

agenda

Briefing Session

A BRIEFING SESSION WILL BE HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP

ON **TUESDAY 13 MARCH 2018**

COMMENCING AT **6.30pm**

GARRY HUNT
Chief Executive Officer
9 March 2018

joondalup.wa.gov.au

This document is available in alternate formats upon request

PUBLIC QUESTION TIME

Members of the public are requested to lodge questions in writing by close of business on 12 March 2018

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

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

BRIEFING SESSIONS

The following procedures for the conduct of Briefing Sessions were adopted at the Council meeting held on 19 November 2013:

INTRODUCTION

The modern role of Council is to set policy and strategy, and provide goals and targets for the local government (the City). The employees, through the Chief Executive Officer, have the task of implementing the decisions of Council.

A well-structured decision-making process that has established protocols will provide the elected body with the opportunity to:

- have input into the future strategic direction set by Council
- seek points of clarification
- ask questions
- be given adequate time to research issues
- be given maximum time to debate matters before Council,

and ensures that the elected body is fully informed to make the best possible decisions for the City of Joondalup community.

PURPOSE OF BRIEFING SESSIONS

Briefing Sessions will involve Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate) and will be open to the public.

Briefing Sessions will provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next ordinary meeting of Council for formal consideration and decision.

PROCEDURES FOR BRIEFING SESSIONS

The following procedures will apply to Briefing Sessions that are conducted by the City:

- 1 Briefing Sessions will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.
- 2 Dates and times for Briefing Sessions will be set well in advance where practicable, and appropriate notice given to the public.
- 3 The Chief Executive Officer will ensure timely written notice and an agenda for each Briefing Session will be provided to all Elected Members, members of the public and external advisors (where appropriate).
- 4 The Mayor is to be the Presiding Member at Briefing Sessions. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Briefing Session. If the Deputy Mayor is unable or unwilling, those Elected Members present may select one from amongst themselves to preside at the Briefing Session.

- 5 There is to be no debate among Elected Members on any matters raised during the Briefing Session.
- 6 Relevant employees of the City will be available to make a presentation or respond to questions on matters listed on the agenda for the Briefing Session.
- 7 All Elected Members will be given a fair and equal opportunity to participate in the Briefing Session.
- 8 The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
- 9 Elected Members, employees and relevant consultants shall disclose their interests on any matters listed for the Briefing Session. When disclosing an interest the following is suggested:
 - (a) Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the City's *Code of Conduct*.
 - (b) Elected Members disclosing a financial interest will not participate in that part of the session relating to the matter to which their interest applies and shall depart the room.
 - (c) Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- 10 A record shall be kept of all Briefing Sessions. As no decisions are made at a Briefing Session, the record need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the record is to be forwarded to all Elected Members.
- 11 Elected Members have the opportunity to request the Chief Executive Officer to prepare a report on a matter they feel is appropriate to be raised and which is to be presented at a future Briefing Session.

PROCEDURES FOR PUBLIC QUESTION TIME

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

Questions asked verbally

- 1 Members of the public are invited to ask questions at Briefing Sessions.
- 2 Questions asked at a Briefing Session must relate to a matter contained on the agenda.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.

- 4 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per member of the public.
- 5 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be allocated a minimum of 15 minutes. Public question time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 35 minutes in total.
- 8 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
 - accept or reject any question and his/her decision is final
 - nominate an Elected Member and/or City employee to respond to the question or
 - take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Briefing Session.
- 9 Where an Elected Member is of the opinion that a member of the public is:
 - asking a question at a Briefing Session that is not relevant to a matter listed on the agenda
 - or
 - making a statement during public question time,they may bring it to the attention of the Presiding Member who will make a ruling.
- 10 Questions and any responses will be summarised and included in the agenda of the next Briefing Session.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

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

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions must relate to a matter contained on the agenda.

- 3 The City will accept a maximum of five written questions per City of Joondalup resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by the close of business on the working day immediately prior to the scheduled Briefing Session will be responded to, where possible, at the Briefing Session. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Briefing Session will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Briefing Session.
- 8 A person who submits written questions may also ask questions at a Briefing Session and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the agenda of the next Briefing Session.
- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

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

- 1 Members of the public are invited to make statements at Briefing Sessions.
- 2 Statements made at a Briefing Session must relate to a matter contained on the agenda.

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

PROCEDURES FOR DEPUTATIONS

- 1 Prior to the agenda of a Briefing Session being discussed by Elected Members, members of the public will be provided an opportunity to make a deputation at the Briefing Session.
- 2 Members of the public wishing to make a deputation at a Briefing Session may make a written request to the Chief Executive Officer by 4.00pm on the working day immediately prior to the scheduled Briefing Session.
- 3 Deputation requests are to be approved by the Presiding Member and must relate to matters listed on the agenda of the Briefing Session.
- 4 Other requirements for deputations are to be in accordance with clause 5.10 of the *City of Joondalup Meeting Procedures Local Law 2013* in respect of deputations to a committee.

RECORDING OF THE PROCEEDINGS OF THE BRIEFING SESSION

Proceedings of the Briefing Session shall be electronically recorded for administrative purposes only, except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.

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LATE ITEMS / ADDITIONAL INFORMATION

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

[Additional Information180313.pdf](#)

CITY OF JOONDALUP – BRIEFING SESSION

To be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 13 March 2018** commencing at **6.30pm**.

ORDER OF BUSINESS

OPEN AND WELCOME

DECLARATIONS OF FINANCIAL INTEREST/PROXIMITY INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

DEPUTATIONS

PUBLIC QUESTION TIME

The following questions were submitted to the Briefing Session held on 13 February 2018:

Ms J Quan, Edgewater:

Re: Item 26 - Cash-In-Lieu of Car Parking Local Planning Policy – Consideration Following Advertising

Q1 The existing policy only applies to "All non-residential development". The drafted new policy applies to "All development". Is above understanding correct?

A1 Consistent with the recommended modifications, the draft policy will apply to all non-residential development within the City of Joondalup with the exception of the Joondalup Activity Centre.

Q2 Please define "sufficient proximity", which is used to define "Vicinity".

A2 It is considered appropriate that some flexibility be incorporated into the definition rather than incorporating an arbitrary distance so that a sufficient proximity can be determined on a case by case basis depending on the type of development proposed, the context in which it is proposed (that is a local centre, neighbourhood centre) and the type of infrastructure that a cash-in-lieu payment may fund. In simple terms, sufficient proximity is intended to mean close enough so that the development and the infrastructure funded by the cash-in-lieu can reasonably be considered to be linked.

- Q3 *Car parking required for residential development will be assessed and considered in accordance with the Residential Design Codes (R-Codes) and the City's Residential Development Local Planning Policy. Does this mean that it needs to be granted if developer apply when R-Codes are met?*
- A3 Where a development application is submitted for a residential development the applicant is required to address the provision of car parking for that development. If the car parking requirements are met then the proposal may be supported, subject to meeting all other relevant requirements of the *Residential Design Codes* and the City's *Residential Development Local Planning Policy*.
- Q4 *If "Notwithstanding, in anticipation of the new provisions likely to be applied to LPS3, the policy has been modified to clarify that cash-in-lieu of car parking will only be applied to non-residential developments.", why does the new drafted policy need to include "all development"?*
- A4 Consistent with the recommended modifications, the draft policy only applies to non-residential development.
- Q5 *To develop car parking infrastructure in the vicinity, what kind of land could be considered proper to develop parking infrastructure?*
- A5 This will be determined based on the context of each development and the need in the locality. In some instances, land may not be required as transport infrastructure can include signage, shelters, priority signals, end of trip facilities (showers and lockers) parking machines and associated technologies.

Mr N Catterall, Iluka:

Re: *Item 5 - Proposed Amendment to the Iluka Structure Plan and Two Proposed Local Development Plans – Reconsideration Following Changes Made*

- Q1 *Please can you outline how the proposed revisions to each of the R-Code clauses for clause 6.1.1 Building Size, clause 6.1.5 Open Space and 6.4.3 Dwelling Size are warranted and under what specific need?*

- A1 Clause 6.1.1 (Building size) of the R-Codes relates to plot ratio area and is used as a means of controlling the bulk and scale of a development.

It is considered that a more practical and measurable method of controlling the bulk and scale of development is through building height and building setbacks to the street. The proposed LDPs, along with the City's recommended modifications, set deemed-to-comply requirements for overall building height and street setbacks, which in some instances exceed the requirements of the R-Codes.

Clause 6.1.5 (Open space) of the R-Codes has been augmented by allowing a reduced open space provision only when communal facilities such as a BBQ area, club house, pool or similar facility is provided. The reduction in open space is compensated by way of providing these facilities which provide additional amenities for future residents.

Clause 6.4.3 (dwelling size) of the R-Codes provides for a diversity in unit types and sizes by setting a minimum percentage for one and two bedroom dwellings for developments that include more than 12 dwellings. The applicant proposes to augment this provision under the LDP for aged persons' dwellings (persons over 55 years) only. It is also considered that any development of multiple dwellings, particularly if incorporating aged persons' dwellings, will assist in providing diversity in housing product within the local area. Further, development of multiple dwellings that are not for aged persons' dwellings will be subject to the diversity requirements of clause 6.4.3.

Q2 *How are these changes consistent with the objectives and design principles of the R-Codes?*

A2 The provisions of the LDPs that seek to replace, amend or augment the R-Codes are considered to allow for development of a form, scale and intent consistent with the expectations of the existing local planning framework, being the Iluka Structure Plan.

Q3 *How is it proposed to ensure these changes to the deemed-to-comply provisions can be properly implemented and audited by the decision maker as part of the ongoing building approval process?*

A3 If approved, the LDPs will form part of the assessment framework for any subsequent development application, along with the Iluka Structure Plan, Scheme, R-Codes and relevant local planning policies.

Mr M Moore, Edgewater:

Re: *Item 3 - Proposed Development Application for 14 Multiple Dwellings at Lots 392 and 393 (33 and 35) Macedon Place, Craigie – Section 31 Reconsideration under the State Administration Tribunal Act 2004*

Q1 *The new proposed development is quite different to what was previously proposed so why weren't the adjacent residents consulted on this revised proposal?*

A1 The modified proposal was not readvertised as the State Administrative Tribunal requested Council to reconsider the proposal, not re-advertise it. In addition, the amendments reduce the impact of the development on adjoining properties and the streetscape.

The report details how the modified proposal responds to the concerns raised during consultation of the original proposal.

Q2 *On what grounds is a discretion being given for the driveway to be single way access rather than the two way access required by the R-Codes?*

A2 Discretion is not being sought in relation to access as the driveway has been designed with sufficient width to allow two-way access and for opposing flows of vehicles to pass unobstructed.

Q3 *What voltage is the high voltage power line along the rear of the property and is a discretion being given on the setback requirement in the City of Joondalup's Residential Development Local Planning Policy?*

A3 The power lines along Marmion Avenue are, at minimum, 33kV, however there are no easements identified on the subject properties because of these power lines that require greater setbacks than would otherwise be required under the R-Codes and the City's Residential Development Local Planning Policy.

Discretion is being sought with respect to setbacks to Marmion Avenue, however, for the reasons outlined in the report, these setbacks are considered appropriate as they do not impact an adjoining landowner and the significant vegetation in the Marmion Avenue road reserve will conceal views of the boundary wall.

Re: *Item 26: Cash-In-Lieu of Car Parking Local Planning Policy*

Q4 *Why isn't this Policy more clearly titled so it is obvious that it applies to non residential development outside of the City Activity Centre?*

A4 This is currently the only local planning policy that relates to cash-in-lieu of car parking and therefore the title is not considered to be confusing. Further, the policy itself now clearly outlines that it applies to non-residential development outside of the city centre. Should subsequent policies be developed for specific areas or the Joondalup Activity Centre, this would be reflected in the title.

Q5 *Why doesn't the footer on Policies state when the policy was last amended by Council? The Created date is shown and previous amendments are shown by obscure coding that most people would not be able to decipher. The date that a policy has been amended should be explicitly stated in plain English so people know exactly when it applies from.*

A5 The footer provides reference to the Council reports which considered a review or amendments to the policy. The reference includes the month and year the report was presented to Council. For consistency, this is a corporate standard adopted for all City policies.

Mr N Catterall, Iluka:

Re: *Item 5 - Proposed Amendment to the Iluka Structure Plan and Two Proposed Local Development Plans – Reconsideration Following Changes Made*

Q1 *Can you advise if Clause 6.1.4 of the R-Codes, as proposed by the applicant, is supported by the City and if so, why?*

A1 The Director Planning and Community Development advised that the City is comfortable with Clause 6.1.4 of the R-Codes as the clause deals with how those buildings relate to each other and has no impact on other existing neighbours. The Director Planning and Community Development stated that the purpose of a Structure Plan and Local Development Plan on a site like this is to look at site specific issues and site specific visions for future development and tailor provisions accordingly.

- Q2 *I don't understand why the deem to comply provisions as set out in the R-Codes are not applicable in this instance and why the necessity to change them?*
- A2 The Director Planning and Community Development advised that in situations like this there is tremendous benefit to both the future inhabitants and indeed surrounding residents, if the City augments the provisions of some of the R-Codes. The Director Planning and Community Development noted that the proposed amendments are supported because they will result in a better outcome than otherwise would happen if the City was to apply the R-Codes to that development.

Mrs M Reading, Greenwood:

Re: Item 32 - Proposal for a Kingsley Commemorative Peace Precinct.

- Q1 *Will Kingsley and Greenwood Residents Association be formally recognised as the amended proponent to Lot 971 precinct due to the passing of Mr Brian Cooper, as his wife Rita wishes for the proposal go ahead in its original concept?*
- A1 Mayor Jacob advised that the City will be the proponent for works on City land but the City is engaging with KAGRA in discussions around the peace precinct.
- Q2 *The City have stated that there are no funds available for the peace precinct, is there an opportunity for the City to make enquiries for grant funding for the peace precinct?*
- A2 Mayor Jacob advised that the City had significant discussions around seeking grant funding for the peace precinct, advising that grant funding which was available was for War Memorials and there was no such grant funding available for peace precincts.

PUBLIC STATEMENT TIME

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Sophie Dwyer	21 February to 31 March 2018 inclusive;
Cr John Chester	23 February to 19 March 2018 inclusive;
Cr Mike Norman	6 April to 13 April 2018 inclusive;
Mayor Hon. Albert Jacob, JP	26 April to 7 May 2018 inclusive.

Request for Leave of Absence

Cr Nige Jones	16 April to 27 April 2018 inclusive;
Cr Nige Jones	20 May to 25 May 2018 inclusive

REPORTS

ITEM 1 DEVELOPMENT AND SUBDIVISION APPLICATIONS – JANUARY 2018

WARD	All			
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development			
FILE NUMBER	07032, 101515			
ATTACHMENTS	Attachment 1	Monthly Development Determined – January 2018	Applications	
	Attachment 2	Monthly Subdivision Processed – January 2018	Applications	
AUTHORITY / DISCRETION	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 January 2018.

EXECUTIVE SUMMARY

Schedule 2 (deemed provisions for local planning schemes) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) provide for Council to delegate powers under a local planning scheme to the Chief Executive Officer (CEO), who in turn has delegated them to employees of the City.

The purpose of delegating certain powers to the CEO and officers is to facilitate the timely processing of development and subdivision applications. The framework for the delegations of those powers is set out in resolutions by Council and is reviewed every two years, or as required.

This report identifies the development applications determined by the administration under delegated authority powers during January 2018 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during January 2018 (Attachment 2 refers).

BACKGROUND

Schedule 2 clause 82 (deemed provisions for local planning schemes) of the Regulations enables Council to delegate powers under a local planning scheme to the CEO, and for the CEO to then delegate powers to individual employees.

At its meeting held on 27 June 2017 (CJ091-06/17 refers) Council considered and adopted the most recent Town Planning Delegations.

DETAILS

Subdivision referrals

The number of subdivision and strata subdivision referrals processed under delegated authority during January 2018 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	4	3
Strata subdivision applications	10	16
TOTAL	14	19

Of the 14 subdivision referrals eight were to subdivide in housing opportunity areas, with the potential for 13 additional lots.

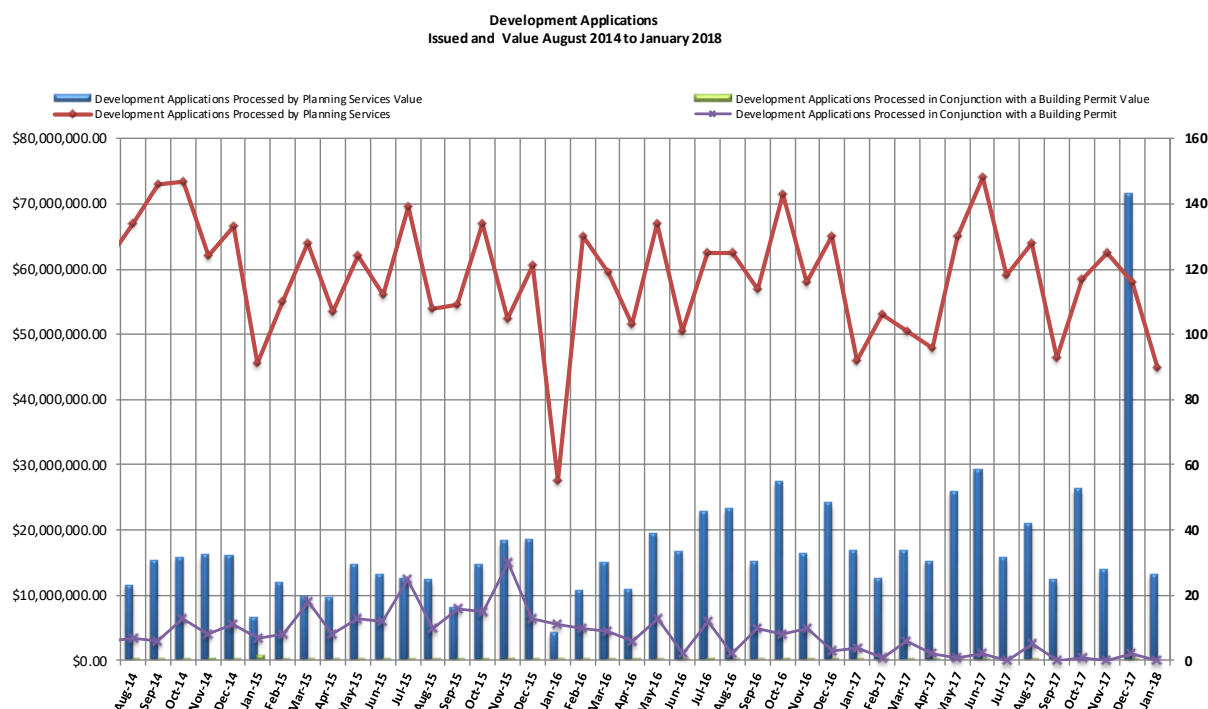
Development applications

The number of development applications determined under delegated authority during January 2018 is shown in the table below:

Type of development application	Number	Value (\$)
Development applications processed by Planning Services	90	\$ 13,218,091
Development applications processed by Building Services	0	0
TOTAL	90	\$ 13,218,091

Of the 90 development applications, 10 were for new dwelling developments in housing opportunity areas, proposing a total of 13 additional dwellings.

