining wall to the satisfaction of the City, and shall:**
- 2.4.1 Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;**
  - 2.4.2 Show spot levels and/or contours of the site;**
  - 2.4.3 Provide all details relating to paving, treatment of verges and tree planting in the car park;**
  - 2.4.4 Provide landscaping of a sufficient height and density to screen the retaining wall as viewed from Whitfords Avenue;**
  - 2.4.5 Be based on water sensitive urban design principles to the satisfaction of the City;**
  - 2.4.6 Be based on Designing out Crime principles to the satisfaction of the City;**
  - 2.4.7 Show all irrigation design details;**
- 2.5 landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the car park first being utilised and thereafter maintained to the satisfaction of the City;**
- 2.6 car parking shade trees shall be installed within the car park tree wells indicated on the approved plans and shall be installed prior to the car park first being utilised.**

**Was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf091115.pdf](#)*

**Disclosure of Proximity Interest**

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No./Subject</b>	CJ181-11/15 – Change of Use from Showroom to Shop at Lot 5010 (13) Hobsons Gate, Currambine.
<b>Nature of interest</b>	Proximity Interest.
<b>Extent of Interest</b>	Cr McLean lives within 100 metres of the showroom.

*Cr McLean left the Chamber at 7.26pm.*

## **CJ181-11/15      CHANGE OF USE FROM SHOWROOM TO SHOP AT LOT 5010 (13) HOBSONS GATE, CURRAMBINE**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	105035, 101515
<b>ATTACHMENT</b>	Attachment 1      Location plan Attachment 2      Development plans Attachment 3      Car parking plan
<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 a change of use from 'Showroom' to 'Shop' at Lot 5010 (13) Hobsons Gate, Currambine.

**EXECUTIVE SUMMARY**

An application for development approval has been received for a change of use from 'Showroom' to 'Shop' at Lot 5010 (13) Hobsons Gate, Currambine.

The site is zoned 'Urban' under the *Metropolitan Region Scheme* and 'Business' under the City's *District Planning Scheme No. 2 (DPS2)*. In addition, the site is located within the *Currambine District Centre Structure Plan (CDCSP)* area. Land use permissibility under the CDCSP is as per DPS2.

A shop is an "X\*" use within the 'Business' zone, where "X\*" indicates that a shop is not permitted unless the criteria outlined in clause 3.6.3 of DPS2 are met. In this instance it is considered that the criteria of clause 3.6.3 has been met and that a shop is an appropriate use for the site.

In August 2015, Council approved a change of use application from 'Showroom' to 'Medical Centre' for three units at the subject site. This proposal increased the existing car parking shortfall of three car bays to 23 car bays (28.4%) for the site under the City's Scheme Amendment No. 65 (Amendment No. 65). This application was supported subject to a condition requiring a cash-in-lieu payment of \$130,000 for the construction of the additional 20 bays required in the Chesapeake Way road reserve.

The subject change of use from 'Showroom' to 'Shop' requires an extra four car bays to be provided under Amendment No. 65, thereby increasing the shortfall of the site to 27 car bays (31.7%).

Similar to the previous application, the City has identified that the four additional car bays required can be installed within Chesapeake Way as on-street bays for a total of \$26,000, along with the 20 bays previously approved. The applicant is proposing to pay the City \$26,000 for the installation of these four car bays to enable the car parking requirements under Amendment No. 65 to be met. These bays will be constructed as part of the City's parking improvements and streetscape upgrades to Chesapeake Way, currently scheduled for the 2016-17 financial year.

It is considered that, with the provision of these four on-street bays, sufficient parking will be provided to accommodate the proposed shop and the other land uses approved within the development.

It is therefore recommended that the development application be approved subject to conditions, including a cash-in-lieu payment of \$26,000 for the construction of four bays in the Chesapeake Way road reserve.

## BACKGROUND

<b>Suburb/Location</b>	Lot 5010 (13) Hobsons Gate, Currambine.
<b>Applicant</b>	Jobelle Harrington Assured Certificate Services.
<b>Owner</b>	Fang Property Pty Ltd.
<b>Zoning</b>	<b>DPS</b> Business.
	<b>MRS</b> Urban.
<b>Site area</b>	3,397m <sup>2</sup> .
<b>Structure plan</b>	<i>Currambine District Centre Structure Plan (CDCSP).</i>

The Currambine District Centre is bound by Marmion Avenue to the west, Shenton Avenue to the south and Delamere Avenue to the north and east. The subject site itself is bound by Hobsons Gate to the south, Chesapeake Way to the west and residential developments to the north and east (Attachment 1 refers).

The site is subject to the 'Business' zone provisions of DPS2 and the CDCSP.

At its meeting held on 22 November 2011 (CJ213-11/11 refers), Council resolved to approve an application for a two storey showroom and office development at the site, with the provision of 56 car bays, this being a five car bay (8%) shortfall under DPS2 standards.

A change of use from 'Showroom' to 'Medical Centre' for a physiotherapy practice at Unit 4 was approved by Council at its meeting held on 8 October 2013 (CJ192-10/13 refers). This application increased the overall car parking shortfall at the site from five bays to 25 bays (30%) in accordance with the car parking standards contained within DPS2. This shortfall was deemed appropriate as there was considered to be sufficient reciprocity between the

three land uses along with differing peak periods. Furthermore, application of Amendment No. 65 only resulted in a parking shortfall of three car bays (5.3%).

At its meeting held on 21 October 2014 (CJ175-10/14 refers), Council refused a further change of use application at the site as it would have seen the shortfall for the site under DPS2 increase to 46 car bays (45%) and it was considered that the on-site car parking was not sufficient to cater for the demand of the existing and proposed development.

In October 2014, the City approved modifications to the previously approved development. As part of this application, the number of car bays provided on-site increased from 56 to 58 car bays, decreasing the overall car parking shortfall for the site under DPS2 to 23 bays (28.3%).

In June 2015, the City approved a change of use from 'Showroom' to 'Beauty Parlour'. As part of this application, the number of car bays required increased to 82 bays, resulting in a car parking shortfall of 25 car bays (30%). As this car parking shortfall is the same as what was previously approved by Council and the proposed use would operate with different peak periods to the existing uses, this shortfall was deemed appropriate. Furthermore, application of Amendment No. 65 resulted in a car parking shortfall of two car bays (3.3%).

At its meeting held on 17 August 2015 (CJ130-08/15 refers), Council approved a change of use from 'Showroom' to 'Medical Centre' for three of the units at the subject site. This proposal required the provision of an extra 14 car bays under DPS2, thereby increasing the shortfall to 39 car bays (40.2%). Application of Amendment No. 65 resulted in an extra 20 car bays being required, increasing the shortfall on the site to 23 car bays (28.4%). This application was supported subject to a condition requiring the applicant to pay the City \$130,000 for the installation of the 20 car bays required under Amendment No. 65 along Chesapeake Way as on-street bays.

#### Scheme Amendment No. 65

Amendment No. 65 proposes to make changes to DPS2. These changes are intended to improve the operation of DPS2 by correcting minor deficiencies and anomalies and introduce provisions which would provide clarity and certainty for applicants and decision makers. In relation to this development, it is noted that the car parking standard for 'Showroom' and 'Office' is proposed to be modified from one bay per 30m<sup>2</sup> net lettable area (NLA) to one bay per 50m<sup>2</sup> NLA. Similarly, the car parking standard for the use class 'Shopping Centre under 10,000m<sup>2</sup>' is proposed to be modified to read 'Shop/Shopping Centre under 30,000m<sup>2</sup>', with the car parking standard also modified from seven car bays for 100m<sup>2</sup> of NLA to five car bays per 100m<sup>2</sup> NLA. As the amendment was adopted by Council at its meeting held on 25 June 2013 (CJ088-06/13 refers) and forwarded to the Department of Planning, it has been considered as a 'seriously entertained proposal' in the assessment of this application.

#### **DETAILS**

The applicant seeks approval for a change of use from 'Showroom' to 'Shop' at Unit 1, Lot 5010 (13) Hobsons Gate, Currambine. The proposal is required to enable a pharmacy to operate from this unit.

Upon applying the current car parking standards contained within DPS2 and the proposed car parking standards contained within Amendment No. 65, the following car parking requirements would result:

	<b>Car parking required under DPS2</b>	<b>Car parking required under Amendment No. 65</b>
Showroom/Office (968.42m <sup>2</sup> NLA)	1 bay per 30m <sup>2</sup> NLA = 32.28 bays	1 bay per 50m <sup>2</sup> NLA = 19.37 bays
Shop (156m <sup>2</sup> )	7 per 100m <sup>2</sup> = 10.92 bays	5 per 100m <sup>2</sup> = 7.8 bays
Beauty Parlour (Unit 2) (56m <sup>2</sup> )	7 per 100m <sup>2</sup> = 3.9 bays	5 per 100m <sup>2</sup> = 2.8 bays
Medical Centre (Unit 4) (5 practitioners)	5 bays per practitioner = 25 bays	5 bays per practitioner = 25 bays
Medical Centre (Units 5, 6 & 15) (2 practitioners each – 6 total)	5 bays per practitioner = 30 bays	5 bays per practitioner = 30 bays
<b>Total car parking required</b>	<b>102.1 (103)</b>	<b>84.97 (85)</b>
<b>Total car parking provided</b>	<b>58*</b>	<b>58*</b>
<b>Shortfall</b>	<b>45 (43.7%)</b>	<b>27 (31.7%)</b>

\*This figure does not include the 20 on-street bays that will be constructed along Chesapeake Way in the future.

In accordance with DPS2, a shortfall of 39 car bays (40.2%) currently exists across the site. This proposal requires an extra six car bays to be provided, thereby increasing the shortfall for the site to 45 car bays (43.7%).

Under the City's Scheme Amendment No. 65 the car parking standards for land uses 'Showroom' and 'Shop' are proposed to be reduced and so a shortfall of 23 car bays (28.4%) currently exists across the site. This proposed change of use to 'Shop' will increase the shortfall by four car bays under Amendment No. 65.

The City has identified where four on-street car bays could be located on Chesapeake Way, in addition to the 20 on-street car bays already approved for construction, with an estimated on-street parking bay cost of \$6,500 per bay (Attachment 3 refers). The applicant is proposing to pay the City \$26,000 for the installation of these four on-street car bays to ensure that the car parking requirements under Amendment No. 65 for the proposed change of use are met.

In accordance with the City's Schedule of Fees and Charges, a cash-in-lieu payment of \$25,929 per bay is normally required. This figure includes the estimated cost of construction of the car bay and includes the value of that area of land which would have had to be provided to meet the car parking requirement specified by DPS2. In this instance, as the City is not required to purchase additional land for the construction of the four on-street parking bays, the applicant is only required to pay the construction cost of each bay.

### **Issues and options considered**

Council is required to consider whether the amount of on-site car parking is appropriate.

Council may determine an application for development approval by:

- granting development approval without conditions
- granting development approval with conditions  
or
- refusing to grant development approval.

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

**Legislation** *City of Joondalup District Planning Scheme No. 2. Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations). Currambine District Centre Structure Plan.*

**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.

*City of Joondalup District Planning Scheme No. 2 (DPS2)***3.6 THE BUSINESS ZONE**

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

*The objectives of the Business Zone are to:*

- (a) provide for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets as well as complementary business services;*
- (b) ensure that development within this zone creates an attractive façade to the street for the visual amenity of surrounding areas.*

Clause 4.5 of DPS2 allows for certain standards and requirements of the scheme to be varied by Council.

**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, 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 64 of the deemed provisions 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 67 of the deemed provisions; 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.*

Clause 4.8 of DPS2 sets out the requirements for the provision of car parking.

#### 4.8 CAR PARKING STANDARDS

4.8.1 *The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS 2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the Council.*

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

#### Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

Clause 67 of Schedule 2 of the Regulations sets out the matters to be considered by Council when determining an application for development approval.

*In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application:*

- (a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) *the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) *any approved State planning policy;*

- (d) *any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) *any policy of the Commission;*
- (f) *any policy of the State;*
- (g) *any local planning policy for the Scheme area;*
- (h) *any structure plan, activity centre plan or local development plan that relates to the development;*
- (i) *any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*
- (j) *in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (k) *the built heritage conservation of any place that is of cultural significance;*
- (l) *the effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following:*
  - (i) *environmental impacts of the development;*
  - (ii) *the character of the locality;*
  - (iii) *social impacts of the development;*
- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of:*
  - (i) *the proposed means of access to and egress from the site; and*
  - (ii) *arrangements for the loading, unloading, maneuvering and parking of vehicles;*



- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *the availability and adequacy for the development of the following:*
  - (i) *public transport services;*
  - (ii) *public utility services;*
  - (iii) *storage, management and collection of waste;*
  - (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
  - (v) *access by older people and people with disability;*
- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*
- (w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate.*

#### Currambine District Centre Structure Plan

The structure plan provides for provisions, standards and requirements and has the same force and effect as if it were a provision, standard or requirement of DPS2.

The objectives for the 'Business' zone are:

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

#### **Risk management considerations**

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

**Financial / budget implications**

The applicant has paid fees of \$295 (excluding GST) in accordance with the City's Schedule of Fees and Charges for the assessment of the application.

It is also recommended that the applicant be required to pay the City \$26,000 in cash-in-lieu for car parking for the installation of four on-street car bays. It is likely that these funds will be received this financial year but will not be spent on the installation of these bays until a later financial year. The cash-in-lieu payment funds received will therefore be placed in a Reserve fund until required to be spent. It should be noted that any funds received by the City as cash-in-lieu for car parking must be spent on the provision and management of future car parking facilities within the locality.

**Regional significance**

Not applicable.

**Sustainability implications**

As the application is for a change of use only, there are not considered to be any sustainability implications.

**Consultation**

Clause 64 of the deemed provisions for local planning schemes of the Regulations states that public consultation is not required to be undertaken where the local government is satisfied that the departure from the requirements of the Scheme is of a minor nature. In this instance, it is considered that the proposal is consistent with the objectives of the 'Business' zone and will not impact the amenity of the surrounding properties. As such, public comment has not been sought.

**COMMENT****Land Use**

A shop is an 'X\*' use within the 'Business' zone. 'X\*' indicates that a shop is not permitted unless the following conditions of clause 3.6.3 have been met:

- (a) Shopping floor space does not exceed 200m<sup>2</sup> NLA;
- (b) The parcel of land is on a separate green title lot of not less than 1,000m<sup>2</sup>;
- (c) The aggregate shopping NLA on any group of adjoining or adjacent lots in the Business and Mixed Use Zones must not exceed 1,000m<sup>2</sup>; and
- (d) The direct street frontage of any lot containing a shop must be at least 20 metres in width.

The proposed shop land use has a NLA of 156m<sup>2</sup>. The aggregate shopping NLA of adjoining and adjacent lots in the 'Business' and 'Mixed Use' zones does not exceed 1,000m<sup>2</sup> and the direct street frontage of the overall lot is greater than 20 metres. The subject site (parent lot) is a green title lot, greater than 1,000m<sup>2</sup> in area, however, the site has been strata titled. The intent of subclause (b) above is considered to be to limit the number of 'shops' to one per parent lot, rather than prevent it completely where a lot has been strata titled. As such, it is considered that the abovementioned requirements are met by the development.

The objective of the 'Business' zone is to allow appropriate businesses to locate in close proximity to the surrounding residential area. It is considered that a pharmacy is an appropriate business for the site that complements the existing medical centre and provides important services for the community.

### Car Parking

The applicant proposes to increase the existing car parking demand for the site by four bays under Amendment No. 65 but does not propose any increase to the number of bays on-site, which is currently 58. Council is required to determine whether the 58 car bays provided on the site are sufficient to service the proposed development.

DPS2 allows Council to accept a cash payment in lieu of the provision of car parking subject to being satisfied that there is adequate provision, or a reasonable expectation in the immediate future that there will be adequate provision, of car parking in close proximity of the proposed development.

Chesapeake Way is currently listed for parking improvements and streetscape upgrades in the City's *Capital Works Program* for the year 2016-17. The City is already looking at installing 20 additional car parking bays along Chesapeake Way as part of this project, using the cash-in-lieu payment funds received from the previous change of use application for the site.

It is noted that a cash-in-lieu payment was not required for the 39 car bay shortfall that was approved for the previous application. As such, should the subject application be approved and require a cash-in-lieu payment, it is not considered appropriate to base this on the total shortfall of 45 car bays for the entire site. As with the previous application, the applicant is instead proposing to pay cash-in-lieu for the construction of the additional four bays required to be provided under Amendment No. 65 for this particular change of use.

It is considered that the construction of a total of 24 on-street car parking bays will provide public parking options that are considered sufficient to accommodate any parking overflow from the subject site. While it is acknowledged that these extra bays will be available for use by all visitors to the area, the Parking Review Report submitted with the previous application has identified that parking within the area is currently under-utilised, with an average occupancy of 36%. As there is a current under-utilisation of car parking within 350 metres of the site, adequate parking will be provided in the area if the 24 on-street parking bays are provided.

It should be noted that the schedule for the improvements and upgrades to Chesapeake Way is yet to be determined and it is not known what quarter of the 2016-17 financial year these bays will be constructed. In the interim, parking for the site is not considered to be an issue. As many of the units on the site are still required to be sold, it is unlikely that the site will operate at full capacity for some time.

As such, it is considered that, with the construction of 24 on-street car parking bays in Chesapeake Way in the 2016-17 financial year, sufficient car parking will be provided to accommodate the proposed shop and the other land uses approved within the development.

In line with the previous application, it is considered appropriate to request payment for the construction costs of these bays only as the City is not required to purchase land for their construction. The City has calculated that the estimated on-street parking bay cost will be \$6,500 per bay.

Therefore, it is recommended that the application be approved subject to a cash-in-lieu payment of \$26,000 being made to the City for the installation of an additional four on-street car parking bays, as shown in Attachment 3.

## VOTING REQUIREMENTS

Simple Majority.

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

- 1 **EXERCISES** discretion under Clauses 4.5.1 and 4.8.2 of the *City of Joondalup District Planning Scheme No. 2* and determines that the car parking provision of 58 in lieu of 103 bays is appropriate in this instance, subject to a cash-in-lieu payment of \$26,000 being paid for the additional shortfall of four car parking bays generated by this approval under Amendment No. 65, prior to the use of the subject unit as a 'Shop';
- 2 **APPROVES** under clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2* the application for development approval dated 31 July 2015 submitted by Jobelle Harrington Assured Certificate Services, for a change of use from 'Showroom' to 'Shop' at Lot 1 (13) Hobsons Gate, Currambine, subject to the following condition:
  - 2.1 A cash-in-lieu payment of \$26,000 shall be paid for the additional shortfall of four car parking bays generated by this approval under Amendment No. 65, prior to the use of the subject unit as a 'Shop'.

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, Norman, Poliwka and Taylor.

*Cr McLean entered the Chamber at 7.27pm.*

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf091115.pdf](#)*

## **CJ182-11/15      PROPOSED EXCISION OF A PORTION OF RESERVE 46280 (6L) MIAMI BEACH PROMENADE, ILUKA**

<b>WARD</b>	North	
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER</b>	02046, 101515	
<b>ATTACHMENT</b>	Attachment 1	Location plan
	Attachment 2	Proposed clubroom expansion building plans
	Attachment 3	Proposed excision area plan
<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 consider a proposal to excise a 233.2m<sup>2</sup> portion of land from Reserve 46280 (6L) Miami Beach Promenade, Iluka, to facilitate extensions to the existing clubrooms currently used by the Joondalup Sports Association.

### **EXECUTIVE SUMMARY**

Iluka District Open Space is a Crown reserve for 'Public Recreation' and includes playing fields and clubrooms. The Joondalup Sports Association currently leases the clubroom and bowling greens, with the City of Joondalup managing the rest of the reserve.

A 1,590m<sup>2</sup> portion of Reserve 46280 has previously been excised and contains the existing clubrooms. Another 9,498m<sup>2</sup> portion of the reserve has also been previously excised and contains the bowling greens (Attachment 1 refers).

At its meeting held on 17 February 2014 (CJ024-02/14 refers), Council approved refurbishment works at the Iluka Sports Complex (Attachment 2 refers). In order to facilitate this project, a new land excision totalling 233.2m<sup>2</sup> is required which mirrors the approved extensions to the existing building (Attachment 3 refers).

If the land excision is supported by Council, the excised area will be amalgamated into the existing Reserve 48422 with the remainder of the clubroom which will allow the City to lease the building additions to the Joondalup Sports Association. The existing management order over Reserve 48422 provides the City of Joondalup with the power to lease and as such the existing lease agreement with Joondalup Sports Association will need to be amended to incorporate the future additions.

The proposal was advertised for public comment for 30 days and no submissions were received.

The proposed excision of an additional 233.2m<sup>2</sup> of Reserve 46280 will facilitate the extension of the existing clubrooms. It is considered that the proposal will not have any adverse impact on public access to the reserve and it is therefore recommended that Council support the land excision of 233.2m<sup>2</sup> from Reserve 46280.

## BACKGROUND

<b>Suburb/Location</b>	Iluka District Open Space – 6L Miami Beach Promenade, Iluka.
<b>Applicant</b>	City of Joondalup.
<b>Owner</b>	Crown Land with a Management Order to the City of Joondalup.
<b>Zoning</b>	<b>DPS</b> Local Reserve – Parks and Recreation.
	<b>MRS</b> Urban.
<b>Site area</b>	72,972m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

Reserve 46280 is a Crown reserve created under Section 20A of the former *Town Planning and Development Act 1928* on 5 October 1999 as a reserve for 'Public Recreation'. The reserve is approximately 7.2 hectares in area and supports active sporting fields, passive park areas, cricket nets, car parking area and clubroom facilities.

At its meeting held on 18 May 2004 (CJ106-05/04 refers), Council approved the excision of a portion of Reserve 46280 to accommodate the existing clubroom (now Reserve 48422) and bowling greens (now Reserve 48423). On 7 February 2006, the management order was amended to enable the newly created reserves to accommodate the existing clubroom and bowling greens (Attachment 1 refers). The Joondalup Sports Association currently leases the clubroom and bowling greens, with the City of Joondalup managing the rest of the reserve.

At its meeting held on 17 February 2014 (CJ024-02/14 refers), Council approved refurbishment works and extensions to the Iluka Sports Complex (Attachment 2 refers).

## DETAILS

In order to facilitate extensions to the existing clubroom and the associated lease, an additional 233.2m<sup>2</sup> of land is required to be excised from existing Reserve 46280 (Attachment 3 refers).

### Issues and options considered

The options available to Council are:

- support the land excision, and forward the proposal to the Department of Lands or
- not support the land excision.

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

**Legislation** *Land Administration Act 1997.*

**Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality open spaces.

**Key theme** Community Wellbeing.

**Objective** Quality facilities.

**Policy** Not applicable.

**Land Administration Act 1997**

The Department of Lands through its publication '*Crown Land Administrative and Registration Practice Manual*' sets out the necessary procedures in respect to the land excision process for Reserves created under Section 152 of the *Planning and Development Act 2005* (this includes Reserves formerly created under Section 20A of the *Town Planning and Development Act 1928*).

As part of the process, any excision of a Section 152 Reserve is required to be referred to the Western Australian Planning Commission (WAPC) for comment. The proposal is also referred to service authorities to determine whether there is any service infrastructure that may be affected by the proposal.

Once approval is obtained from the WAPC and service authorities have provided comment, the proposal is advertised for public comment. While an exact consultation timeframe is not set in the *Land Administration Act 1997*, previous practice in respect to these proposals is to consult for a period of 30 days.

Upon closure of the advertising period, Council is required to consider submissions received and determine whether or not to support the land excision. Council's decision is then forwarded to Department of Lands for further action.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

The City has incurred costs of approximately \$1,380 (including GST) as a result of advertising the proposal. Should the Department of Lands progress the proposal, the City will incur future costs associated with the required survey of the excised area by a licensed land surveyor, which is estimated to be \$4,000 to \$5,000. This cost will be covered within the 2015-16 Iluka Sports Complex Refurbishment project budget.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The service authorities were consulted prior to public advertising and there were no objections to the proposal.

The proposed land excision was then advertised for public comment for a period of 30 days closing on 29 September 2015, by way of:

- a notice placed in the Joondalup Community newspaper
- a sign on the site
- a notice placed on the City's website.

No submissions were received.

**COMMENT**

The area of the proposed extensions to the existing clubrooms is proposed to be excised from Reserve 46280 and amalgamated into Reserve 48422. Reserve 48422 has a management order which grants the City power to lease over the site which, after the excision process has been finalised, can be amended to include the clubroom extensions.

The area proposed to be excised is limited to the clubroom extensions which include new store rooms, kitchen extension and a bin wash down area, and the existing shade sails.

The proposal is not considered to have any adverse impact upon public access to the reserve and it is therefore recommended that Council supports the land excision.

**VOTING REQUIREMENTS**

Simple Majority.



**MOVED Cr Chester, SECONDED Cr Logan that Council:**

- 1 SUPPORTS the proposed excision of portion of Reserve 46280 and amalgamation into Reserve 48422 Miami Beach Promenade, Iluka, in accordance with Attachment 3 to Report CJ182-11/15;**
- 2 REQUESTS the Department of Lands to:**
  - 2.1 proceed with the excision of portion of Reserve 46280 in accordance with Attachment 3 to Report CJ182-11/15 and its amalgamation into Reserve 48422 Miami Beach Promenade, Iluka;**
  - 2.2 in the event that the excision process is finalised, provide the City of Joondalup a management order with power to lease over the excised land area.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf091115.pdf](#)*

## **CJ183-11/15      SCHEME AMENDMENT NO. 81 TO DISTRICT PLANNING SCHEME NO. 2 – CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	104963, 101515
<b>ATTACHMENTS</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### **PURPOSE**

For Council to consider the proposed amendment to *District Planning Scheme No. 2* (DPS2) to allow Council to be the sole determining authority of activity centre structure plans for neighbourhood and local centres, following public advertising.

### **EXECUTIVE SUMMARY**

The intended purpose of Scheme Amendment No. 81 was to allow Council to be the sole determining body for neighbourhood and local centre activity centre structure plans, rather than dual determination by both Council and the Western Australian Planning Commission (WAPC).

However, with the introduction of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), provisions relating to structure planning are now contained within the deemed provisions of the Regulations. The deemed provisions automatically replace the structure plan provisions of DPS2, and cannot be amended or altered. The deemed provisions stipulate that the WAPC is the sole determining body for all structure plan and activity centre plans.

Therefore, with the commencement of the deemed provisions of the Regulations, the proposed scheme amendment is redundant and can have no effect. It is therefore recommended that Council advises the WAPC that it does not support the continuation of the proposed amendment.

### **BACKGROUND**

DPS2 controls how land may be developed and utilised within the City of Joondalup. Prior to the introduction of the Regulations, Part 9 of DPS2 detailed the process by which structure plans were lodged, advertised and adopted by the City and the WAPC.

Clause 9.7A of DPS2 stated that WAPC approval is not required for a District Centre activity centre structure plan if the shop-retail net lettable area of the centre is 20,000m<sup>2</sup> or less. Therefore, WAPC approval was required for lower order neighbourhood and local activity centre structure plans, but not for higher order centres. This was considered an anomaly in DPS2 that could be rectified.

At its meeting held on 21 April 2015 (CJ052-04/15 refers), Council resolved to advertise proposed Scheme Amendment No. 81 for a period of 42 days.

Subsequent to the close of the advertising period, the new Regulations came into effect on 19 October 2015.

## DETAILS

Scheme Amendment No. 81 proposed to remove the requirement for the WAPC to consider or adopt an activity centre structure plan for neighbourhood and local centres by amending clause 9.7A of DPS2 by adding neighbourhood and local centres as detailed below.

### 9.7A COMMISSION APPROVAL NOT REQUIRED FOR CERTAIN STRUCTURE PLANS

Notwithstanding the provisions of clause 9.4.1, 9.6.1, 9.6.3, 9.6.6, 9.7 and 9.8.1, the Commission's consideration or adoption of a Structure Plan is not required in the case of an activity centre structure plan for a *Neighbourhood Centre, Local Centre or District Centre* if the floorspace is 20,000m<sup>2</sup> or less shop-retail net lettable area.

Part 9 of the DPS2, which relates to structure plans, has effectively been replaced by the deemed provisions of the Regulations, and the above clause can now no longer be implemented.

## Issues and options considered

The option available to Council in considering the scheme amendment proposal is to advise the WAPC that the City does not support the continuation of the proposed scheme amendment.

## Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	<i>Planning and Development Act 2005. Planning and Development (Local Planning Schemes) Regulations 2015.</i>
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Economic, Prosperity, Vibrancy and Growth.
<b>Objective</b>	Activity Centre development.
<b>Strategic initiative</b>	Not applicable.
<b>Policy</b>	Not applicable.

*Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015*

Part 5 of the *Planning and Development Act 2005* along with the *Planning and Development (Local Planning Schemes) Regulations 2015* enables a local government to amend a local planning scheme and sets out the process to be followed.

At its meeting held on 21 April 2015, Council resolved to initiate the scheme amendment and adopted it for the purposes of public advertising. The proposed amendment was then referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review was necessary. The EPA did not consider that Amendment No. 81 should be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* and as such the amendment was advertised for public comment.

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

**Risk management considerations**

Not applicable.

**Financial / budget implications**

The City, as the proponent, is required to cover the costs associated with the scheme amendment process. The cost incurred is for the advertising of the scheme amendment in the relevant newspapers. The cost of advertising was \$691.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The proposed scheme amendment was advertised for public comment for a period of 42 days closing on 30 September 2015, by way of:

- a notice placed in the Joondalup Community newspaper and *The West Australian* newspaper  
or
- a notice placed on the City's website.

No submissions were received.

## COMMENT

The commencement of the *Planning and Development (Local Planning Schemes) Regulations 2015* effectively means that Scheme Amendment No. 81 cannot proceed as it relates to structure plan provisions that are now covered by the deemed provisions of the Regulations. The deemed provisions of the Regulations cannot be altered. Under the Regulations, the WAPC becomes the sole determining body for all levels of structure plans.

It is therefore recommended that the WAPC be advised that, due to the introduction of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council does not support the continuation of proposed Scheme Amendment No. 81.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr Fishwick, **SECONDED** Mayor Pickard that Council, pursuant to Part 5 of the *Planning and Development Act 2005* and Regulation 50 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **ADVISES** the Western Australian Planning Commission that, due to the introduction of the *Planning and Development (Local Planning Schemes) Regulations 2015*, it **DOES NOT SUPPORT** the continuation of Amendment No. 81 to the City's *District Planning Scheme No. 2*.

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

**CJ184-11/15      DRAFT LOCAL PLANNING SCHEME NO. 3**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	83628, 101515
<b>ATTACHMENT</b>	Attachment 1      Scheme Area Map
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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**PURPOSE**

For Council to consider resolving to prepare a new local planning scheme.

**EXECUTIVE SUMMARY**

At its meeting held on 15 July 2014 (CJ111-07/14 refers) Council adopted the City of Joondalup's *Local Planning Strategy* to guide the development of the City's new local planning scheme, which will replace the current City of Joondalup's *District Planning Scheme No. 2* (DPS2).

Concurrently, the City had been preparing a new local planning scheme and, following adoption of the *Local Planning Strategy*, the City worked to finalise the preparation of the new local planning scheme, based on the State Government's *Town Planning Regulations 1967* and associated Model Scheme Text. However, on 25 August 2015, the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) were gazetted which replaced the *Town Planning Regulations 1967*.

Draft *Local Planning Scheme No. 3* (LPS3) has now been reviewed and modified in accordance with the LPS Regulations. Prior to seeking consent to advertise the new scheme, Council is required under the LPS Regulations to resolve to prepare a new scheme and publish a notice of this resolution. Adjoining local governments and public authorities are to be provided with a copy of this notice and given 21 days to provide any recommendations in respect of the resolution.

Should Council resolve to prepare a new scheme, it is anticipated that draft LPS3 will be presented to Council in early 2016 after the completion of the steps previously prescribed.

It is recommended that Council resolve to prepare a new local planning scheme.

**BACKGROUND**

Local planning schemes are made under Part 5 of the *Planning and Development Act 2005*, which sets out the general objectives of schemes, the matters which may be addressed in schemes and the requirements for the review of schemes.

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the LPS Regulations) govern the way in which local planning schemes are prepared, consolidated and amended. The LPS Regulations are comprised of the Regulations, model provisions, deemed provisions and legends used in the scheme.

Prior to the development of a new scheme, the local government is required under the LPS Regulations to develop a local planning strategy. Following a number of modifications, additions, public consultation, and the inclusion of the recommendations from the *Local Housing Strategy* and *Local Commercial Strategy*, the City of Joondalup's *Local Planning Strategy* was adopted by Council at its meeting held on 15 July 2014 (CJ111-07/14 refers) and was submitted to the Western Australian Planning Commission (WAPC) for its endorsement in September 2014.

The *Planning and Development Act 2005* and the LPS Regulations require local governments to carry out a review of their local planning schemes in the fifth year after the scheme was gazetted and the local government must, no later than six months after this date, prepare a report of the review and provide it to the WAPC. The City of Joondalup's *District Planning Scheme No. 2* was gazetted on 28 November 2000. As the scheme is now 15 years old and the LPS Regulations stipulate a new format for local planning schemes, a new local planning scheme has been prepared. The Department of Planning has advised that the City is therefore not required to prepare the report of review.

## DETAILS

Prior to seeking consent to advertise a new draft local planning scheme, the LPS Regulations require a resolution of the local government to prepare a new scheme, and designate the area to which the scheme will apply. In this instance, LPS 3 will apply to all land within the City of Joondalup boundary (Attachment 1 refers).

This resolution must be published in a local newspaper and a copy provided to adjoining local governments, licensees under the *Water Services Act 2012*, the Chief Executive Officer of the Department of Public Service and any other public authorities likely to be affected by the scheme. The public authorities are required to make any recommendations in respect of the resolution to the local government within 21 days of the provision of the published notice.

## Issues and options considered

Council has the option to:

- resolve to prepare a new scheme  
or
- resolve to not prepare a new scheme.

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

<b>Legislation</b>	<i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
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**Strategic Community Plan**

<b>Key theme</b>	Quality Urban Environment.
<b>Objective</b>	Quality built outcomes.
<b>Key theme</b>	Economic Prosperity, Vibrancy and Growth.
<b>Objectives</b>	Activity Centre development. Destination City.
<b>Policy</b>	Not applicable.
<b>Strategy</b>	City of Joondalup's <i>Local Planning Strategy</i> .

*Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015*

Part 5 of the *Planning and Development Act 2005*, along with the *Planning and Development (Local Planning Schemes) Regulations 2015* enables a local government to prepare or amend a local planning scheme and sets out the process to be followed.

The LPS Regulations require a resolution of the local government to prepare a new scheme. Should the local government resolve to prepare a new scheme, the local government must publish a notice advising of the resolution in a local newspaper. The local government must also provide a copy of the notice to adjoining local governments and various public authorities and request any recommendations they may have in respect of the resolution within 21 days.

On completion of the preparation of a local planning scheme, the local government must resolve to proceed to advertise the draft local planning scheme, with or without modification, or not proceed to advertise the draft local planning scheme. Should the local government resolve to proceed to advertise the draft local planning scheme, the WAPC is required to consider the scheme within 90 days of receiving the documents and advise if any modifications are required prior to advertising. If the WAPC is satisfied that the scheme is suitable to be advertised, the local government must prepare a notice advising the purpose of the draft scheme and where and when the draft scheme may be inspected.

The local government must advertise the scheme for a minimum of 90 days. Upon closure of the advertising period, the local government is required to consider all submissions received and resolve to either support the scheme, with or without modification, or not support the scheme. The decision is then forwarded to the WAPC, which makes a recommendation to the Minister for Planning. The Minister can direct the local government to readvertise the scheme if any modifications are considered significant. The Minister can either grant final approval to the scheme, with or without modifications, or refuse the scheme.



### Local Planning Strategy

The LPS Regulations require a local government to prepare a local planning strategy for each local planning scheme within its district. A local planning strategy is a key component of the preparation of a new local planning scheme.

The local planning strategy must:

- set out the long-term planning directions for the local government
- apply any relevant State or regional planning policy
- provide the rationale for the zoning of land under the local planning scheme.

The City's *Local Planning Strategy* was adopted by Council at its meeting held on 15 July 2014 (CJ111-07/14 refers) and was submitted to the WAPC for its endorsement on 2 September 2014. No formal feedback has been received to date from the WAPC on *the Local Planning Strategy*.

### **Risk management considerations**

The *Planning and Development Act 2005* states that the scheme should be consolidated to incorporate all amendments to that date in the fifth year after the scheme was gazetted. However, the scheme is not required to be consolidated if the local government instead resolves to prepare a new scheme. Council has not yet passed a resolution to prepare a new scheme. If Council resolves not to prepare a new scheme, the Minister may direct the local government to prepare a consolidation of the scheme or to prepare a new scheme.

The LPS Regulations also require that a local government review its local planning scheme in the fifth year after approval or approval must be sought from the WAPC to initiate any scheme amendment. As DPS2 was gazetted in 2000, if Council resolves not to prepare a new scheme, there is the risk that the City could be prevented from amending its current scheme.

### **Financial / budget implications**

The preparation of the LPS3 is being undertaken in-house. The preparation and public advertising of draft LPS3 will be funded within the 2015-16 operational budget.

### **Regional significance**

Although the scheme only applies to the City of Joondalup itself, the City forms part of the broader metropolitan region, in particular the north-west sub-region. Facilitating the provision of additional housing for a growing population, facilitating the provision of additional jobs and promoting the Joondalup City Centre as a future Primary Centre has regional significance, particularly for the north-west sub-region.

### **Sustainability implications**

Draft LPS3 will include sustainability provisions to the extent possible within the constraints of the LPS Regulations.

Specific sustainability provisions are now located in the deemed provisions of the LPS Regulations, which came into effect on 19 October 2015. The deemed provisions require that in determining a development application the local government must consider a number of matters including:

- the compatibility of the development with its setting
- the amenity of the locality including the:
  - environmental impacts of the development
  - character of the locality
  - social impacts of the development
- the likely effect of the development on the natural environment
- the suitability of the land for development
- the potential loss of any community service or benefit other than economic competition
- the impact of the development on the community as a whole.

### **Consultation**

Should Council resolve to prepare a new scheme, a notice is required to be published in the local newspaper, and a copy of the notice is required to be provided to the following persons/bodies allowing a 21 day comment period:

- adjoining local governments
- each licensee under the *Water Services Act 2012*
- the CEO of the Department of the Public Service
- each public authority likely to be affected by the scheme.

### **COMMENT**

Advice received from the Department of Planning stated that the resolution to prepare a new scheme and a resolution to proceed to advertise a new scheme cannot occur at the same time as these are two separate processes under the LPS Regulations.

Initially, the local government must resolve to prepare a new scheme, publish the notice and seek recommendations in respect of the resolution from the persons/bodies required by the LPS Regulations. If any relevant recommendations are received in respect to the resolution, these can be considered for inclusion in draft LPS3. Once this step has been completed, the local government can complete the preparation of the draft local planning scheme and proceed to the second resolution which is to resolve to advertise the draft scheme.

This protects the local government so that it can stop the draft scheme from progressing before it is advertised if the local government considers this is necessary. It also allows any relevant recommendations received from publishing the notice to be included, if appropriate, in draft LPS3.

Should Council resolve to prepare a new scheme, it is anticipated that draft LPS3 will be presented to Council in early 2016 after publishing the notice and the completion of the steps previously prescribed.

It is recommended that Council resolve to prepare a new local planning scheme.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr Chester, **SECONDED** Cr Logan that Council pursuant to section 72 of the *Planning and Development Act 2005* and Regulation 19(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **RESOLVES** to prepare Local Planning Scheme No. 3 for the entire area within the City of Joondalup as shown on the Scheme Area Map depicted in Attachment 1 and **NOTES** that the resolution will be advertised in accordance with Regulation 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf091115.pdf](#)*

**CJ185-11/15      SETTING OF MEETING DATES FOR 2016**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	08122, 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 set its meeting dates for the 2016 calendar year.

**EXECUTIVE SUMMARY**

In accordance with the *Local Government Act 1995*, it is necessary for a local government to give local public notice of its ordinary meeting dates for the next 12 months.

It is recommended that the current monthly timeframe for meetings be maintained, and that deputation sessions continue to be held at the commencement of Briefing Sessions.

**BACKGROUND**

At its meeting held on 12 December 2006 (CJ236-12/06 refers), Council introduced a rolling four-weekly cycle, which enabled the fourth week to be used to hold additional information sessions, or for scheduling various committee meetings.

At its meeting held on 30 September 2008 (CJ196-09/08 refers), Council adopted a revised cycle based on a monthly timeframe; that is each Tuesday was set aside for either a Strategy Session (first Tuesday), Briefing Session (second Tuesday) or Council meeting (third Tuesday). This allowed the fourth and fifth Tuesdays (when they occur) of the month to be available for various other non-standard meetings to be scheduled where required.

**DETAILS****Issues and options considered**

The proposed meeting schedule is based on the monthly timeframe that commenced in 2009. Maintaining the monthly meeting cycle will provide a level of continuity for members of the public.

The meeting scheduled for August 2016 has a proposed commencement time of 12.00noon, to enable attendance and participation by high school students.

In order to accommodate the Christmas holiday period, the December meetings have been scheduled one week earlier, as is current practice.

In respect of other changes to the regular monthly meeting cycle, the Australian Local Government Association (ALGA) will be holding its Annual National General Assembly in Canberra between 19 and 22 June 2016. Therefore it is recommended the Council meeting in June (scheduled to occur in that week of June) be moved to the fourth week in June to enable Elected Members to attend the conference, should they wish to do so.

In addition, the ALGA is proposing to hold its February Board meeting in Joondalup between 16 and 18 February 2016. It is therefore recommended the February Council meeting commence earlier to accommodate a civic dinner that evening with ALGA Board Members.

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

**Legislation**                      Section 5.3 of the *Local Government Act 1995*.

*Ordinary and Special Council meetings:*

- (1) *A Council is to hold ordinary meetings and may hold special meetings;*
- (2) *Ordinary meetings are to be held not more than three months apart; and*
- (3) *If a Council fails to meet as required by subsection (2) the Chief Executive Officer is to notify the Minister of that failure.*

Regulation 12 of the *Local Government (Administration) Regulations 1996* states:

*Public Notice of Council or Committee meetings:*

- 12(1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which:*

- (a) *the ordinary Council meetings; and*
- (b) *the Committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public;*

*are to be held in the next 12 months;*

- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*

**Strategic Community Plan**

**Key Theme** Governance and Leadership.

**Objective** Corporate capacity.

**Policy** Not applicable.

**Risk management considerations**

Failure to set and advertise Council's meeting dates will contravene the requirements of the *Local Government Act 1995*.

**Financial / Budget Implications**

<b>Account No</b>	1-522-A5202-3277-0000.
<b>Budget Item</b>	Advertising – Public Statutory.
<b>Budget Amount</b>	\$ 6,000
<b>Amount Spent To Date</b>	\$ 0
<b>Proposed Cost</b>	\$ 500
<b>Balance</b>	\$ 5,500

All figures quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

It is recommended that the current monthly timeframe for meetings be maintained for 2016, subject to the following:

- February Council meeting commencing at 5.00pm to enable the City to host a civic dinner for members of the ALGA Board on 16 February.
- June Council meeting being scheduled later during the fourth week of June to enable Elected Members to attend the ALGA Annual National General Assembly in Canberra between 19 and 22 June 2016 should they wish to do so.
- August Council meeting commencing at 12.00noon, to enable attendance and participation by high school students.
- December meetings being scheduled one week earlier in order to accommodate the Christmas holiday period.

It is also recommended that deputation sessions continue to be held at the commencement of Briefing Sessions; that where possible, no meetings are to be scheduled in the fourth week of every month; and that designated Council committee meetings be scheduled to occur on Mondays, Tuesdays or Wednesdays of weeks one, two or three of any month in order to minimise potential conflicts with other Council activities.

A schedule of committee meeting dates is currently being developed, cognisant of the desire to streamline the scheduling of committee meetings so they are held on the same day as other scheduled meetings, thereby making more effective use of Elected Members' attendance and time.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Logan that Council:**

- 1 **SETS the following meeting dates and times for the Council of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:**

<b>Briefing Sessions To be held at 6.30pm in Conference Room 1</b>	<b>Council meetings To be held in the Council Chamber</b>
<b>Tuesday, 9 February 2016</b>	<b>5.00pm on Tuesday, 16 February 2016</b>
<b>Tuesday, 8 March 2016</b>	<b>7.00pm on Tuesday, 15 March 2016</b>
<b>Tuesday, 12 April 2016</b>	<b>7.00pm on Tuesday, 19 April 2016</b>
<b>Tuesday, 10 May 2016</b>	<b>7.00pm on Tuesday, 17 May 2016</b>
<b>Tuesday, 14 June 2016</b>	<b>7.00pm on Tuesday, 28 June 2016</b>
<b>Tuesday, 12 July 2016</b>	<b>7.00pm on Tuesday, 19 July 2016</b>
<b>Tuesday, 9 August 2016</b>	<b>12 noon on Tuesday, 16 August 2016</b>
<b>Tuesday, 13 September 2016</b>	<b>7.00pm on Tuesday, 20 September 2016</b>
<b>Tuesday, 11 October 2016</b>	<b>7.00pm on Tuesday, 18 October 2016</b>
<b>Tuesday, 8 November 2016</b>	<b>7.00pm on Tuesday, 15 November 2016</b>
<b>Tuesday, 6 December 2016</b>	<b>7.00pm on Tuesday, 13 December 2016</b>
<b>January 2017 - Recess</b>	

- 2 **AGREES to hold deputation sessions in conjunction with the Briefing Sessions;**
- 3 **in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, GIVES local public notice of the meeting dates detailed in Part 1 above;**
- 4 **INVITES a number of students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12.00 noon on Tuesday, 16 August 2016;**
- 5 **NOTES that the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays;**

- 6**      **AGREES** that, where possible, no meetings are to be scheduled in the fourth week of every month;
- 7**      **NOTES** that, where possible, meetings for designated Council committees be scheduled to occur on Mondays, Tuesdays or Wednesdays of weeks one, two or three of any month to minimise potential conflicts with other Council activities.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.



**CJ186-11/15      CUSTOMER SATISFACTION MONITOR 2014-15**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	69609, 101515
<b>ATTACHMENTS</b>	Attachment 1      Customer Satisfaction Monitor 2014-15 Improvement Actions Attachment 2      2014-15 Benchmarking Data
<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 detailed results of the 2014-15 Customer Satisfaction Monitor.

**EXECUTIVE SUMMARY**

The Customer Satisfaction Monitor is conducted annually to measure the level of overall satisfaction with the City, and its performance in delivering specific services and facilities.

Overall results for the 2014-15 Customer Satisfaction Monitor continue to reflect high levels of community satisfaction with the City and services delivered to the community.

The 2014-15 Monitor shows an overall satisfaction rating of 89%. This compares with 87.8% recorded for the 2013-14 Survey.

Customer Satisfaction with services provided by the City in 2014-15 was 92.4% compared to 92.7% in 2013-14, reflecting continuing high levels of satisfaction with services delivered to the community.

At an individual service level the majority of satisfaction levels have increased compared to the 2013-14 Monitor with significant increases recorded for satisfaction levels for graffiti removal services, management and control of traffic on local roads, consultation, informing the community about local issues, and parking in the city centre and parking adjacent to railway stations.

The 2014-15 satisfaction levels related to planning and building services have decreased from the 2013-14 ratings.

A number of service areas have maintained high levels of community satisfaction including:

- Libraries.
- Festivals, Events and Cultural Activities.
- Sport and Recreation.
- Graffiti Removal.

- Weekly Rubbish Collection.
- Fortnightly Recycling.
- Parks and Public Open Spaces.
- Street Appearance.

81% percent of respondents to the 2014-15 Monitor agreed that the City has a good understanding of community needs compared to 78.2% in 2013-14 and 72% of respondents were satisfied with value for money from rates compared to 70.7% in 2013-14.

The separate survey conducted in relation to planning and building services indicates a decrease in overall satisfaction levels from 2013-14. The 2014-15 overall satisfaction rating for building applications was 85.7% compared to 90.5% in 2013-14. The 2014-15 satisfaction rating for planning applications was 70.1% compared to 91.3% in 2013-14.

The City introduced a new question in the 2013-14 Monitor related to confidence in the community that the City is planning for the future. In 2014-15, 81.3% percent of respondents had confidence that the City has plans in place for the future compared to 76.3% in 2013-14.

This year, the City introduced some new questions to the 2014-15 Monitor, namely:

- Satisfaction with Joondalup as a place to live.
- Satisfaction with the Joondalup CBD.

Both questions attracted very high satisfaction ratings with residents rating satisfaction with Joondalup as a place to live at 97.3% and satisfaction with the Joondalup CBD at 87.7%.

The City also introduced a new question related to awareness and attendance of specific festivals and events in 2015, namely:

- The Valentine concert – A Night on Broadway at Joondalup Resort on 12 February.
- Little Feet Festival.
- The Joondalup Festival – 28 and 29 March.
- Music in the Park – three concerts in the summer 2014/15.
- Sunday Serenades Concert Series.

## **BACKGROUND**

Customer Satisfaction Monitors have been conducted on an annual basis since 2000. The most recent survey was conducted by an independent market research company, Research Solutions.

The broad objective of the study is to determine resident perceptions of the facilities and services provided by the City of Joondalup. Specifically, the study measures:

- Overall satisfaction with the City of Joondalup.
- Satisfaction with:
  - Services provided by the City of Joondalup.
  - Value for money provided by rates.
  - City facilities (libraries, sports and recreation centres, parks and public open spaces).
  - City services (festivals and events, security patrols, graffiti removal, ranger services, rubbish collections, streetscape, management and control of traffic,

- city centre parking, residential parking, parking adjacent to schools and railway stations).
- Community consultation and information.
- Key issues of concern and suggestions for improvement.

This latest community research was undertaken from 6 to 27 June 2015 and involved random sampling and telephone interviewing of 600 respondents from within the City. The sample was cross-checked to ensure that it significantly matched the demographic profile and population spread of Joondalup in terms of age, gender and location to obtain a representative sample.

The sampling size for the overall Customer Satisfaction Monitor produces a sampling precision of +/- 4% at the 95% confidence interval – that is, there is a 95% certainty that the results obtained will be within +/- 4% if a census was conducted of all households within the City of Joondalup. This percentage is in accordance with the level specified by the Auditor General.

A separate survey was also conducted of residents who had used the City's building and planning services over the last 12 months. This separate survey of specific applicants was first introduced in 2008-09. Previously this area was included as part of the annual Customer Satisfaction Monitor however the methodology was altered due to minimal numbers of people surveyed having contact with planning or building services. The smaller sampling size for the separate survey of planning and building applicants produces a sampling precision of +/- 10% at the 95% confidence interval.

## DETAILS

Satisfaction levels were recorded from those respondents who felt familiar enough with the service or facility to be able to comment. Respondents expressing dissatisfaction were asked to provide suggestions for improvement.