The total number and value of development applications determined between July 2014 and January 2018 is illustrated in the graph below:



The number of development applications received during January was 79. (This figure does not include any development applications to be processed by Building Approvals as part of the building permit approval process).

The number of development applications current at the end of January was 186. Of these, 51 were pending further information from applicants and 9 were being advertised for public comment.

In addition to the above, 166 building permits were issued during the month of January with an estimated construction value of \$14,055,448.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation

*City of Joondalup District Planning Scheme No. 2.
Planning and Development (Local Planning Schemes)
Regulations 2015.*

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.

Schedule 2 clause 82 of the Regulations permits the local government to delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties. Development applications were determined in accordance with the delegations made under Schedule 2 clause 82 of the Regulations.

All subdivision applications were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

Risk management considerations

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

Financial / budget implications

A total of 90 development applications were determined for the month of January with a total amount of \$48,374 received as application fees.

All figures quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Consultation may be required by the provisions of the R-Codes, any relevant policy and/or DPS2 and the Regulations.

COMMENT

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

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

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

- 1 Development applications described in Attachment 1 to this Report during January 2018;**
- 2 Subdivision applications described in Attachment 2 to this Report during January 2018.**

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf180313.pdf](#)

ITEM 2 MODIFICATIONS AND EXTENSION OF TIME TO PREVIOUSLY APPROVED MIXED USE DEVELOPMENT AT LOT 1 (113) GRAND BOULEVARD, JOONDALUP

WARD	North
RESPONSIBLE	Ms Dale Page
DIRECTOR	Planning and Community Development
FILE NUMBER	47996, 101515
ATTACHMENT	Attachment 1 Location plan Attachment 2 Proposed development plans Attachment 3 Original JDAP decision and approved plans Attachment 4 Amended JDAP decision and approved plans
AUTHORITY / DISCRETION	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 modifications and an extension of time to a previously approved 18 storey mixed use development at Lot 1 (113) Grand Boulevard, Joondalup.

EXECUTIVE SUMMARY

An application has been received for amendments to a development approval for an 18 storey mixed use development at Lot 1 (113) Grand Boulevard, Joondalup, also known as “Arthouse”. The amendments are for minor modifications to the building and a request to extend the approval period for an additional two years.

The modifications are not considered to substantially modify the previously approved development, and comprise of modifications to internal and external areas to accommodate structural design elements, improve amenity, and accommodate services, partly due to detailed design work. The modifications are considered to be generally compliant with the requirements of the current *Joondalup City Centre Development Plan and Manual* (JCCDPM) and objectives of the draft *Joondalup Activity Centre Plan* (JACP).

The proponent seeks an extension of time to the approval period for two years to allow additional time to obtain necessary pre-sales in the current housing market, ultimately to ensure the development is viable. This extension of time is deemed appropriate given the development remains consistent with the vision and objectives of the JCCDPM and draft JACP.

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

BACKGROUND

Suburb/Location	Lot 1 (113) Grand Boulevard, Joondalup.
Applicant	Hillam Architects.
Owner	Edge Holdings No 5 Pty Ltd.
Zoning	DPS2 Centre.
	MRS Central City Area.
Site area	2,000m ² .
Structure plan	<i>Joondalup City Centre Development Plan and Manual</i> (JCCDPM). <i>Draft Joondalup Activity Centre Plan</i> (JACP).

The development site is located within the Joondalup City Centre with frontage to Grand Boulevard to the west and Central Walk to the east. Existing commercial developments predominately two storeys in height adjoin the site to the north and south (Attachment 1 refers).

The site is zoned 'Urban' under the *Metropolitan Region Scheme* (MRS) and 'Centre' under the City's *District Planning Scheme No. 2* (DPS2). Under the City's JCCDPM the site is located within the 'Central Business District'. Under the draft JACP, which is a 'seriously entertained' planning proposal, the site falls within the 'City Centre' precinct.

At its meeting held on 5 February 2015, the Metro North-West Joint Development Assessment Panel (JDAP) approved the development comprising an 18 storey mixed-use building with 190 multiple dwelling (apartments) and four ground floor commercial tenancies for a period of three years subject to conditions (Attachment 3 refers). Since this approval, modifications to the development have been undertaken, including the following:

- Increasing the number of apartments from 190 to 194.
- Change in layout and composition of apartments.
- Increasing store rooms and car parking bays.
- Modifications to car parking areas.
- Minor external modifications to the appearance and built form.

These modifications were approved at a subsequent JDAP meeting held on 22 October 2015 (Attachment 4 refers). The duration of approval, being three years from the date of the original approval (5 February 2015) was unchanged through this amended approval.

DETAILS

The proposed development application consists of the following:

- Amendment to Condition 1 of the current planning approval to extend the approval period by an additional two years (to 5 February 2020).
- Increase the overall building height by 70mm (7cm).
- Decrease the podium height by 390mm (39cm).
- Amalgamate the level four apartments 24 and 25, level 17 apartments 188 and 198, and level 17 apartments 189 and 190, resulting in an overall reduction in the number of apartments from 194 to 191.
- Amend the right (southern) boundary setback of the balconies on levels 6 to 17 from 2.6 metres to 2.1 metres.
- Reduce glazing by 3m² to the Grand Boulevard ground floor street façade.
- Minor internal and external layout reconfigurations, including minor store and service updates.

The amended development plans are included in Attachment 2.

Determination of the proposal by Local Government in lieu of JDAP

Although the original application was determined by the JDAP, following changes to the *Planning and Development (Development Assessment Panels) Regulations 2011* (JDAP Regulations) introduced in February 2017, the applicant now has the ability to request an amended application be determined by the responsible authority, that is the local government.

Regulation 17A of the JDAP Regulations requires an application to be made under the relevant planning instrument to amend an application, in this case regulation 77 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations).

Clause 77 of the LPS Regulations allows a local government to determine an application to amend an approval to extend the period within which development must be substantially commenced and to amend an aspect of the development approved which, if amended, would not substantially change the development approved. The proposed two year extension of time and minor modifications are considered to fall within these parameters, and therefore allows the local government to determine the amended proposal. It is also noted that clause 77(2)(b) allows such a request to be made during or after the period within which the development must be substantially commenced.

Under the City's *Register of Delegation of Authority*, Council is required to determine the proposal as the development is for the purpose of more than ten 'Multiple Dwellings' and associated development.

Extension to approval period

Condition 1 of DA14/1325 currently states the following:

"This decision constitutes planning approval only and is valid for a period of three (3) years from the date of approval. If the subject development is not substantially commenced within the three year period, the approval shall lapse and be of no further effect."

As the original approval was granted on 5 February 2015, condition 1 required the development to substantially commence by 5 February 2018.

The applicant has requested to amend this condition by increasing the approval period an additional two years (to 5 February 2020) which will allow the proponent to obtain additional pre-sales which are necessary to ensure the project is commercially feasible.

Officer comment

This extension of time is deemed appropriate for a development of this scale and is acknowledging that the development remains in alignment with the vision and objectives of the JCCDPM and draft JACP. It is not anticipated that any future changes to the current planning framework will impact on the proposed development.

Modifications to the development

The modifications to the proposal are generally compliant with the provisions of the JCCDPM, with the exception of a 3m² reduction to the ground floor Grand Boulevard street facade glazing. The amended proposal includes 40% glazing to the ground floor in lieu of the required 50% glazing under the JCCDPM.

Officer comment

This reduction is to accommodate a thicker internal support wall which is required based on the detailed design drawings developed by the applicant. The street façade presentation of the amended proposal is not considered to detrimentally affect street activation and appearance of the development, and therefore meets the vision of the JCCDPM.

Draft Joondalup Activity Centre Plan

At its meeting held on 27 June 2017 (CJ090-06/17), Council resolved to approve the draft JACP which guides the future development of the Joondalup City Centre. The draft JACP is currently pending final approval from the Western Australian Planning Commission (WAPC).

While the proposal is only for minor modifications to the development and for an extension of time, regard is given to the draft JACP as a ‘seriously entertained’ planning proposal.

The proposal is considered to be consistent with the objectives of the City Centre precinct within the draft JACP, which support mixed-use development along Grand Boulevard to form intense inner-city development corridors.

Issues and options considered

Council is required to determine whether the modifications, including the reduced street façade glazing, and extension of time to the approval period for two years are 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).*

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

Not applicable.

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

Clause 3.11 of DPS2 sets out the objective for development within the 'Centre' zone:

3.11 THE CENTRE ZONE

- 3.11 The Centre Zone is intended to accommodate existing and proposed business centres varying in size from local centres to strategic metropolitan centres and provides for the co-ordinated planning and development of these centres or other planning precincts where the local government considers that a Structure Plan is necessary.

The objectives of the Centre Zone are to:

- (a) provide for a hierarchy of centres from local centres to strategic metropolitan centres, catering for the diverse needs of the community for goods and services;
- (b) ensure that the city's commercial centres are integrated and complement one another in the range of retail, commercial, entertainment and community services and activities they provide for residents, workers and visitors;
- (c) encourage development within centres to create an attractive urban environment;
- (d) provide the opportunity for the coordinated and comprehensive planning and development of centres through a Structure Plan process.

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, manoeuvring 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.*

Clause 77(1) of Schedule 2 of the Regulations allows an owner of land to apply to the local government to amend or cancel a development approval that has been granted.

An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following —

- (a) *to amend the approval so as to extend the period within which any development approved must be substantially commenced;*
- (b) *to amend or delete any condition to which the approval is subject;*
- (c) *to amend an aspect of the development approved which, if amended, would not substantially change the development approved;*
- (d) *to cancel the approval.*

Planning and Development (Development Assessment Panels) Regulations 2011 (the JDAP Regulations).

Clause 17A of Part 2 of the JDAP Regulations allows an owner of land to apply to the responsible authority, under the relevant planning instrument, to amend or cancel a development approval:

- (1) *An owner of land in respect of which a development approval has been granted by a DAP pursuant to a DAP application may apply, under the relevant planning instrument, for the responsible authority under that instrument to amend or cancel the development approval (an application).*
- (2) *For the purposes of subregulation (1), the provisions of the Act, the Planning and Development (Local Planning Schemes) Regulations 2015, the Planning and Development Regulations 2009 and the relevant planning instrument apply to the making and determination of, and the review of a decision on, an application as if the development approval —*
 - (a) *had not been granted pursuant to a DAP application; and*
 - (b) *had been granted by the responsible authority.*

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

Regional significance

Not applicable.

Sustainability implications

As a part of the previous approved application an Environmentally Sustainability Design Checklist was provided identifying:

- insulation and draught sealing
- floor plan zoning based on water and heating needs and the supply of hot water
- advanced glazing solutions
- low energy technologies
- natural and/or fan forced ventilation
- recyclable materials
- low volatile organic products
- proposal has been assessed against a nationally recognised "green" rating tool.

Given that the modifications to the development do not substantially modify the previous approved development a revised checklist is not required.

Consultation

As was the case with the previous applications, public consultation was not undertaken as it is considered that the development generally meets the provisions and vision of the JCCDPM. The proposed modifications do not substantially change the previously approved development and the development is of a scale that is appropriate within the City Centre precinct under the draft JACP.

COMMENT

As outlined above, it is considered that the proposed modifications to the building are appropriate as they are minor in nature and do not substantially modify the previously approved development. It is also noted that the proposed development is consistent with the vision and objectives of the JCCDPM and draft JACP.

Furthermore, the two year extension of time to the approval period allows the proponent additional time to obtain necessary pre-sales to ensure the development is viable, and this extension of time will not impact on the current or future planning framework for the City Centre.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 **APPROVES** under clause 77(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the application for an amended development approval, dated 5 December 2017 submitted by Hillam Architects, on behalf of the land owner, Edge Holdings No. 5 Pty Ltd, for proposed Mixed-use development (modifications to previous approval and extension of time) at Lot 1 (113) Grand Boulevard, Joondalup, subject to the following condition:
 - 1.1 This approval relates to the extension of time and modifications as indicated on the approved plans only. All conditions and advice notes of DA14/1325 and DA15/0828 dated 5 February 2015 and 22 October 2015 remain applicable, with the exception of condition 1 which is replaced with the following:

“This decision constitutes planning approval only and is valid for a period of five (5) years from the date of planning approval DA14/1325. If the subject development is not substantially commenced within this period, the approval shall lapse and be of no further affect.”;
- 2 **ADVISES** the North-West Metropolitan Joint Development Assessment Panel of this decision.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf180313.pdf](#)

ITEM 3 MINUTES OF EXTERNAL COMMITTEES

WARD	All	
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy	
FILE NUMBER	03149, 41196, 101515	
ATTACHMENT	Attachment 1	Minutes of Mindarie Regional Council meeting held on 25 January 2018.
	Attachment 2	Minutes of Tamala Park Regional Council meeting held on 15 February 2018.
	<i>(Please Note: These minutes are only available electronically).</i>	
AUTHORITY / DISCRETION	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 minutes of various bodies on which the City has current representation.

EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of Mindarie Regional Council meeting held on 25 January 2018.
- Minutes of Tamala Park Regional Council meeting held on 15 February 2018.

DETAILS

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

Mindarie Regional Council meeting – 25 January 2018.

A meeting of Mindarie Regional Council was held on 25 January 2018.

At the time of this meeting Cr Russ Fishwick, JP and Cr Mike Norman were Council's representatives at the Mindarie Regional Council meeting.

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

9.3 MID YEAR BUDGET REVIEW – 2017/18

That Council:

- 1 Approve by Absolute Majority the forecast deficit position estimated to be \$1,800,747 at 30 June 2018, which includes the following:
 - A net estimated decrease in total revenue of \$7,454,440;
 - A net estimated increase in total other charges of approximately \$13,002;
 - A net estimated decrease in expenditures of \$4,619,627;
 - A net estimated decrease in the profit on sale of assets of \$259; and
 - The proposed reallocations of capital expenditures, resulting in a net decrease in capital expenditures of \$940,786.
- 2 Approve the application of the Participants' Surplus Reserve to fund any deficit for the 2017 / 18 financial year.

9.4 CEO RECRUITMENT PANEL'S RECOMMENDED CONSULTANT TO ASSIST IN THE CEO RECRUITMENT PROCESS

That Council:

- 1 Appoint Logo Appointments to assist the CEO Recruitment Panel in the recruitment of a new CEO at a maximum cost of \$13,000; and
- 2 Fund the budget shortfall of \$6,000 in the half yearly budget review.

Tamala Park Regional Council – 15 February 2018.

A meeting of Tamala Park Regional Council was held on 15 February 2018.

At the time of this meeting Cr Nige Jones and Cr John Chester were Council's representatives at the Tamala Park Regional Council meeting.

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

9.9 CONFIDENTIAL - EARTHWORKS AND SUBDIVISION WORKS TENDER – EXTENSION OF CONTRACT

That the Council APPROVES the option for a 1-year contract extension to RJ Vincent (from 24 April 2018 to 23 April 2019) for earthwork and subdivision works services in accordance with Tender 9/2015 (Catalina Earthworks and Subdivision Works, dated November 2015), subject to the same terms and conditions.

9.10 CONFIDENTIAL – CATALINA FENCING SERVICES TENDER - EXTENSION OF CONTRACT

That the Council APPROVES the option for a 1-year contract extension to Treacy Fencing (from 22 February 2018 to 21 February 2019) for fencing services in accordance with Tender 1/2016 (Catalina Fencing Services Tender, dated January 2016), subject to the same terms and conditions.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

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

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the minutes of the:

- 1 Mindarie Regional Council meeting held on 25 January 2018 forming Attachment 1 to this Report;**
- 2 Tamala Park Regional Council meeting held on 15 February 2018 forming Attachment 2 to this Report.**

To access this attachment on electronic document, click here: [Externalminutes180313.pdf](#)

ITEM 4 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	15876, 101515
ATTACHMENT	Attachment 1 Documents executed by affixing the Common Seal during the period 23 January to 20 February 2018.
AUTHORITY / DISCRETION	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 23 January to 20 February 2018 (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 executed by means of affixing the Common Seal for the period 23 January to 20 February 2018, as detailed in Attachment 1 to this Report.

BACKGROUND

For the period 23 January to 20 February 2018, ten documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Lease Agreement	1
Withdrawal of Caveat	3
Restrictive Covenant	1
Licence Agreement	1
Deed of Covenant and Assumption	1
Replacement Caveat	1
Transfer of Land	1
Extension of Lease	1

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

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

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 23 January to 20 February 2018, as detailed in Attachment 1 to this Report.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf180313.pdf](#)

ITEM 5 STATUS OF PETITIONS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	05386, 101515
ATTACHMENTS	Attachment 1 Status of Petitions – 16 August 2016 to 20 February 2018
AUTHORITY / DISCRETION	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 status of outstanding petitions.

BACKGROUND

At its meeting held on 16 December 2008 (CJ261-12/08 refers), Council considered a report in relation to petitions.

As part of that report, it was advised that quarterly reports would be presented to Council in the future.

DETAILS

Issues and options considered

Attachment 1 provides a list of all outstanding petitions, which were received during the period 16 August 2016 to 20 February 2018, with a comment on the status of each petition.

Legislation / Strategic Community Plan / policy implications

Legislation *City of Joondalup Meeting Procedures Local Law 2013.*

Strategic Community Plan

Key Themes Governance and Leadership.

Objective Active democracy.

Strategic Initiatives

- Fully integrate community consultation practices into City activities.
- Optimise opportunities for the community to access and participate in decision-making processes.
- Adapt to community preferences for engagement formats.

Policy Implications

Each petition may impact on the individual policy position of the City.

Risk Management Considerations

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

Financial/Budget Implications

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

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

The list of petitions is presented to Council for information, detailing the actions taken to date and the actions proposed to be undertaken for those petitions that remain outstanding.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council **NOTES:**

- 1** the status of outstanding petitions submitted to Council during the period 16 August 2016 to 20 February 2018, forming Attachment 1 to this Report;
- 2** in relation to the petition requesting Council create a working group to review and develop appropriate signage guidelines and policy to allow small business to have a say on signage and place-making within the City of Joondalup, Council will consider the petition as part of its review of the City's *Signs Policy* that will commence once *Local Planning Scheme No. 3* has been endorsed by the Western Australian Planning Commission;
- 3** in relation to the petition requesting that Council install a fence surrounding the main playground area and if possible the BBQ and eating facilities at Granadilla Park, Duncraig, a report was presented to the Council meeting held on 20 February 2018 (CJ023-02/18 refers);

- 4 in relation to the petition requesting Council defer the work to install connections to the MRWA Mitchell Freeway Principal Shared Path (PSP) from Perivale Close, Whitton Court and Romford Place, Kingsley and explore all options for making the section of the PSP safer, a report is proposed to be presented to Council at its meeting to be held on 17 April 2018;
- 5 in relation to the petition requesting Council reinstate bulk waste verge collections, a report is proposed to be presented to Council at its meeting to be held on 17 April 2018;
- 6 in relation to the petition requesting that Council does not proceed with the refurbishment of Prince Regent Park to allow the park to become the home ground of Joondalup United Football Club and preserve the park for the residents of Heathridge who would be impacted by this upgrade due to noise, traffic, anti-social behaviour and increased littering, a report was presented to the Council meeting held on 12 December 2017 (CJ206-12/17 refers);
- 7 in relation to the petition requesting that Council ensures community consultation with residents occurs before new trees are planted on verges outside their homes in all instances and immediately removes the trees recently planted in suburbs due to a failure to apply minimum distances from infrastructure laid out by the Water Corporation guidance or immediately indemnifies all residents and other state bodies indefinitely against sustained damage caused by roots systems, a report is proposed to be presented to Council at its meeting to be held on 17 April 2018;
- 8 in relation to the petition requesting that Council to introduce the following to drive growth and success in the Performing Arts and Cultural Sector, thereby making opportunities available to our families and businesses:
 - 8.1 establish a formal subcommittee of Council to manage and deliver all performing arts and cultural growth / events in the City with 80% of members drawn from this City's community;
 - 8.2 establish safe, secure and accessible equipment storage for groups along with a dedicated, City supplied, equipment library to supply (free of charge) key equipment;
 - 8.3 the City of Joondalup to have a professional Performing Arts and Cultural team that will:
 - 8.3.1 act as the production and support for all suburbs with activities being centralised;
 - 8.3.2 support all groups with fundraising applications, professional PR and memberships;
 - 8.3.3 facilitate access to all current facilities in the City of Joondalup such as school theatres, churches, parks or empty business units for all groups and activities;
 - 8.3.4 raise cross-cultural understanding and accessibility for families / disadvantaged groups;
 - 8.4 source a Performing Arts and Cultural Facility that is fully funded by grants and donations,

it is anticipated that a report will be presented to Council at a later date;

- 9** in relation to the petition requesting Council does not proceed with the refurbishment of Prince Regent Park to allow this to become the home ground of Joondalup United Football Club, a report was presented to the Council meeting held on 12 December 2017 (CJ206-12/17 refers);
- 10** in relation to the petition requesting Council zone Broadbeach Park, Hillarys as a ‘Dogs on Leash’ park, a report is proposed to be presented to Council at its meeting to be held on 20 March 2018;
- 11** in relation to the petition requesting Council to consider the following items in relation to Galston Park, Duncraig:
- 11.1** the installation of a seat and table view of the limestone bike track for parents to more easily supervise children;
 - 11.2** installation of the fourth side of the limestone retaining wall around the playground;
 - 11.3** upgrade or more regular maintenance of the limestone bike track;
 - 11.4** improved weed management,
- a report is proposed to be presented to Council at its meeting to be held on 17 July 2018;
- 12** in relation to the petition requesting that Council revoke its previous decision not to allow residents and regular users of Beldon Park, Beldon to use the park to park cars on for the car boot sale to be held on Saturday, 3 March 2018, a report is proposed to be presented to Council at its meeting to be held on 20 March 2018;
- 13** in relation to the petition requesting that Council retain the current zoning in regard to dog access to Broadbeach Park, Hillarys, permitting dogs ‘off lead’ provided the dog is controlled by its owner, a report is proposed to be presented to Council at its meeting to be held on 20 March 2018.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf180313.pdf](#)

ITEM 6 APPOINTMENT OF NEW STRATEGIC COMMUNITY REFERENCE GROUP MEMBERS 2018

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	102605, 101515
ATTACHMENT	<p>Attachment 1 SCRG Terms of Reference</p> <p>Attachment 2 (Confidential) Nominations – North Ward</p> <p>Attachment 3 (Confidential) Nominations – North-Central Ward</p> <p>Attachment 4 (Confidential) Nominations – Central Ward</p> <p>Attachment 5 (Confidential) Nominations – South-West Ward</p> <p>Attachment 6 (Confidential) Nominations – South-East Ward</p> <p>Attachment 7 (Confidential) Nominations – South Ward</p> <p><i>(Please Note: Attachments 2-7 are confidential and will appear in the official Minute Book only)</i></p>
AUTHORITY / DISCRETION	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 appoint new community representatives to the Strategic Community Reference Group (SCRG).

EXECUTIVE SUMMARY

In January 2018, the City sought nominations to fill six vacancies on the City's SCRG within the following wards:

- North Ward.
- North-Central Ward.
- Central Ward.
- South-West Ward.
- South-East Ward.
- South Ward.

Positions were advertised through the local community paper, the City's website, social media and the City's Community Engagement Network to seek interest from the broader community. All resident / ratepayer associations within the wards were also sent nomination details to distribute among their members and supporting networks.

The nomination period was open for four weeks from 11 January to 9 February 2018 and a total of 76 nominations were received.

In accordance with the SCRG Terms of Reference, Council is now requested to consider the nominations provided in Attachments 2–7 of this report and subsequently appoint community representatives to fill the vacant ward positions on the SCRG.

BACKGROUND

In 2012, Council established the SCRG as a new participation mechanism for the external provision of advice to Council. The group consists of appointed community representatives from each ward, Elected Members and seconded experts utilised on an as-needs basis.

In accordance with the SCRG Terms of Reference (Attachment 1 refers), the terms for community members concluded in October in line with the ordinary Council election cycle. Community members were advised of the conclusion of their current term in September 2017 and were also informed that Council would consider the re-establishment of the SCRG and membership composition following the local government elections on 21 October 2017.

As a result, the City is required to fill the six vacancies on the City's SCRG within the following wards:

- North Ward.
- North-Central Ward.
- Central Ward.
- South-West Ward.
- South-East Ward.
- South Ward.

This report presents the nominations received from the expression of interest process for Council to appoint new community representatives to the SCRG.

DETAILS

Public advertising of the nomination process commenced on 11 January 2018 and closed on 9 February 2018. Notices were placed on the City's website, in the local newspaper, through the social media networks and through the City's Community Engagement Network. A letter of invitation was also sent directly to all resident/ratepayer associations, providing an opportunity for active community members to offer their nomination on the SCRG.

The City received a total of 80 nominations. Four nominations were invalidated due to insufficient contact details. The number of valid nominations for each of the ward positions is provided in the table below:

Ward	Number of nominations
North Ward	20
North-Central Ward	17
Central Ward	12
South-West Ward	16
South-East Ward	5
South Ward	6
Total	76

Issues and options considered

Council is requested to assess the nominations and appoint one community representative for each of the following Wards:

- North Ward.
- North-Central Ward.
- Central Ward.
- South-West Ward.
- South-East Ward.
- South Ward.

Council can choose to either:

- accept all nominations to date and appoint one community representative from each pool of nominations
or
- not accept the nominations and re-commence the expression of interest process.

Option 1 is the preferred option based on the number and quality of the nominations received in the expression of interest process recently completed.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Active democracy.

Strategic initiative

Optimise opportunities for the community to access and participate in decision-making processes.

Adapt to community preferences for engagement formats.

Policy

Community Consultation and Engagement Policy.

Risk management considerations

Should Council choose not to appoint community representatives from the nominations received, there is a risk that extending the period for nominations may elicit low levels of interest and potentially disenfranchise those community members who have already submitted an application.

Financial / budget implications

Advertising for the nomination process has been absorbed within existing operational costs.

Regional significance

Not applicable.

Sustainability implications

The SCRG provides advice to the Council on a variety of strategic matters, with the aim of influencing and contributing to increased sustainable outcomes for the City. To date, the group has considered matters pertaining to environmental, crime and community safety, community development, waste management, volunteer and community leadership, and community engagement matters.

Consultation

The SCRG is a mechanism for community engagement on strategic issues.

COMMENT

The SCRG provides a unique mechanism for community representatives and subject experts providing advice to Council on a range of issues of importance to the community.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council CONSIDERS APPOINTING:

- 1 one community representative for the North Ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 2 to this Report;**
- 2 one community representative for the North-Central Ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 3 to this Report;**
- 3 one community representative for the Central Ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 4 to this Report;**
- 4 one community representative for the South-West Ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 5 to this Report;**
- 5 one community representative for the South-East Ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 6 to this Report;**
- 6 one community representative for the South Ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 7 to this Report.**

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf180313.pdf](#)

ITEM 7 WASTE AMENDMENT LOCAL LAW 2018 – REQUEST TO ADVERTISE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	101906, 101515
ATTACHMENT	Attachment 1 Draft <i>City of Joondalup Waste Amendment Local Law 2018</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to make the *City of Joondalup Waste Amendment Local Law 2018* for the purpose of public advertising.

EXECUTIVE SUMMARY

At its meeting held on 18 July 2017 (CJ117-07/17 refers), Council adopted the *City of Joondalup Waste Local Law 2017*. The local law was then published in the *Government Gazette* on 23 August 2017 and subsequently referred to the Joint Standing committee for Delegated Legislation (JSCDL) for its review and recommendation to the WA Parliament.

The JSCDL considered the local law at its meeting held on 6 November 2017 and subsequently requested Council provide undertakings to delete certain clauses when the local law is next amended and in the meantime, not enforce those clauses. At its meeting held on 21 November 2017 (Item CJ188-11/17 refers) Council resolved to comply with the JSCDL's request.

The proposed *City of Joondalup Waste Amendment Local Law 2018* seeks to ensure Council's obligation to meet the undertaking given to the JSCDL is achieved in a timely manner.

It is therefore recommended that Council MAKES the City of Joondalup Waste Amendment Local Law 2018, as detailed in Attachment 1 to this Report, for the purposes of public advertising.

BACKGROUND

At its meeting held on 18 July 2017 (CJ117-07/17 refers), Council adopted the *City of Joondalup Waste Local Law 2017*. The local law was then published in the *Government Gazette* on 23 August 2017 and subsequently referred to the JSCDL for its review and recommendation to the WA Parliament.

The JSCDL considered the local law at its meeting held on 6 November 2017 and before it submitted the local law to Parliament for endorsement, it requested the Council provide undertakings to delete certain clauses when the local law is next amended and in the meantime, not enforce those clauses.

At its meeting held on 21 November 2017 (Item CJ188-11/17 refers) Council considered the JSCDL's request and resolved as follows:

"That Council:

- 1 NOTES the request from the WA Parliamentary Joint Standing Committee on Delegated Legislation to provide undertakings in relation to the future amendment and enforcement of the City of Joondalup Waste Local Law 2017;*
- 2 PROVIDES an undertaking to the WA Parliamentary Joint Standing Committee on Delegated Legislation to:*
 - 2.1 delete clauses 4.3 and 4.4 when next amending the City of Joondalup Waste Local Law 2017;*
 - 2.2 not enforce clauses 4.3 or 4.4 of the City of Joondalup Waste Local Law 2017;*
 - 2.3 ensure any publicly available copy of the City of Joondalup Waste Local Law 2017 is accompanied by a copy of the undertakings as described in Parts 2.1 and 2.2 above."*

DETAILS

The proposed *City of Joondalup Waste Amendment Local Law 2018* seeks to amend the *City of Joondalup Waste Local Law 2017* by deleting clauses 4.3, 4.4 and Item 30 of Schedule 2.

Clauses 4.3 and 4.4 of the local law are as follows:

"4.3 Failure to comply with notice

A person who fails to comply with a notice given to him or her under this local law commits an offence.

4.4 Local government may undertake requirements of notice

If a person fails to comply with a notice given to him or her under this local law the local government may do the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in so doing."

Item 30 of Schedule 2 provides for a penalty of \$100 for the offence of "Failure to comply with notice" issued under clause 4.3. Given the proposed removal of clause 4.3 it is necessary to remove this penalty provision also.

The procedure for making local laws, as detailed in the *Local Government Act 1995* (the LG Act) is a specific legislative process that must be adhered to in order for the local law to be accepted by the JSCDL and by Parliament.

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

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting*

- (b) *the minutes of the meeting of the Council include the purpose and effect of the proposed local law.*

In view of this, the purpose of this local law is to remove certain provisions within the *City of Joondalup Waste Local Law 2017*.

The effect of this local law is to better clarify the provisions relating to the enforcement of the *City of Joondalup Waste Local Law 2017*.

Issues and options considered

Council can either:

- make the *City of Joondalup Waste Amendment Local Law 2018* as proposed for the purpose of public advertising
- make the *City of Joondalup Waste Amendment Local Law 2018* as proposed with further amendments
- not make the proposed *City of Joondalup Waste Amendment Local Law 2018* and retain the existing local law.

Option one is the preferred option so the City can comply with the undertakings provided by Council to the JSCDL.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*
Waste Avoidance and Resource Recovery Act 2007.
Waste Avoidance and Resource Recovery Regulations 2008.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

Should Council choose to not make the required changes to the local law within a reasonable timeframe, the JSCDL will report the non-compliance to Parliament. It is therefore appropriate to commence the changes required as part of the undertakings given in a timely manner.

Should the City not follow the local law creation process as detailed in the *Local Government Act 1995*, the local law may be recommended for disallowance by the Western Australian Parliamentary Joint Standing Committee on Delegated legislation.

Financial / budget implications

The cost associated with the making of this local law-making are estimated to be \$1,500, being public advertising costs and costs for publishing the local law in the *Government Gazette*. Funds are available in the 2017-18 Budget for statutory advertising. These costs are included in the 2017-18 Budget.

Current financial year impact

Account no.	1.522.A5202.3277.0000.
Budget Item	Advertising – Public / Statutory.
Budget amount	\$ 6,073
Amount spent to date	\$ 0
Proposed cost	\$ 2,073
Balance	\$ 4,000

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Should Council to decide to make the *City of Joondalup Waste Amendment Local Law 2018* for the purpose of public advertising, statutory advertising and consultation will occur as follows:

- Giving statewide public notice advertising the proposed local law and inviting submissions to be made within no less than six weeks from the date of advertising, including:
 - advertising in a newspaper circulating throughout the state
 - displaying public notices at the City of Joondalup Administration Centre, Public Libraries and Customer Service Centres
 - advertising on the City's website.
- Providing a copy of the notice and a copy of the proposed local law to the Minister for Local Government and to the Minister for Environment.

COMMENT

The proposed *City of Joondalup Waste Amendment Local Law 2018* will ensure the *City of Joondalup Waste Local Law 2017* remains a validly enforceable local law, while also ensuring compliance with the undertakings previously provided to the JSCDL.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council MAKES the *City of Joondalup Waste Amendment Local Law 2018*, as detailed in Attachment 1 to this Report, for the purposes of public advertising.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf180313.pdf](#)

ITEM 8 ANIMALS AMENDMENT LOCAL LAW 2018 - REQUEST TO ADVERTISE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	21067, 101515
ATTACHMENT	Attachment 1 Draft <i>City of Joondalup Animals Amendment Local Law 2018</i> Attachment 2 <i>City of Joondalup Animals Local Law 1999</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to make the *City of Joondalup Animals Amendment Local Law 2018* for the purpose of public advertising.

EXECUTIVE SUMMARY

At its meeting held on 23 March 1999 (CJ67-03/99 refers), Council adopted the *City of Joondalup Animals Local Law 1999*. The local law provides for the regulation, control and management of the keeping of animals within the City of Joondalup and includes the establishment of dog exercise areas.

The *Dog Act 1976* was amended in 2014 to enable local governments to determine dog exercise and dog prohibited areas by simple resolution rather than through a local law. This change to the *Dog Act 1976* rendered those aspects of the City's *Animals Local Law 1999* relating to dog exercise and dog prohibited areas redundant.

At its meeting held on 13 December 2016 (CJ208-12/16 refers), Council resolved to amend the *City of Joondalup Animals Local Law 1999*, including the removal of the ability to establish dog exercise and dog prohibition areas, as well as remove the horse exercise area at Hillarys Beach. However, that local law was subsequently disallowed by Parliament, requiring further amendment to remove the redundant provisions relating to the establishment of dog exercise and dog prohibited areas.

The *City of Joondalup Animals Amendment Local Law 2018* has been developed to specifically deal with the removal of the ability to establish dog exercise and dog prohibited areas in the City's district.

It is therefore recommended that Council MAKES the City of Joondalup Animals Amendment Local Law 2018, as detailed in Attachment 1 to this Report, for the purposes of public advertising.

BACKGROUND

At its meeting held on 23 March 1999 (CJ67-03/99 refers), Council adopted the *City of Joondalup Animals Local Law 1999*. The local law provides for the regulation, control and management of the keeping of animals within the City of Joondalup. This also includes the designation of dog exercise and dog prohibited areas in the City's district.

The *Dog Act 1976* was amended in 2014 to enable local governments to determine dog exercise and dog prohibited areas by simple resolution rather than through a local law. This legal change rendered the designation and enforcement of such areas within the City's *Animals Local Law 1999* void and unenforceable.

At its meeting held on 16 September 2014 (CJ169-09/14 refers), Council established a number of dog exercise and dog prohibited areas in the City's district in accordance with section 31 of the *Dog Act 1976*. These areas have been reviewed and amended as required since that time.

At its meeting held on 13 December 2016 (CJ208-12/16 refers), Council resolved to amend the *City of Joondalup Animals Local Law 1999*, including the removal of the ability to establish dog exercise and dog prohibition areas, as well as remove the horse exercise area at Hillarys Beach. However, that local law was subsequently disallowed by Parliament following extensive public submissions to retain the horse exercise area.

DETAILS

The establishment of dog exercise and dog prohibition areas within a local law is no longer necessary and can be made by simple resolution of the Council in accordance with section 31 of the *Dog Act 1976*. It is therefore appropriate to remove from the City's *Animals Local Law 1999* any reference to the establishment of such areas to avoid confusion for residents, visitors and dog owners.

The *City of Joondalup Animals Amendment Local Law 2018* has been developed to specifically deal with the removal of the ability to establish dog exercise and dog prohibited areas in the City's district.

Detail of amendments

The following points detail the changes proposed to the *City of Joondalup Animals Local Law 1999*:

- Delete Clause 10.
- Delete penalty item 1 from the First Schedule.
- Delete Second Schedule including Diagram 1.

The above changes are detailed in the amendment local law, included as Attachment 1 to this Report.

The procedure for making local laws, as detailed in the *Local Government Act 1995* (the Act), is a specific legislative process that must be adhered to in order for the local law to be accepted by the Joint Standing Committee on Delegated Legislation (JSCDL) and by Parliament.