The overall satisfaction rating in 2014-15 was 89% compared to the 2013-14 rating of 87.8%.

Respondents were prompted with a list of 17 services provided by the City, and asked how satisfied they were with the City's performance. To maintain comparability across monitors, the questionnaire used was based on the version used in previous years. Changes were made to the monitor in 2012-13, and retained in the 2013-14 and 2014-15 Monitor, to provide greater clarity with regard to parking issues – namely the separation of satisfaction with parking into the following areas:

- parking in the City Centre
- parking adjacent to schools
- parking adjacent to railway stations
- parking in residential areas.

A separate survey of planning and building applicants was conducted to measure specific levels of satisfaction with planning and building services. This survey was aimed at determining the satisfaction of those residents that had directly used the planning and building services over the previous 12 months.

The 2014-15 Monitor results indicate that general satisfaction with all services provided by the City in 2014-15 was 92.4% compared to 92.7% in 2013-14.

At an individual service level the majority of satisfaction levels have increased compared to the 2013-14 Monitor with significant increases recorded for satisfaction levels with graffiti removal services, management and control of traffic on local roads, consultation, informing the community about local issues, and parking in the city centre and parking adjacent to railway stations.

The 2014-15 satisfaction levels related to planning and building services have decreased from the 2013-14 ratings.

Those service areas maintaining high levels of community satisfaction include:

- libraries
- festivals, events and cultural activities
- sport and recreation
- graffiti removal
- weekly rubbish collection
- fortnightly recycling
- parks and public open spaces
- street appearance.

81% percent of respondents to the 2014-15 Monitor agreed that the City has a good understanding of community needs compared to 78.2% in 2013-14 and 72% of respondents were satisfied with value for money from rates compared to 70.7% in 2013-14.

The changes in the 2012-13, 2013-14 and 2014-15 Monitor to differentiate satisfaction with parking into four separate areas of city centre parking, parking adjacent to schools, parking adjacent to railway stations, and residential parking indicates that satisfaction levels for residential parking remained high in 2014-15 (82.2%) whereas satisfaction levels with City Centre Parking, although still low in 2014-15 (62.5%), have increased significantly from the 2013-14 rating (54.3%). The satisfaction rating for parking adjacent to railway stations in 2014-15 was also low (49.7%) but also indicated a significant increase from the 2013-14 rating (38.7%). Satisfaction levels for parking adjacent to schools, although still low, have increased in 2014-15 (58.1%) from the 2013-14 rating (55.4%).

The following table provides comparisons of satisfaction ratings with Customer Satisfaction Monitors undertaken in the previous four years:

Service	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015
Overall Satisfaction	84.1%	87.5%	89.1%	87.8%	89%
Satisfaction with Services Provided	92%	92.7%	94.1%	92.7%	92.4%
Value for Money from Rates	66%	66.8%	72.7%	70.7%	72%
Libraries	95.1%	97.2%	95.6%	95.6%	93.9%
Festivals, Events and Cultural Activities	93.1%	89.8%	90.5%	88.9%	89.3%
Sport and Recreation	95.6%	94.2%	94.5%	92.2%	95%
Mobile Security Patrols	66.7%	71.1%	71.0%	69.3%	69.2%
Graffiti Removal	92.1%	89.8%	92.5%	90.0%	94.4%
Ranger Services	78.3%	85.0%	82.0%	82.0%	83%
Weekly Rubbish Collection	98.5%	97.4%	97.4%	97.0%	95.2%
Fortnightly Recycling	89.9%	91.4%	91.8%	89.8%	90.6%

Service	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015
Parks and Public Open Space	90.8%	93.0%	93.2%	92.4%	94.9%
Street Appearance	83.4%	88.0%	91.1%	88.3%	91.2%
Planning	95.2%	84.1%	72.0%	91.3%	70.1%
Building	94.7%	84.1%	79.0%	90.5%	85.7%
Management and Control of Traffic on Local Roads	73.5%	81.8%	83.0%	78.5%	82%
Parking City Centre	45.5%	55.0%	55.0%	54.3%	62.5%
Parking Residential Areas	76.8%	83.9%	86.1%	81.1%	82.2%
Parking Adjacent to Schools	Not measured separately	42.7%	61.6%	55.4%	58.1%
Parking Adjacent to Railway Stations	Not measured separately	Not measured separately	44.9%	38.7%	49.7%
The City Consults with the Community about Local Issues	67.4%	71.3%	73.9%	63.4%	70.4%
The City Informs the Community about Local Issues	72.9%	76.0%	77.5%	70.7%	74.9%
Understand Community Needs	68.8	74.5%	82.2%	78.2%	81%

The City introduced a new question in the 2013-14 monitor related to confidence in the community that the City is planning for the future. In 2014-15, 81.3% percent of respondents had confidence that the City has plans in place for the future compared to 76.3% in 2013-14.

This year, the City introduced a number of new questions to the 2014-15 Monitor, namely:

- satisfaction with Joondalup as a place to live
- satisfaction with the Joondalup CBD.

Both questions attracted very high satisfaction ratings with residents rating satisfaction with Joondalup as a place to live at 97.3% and satisfaction with the Joondalup CBD at 87.7%.

The City also introduced a new question related to awareness and attendance of specific festivals and events in 2015, namely:

- The Valentine concert – A Night on Broadway at Joondalup Resort on 12 February.
- Little Feet Festival.
- The Joondalup Festival – 28 and 29 March.
- Music in the Park – three concerts in the summer 2014/15.
- Sunday Serenades Concert Series.

Awareness and attendance (of those aware of the event) ratings are shown below:

Event	Awareness	Attendance (of those aware)
Valentine Concert	41.2%	21.5%
Little Feet Festival	45.8%	19.3%
Joondalup Festival	88.2%	31.9%
Music in the Park	72.7%	24.8%
Sunday Serenades Concert Series	26.5%	10.1%

### Issues and options considered

Although overall satisfaction levels remain high, and satisfaction with City services is high, the City will continue to improve service delivery in all areas, with particular focus on those service areas that have recorded decreases in satisfaction ratings.

The top line results, shown in Attachment 1, include details of actions taken in 2014-15 to improve service delivery as a result of the 2013-14 results, and planned actions and priorities for 2015-16 for all service areas to address the 2014-15 ratings.

Benchmarking information across three key areas: satisfaction with the city as a place to live, city governance, and value for money for rates is shown in Attachment 2.

### Legislation / Strategic Community Plan / policy implications

**Legislation** Not applicable.

#### Strategic Community Plan

**Key theme** Governance and Leadership.

**Objective** Active democracy.

**Strategic initiative** Fully integrate community consultation practices into City activities.

**Policy** Community Consultation and Engagement.

### Risk management considerations

Monitoring levels of customer satisfaction with services provided by the City is essential to assist in the delivery of effective and efficient services to the community.

### Financial/budget implications

<b>Account no.</b>	531 A5301 3265 0000.
<b>Budget Item</b>	Customer Satisfaction Monitor.
<b>Budget amount</b>	\$ 35,000
<b>Amount spent to date</b>	\$ 35,000
<b>Balance</b>	\$ 0

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Customer satisfaction is a measure of an organisation's sensitivity to customer needs and from an organisational perspective, is essential for long-term success and sustainability.

**Consultation**

The 2014-15 Customer Satisfaction Monitor was conducted by surveying 600 residents of the City of Joondalup, and the Planning and Building survey was conducted by surveying 80 residents who had made contact with the City regarding a planning matter and 80 residents who had made contact with the City regarding a building matter in 2014-15.

**COMMENT**

The 2014-15 Customer Satisfaction Monitor results show that overall satisfaction ratings remain high and, in the main, residents are satisfied with the services provided by the City of Joondalup. A number of service areas continue to attract extremely high satisfaction ratings indicating that residents are very satisfied with service levels and service activities.

The majority of respondents (81%) to the 2014-15 survey agreed that the City has a good understanding of community needs and the high ratings for the new questions related to satisfaction with the City as a place to live and satisfaction with the CBD are encouraging in terms of the City's focus and direction.

The City will put significant emphasis on implementing improvement strategies, where possible, to address those areas that have recorded decreases in satisfaction levels from 2013-14 as well as continuing to look for improvements in all service areas.

A number of improvements to services are planned for 2015-16 with some improvements already underway. These are detailed in Attachment 1.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Logan that Council RECEIVES the 2014-15 Customer Satisfaction Monitor results and proposed improvement actions forming Attachment 1 to Report CJ186-11/15.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf091115.pdf](#)*

## CJ187-11/15 EXECUTION OF DOCUMENTS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	15876, 101515
<b>ATTACHMENT</b>	Attachment 1 Documents executed by affixing the Common Seal for the period 29 September 2015 to 20 October 2015.
<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 29 September 2015 to 20 October 2015 (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 for the period 29 September 2015 to 20 October 2015 executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ187-11/15.*

### BACKGROUND

During the period 29 September 2015 to 20 October 2015, seven documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Section 70A Notification.	1
Withdrawal of Caveat.	3
Lease Agreement.	1
Deed of Easement	2

### 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.

**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.

**MOVED** Cr Chester, **SECONDED** Cr Logan that Council **NOTES** the Schedule of Documents for the period 29 September 2015 to 20 October 2015, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ187-11/15.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf091115.pdf](#)*

**CJ188-11/15 MINUTES OF EXTERNAL COMMITTEES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	41196, 03149, 101515
<b>ATTACHMENTS</b>	Attachment 1 Minutes of Tamala Park Regional Council held on 13 August 2015 Attachment 2 Minutes of the ordinary meeting of the Mindarie Regional Council held on 8 October 2015 Attachment 3 Minutes of Tamala Park Regional Council held on 15 October 2015  <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 bodies on which the City has current representation.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Minutes of Tamala Park Regional Council meeting held on 13 August 2015.
- Minutes of the ordinary meeting of the Mindarie Regional Council (MRC) held on 20 August 2015.
- Minutes of Tamala Park Regional Council (TPRC) meeting held on 15 October 2015.

**DETAILS**

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

**Tamala Park Regional Council**

Two meetings of the Tamala Park Regional Council were held on 13 August 2015 and 15 October 2015 respectively.

At the time of both meetings Cr Tom McLean, JP and Cr John Chester were Council's representatives on the Tamala Park Regional Council.

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

Meeting held 13 August 2015

9.11 TPRC Draft Budget for the financial year 2015-16

It was resolved by the TPRC as follows:

*"That the Council:*

- 1 *ADOPT the Budget for the Tamala Park Regional Council for the year ending 30 June 2015-16, incorporating the following statements:*
  - a *Statement of Comprehensive Income, indicating an operating deficit of \$427,823.*
  - b *Statement of Financial Activity, showing a surplus at end of year position of \$22,141,778.*
  - c *Rate Setting Statement, indicating no rates levied.*
  - d *Notes 1 to 27 forming part of the Budget.*
- 2 *ADOPT the Significant Accounting Policies as detailed in pages 14-23.*
- 3 *ADOPT a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2015-16 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996."*

Meeting held 15 October 2015

9.13 Council Meeting Schedule 2016

It was resolved by the TPRC as follows:

- "1 *That the schedule of Council meeting dates be APPROVED for 2016 as follows:*

<i>18 February 2016</i>	<i>(City of Stirling).</i>
<i>21 April 2016</i>	<i>(Town of Victoria Park).</i>
<i>16 June 2016</i>	<i>(City of Vincent).</i>
<i>11 August 2016</i>	<i>(Town of Cambridge).</i>
<i>13 October 2016</i>	<i>(City of Perth).</i>
<i>8 December 2016</i>	<i>(City of Wanneroo).</i>
- 2 *That the commencement time for Council meetings BE 6.00pm.*
- 3 *That Council meetings be HELD on a rotational basis at participant Council premises.*

- 4      *That the schedule of Management Committee meeting dates be APPROVED for 2016 as follows:*
- 17 March 2016.
  - 19 May 2016.
  - 23 July 2016.
  - 15 September 2016.
  - 17 November 2016.
- 5      *That the Management Committee meetings be held at the City of Stirling and the commencement time BE 5.00pm.*
- 6      *That the schedule of meeting dates be ADVERTISED as required by the Local Government Act 1995."*

### **Mindarie Regional Council ordinary meeting – 8 October 2015.**

An ordinary meeting of the Mindarie Regional Council (MRC) was held on 8 October 2015.

At the time of this meeting Cr Russ Fishwick (Chair) and Cr Kerry Hollywood were 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:

#### **14.2    Resource Recovery Facility Maintenance – Financial Support**

It was resolved by the MRC as follows:

*"That Council:*

- 1      *Set aside for the period of seven years commencing from the 2016-17 financial year an amount of \$250,000 to assist BioVision in funding an identified shortfall in maintenance costs at the Resource Recovery Facility;*
- 2      *Advise BioVision that the funds set aside in (1) above will only be provided when:*
  - (a)      *the MRC is provided with an amended schedule of maintenance that includes details of the additional costs that has been signed off by an independent Auditor;*
  - (b)      *the additional funds committed by Suez being:*
    - *the funds from the reverse auction of the Emissions Reduction Fund as detailed in the background section of this Report;*
    - *an additional contribution of \$250,000,**are expended;*
- 3      *Will allow any surplus funds held at the end of the seven year period to continue to be used for maintenance of the Resource Recovery Facility subject to Suez agreeing to making the same commitment;*

- 4 *Create a reserve account in accordance with Clause 6.11 of the Local Government Act 1995 with a title of "Resource Recovery Facility Maintenance Fund" and a purpose of "to provide maintenance funds for the Resource Recovery Facility";*
- 5 *Engage Herbert Smith Freehill to prepare/review a Maintenance Deed to formalise the financial arrangements and processes detailed in this Report;*
- 6 *The costs of the engagement detailed in (5) above be funded by BioVision;*
- 7 *Issue delegated authority to the Chairperson and the Chief Executive Officer to execute the Maintenance Deed under the Common Seal.*

### **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.

**MOVED Cr Chester, SECONDED Cr Logan that Council NOTES the minutes of the:**

- 1 Tamala Park Regional Council meeting held on 13 August 2015 forming Attachment 1 to Report CJ188-11/15;**
- 2 Mindarie Regional Council ordinary meeting held on 8 October 2015 forming Attachment 2 to Report CJ188-11/15;**
- 3 Tamala Park Regional Council meeting held on 15 October 2015 forming Attachment 3 to Report CJ188-11/15.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*To access this attachment on electronic document, click here: [ExternalMinutes091115.pdf](#)*

**CJ189-11/15      ANNUAL REPORT 2014-15**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	104030, 101515
<b>ATTACHMENT</b>	Attachment 1 <i>Annual Report 2014-15</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 adopt the *2014-15 Annual Report*.

**EXECUTIVE SUMMARY**

In accordance with Section 5.53 of the *Local Government Act 1995* the *2014-15 Annual Report* has been prepared, summarising the year's highlights and achievements, as well as including specific statutory requirements.

The City's external auditor has completed the audit of Council's financial statements for the 2014-15 financial year and these statements are the subject of a separate report to Council. A concise version of the Financial Statements forms part of the *2014-15 Annual Report*.

The *2014-15 Annual Report* forms the main item of business discussed at the Annual General Meeting of Electors. Section 5.27 of the *Local Government Act 1995* requires that the Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the annual report is accepted. At its meeting held on 15 September 2015 (CJ154-09/15 refers), Council resolved to hold the Annual General Meeting on Tuesday 15 December 2015 at 5.30pm.

*It is therefore recommended that Council BY AN ABSOLUTE MAJORITY ACCEPTS the Annual Report of the City of Joondalup for the financial year 2014-15, forming Attachment 1 to Report CJ189-11/15.*

**BACKGROUND**

The *Local Government Act 1995* requires every local government to prepare an Annual Report. The Annual Report provides progress on the performance, highlights and achievements of the previous financial year to the community. The Annual Report also contains a concise summary of audited financial statements from the previous financial year. It is a statutory requirement that Council accepts an Annual Report and for the report to be presented to the Annual General Meeting of Electors.

## DETAILS

The 2014-15 Annual report has been prepared addressing the highlights and achievements against the six key themes of *Joondalup 2022*.

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

As in previous years, the *2014-15 Annual Report* includes a range of sustainability indicators to report against the City's environmental, economic and social performance. The sustainability indicators are in line with the revised *2011 Global Reporting Initiative Sustainability Guidelines*.

The Annual Report also includes measurements against the Strategic Performance Indicators developed within each key theme of *Joondalup 2022*. Measurements are provided against targets which can be reported.

Reports against statutory requirements are also included in the Annual Report.

### Legislation / Strategic Community Plan / policy implications

**Legislation** *Local Government Act 1995.*  
*Local Government (Administration) Regulations 1996.*

### Strategic Community Plan

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

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

**Policy** Not applicable.

Section 5.53 of the *Local Government Act 1995* states the following in relation to the contents of the annual report:

#### **5.53 Annual reports**

(1) *The local government is to prepare an annual report for each financial year.*

(2) *The annual report is to contain:*

- a. *a report from the mayor or president;*
- b. *a report from the Chief Executive Officer;*
- c. *deleted;*
- d. *deleted;*



- e. *an overview of the plan for the future of the district made in accordance with Section 5.56 including major initiatives that are proposed to commence or to continue in the next financial year;*
- f. *the financial report for the financial year;*
- g. *such information as may be prescribed in relation to the payments made to employees;*
- h. *the auditor's report for the financial year;*
  - ha. *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;*
  - hb. *details of entries made under section 5.121 during the financial year in the register of complaints, including –*
    - (i) *the number of complaints recorded in the register of complaints;*
    - (ii) *how the recorded complaints were dealt with; and*
    - (iii) *any other details that the regulations may require; and*
- i. *such other information as may be prescribed.*

Section 5.54 of the *Local Government Act 1995* states the following in relation to the acceptance of the Annual Report:

**“5.54 Acceptance of annual reports**

- (1) *Subject to subsection (2) the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.*

*\*absolute majority required*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than two months after the auditor's report becomes available.”*

Section 5.55 of the *Local Government Act 1995* states the following in regard to the notice regarding the availability of the Annual Report:

**“5.55 Notice of annual reports**

*The Chief Executive Officer is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.”*

Regulation 15 of the *Local Government (Administration) Regulations 1996* details the matters for discussion at the Annual General Meeting of Electors. They include the contents of the annual report for the previous financial year and then any other general business.

**Risk management considerations**

Not adopting the *2014-2015 Annual Report* will result in non-compliance with the requirements of the *Local Government Act 1995*.

**Financial / budget implications**

Not applicable.

## Regional significance

The *2014-15 Annual Report* sets out the achievements of the City which have significance for the development and growth for the region.

## Sustainability implications

The programs and projects in the *2014-15 Annual Report* are aligned to the key themes in *Joondalup 2022* which have been developed to ensure the sustainability of the City.

The City has included Global Reporting Initiative Indicators in the Annual Report. This is a best practice sustainability reporting framework that establishes guidelines, principles and indicators for organisations to report against their economic, environmental and social performance.

## Consultation

There is no legislative requirement to consult the community on the preparation of the annual report; however the *Local Government Act 1995* requires an Annual General Meeting of Electors to be held once every year and the annual report to be made publicly available.

## COMMENT

The *Department of Local Government and Communities Integrated Planning and Reporting Framework* sets out the requirements for local governments to undertake planning and reporting on their activities. This includes annual reporting to the community on achievements and a concise version of the financial statements.

The Annual Report is also seen as an essential tool to inform the community and key stakeholders about its performance and future plans.

## VOTING REQUIREMENTS

Absolute Majority.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council BY AN ABSOLUTE MAJORITY ACCEPTS the Annual Report of the City of Joondalup for the 2014-15 financial year, forming Attachment 1 to Report CJ189-11/15.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8agn231115.pdf](#)*

## **CJ190-11/15      ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2015**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	20560, 101515
<b>ATTACHMENT</b>	Attachment 1 <i>Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2015</i> Attachment 2 <i>Capital Works Program Quarterly Report for the period 1 July – 30 September 2015</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').

### **PURPOSE**

For Council to receive the *Annual Plan Quarterly Progress Report* for the period 1 July to 30 September 2015 and the *Capital Works Quarterly Report* for the period 1 July to 30 September 2015.

### **EXECUTIVE SUMMARY**

The Annual Plan contains the major projects and priorities which the City proposes to deliver in the 2015-2016 financial year.

The *Annual Plan Quarterly Progress Report* provides information on the progress of projects and programs documented in the *Annual Plan 2015-2016*. The *Annual Plan Quarterly Progress Report* for the period 1 July to 30 September 2015 is shown as Attachment 1 to this Report.

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

*It is therefore recommended that Council RECEIVES the:*

- 1      *Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2015 which is shown as Attachment 1 to Report CJ190-11/15;*
- 2      *Capital Works Quarterly Report for the period 1 July – 30 September 2015 which is shown as Attachment 2 to Report CJ190-11/15.*

## BACKGROUND

The City's *Corporate Reporting Framework* requires the development of an Annual Plan to achieve the objectives of the *Strategic Community Plan*, and progress 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

### Issues and options considered

The Annual Plan contains a brief description of the key projects and programs that the City proposes to deliver in the 2015-2016 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.

### 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*, *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 2015-2016* were included in the *2015-2016 Annual Budget*.

**Regional significance**

Not applicable.

**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.

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**

The *Annual Plan 2015-2016* was received by Council at its meeting held on 17 August 2015 (CJ136-08/15 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 *2015-2016 Capital Works Program*.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Logan that Council RECEIVES the:**

- 1      *Annual Plan Quarterly Progress Report* for the period 1 July –30 September 2015, which is shown as Attachment 1 to Report CJ190-11/15;**
- 2      *Capital Works Quarterly Report* for the period 1 July – 30 September 2015, which is shown as Attachment 2 to Report CJ190-11/15.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf091115.pdf](#)*

## **CJ191-11/15 LIST OF PAYMENTS MADE DURING THE MONTH OF SEPTEMBER 2015**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENT</b>	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of September 2015 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of September 2015 Attachment 3 Municipal and Trust Fund Vouchers for the month of September 2015
<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 September 2015.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of September 2015 totalling \$22,844,132.46.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for September 2015 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 CJ191-11/15, totalling \$22,844,132.46.*

### **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 September 2015. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 101992 -102135 & EF050354 – EF050938 Net of cancelled payments.	\$15,851,452.22
	Vouchers 1500A-1501A & 1503A – 1507A & 1511A -1514A	\$6,967,262.24
Trust Account	Trust Cheques & EFT Payments 206845-206858 & TEF000377 – TEF000407. Net of cancelled payments.	\$25,418.00
<b>Total</b>		<b>\$22,844,132.46</b>

## 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 2015-16 Annual Budget as adopted by Council at its meeting held on 23 June 2015 (CJ085-06/15 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Logan that Council NOTES the Chief Executive Officer's list of accounts for September 2015 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 CJ191-11/15, totalling \$22,844,132.46.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf091115.pdf](#)*

## **CJ192-11/15      FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2015**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	07882, 101515
<b>ATTACHMENT</b>	Attachment 1      Financial Activity Statement for the period ended 30 September 2015
<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 Financial Activity Statement for the period ended 30 September 2015.

### **EXECUTIVE SUMMARY**

At its meeting held on 23 June 2015 (CJ085-06/15 refers), Council adopted the Annual Budget for the 2015-16 financial year. The figures in this report are compared to the Adopted Budget.

The September 2015 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$1,103,006 for the period when compared to the adopted Budget. This variance does not represent the end of year position. It represents the year to date position to 30 September 2015. There are a number of factors influencing the favourable variance but it is predominantly due to the timing of revenue and expenditure compared to the adopted budget estimate. The notes in Appendix 3 to Attachment 1 identify and provide commentary on the individual key material revenue and expenditure variances to date.

The variance can be summarised as follows:

The operating surplus is \$1,641,581 higher than budget, made up of higher operating revenue \$1,102,000 and lower operating expenditure of \$539,580.

Operating revenue is higher than budget on Contributions, Reimbursements and Donations \$809,413, Profit on Asset Disposals \$534,005, Rates \$4,507, Interest Earnings \$103,011 and Fees and Charges \$5,738 partly offset by lower than budget revenue from Grants and Subsidies \$351,547 and Other Revenue \$3,126.

Operating Expenditure is lower than budget on Materials and Contracts \$1,507,406, Utilities \$87,135 and Interest expenses \$27,227. These are partly offset by higher than budget expenditure on Depreciation and Amortisation \$601,540, Employee Costs \$405,327, Insurance \$53,245 and Loss on Asset Disposals \$22,075.

The Capital Deficit is \$402,009 higher than budget primarily owing to lower than budgeted capital revenue for Capital Grants and Subsidies \$209,726 and higher expenditure on Capital Works \$2,127,165. These are partly offset by lower than budgeted expenditure on Capital Projects \$1,617,506, Loan Principal Repayments \$82,512 and Vehicle and Plant Replacements \$864 as well as higher than budgeted revenue from Capital Contributions \$234,000.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 30 September 2015 forming Attachment 1 to Report CJ192-11/15.*

## BACKGROUND

The *Local Government (Financial Management) Regulations 1996* requires a monthly Financial Activity Statement. At its meeting held on 11 October 2005 (CJ211-10/05 refers), Council approved to accept the monthly Financial Activity Statement according to nature and type classification.

## DETAILS

### Issues and options considered

The Financial Activity Statement for the period ended 30 September 2015 is appended as Attachment.

### Legislation / Strategic Community Plan / policy implications

#### Legislation

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

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

#### Strategic 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 funds for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.

**Financial / budget implications**

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

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

**Consultation**

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

**COMMENT**

All expenditure included in the Financial Activity Statement are incurred in accordance with the provisions of the 2015-16 Adopted Budget or have been authorised in advance by Council where applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Logan that Council NOTES the Financial Activity Statement for the period ended 30 September 2015 forming Attachment 1 to Report CJ192-11/15.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf091115.pdf](#)*

**Disclosure of Financial Interest**

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer.</b>
<b>Item No./Subject</b>	CJ193-11/15 - Request for Annual Leave – Chief Executive Officer.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Hunt holds the position of Chief Executive Officer.

*The Chief Executive Officer left the Chamber at 7.30pm.*

## CJ193-11/15      REQUEST FOR ANNUAL LEAVE - CHIEF EXECUTIVE OFFICER

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	98394, 101515
<b>ATTACHMENT</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.

**PURPOSE**

For Council to give consideration to the request for annual leave submitted by the Chief Executive Officer (CEO).

**EXECUTIVE SUMMARY**

The CEO has requested annual leave for the period 21 December 2015 to 29 January 2016 inclusive.

**BACKGROUND**

The CEO commenced his employment with the City of Joondalup on 31 January 2005.

**DETAILS**

The CEO has requested leave from duties for the period 21 December 2015 to 29 January 2016 for annual leave. The CEO has delegated authority to appoint an Acting CEO for periods where he is absent from work while on leave, where such periods are for less than 35 days.

As this period of leave is 43 days (including public holidays and weekends), Council will need to appoint an acting Chief Executive Officer for the duration of leave, in which it is recommended that the Director Governance and Strategy be appointed to act from 20 December to 31 December 2015, inclusive and the Director Corporate Services be appointed to act from 1 January to 31 January 2016, inclusive.

**Issues and options considered**

During the employment of the CEO there will be periods of time where he will be absent from the City of Joondalup on annual leave.

The CEO, in accordance with his employment contract, is entitled to 25 days leave per annum.

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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

**Strategic initiative** Maintain a highly skilled and effective workforce.

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Provision included in Budget for 2015-16.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The CEO has an entitlement in accordance with his employment contract for periods of annual leave. The dates requested are conducive to the operations of the City.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 APPROVES the request from the Chief Executive Officer for annual leave for the period 21 December 2015 to 29 January 2016 inclusive;**
- 2 APPOINTS the Director Governance and Strategy, Mr Jamie Parry, as the Acting Chief Executive Officer for the period 20 December to 31 December 2015, inclusive;**
- 3 APPOINTS the Director Corporate Services, Mr Mike Tidy, as the Acting Chief Executive Officer for the period 1 January to 31 January 2016, inclusive.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*The Chief Executive Officer entered the Chamber at 7.31pm.*

**Disclosures of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Kerry Hollywood.</b>
<b>Item No./Subject</b>	CJ194-11/15 – Tender 029/15 – Civil Works for Ocean Reef Road Carriageway Duplication.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A director of Ertech Pty Ltd is known to Cr Hollywood.

<b>Name/Position</b>	<b>Mr Nico Claassen, Director Infrastructure Services.</b>
<b>Item No./Subject</b>	CJ194-11/15 – Tender 029/15 – Civil Works for Ocean Reef Road Carriageway Duplication.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A director of one of the tenderers is personally known to Mr Claassen.

## CJ194-11/15      TENDER 029/15 CIVIL WORKS FOR OCEAN REEF ROAD CARRIAGEWAY DUPLICATION

<b>WARD</b>	North Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	105318, 101515
<b>ATTACHMENT</b>	Attachment 1      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.

**PURPOSE**

For Council to accept the alternative tender submitted by Ertech Pty Ltd for the civil works for Ocean Reef Road carriageway duplication.

**EXECUTIVE SUMMARY**

Tenders were advertised on 12 August 2015 through statewide public notice for the civil works for Ocean Reef Road carriageway duplication. Tenders closed on 2 September 2015. A submission was received from each of the following:

- Ertech Pty Ltd (Conforming Offer).
- Ertech Pty Ltd (Alternative Offer).
- Georgiou Group Pty Ltd.
- Densford Civil Pty Ltd.
- Tracc Civil Pty Ltd.
- Ralmana Pty Ltd trading as R J Vincent & Co.
- WBHO Infrastructure Pty Ltd.



- Jaxon Civil Pty Ltd.
- Wormall Civil Pty Ltd.
- BCL Group Pty Ltd.
- Curnow Group (Hire) Pty Ltd.
- The Trustee for the Croker Unit Trust (Croker Construction).
- Scott Construction & Development Pty Ltd.
- Viento Contracting Services Pty Ltd.
- The Trustee for the GMF Trust trading as GMF Contractors Pty Limited.

The alternative submission from Ertech Pty Ltd represents best value to the City. The company demonstrated a thorough understanding and appreciation of the City's requirements. It has in the past successfully completed similar projects for local governments including Catalina Marmion Avenue intersection civil works for the Tamala Park Regional Council, Connolly Drive duplication from Burns Beach Road to MacNaughton Crescent and Whitfords Avenue carriageway duplication for the City. Ertech Pty Ltd is a well established company with significant industry experience and proven capacity to undertake the works for the City.

*It is therefore recommended that Council ACCEPTS the alternative tender submitted by Ertech Pty Ltd for the civil works for Ocean Reef Road carriageway duplication as specified in Tender 029/15 for the fixed lump sum of \$2,683,805 (GST Exclusive) with practical completion of works within five months from possession of site.*

## **BACKGROUND**

The City has a requirement to engage an experienced and suitably resourced contractor to undertake civil works for the carriageway duplication on Ocean Reef Road, from Oceanside Promenade to Marmion Avenue, Ocean Reef.

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

## **DETAILS**

The tender for the civil works for Ocean Reef Road carriageway duplication was advertised through statewide public notice on 12 August 2015. The tender period was for three weeks and tenders closed on 2 September 2015.

### **Tender Submissions**

A submission was received from each of the following:

- Ertech Pty Ltd (Conforming Offer)
- Ertech Pty Ltd (Alternative Offer)
- Georgiou Group Pty Ltd
- Densford Civil Pty Ltd
- Tracc Civil Pty Ltd
- Ralmana Pty Ltd trading as R J Vincent & Co
- WBHO Infrastructure Pty Ltd
- Jaxon Civil Pty Ltd
- Wormall Civil Pty Ltd

- BCL Group Pty Ltd
- Curnow Group (Hire) Pty Ltd
- The Trustee for the Croker Unit Trust (Croker Construction)
- Scott Construction & Development Pty Ltd
- Viento Contracting Services Pty Ltd
- The Trustee for the GMF Trust trading as GMF Contractors Pty Limited.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 1.

### **Evaluation Panel**

The evaluation panel comprised four members:

- one with tender and contract preparation skills
- three with the appropriate technical expertise and involvement in supervising the contract.

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

### **Evaluation Method and Weighting**

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 65%.

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

<b>Qualitative Criteria</b>		<b>Weighting</b>
1	Capacity	35%
2	Demonstrated Experience in Completing Similar Projects	30%
3	Demonstrated understanding of the required tasks	30%
4	Social and economic effects on the local community	5%

### **Compliance Assessment**

The following submissions were assessed as compliant:

- Ertech Pty Ltd (Conforming Offer)
- Ertech Pty Ltd (Alternative Offer)
- Georgiou Group Pty Ltd
- Densford Civil Pty Ltd
- Tracc Civil Pty Ltd
- Ralmana Pty Ltd trading as R J Vincent & Co
- WBHO Infrastructure Pty Ltd
- Jaxon Civil Pty Ltd
- Wormall Civil Pty Ltd
- BCL Group Pty Ltd
- Curnow Group (Hire) Pty Ltd

- The Trustee for the Croker Unit Trust (Croker Construction)
- Scott Construction & Development Pty Ltd
- Viento Contracting Services Pty Ltd.

The submission from The Trustee for the GMF Trust trading as GMF Contractors Pty Limited was assessed as partially compliant. GMF Contractors Pty Limited did not address some of the selection criteria. The submission was included for further assessment on the basis that clarifications could be sought from GMF Contractors Pty Limited, if shortlisted for consideration.

### **Qualitative Assessment**

GMF Contractors Pty Limited scored 14.6% in the qualitative assessment. The company demonstrated limited experience and capacity to carry out the works. Examples of works did not include dates of when the projects were completed, scope of works, outcomes and similarity to the City's requirements. Also, the company did not address the ability to provide additional personnel, if required, after-hours contacts for emergency requirements, safety procedures and statistics. In addition, it did not submit a response to demonstrate its understanding of the required tasks.

Viento Contracting Services Pty Ltd scored 46.7% in the qualitative assessment. The company demonstrated an understanding of the City's requirements. It has experience in completing roads maintenance and upgrades in regional areas for various mining companies. Examples of works were provided but included only three projects and these were Nammuldi below Water Table Project for Rio Tinto, Hillside Rail Crossing and Solomon Ammonium Nitrate Bulk Storage Facility for Fortescue Metals Group. Though some of these works were on a large scale and involved clearing, drainage and asphalt, the projects were carried out in regional areas with less traffic volumes and management. It did not fully demonstrate the capacity required to undertake the works. It did not address the number of full-time employees, specialised equipment that will be used, after-hours contacts for emergency requirements and the ability to provide additional personnel, if required.

Scott Construction & Development Pty Ltd scored 51.6% in the qualitative assessment. The company has in the past completed Joondalup Drive widening for the City of Wanneroo. Other examples of works were provided but these were mainly subdivision projects and transport yards and included Belgravia Estate for Satterley Property Group/Department of Housing and Transport Yard North Fremantle for Toll Group, respectively. It demonstrated some understanding of the City's requirements. It has sufficient industry experience and the capacity required to undertake the works. However, it did not address the number of full-time employees, after hours contacts for emergency requirements and the ability to provide additional personnel if required.

Croker Construction scored 52.8% in the qualitative assessment. The company demonstrated the experience and capacity required to carry out the works. Examples of works provided were predominantly sub-division works and these included The Glades at Byford residential subdivision for LWP Property Group and Lakeside Estate Hammond Park for J.H. Properties. The works carried out were of a similar nature to the City's requirements as one is on a major thoroughfare and the other has high traffic and on top of major existing services. Only a brief overview of its proposed construction methodology was provided. It did not fully demonstrate its understanding of the City's requirements.

Curnow Group (Hire) Pty Ltd scored 53.4% in the qualitative assessment. The company has been delivering roadwork projects for various organisations including local governments. Examples of works were provided and these included Northbridge Plaza Redevelopment for the City of Perth, Tomah Road project for Landcorp and Neerabup project for the City of Wanneroo. While these are small value contracts, the projects involved earthworks, pavement, road construction and drainage works. It has sufficient industry experience and the capacity required to provide the services. However, it submitted a brief response with limited information on its proposed construction methodology and did not fully demonstrate its understanding of the required tasks.

BCL Group Pty Ltd scored 54.3% in the qualitative assessment. The company demonstrated an understanding of the required tasks. It has experience in completing roads upgrade for local governments including the Shire of Laverton and the Shire of Morawa. Other examples of works were provided and these included construction of playing fields and associated infrastructure for the Cities of Kalgoorlie-Boulder and Swan. These projects involved streetscapes, ovals, bulk earthworks, road pavement and asphalt works with minimal traffic volumes and traffic management. It has the capacity required to carry out the works though the number of full-time employees, after-hours contacts for emergency requirements and safety statistics were not addressed.

Wormall Civil Pty Ltd scored 54.6% in the qualitative assessment. The company has the capacity to provide the services. However, after hours contacts for emergency requirements and the ability to provide additional personnel were not addressed. It demonstrated experience in completing civil construction projects. Examples of works included Shenton Road Underpass at Swanbourne for Scotch College and Kwinana Freeway extension (loaded sand and maintained limestone access roads) for The Southern Gateway Alliance. It demonstrated an understanding of the required tasks.

Jaxon Civil Pty Ltd scored 60.6% in the qualitative assessment. The company demonstrated experience in completing similar projects for state governments including Public Transport Authority (Guildford Railway Station carpark upgrade) and MRWA (Thomas Road widening at Oakford and Northwest Coastal Highway realignment at Northhampton). Some of these works were carried out in regional areas which involved managing high speed and not high volume traffic. It demonstrated an understanding of the required tasks and has the capacity to undertake the works.

WBHO Infrastructure Pty Ltd scored 68.1% in the qualitative assessment. The company is well resourced and has the capacity to carry out the works. It demonstrated a sound understanding of the City's requirements. It has experience in completing projects of a similar nature for state and local governments. Examples of works included Toodyay Road widening, road improvement works on Melville – Mandurah Highway, Ennis Avenue/ Port Kennedy Drive for MRWA, Flores and Place Roads intersection upgrade for the City of Greater Geraldton.

R J Vincent & Co scored 68.1% in the qualitative assessment. The company demonstrated experience in completing similar projects for various organisations including local governments. Examples of works included Lenore Road realignment and upgrade for the City of Wanneroo and Bertram Road Duplication for the City of Kwinana. Other examples of works were provided and these included civil subdivision works for Satterley Property Group (Marmion Avenue intersection) and Capricorn Village Joint Venture (Marmion Avenue extension from Jindalee to Yanchep). It demonstrated a sound understanding of the required tasks. It is a well established company and has the capacity to complete the works.

Tracc Civil Pty Ltd scored 68.6% in the qualitative assessment. The company has experience in completing similar projects for various organisations including local governments. Examples of works included Mundijong Road extension for the City of Rockingham, Gilmore Avenue duplication for the City of Kwinana and Goddard Street in Rockingham for Landcorp. It is well resourced and has the capacity to complete the works. It demonstrated a sound understanding of the City's requirements.

Densford Civil Pty Ltd scored 72.3% in the qualitative assessment. The company demonstrated a thorough understanding of the City's requirements. It has completed several road reconstruction projects over the past three years for state and local governments. These included Dampier Highway duplication for MRWA, Mirrabooka Avenue extension for the City of Wanneroo and Hodges Drive Duplication for the City of Joondalup. These projects involved traffic and pedestrian management with staging of works. It has industry experience and the capacity required to undertake the works.

Georgiou Group Pty Ltd scored 75.2% in the qualitative assessment. The company has in the past completed similar projects including Lenore Road dual carriageway upgrade, Hepburn Avenue duplication and Hartman Drive extension from Gngangara Road to Hepburn Avenue for the City of Wanneroo. These projects involved existing main road works, traffic management and existing services. It demonstrated a sound understanding of the City's requirements. It is well established and has significant industry experience and the capacity to carry out the works.

Ertech Pty Ltd scored 80% in the qualitative assessment. It demonstrated a thorough understanding and appreciation of the City's requirements. It has extensive experience in carrying out similar projects including Catalina Marmion Avenue intersection civil works for the Tamala Park Regional Council, Beeliar Drive improvement works from four to six lanes for Perron Investments, Connolly Drive duplication from Burns Beach Road to MacNaughton Crescent and Whitfords Avenue carriageway duplication for the City. The works undertaken for the Tamala Park Regional Council and the City involved earthworks, road works and stormwater drainage while working on main arterial roads with high traffic volumes. Ertech Pty Ltd is a well established company with significant industry experience and proven capacity to undertake the works for the City.

Given the minimum acceptable qualitative score of 65%, Ertech Pty Ltd (both conforming and alternative Offers), Georgiou Group Pty Ltd, Densford Civil Pty Ltd, Tracc Civil Pty Ltd, R J Vincent & Co and WBHO Infrastructure Pty Ltd qualified for stage two of the assessment.

### Price Assessment

<b>Tenderer</b>	<b>Lump Sum Price (ex GST)</b>
Ertech Pty Ltd (conforming Offer)	\$2,818,595
Ertech Pty Ltd (alternative Offer)	\$2,683,805
Georgiou Group Pty Ltd	\$2,998,544
Densford Civil Pty Ltd	\$2,691,413
Tracc Civil Pty Ltd	\$2,757,977
R J Vincent & Co	\$3,131,347
WBHO Infrastructure Pty Ltd	\$2,926,698

### Evaluation Summary

Tenderer	Price Ranking	Fixed Lump Sum	Qualitative Ranking	Weighted Percentage Score
Ertech Pty Ltd (conforming Offer)	4	\$2,818,595	1	80.0%
Ertech Pty Ltd (alternative Offer)	1	\$2,683,805	1	80.0%
Georgiou Group Pty Ltd	6	\$2,998,544	2	75.2%
Densford Civil Pty Ltd	2	\$2,691,413	3	72.3%
Tracc Civil Pty Ltd	3	\$2,757,977	4	68.6%
R J Vincent & Co	7	\$3,131,347	5	68.1%
WBHO Infrastructure Pty Ltd	5	\$2,926,698	5	68.1%
Jaxon Civil Pty Ltd	* \$2,807,329		6	60.6%
Wormall Civil Pty Ltd	* \$2,705,000		7	54.6%
BCL Group Pty Ltd	* \$3,542,743		8	54.3%
Curnow Group (Hire) Pty Ltd	* \$2,921,788		9	53.4%
Croker Construction	* \$2,736,934		10	52.8%
Scott Construction & Development Pty Ltd	* \$2,887,852		11	51.6%
Viento Contracting Services Pty Ltd	* \$3,279,662		12	46.7%
GMF Contractors Pty Limited	* \$3,828,913		13	14.6%

\* Failed to meet the acceptable score.

Based on the evaluation result the panel concluded that the alternative tender from Ertech Pty Ltd provides best value to the City and is therefore recommended.

Ertech Pty Ltd's alternative Offer provides a construction method eliminating the requirement for horizontal drilling. In summary, it will open cut across existing road for stormwater lines, backfill with stabilised sand as underneath the existing roadway and to maintain appearance of asphalt (avoiding patched up crossing points), the company will profile the existing carriageway to resurface with additional asphalt. The alternative method was assessed and deemed no less suitable with the added benefits that the open cut method is quicker and more cost effective.

### Issues and options considered

The City has a requirement for civil works for the carriageway duplication on Ocean Reef Road, from Oceanside Promenade to Marmion Avenue, Ocean Reef. The City does not have the internal resources to provide the required 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 clauses 11(1) and 18(4) 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** Integrated spaces.

**Strategic initiative** Provide for diverse transport options that promote enhanced connectivity.

**Policy** Not applicable.

**Risk management considerations**

Should the contract not proceed, the risk to the City will be high as the City will not be able to commence construction works on time and risk losing state funding.

It is considered that the contract will represent a low risk to the City as the recommended tenderer is a well-established company with significant industry experience and proven capacity to undertake the works for the City.

**Financial / budget implications**

<b>Account no.</b>	CW001559.
<b>Budget Item</b>	Ocean Reef Road carriageway duplication.
<b>Budget amount</b>	\$ 4,350,000
<b>Amount spent to date</b>	\$ 65,762
<b>Commitments</b>	\$ 202,895
<b>Proposed cost</b>	\$ 2,683,805
<b>Balance</b>	\$ 1,397,538

The funding is 2/3 Metropolitan Regional Road Group Improvement Grant (\$2.9m) and 1/3 City Contribution (\$1.45m). The City is currently in discussions with Main Roads WA seeking approval to extend the project to include the roundabout at Ocean Reef Road/Oceanside Promenade and to extend the dualling of Ocean Reef Road towards the Swanson Way roundabout.

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

### **Sustainability implications**

The carriageway duplication project will improve road safety and provides ease of vehicular access with dedicated cycle lanes and car parking at reserve. The new roundabouts and intersection upgrade will ease traffic movements through intersections. Safer traffic movements through intersections and the dual carriageway will separate longitudinal traffic movements avoiding head on collision.

The increased expected life of the asphalt being used in this project will reduce the need for asphalt resurfacing as per conventional asphalts, therefore reduced road maintenance cost.

### **Consultation**

Not applicable.

### **COMMENT**

The evaluation panel carried out the evaluation of the submissions in accordance with the City's evaluation process and concluded that the alternative offer submitted by Ertech Pty Ltd represents best value to the City.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Logan that Council ACCEPTS the alternative tender submitted by Ertech Pty Ltd for the civil works for Ocean Reef Road carriageway duplication as specified in Tender 029/15 for the fixed lump sum of \$2,683,805 (GST exclusive) with practical completion of works within five months from possession of site.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf091115.pdf](#)*



## **CJ195-11/15      TENDER 030/15 PROVISION OF PRELIMINARY WORKS PRIOR TO ROAD RESURFACING**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	105338, 101515
<b>ATTACHMENT</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.

### **PURPOSE**

For Council to accept the tender submitted by CQ & JM Dowsing Pty Ltd as Trustee for the Dowsing Family Trust trading as Dowsing Group for the provision of preliminary works prior to road resurfacing.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 22 August 2015 through statewide public notice for the provision of preliminary works prior to road resurfacing for a period of three years. Tenders closed on 8 September 2015. A submission was received from each of the following:

- All Civils WA Pty Ltd
- Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd
- JEK Pty Ltd ATF Shipard Family Trust T/As HAS Earthmoving
- Curnow Group (Hire) Pty Ltd
- CQ & JM Dowsing Pty Ltd as Trustee for the Dowsing Family Trust T/As Dowsing Group.

The submission from CQ & JM Dowsing Pty Ltd as Trustee for the Dowsing Family Trust trading as Dowsing Group represents best value to the City. The company demonstrated extensive experience providing services for 12 local governments including the Cities of South Perth, Belmont, Melville, Swan, Gosnells, Stirling, Kwinana, Cockburn, Rockingham and Wanneroo. Dowsing Group demonstrated an understanding of the required tasks and has adequate capacity to carry out the works for the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by CQ & JM Dowsing Pty Ltd as Trustee for the Dowsing Family Trust trading as Dowsing Group for the provision of preliminary works prior to road resurfacing as specified in Tender 030/15 for a period of three years at the submitted schedule of rates with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).*

## **BACKGROUND**

The City has a requirement for the provision of preliminary works prior to road resurfacing which may include but not be limited to the removal and disposal of kerbing, kerb backfilling (sand and gravel), removal and disposal of pram ramps and cutting, removal and disposal of brick paved or asphalt crossover sections.

The City currently has a single contract for the provision of preliminary works prior to road resurfacing with Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd, which will expire on 2 December 2015.

## **DETAILS**

The tender for the preliminary works prior to road resurfacing was advertised through statewide public notice on 22 August 2015. The tender period was for two weeks and tenders closed on 8 September 2015.

### **Tender Submissions**

A submission was received from each of the following:

- All Civils WA Pty Ltd
- Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd
- JEK Pty Ltd ATF Shipard Family Trust T/As HAS Earthmoving
- Curnow Group (Hire) Pty Ltd
- CQ & JM Dowsing Pty Ltd as Trustee for the Dowsing Family Trust T/As Dowsing Group.

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 comprised three members:

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

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

### **Compliance Assessment**

The following offers received were fully compliant and were considered for further evaluation.

- CQ & JM Dowsing Pty Ltd as Trustee for the Dowsing Family Trust trading as Dowsing Group
- Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd.

The following offers were assessed as non-compliant:

- All Civils WA Pty Ltd: The submission proposed to include minimum quantities of work which does not meet the City requirements.
- Curnow Group (Hire) Pty Ltd: The submission proposed to include minimum quantities of work which does not meet the City requirements.
- JEK Pty Ltd ATF Shipard Family Trust T/As HAS Earthmoving: The submission stated that full road works are required when works are requested and small sections would not be undertaken. This does not meet the City requirements.

These submissions were deemed to be non-conforming and were not considered further.

### **Qualitative Assessment**

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. The minimum acceptable score was set at 60%.

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

<b>Qualitative Criteria</b>		<b>Weighting</b>
1	Capacity	50%
2	Demonstrated experience in providing similar services	25%
3	Demonstrated understanding of the required tasks	20%
4	Social and economic effects on the local community	5%

Stirling Paving Pty Ltd scored 79.1% and was ranked second in the qualitative assessment. The company demonstrated a thorough understanding and appreciation of the requirements. It has been providing similar services to a number of long term clients including Garas Holdings Pty Ltd, Majestic Plumbing and is the current contractor for the City since 2001. Stirling Paving has sufficient capacity to undertake the works for the City.

Dowsing Group scored 81% and was ranked first in the qualitative assessment. The company demonstrated extensive experience providing services currently services for 12 local governments including the Cities of South Perth, Belmont, Melville, Swan, Gosnells, Stirling, Kwinana, Cockburn, Rockingham and Wanneroo. The company demonstrated an understanding of the required tasks and has adequate capacity to carry out the works for the City.

Based on the minimum acceptable score (60%), both Respondents qualified for stage 2 (price) assessment.

### **Price Assessment**

Following the qualitative assessment, the panel carried out a comparison of the rates offered by each tenderer qualified for stage 2 in order to assess value for money to the City.

The estimated expenditure over a 12 month period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tenders, the tendered rates offered by each tenderer have been applied to actual historical usage data of all six scheduled items. This provides a value of each tender for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained.

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% CPI increase was applied to the rates in years two and three.

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Dowsing Group	\$783,750	\$807,263	\$831,480	<b>\$2,422,493</b>
Stirling Paving Pty Ltd	\$1,020,576	\$1,051,193	\$1,082,729	<b>\$3,154,498</b>

During the last financial year 2014-15, the City incurred \$1,062,469 for the provision of preliminary works prior to road resurfacing and is expected to incur in the order of \$2,500,000 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>Total Contract Price</b>	<b>Price Rank</b>	<b>Evaluation Score</b>	<b>Qualitative Rank</b>
Dowsing Group	\$2,422,493	1	81%	1
Stirling Paving Pty Ltd	\$3,154,498	2	79.1%	2

Based on the evaluation result the panel concluded that the tender from Dowsing Group provides best value to the City and is therefore recommended.

### **Issues and options considered**

The City has a requirement for the provision of preliminary works prior to road resurfacing at various locations within the City. The City does not have the internal resources to provide the required services and requires an appropriate external contractor to undertake the services.