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

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

In view of this, the purpose and effect of the proposed *City of Joondalup Animals Amendment Local Law 2018* are as follows:

- The purpose of this local law is to remove the ability under the local law to establish dog exercise areas and dog prohibited areas in the district.
- The effect of this local law is to remove redundant provisions within the local law relating to dog exercise areas and dog prohibited areas.

Issues and options considered

Council can either:

- make the *City of Joondalup Animals Amendment Local Law 2018* as proposed for the purpose of public advertising
- make the *City of Joondalup Animals Amendment Local Law 2018* as proposed with further amendments
or
- not make the proposed *City of Joondalup Animals Amendment Local Law 2018* and retain the existing local law.

Option 1 is the preferred option.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
City of Joondalup Animals Local Law 1999.

Strategic Community Plan

Key theme

- Governance and Leadership.
- Quality Urban Environment.

Objective

- Corporate capacity.
- Quality open spaces.

Strategic initiative

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

Policy

Not applicable.

Subdivision 2, Division 2 of Part 3 of the Act applies to the creation, amending and repealing of local laws. It is anticipated that the amendment local law-making process will take approximately four to six months to complete the process, following a decision of Council.

Risk management considerations

The amendment local law is yet to be considered by the JSCDL, which reviews local laws created by local governments (including amendments) as well as other subsidiary legislation.

Should the City not follow the local law creation process as detailed in the Act, the JSCDL may recommend to the Parliament disallowance of the local law.

Financial / budget implications

The cost associated with the making of this local law-making are estimated to be \$2,000, being public advertising costs and costs for publishing the local law in the *Government Gazette*. Funds are available in the 2017-18 Budget for statutory advertising.

Current financial year impact

Account no.	1.522.A5202.3277.0000.
Budget Item	Advertising – Public / Statutory.
Budget amount	\$ 6,073
Amount spent to date	\$ 0
Committed	\$ 2,073
Proposed cost	\$ 2,000
Balance	\$ 2,000

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Should Council decide to make the *City of Joondalup Animals Amendment Local Law 2018* for the purposes of public advertising, statutory advertising and consultation with all members of the public will occur, as follows:

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

COMMENT

The *City of Joondalup Animals Amendment Local Law 2018* has been developed to specifically deal with the removal of dog exercise and dog prohibited areas in the City's district as the provision of dog exercise and dog prohibited areas are able to be made by simple resolution of the Council in accordance with section 31 of the *Dog Act 1976*.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council MAKES the *City of Joondalup Animals Amendment Local Law 2018*, as detailed in Attachment 1 to this Report, for the purposes of public advertising.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf180313.pdf](#)

ITEM 9 LIST OF PAYMENTS MADE DURING THE MONTH OF JANUARY 2018

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENT	Attachment 1 Chief Executive Officer's Delegate Municipal Payment List for the month of January 2018 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of January 2018 Attachment 3 Municipal and Trust Fund Vouchers for the month of January 2018
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of 'noting').

PURPOSE

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of January 2018.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of January 2018 totalling \$15,560,587.99

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for January 2018 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 this Report, totalling \$15,560,587.99.

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 January 2018. 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 106178 - 106274 & EF068153 – EF068790 Net of cancelled payments.	\$8,144,526.42
	Vouchers 2136A – 2142A & 2147A – 2159A	\$7,383,201.16
Trust Account	Trust Cheques & EFT Payments 207251 - 207270 & TEF001441 TEF001470 Net of cancelled payments.	\$32,860.41
Total		\$15,560,587.99

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 *2017-18 Annual Budget* as adopted by Council at its meeting held on 27 June 2017 (CJ084-06/17 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Chief Executive Officer's list of accounts for January 2018 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 this Report, totalling \$15,560,587.99.

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf180313.pdf](#)

ITEM 10 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JANUARY 2018

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	07882,101515
ATTACHMENT	Attachment 1 Financial Activity Statement for the period ended 31 January 2018
AUTHORITY/ DISCRETION	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 Financial Activity Statement for the period ended 31 January 2018.

EXECUTIVE SUMMARY

At its meeting held on 27 June 2017 (CJ084-06/17 refers), Council adopted the Annual Budget for the 2017-18 financial year. The figures in this report are compared to the adopted budget.

The January 2018 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$10,600,925 for the period when compared to the adopted budget.

It should be noted that this variance does not represent a projection of the end of year position or that these funds are surplus to requirements. It represents the year to date position to 31 January 2018 and results from a number of factors identified in the report.

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 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 \$2,531,733 higher than budget, made up of higher operating revenue \$149,626 and lower operating expenditure of \$2,382,106.

Operating revenue is higher than budget on Interest Earnings \$678,479, Profit on Asset Disposals \$156,061, Contributions, Reimbursements and Donations \$122,964, Other Revenue \$118,637, Fees and Charges \$41,170 and Rates \$11,275, offset by lower than budget revenue from Grants and Subsidies \$978,959.

Operating Expenditure is lower than budget on Materials and Contracts \$3,967,826, Employee Costs \$344,679, Utilities \$209,129, Loss on Asset Disposals \$160,763, Insurance Expenses \$151,735 and Interest Expenses \$39,536 offset by higher than budget expenditure from Depreciation \$2,491,561.

The Capital Deficit is \$7,639,465 lower than budget. This is due to lower than budgeted expenditure on Capital Works \$2,603,770, Capital Projects \$2,226,080, Vehicle and Plant Replacements \$862,534 and higher than budgeted Capital Grants and Subsidies \$1,933,684, Capital Contributions \$104,209 and Other Equity Movements \$52,334 offset by higher than budgeted Loan Repayment Principal \$130,507 and Equity Investments \$12,304 and lower than budgeted Equity Distribution from Tamala Park Regional Council \$334.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 January 2018 forming Attachment 1 to this Report.

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 31 January 2018 is appended as Attachment 1.

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*.

COMMENT

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the 2017-18 adopted budget or has been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Financial Activity Statement for the period ended 31 January 2018 forming Attachment 1 to this Report.

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf180313.pdf](#)

ITEM 11 PARKING AMENDMENT LOCAL LAW 2018 – REQUEST TO ADVERTISE

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	24185, 1015151
ATTACHMENT	Attachment 1 <i>City of Joondalup Parking Amendment Local Law 2018</i> Attachment 2 <i>City of Joondalup Parking Local Law 2013 (with proposed 2018 amendments)</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to make the *City of Joondalup Parking Amendment Local Law 2018* for the purpose of public advertising.

EXECUTIVE SUMMARY

The *City of Joondalup Parking Local Law 2013* was adopted by Council at its meeting on 16 July 2013, (CJ129-07/13 refers) and subsequently amended at its meeting held on 17 August 2015 (CJ143-087/15 refers). The *City of Joondalup Parking Local Law 2013* provides for the regulation, control and management of parking within the district.

The proposed *City of Joondalup Parking Amendment Local Law 2018* seeks to ensure the *City of Joondalup Parking Local Law 2013* remains valid and consistent with statutory legislation. There are also some other minor changes to improve operational efficiencies and enforcement which have arisen since the last change to the *City of Joondalup Parking Local Law 2013* and changes to the level of modified penalties currently applicable.

It is therefore recommended that Council MAKES the City of Joondalup Parking Amendment Local Law 2018, as detailed in Attachment 1 to this Report for the purposes of public advertising.

BACKGROUND

The *City of Joondalup Parking Local Law 2013* was adopted by Council at its meeting on 16 July 2013, (CJ129-07/13 refers) and subsequently amended at its meeting held on 17 August 2015 (CJ143-087/15 refers). The *Parking Local Law 2013* provides for the regulation, control and management of parking within the district.

The application of a local law over a period can lead to the identification of issues that are not adequately addressed in the existing provisions. The local law review process provides the opportunity to consider amendments that address these issues and improve the application of the local law. There are two issues that are considered to require review regarding the *City of Joondalup Parking Local Law 2013*.

There has been an increase in the number of vehicles parking on brick paved areas in coastal zones, and in painted central road strips, which have been installed as part of the City's strategy for addressing traffic calming. This has identified anomalies in the existing *City of Joondalup Parking Local Law 2013* that do not enable consistent enforcement in these circumstances.

The modified penalties (infringements) that are applied as part of the enforcement of the *City of Joondalup Parking Local Law 2013* were last increased ten years ago just prior to the introduction of paid parking in 2008. These modified penalties need review to ensure that they continue to provide a deterrent against errant parking.

DETAILS

Median Strip

The existing definition of 'median strip' excludes painted markings and has created some ambiguity with respect to cars parked on these painted areas rather than kerbed and paved or grassed medians. Changes to the *Road Traffic Code 2000*, in 2013, included a new definition of 'painted island' that would address this issue. The *Road Traffic Code 2000* also contains a definition of 'dividing strip' and its inclusion would be able resolve the existing ambiguity concerning these areas which separate parking areas from the main traffic section of the road.

Proposed amendments

The following changes are proposed to the *City of Joondalup Parking Local Law 2013*:

- Include a definition of a 'dividing strip' in clause 1.5, to be the same as the definition applied in the *Road Traffic Code 2000*, to remove the existing ambiguity in areas where there is a physical division of different sections of a road.

The definition in the *Road Traffic Code 2000* is "**dividing strip** means an area or structure that divides a road lengthways into separate carriageways, but does not include a nature strip, bicycle path, footpath or shared path"

- Include a definition of a 'painted island', in clause 1.5, to be the same as the definition applied in the *Road Traffic Code 2000*. The existing definition of 'median strip' excludes painted markings and creates some vagueness with respect to vehicles parked on medians that are painted rather than kerbed, paved, grassed, etc.

The definition of painted island in the *Road Traffic Code 2000* is "**painted island** means an area of road –

- entirely surrounded by a line or lines (whether broken or continuous); or
- surrounded partly by a line or lines (whether broken or continuous) and partly by a kerb on or next to the carriageway,

which may be further identified by stripes or chevrons marked on the enclosed road surface, or by the enclosed road surface being a contrasting colour, but not including the road within a dividing line;

- Amend the existing wording of Clause 6.8, which relates to stopping on a path, median strip or traffic island, to also include painted island and dividing strip.

Modified Penalties

Table 1 - Comparison of Local Governments, shown below, illustrates the range of modified parking penalties which are currently applied, by other local governments, across the Perth metropolitan area.

Comparison of Local Governments			
Local Government	Minimum Penalty	Most Commonly Issued	Maximum Penalty
Fremantle	\$50	\$50/\$80	\$300
Joondalup	\$60	\$60/\$80	\$300
Melville	\$70	\$70/\$90	\$500
Perth	\$60	\$60/\$200	\$500
Stirling	\$80	\$80/\$100	\$500
Wanneroo	\$100	\$100	\$300

Minimum penalties apply to the most common offences such as No Ticket, Exceed Time Limit and No Parking. Higher penalties apply to more significant offences that include No Stopping, Parking on a Footpath and Double Park. The \$300 penalty (Fremantle, Joondalup and Wanneroo) is the penalty under State Government disability parking legislation.

Table 2 - Comparison of Modified Penalty Offences, shown below, identifies the penalty rates applied by the local governments shown in Table 1, for the above-mentioned parking offences.

Comparison of Modified Penalty Offences						
Offence Type	Fremantle	Joondalup	Melville	Perth	Stirling	Wanneroo
No Ticket	\$50	\$60	\$70	\$60	\$80	\$100
Exceed Time	\$50	\$60	\$70	\$60	\$80	\$100
No Parking	\$55	\$60	\$70	\$75	\$80	\$100
No Stopping	\$80	\$80	\$90	\$200	\$100	\$100
Footpath	\$80	\$80	\$90	\$200	\$100	\$100
Double Park	\$80	\$80	\$70	\$200	\$100	\$100

Table 3 - Comparison of Infringements Issued, below identifies the number of infringements issued by the City during the previous six financial years from 2011-12 to 2016-17.

Comparison of Infringements Issued	
Financial Year	Total Number of Infringements Issued
2011/12	28,982
2012/13	27,906
2013/14	25,643
2014/15	24,057
2015/16	26,756
2016/17	24,269

The last general increase to the modified penalties occurred just prior to the implementation of paid parking in 2008 when an average 50% increase was adopted by Council. This change was because no increases to the City's penalties had been applied during the previous 10 year period, and these modified penalties were no longer consistent with other local governments at that time.

Given the amount of time since the last increase in modified penalties there is no current data to readily measure the deterrent factor of increasing the modified penalties and whether this would result in a reduction in the level of infringements being issued. It would however be probable that increasing the modified penalties would discourage some drivers from carrying out practices which may result in the issue of an infringement. It is also therefore probable that increased modified penalties would help increase the availability of visitor and customer parking in the City.

Proposed amendments

The following changes are proposed to the *City of Joondalup Parking Local Law 2013*:

- Amend the existing Schedule 2 - Prescribed Penalties, as shown below, to ensure that the penalty rates applied by the City are comparable with other Perth metropolitan local governments:
 - Delete \$60 Modified Penalty, where this appears, and insert \$80 Modified Penalty
 - Delete \$70 Modified Penalty, where this appears, and insert \$100 Modified Penalty
 - Delete \$80 Modified Penalty, where this appears, and insert \$100 Modified Penalty

The proposed changes to the modified penalties would reflect the general movement identified in Table 2 - Comparison of Modified Penalty Offences shown above, and be consistent with positioning the City of Joondalup approximately in the middle of the range of modified penalties.

The above proposed changes to address both median strips and modified penalties, which have been reviewed by the City's Principal Legal Officer, are detailed in the *City of Joondalup Parking Amendment Local Law 2018* that is included as Attachment 1 to this Report.

Issues and options considered

Council can either:

- make the *City of Joondalup Parking Amendment Local Law 2018* as presented for the purposes of public advertising
- make the *City of Joondalup Parking Amendment Local Law 2018* as proposed with any necessary amendments
- or
- not recommend the making of the *City of Joondalup Parking Amendment Local Law 2018* and retain the existing local law.

Option 1 is the preferred option considering the identified issues with median strips and the current level of modified penalties.

Legislation / Strategic Community Plan / policy implications

Any change to the modified penalties will require approval by Council.

Legislation

Local Government Act 1995.

Local Government (Functions and General) Regulations 1996.

City of Joondalup Parking Amendment Local Law 2015.

Strategic Community Plan

Key theme	Governance and Leadership.
Objective	Corporate capacity.
Strategic initiative	Not applicable.
Policy	<i>Parking Schemes Policy.</i>

The procedure for making local laws, as detailed in the *Local Government Act 1995* (the Act), is a specific legislative process that must be adhered to for the local law to be accepted by the Joint Standing Committee on Delegated Legislation (JSCDL) and by Parliament.

Section 3.12(2) of the Act states that the first action in the process of making a local law is for the Mayor to give notice to the meeting of the purpose and effect of the proposed local law.

Regulation 3 of the *Local Government (Functions and General) Regulations 1996* states that this is achieved by ensuring that:

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

The purpose of this local law is to amend certain provisions within the *City of Joondalup Parking Local Law 2013*.

The effect of this local law is to better clarify the provisions relating to the control of parking throughout the district.

Risk management considerations

Should the City not follow the local law creation process as detailed in the Act, the local law may be disallowed by the JSCDL.

There is a risk that the general community will perceive any increase to the existing modified penalties as negative and that this is simply a means of achieving additional revenue. This risk is minimised as the City has demonstrated that the existing level of modified penalties are not being effective in reducing the level of enforcement.

Financial / budget implications

If the increased modified penalties have the desired effect then an increase in revenue from this activity will not eventuate, with an improved level of compliance resulting in a reduced number of infringements that are issued.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Any change to the modified penalties, which form part of the City's existing *City of Joondalup Parking Local Law 2013*, will require approval by Council.

Should Council decide to make the *City of Joondalup Parking Amendment Local Law 2018* for the purposes of public advertising, statutory advertising and consultation with all members of the public will occur, as follows:

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

COMMENT

The proposed *City of Joondalup Parking Amendment Local Law 2018* is a refinement of the current *City of Joondalup Parking Local Law 2013*, as amended in August 2015, with a proposed change to the level of modified penalties which are currently applicable and the inclusion of definitions for “dividing strip” and “painted island”.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council MAKES the *City of Joondalup Parking Amendment Local Law 2018*, as detailed in Attachment 1 to this Report for the purposes of public advertising.

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf180313.pdf](#)

ITEM 12 DOGS ON BROADBEACH PARK, HILLARYS

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	01525, 101515
ATTACHMENT	Attachment 1 Broadbeach Park Hillarys Map
AUTHORITY / DISCRETION	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 petitions in relation to zoning Broadbeach Park Hillary's as a 'Dogs on Leash' park.

EXECUTIVE SUMMARY

Broadbeach Park in Hillarys is a park at which dogs can be exercised off leash however must be under effective control. This designation has been in place since at least 1999. At its meeting held on 12 December 2017 (C93-12/17 refers), Council received a 167 signature petition that requested Council zone the Broadbeach Park Hillarys as a 'Dogs on Leash' park.

Since the tabling of the petition and up to the time of preparation of this report the City has received 15 pieces of correspondence via email in either support or against the request to have Broadbeach Park zoned as 'Dogs on Leash'.

At its meeting held on 21 February 2018 (C08-02/18 refers), Council received a 573 signature petition requesting that Broadbeach Park Hillarys retain the current zoning in regard to dog access.

In consideration of the public response to this petition, it is suggested that community consultation should be undertaken to canvas the option for changing the zone and to seek feedback in regard to the issue and impacts for users of the park, the wildlife and natural environment.

It is therefore recommended that Council:

- 1 NOTES the report in response to the petitions received in relation to dogs exercising on Broadbeach Park, Hillarys;*
- 2 AGREES to undertake community consultation in regard to dogs being exercised on Broadbeach Park, Hillarys;*
- 3 NOTES the lead petitioners will be advised that the City intends to undertake community consultation before making a decision on the petitions.*

BACKGROUND

Broadbeach Park is situated on Broadbeach Boulevard in Hillarys and adjoins Flinders Park to the south. (Attachment 1 refers). In the context of the petitions both parks should be considered as they are connected and would be used more as a single park.

Both parks are currently specified as a dog exercise area in accordance with Section 31(3A) of the *Dog Act 1976*. This was determined by Council in 2014 following amendments to the *Dog Act 1976* and means a dog can be exercised off leash in the parks but must be under effective control. This was also the case prior to 2014 when the provisions of clause 10 of the *City of Joondalup Animals Local Law 1999* applied and both parks were designated as dog exercise areas.

Broadbeach and Flinders Park have lake areas where there are resident fauna and birdlife. Prohibition signage is in place restricting dogs from being permitted in the lake, restricting people from swimming in the lake, requiring owners to pick up after their dogs and from conducting any activity that would injure or kill wildlife.

Of the parks in the City of Joondalup that have water courses, Neil Hawkins Park and Blue Lake Park in Joondalup and Mawson Park in Hillarys have been specified as areas where dogs are prohibited. Sir James McCusker Park in Iluka, Picnic Cove Park and Garrong Park in Edgewater, are areas specified as dog exercise areas where dogs may be exercised off leash.