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

**Legislation** A statewide public tender was advertised, opened and evaluated in accordance with clauses 11(1) and 18(4) 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:** Integrated spaces.

**Policy** Not applicable.

**Risk Management Considerations**

Should the contract not proceed, the risk to the City will be high as a contract for this service is essential for the City to complete its capital works road preservation and resurfacing program.

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

**Financial/Budget Implications**

<b>Account No:</b>	Various Capital Works accounts.
<b>Budget Item:</b>	Preliminary works prior to road resurfacing.
<b>Estimated Budget Amount</b>	\$ 1,000,000
<b>Amount spent to date</b>	\$ 405,510
<b>Proposed Cost:</b>	\$ 558,566
<b>Balance:</b>	\$ 35,924

All figures quoted in this report are exclusive of GST.

**Regional Significance**

Not applicable.

**Sustainability Implications**

This Contract will ensure the City is able to upgrade and maintain the road network in a safe and usable state for the community.

**Consultation**

Not applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the submission in accordance with the City's evaluation process and concluded that the Offer submitted by CQ & JM Dowsing Pty Ltd as Trustee for the Dowsing Family Trust trading as Dowsing Group represents best value to the City.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Norman, SECONDED Cr Hamilton-Prime that Council ACCEPTS the tender submitted by CQ & JM Dowsing Pty Ltd as Trustee for the Dowsing Family Trust trading as Dowsing Group for the provision of preliminary works prior to road resurfacing as specified in Tender 030/15 for a period of three years at the submitted schedule of rates with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf091115.pdf](#)*

## **CJ196-11/15      TENDER 036/15   SUPPLY   AND   DELIVERY   OF CERTIFIED PATHOGEN FREE PINE BARK MULCH**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	105381, 101515
<b>ATTACHMENT</b>	Attachment 1      Summary of Tender Submission
<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 accept the tender submitted by The Trustee for Silverspring Trust trading as T J Depiazzi & Sons for the supply and delivery of certified pathogen free pine bark mulch.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 12 September 2015 through statewide public notice for the supply and delivery of certified pathogen free pine bark mulch. Tenders closed on 1 October 2015. A submission was received from The Trustee for Silverspring Trust trading as T J Depiazzi & Sons.

The submission from The Trustee for Silverspring Trust trading as T J Depiazzi & Sons represents value to the City. T J Depiazzi & Sons has been producing/supplying mulch and soil for over 36 years and has been providing similar services to local governments including the Cities of Stirling, Perth, Gosnells and Busselton. It is the City's current supplier for pine bark mulch. It is well established with significant industry experience and proven capacity to provide the goods and services to the City. It demonstrated a thorough understanding and appreciation of the City's requirements.

*It is therefore recommended that Council ACCEPTS the tender submitted by The Trustee for Silverspring Trust trading as T J Depiazzi & Sons for the supply and delivery of certified pathogen free pine bark mulch as specified in Tender 036/15 for a period of three years at the submitted rate, with any price variations subject to the percentage change in the Perth CPI (All Groups).*

### **BACKGROUND**

The City has a requirement for the supply and delivery of certified pathogen free pine bark mulch to meet the City's *Pathogen Management Plan* for quality landscaping to public open spaces and streetscapes. The objective of the *Pathogen Management Plan* is to protect biodiversity values within the City of Joondalup by minimising the risk of introducing and spreading pathogens within landscaped and natural areas of the City.

The supply of plant stock, soil and mulch that contains pathogens is one of the most common ways that pathogens such as *Phytophthora* and *Armillaria luteobubalina* establish within an area and it is therefore essential that the mulch used by the City is pathogen free.

Particle size and type of mulch makes pine bark mulch an ideal product for the use in streetscapes as it will not burn if an errant cigarette butt or match is thrown from a window. The worst case scenario is that it will only smoulder. This is unlike fine particle unprocessed mulch which will ignite causing a road traffic hazard and plant deaths.

Due to the consistent particle size and type, the mulch breaks down slower allowing the City to program replacement every 4-5 years compared to every 2-3 years.

As it is certified it is also guaranteed weed seed free, unlike cheap mulches which tend to have a flourish of weed germination once applied. Based on last year's usage of 7,702m<sup>2</sup> the City has theoretically saved \$44,000 in chemical control of weeds where the mulch has been applied.

Consistency of product also means no rubbish is mixed through the mulch which was prevalent in previous products used by the City. There has been numerous news articles in the Wanneroo local paper showing newly mulched medians covered in recyclable waste which had been incorporated into the free mulch product.

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

## **DETAILS**

The tender for the supply and delivery of certified pathogen free pine bark mulch was advertised through statewide public notice on 12 September 2015. The tender period was for three weeks and tenders closed on 1 October 2015.

### **Tender Submissions**

A submission was received from The Trustee for Silverspring Trust trading as T J Depiazzi & Sons.

A summary of the tender submission including the location of the tenderer is provided in Attachment 1.

### **Evaluation Panel**

The evaluation panel was composed of three members being:

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

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



## Evaluation Method and Weighting

The comprehensive weighting method of tender evaluation (includes weighting to each selection criterion and price) was selected to evaluate the offers for this requirement.

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

Qualitative and Price Criteria		Weighting
1	Price	70%
2	Capacity	14%
3	Demonstrated Experience in Providing Similar Services	10%
4	Demonstrated understanding of the required tasks	5%
5	Social and economic effects on the local community	1%

## Compliance Assessment

The Submission received was assessed as compliant and remained for further consideration.

## Qualitative Assessment

T J Depiazzi & Sons scored 90.9% in the overall assessment. It demonstrated a thorough understanding and appreciation of the City's requirements. It has been producing/supplying mulch and soil for over 36 years and has been providing similar services to local governments including the Cities of Stirling, Perth, Gosnells and Busselton. It is the City's current supplier for pine bark mulch. It is well established with significant industry experience and proven capacity to provide the goods and services to the City.

## Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted rates offered by the tenderer and the existing rates (currently paid by the City) to assess value for money to the City.

The estimated expenditure over a 12 month period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tender, the tendered rate offered by the tenderer has been applied to actual historical usage data of the item. This provides a value of the tender for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained.

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 CPI for the preceding year. For estimation purposes, a 2% CPI increase was applied to the rates in years two and three.

Tenderer	Year 1	Year 2	Year 3	Total
T J Depiazzi & Sons	\$461,365	\$470,592	\$480,004	\$1,411,961
Existing rates (currently paid by the City)	\$443,627	\$452,499	\$461,549	\$1,357,675

During the past 12 months, the City incurred \$443,390 for pine bark mulch.

## Evaluation Summary

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

Tenderer	Qualitative Weighted Score	Price Weighted Score	Total Weighted Percentage Score	Estimated Contract Price
T J Depiazzi & Sons	20.9%	70%	90.9%	\$1,411,961

Based on the evaluation result the panel concluded that the tender from T J Depiazzi & Sons provides value to the City and is therefore recommended.

## Issues and options considered

The City has a requirement for the supply and delivery of certified pathogen free pine bark mulch. The City does not have the internal resources to provide the required 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 clauses 11(1) and 18(4) 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

Established landscapes that are unique to the City and provide statements within prominent network areas.

#### Policy

Not applicable.

## Risk management considerations

Should the contract not proceed, the risk to the City will be moderate as it will impact the City in providing quality landscaping to public open spaces and streetscapes.

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

**Financial / budget implications**

<b>Account no.</b>	Various accounts.
<b>Budget Item</b>	Pine bark mulch.
<b>Estimated Budget amount</b>	\$ 307,099
<b>Amount spent to date</b>	\$ 37,969
<b>Proposed cost</b>	\$ 269,130
<b>Balance</b>	\$ 0

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

The contract will ensure the City is able to reduce water consumption, minimise ongoing maintenance and enhance landscaping of public open spaces and streetscapes. The benefits of mulch would be moisture/water retention and suppression of weeds.

**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 Silverspring Trust trading as T J Depiazzi & Sons represent best value to the City.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Logan that Council ACCEPTS the tender submitted by The Trustee for Silverspring Trust trading as T J Depiazzi & Sons for the supply and delivery of certified pathogen free pine bark mulch as specified in Tender 036/15 for a period of three years at the submitted rate, with any price variations subject to the percentage change in the Perth CPI (All Groups).**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ202-11/15, page 155 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 14 refers*

To access this attachment on electronic document, click here: [Attach14brf091115.pdf](#)

**Disclosures of interest affecting impartiality**

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No./Subject</b>	CJ197-11/15 – Sports Development Program – Round 1 2015-16.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Pickard is a member of the Whitford Hockey Club.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No./Subject</b>	CJ197-11/15 – Sports Development Program – Round 1 2015-16.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime is a former member of the Whitford Hockey Club.

## CJ197-11/15      SPORTS DEVELOPMENT PROGRAM - ROUND 1 2015-16

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	58536, 101515
<b>ATTACHMENT</b>	Attachment 1 <i>Community Funding Policy</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.

**PURPOSE**

For Council to consider funding applications for the City's *2015-16 Sports Development Program – Round One*.

**EXECUTIVE SUMMARY**

The Sports Development Program aims to assist local not for profit, district level sporting clubs with programs, projects and events that facilitate the development of sport and enhance its delivery to City of Joondalup residents.

The City received two applications in round one of the *2015-16 Sports Development Program* from the Whitford Hockey Club and the Wanneroo Lacrosse Club.

A panel convened to assess the application has recommended that both the Whitford Hockey Club and the Wanneroo Lacrosse Club projects be supported.

*It is therefore recommended that Council APPROVES:*

- 1 *a grant of \$19,059.80 to the Whitford Hockey Club for their Junior Development Program, subject to the club entering into a formal funding agreement with the City of Joondalup;*
- 2 *a grant of \$20,000 to the Wanneroo Lacrosse Club for their schools Modcrosse Program, subject to the club entering into a formal funding agreement with the City of Joondalup.*

## **BACKGROUND**

At its meeting held on 11 June 2002 (CJ136-06/02 refers), Council resolved to establish a sporting club support scheme whereby assistance can, upon application, be made available to district level clubs in lieu of individual sponsorship support. The City's *Community Funding Policy* (Attachment 1 refers) was amended by Council at its meeting held on 21 August 2012 (CJ170-08/12 refers).

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

## **DETAILS**

The City received two applications for round one of the *2015-16 Sports Development Program*. The applications were from the Whitford Hockey Club and the Wanneroo Lacrosse Club.

### **Whitford Hockey Club**

The Whitford Hockey Club submitted an application that sought support for a Junior Development program which the club intends to run from January 2016 to December 2016. The proposed project aims to provide opportunities for talented juniors at a higher level and attract and retain talented players.

Whitford Hockey Club has 600 members (347 junior members) and whose teams play in junior and senior competitions through Hockey WA. The club operates from MacDonald Reserve Padbury, HBF Arena Joondalup and ECU.

The key outcomes of the Junior Development program include:

- an in schools clinic program
- an Early Development Program for school years 3-6
- a Junior Development Squad where players are selected to participate in a specialised elite training program
- coaching Development Program to attract and develop new coaches.

A panel of City officers met on 11 September 2015 to assess this application and determined that while the Junior Development program met the criteria of the funding program, further information was required to fully assess the application.

Further clarity regarding the quotes, a support letter from Hockey WA and authorised financial statements were sought. The club was provided additional time beyond the closing date to provide this information. The further information was submitted by the club and met the requirements of the funding program.

The costs of the program are itemised in the following table:

	<b>Amount Requested from the City</b>	<b>Amount Recommended by the City</b>
In schools program	\$ 2,250.00	\$ 2,250.00
Early Development Program	\$ 2,121.75	\$ 2,121.75
Junior Development Squad	\$13,488.05	\$13,488.05
Coaching Development	\$ 1,200.00	\$ 1,200.00
	<b>\$19,059.80</b>	<b>\$19,059.80</b>

The Whitford Hockey Club has previously received two Sports Development Program grants from the City in 2007-08 and 2011-12. These grants have been acquitted.

### **Wanneroo Lacrosse Club**

The Wanneroo Lacrosse Club submitted an application that sought support for their Schools Modcrosse Program which the club intends to run from December 2015 to August 2016. The proposed project aims to deliver 1,296 hours of school clinics across 36 schools and up-skill coaches, ultimately enhancing the sport's profile in the community.

Wanneroo Lacrosse Club has over 256 members (168 junior members) competing in the Lacrosse WA competitions. The club operates from Penistone Reserve, Greenwood.

The key outcomes of the Schools Modcrosse program include:

- purchase equipment to run clinics
- engage with 36 local schools to run clinics
- up-skill coaches to run clinics and coach at the club (club funded)
- undertake 1,296 hours of clinics.

A panel of City officers met on 11 September 2015 to assess this application and determined that whilst the Schools Modcrosse Program met the criteria of the funding program, further information was required to fully assess the application.

Further clarity regarding the other amount of \$9,380 in the budget, authorised financial statements, and a current list of committee members and organisation structure was sought. The club was provided additional time beyond the closing date to provide this information. The further information was submitted by the club and the panel determined the application met the criteria of the funding program.

The costs of the program are itemised in the following table:

	<b>Amount Requested from the City</b>	<b>Amount Recommended by the City</b>
Equipment	\$ 9,244	\$ 9,244
Promotional flyers	\$ 1,000	\$ 1,000
Clinic coach payments	\$ 9,756	\$ 9,756
<b>Total</b>	<b>\$ 20,000</b>	<b>\$20,000</b>

The Wanneroo Lacrosse Club has not previously received a Sports Development Program grant from the City.

### **Issues and options considered**

Council may:

- approve each application for the Sports Development Program separately or
- not approve each application for the Sports Development Program separately.

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

**Legislation** Not applicable.

#### **Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Community spirit.

**Strategic initiative**

- Support and encourage opportunities for local volunteering.
- Promote the sustainable management of local organisations and community groups.
- Support and facilitate the development of community leaders.

**Policy** The Sports Development Program is conducted in line with the *Community Funding Policy*.

### **Risk management considerations**

Due to the transient nature of sporting club committees it is possible that a club would find it difficult to maintain and provide reasonable information to complete an acquittal to the standard required in the funding agreement.

This risk is managed by the City being proactive in maintaining contact with sporting clubs who have outstanding grant acquittals to ensure they are completed on time and with the relevant evidence and information.

**Financial / budget implications**Current financial year impact

<b>Account no.</b>	1.443.A4409.3293.4023.
<b>Budget Item</b>	Sponsorship.
<b>Budget amount</b>	\$ 90,000.00
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$ 39,059.80
<b>Balance</b>	\$ 50,940.20

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

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

**Consultation**

Not applicable.

**COMMENT**

Not applicable.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 APPROVES a grant of \$19,059.80 to the Whitford Hockey Club for their Junior Development Program, subject to the club entering into a formal funding agreement with the City of Joondalup;**
- 2 APPROVES a grant of \$20,000 to the Wanneroo Lacrosse Club for its schools modcrosse program subject to the club entering into a formal funding agreement with the City of Joondalup;**
- 3 REITERATES its decision of 15 July 2015 (CJ19-07/15 refers) and REQUESTS the Wanneroo Lacrosse Club (juniors and seniors) to give consideration to changing its club name to better reflect its locale and in recognition of the level of funding and subsidies afforded to it from the City of Joondalup.**



**AMENDMENT MOVED Mayor Pickard, SECONDED Cr Chester that an additional Part 4 be added to the Motion to read as follows:**

- “4 ADVISES the Wanneroo Lacrosse Club that the City will not consider any future requests for financial assistance from the club until it has altered its name so it better reflects its locale.”**

**The Amendment was Put and**

**CARRIED (12/0)**

**In favour of the Amendment:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

**The Original Motion as amended, being:**

**That Council:**

- 1 APPROVES a grant of \$19,059.80 to the Whitford Hockey Club for their Junior Development Program, subject to the club entering into a formal funding agreement with the City of Joondalup;**
- 2 APPROVES a grant of \$20,000 to the Wanneroo Lacrosse Club for its schools modcrosse program subject to the club entering into a formal funding agreement with the City of Joondalup;**
- 3 REITERATES its decision of 15 July 2015 (CJ19-07/15 refers) and REQUESTS the Wanneroo Lacrosse Club (juniors and seniors) to give consideration to changing its club name to better reflect its locale and in recognition of the level of funding and subsidies afforded to it from the City of Joondalup;**
- 4 ADVISES the Wanneroo Lacrosse Club that the City will not consider any future requests for financial assistance from the club until it has altered its name so it better reflects its locale.**

**Was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf091115.pdf](#)*

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No./Subject</b>	CJ198-11/15 – Request for Additional Subsidies – Facility Hire Subsidy Policy.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	<ul style="list-style-type: none"> <li>Mayor Pickard is a patron of the Joondalup Lakers Hockey Club.</li> <li>A representative of the WA Sky Pirate Paramotor Club is a neighbour of Mayor Pickard.</li> </ul>

## CJ198-11/15      REQUEST   FOR   ADDITIONAL   SUBSIDIES   - FACILITY HIRE SUBSIDY POLICY

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	101271, 101515
<b>ATTACHMENT</b>	Attachment 1 <i>Property Management Framework</i> Attachment 2 <i>Facility Hire Subsidy Policy</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.

**PURPOSE**

For Council to give consideration to apply additional subsidies for the hire of City facilities by winter sporting groups in 2015.

**EXECUTIVE SUMMARY**

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted a *Property Management Framework* (Attachment 1 refers) which is intended to provide the City with a guide to managing all property under the City's ownership, care and control. It contains specific requirements for the classifying of property and its usage.

As part of the framework, Council also reviewed various supporting policies to assist it in managing property and users of City facilities. The revised *Facility Hire Subsidy Policy* (Attachment 2 refers) allows for various levels of subsidisation of the hire fees for certain community groups. The policy states that where a community group wishes for further subsidisation, application must be made to the City with a report presented to Council for its consideration.

The *Facility Hire Subsidy Policy* was reviewed after its initial period in operation and Council adopted a revised version at its meeting held on 9 December 2014 (CJ243-12/14 refers). The revised policy stipulates that groups must have their primary base of operation within the City of Joondalup to be eligible for a subsidy. It also provides authority for the Chief Executive Officer to waive facility hire booking fees up to the value of \$5,000.

The City has completed the seasonal bookings for use of its facilities in winter 2015. Consequently, some groups have sought further subsidisation in accordance with the policy.

- Joondalup Lakers Hockey Club (juniors)
- Joondalup Lakers Hockey Club (seniors)
- Perth Outlaws Softball Club (juniors)
- Perth Outlaws Softball Club (seniors).

A request from the WA Sky Pirate Paramotor Club has also been received for consideration of a subsidisation in accordance with the policy of the hire charges levied on their use of Pinnaroo Point. This has been included for consideration.

It is recommended that Council consider each request on a case by case basis.

## **BACKGROUND**

The City of Joondalup manages 148 facilities utilised by approximately 300 community groups over 19,000m<sup>2</sup> of land either as freehold or managed property which is reserved or dedicated under the *Land Administration Act 1997*. This property has been set aside for a diversity of purposes, such as recreation, public open space, drainage and administrative or infrastructure purposes.

In previous years, property management arrangements for City owned and managed property were approached on an ad-hoc basis. This resulted in varying management methods and inconsistent leasing, licensing and facility hire conditions (including the application of subsidised use).

In an effort to apply greater consistency to property management, at its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted a framework that takes a broad approach and addresses the myriad of issues involved in property management. It is intended to provide a consistent and concise methodology for the future.

## **DETAILS**

At its meeting held on 9 December 2014 (CJ243-12/14 refers), Council adopted a revised policy relating to subsidised use of City facilities that is to:

- provide guidance on determining the extent of subsidy to be offered to groups hiring City-managed facilities
- ensure facility hire subsidies are applied in a consistent, transparent and equitable manner.

The policy applies to all local not-for-profit community groups and groups from educational institutions hiring City-managed facilities on a regular or casual basis, excluding facilities contained within the City of Joondalup Leisure Centre - Craigie. The policy applies to organised groups only (does not apply to individuals) and they must have their primary base of operation within the City of Joondalup to be eligible for a subsidy.

The policy allocates a level of subsidy to user groups. The City will subsidise the cost of facility hire charges for City-managed facilities for local not-for-profit community groups and groups from educational institutions if the group is able to demonstrate that at least 50% of its active members/participants reside within the City of Joondalup. These groups are categorised within the policy based on the nature of the group, that is, groups that provide recreational, sporting activities and/or targeted services exclusively for people aged 55 years of age and over.

Notwithstanding the above, the City reserves the right that if a group is booking a facility at a subsidised rate and it is not being utilised it may charge that group for the unutilised booking of that facility at the full community rate.

The process the City follows when booking facilities for regular hire groups is via two ways, being:

- annual users
- seasonal users.

Annual users are those groups who hire a City facility for a calendar year, where a seasonal user is a group that books either for a winter or summer season, which are regarded traditional sports seasons.

In regard to dealing with requests for additional subsidies over and above what is permitted within the policy, the policy states:

*“A group may apply for an additional subsidy under special circumstances. Applications must be made in a written submission to the Chief Executive Officer. The Chief Executive Officer will determine such requests where the value of the additional subsidy is below \$5,000. Requests for additional subsidies above \$5,000 will be addressed by the Chief Executive Officer and referred to Council for determination.”*

*Additional subsidies will be provided for the following:*

- *Any group who has provided recent, significant cash or in-kind contribution(s) towards the total value of the construction of a hired facility.*
- *Any group who is experiencing significant financial difficulties.*
- *Any other group who can provide reasonable justification for receiving an additional subsidy.*

*Submissions for additional subsidies will be assessed on a case-by-case basis and will apply for one year/season. A new application must be made in each following year/season.”*

The City has completed the seasonal bookings for use of its facilities in the 2015 winter sporting season. Consequently, some groups have sought further subsidisation in accordance with the policy. While some requests are for amounts less than \$5,000, all requests are being presented to Council to enable a consistent decision process for all groups.

- Joondalup Lakers Hockey Club (juniors)
- Joondalup Lakers Hockey Club (seniors)
- Perth Outlaws Softball Club (juniors)
- Perth Outlaws Softball Club (seniors)
- WA Sky Pirate Paramotor Club

Joondalup Lakers Hockey Club (juniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Iluka Open Space – West Park	Junior Recreational or Sporting Group	100% up to 35 hours per week	16	N/A	\$7,896 (0% subsidy) \$5,922 (25% subsidy) \$3,948 (50% subsidy) \$1,974 (75% subsidy) \$0 (100% subsidy)

Joondalup Lakers Hockey Club (juniors) has 166 members and is based at Iluka Open Space in Iluka.

The City's *Facility Hire Subsidy Policy* provides different subsidy levels for junior and senior sporting groups so for the purposes of assessing the club's eligibility for a subsidy, the junior and senior sections of the club are considered separately.

The Joondalup Lakers Hockey Club (juniors) books Iluka Open Space West Park for 16 hours per week, averaged over the winter sporting season. A 100% subsidy would normally apply to junior sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 166 junior members, only 43.9% are City of Joondalup residents, less than the minimum 50% required under the policy. In 2014 the Joondalup Lakers Hockey Club (juniors) did qualify for 100% subsidy as they had over 50% of its members residing within the City of Joondalup.

It is noted that this group is one of the two hockey clubs in the northern districts and is based in the north-western corner of the City. Joondalup Lakers Hockey Club has been based at Iluka Open Space for over 20 years.

The group has requested it receive a 100% subsidy or fee waiver in 2015. It is recommended that rather than classify the group as eligible for a subsidy, that Council considers waiving 75% of the fees that would apply, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver) - unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.

Joondalup Lakers Hockey Club (seniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Iluka Open Space – West Park	Adult Recreational or Sporting Group	50% continually	8	N/A	\$906.36 (0% subsidy) \$679.77 (25% subsidy) \$453.18 (50% subsidy)

Joondalup Lakers Hockey Club (seniors) has 243 members (men and women) and is based at Iluka Open Space in Iluka.

The City's *Facility Hire Subsidy Policy* provides different subsidy levels for junior and senior sporting groups so for the purposes of assessing the club's eligibility for a subsidy, the junior and senior sections of the club are considered separately.

The Joondalup Lakers Hockey Club (seniors) book Iluka Open Space West Park for eight hours per week. A 50% subsidy would normally apply to adult sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 243 adult members, only 48.5% are City of Joondalup residents, less than the minimum 50% required under the policy.

It is noted that this group is one of the two hockey clubs in the northern districts and is based in the north-western corner of the City. Joondalup Lakers Hockey Club has been based at Iluka Open Space for over 20 years.

In 2014 the Joondalup Lakers Hockey Club (seniors) did not have 50% of members residing within the City of Joondalup and therefore were not eligible for a subsidy. They did not submit a request for a subsidy and therefore were charged and paid the full community rate.

The group has requested it receive a 50% subsidy or fee waiver in 2015. It is recommended that rather than classify the group as eligible for a subsidy, that Council considers waiving 25% of the fees that would apply, with the group to be advised that no waiver will be applied in 2016, unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.

Perth Outlaws Softball Club (juniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Warwick Open Space	Junior Recreational or Sporting Group	100% up to 10 hours per week	5	N/A	\$2,100 (0% subsidy) \$1,575 (25% subsidy) \$1,050 (50% subsidy) \$525 (75% subsidy) \$0 (100% subsidy)

Perth Outlaws Softball Club (juniors) has 22 members and is based at Warwick Open Space in Warwick.

The City's *Facility Hire Subsidy Policy* provides different subsidy levels for junior and senior sporting groups so for the purposes of assessing the club's eligibility for a subsidy, the junior and senior sections of the club are considered separately.

The Perth Outlaws Softball Club (juniors) books Warwick Open Space for 5 hours per week, averaged over the winter sporting season. A 100% subsidy would normally apply to junior sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 22 junior members, only 45.4% are City of Joondalup residents, less than the minimum 50% required under the policy.

It is noted that this group is one of two clubs in the City of Joondalup area and is situated close to the City's southern border and consequently the group does attract members from outside the City of Joondalup area.

In 2014 the club did not submit a separate booking for the junior club and included them in the senior club application. Therefore, the club was charged and subsequently paid the full community rate.

The group has requested it receive a 100% subsidy or fee waiver in 2015. It is recommended that rather than classify the group as eligible for a subsidy, that Council considers waiving 75% of the fees that would apply, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver) unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.

Perth Outlaw Softball Club (seniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Warwick Open Space	Adult Recreational or Sporting Group	50% continually	5	N/A	\$1,812.72 (0% subsidy) \$1,359.54 (25% subsidy) \$906.36 (50% subsidy)

Perth Outlaws Softball Club (seniors) has 40 members and is based at Warwick Open Space in Warwick.

The City's *Facility Hire Subsidy Policy* provides different subsidy levels for junior and senior sporting groups so for the purposes of assessing the club's eligibility for a subsidy, the junior and senior sections of the club are considered separately.

The Perth Outlaws Softball Club (seniors) books Warwick Open Space for five hours per week. A 50% subsidy would normally apply to adult sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 40 senior members, only 25% are City of Joondalup residents, less than the minimum 50% required under the policy.

It is noted that this group is one of two softball clubs in the City of Joondalup area and is situated close to the City's southern border and consequently the group does attract members from outside the City of Joondalup area.

In 2014, the club did not qualify for a subsidy nor did they submit a request and therefore was invoiced and paid the community rate.

The group has requested it receive a 50% subsidy or fee waiver in 2015. It is recommended that rather than classify the group as eligible for a subsidy, that Council considers waiving 25% of the fees that would apply, with the group to be advised that no waiver will be applied in 2016, unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.



WA Sky Pirate Paramotor Club

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost (2016 rate)
Pinnaroo Point, Hillarys	Adult Recreational or Sporting Group	Not eligible for subsidy (do not meet 50% resident requirement)	N/A	N/A	\$511.30 (0% subsidy) \$383.48 (25% subsidy) \$255.65 (50% subsidy) \$127.83 (75% subsidy) \$51.13 (90% subsidy)

The WA Sky Pirate Paramotor Club has 14 members and operates from Pinnaroo Point, Hillarys. The club doesn't have a home base as other sporting clubs do and operates from a number of sites dependant on the prevailing weather conditions.

At its meeting held on 28 July 2015 (CJ118-07/15 refers), Council endorsed the activity and resolved that the club be charged the "Annual Hire Group - Non Sporting" rate within the City's *Fees and Charges*.

The WA Sky Pirate Paramotor Club books Pinnaroo Point, Hillarys as an Annual Hire Group (Non-Sporting), this provides up to four hours per week. A 50% subsidy would normally apply to adult sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status as less than 50% of their members are City of Joondalup residents.

It is noted that this club can be transient in nature and can only operate from specific sites at a certain number of times each year.

The club has requested it receive a 90% subsidy in 2015 and that subsidy to be applied each year thereafter. This is based on the club's proposal that it pay for 35 days based on the current fee structure (10% of the year). The club has stated that it would fly on average 10 days a year from Pinnaroo Point and that the maximum number of days foreseeable would be 20. The 35 day figure was provided by the club to provide the City a significant factor of 3.5 in the City's favour.

It is recommended that rather than classify the group as eligible for a subsidy, that Council considers waiving 75% of the fees that would apply, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver) unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.

As the club won't be operating from the site for the entire 12 month period the final 2015 rate for the club will be assessed pro-rata against their final booking period.

## Issues and options considered

The Council may:

- approve each of the requests for additional subsidies on a case by case basis
- approve in part each of the requests on a case by case  
or
- decline the request for additional subsidies on a case by case basis.

## Legislation / Strategic Community Plan / policy implications

**Legislation** Section 6.12 of the *Local Government Act 1995*.

### Strategic Community Plan

**Key theme** Financial Sustainability.

**Objective** Financial diversity.

**Strategic initiative** Identify opportunities for new income streams that are financially sound and equitable.

**Policy** *Facility Hire Subsidy Policy*.

## Risk management considerations

The following risks may happen pending the consideration of the additional requests for subsidised use of City facilities:

- the user groups may not have the financial capacity to meet the costs proposed by the City for the additional use above the group's allocated subsidy
- the City compromises its strategic initiative in examining alternative revenue streams
- incorrectly classifying the groups may set a precedent and cause complications in classifying other groups when determining subsidies.

## Financial / budget implications

The cost to the City across all levels of subsidised use of City facilities is approximately \$1.3m. If the City was to extend the subsidies and waive the fees proposed for additional usage of City facilities for these groups, the City will lose approximately \$13,066.25 in income for 2014-15 and 2015-16.

## Regional significance

Requests for subsidised use only apply to users of City facilities that have a minimum of 50% members being resident to the City of Joondalup, and groups who have their primary base of operation within the City of Joondalup.

## **Sustainability implications**

The *Property Management Framework* aims to support the equitable, efficient and effective management of City-owned and managed properties. The framework recognises the value and community benefit of activities organised and provided for by community groups, by subsidising such groups where appropriate. The framework also aims to protect and enhance the City's property assets for the benefit of the community and for future generations.

## **Consultation**

Not applicable.

## **COMMENT**

The intent of the adopted *Facility Hire Subsidy Policy* was not about generating additional income but to achieve more equitable and greater use of City facilities.

This is the second season the adopted policy has been in place, previous decisions to phase in fees was to assist clubs with the transition and allow them to adjust their fee structure for future seasons. However, once the assistance is provided to the clubs to position themselves financially going forward, the general principle would be that the full community rate is met by the clubs unless they become eligible for the subsidy. It is important that the classification of groups within the policy for levels of subsidisation remains consistent, however, if a group requires further consideration relating to fees, it is open to Council to waive these fees.

One of the objectives of the *Property Management Framework* was to stop groups booking facilities on a just-in-case situation. Such bookings then prevent other groups/individuals from gaining access to those facilities.

## **VOTING REQUIREMENTS**

Simple Majority.

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

- 1       NOTES that the Joondalup Lakers Hockey Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;**
- 2       DOES NOT AGREE to the request for subsidy as per the *Facility Hire Subsidy Policy* for the Joondalup Lakers Hockey Club (juniors and seniors);**
- 3       AGREES to waive 75% of the fees that would apply to the Joondalup Lakers Hockey Club (juniors) up to \$5,922.00 for 2015 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver), unless the group's status changes and they become eligible for a subsidy;**

- 4 **AGREES** to waive 25% of the fees that would apply to the Joondalup Lakers Hockey Club (seniors) up to \$679.77 for 2015 bookings, with the group to be advised that no waiver will be applied in 2016, unless the group's status changes and they become eligible for a subsidy;
- 5 **NOTES** that the Perth Outlaws Softball Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;
- 6 **DOES NOT AGREE** to the request for subsidy as per the *Facility Hire Subsidy Policy* for the Perth Outlaws Softball Club (juniors and seniors);
- 7 **AGREES** to waive 75% of the fees that would apply to the Perth Outlaws Softball Club (juniors) up to \$1,575.00 for 2015 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver), unless the group's status changes and they become eligible for a subsidy;
- 8 **AGREES** to waive 25% of the fees that would apply to the Perth Outlaws Softball Club (seniors) up to \$1,359.54 for 2015 bookings, with the group to be advised that no waiver will be applied in 2016, unless the group's status changes and they become eligible for a subsidy;
- 9 **NOTES** that the WA Sky Pirate Paramotor Club does not meet the criteria in the *Facility Hire Subsidy Policy*;
- 10 **DOES NOT AGREE** to the request for subsidy as per the *Facility Hire Subsidy Policy* for the WA Sky Pirate Paramotor Club;
- 11 **AGREES** to waive 75% of the fees that would apply to the WA Sky Pirate Paramotor Club up to \$383.48 for 2015 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver), unless the group's status changes and they become eligible for a subsidy;
- 12 **NOTES** that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.

**AMENDMENT MOVED** Cr Norman, **SECONDED** Cr Hamilton-Prime that Part 11 of the Motion be amended to read as follows:

- "11 AGREES to waive 100% of the fees (Annual Hire Group – Non Sporting) that would apply to the WA Sky Pirate Paramotor Club for the use of Pinnaroo Point, Hillarys, being a maximum of 10 days annually with any additional hours of use, reported annually, being charged at the Casual hire fee of \$22/hr retrospectively, for the remainder of 2015 and for 2016;"**

**The Amendment was Put and**

**CARRIED (10/2)**

**In favour of the Amendment:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Logan, McLean, Norman, Poliwka and Taylor.

**Against the Amendment:** Crs Hollywood and Jones.

**AMENDMENT MOVED** Mayor Pickard, **SECONDED** Cr Dwyer that Parts 3, 4, 7, 8, be amended and an additional Part 13 be added to the Motion to read as follows:

- “3     AGREES to waive 100% of the fees that would apply to the Joondalup Lakers Hockey Club (juniors) for the use of City parks and facilities to a maximum of 35 hours per week for the 2015 and 2016 winter season;**
- 4     AGREES to waive 50% of the fees that would apply to the Joondalup Lakers Hockey Club (seniors) for the use of City parks and facilities up to \$453.18 per year for 2015 and 2016 winter seasonal bookings;**
- 7     AGREES to waive 100% of the fees that would apply to the Perth Outlaws Softball Club (juniors) for the use of City parks and facilities to a maximum of 10 hours per week for the 2015 and 2016 winter season;**
- 8     AGREES to waive 50% of the fees that would apply to the Perth Outlaws Softball Club (seniors) for the use of City parks and facilities up to \$906.36 per year for the 2015 and 2016 winter seasonal bookings;**
- 13    REQUESTS the Perth Outlaws Softball Club (juniors and seniors) to give consideration to changing its club name to better reflect its locale and in recognition of the level of funding and subsidies afforded to it by the City of Joondalup.”**

**The Amendment was Put and**

**CARRIED (11/1)**

**In favour of the Amendment:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Logan, McLean, Norman, Poliwka and Taylor.

**Against the Amendment:** Cr Jones.

**The Original Motion as amended, being:**

**That Council:**

- 1     NOTES that the Joondalup Lakers Hockey Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;**
- 2     DOES NOT AGREE to the request for subsidy as per the *Facility Hire Subsidy Policy* for the Joondalup Lakers Hockey Club (juniors and seniors);**
- 3     AGREES to waive 100% of the fees that would apply to the Joondalup Lakers Hockey Club (juniors) for the use of City parks and facilities to a maximum of 35 hours per week for the 2015 and 2016 winter season;**
- 4     AGREES to waive 50% of the fees that would apply to the Joondalup Lakers Hockey Club (seniors) for the use of City parks and facilities up to \$453.18 per year for 2015 and 2016 winter seasonal bookings;**
- 5     NOTES that the Perth Outlaws Softball Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;**
- 6     DOES NOT AGREE to the request for subsidy as per the *Facility Hire Subsidy Policy* for the Perth Outlaws Softball Club (juniors and seniors);**

- 7      **AGREES** to waive 100% of the fees that would apply to the Perth Outlaws Softball Club (juniors) for the use of City parks and facilities to a maximum of 10 hours per week for the 2015 and 2016 winter season;
- 8      **AGREES** to waive 50% of the fees that would apply to the Perth Outlaws Softball Club (seniors) for the use of City parks and facilities up to \$906.36 per year for 2015 and 2016 winter seasonal bookings;
- 9      **NOTES** that the WA Sky Pirate Paramotor Club does not meet the criteria in the *Facility Hire Subsidy Policy*;
- 10     **DOES NOT AGREE** to the request for subsidy as per the *Facility Hire Subsidy Policy* for the WA Sky Pirate Paramotor Club;
- 11     **AGREES** to waive 100% of the fees (Annual Hire Group – Non Sporting) that would apply to the WA Sky Pirate Paramotor for the use of Pinnaroo Point, Hillarys, being a maximum of 10 days annually with any additional hours of use, reported annually, being charged at the Casual hire fee of \$22/hr retrospectively, for the remainder of 2015 and for 2016;
- 12     **NOTES** that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season;
- 13     **REQUESTS** the Perth Outlaws Softball Club (juniors and seniors) to give consideration to changing its club name to better reflect its locale and in recognition of the level of funding and subsidies afforded to it by the City of Joondalup.

**Was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 16 refers*

*To access this attachment on electronic document, click here: [Attach16brf091115.pdf](#)*

## **CJ199-11/15 COMMUNITY CONSULTATION FOR PROPOSED UPGRADES TO ELLERSDALE PARK, WARWICK**

<b>WARD</b>	South	
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services	
<b>FILE NUMBER</b>	18014, 101515	
<b>ATTACHMENT</b>	Attachment 1	Ellersdale Park Location Plan
	Attachment 2	Analysis Report
<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 results of the community consultation undertaken for the proposed upgrades at Ellersdale Park, Warwick.

### **EXECUTIVE SUMMARY**

A Petition of Electors was received by Council at its meeting held on 18 March 2014 (C08-03/14). The petition requested that Council consider the installation of a basketball court and tennis hit-up wall at Ellersdale Park, Warwick or Aberdare Park, Warwick.

At its meeting held on 21 October 2014 (CJ189-10/14 refers), Council supported the installation of a 3-on-3 basketball pad and tennis hit-up wall at Ellersdale Park, Warwick and requested the works to be listed for consideration within the *2015-16 Capital Works Program*. Council also noted that community consultation with local residents and regular user groups of the park would be undertaken, if the installation of 3-on-3 basketball pad and tennis hit-up wall at Ellersdale Park, Warwick was endorsed as part of the *2015-16 Capital Works Program* budget process. Subsequently Council approved the inclusion of this project in the City's *2015-16 Capital Works Program*.

Community consultation was undertaken during the period 26 August 2015 to 16 September 2015 to gain community feedback on the proposed upgrades at Ellersdale Park, Warwick. The survey asked respondents to indicate their support for the installation of a new 3-on-3 basketball pad and new tennis hit-up wall.

There were 79 responses (25.6%) received as part of the community consultation for the proposed upgrades. From this, 78 responses were deemed valid.

Overall the outcomes from the community consultation supported the installation of the proposed infrastructure. There were 73 respondents (93.6%) that either strongly supported or supported the installation of a 3-on-3 basketball court and 76 respondents (97.4%) either strongly supported or supported the installation of a tennis hit-up wall.

*It is therefore recommended that Council NOTES the outcomes of the community consultation in relation to the proposed upgrades to Ellersdale Park, Warwick and as a result the project will now proceed.*

## **BACKGROUND**

Ellersdale Park is located on Ellersdale Avenue, Warwick and is 3.58 hectares (Attachment 1 refers). The current *Parks and Public Open Spaces Classification Framework* (PPOSCF) and the revised PPOSCF, adopted as a management guideline to assist in the planning and provision of park and public open space assets, classifies Ellersdale Park as a local park and local sports park respectively. Local sports parks are designed to cater for the needs of the community within the suburb. Seasonal organised sporting activities, both senior and junior are able to be undertaken at these locations as well as other passive recreational activities. The following assets are supported on this classification of park:

- irrigation
- parking
- seating (benches)
- signage (park name)
- sports infrastructure (temporary)
- toilets (free-standing)
- waste bins.

Recreational sporting infrastructure such as tennis hit-up walls and basketball pads are listed as optional assets for this park classification.

At its meeting held on 18 March 2014 (C08-03/14 refers), Council received an 81 signature petition from residents of the City of Joondalup requesting Council give consideration to installing a basketball court and tennis hit-up wall at either Ellersdale Park or Aberdare Park, Warwick. The wording on the petition was as follows:

*“We, the undersigned, all being electors of the City of Joondalup do respectfully request that the Council build a basketball court and tennis hit up wall at Ellersdale Oval for the use of the general public, or at the alternate location of Aberdare Park.”*

At its meeting held on 21 October 2014 (CJ189-10/14 refers), it was resolved that Council:

- 1 *SUPPORTS the request for the installation of a 3-on-3 basketball pad and tennis hit-up wall at Ellersdale Park, Warwick;*
- 2 *REQUESTS that \$29,471 be listed for consideration within the 2015-16 Capital Works Program for the installation of a 3-on-3 basketball pad and tennis hit-up wall at Ellersdale Park, Warwick;*
- 3 *NOTES that if the installation of a 3-on-3 basketball pad and tennis hit-up wall at Ellersdale Park, Warwick is endorsed as part of the 2015-16 Capital Works Program budget process, community consultation would be undertaken with nearby residents and existing regular user groups of the park, in accordance with the City’s approved Community Consultation and Engagement Policy and Protocol;*
- 4 *ADVISES the lead petitioner of Council’s decision.*



The proposed upgrades to Ellersdale Park, Warwick were approved for the *2015-16 Capital Works Program* as part of the Park Equipment Program, PEP 2724, Ellersdale Park Minor Sporting Infrastructure with a budget of \$30,000.

## DETAILS

Community consultation with residents living within a 200 metre radius from the site (308 local residents) and existing regular users groups of the park (six groups) was conducted between 26 August 2015 and 16 September 2015. The consultation outlined the two proposed infrastructure upgrades: installation of a new 3-on-3 basketball pad and installation of a new tennis hit-up wall.

The consultation was advised through the following methods:

- direct mail out: package included a covering letter, frequently asked questions, concept plan and comment form
- site signage: one sign was installed at Ellersdale Park for the duration of the consultation outlining the details of the consultation
- website: information and comment form was available on the community consultation page of the City's website during the consultation period
- advertisement: an advertisement was published in the *Joondalup Voice* 27 August 2015 outlining the details of the consultation.

The full results of the community consultation are provided (Attachment 2 refers). The City received 79 responses, a response rate of 25.6%, of which 78 were valid responses. There were 75 responses (96.2%) that were from residents living within a 200 metre radius of the park. Only three responses (3.8%) lived outside of the 200 metre radius from the park.

### Demographics

Of the responses received, over half (55.1%) were submitted by people between the ages of 60 to 69 (29.5%) and 70 to 84 (25.6%). The next majority of responses were from people between the ages 35 to 49 (14.1%). This age group represents a large proportion of the population for Warwick (19%), so a large response from this age group would be expected.

### Installation of a 3-on-3 basketball pad

Respondents were asked to indicate their level of support for the installation of a 3-on-3 basketball pad on a 5-point scale. All 78 respondents replied to the question with 73 respondents (93.6%) indicating they either supported or strongly supported the installation of a new 3-on-3 basketball pad. The installation of the 3-on-3 basketball pad was strongly opposed by three respondents (3.8%).

### Installation of a tennis hit-up wall

Respondents were asked to indicate their level of support for the installation of a tennis hit-up wall on a 5-point scale. All 78 respondents replied to the question with 76 respondents (97.4%) indicating they either supported or strongly supported the installation of a new tennis hit-up wall. The installation of the tennis hit-up wall was strongly opposed by two respondents (2.6%).

Additional comments

Respondents were asked if they had any further comments about Ellersdale Park. A total of 45 respondents provided 50 comments to this question. There were 27 responses (54%) that supported the proposal in general with positive accolades.

The following additional infrastructure was also requested:

- shade sails over playground (six respondents)
- fitness equipment (three respondents)
- play equipment to be upgraded (three respondents)
- upgrades to toilet facilities (two responses)
- community garden (one response).

Five responses also raised concerns about parking around the park during peak periods and three responses requested park lights to remain on for longer in the evenings.

The proposed new infrastructure has been located near the existing playground and barbecue facilities to create a vibrant recreational hub within the park and additional tree planting around the infrastructure has been proposed to provide additional shade.

**Issues and options considered**

Not applicable.

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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality open spaces.

**Strategic initiative** Employ quality and enduring infrastructure designs that encourage high utilisation and increased outdoor activity.

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**Current financial year impact

<b>Account no.</b>	CW001836.
<b>Budget Item</b>	PEP 2724.
<b>Budget amount</b>	\$ 30,000
<b>Amount spent to date</b>	\$ 759
<b>Proposed cost</b>	\$ 30,000
<b>Balance</b>	\$ 29,241

Future financial year impact

**Capital replacement** Replacement basketball hoop 10 years cost \$70.

**20 Year Strategic  
Financial Plan impact  
Impact year**

2025-26.

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The results of the community consultation have been summarised in the details section of this report and a full results of the community consultation are provided (Attachment 2 refers).

**COMMENT**

The installation 3-on-3 basketball pad and tennis hit-up wall, which was supported by the majority of respondents, will encourage greater use of Ellersdale Park, increased outdoor activity amongst residents and enhance the amenity of the park.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Fishwick, SECONDED Cr Dwyer that Council NOTES the outcomes of the community consultation in relation to the proposed upgrades to Ellersdale Park, Warwick and as a result the project will now proceed.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 17 refers*

*To access this attachment on electronic document, click here: [Attach17brf091115.pdf](#)*

## **CJ200-11/15      PETITION SEEKING APPROVAL TO INSTALL A MEMORIAL PLAQUE AT ILUKA BEACH**

<b>WARD</b>	North Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services
<b>FILE NUMBER</b>	100385, 101515
<b>ATTACHMENT</b>	Attachment 1 <i>Memorials in Public Reserves Policy</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 consider the petition requesting to install a memorial plaque in the beach hut at Iluka Foreshore Reserve.

### **EXECUTIVE SUMMARY**

A Petition of Electors signed by 947 electors of the district was received by Council at its meeting held on 15 September 2015 (C56-09/15 refers). The petition requested that Council grant permission for a memorial plaque to be placed in the beach hut on Iluka Beach.

The application for a memorial plaque and subsequent petition requesting its installation has been assessed in accordance with the *Memorials in Public Reserves Policy* (Attachment 1 refers) which was adopted by Council at its meeting held on 15 December 2009 (CJ284-12/09 refers) under the *Significant Person Memorial* category. In view of this assessment it is determined that the request does not comply with the intent of the policy.

*It is therefore recommended that Council:*

- 1      *DOES NOT support the petition seeking approval for a plaque at Iluka Beach;*
- 2      *ADVISES the lead petitioner of Council's decision.*

### **BACKGROUND**

Council adopted the *Memorials in Public Reserves Policy* at its meeting held on 15 December 2009 (CJ284-12/09 refers). The policy provides guidance on the installation of memorials in public reserves within the City of Joondalup.

The City encourages local residents to install memorials within appropriate memorial facilities such as cemeteries. However, under the City's *Memorials in Public Reserves Policy*, community members and groups may seek the installation of a memorial in a public reserve for a person who has significantly contributed to the local Joondalup community.

On 26 August 2015, the City received an application requesting the installation of a memorial plaque in memory of a late family member to be placed in a beach hut located on the Iluka Foreshore Reserve. Based on the information provided in the application, the City was unable to approve the request for the installation of a memorial plaque at Iluka Beach.

## DETAILS

A Petition of Electors was subsequently received by Council at its meeting held on 15 September 2015 (C56-09/15 refers). The petition requested that Council grant permission for a plaque to be placed in the beach hut on Iluka Beach in memory of the same person and was signed by 947 electors of the district.

The petition did not provide significant rationale in support of the request for a permanent memorial, however, the original application received by the City detailed the rationale and the following provides a summary:

- The person performed the type of community service that rarely receives awards, accolades or even recognition. He reached out to people too different to be part of any community organisation and made a difference to those who were often forgotten and lonely.
- They befriended and stayed in touch with a boy in Kallaroo whose behaviour was permanently impaired.
- As a coach at Nick Corrigan's soccer schools they expertly taught the game to the sometimes rather spirited, young boys and girls who happily complied with his instructions.
- In his last years they provided support to a peer-group, consisting mostly of young men from broken homes, uplifting the spirits of those with abusive parents, drug problems or isolated from the community by their lack of education and opportunities in life.
- At the vigil and memorial service held for the person many stories were told of how he had been the last thread of hope in otherwise hopeless situations, his seemingly endless enthusiasm and optimism were contagious.

Clause 2.3 of the *Memorials in Public Reserves Policy* states the primary condition for installation of a *Significant Person* memorial is "a person who has contributed significantly to the local Joondalup community".

## Issues and options considered

Council has the option to either:

- not support the request for a plaque at Iluka Beach.
- or
- support the request for a plaque at Iluka Beach.

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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Community spirit.

**Strategic initiative** Not applicable.

**Policy** *Memorials in Public Reserves Policy.*

**Risk management considerations**

The installation of memorials is always a very sensitive issue to be considered as it may adversely impact on the people requesting the memorial.

Should Council support the petition the *Memorials in Public Reserves Policy* outlines conditions associated with the ongoing maintenance of memorials.

**Financial / budget implications**

The *Memorials in Public Reserves Policy* requires that all capital and maintenance associated with the memorial are borne by the applicant.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The application and subsequent petition from the lead petitioner demonstrates that the person was dedicated to the local community, however, does not satisfy the conditions of the *Memorials in Public Reserves Policy* to support approval for a memorial plaque.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION:**

That Council:

- 1 DOES NOT support the petition seeking approval for a plaque at Iluka Beach;
- 2 ADVISES the lead petitioner of Council's decision.

**MOVED Cr Dwyer, SECONDED Cr Logan that Council:**

- 1 **SUPPORTS** the installation of a temporary memorial plaque for a period up to 12 months at Iluka Beach;
- 2 **REQUIRES** that the temporary memorial be installed and maintained in accordance with the Conditions of the *Memorials in Public Reserves Policy*;
- 3 **REQUESTS** the Policy Committee to conduct a review of the *Memorials in Public Reserves Policy*;
- 4 **ADVISES** the lead petitioner of Council's decision.