DETAILS

In terms of activity at Broadbeach Park there have been eight complaints made over the past two years in regard to dog related issues. The complaints were reports of dogs chasing swans (five), dogs wandering in the park without owner's present (two) and one minor dog attack. As a result of the complaints regarding dogs chasing swans City Rangers conducted numerous additional patrols but there were no offences observed. Rangers spoke to dog owners in regard to the issue to make them aware.

Flinders Park has had a total of six reported dog control issues. The complaints related to dogs wandering in the park without owner's present (four), one report of dogs harassing swans and one minor dog attack.

The level of reported activity is not considered to indicate that a significant dog control issue exists in these parks, any more than any other dog exercise area. Attendance at the parks by Rangers responding to complaints or providing patrols did not identify any dog related offences.

Issues and options considered

There are two possible options:

Option 1

Support the proposal from the first petition received by Council on 12 December 2017 to change that dogs must be on a leash at all times.

Option 2

Not support the proposal from the first petition received by Council on 12 December 2017 and retain that dogs can be exercised off leash but must be under effective control. This position would also then be in support of the second petition received by Council at its meeting held on 20 February 2018 (C08-02/18 refers) that the current designation remain.

In consideration of the public response to this petition, it is suggested that community consultation should be undertaken to canvas the option for changing the zone and to seek feedback in regard to the issue and impacts for users of the park, the wildlife and natural environment.

The basis of the consultation would be, should there be any change to the current dogs can be exercised off leash but must be under effective control designation.

The consultation would be conducted by a survey posted to residents within 500 metres of the parks that can either be completed in writing and returned or can be accessed and completed on line. The survey would be advertised on the City's website and on social media and would be open to any interested parties to complete.

In terms of timing, the survey can be conducted in May 2018 allowing for preparation in April and analysis of the survey results in June/July 2018 prior to a further report to Council this year.

Legislation / Strategic Community Plan / policy implications

Legislation *Dog Act 1976.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality open spaces.

Strategic initiative Adopt consistent principles in the management and provision of urban community infrastructure.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

The cost related to conducting the proposed community consultation is estimated at \$4,500 to mailout a survey and reply paid envelope to 1,800 residents, provide onsite signage, advertise the survey and make the survey available on line.

This cost can be accommodated within the current budget.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The proposed consultation would consist of a mailout survey to residents within a 500 metre radius of Broadbeach and Flinders Park. In addition, the survey would be available on line to complete and would be open to any interested parties to complete. The survey would be posted on the City's website and promoted via social media.

COMMENT

In addition to considering the results of the survey, it should be noted that the City has addressed water quality issues in these parks to improve the environment to support and encourage birdlife that inhabit the lake areas. Environmental considerations will be further examined and reported with the results of the survey.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 NOTES the report in response to the petitions received in relation to dogs exercising on Broadbeach Park, Hillarys;**
- 2 AGREES to undertake community consultation in regard to dogs being exercised on Broadbeach Park, Hillarys;**
- 3 NOTES the lead petitioners will be advised that the City intends to undertake community consultation before making a decision on the petitions.**

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf180313.pdf](#)

ITEM 13 PETITION REGARDING APPROVAL FOR VEHICLES TO ACCESS BELDON PARK

WARD	Central
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	05808, 101515
ATTACHMENT	Nil
AUTHORITY / DISCRETION	Review – Council reviews a decision made by officers.

PURPOSE

For Council to consider the petition requesting the revocation of the City's decision to not allow the parking of vehicles on Beldon Park, Beldon.

EXECUTIVE SUMMARY

At its meeting held on 20 February 2018, Council received a petition signed by 126 residents that stated, "We the residents of Beldon and the regular users of Beldon Park request the Council to revoke the decision to not let us use the park to park cars on for the car boot sale to be held on 3 March 2017 (sic)".

This petition refers to a decision of the City to not allow vehicle access onto Beldon Park, Beldon as requested by the Beldon Residents Association (BRA) through an event application to host a "Car Boot Sale" at Beldon Park on Saturday 3 March 2018.

The decision to not allow vehicle access onto Beldon Park was made by the City as there was a viable alternative available in having the vehicles use the adjoining car park, therefore negating the need to drive the vehicles onto the park. While the City has approved instances of vehicles being driven onto parks (both active and passive) where viable alternatives are available these requests are often declined. This is to ensure the viability of the natural grass within the park areas.

As the event has now been conducted, the Council does not have an opportunity to revoke the City's decision for this event.

It is therefore recommended that Council:

- 1 DOES NOT SUPPORT the request to revoke the City's decision to not allow vehicle access onto Beldon Park;*
- 2 ADVISES the lead petitioner of its decision.*

BACKGROUND

In late 2017 the City received an event application from the BRA to host a Car Boot Sale on Beldon Park, Beldon. The initial application did not seek approval from the City to drive and / or park vehicles within the park, however this was discussed further between City officers and representatives from the BRA. Initial site plans provided by the BRA showed that they expected approximately 40 vehicles to access the park, however a final site plan submitted to the City as well as discussions with City officers at a site meeting in late January 2018 indicated the BRA was seeking approval for up to 50 vehicles.

When considering any request for approval to drive on City managed parks, the City's preference is to identify any viable alternative to minimise the amount of vehicular traffic within the park area. This is to minimise the risk of damage to the natural turf areas within the park, the irrigation and other infrastructure that may not be visible to drivers as well as the risk associated with vehicles travelling throughout an uncontrolled park during recreational times.

It should be noted that the City's *Terms and Conditions of Hire* specifically prohibit the driving and / or parking of vehicles within grassed areas.

When considering the BRA's request for approval to drive and park vehicles onto Beldon Park, the City identified a viable alternative and suggested the BRA utilise the adjacent formal car parking bays south of the park. This section of the car park is managed by the City while also being utilised by patrons of the adjacent Beldon Shopping Centre. It was recommended that cars could park within the formal parking bays and sell their goods from the grass area abutting the car park. This option not only provided a safe and viable option for the BRA's event to continue, but also removed the requirement for vehicle access onto the park.

The BRA was notified of the City's decision to decline their request to drive vehicles onto Beldon Park in early February 2018.

DETAILS

At its meeting held on 20 February 2018, Council received a petition signed by 126 residents that stated, "We the residents of Beldon and the regular users of Beldon Park request the Council to revoke the decision to not let us use the park to park cars on for the car boot sale to be held on 3rd March 2017 (sic)".

As the City's *Terms and Conditions of Hire* specifically prohibit the driving and / or parking of vehicles within grassed areas, the City assesses requests for approval on a case by case basis. Where there is a real need to allow vehicular access to ensure the viability of an event / booking and where no viable alternative can be found the City can support the request. However, where the risks associated are deemed too high, or where viable alternatives are available the City will decline any such request.

As the event referred to within the petition has already been held and the City's processes regarding the assessment of these requests has been consistently applied, it is recommended that Council not support the request of the petitioners to revoke the City's decision to not allow vehicle access onto Beldon Park for the BRA Car Boot Sale.

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 Adopt consistent principles in the management and provision of urban community infrastructure.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

The City's preference is to minimise vehicle traffic within parks where possible. This is to ensure the sustainability of the natural grass that is present on the City's active and passive parks. In this situation, where a viable alternative is available the City can restrict access as required.

Consultation

Not applicable.

COMMENT

The City understands that the car boot sale was conducted on Saturday 3 March 2018 in accordance with the City's decision without incident. As the event has been held, the Council does not have the opportunity to revoke the City's decision.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 DOES NOT SUPPORT the request to revoke the City's decision to not allow vehicle access onto Beldon Park;**
- 2 ADVISES the lead petitioner of its decision.**

ITEM 14 TENDER 001/18 PROVISION OF MEDIAN AND VERGE MOWING TO NOMINATED LOCATIONS IN ZONE 1 (NORTH) AND/OR ZONE 2 (CENTRAL) AND/OR ZONE 3 (SOUTH)

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	107043, 101515
ATTACHMENT	Attachment 1 Schedule of Items Attachment 2 Summary of Tender Submissions
AUTHORITY / DISCRETION	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 tenders submitted by The Trustee for Turfmaster Unit Trust trading as Turfmaster Facility Management for the provision of median and verge mowing to nominated locations in Zone 2 (Central) and Zone 3 (South) and The Trustee for Parker Family Trust trading as Lawn Doctor for the provision of median and verge mowing to nominated locations in Zone 1 (North).

EXECUTIVE SUMMARY

Tenders were advertised on Wednesday 17 January 2018 through statewide public notice for the provision of median and verge mowing to nominated locations in Zone 1 (North) and/or Zone 2 (Central) and/or Zone 3 (South) (three separable portions). Tenders closed at 2.00 p.m. Wednesday 7 February 2018. A submission was received from each of the following:

- The Trustee for Parker Family Trust trading as Lawn Doctor – Conforming Offer.
- The Trustee for Parker Family Trust trading as Lawn Doctor – Alternative Offer.
- The Trustee for The Lochness Unit Trust trading as Lochness Landscape Services.
- Skyline Landscape Services Group Pty Ltd trading as Skyline Landscape Services (WA).
- The Trustee for Turfmaster Unit Trust trading as Turfmaster Facility Management.

The submission from Turfmaster Facility Management represents best value to the City for the services in Zone 2 (Central) and Zone 3 (South). The company demonstrated a thorough understanding of the required tasks. It has experience providing similar services to the Cities of Cockburn and Gosnells and the Town of Cambridge. It is the City's incumbent contractor for median and verge mowing to nominated locations in Zone 1 (North) and Zone 2 (Central). Turfmaster Facility Management is well established with industry experience and proven capacity to provide the services to the City.

The conforming offer Lawn Doctor represents best value to the City for the services in Zone 1 (North). The organisation has undertaken similar services for WA local governments including the Cities of Wanneroo, Stirling and Armadale. It demonstrated a sound understanding of the required tasks with sufficient industry experience and capacity required to carry out the services for the City.

It is therefore recommended that Council:

- 1 *ACCEPTS the tender submitted by The Trustee for Parker Family Trust trading as Lawn Doctor – Conforming Offer for the provision of median and verge mowing to nominated locations in Zone 1 (North), for a period of three years for requirements as specified in tender 001/18 at the submitted schedule of rates applicable for the term of the contract;*
- 2 *ACCEPTS the tender submitted by The Trustee for Turfmaster Unit Trust trading as Turfmaster Facility Management for the provision of median and verge mowing to nominated locations in Zone 2 (Central) for a period of three years for requirements as specified in tender 001/18 at the submitted schedule of rates applicable for the term of the contract;*
- 3 *ACCEPTS the tender submitted by The Trustee for Turfmaster Unit Trust trading as Turfmaster Facility Management for the provision of median and verge mowing to nominated locations in Zone 3 (South) for a period of three years for requirements as specified in tender 001/18 at the submitted schedule of rates applicable for the term of the contract.*

BACKGROUND

The City has a requirement for the provision of median and verge mowing to nominated locations in Zone 1 (North), Zone 2 (Central) and Zone 3 (South) within the City. The City has the option to consider engaging one or more contractors to provide median and verge mowing to nominated locations in Zone 1 (North) and/or Zone 2 (Central) and/or Zone 3 (South).

Tender 001/18 was advertised as three separable portions:

- Separable portion 1: median and verge mowing to nominated locations in Zone 1 (North).
- Separable portion 2: median and verge mowing to nominated locations in Zone 2 (Central).
- Separable portion 3: median and verge mowing to nominated locations in Zone 3 (South).

Tenderers could submit an offer for any of the three portions of the work.

The City currently has two contracts in place for median and verge mowing to nominated locations with Turfmaster Facility Management in Zone 2 (Central) and Zone 3 (South) and median and verge mowing to nominated locations with Lochness Landscape Services in Zone 1 (North), which will expire on 12 April 2018.

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 provision of median and verge mowing to nominated locations in Zone 1 (North) and/or Zone 2 (Central) and/or Zone 3 (South) was advertised through a statewide public notice on 17 January 2018. The tender period was for three weeks and tenders closed on 7 February 2018.

Tender Submissions

A submission was received from each of the following:

- The Trustee for Parker Family Trust trading as Lawn Doctor (Conforming Offer).
- The Trustee for Parker Family Trust trading as Lawn Doctor (Alternative Offer).
- The Trustee for The Lochness Unit Trust trading as Lochness Landscape Services.
- Skyline Landscape Services Group Pty Ltd trading as Skyline Landscape Services (WA).
- The Trustee for Turfmaster Unit Trust trading as Turfmaster Facility Management.

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 alternative offer submitted by Lawn Doctor proposed work in zones 1 and 2 to be undertaken consecutively rather than concurrently as specified in the tender. This does not meet the City's requirements. The alternative offer was assessed as non-compliant and not considered further.

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

- Lawn Doctor (Conforming Offer).
- Lochness Landscape Services
- Skyline Landscape Services (WA).
- Turfmaster Facility Management.

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:

Qualitative Criteria		Weighting
1	Capacity	40%
2	Demonstrated experience in providing similar services	30%
3	Demonstrated understanding of the required tasks	25%
4	Social and economic effects on the local community	5%

Skyline Landscape Services (WA) scored 57.3% and was ranked fourth in the qualitative assessment. The company has previous experience providing services to the Cities of Wanneroo, Nedlands, Melville, and Belmont. The term of these contracts was not clearly identified. The company demonstrated the capacity to provide equipment and resources to meet the mowing services. It demonstrated some understanding of the City's requirements, however the response referred to fortnightly servicing on reserves which is not applicable to the City's requirements. It was also unclear if edging was understood to be an on-request additional service.

Lochness Landscape Services scored 65% and was ranked third in the qualitative assessment. The company demonstrated the capacity to meet the City's requirements. It demonstrated previous experience providing services to the Towns of Victoria Park and Cambridge and the Cities of Gosnells and Rockingham. It is also the current contractor for the City's mowing services for the South zone. The company demonstrated an understanding of the required tasks.

Lawn Doctor scored 72.4% and was ranked second in the qualitative assessment. The company demonstrated its capacity with sufficient personnel and equipment to meet City requirements. It has previous experience providing similar services to the Cities of Wanneroo and Stirling. It also demonstrated an understanding of required tasks addressing all aspects of the requirements.

Turfmaster Facility Management scored 73.6% and was ranked first in the qualitative assessment. The company demonstrated a thorough understanding of the requirements. It demonstrated extensive experience providing similar services to the Cities of Cockburn, Gosnells and Town of Cambridge. It is also the City's current contractor for mowing services in the North and Central zones. It has the capacity to provide the services to City requirements.

Based on the minimum acceptable score of 60%, Turfmaster Facility Management, Lawn Doctor, and Lochness Landscape Services qualified to progress to the stage two price assessment.

Price Assessment

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

To provide a comparison of the rates offered by each tenderer, the number of mowing events per calendar year for each of the items were identified and used in the calculation. The additional services schedule is based on hourly rates at an estimated 150 hours per year for each zone. The following table provides a summary of the comparison of the estimated expenditure of each tenderer. Any future mix of requirements will be based on demand and subject to change in accordance with operational needs of the City.

The rates offered by the tenderers are fixed for the term of the Contract.

Tenderer	Year 1	Year 2	Year 3	Total
Median and verge mowing to nominated locations - Zone 1 (North)				
Turfmaster Facility Management	\$182,580	\$182,580	\$182,580	\$547,740
Lawn Doctor	\$163,365	\$163,365	\$163,365	\$490,094
Lochness Landscape Services	\$249,030	\$249,030	\$249,030	\$747,090
Median and verge mowing to nominated locations - Zone 2 (Central)				
Turfmaster Facility Management	\$157,650	\$157,650	\$157,650	\$472,950
Lawn Doctor	\$159,071	\$159,071	\$159,071	\$477,212
Lochness Landscape Services	\$298,505	\$298,505	\$298,505	\$895,515
Median and verge mowing to nominated locations - Zone 3 (South)				
Turfmaster Facility Management	\$137,995	\$137,995	\$137,995	\$413,985
Lochness Landscape Services	\$258,100	\$258,100	\$258,100	\$774,300

During the last financial year 2016-17, the City incurred \$353,155.25 for the provision of median and verge mowing to nominated locations in all zones and is expected to incur in the order of \$1,377,029 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.

Tenderer	Zone	Estimated Total Contract Price	Price Rank	Evaluation Score	Qualitative Rank
Turfmaster Facility Management	Zone 1	\$547,740	2	73.6%	1
	Zone 2	\$472,950	1		
	Zone 3	\$413,985	1		
Lawn Doctor (Conforming Offer)	Zone 1	\$490,094	1	72.4%	2
	Zone 2	\$477,212	2		
Lochness Landscape Services	Zone 1	\$747,090	3	65%	3
	Zone 2	\$895,515	3		
	Zone 3	\$774,300	2		

Based on the evaluation result the panel concluded that the tenders from Turfmaster Facility Management and Lawn Doctor provide best value to the City and are therefore recommended for the provision of median and verge mowing to nominated locations in Zone 2 – Central and Zone 3 - South, and median and verge mowing to nominated locations in Zone 1 – North respectively.

Issues and options considered

The City has a requirement for median and verge mowing to nominated locations in Zone 1 (North) and/or Zone 2 (Central) and/or Zone 3 (South). The City does not have the internal resources to supply the required services for the volume of work required and as such requires an appropriate external service provider, or providers.

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 \$150,000.

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality open spaces.

Strategic initiative Establish landscapes that are unique to the City and provide statements within prominent network areas.

Policy To have urban and green spaces which are attractive, well utilised and enrich the lives of the community.

Risk management considerations

Should the contract not proceed, the risk to the City will be high as the City does not have the resources to achieve the level of service required for median and verge mowing and any delay in appointing a contractor will have considerable impact on the mowing program.

It is considered that the contract will represent a low risk to the City as the recommended tenderers have proven industry experience and the capacity required to provide the services to the City.

Financial / budget implicationsCurrent financial year impact

Account no.	Various maintenance accounts.
Budget Item	Median and verge mowing to nominated locations.
Budget amount	\$ 466,667
Amount spent to date	\$ 282,104
Proposed cost	\$ 86,708
Balance	\$ 97,855

The balance does not represent a saving at this time. The projected expenditure on these services is subject to change and may be impacted by unforeseen events.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The evaluation panel carried out the evaluation of the submissions in accordance with the qualitative criteria in a fair and equitable manner and concluded that the Offers representing best value to the City are those submitted by Lawn Doctor and Turfmaster Facility Management.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 ACCEPTS the tender submitted by The Trustee for Parker Family Trust trading as Lawn Doctor for the provision of median and verge mowing to nominated locations in Zone 1 (North) for a period of three years for requirements as specified in tender 001/18 at the submitted schedule of rates applicable for the term of the contract;**
- 2 ACCEPTS the tender submitted by The Trustee for Turfmaster Unit Trust trading as Turfmaster Facility Management for the provision of median and verge mowing to nominated locations in Zone 2 (Central) for a period of three years for requirements as specified in tender 001/18 at the submitted schedule of rates applicable for the term of the contract;**
- 3 ACCEPTS the tender submitted by The Trustee for Turfmaster Unit Trust trading as Turfmaster Facility Management for the provision of median and verge mowing to nominated locations in Zone 3 (South) for a period of three years for requirements as specified in tender 001/18 at the submitted schedule of rates applicable for the term of the contract.**

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf180313.pdf](#)

ITEM 15 IMPLEMENTATION OF A THREE BIN SYSTEM FOR THE CITY OF JOONDALUP

WARD	All
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	11393, 101515
ATTACHMENT	Attachment 1 <i>Better Bins - Kerbside Collection Guidelines</i>
AUTHORITY / DISCRETION	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 implementation of a three bin system for the City of Joondalup.