**AMENDMENT MOVED Cr Taylor, SECONDED Cr Dwyer** that Parts 1 and 2 of the Motion be amended to read as follows:

- "1 *SUPPORTS the installation of a permanent memorial plaque at Iluka Beach;*
- 2 *REQUIRES that the permanent memorial be installed and maintained in accordance with the Conditions of the Memorials in Public Reserves Policy;*

**The Amendment was Put and**

**LOST (2/10)**

**In favour of the Amendment:** Crs Norman and Taylor.

**Against the Amendment:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean and Poliwka.

**The Motion as Moved by Cr Dwyer, and Seconded by Cr Logan was Put and**

**CARRIED (8/4)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Jones, Logan, Norman, Poliwka and Taylor.

**Against the Motion:** Crs Fishwick, Hamilton-Prime, Hollywood and McLean.

**Reason**

In accordance with Regulation 11(da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the administration recommended is because given the tragic circumstances of the deceased that Council believes it is appropriate for a temporary memorial plaque to be installed and further consideration be given to the City's position through a review of the policy.

*Appendix 18 refers*

To access this attachment on electronic document, click here: [Attach18brf091115.pdf](#)

## CJ201-11/15      PETITION      OF      ELECTORS      REQUESTING IMPROVEMENT      TO      FACILITIES      AT CAMBERWARRA PARK, CRAIGIE

<b>WARD</b>	Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services
<b>FILE NUMBER</b>	16294, 101515
<b>ATTACHMENT</b>	Attachment 1      Camberwarra Park Location Plan Attachment 2      Camberwarra Park Infrastructure Location 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 consider the petition requesting infrastructure improvements on Camberwarra Park, Craigie, inclusive of BBQ facilities, picnic structures and additional rubbish bins with dog waste disposal bags.

### EXECUTIVE SUMMARY

A Petition of Electors was received by Council at its meeting held on 23 June 2015 (C28-06/15 refers). The petition requested that Council consider the installation of BBQ facilities, picnic structures and additional rubbish bins with dog waste disposal bags on Camberwarra Park, Craigie.

Camberwarra Park, Craigie, is located within the Central Ward and consists of approximately 2.16 hectares of irrigated parkland (Attachment 1 refers).

Existing infrastructure on Camberwarra Park includes:

- car park
- toilet block
- two tennis courts with lighting
- large combination play unit
- double swing
- two rockers
- security lighting
- two waste bins.

The current *Parks and Public Open Spaces Classification Framework* (PPOSCF) and the revised PPOSCF, adopted as a management guideline to assist in the planning and provision of park and public open space assets, classifies Camberwarra Park as a local park



and local recreation park respectively. The only asset supported on this classification of park, is a park name signage. Optional assets are listed as:

- irrigation
- path network
- picnic structures
- play equipment
- seating (benches)
- security lighting
- sports infrastructure (recreational).

BBQ facilities are supported for installation on parks that encourage long-stay picnicking activities and attracting patrons living outside the local area. The City supports the provision of this type of infrastructure on regional parks and local mixed-use parks.

*It is therefore recommended that Council:*

- 1 *NOTES the relocation of one existing bin to the south of park (Attachment 2 refers);*
- 2 *DOES NOT SUPPORT the installation of BBQ facilities on Camberwarra Park, Craigie;*
- 3 *SUPPORTS the installation of one picnic structure on Camberwarra Park, Craigie;*
- 4 *APPROVES the listing for consideration in the 2016-17 Capital Works Program, the installation of the above proposed infrastructure and associated works on Camberwarra Park, Craigie estimated at \$20,000;*
- 5 *ADVISES the lead petitioner of Council's decision.*

## **BACKGROUND**

At its meeting held on 23 June 2015 (C28-06/15 refers), Council received a 223 signature petition from residents of the City of Joondalup requesting Council give consideration to installing BBQ facilities, picnic structures and additional rubbish bins with dog waste disposal bags. The wording on the petition was as follows:

*"We, the undersigned, all being electors of the City of Joondalup do respectfully request that the Council to improve facilities at Camberwarra Park, Craigie by:*

- *the erection of two barbeques*
- *the erection of two solid covered areas with seating*
- *supply two extra rubbish bins with dog waste disposal bags at the south and north ends of the park."*

Camberwarra Park, Craigie is located within the Central Ward with approximately 2.16 hectares of irrigated parkland. The park is triangular in shape comprising two Lots: 11608 and 9031 and bounded by Camberwarra Drive to the south east, two cul-del-sacs to the west Cingalee Place and Mandana Place and one cul-del-sac to the north Mayhill Place (Attachment 1 refers).

The topography of Camberwarra Park gently slopes from the northern end of the park to a low lying area to the southern boundary which serves as a catchment for storm water. There is considerable natural shade provided within the park by well established trees.

Existing infrastructure on Camberwarra Park includes (Attachment 2 refers):

- car park
- toilet block
- two tennis courts with lighting
- large combination play unit
- double swing
- two rockers
- security lighting
- two waste bins.

The tennis courts and a playground, consisting of a large combo unit, swings and two rockers, are located towards the northern end of the park. The playground was replaced in January 2013 and is in good condition. The tennis courts are currently free for the community to use.

The park has two bins with dog waste disposal bags. One is located to the north near the playground and park entrance at Mayhill Place and the other has been re-located to the south near Camberwarra Drive.

All parks are classified under the City's *Parks and Public Open Spaces Classification Framework* (PPOSCF). The current PPOSCF and the revised PPOSCF, adopted as a management guideline to assist in the planning and provision of park and public open space assets, outlines the classification of all parks within the City of Joondalup and determines the type of infrastructure supported within each classification (such as playgrounds and sporting infrastructure).

Camberwarra Park, Craigie, is classified as a local park in the City's current PPOSCF and in the revised PPOSCF it is classified as a local recreation park. Local parks are designed for short stay usage for recreational activities and generally cater to the needs of the community within the suburb.

The existing and revised PPOSCF provide guidelines as to the level and type of infrastructure appropriate for the classification of the park. The only asset supported in this classification is park name signage. Optional assets are listed as:

- irrigation
- path network
- picnic structures
- play equipment
- seating (benches)
- security lighting
- sports infrastructure (recreational).

Camberwarra Park is also located within a designated Housing Opportunity Area and would be prioritised for additional enhancement on the premise of local high density living.

## **DETAILS**

### BBQ facilities

There are currently no BBQ facilities located within the suburb of Craigie. There is a BBQ facility proposed to be installed by developers within the Camberwarra Primary School Sub-division site). The expected completion date is by the end of 2016.

Camberwarra Park is classified as a local recreation park and BBQ facilities are not supported in this type of park in both the City's current and revised PPOSCF. It is therefore recommended that Council not support the request for BBQ facilities at Camberwarra Park, Craigie.

However, it should be noted that as housing density and population within the suburb grows BBQ facilities may be reconsidered for this area.

### Picnic structures

Picnic structures are supported in local recreation parks as an optional asset in both the City's current and revised PPOSCF. The location of Camberwarra Park within a designated Housing Opportunity Area would further support the inclusion of a picnic structure with a connecting footpath to enhance the amenity and usability of the park.

It is recommended to install one picnic structure within Camberwarra Park located at the northern end of the park near Mayhill Place. The majority of existing park infrastructure, such as the playground and tennis courts, is located here which would encourage high utilisation and increase outdoor activity within the park from local residents.

### Rubbish bins

Since receiving the petition, the locations of the two existing bins were assessed and the bin located near the car park on Camberwarra Drive has been relocated to the south to better service the park (Attachment 2 refers).

## **Issues and options considered**

### Options

Options available in response to the petition request are:

#### *Option One*

Do not support the installation of BBQ facilities and picnic structures.

#### *Option Two*

Support the installation of one BBQ facility and one picnic structure with associated footpath on Cambewarra Park, Craigie at an estimated cost of \$40,000.

#### *Option Three*

Do not support the installation of BBQ facilities on Cambewarra Park, Craigie.

Support the installation of one picnic structure with associated footpath on Camberwarra Park, Craigie at an estimated cost of \$20,000.

Issues

It is recommended that Council not support the request for BBQ facilities at Camberwarra Park, Craigie for the following reasons:

- Both the current PPOSCF and the revised PPOSCF adopted as a management guideline do not support the installation of BBQ facilities within local recreation parks.
- Over half of the park boundaries consist of rear and side private residential lot boundaries which equates to poor passive surveillance into the park.
- The sloping topography and narrowing of the park to the southern boundary limits the possible locations of proposed BBQ facilities within the park.
- Electrical upgrades would be required within Camberwarra Park.

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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality open spaces.

**Strategic initiative** Employ quality and enduring infrastructure designs that encourage high utilisation and increased outdoor activity.

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

There is no budget allocation in the current *Five Year Capital Works Program* for the installation of a picnic structure proposed for Camberwarra Park, Craigie.

Current financial year impact

Currently there are no funds listed for this project in the City's *Five Year Capital Works Program*.

**Capital cost** Indicative costs for the installation of a picnic structure and connecting path are estimated at \$20,000.

Indicative costs for the installation of a double plated electric BBQ and associated landscape works are estimated at \$20,000.

**Annual operating cost** No additional maintenance costs will be incurred on completion of the recommended works.

Future financial year impact**Annual operating cost**

The annual operating cost is covered as part of the *Parks Operational Budget* for the specific park and no additional ongoing costs will be incurred.

An annual operational and maintenance cost (including cleaning) for a BBQ is anticipated to be \$1,650 per annum.

**Estimated annual income**

There is no income expected from the installation of this infrastructure.

**Capital replacement**

Picnic settings require replacement after 15 years, current replacement cost of \$5,405.

Picnic structures require replaced after 40 years, current replacement cost of \$12,000.

BBQs require replacement after 15 years, current replacement cost of \$12,000.

**20 Year Strategic Financial Plan impact**

The capital cost for replacement of park assets is included in the *20 Year Strategic Financial Plan*.

**Impact year**

Recommended to be listed for consideration in the City's 2016-17 *Capital Works Program*.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

It is recommended to install one picnic structure with a connecting path in line with the City's current and revised PPOSCF.

There are currently no BBQ facilities located within the suburb of Craigie and a large portion of the suburb is located within a Housing Opportunity Area. As the population density of Craigie increases in the future the installation of BBQ facilities within the suburb may be considered to enhance park amenity and serve the needs of a future growing local community. Two parks which should be considered and would be well suited for this type of infrastructure are Warrandyte Park and Otago Park.

## VOTING REQUIREMENTS

Simple Majority.

## OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the relocation of one existing bin to the south of the park forming Attachment 2 to Report CJ201-11/15;
- 2 DOES NOT SUPPORT the installation of BBQ facilities on Camberwarra Park, Craigie;
- 3 SUPPORTS the installation of one picnic structure on Camberwarra Park, Craigie;
- 4 APPROVES the listing for consideration in the 2016-17 Capital Works Program, the installation of the above proposed infrastructure and associated works on Camberwarra Park, Craigie estimated at \$20,000;
- 5 ADVISES the lead petitioner of Council's decision.

## MOVED Mayor Pickard, SECONDED Cr Poliwka that Council:

- 1 **NOTES the relocation of one existing bin to the south of the park forming Attachment 2 to Report CJ201-11/15;**
- 2 **SUPPORTS the installation of a BBQ facility, a picnic structure, drinking fountain and associated works on Camberwarra Park, Craigie;**
- 3 **APPROVES the listing for consideration in the 2016-17 Capital Works Program, the installation of the above proposed infrastructure and associated works on Camberwarra Park, Craigie estimated at \$48,000;**
- 4 **ADVISES the lead petitioner of Council's decision.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

## Reason

In accordance with Regulation 11(da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the administration recommended is because the suggested amenities at Camberwarra Park are in demand from the local community and it currently enjoys a high status in the City's parks hierarchy.

*Appendix 19 refers*

To access this attachment on electronic document, click here: [Attach19brf091115.pdf](#)

## CJ202-11/15      CITY      OF      JOONDALUP      DRAFT      WASTE MANAGEMENT PLAN 2015-2020

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services
<b>FILE NUMBER</b>	36958, 101515
<b>ATTACHMENT</b>	Attachment 1 <i>Draft Waste Management Plan 2015-2020</i> Attachment 2 <i>Community Consultation Plan</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.

### PURPOSE

For Council to consider the draft *City of Joondalup Waste Management Plan 2015-2020* and endorse the plan for community consultation.

### EXECUTIVE SUMMARY

The City's *Waste Minimisation Plan 2010-2014* was developed in 2010 to guide waste management within the City of Joondalup. The plan provided direction for the City to progress waste services and initiatives in the future. Following a review of the *Waste Minimisation Plan 2010-2014* a new plan has been developed.

The draft *City of Joondalup Waste Management Plan 2015-2020* guides the City's waste management practices over the next five years and builds upon the key achievements of the *Strategic Waste Minimisation Plan*. The purpose of the plan is to ensure increased diversion from landfill and to inform future long term planning for waste management.

The draft plan identifies a number of overarching objectives that encompass the entire plan and are as follows:

- |             |  |
|-------------|--|
| Objective 1 | Minimise waste to landfill through application of the waste hierarchy.                         |
| Objective 2 | Engage with the community to increase participation in sustainable waste management practices. |
| Objective 3 | Provide a quality and cost-effective waste management service to the community.                |
| Objective 4 | Minimise the environmental impact of waste generation, collection and disposal.                |
| Objective 5 | Maintain effective relationships with key stakeholders to maximise regional outcomes.          |
| Objective 6 | Ensure the City's long term planning is informed by research and best practice.                |

Achievement of these overarching objectives will require a range of responses across a variety of areas. The plan identifies four broad key focus areas: *waste services, community participation and engagement, research and development and stakeholders and partnerships.*

In order to achieve the objectives of the draft plan, projects have been identified within each of the four key focus areas. Some projects may contribute to achieving objectives across multiple key focus areas. Projects will be implemented over the life of the Plan and will be subject to regular monitoring and review.

*It is therefore recommended that Council APPROVES the release of the draft Waste Management Plan 2015-2020 as shown in Attachment 1 to Report CJ202-11/15, for community consultation in accordance with the Community Consultation Plan included as Attachment 2 to Report CJ202-11/15.*

## BACKGROUND

The *Waste Minimisation Plan 2010-2014* was the third in a series of Strategic Waste Plans developed by the City since July 2000 and was developed to provide direction for the City to progress waste services and initiatives in the future.

The plan addressed the following waste management issues:

- community waste education and awareness
- materials Recovery Facility capacity in the northern corridor
- reuse and recycling of bulk waste streams
- construction and demolition waste
- corporate recycling
- special waste streams and E-waste
- product stewardship
- waste collection options
- events recycling
- environmental impact of transporting waste.

Key achievements of the City's *Waste Minimisation Plan 2010-2014* are as follows:

- 50% of domestic waste collected in 2013-14 was diverted away from landfill.
- Customer satisfaction ratings in 2014 of 97% for the green lid bin service and 89.8% for the yellow lid bin service.
- Review of the processing arrangements for the recyclables collected by the City in the domestic yellow lidded bin leading to a new contract significantly reducing City expenditure on this service and an increase in the recovery of recyclables.
- Introduction of e-waste recycling days in order to divert electronic waste from landfill.
- Introduction of mattress recycling to divert waste collected off the verge.
- Delivered 160 waste education sessions in primary schools and 50 school bus tours to waste facilities.
- Production of a *Short Guide to Green Events* to encourage waste minimisation and recycling at key City events.
- Production of a *Green Office Guide* for City staff and the introduction of dual use bins so that staff can recycle at work.
- Annual production of a *Guide to Domestic Waste* that is distributed to all residents.



The timeframe for the *Waste Minimisation Plan 2010-2014* is now completed; therefore, a new plan to guide the City's waste management practices over the next five years has been developed.

The draft plan will ensure increased diversion from landfill and to inform future long term planning for waste management.

## DETAILS

The City of Joondalup provides a broad range of waste services to the community including collecting and processing household waste, providing and emptying street bins, removing litter from public areas, providing waste services at City events and managing the City's corporate waste. The City spends approximately \$20 million per annum on waste services and in 2014-15 collected just over 90,000 tonnes of waste. The City also has a role in waste education and behaviour change, research and advocacy, and regional planning of waste management approaches and infrastructure.

The City's draft plan focuses on improving the City's management of waste, increasing diversion from landfill and providing the groundwork to inform long term planning for waste. This will be done in the context of State and Federal waste management policy and legislation, regional planning and collaboration with Mandurah Regional Council and its member Councils, existing waste management contracts and agreements, and developments in the private sector and in new technologies.

The draft plan recognises that the management of waste is a significant and rising cost for the City and its ratepayers, is subject to high community expectations, and can have a significant impact on the environment. Through the development and implementation of the plan the City has undertaken the necessary strategic planning to guide and continually improve its waste management practices.

The overarching objective for the draft plan is to guide the City's waste management practices over the next five years to ensure increased diversion from landfill and to inform future long term planning for waste management.

To guide the development of the draft plan a number of overarching objectives have been identified that encompass the entire plan.

- |             |  |
|-------------|--|
| Objective 1 | Minimise waste to landfill through application of the waste hierarchy.                         |
| Objective 2 | Engage with the community to increase participation in sustainable waste management practices. |
| Objective 3 | Provide a quality and cost-effective waste management service to the community.                |
| Objective 4 | Minimise the environmental impact of waste generation, collection and disposal.                |
| Objective 5 | Maintain effective relationships with key stakeholders to maximise regional outcomes.          |
| Objective 6 | Ensure the City's long term planning is informed by research and best practice.                |

Achievement of these overarching objectives will require a range of responses across a variety of areas. The plan identifies four broad key focus areas: *waste services, community participation and engagement, research and development and stakeholders and partnerships.*

The plan includes a number of specific projects which align with one or more of the key focus areas and contribute to the overarching objectives.

Targets identified for the draft plan align with the State Government waste recovery targets included in the *WA Waste Strategy: Creating the Right Environment*. The *WA Waste Strategy* targets for the Perth Metropolitan area are for:

- 50% of municipal solid waste to be diverted from landfill by 2015
- 65% of municipal solid waste to be diverted from landfill by 2020.

The City has achieved the 50% diversion target early; diverting 50.0% of household waste from landfill in 2013-14 and 2014-15. To achieve the 65% diversion target by 2020 the City will need to make changes to its waste management practices; the City is unlikely to reach this target if it continues with business as usual. The 65% target is considered bold enough to drive change within the City's waste management practices, while still being achievable.

The draft plan also considers longer term planning for waste management beyond 2020 and increasing diversion from landfill above 65%. Achievements made within the five year timeframe of this plan will lay the foundations for the City to increase diversion from landfill above 65% beyond 2020.

Waste management is an integral component of a local government's responsibility and service to the community. For the City's waste management activities to be effective it is important that the draft plan is aligned to the City's broad range of strategic planning documents. Figure 1 outlines the relationship of the plan with the City's other strategic planning documents.

*Joondalup 2022: Strategic Community Plan 2012 – 2022* is the City's long-term strategic plan outlining its commitment to achieving the vision and aspirations of the community and regional stakeholders. *Joondalup 2022* is the overarching document for all of the City's strategic planning documents.

The *Environment Plan 2014-2019* is one of the strategies that inform *Joondalup 2022*. It provides strategic direction for broad environmental management across the City and outlines a framework for the development of issue specific plans to address key environmental issues. The draft plan and the *Climate Change Strategy* are both issue specific plans within this framework and both the *Environment Plan* and *Climate Change*



Strategy identify the development of a Waste Management Plan as a project.

Figure 1 Relationship of the draft Waste Management Plan with other City of Joondalup strategic planning documents.

Key performance indicators have also been developed to allow for appropriate reporting and evaluation of the draft plan and will be reported on during the annual review process. An aspirational trend has been set for these key performance indicators rather than targets as they do not have as extensive or as reliable datasets. The potential for setting more specific targets for these key performance indicators will be assessed for future waste management plans. A summary of the indicators included within the draft plan is provided on page 49 of the draft *Waste Management Plan 2015-2020*.

### Issues and options considered

#### Option 1

Council may choose to release the draft *Waste Management Plan 2015-2020* for community consultation without modification.

#### Option 2

Council may choose to release the draft *Waste Management Plan 2015-2020* for community consultation with amendments.

It is proposed that Council approve the release of the draft *Waste Management Plan 2015-2020* for public consultation for a period of 21 days.

A *Community Consultation Plan* is included as Attachment 2.

### Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	The development and implementation of the draft <i>Waste Management Plan 2015-2020</i> is consistent with the <i>Waste Avoidance and Resource Recovery Act 2007</i> (WARR Act).
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### Strategic Community Plan

<b>Key theme</b>	The Natural Environment.
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<b>Objective</b>	Environmental resilience.
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<b>Strategic initiative</b>	Demonstrate current best practice in environmental management for local water, waste, biodiversity and energy resources.
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<b>Policy</b>	The City's <i>Waste Management Policy</i> will be reviewed to ensure consistency following endorsement of the draft <i>Waste Management Plan 2015 – 2020</i> .
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### Risk management considerations

A range of risks exist when considering current and future waste services provided by the City.

The City needs to ensure that it puts in place arrangements for managing its domestic waste over the long term in order to:

- maintain good services to residents
- ensure that services are financially sustainable
- achieve landfill diversion targets
- get the best outcome from working with other member councils of Mindarie Regional Council and across the wider region.

### **Financial / budget implications**

Implementation of the draft plan has financial implications for the City. Funds to implement projects within the plan will be subject to the City's annual budget approval process. Projects identified as existing within the plan are approved within existing service levels and have budgets allocated within existing operating or capital works budgets.

New projects with budget requirements will be subject to detailed costing and the City's budget approval process prior to implementation.

### **Regional significance**

The City has a record of working with partner councils through the Mindarie Regional Council.

### **Sustainability implications**

Reduction, reuse and recycling of materials generally results in reduced landfill, reduced energy and raw materials consumption. If the draft plan is implemented, it is anticipated that there will be improvements in the recovery of recyclables, organics and bulky waste.

### **Consultation**

The draft plan has been developed in consultation with Elected Members and the City's Strategic Community Reference Group (SCRG). An overall framework and approach for developing the *Waste Management Plan 2015-2020* was presented to Elected Members in September 2014. A revised framework, incorporating Elected Member comments was presented to the City's Strategic Community Reference Group (SCRG) in October 2014 for review. Key feedback from the SCRG included:

- the plan should include corporate waste and public space waste as well as household waste
- the City needs to improve its understanding of community perceptions regarding waste management needs and wants
- there should be significant engagement with the community prior to the introduction of any changes in service to ensure that the need for change is understood and accepted by the community.

At this meeting it was agreed that once completed, the draft plan would be presented to the Strategic Community Reference Group for further comment.

The draft plan was provided to the City's SCRG in September 2015 for their further review and feedback.

The City has taken into consideration the SCRG's feedback in development of the draft plan, particularly in regards to engaging with the community on potential service changes. Comments and feedback obtained through the above consultation has been incorporated into the draft plan.

The City now seeks Council approval to release the draft plan for public feedback from the community and stakeholders, as outlined in the Consultation Plan provided at Attachment 2.

## COMMENT

The implementation of the *Waste Minimisation Plan 2010-2014* has been successful. The majority of actions within the plan have now been completed. Many of the initiatives within the plan have resulted in a number of key achievements including:

- 50% of domestic waste collected in 2013/14 was diverted away from landfill.
- Customer satisfaction ratings in 2014 of 97% for the green lid bin service and 89.8% for the yellow lid bin service.
- Review of the processing arrangements for the recyclables collected by the City in the domestic yellow lidded bin leading to a new contract significantly reducing City expenditure on this service and an increase in the recovery of recyclables.
- Introduction of e-waste recycling days in order to divert electronic waste from landfill.
- Introduction of mattress recycling to divert waste collected off the verge.
- Delivered 160 waste education sessions in primary schools and 50 school bus tours to waste facilities.
- Production of a *Short Guide to Green Events* to encourage waste minimisation and recycling at key City events.
- Production of a *Green Office Guide* for City staff and the introduction of dual use bins so that staff can recycle at work.
- Annual production of a *Guide to Domestic Waste* that is distributed to all residents.

The development and implementation of the draft plan will further enhance the City's management of waste management practices to ensure increased diversion from landfill and to inform future long term planning for waste management.

The projects proposed within the draft plan have been developed in close consultation with stakeholders and align to the City's *Strategic Community Plan 2012-2022: Joondalup 2022*, as well as to relevant State and Federal planning documents.

The City is already undertaking a number of high level initiatives to improve waste management practices and the draft plan has been developed to incorporate these existing activities. New projects have been included within the plan where gaps have been identified.

The new plan will provide for consistent monitoring and reporting on waste management practices through the inclusion of key performance indicators. These indicators will be continually monitored and reported to Council and the community on an annual basis via the City's Annual Report.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr Fishwick, **SECONDED** Cr Norman that Council **APPROVES** the release of the draft *Waste Management Plan 2015-2020* as shown in Attachment 1 to Report CJ202-11/15, for community consultation in accordance with the *Community Consultation Plan* included as Attachment 2 to Report CJ202-11/15.

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 20 refers*

*To access this attachment on electronic document, click here: [Attach20brf091115.pdf](#)*

C70-11/15

**COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION -  
[02154] [08122]**

**MOVED** Cr Chester, **SECONDED** Cr Logan that pursuant to the City's *Meeting Procedures Local Law 2013* – Clause 4.8 – Adoption by exception resolution, Council **ADOPTS** the following items:

CJ179-11/15, CJ182-11/15, CJ184-11/15, CJ185-11/15, CJ186-11/15, CJ187-11/15, CJ188-11/15, CJ190-11/15, CJ191-11/15, CJ192-11/15, CJ194-11/15 and CJ196-11/15.