EXECUTIVE SUMMARY

The Western Australian Waste Strategy '*Creating the Right Environment*' calls for best practice and continual improvement in managing municipal solid waste. The strategy sets targets of diverting 50% of municipal solid waste from landfill by 2015 and 65% by 2020. While the City's current diversion target is 50%, reaching 65% as per the strategy will be a challenge unless change to current practices are made.

The *Better Bin - Kerbside Collection Guidelines* (Attachment 1 refers) was developed by the Waste Authority to help local governments select kerbside collection systems that can achieve increased resource recovery rates. The guidelines are based on the experiences of Western Australian and interstate local governments and contain information on bin types, colours and collection frequencies and expected performance benchmarks. The guidelines identify that in the short to medium term, higher recovery is likely to be delivered through:

- source separation using a three-bin collection system, with separate bins for general waste, dry recyclables and garden organics
- collection systems where general waste is processed through an alternative waste treatment facility.

At its meeting held on 16 February 2016 (CJ024-02/16 refers), Council endorsed the City of Joondalup *Waste Management Plan 2016 - 2021 Increasing diversion from landfill* (the Plan).

Targets identified for the Plan align with the State Government waste recovery targets included in the *Western Australian Waste Strategy: Creating the Right Environment*. The 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.

The *Waste Management Plan 2016 – 2021* 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.

MRC manages the treatment and disposal of general household waste on behalf of the seven Member Councils of the MRC. Increases in landfill levy and reduction in tonnages of general waste has seen a significant increase in the MRC gate fee from \$120 per tonne in 2013-14 to \$180 per tonne in 2017-18. Indications from the MRC is that there will be a further sharp increase in 2018-19 and will continue to rise.

In response to the rising cost and to increase diversion from landfill to meet the Waste Authority targets, the City has reviewed its kerbside collection services and is proposing the introduction of a three bin system in alignment with the *Better Bins - Kerbside Collection Guidelines* funding method Preference 1 which is as follows:

- A 140 litre red lidded general waste bin with an option for householders to opt out of the 140 litre red lidded general waste bin and select a 240 litre general waste bin to be collected weekly.
- A 240 litre lime green lidded bin for green waste to be collected fortnightly.
- A 240/360 litre yellow lidded bin for recycling to be collected fortnightly on the alternate week.

It is therefore recommended that Council:

- 1 *ENDORSES the implementation of a three bin system as per Option 1 as detailed in this Report with rollout commencing in the 2018-19 financial year;*
- 2 *NOTES that the three bin system, in alignment with the Better Bins funding method Preference 1, will consist of the following:*
 - 2.1 *one 140 litre red lidded general waste bin, with an option for householders to opt out of the 140 litre red lidded general waste bin and select a 240 litre red lidded general waste bin;*
 - 2.2 *one 240 litre lime green lidded garden waste bin;*
 - 2.3 *one 240 litre or one 360 litre yellow lidded recycling bin;*
- 3 *APPROVES the implementation of a differential pricing system which charges households a lower amount for a 140 litre red lidded general waste bin when compared to a 240 litre red lidded general waste bin;*
- 4 *NOTES that the refuse charge/s will be set as part of the City's annual budget;*
- 5 *REQUESTS the Chief Executive Officer to make an application to the Waste Authority on behalf of the City for grant funding for the rollout of the three bin system;*
- 6 *NOTES the results of the 360 litre bin trial;*
- 7 *ENDORSES the further roll out of the 360 litre recycling bins until the implementation of the three bin system;*
- 8 *REQUESTS that the Chief Executive Officer undertake a review of the bulk green waste collection methodology prior to 30 June 2020.*

BACKGROUND

The major legislation relating to waste management in Western Australia is the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act) which establishes the Waste Authority and its functions. The WARR Act has a particular focus on local government functions, and contains mechanisms relating to local government waste services, including waste local laws, waste plans and collection permits.

The WARR Act also provides a hierarchy of waste management options based on their general environmental desirability. The hierarchy is a useful guide to aid in decision making and should be applied in the context of other economic, social and environmental constraints. The most preferred option for waste management under the waste hierarchy is to avoid or to minimise the generation of waste in the first instance. The second preferred option is to recover the resources in the waste through reuse, reprocessing, recycling and energy recovery. The final and least preferred option is to dispose of the waste to landfill.

At its meeting held on 16 February 2016 (CJ024-02/16 refers), Council endorsed the City of Joondalup *Waste Management Plan 2016 - 2021 Increasing diversion from landfill* (the Plan). Targets identified for the Plan align with the State Government waste recovery targets included in the *Western Australian Waste Strategy: Creating the Right Environment*. The *Western Australian 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 Plan identifies the following four key drivers for improving the City's waste management practices:



Reaching Diversion Targets

The *Waste Management Plan 2016 – 2021* has set a 65% landfill diversion target of household waste by 2020 to align with the *Western Australian Waste Strategy* targets. While the City made a significant achievement in reaching the *Western Australian Waste Strategy* 2015 target of 50% diversion, reaching the 65% target will be a challenge and the City is unlikely to reach this target if it continues with business as usual.

Reducing Environmental Impacts

The creation of waste and the disposal of waste can have a significant impact on the environment for a number of reasons, including the following:

- Resources, materials and energy used to produce, package and transport products are lost when products are disposed to landfill.
- Landfills take up large amounts of land and can be noisy, odorous and unsightly. Landfills (and the land surrounding them) are likely to become less usable land for many years into the future.
- Waste materials in landfill can take from months to hundreds of years to break down, or may not break down at all, meaning the environmental impacts of landfills will last for generations.
- The breakdown of waste within landfill can create pollutants and toxins which can contaminate groundwater, surface water and the atmosphere.

- The breakdown of waste in landfill also creates methane, a greenhouse gas. Waste can continue to emit methane for well over 50 years after it has been landfilled. By diverting waste from landfill the City is reducing landfill emissions.
- Transport associated with the collection of waste creates greenhouse gas emissions and other air pollutants. Efficiencies in reducing transport costs will have a positive environmental impact by reducing greenhouse gas emissions and air pollutants.

There are significant environmental controls relating to landfill sites to reduce their potential environmental impact including lining and capping of landfills, monitoring of groundwater and controls on what can be disposed.

Increasing Costs of Waste Disposal

It costs significantly more to dispose of waste to landfill than it does to recycle waste. The increase in the Waste Levy and MRC gate fee is shown in the table below.

Year	Waste levy per tonne (\$)	MRC gate fee per tonne (\$)	Increase in MRC gate fee (%)	COJ refuse charge (\$)	Increase in COJ refuse charge (%)
2013-14	28.00	120.00		333.00	
2014-15	28.00 55.00*	116.00 138.50*	15.4	346.00	3.9
2015-16	55.00	155.00	11.9	346.00	0
2016-17	60.00	165.00	6.5	346.00	0
2017-18	65.00	174.00 180.00**	5.5	346.00	0

* From 1 January 2015

** From 1 February 2018

The current MRC gate fee as of 1 February 2018 is \$180 per tonne compared to \$25 per tonne for processing of recyclables and approximately \$30 per tonne for processing of green waste. The cost of disposing waste to landfill will again significantly increase in 2018-19 and future years. Increasing the proportion of household waste that is not sent to landfill will not only increase diversion from landfill rates to align with the *Western Australian Waste Strategy* targets it will also provide significant ongoing cost savings for the City and its ratepayers.

High Levels of Waste

The City of Joondalup has been shown to be a high generator of waste, particularly in regard to the previous scheduled bulk waste collection service. This will only increase as the City's population increases and the amount of waste households generate increases. In order to reach diversion targets, reduce environmental impact and reduce the cost of delivering waste services, steps need to be taken to reduce the amount of waste generated within the City of Joondalup.

City of Joondalup Waste

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 2016-17 collected just under 90,000 tonnes of waste.

The City's *Waste Management Plan 2016 -21* includes 16 projects which were developed to guide the City actions in meeting the 65% landfill diversion target. This proposal aligns with the following four projects:

- Project 1 'Recycle 360 - A Better Bins Project'. This project aims to increase the amount of recyclable material collected through the yellow lidded bin collection.
- Project 4 'Community Waste Behaviour Change Program'. This project aims to improve community knowledge of the City's waste management services, increase participation in recycling and reduce recycling contamination rates.
- Project 6 'Household Waste Composition Audit'. This project aims to improve the City's understanding and knowledge of household waste composition and to ensure that the City's waste management processes and activities are informed by sound analysis and understanding of waste generated.
- Project 15 'Continued review and improvement of household waste services'. This project aims to continually review and improve the City's household waste services and to remain aware of changing policy, regulation and best practice in household waste services.

Current Two Bin System

The City currently operates a two bin system for the collection of household waste, with a weekly collection of general waste in a green lidded bin and a fortnightly collection of recyclable waste in a yellow lidded bin.

In 2016-17 the City collected 52,282 tonnes of general waste from the green lidded bin. This represents approximately 58% of the City's total waste stream. The contents are delivered to either the Neerabup Resource Recovery Facility (RRF) or the Tamala Park landfill. The current diversion rate for the RRF is approximately 51%.

In 2016-17 the City collected 16,383 tonnes of recycling waste from the yellow lidded bin of which 14,085 tonnes was recycled. This represents 18% of the City's total waste stream. The contents of the yellow lidded bin are delivered to the Materials Recovery Facility (MRF) operated by Cleanaway. The current diversion rate for this facility is approximately 85%.

Current Bulk Waste Collection Services

The City's bulk hard waste collection service is undertaken by Cleanaway and consists of the following:

- One three cubic metre skip bin per financial year (delivered on-request).
- One white good collection per financial year (collected on-request).
- One mattress collection per financial year (collected on-request).

The material collected is sent to a processing facility where it is recycled. This service was implemented in October 2016. In 2016-17 the City collected 2,805 tonnes of bulk hard waste and achieved a diversion rate of approximately 48% at a cost of approximately \$1.02 million. The diversion rate of the previous service was only 2%.

The City's bulk green waste collection service is currently undertaken by Incredible Bulk and consists of one scheduled verge pick up per financial year. In 2016-17 the City collected 6,335 tonnes of bulk green waste with a diversion rate of 100% and a cost of approximately \$1.2 million. The contract end date is 30 June 2020.

Residents are also provided with four green waste tipping vouchers and two mulch vouchers which are delivered annually via the City's Waste Guide. These vouchers can be redeemed at the Wangara Greens Recycling Centre which is operated by the City of Wanneroo. Residents can deliver clean greens up to 500kg (per tipping voucher) and collect (subject to availability) up to 500Kg of mulch per mulch voucher. A standard operation and management fee is charged per month. In 2016-17 this service cost the City \$234,000.

360L Recycling Bin Trial

As part of Project 1 of the *Waste Management Plan 2016 - 2021*, the City is currently undertaking a trial of supplying a larger 360 litre yellow lidded recycling bin to residents upon request. The project commenced in June 2016 and as of the end of December 2017, the City had delivered 4,800 360 litre capacity recycling bins. To determine the success of the trial, a kerbside audit was undertaken which concentrated on use, weights and presentation rates. The audit results indicated an increase in the amount of recycling presented for collection with the introduction of the larger recycling bin. Recycling increased by an average of 3.6kg (26%) per fortnight collected in the 360 litre bin compared to the smaller 240 litre recycling bin.

In March 2017, the City sought feedback from participants of the 360 litre recycling bin trial via an online survey. The survey was sent to 2,218 participants and the City received 1,227 valid responses, giving a 55% response rate. An analysis of the results from the respondents showed that 82.8% rated the experience with the larger 360 litre bin as excellent and 94.6% of the respondents agreed that the larger 360 litre bin resulted in increased recycling of household waste and a reduction of waste that could be recycled in the general waste bin.

Waste Composition Audit

The Mindarie Regional Council (MRC), on behalf of the City is undertaking a waste composition audit of the City's household waste. The MRC used an aggregate sampling method as this provided a larger sampling area of approximately 1,000 bins to provide a statistically significant and reliable result. The audit was devised to be undertaken in two parts (a summer and winter audit) and will be used to quantify the amounts and types of waste being generated, including a breakdown of the different types of materials within the green lidded bin (general waste). This information will be used to improve waste management processes, guide waste education messages and help monitor the success of any improvements.

The winter audit was undertaken and the results are as follows:

Winter Audit of Green Lidded Bin (General Waste)		
Type of material	Weight (kg)	Percentage (%)
Recyclables	3,975.6	26
Non-recyclables	11,310.5	74
TOTAL	15,286.1	100

Of the 11,310.5 kg of non-recyclables in the green lidded bin, 8,623.2 kg (56.4%) was organic waste. A further breakdown of the organic waste is provided in the table below.

Organic Content of Non-recyclables		
Type of material	Weight (kg)	Percentage (%)
Food waste	3,638.4	23.8
Green waste	4,984.8	32.6
TOTAL	8,623.2	56.4

The summer audit is scheduled for the third quarter of 2017-18.

The results of the winter audit highlighted that a significant portion of recyclables and green waste is currently being placed in the general waste (green lidded bin). Placement of these items into the correct bin will not only increase the City's diversion rate but will also reduce cost.

Better Bins - Kerbside Collection Guidelines

The *Better Bins - Kerbside Collection Guidelines* (Attachment 1 refers) were developed by the Waste Authority to help local governments select better practice kerbside collection systems by:

- presenting options for kerbside collection systems, including expected performance benchmarks
- containing 'complementary measures' (including information provision and community engagement, training and enforcement) to ensure the community understands the benefits of the system and how to use it effectively
- being flexible, recognising that different local governments have particular characteristics that will influence decisions about collection systems
- supporting a three bin system (general waste, co-mingled recycling and green waste) because it encourages source separation, which is important to maximising recovery.

The guidelines further identify that in the short to medium term, higher diversion from landfill is likely to be delivered through the following:

- Source separation using a three-bin collection system, with separate bins for general waste, dry recyclables and garden organics.
- Collection systems where general waste is processed through an alternative waste treatment facility.

The *Better Bins: Kerbside Collection Guidelines* specify the funding criteria for local governments to be eligible for the Better Bins funding as per the extract below:

"Better Bins funding is determined by the type of kerbside services provided by local governments and the number of households to which services are provided."

Kerbside Collection Preference	Kerbside Collection Services - Households			Funding allocation per household
	General waste Red lid	Comingled recycling Yellow lid	Green Waste Lime green lid	
Preference 1				
Three bin system, small general waste	140 litre or less weekly	240 litre or more fortnightly	240 litre or more fortnightly	\$30

Preference 2 Three bin system, standard general waste	240 litre or less weekly	240 litre or more fortnightly	240 litre or more fortnightly	\$24
Preference 3 Two bin system, small general waste	140 litre or less weekly	240 litre or more fortnightly	Nil	\$10
Preference 4 Two bin system, standard general waste	140 litre or less weekly	240 litre or more fortnightly	Nil	\$4

Local Governments are eligible for the maximum funding of \$30 per household if:

- a local government offers Preference 1 services to households with an option for householders to 'opt out' of the smaller (140 litres or less) general waste service; and
- the local government implements a differential pricing system which charges households a lower amount for a general waste service of 140 litres or less per week, and a higher amount for a general waste service of more than 140 litres per week."

DETAILS

Household waste is a key area of waste management for the City as it represents the largest amount of waste generated (76%) and based on the results of the waste composition audit provides the greatest opportunity for the City to increase diversion from landfill to meet the *Western Australian Waste Strategy* target of 65% diversion by 2020.

The Waste Authority recognises, and strongly supports, source separation of waste as best practice. Source separation involves separating household waste in common material streams or categories for separate collection. One of the ways to achieve greater separation of household waste is to provide households with separate bins. The *Better Bins: Kerbside Collection Guidelines* supports a three bin system (general waste, comingled recycled waste and green waste) as it encourages source separation which is important to maximise diversion of waste from landfill.

In alignment with the *Better Bins: Kerbside Collection Guidelines*, the City has reviewed its kerbside collection services and is proposing the introduction of a three bin system based on the Better Bins funding method Preference 1 which is as follows:

- A 140 litre red lidded general waste bin with an option for householders to opt out of the 140 litre red lidded general waste bin and select a 240 litre general waste bin to be collected weekly.
- A 240 litre lime green lidded bin for green waste to be collected fortnightly.
- A 240/360 litre yellow lidded bin for recycling to be collected fortnightly on the alternate week.

Moving to a three bin system for the collection of household waste will have an impact on other waste services currently provided by the City. It is therefore important to consider the impact on the following services when changing to a three bin system:

- Bulk green waste collection.
- Weekend greens vouchers.

It is considered that there would be no impact to the following services which would continue as per current arrangements:

- Bulk hard waste services.
- Litter collection.
- E-waste days.
- Charity drop off events.

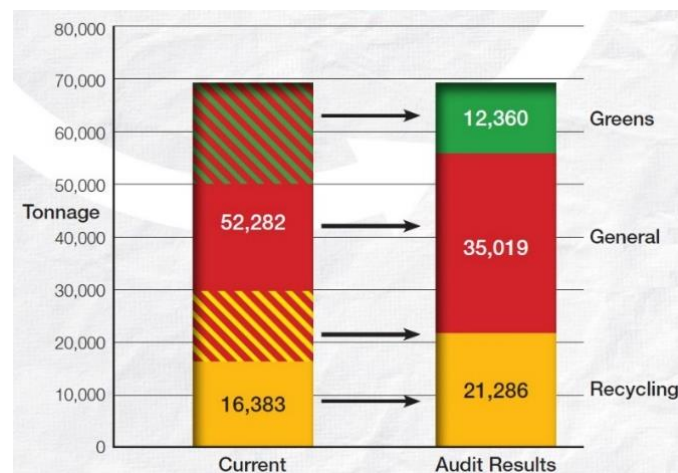
Based on these considerations, the following five options were developed:

Option Parameters	Current (two bins)	Option 1	Option 2	Option 3	Option 4	Option 5
Three bin system	X	✓	✓	✓	✓	✓
Bulk green waste collection	✓	✓	On Request	X	X	✓
Weekend vouchers greens	✓	✓	✓	✓	X	X

The City has developed a financial model to assist in comparing the options above. This model for the three bin system is based on the tonnages of material from 2016-17 as tonnages have not increased significantly and this was the last full year of collection data available.