**The Motion was Put and****CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

## REPORT – AUDIT COMMITTEE – 9 NOVEMBER 2015

## CJ203-11/15 2014-15 ANNUAL FINANCIAL REPORT

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	105317, 101515
<b>ATTACHMENT</b>	Attachment 1      2014-15 Annual Financial Report Attachment 2      2014-15 Audit Report Attachment 3      Auditors Report to the Audit Committee (Management Letter) for the Financial Year Ended 30 June 2015
<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 and accept the 2014-15 Annual Financial Report and Auditor's Report.

## EXECUTIVE SUMMARY

In accordance with Section 6.4 of the *Local Government Act 1995*, the 2014-15 Annual Financial Report has been prepared and, together with the City's accounts, has been submitted to the City's auditors to conduct their annual audit.

The City's auditors have completed their audit, in accordance with the terms of their engagement and the requirements of Part 7 Division 3 of the *Local Government Act 1995*, and have submitted their audit report. A Concise Financial Report (Financial Statements without supporting notes) will form part of the City's *2014-15 Annual Report*.

The auditors' report and the Annual Financial Report for the 2014-15 financial year are presented to the Council for its consideration.

*It is therefore recommended that Council:*

- 1 *BY AN ABSOLUTE MAJORITY, ACCEPTS the Annual Financial Report of the City of Joondalup and the accompanying audit report for the financial year 2014-15, forming Attachments 1 and 2 to Report CJ203-11/15;*
- 2 *NOTES the Auditor's Report for the Year Ended 30 June 2015 forming Attachment 3 to Report CJ203-11/15 and that there are no deficiencies, irregularities or other matters that the auditor wishes to bring to the attention of Council.*



## BACKGROUND

Section 6.4 of the *Local Government Act 1995* requires local governments to prepare an annual financial report and to submit both the report and its accounts to its auditor by 30 September each year. The City of Joondalup has met those requirements and the City's auditor has completed its audit of the accounts and the 2014-15 Annual Financial Report.

As has been past practice, a Concise Financial Report has also been prepared for inclusion in the City's 2014-15 Annual Report. The 2014-15 Annual Financial Report is included as Attachment 1 to this Report.

## DETAILS

### Issues and options considered

The preparation of an Annual Financial Report and the submission of the report and the City's accounts to the auditors for audit are statutory requirements of the *Local Government Act 1995*.

The Annual Financial Report needs to be accepted by Council in order to enable the holding of an Annual General Meeting of Electors, at which the City's Annual Report containing the Concise Financial Report will be considered. The Annual Financial Report is also required to be submitted to the Department of Local Government and Communities.

### Outcome of the Audit

The audit has been completed with no issues of significance raised and the audit report is unqualified (Attachment 2 refers). The auditor has also provided a Report to the Audit Committee (generally referred to as the Management Letter, Attachment 3 refers) in which it is advised that there are no deficiencies, irregularities or other matters that the auditor wishes to bring to the attention of Council.

In terms of form and presentation, there are no significant changes to the Annual Financial Report from the previous year.

### End of Financial Year Position

The City has finished the Financial Year with a Rate Setting Statement surplus greater than estimated. An anticipated end of year surplus at 30 June 2015 of \$989,665 was used as the opening balance in the 2015-16 Budget. The final end of year Rate Setting Statement surplus for 2014-15 is \$3,139,002, being \$2,149,337 more than estimated.

When comparing the actual end of year result to the estimate shown in the 2015-16 Budget, in summary terms the \$2,149,337 surplus comprises:

Description	Sub Total	Total
Increased Operating Cash Surplus	\$5,578,087	
Increased Capital Revenue	\$1,125,337	
Reduced Capital Expenditure	\$2,890,806	\$9,594,230
Less Reduced Net Funding Requirements		(\$7,444,893)
<b>Net Variance</b>		<b>\$2,149,337</b>

There are a number of offsets between revenue, expenditure and funding requirements the major ones being the following:

- Profit and loss on asset sales have been significantly impacted by property disposal transactions through Tamala Park land sales, offset by equity transactions.
- Increased capital revenue and decreased capital expenditure for works and plant, the bulk representing carry forwards \$3,212,906 which are offset by a transfer to the Capital Works Carried Forward Reserve.
- A number of operating and capital reserve funded projects that did not advance as far as anticipated or for which there was no reserve funded expenditure, resulting in lower expenditure offset by a lower draw down on reserves.
- Reductions in waste management costs resulting in an additional transfer into the waste management reserve of \$900,677.
- Advance receipt of \$2,850,503 of the Federal Assistance General Purpose and Local Roads Grants allocation for 2015-16 which is offset by a transfer to the Capital Works Carried Forward Reserve.

After allowing for these and other minor offsets the adjusted variance in surplus when compared to the estimated end of year position shown in the 2015-16 Budget is made up of:

Description	Sub Total	Total
Increased Operating Cash Surplus	\$2,470,576	
Reduced Capital Revenue	(\$93,535)	
Increased Capital Expenditure	(\$212,621)	<b>\$2,164,420</b>
Less Reduced Net Funding Requirements		(\$15,083)
<b>Net Variance</b>		<b>\$2,149,337</b>

The primary driver for the net increased surplus of \$2,149,337 is operating revenue and expenditure. The principal components of this are as follows:

Operating Revenue	
Interim Rates	\$241,931
Grants and Contributions	\$242,031
Interest Earnings	\$130,832
Workers Compensation Premium Rebate	\$159,536
	<b>\$774,330</b>

<b>Operating Expenditure</b>	
Workers Compensation Provision Write Back	\$665,153
Employee Costs	\$685,848
Materials and Contracts	\$386,549
Utilities	\$264,191
Various Other Operating and Non Cash Adjustments	(\$305,495)
	<b>\$1,696,246</b>
<b>Total</b>	<b>\$2,470,576</b>

Interim rates were higher than expected in the main due to a significant valuation appeal that was withdrawn. Increased Grants and Contributions comprise a variety of additional amounts. The workers compensation rebate and provision write back both relate to the 2009-10 claims year which has been closed with substantially reduced claims. The employee costs savings are across a variety of employee cost centres. Materials and contracts savings are across a range of costs while reduced utility costs are mainly street lighting.

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

#### **Legislation**

Local Government (Financial Management) Regulation 51(2) states:

*"A copy of the annual financial report of a local government is to be submitted to the Departmental CEO within 30 days of the receipt by the local government's CEO of the auditor's report on that financial report."*

Section 5.53 of the *Local Government Act 1995* states:

#### **5.53 Annual Reports**

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain:*
  - (f) *the financial report for the financial year;*

Section 5.54 of the *Local Government Act 1995* states:

#### **5.54 Acceptance of annual reports**

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year.*

*\* Absolute majority required.*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government*

*no later than 2 months after the auditor's report becomes available.*

Section 6.4 of the *Local Government Act 1995* states:

#### **6.4 Financial Report**

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to –*
  - (a) *be prepared and presented in the manner and form prescribed; and*
  - (b) *contain the prescribed information.*
- (3) *By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor –*
  - (a) *the accounts of the local government, balanced up to the last day of the preceding financial year; and*
  - (b) *the annual financial report of the local government for the preceding financial year.*

#### **Strategic Community Plan**

<b>Key theme</b>	Financial Sustainability.
<b>Objective</b>	Effective management.
<b>Strategic initiative</b>	Not applicable.
<b>Policy</b>	Not applicable.

#### **Risk management considerations**

Not applicable.

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

##### Current financial year impact

<b>Account no.</b>	Not applicable.
<b>Budget Item</b>	Closing surplus.
<b>Budget amount</b>	\$989,665
<b>Actual amount</b>	\$ 3,139,002
<b>Proposed cost</b>	Not applicable.
<b>Balance</b>	\$ 2,149,337

Future financial year impact

<b>Annual operating cost</b>	Not applicable.
<b>Estimated annual income</b>	Not applicable.
<b>Capital replacement</b>	Not applicable.
<b>20 Year Strategic</b>	Subject to application of surplus funds.

**Financial Plan impact**

<b>Impact year</b>	Not applicable.
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All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

There is no legislative requirement to consult on the preparation of the Annual Financial Report, but the *Local Government Act 1995* requires a General Meeting of Electors to be held and the City's Annual Report, incorporating the Concise Financial Report, to be made available publicly. The full Annual Financial Report will also be publicly available.

**COMMENT**

The Annual Financial Report will be made available on the City's public website. A minimal number of printed, bound colour copies will be available for viewing at Libraries, Leisure Centres and Customer Service Centres.

In order for the City to meet its legislative requirements, it is recommended that Council accepts the Annual Financial Report for the financial year 2014-15.

**VOTING REQUIREMENTS**

Absolute Majority.

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

- 1 BY AN ABSOLUTE MAJORITY, ACCEPTS the Annual Financial Report of the City of Joondalup and the accompanying Audit Report for the financial year 2014-15, forming Attachments 1 and 2 to Report CJ203-11/15;**
- 2 NOTES the Auditors Report to the Audit Committee for the Year Ended 30 June 2015 forming Attachment 3 to Report CJ203-11/15 and that there are no deficiencies, irregularities or other matters that the auditor wishes to bring to the attention of Council.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

*Appendix 21 refers*

*To access this attachment on electronic document, click here: [Attach21agn231115.pdf](#)*

## REPORT OF THE CHIEF EXECUTIVE OFFICER

### **CJ204-11/15 NEW RANGERS AND COMMUNITY PATROL SERVICE NAME AND BRANDING**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	16808, 101515
<b>ATTACHMENT</b>	Attachment 1 Community Safety and Crime Prevention Plan 2014-2018 Attachment 2 Proposed Name and Branding Attachment 3 Other Branding and Name Considered
<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 note the name and branding of the new Rangers and Community Patrol Service (RCPS).

### **EXECUTIVE SUMMARY**

This matter is being referred to Council as the Chief Executive Officer gave an undertaking to provide an opportunity for Council to comment on the naming and branding of the new RCPS.

The Council adopted the model for the new RCPS at its meeting held on 23 June 2015 (CJ105-06/15 refers). Such direction is in accordance with the Council's role as defined by section 2.7 of the *Local Government Act 1995*.

The role of the Chief Executive Officer (section 5.41 of the *Local Government Act 1995*) is to cause Council decisions to be implemented (section 5.41(c)) and manage day to day operations of the local government (section 5.41(d)).

In line with this, the Chief Executive Officer progressed the implementation of the new service including the naming and branding.

Adoption of the new service model followed extensive review and consultation with Elected Members. Among other changes, the new service will operate on an in-house basis compared to the previous City Watch service which was outsourced.

The report of 23 June 2015 (CJ105-06/15 refers) to Council highlighted the new service would be more focused on enforcement rather than just patrolling and reporting. Patrols will be provided to targeted areas for anti-social or nuisance behaviour, consistent non-compliance with local laws including suburban parking particularly schools and train stations. A key issue identified though is that the new officers will be Patrol Officers not full Rangers and therefore, there will be some activities they will not carry out such as complex investigations like dog attacks, dog capture, illegal dumping and the like.

The new roles and how closely it is proposed Patrol Officers and Rangers work in the new model were a key consideration in determining the naming and branding of the new service. Feedback from Elected Members was that they should as closely as possible be seen as one service.

Through internal discussion with officers of the City, citysafe was determined to be the best overarching brand with sub-brands of citysafe Rangers and citysafe Community Patrol. Uniforms would generally be the same with a common logo with only the sub-brand name to distinguish the difference between two services. Citysafe provided a break from the former City Watch name while maintaining a clear identity as a City service. Safety is a strong activity through much of what Rangers and Patrol Officers perform whether it be managing dog issues, parking, anti-social or nuisance behaviour and links well to the City's *Community Safety and Crime Prevention Plan* (Attachment 1 refers).

*It is therefore recommended that Council NOTES citysafe as the overarching brand of the City's in-house Ranger and Security Patrol service, with sub-brands of citysafe Rangers and citysafe Community Patrol for the new Rangers and Community Patrol Service.*

## **BACKGROUND**

The City has provided a community patrol service since 1997. The City Watch brand replaced the "Security" brand in 2006. The City Watch service was reviewed and relaunched with a new look and feel in 2008.

With the then contract for the City Watch service coming to an end the City engaged in a review of the service during 2014-15 and considered whether the service should continue and if so in what form. Elected Members were consulted and provided feedback to the Chief Executive Officer in September 2014 and May 2015.

Council supported a combined community patrol and Ranger service model but there are significant financial constraints to simply having a larger Ranger service. This would have required extending Ranger staff to a standard twenty four hour a day, seven day a week work pattern which would require a renegotiation of the normal working hours specified in the Workplace Agreement. If the normal working hours could not be renegotiated then significant additional costs in the form of overtime and penalty labour rates would be incurred to achieve 24 hour a day, seven day a week coverage.

Renegotiating the Workplace Agreement would be a significant and lengthy process with significant risks. The current workplace agreement is due to expire on 30 June 2016. It was therefore proposed that the issue of Ranger hours and the use of contract staff be reconsidered during negotiations on the next workplace agreement.



Council considered and adopted the model for the new Rangers and Community Patrol Service to replace City Watch at its meeting held on 23 June 2015 (CJ105-06/15 refers). The model adopted was to replace the City Watch service with a 24 hour a day, seven day a week Community Patrol service by engaging City direct employees on fixed term contracts (contract staff) for a period of approximately two years. A key element to this model is to ensure that Patrol Officers maintain their employment classification as Security Officers and not become classified as Local Enforcement Officers - Ranger. Although on fixed term contracts the new service will operate on an in-house basis compared to the previous City Watch service which was completely outsourced. The Patrol Officers and Rangers will however, as closely as possible, be seen as one service.

The report of 23 June 2015 (CJ105-06/15 refers) highlighted that the new service would be more focused on enforcement rather than just patrolling and reporting. Patrols will be provided to targeted areas for anti-social or nuisance behaviour, consistent non-compliance with local laws including suburban parking particularly schools and train stations. The new officers will be Patrol Officers, however, not full Rangers and there will be some activities they will not carry out such as complex investigations for dog attacks or dog capture.

The new service is scheduled to commence on 1 December 2015.

## **DETAILS**

The RCPS will be a new service. The Community Patrol element will be run in-house compared to the previous outsourced City Watch service. There is also a change in focus and a change in service levels such as removing responsibility for responding to building alarms, giving the service wider powers for local law enforcement and working more closely with Rangers.

It was considered appropriate that a new name and branding be used for the service that recognises the change that has been made. The old City Watch service was clearly and distinctly named and branded as a completely separate service to Rangers. The uniforms were also completely different. It was felt that for the new service the name and branding should reverse this and emphasise the close links between Rangers and Patrol Officers while still acknowledging that they are not all Rangers.

The concept that was arrived at was to have an overarching brand for the whole service with a sub-brand each for the Rangers and Community Patrol elements. Citysafe was landed on as the overarching brand with sub-brands of citysafe Rangers and citysafe Community Patrol. Uniforms would be the same with a common logo only the sub-brand name to distinguish them. Vehicles would also share a common theme.

This branding was developed internally giving consideration to the objectives and direction proposed for the new service, the desire to emphasise the close links between Rangers and Patrol Officers and to not have them seen as completely separate operations.

The use of sub-branding is already in place in the City with sub brands applied very successfully in the City's Leisure Centres and Libraries.

## **Issues and options considered**

There were different options considered for naming and branding including both the text and colour graphics. The name and brand proposed is included at Attachment 2. Alternative name and branding that were considered are at Attachment 3.

Citysafe is felt to provide a break from the old City Watch name while maintaining a clear identity as a City service. The name has simplicity and safety is a strong overarching theme through much of what Rangers and the Patrol Officers do such as managing dog issues, parking, anti-social or nuisance behaviour. There is also a strong link to the City's *Community Safety and Crime Prevention Plan* (Attachment 1 refers) relating directly to Strategies 2, 3 and 4 below under the City Safety Services banner of the plan:

Objective	Strategies	Key Patrol and Enforcement Services	Measures
Deliver services for patrolling and reporting suspicious behaviours and enforcing relevant laws.	1. Coordinate the City Watch community patrol service and ensure agreed response targets are met.	<ul style="list-style-type: none"> <li>General City Watch Patrols</li> <li>Party Alert Service</li> <li>Holiday Alert Service</li> <li>General Ranger Patrols</li> <li>Beach Ranger Patrols</li> </ul>	Maintain or improve community satisfaction ratings for City Watch patrol services.
	2. Provide opportunities to review and enhance the City Watch service, including the maintenance of effective relationships between the WA Police and City Watch to inform patrol and response activities.		Contractor performance managed to meet obligations
	3. Provide a Ranger service to patrol and enforce activities in alignment with relevant laws.		Maintain or improve community satisfaction ratings for Ranger services.
	4. Conduct a review of service delivery hours for Rangers to assist the WA Police in enforcing minor matters.		Ranger services delivery hours review conducted by December 2014.

In other local governments while the description Rangers is still common in quite a few cases they sit under a banner in which safety is featured. In City of Perth Rangers sit under Community Safety and Emergency Management, in the City of Gosnells under Community Safety, in City of Wanneroo under Community Health and Safety as examples. Under the citysafe proposal the term Rangers will still be retained in the sub-brand to distinguish them from Community Patrol Officers.

Council has the option to:

- note the branding of the new Rangers and Community Patrol Service as citysafe with the sub-brands citysafe Rangers and citysafe Community Patrol or
- request the Chief Executive Officer to reconsider the branding of the new Rangers and Community Patrol Service.

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

**Legislation** Sections 2.7 and 5.41 of the *Local Government Act 1995*.

**Strategic Community Plan**

**Key theme** Community Wellbeing.

**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 well being.

**Policy** Not applicable.

**Risk management considerations**

The previous City Watch service is ceasing and the distinctive branding that it had will disappear. Without a brand that recognises the Community Patrol element of the new service there is a risk that the community may perceive that the City has simply ceased the service completely. There is also a risk that it may be perceived that all of the officers are Rangers when the Patrol Officers are not.

The new service will be commencing on 1 December 2015. If it is proposed to reconsider the proposed name and brand then the service will need to operate without any branding while reconsideration is undertaken. Reconsideration is likely to take several months.

**Financial / budget implications**

The name and branding, impact on staff uniforms, vehicle decals, promotional materials and advertising. \$228,664 has been allocated to establishment costs for the new service and name and branding are included as part of uniform, vehicle and promotional costs. While a fair amount of time and effort has been applied to the development of the name and branding this has all been undertaken internally. No external costs have yet been incurred in relation to the name and branding as this purchasing was able to be put on hold (for example Rangers will continue to use existing uniform) or modified (such as vehicles have been ordered but without new decals) pending Council's consideration of this report.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

## COMMENT

The use of an overarching brand name for the two elements of the Rangers and Community Patrol Service is considered vital by City Officers to achieve the visual and service delivery impact in the feedback from Elected Members in September 2014 and May 2015. Whilst the service will launch as scheduled on 1 December 2015, neither Rangers nor Community Patrol officers will be wearing the new uniform pending resolution of the naming and branding.

It is considered appropriate that a new name and branding be used for the service that recognises the change that has been made and emphasise the close links between Rangers and Patrol Officers while still acknowledging that they are not all Rangers. It is felt that the concept to have an overarching brand for the whole service with a sub-brand each for the Rangers and Community Patrol elements addresses this. Citysafe has been landed on as the overarching brand with sub-brands of citysafe Rangers and citysafe Community Patrol.

Citysafe provides a break from the old City Watch name while maintaining a clear identity as a City service. Safety is a strong theme through much of what Rangers and the Patrol Officers do such as managing dog issues, parking, anti-social or nuisance behaviour. There is also a strong link to the City's *Community Safety and Crime Prevention Plan* (Attachment 1 refers).

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Dwyer, SECONDED Cr Fishwick** that Council NOTES citysafe as the overarching brand of the City's in-house Ranger and Security Patrol service, with sub-brands of citysafe Rangers and citysafe Community Patrol for the new Rangers and Community Patrol Service.

**The Motion was Put and**

**TIED (6/6)**

**In favour of the Motion:** Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Norman and Poliwka.

**Against the Motion:** Mayor Pickard, Crs Hollywood, Jones, Logan, McLean, and Taylor.

There being an equal number of votes, the Mayor exercised his casting vote and declared the Motion

**LOST (6/7)**

**MOVED Mayor Pickard, SECONDED Cr McLean that Council:**

- 1 NOTES the report on the name and branding of the City's in-house Ranger and Community Patrol service;**
- 2 DIRECTS the Chief Executive Officer to name and brand the whole of new Ranger and Community Patrol Service as City Rangers with no visible or notable sub-brands.**

**The Motion was Put and**

**CARRIED (8/4)**

**In favour of the Motion:** Mayor Pickard, Crs Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman and Taylor.

**Against the Motion:** Crs Chester, Dwyer, Fishwick and Poliwka.

### **Reason**

In accordance with Regulation 11(da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the administration recommended is because Council believes the term City Rangers is an appropriate title and reflective of community understanding of the service.

*Appendix 22 refers*

*To access this attachment on electronic document, click here: [Attach22agn231115.pdf](#)*

**URGENT BUSINESS**

**C71-11/15                    MEDIAN AND VERGE MOWING – TO NOMINATED LOCATIONS IN ZONE 2 - CENTRAL (OCEAN REEF ROAD TO HEPBURN AVENUE) AND IN ZONE 3 - SOUTH (HEPBURN AVENUE TO BEACH ROAD) – [104745, 104744]**

**MOVED Mayor Pickard, SECONDED Cr Poliwka that Council:**

- 1       REQUESTS the Chief Executive Officer to procure an external service provider for the provision of:**
  - 1.1       median and verge mowing to nominated locations in Zone 2 – Central (Ocean Reef Road to Hepburn Avenue);**
  - 1.2       median and verge mowing to nominated locations in Zone 3 - South (Hepburn Avenue to Beach Road),**

**for a period up to 30 June 2016;**
- 2       NOTES a report on the review of the verge and arterial mowing service will be presented to Council prior to 30 June 2016.**

In accordance with Clause 4.7 of the *City of Joondalup Meeting Procedures Local Law 2013* the following is a summary of the verbal report given by the Chief Executive Officer:

*“The procurement of an external service provider for a period up to 30 June 2016 will allow the City to conduct a review of the service as provided and allow time to put a new service in place.”*

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****C72-11/15****NOTICE OF MOTION – CR CHRISTINE HAMILTON-PRIME – DOG EXERCISE AREA – MAWSON PARK, HILLARYS - [56534]**

In accordance with Clause 4.6 of the *Meeting Procedures Local Law 2013*, Cr Christine Hamilton-Prime gave notice of her intention to move the following Motion at the Council meeting to be held on Monday, 23 November 2015:

***“That Council REQUESTS the Chief Executive Officer to prepare a report on the ability to allow or permit dogs to be exercised on a leash in an area around the outer perimeter of Mawson Park, Hillarys which follows the line of and includes the outer most footpath closest to the perimeter of the park where dogs are currently prohibited from being exercised.”***

**Reason for Motion**

This issue of exercising dogs at Mawson Park is a sensitive issue with local residents. Cr Mike Norman and myself have received complaints from residents regarding Rangers instructing them that they cannot walk their dogs on a leash on the footpath in the boundary of Mawson Park.

In recent months City Rangers have increased their patrol of noncompliance within Mawson Park in relation to dogs due to complaints from residents of unleashed dogs exercising and running wild inside the park, disturbing the native wildlife and people enjoying the beautiful park. At present the exercising of dogs in Mawson Park, regardless if leashed or otherwise, is prohibited under the City's Animal Local Law 1999. Presently in Mawson Park, there is no way for residents walking their dogs on a leash to complete a full lap of the park.

The area where residents can currently walk with their dogs on leashes is the outskirts of the park that is a sandy verge/patchy lawn area right next to the road. This verge is primarily used as car parking by park users, and is unsafe for pedestrian use in walking dogs. As previously mentioned, there is no complete path network which forces residents on the south west side of the park to walk on the road if they wish to walk their dogs.

The path for dog walkers in the south west corner of the park then stops as the path that connects up to Newport Gardens Road from Flinders Avenue goes through the park where dogs are prohibited. This lack of path for dog walkers causes a problem as it does not allow users to get from one end of the park to the other without having to use prohibited section of the path inside the park.

The intent behind this call for a report is to establish a revised local law that allows dogs on a lead to use pathways around the perimeter of Mawson park, whilst banning dogs from the remainder of Mawson Park. This will also involve an investigation of the connectivity around Mawson Park, so that a new section of path can be included in the capital works program to provide a safe footpath for residents to walk their dogs on a lead around the whole park. It would also be appropriate and vital that any proposed changes relating to changing the dogs exercising in Mawson Park would undertake extensive community consultation to understand the opinions of the local residents that are impacted.

**Officer's Recommendation**

A report can be prepared.

**MOVED Cr Hamilton-Prime, SECONDED Cr Norman that Council REQUESTS the Chief Executive Officer to prepare a report on the ability to allow or permit dogs to be exercised on a leash in an area around the outer perimeter of Mawson Park, Hillarys which follows the line of and includes the outer most footpath closest to the perimeter of the park where dogs are currently prohibited from being exercised.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.



**ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

Nil.

**CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 8.58pm the following Elected Members being present at that time:

MAYOR TROY PICKARD  
CR KERRY HOLLYWOOD  
CR TOM MCLEAN, JP  
CR PHILIPPA TAYLOR  
CR NIGE JONES  
CR RUSSELL POLIWKA  
CR CHRISTINE HAMILTON-PRIME  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR JOHN LOGAN  
CR RUSS FISHWICK, JP  
CR SOPHIE DWYER