In 2016-17, 68,665 tonnes of municipal solid waste (MSW) was collected in the yellow and green lidded bins. Approximately 52,282 tonnes of domestic waste (green lidded bin) and 16,383 tonnes of recycling waste (yellow lidded) bin. Outcomes of the waste composition audit undertaken in Winter 2017 and lessons learnt from other local authorities when implementing a three bin system has enabled the City to form a number of assumptions in order to calculate the tonnage of material for inclusion in a three bin scenario for the City of Joondalup:

- The waste composition audit revealed that 26% of the material in the green lidded bin was recyclable material that should have been placed in the yellow lidded bin. Based on the total tonnes of 52,282 collected in 2016-17 in the green lidded bin, 13,593 tonnes were therefore recyclables. Under a three bin scenario it is assumed that 31% of all waste will be placed in the yellow lidded bin in alignment with the experience of other local governments when moving to a three bin system. This would mean that 4,903 tonnes of the 13,593 tonnes of recycling material would be placed in the yellow lidded bin. This would result in the tonnage of recyclable material collected via the yellow lidded bin increasing from 16,383 tonnes to 21,286 tonnes (31% of the overall waste stream).
- The waste composition audit also revealed that 32.6% of the materials in the green lidded bin (general waste) is green waste. Based on the total tonnes of 52,282 collected in 2016-17 this equates to 17,043 tonnes of green waste. It is assumed that not all this green waste would be placed in the lime green lidded bin and only 12,360 tonnes would be included in this bin, being 18% of the total waste stream. This assumption again reflects the experience of other local governments when moving to a three bin system.
- The general waste (red lidded) bin would contain the remainder of the 52,282 tonnes of waste when 12,360 tonnes of green waste and 4,903 tonnes of recycling waste is removed as per above. This equates to 35,019 tonnes (51% of the total waste stream) as depicted below.



- The provision of a lime green lidded bin specifically for green waste will see a reduction in the amount of green waste collected as part of the scheduled bulk green waste collection and the amount taken to the weekend greens facility as per the table below.

Green Waste Type	Current	Option 1 All green waste services (tonnes)	Option 2 On- request bulk green (tonnes)	Option 3 No bulk green waste (tonnes)	Option 4 No bulk or weekend greens (tonnes)	Option 5 No weekend greens (tonnes)
Weekend greens	6,927	3,464	3,464	3,464	0	0
Bulk collection green	6,330	3,165	1,899	0	0	2,965
Lime green lidded bin	0	18,988	20,254	20,254	24,578	21,613
Total	13,257	25,617	25,617	23,718	24,578	24,578

It should be noted that under Options 3 to 5 there is a requirement for residents to self-manage a percentage of the green waste produced due to a reduction in service.

Based on the above assumptions, the tonnage of municipal solid waste stream for each option can be summarised as follows:

Waste Stream	Current	Option 1 All green waste services (tonnes)	Option 2 On- request bulk green (tonnes)	Option 3 No bulk green waste (tonnes)	Option 4 No bulk or green waste (tonnes)	Option 5 No weekend Greens (tonnes)
Yellow lidded bin (recyclables)	16,383	21,286	21,286	21,286	21,286	21,286
Green lidded bin (current)	52,282	0	0	0	0	0

Waste Stream	Current	Option 1 All green waste services (tonnes)	Option 2 On- request bulk green (tonnes)	Option 3 No bulk green waste (tonnes)	Option 4 No bulk or green waste (tonnes)	Option 5 No weekend Greens (tonnes)
Red lidded bin (general waste)	0	35,019	35,019	35,019	35,019	35,019
Lime green lidded bin (green waste)	0	18,988	20,254	20,254	24,578	21,613
Bulk green collection	6,330	3,165	1,899	0	0	2,965
Weekend greens	6,927	3,464	3,464	3,465	0	0
Total	81,922	81,922	81,922	80,023	80,883	80,883

For each of the options identified and based on the tonnages per waste stream, the cost for delivering this service is estimated as follows:

Cost (\$1,000)	Current	Option 1 All green waste services	Option 2 On- demand bulk green	Option 3 No bulk green waste	Option 4 No additional green waste	Option 5 No weekend Greens
Yellow lidded bin (recyclables)	\$2,021	\$2,150	\$2,150	\$2,150	\$2,150	\$2,150
Green lidded bin (current)	\$12,745	\$0	\$0	\$0	\$0	\$0
Red lidded bin (general waste)	\$0	\$9,456	\$9,456	\$9,456	\$9,456	\$9,456
Lime green lidded bin (green waste)	\$0	\$2,160	\$2,198	\$2,217	\$2,300	\$2,239
Bulk green collection	\$1,176	\$1,081	\$431	\$0	\$0	\$1,075
Weekend greens	\$241	\$241	\$241	\$241	\$0	\$0
Bulk hard waste and operational cost	\$4,335	\$4,659	\$4,659	\$4,659	\$4,659	\$4,659
Total Cost	\$20,518	\$19,747	\$19,135	\$18,723	\$18,545	\$19,559
Potential Saving	\$0	\$771	\$1,383	\$1,795	\$1,973	\$959

Note: Costs quoted are estimated costs and are in 1,000's. Potential saving is based on budget for 2017-18 of \$20,518,000.

Capital cost

There is an opportunity for the City to apply for grant funding from the Waste Authority for the rollout of the three bin system. This application needs to be submitted and approved by the Waste Authority prior to the end of March 2018, with the project implementation completed by June 2020. The table below summarises the one-off costs, potential grant proceeds and net impact.

	\$ms
New 360 litre yellow lidded bins (recycling)	(2.1)
New 140/240 litre red lidded bins (general waste)	(2.8)
Changeover to lime green lids (green waste)	(0.8)
Community engagement and education	(0.1)
Capital Costs	(5.7)
Potential grant from Waste Authority (based on Preference 1 funding method)	1.8
Net impact	(3.9)

The net cost will be funded using the Waste Management Reserve which has a current balance of \$10 million.

Taking into account the potential operational cost savings of between \$771,000 and \$1.973 million per annum, depending on the option selected, the change to a three bin system will have a payback period of between two to four years.

Timeframes

The provision of appropriate waste infrastructure is only one component of an effective waste service. Householder behaviour and participation is critical to ensuring the waste system works, which includes reducing the amount of waste generated and placing waste in the correct bin. Improving household waste behaviour and participation in waste management will be a challenge for the City. Waste education and waste programs will need to be based on behaviour change principles and an understanding of the community's attitudes and perceptions towards waste.

To ensure the proposed change to a three bin system is successful, the City will embark on an extensive community engagement campaign to inform, educate and promote the new service. It is anticipated that this program will be delivered over a six to eight month period prior to the implementation of a three bin system. The rollout of this system will be phased suburb by suburb and will take an additional six months to complete. It is anticipated, should the proposal be endorsed by Council, that the rollout of the three bin system could commence as early as January 2019.

Issues and options considered

Council can choose to either:

- remain with the current two bin system
- implement the three bin system as recommended (Option 1)
or
- implement the three bin system based on one of the other options detailed in this Report.

The advantages and disadvantages of the various options are summarised below.

	Advantages	Disadvantages
Current (two bins)	<ul style="list-style-type: none"> No change to current services and staffing 	<ul style="list-style-type: none"> Highest cost Diversion from landfill targets not met
Option One	<ul style="list-style-type: none"> Highest diversion from landfill Reduced cost to deliver all waste services Less change for residents 	<ul style="list-style-type: none"> Lowest savings Potential over servicing of green waste
Option Two	<ul style="list-style-type: none"> Increased diversion from landfill Reduced cost to deliver all waste services 	<ul style="list-style-type: none"> Potential over servicing of green waste
Option Three	<ul style="list-style-type: none"> Increased diversion from landfill Reduced cost to deliver all waste services 	<ul style="list-style-type: none"> 1,899 tonnes of green waste will need to be self-managed Potential over servicing of green waste
Option Four	<ul style="list-style-type: none"> Increased diversion from landfill Reduced cost to deliver all waste services 	<ul style="list-style-type: none"> 1,039 tonnes of green waste will need to be self-managed Residents lose the ability to collect mulch
Option Five	<ul style="list-style-type: none"> Increased diversion from landfill Reduced cost to deliver all waste services 	<ul style="list-style-type: none"> 1,039 tonnes of green waste will need to be self-managed Potential over servicing of green waste Residents lose the ability to collect mulch

Taking into consideration the merits of each, Option 1 is the preferred option. This option has the highest diversion rate from landfill, reduces the cost of the overall waste services, less change for residents and is the lowest implementation risk. This option is also in alignment with the Waste Authorities *Better Bins Kerbside Collection Guidelines*.

Legislation / Strategic Community Plan / policy implications

Legislation *The Waste Avoidance and Resource Recovery Act 2007.*

Strategic Community Plan

Key theme Financial Sustainability.
The Natural Environment.

Objective Effective management.
Environmental resilience.

Strategic initiative Seek out efficiencies and regional collaborations to reduce service delivery costs.

Demonstrate current best practice in environmental management for local water, waste, biodiversity and energy resources.

Policy

Waste Management Plan 2016 – 2021.

Risk management considerations

The following risks have been identified when considering current and future waste collection services provided by the City:

- Not meeting the diversion from landfill targets set by the Waste Authority and included in the *Western Australian Waste Strategy*. The City will not be able to achieve the 65% diversion from landfill target by 2020 if the current two bin system for the collection of household waste is retained.
- Increasing MRC gate fee and landfill levy which increases the cost of sending waste to landfill. The introduction of the three bin system will increase the diversion of waste from landfill and therefore reduce the financial impact of the increasing MRC gate fee and landfill levy.
- Community acceptance of a three bin system. Householder behaviour and participation is critical to ensuring the waste system works, which includes reducing the amount of waste generated and placing waste in the correct bin. To ensure the proposed change to a three bin system is successful, the City will embark on an extensive community engagement campaign to inform, educate and promote the new service.
- Successful rollout of a three bin system. The roll out of a three bin system is complex and will involve extensive change. Additional resources will be allocated to ensure that the system is rolled out in a timely manner and that there is a seamless transition to the new service. Lessons learnt from other local governments indicated that dedicated resources are required and that a phased roll out is the optimum method as it ensures that any operational issues can be rectified prior to the bins being rolled out to all suburbs.
- Impact on bulk green waste collection service and the weekend greens. To mitigate this risk, it is proposed to review these services prior to the conclusion of the current bulk green waste collection contract in June 2020.
- Not successful in securing grant funding. In order to secure grant funding the City must submit an application to the Waste Authority prior to the end of March 2018 with the project implementation to be completed by June 2020. To maximise the potential grant the City must align its proposal as closely as possible to the *Better Bins - Kerbside Collection Guidelines* Preference 1.

Financial / budget implications

The City has budgeted \$20.5 million in 2017-18 for the provision of all waste services. The cost of the service is spread across all ratepayers as part of the separately charged refuse charge (\$346 per annum).

Based on the financial evaluation the potential cost saving varies between \$771,000 to \$1.973 million per annum depending on the option selected. The estimated saving for 2018-19 will be less than this as it is proposed that the implementation of a three bin system will only commence half way through the year and will take six months for the rollout to be completed. The full saving will only be realised after the rollout of a three bin system is completed.

20 Year Financial Assessment

The whole-of-life cash flows have been projected up to 2037-38, this covers the period of implementation and 20 years of operation. By evaluating over such a long period ensures that the long-term impacts including renewals can be evaluated. The table below summarises the overall cash flow impacts.

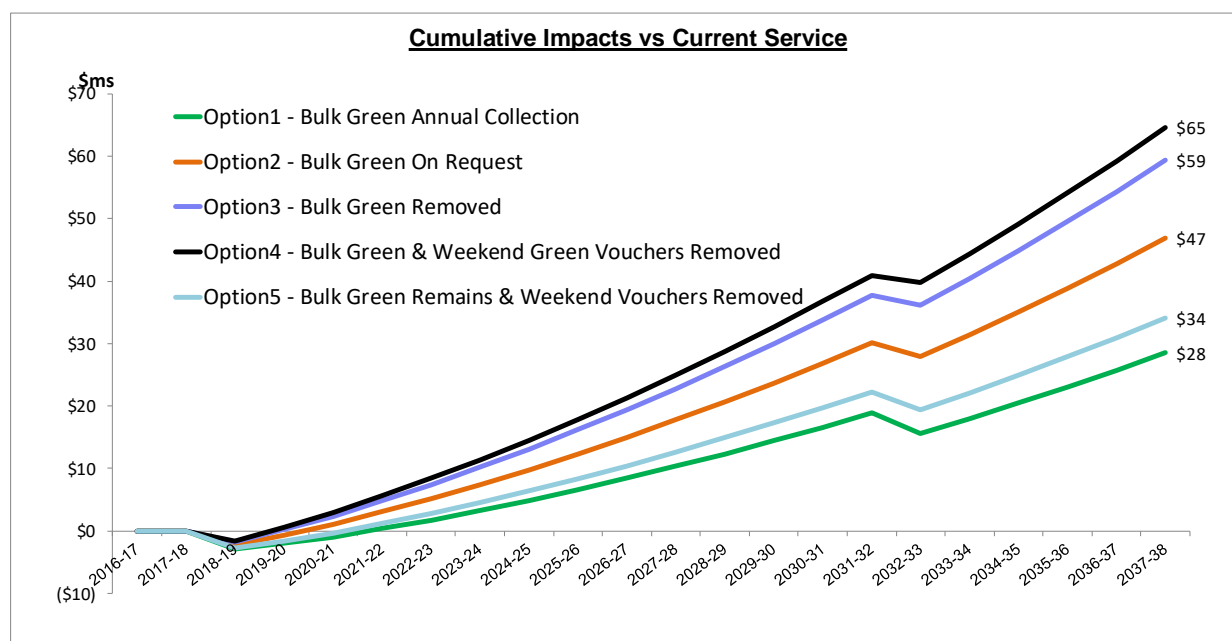
Option Summary Total up to 2037-38 including escalation		AsIs	Option1	Option2	Option3	Option4	Option5
		As Is - Continue with 2 bin system	Bulk Green Annual Collection	Bulk Green On Request	Bulk Green Removed	Bulk Green & Weekend Green Vouchers Removed	Bulk Green Remains & Weekend Vouchers Removed
1	One-off Surplus/(Deficit) \$ms		(\$3.8)	(\$3.8)	(\$3.8)	(\$3.8)	(\$3.8)
Operating Expenses							
2	Domestic (MRC) - Collection \$ms	(\$89.4)	(\$89.4)	(\$89.4)	(\$89.4)	(\$89.4)	(\$89.4)
3	Domestic (MRC) - Processing \$ms	(\$344.0)	(\$236.7)	(\$236.7)	(\$236.7)	(\$236.7)	(\$236.7)
4	Recycling - Collection \$ms	(\$51.1)	(\$51.1)	(\$51.1)	(\$51.1)	(\$51.1)	(\$51.1)
5	Recycling - Processing \$ms	(\$13.8)	(\$17.7)	(\$17.7)	(\$17.7)	(\$17.7)	(\$17.7)
6	Green Waste Bin - Collection \$ms		(\$47.8)	(\$47.8)	(\$47.8)	(\$47.8)	(\$47.8)
7	Green Waste Bin - Processing \$ms		(\$17.1)	(\$18.3)	(\$18.9)	(\$21.3)	(\$19.5)
8	Green Bulk - Collection \$ms	(\$31.8)	(\$31.8)	(\$13.4)	(\$2.1)	(\$2.1)	(\$31.8)
9	Green Bulk - Processing \$ms	(\$6.0)	(\$3.2)	(\$2.0)	(\$0.3)	(\$0.3)	(\$3.0)
10	Green Weekend Vouchers \$ms	(\$7.7)	(\$7.7)	(\$7.7)	(\$7.7)	(\$0.5)	(\$0.5)
11	Bulk Hard Waste - Collection \$ms	(\$36.0)	(\$36.0)	(\$36.0)	(\$36.0)	(\$36.0)	(\$36.0)
12	Bulk Hard Waste - Processing \$ms	(\$20.1)	(\$20.1)	(\$20.1)	(\$20.1)	(\$20.1)	(\$20.1)
13	Materials & Contract Other \$ms	(\$41.4)	(\$41.4)	(\$41.4)	(\$41.4)	(\$40.9)	(\$40.9)
14	Employment Costs \$ms	(\$36.8)	(\$37.6)	(\$37.6)	(\$37.6)	(\$37.6)	(\$37.6)
15	MRC Increased Gate Fee \$ms		(\$2.7)	(\$2.7)	(\$2.7)	(\$2.7)	(\$2.7)
16	Total Operating Expenses \$ms	(\$678.2)	(\$640.4)	(\$621.9)	(\$609.5)	(\$604.2)	(\$634.7)
Operating Income							
17	Total Operating Income \$ms	\$0.8	\$0.8	\$0.8	\$0.8	\$0.8	\$0.8
18	Operating Surplus/(Deficit) \$ms	(\$677.4)	(\$639.5)	(\$621.1)	(\$608.7)	(\$603.4)	(\$633.9)
Asset Replacement							
19	Total Asset Replacement \$ms		(\$5.6)	(\$5.6)	(\$5.6)	(\$5.6)	(\$5.6)
20	Overall Cash Surplus/(Deficit) - \$ms	(\$677.4)	(\$648.9)	(\$630.5)	(\$618.1)	(\$612.8)	(\$643.3)
21	Ranking Rank	6	5	3	2	1	4
22	Difference to Optic \$000s \$ms		\$28.5	\$46.9	\$59.3	\$64.6	\$34.1
23	%		-4.2%	-6.9%	-8.8%	-9.5%	-5.0%

The cash flow table above indicates that Option 1 would have a 4.2% reduction in overall costs compared to the 'as is option', but this steadily improves for the other options if some of the other fixed services are reduced. Option 4 provides the best financial outcome with a 9.5% improvement in costs, a total of \$64.6 million saved over a 20-year period.

For Options 3 and 4 where the green bulk collection and processing costs are shown (lines 8 and 9) even though the services would discontinue, the costs in the table above are the baseline costs (2016-17 and 2017-18). Likewise, for Options 4 and 5 where the green weekend vouchers (Line 10) would discontinue, the costs shown are only for 2016-17 and 2017-18.

Cumulative Cash Flows

The graph below shows the impact of each option on a cumulative basis, versus the 'as is' option. This has the same impact by 2037-38 as the table above but just shows how the savings build up over time. Each option would initially have a negative impact due to the one-off costs. Option 1 would take four years to become positive, Option 2 and Option 5 would take three years and Option 3 and Option 4 would take two years. The spike downwards in 2032-33 relates to the replacement costs of the third bin and increased replacement costs of the recycle bin.



Waste Management Reserve – Projections

The table below provides a snapshot of the Waste Management Reserve for specific years. This shows that after implementation the reserve may be reduced to \$5.8 million, but would then increase over time as interest is earned on the reserve. The snapshot also shows the impact in 2032-33 for the replacement for the third bin.

		Yr -6	Yr 1	Yr 2	Yr 3	Yr15	Yr16	Yr21
		2011-12	2017-18	2018-19	2019-20	2031-32	2032-33	2037-38
A Opening balance	\$ms	3.0	9.0	9.2	5.8	9.6	10.1	5.8
Operating Surpluses	\$ms	1.2	0.1					
Projects	\$ms	(0.2)	(0.2)					
B Net Transfers	\$ms	1.1	(0.1)					
<u>Potential Capital Projects</u>								
360 Litre Recycle Bin	\$ms			(2.0)				
3rd Bin	\$ms			(2.6)				
Lime Green Lid and Changeover cost	\$ms			(0.7)				
Communications	\$ms			(0.1)				
Grant from Waste Authority	\$ms			1.8				
3rd Bin Replacement	\$ms						(5.6)	
C Net Projects	\$ms			(3.6)			(5.6)	
Average Balance, used for Int Calc	\$ms		9.0	7.4	5.8	9.6	7.2	5.8
D Interest	\$ms		0.3	0.2	0.1	0.5	0.4	0.3
E Closing Balance, after Interest	\$ms	4.1	9.2	5.8	5.9	10.1	4.8	6.1

Regional significance

Most of the City's general waste is currently processed at the Resource Recovery Facility (RRF) managed by the MRC on behalf of its seven Member Councils. In 2007, the MRC entered into a 20 year agreement with BioVision whereby BioVision would design, build and operate an RRF on behalf of the MRC. The RRF is designed to process 100,000 tonnes per annum of Municipal Solid Waste (MSW) into a soil enhancer, and currently diverts 51.3% of the material processed from landfill.

The MRC has modelled the impact on the RRF diversion rate and the MRC gate fee if the City of Joondalup introduced a three bin system. The modelling suggests that the RRF diversion rate will reduce from 51.3% to 47.4% and the MRC gate fee will increase by \$2.75 per tonne. If this figure was realised it would reduce the savings by approximately \$96,000. This has been included in the financial assessment.

Sustainability implications

Environmental

The change from a two bin to a three bin system will increase the diversion from landfill and reduce the environmental impacts by reducing the volume of material disposed to landfill and therefore reducing the production of methane and greenhouse gasses.

Community Engagement

The management of waste is a key service provided to all City of Joondalup residents and is subject to high community expectations. Changing to a three bin system for the collection of household general waste is primarily driven by State Government landfill diversion targets, increasing costs to dispose of waste collected and expectations that the City will achieve best practice in alignment with the *Better Bins - Kerbside Collection Guidelines*.

Market research commissioned by the Waste Authority shows that 90% of residents are concerned about the volume of waste produced in Western Australia and are committed to doing what they can to address it. The research further indicates that residents would be willing to use a three bin system if it is supported by an education and information campaign and if feedback is provided to users on the performance of the system.

It is therefore proposed that the City embark upon an extensive community engagement campaign to inform, educate and promote the new service prior, during and post the rollout. The proposed timeframe will allow adequate time for the City to develop the community engagement plan.

COMMENT

Changing from a two bin system to a three bin system provides an opportunity to generate both cost savings for the City and therefore its ratepayers and to reduce the amount of waste that is diverted to landfill.

Looking forward, it is likely that all Waste to Energy facilities will have the requirement to source separate the waste streams and divert as much waste as possible prior to treatment. The introduction of a three bin system will assist the City in meeting this requirement.

Further consideration will need to be given as to whether the bulk green waste vergeside collection service and the weekend greens services remain as are currently provided.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 **ENDORSES** the implementation of a three bin system as per Option 1 as detailed in this Report with rollout commencing in the 2018-19 financial year;
- 2 **NOTES** that the three bin system, in alignment with the Better Bins funding method Preference 1, will consist of the following:
 - 2.1 one 140 litre red lidded general waste bin with an option for householders to opt out of the 140 litre red lidded general waste bin and select a 240 litre red lidded general waste bin;
 - 2.2 one 240 litre lime green lidded garden waste bin;
 - 2.3 one 240 litre or one 360 litre yellow lidded recycling bin;
- 3 **APPROVES** the implementation of a differential pricing system which charges households a lower amount for a 140 litre red lidded general waste bin when compared to a 240 litre red lidded general waste bin;
- 4 **NOTES** that the refuse charge/s will be set as part of the City's annual budget;
- 5 **REQUESTS** the Chief Executive Officer to make an application to the Waste Authority on behalf of the City for grant funding for the rollout of the three bin system;
- 6 **NOTES** the results of the 360 litre bin trial;
- 7 **ENDORSES** the further roll out of the 360 litre recycling bins until the implementation of the three bin system;
- 8 **REQUESTS** that the Chief Executive Officer undertake a review of the bulk green waste collection methodology prior to 30 June 2020.

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf180313.pdf](#)

REPORTS – AUDIT AND RISK COMMITTEE – 6 MARCH 2018

ITEM 16 2017 COMPLIANCE AUDIT RETURN

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	32481, 09492, 101515
ATTACHMENTS	Attachment 1 2017 Compliance Audit Return
AUTHORITY / DISCRETION	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 adopt the City's 2017 Compliance Audit Return (the Return) prior to it being submitted to the Department of Local Government, Sport and Cultural Industries (DLGSC).

EXECUTIVE SUMMARY

The DLGSC Compliance Audit Return for the period 1 January to 31 December 2017 has been completed and is required to be adopted by Council before being submitted to the DLGSC by 31 March 2018.

It is therefore recommended that Council:

- 1 ADOPTS the completed 2017 Local Government Compliance Audit Return for the period 1 January to 31 December 2017 forming Attachment 1 to this Report;*
- 2 in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed Compliance Audit Return as detailed in Part 1 above, to the Department of Local Government, Sport and Cultural Industries.*

BACKGROUND

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires a local government to carry out a compliance audit for the period 1 January to 31 December in each year. After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister. The Audit and Risk Committee is to review the Return before it is presented to Council for adoption.

Regulation 15 requires the Return to be certified by the Mayor and the Chief Executive Officer before being submitted to the DLGSC, along with the relevant section of the minutes, by 31 March next following the period to which the Return relates.

The 2017 Return was made available to local government authorities by the DLGSC via its centralised portal. The 2017 Return is similar to previous years and focuses on high risk areas of compliance and statutory reporting as prescribed in Regulation 13 of the *Local Government (Audit) Regulations 1996*.

An additional category of Integrated Planning and Reporting has been added to the 2017 Return for the first time.

DETAILS

The 2017 Return contains the following compliance categories:

- Commercial Enterprises by Local Governments.
- Delegation of Power / Duty.
- Disclosure of Interest.
- Disposal of Property.
- Elections.
- Finance.
- Integrated Planning and Reporting.
- Local Government Employees.
- Official Conduct.
- Tenders for Providing Goods and Services.

The relevant Managers were required to complete the responses to the questions which were approved by their Director before being forwarded to the Internal Auditor for review. The Return has been completed and is now required to be adopted by Council before being finalised and submitted to the DLGSC by 31 March 2018.

It should be noted that the Return indicates one incident of non-compliance under the category Disclosure of Interest where one employee did not lodge their annual return by 31 August 2017. The employee was on extended leave and submitted their annual return when they returned to work.

Legislation / Strategic Community Plan / policy implications

Legislation Regulations 14 and 15 of the *Local Government (Audit) 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 by the community.

Risk management considerations

The risk associated with Council failing to adopt the 2017 Return would result in non-compliance with the legislative requirements of the *Local Government (Audit) Regulations 1996*.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The responses in the 2017 return reveal a high level of compliance by the City with legislation.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Audit and Risk Committee at its meeting held on 6 March 2018.

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

RECOMMENDATION

That Council:

- 1 ADOPTS the 2017 Local Government Compliance Audit Return for the period 1 January 2017 to 31 December 2017 forming Attachment 1 to this Report;**
- 2 in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*, SUBMITS the completed 2017 Compliance Audit Return as detailed in Part 1 above to the Department of Local Government, Sport and Cultural Industries.**

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf180313.pdf](#)

ITEM 17 EXTERNAL MEMBER TO AUDIT AND RISK COMMITTEE

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	107022, 101515
ATTACHMENTS	Nil
AUTHORITY / DISCRETION	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 its options regarding the appointment of an external member to the Audit and Risk Committee.

EXECUTIVE SUMMARY

The former Audit Committee was renamed the Audit and Risk Committee at the Special Meeting of Council held on 6 November 2017, following the local government elections in October 2017. For the purposes of this report it is referred to as the committee.

The last external member of the committee resigned on 10 January 2013.

During May / June 2013 the City sought expressions of interest to fill the vacant position, however no submissions were received.

During December 2013 the expressions of interest process was recommenced. Five expressions of interest were received and presented to the committee at its meeting held on 10 March 2014 (Item 4 refers) for consideration. The committee recommended one of the candidates be appointed as the external member subject to a satisfactory interview. Following the interview held on 8 April 2014, it was decided not to appoint the candidate as the external member to the committee.

The position of external member to the committee has remained vacant since January 2013, with subsequent restructuring of the committee in 2015 and 2017 not including any external member representation in its composition.

At its meeting held on 13 November 2017, the Audit and Risk Committee resolved as follows:

“That the Audit and Risk Committee request the Chief Executive Officer prepare a Report on the appointment of an External Member to the Audit and Risk Committee through an expression of interest process.”

It is therefore recommended that Council:

- 1 *AGREES in-principle to amend the composition of the Audit and Risk Committee to include external member representation;*
- 2 *REQUESTS the Chief Executive Officer to advertise for expressions of interest for the position of external member of the Audit and Risk Committee;*
- 3 *AGREES the external member is required to be a resident of the City of Joondalup and / be enrolled to vote in the elections for the City in accordance with the provisions of the Local Government Act 1995;*
- 4 *AGREES the external member will be reimbursed for expenditure relating to attendance at meetings of the Audit and Risk Committee in accordance with Regulation 31(1) of the Local Government (Administration) Regulations 1996.*

BACKGROUND

The former Audit Committee was established at the ordinary Council meeting held on 14 March 2000 (CJ042-03/00 refers). The purpose of the committee at that time was to oversee the internal and external audit, risk management and compliance functions of the City.

At that time the committee comprised seven Elected Members plus an independent external member. The previous external member resigned from the committee 10 January 2013.

The committee and subsequently Council considered the issue of appointing a replacement external member. At its meeting held on 16 April 2013 (CJ057-04/13 refers), Council resolved to call for expressions of interest to fill the position of external member to the committee.

The expressions of interest process commenced on 16 May 2013 and concluded on 3 June 2013, with the following activities undertaken to encourage expressions of interest:

- Advertisement placed in the *Joondalup Weekender*.
- Email distributed to CPA Australia and the Institute of Chartered Accountants, requesting they inform their members of the opportunity.
- Public notice placed on the City's website directing interested applicants to an information pack developed for prospective members.
- Development of an online form to simplify the expression of interest process.

Despite the City undertaking both a community based advertising approach, as well as a targeted approach of finance professionals, no submissions were received and no enquiries were received by City officers regarding the external member vacancy.

This outcome was reported to the committee at its meeting held on 12 August 2013 and subsequently resolved by Council at its meeting held on 24 September 2013 (CJ184-09/13 refers) as follows:

"That Council leave the position of external member to the Audit Committee vacant and reconsider an appointment following the October 2013 local government elections."

Following the local government elections, the expression of interest process was recommenced on 28 November 2013 and concluded on 13 December 2013. An advertisement was placed in the *Joondalup Weekender* and on the City's website.

The advertisement stipulated that applicants must meet the following essential criteria:

- Be a member of CPA Australia or the Institute of Chartered Accountants.
- Demonstrate their knowledge and experience of:
 - Business or financial management / reporting
 - Risk management systems and procedures
 - Internal business controls
 - Legislative compliance programs.

The following attributes were considered to be preferential criteria:

- Exposure to local government financial management and reporting.
- Reside within the City of Joondalup and / or be enrolled to vote in the elections for the City in accordance with the provisions of the *Local Government Act 1995*.

Five expressions of interest were received and provided to the committee at its meeting held on 10 March 2014 (Item 4 refers) for consideration in appointing an external member to the committee. It was resolved that Council appoint one of the candidates as the external member of the committee for a term to expire in October 2015, subject to a satisfactory interview with the Presiding Member of the committee, the Chief Executive Officer and the Director Corporate Services.

An interview was held on 8 April 2014, following which it was decided not to appoint the preferred candidate as the external member of the committee.

Following the 2015 elections and the restructuring of the committee, the committee was re-established by Council without an external member in its composition. Following the 2017 local government elections the committee was re-established as the Audit and Risk Committee, again without an external member representative in its composition.

DETAILS

The former position of external member remained vacant from January 2013 to October 2015, following which subsequent committees have been established by Council without any external member representation. Following the resolution of the committee at its meeting held on 13 November 2017 Council is consider whether to include an external member in the committee composition and if so, to commence appointment by an Expression of Interest process.

Should Council agree in-principle to amend the composition of the committee to include an external member, it is considered the appointment process ought to commence and once a suitable incumbent selected, then a further report be presented to Council to formally amend the composition of the committee and appoint the preferred applicant at that time. This removes any issue associated with creating the position and it remaining vacant until an appointment is made, thereby resolving any quorum issues.

Issues and options considered

Council can either:

- amend the composition of the committee to include the position of external member
or
- leave the composition of the committee as is.

If Council decides to include an external member in the committee composition, further points to be considered for the appointment of such a member include:

- the qualifications and experience required for the position of external member
- if the external member should be a resident of the City
- if the external member is to be reimbursed for expenses incurred.

Section 5.100 of the *Local Government Act 1995* relates to payments for certain committee members and prevents the City from paying an attendance fee to the external member. The City can however decide to reimburse the external member any expenditure incurred.

5.100 Payments for certain committee members

- (1) *A person who is a committee member but who is not a council member or an employee is not to be paid a fee for attending any committee meeting.*
- (2) *Where –*
- (a) *a local government decides that any person who is a committee member but who is not a council member or an employee is to be reimbursed by the local government for an expense incurred by the person in relation to a matter affecting the local government; and*
- (b) *a maximum amount for reimbursement of expenses has been determined for the purposes of section 5.98(3)(b),*
- the local government must ensure that the amount reimbursed to that person does not exceed that maximum.*

It should be noted that the previous external member to the committee was a resident of the City and did not receive any reimbursements from the City relating to attendance at meetings of the committee. If Council decides to reimburse the external member for expenditure incurred and associated with attending meetings of the committee, these are limited to the following:

- Rental charges for a telephone and facsimile connection.
- Child care and travel costs.

Furthermore, the extent of reimbursement is limited by annual determination of the Salaries and Allowances Tribunal (the Tribunal). The current reimbursement limits are as follows:

Expense type	Amount payable
Child care expenses rate	Up to \$25 / hour.
Telephone Rental Charges	Actual cost.

The travel reimbursement rates for elected members and committee members are those set under Section 30.6 of the *Local Government Officers' (Western Australia) Interim Award 2011*. The rates are as follows:

Engine displacement (in cubic centimetres)			
Area and Details	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
Cents per kilometre			
Metropolitan area	93.97	67.72	55.85
South West Land Division	95.54	68.66	56.69
North of 23.5 Latitude	103.52	74.12	61.21
Rest of state	99.01	70.87	58.37
Motor cycle	Rate c/km		
Distance travelled	32.55		

The following table provides details relating to the external members of a selection of other local governments:

Local Government	Has an external member?	Required to be a local resident?
City of Stirling	Yes	No
City of Melville	Yes	Yes
City of Perth	Yes	No
City of Wanneroo	No	N/A

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
Local Government (Administration) Regulations 1996.
Local Government (Audit) Regulations 1996.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Active democracy.

Strategic initiative

Optimise opportunities for the community to access and participate in decision-making processes.

Policy

Not applicable.

Risk management considerations

Appointing an external member to the committee reduces the risks associated with being perceived as non-objective or non-independent. The introduction of valuable skills and qualifications contributes to the committee's reviewing and decision-making responsibilities.

Financial / budget implications

If it is determined that the external member may be reimbursed for expenses this will have minor budget implications.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Should Council determine to amend the committee composition to include an external member and commence the process to appoint, the position will be advertised in the local newspaper. If it is determined that the external member is not required to be a resident of the City of Joondalup the position could also be advertised to a wider audience online.

COMMENT

The previous external member added value to the role of the committee through their experience, qualifications and independence. The inclusion of an external member warrants merit by meeting strategic initiatives of the City and offers an impartial view of the City's systems of internal control, risk management, legislative compliance and internal and external audit reporting.

It is therefore recommended that Council agrees in-principle to amend the committee composition to include an external member, enabling the Chief Executive Officer to commence the Expression of Interest process of appointing an external member to the Audit and Risk Committee.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Audit and Risk Committee at its meeting held on 6 March 2018.

The original recommendation as presented by City officers to the committee is as follows:

That Council:

- 1 *AGREES in-principle to amend the composition of the Audit and Risk Committee to include external member representation;*
- 2 *REQUESTS the Chief Executive Officer to advertise for expressions of interest for the position of external member of the Audit and Risk Committee;*
- 3 *CONSIDERS if the external member is required to be a resident of the City of Joondalup and / be enrolled to vote in the elections for the City in accordance with the provisions of the Local Government Act 1995;*
- 4 *AGREES the external member will be reimbursed for expenditure relating to attendance at meetings of the Audit and Risk Committee in accordance with Regulation 31(1) of the Local Government (Administration) Regulations 1996.*

The committee's subsequent recommendation to Council is as follows (changes identified):

That Council:

- 1 *AGREES in-principle to amend the composition of the Audit and Risk Committee to include external member representation;*
- 2 *REQUESTS the Chief Executive Officer to advertise for expressions of interest for the position of external member of the Audit and Risk Committee;*
- 3 *AGREES the external member is required to be a resident of the City of Joondalup and / be enrolled to vote in the elections for the City in accordance with the provisions of the Local Government Act 1995;*
- 4 *AGREES the external member will be reimbursed for expenditure relating to attendance at meetings of the Audit and Risk Committee in accordance with Regulation 31(1) of the Local Government (Administration) Regulations 1996.*

RECOMMENDATION**That Council:**

- 1 AGREES in-principle to amend the composition of the Audit and Risk Committee to include external member representation;**
- 2 REQUESTS the Chief Executive Officer to advertise for expressions of interest for the position of external member of the Audit and Risk Committee;**
- 3 AGREES the external member is required to be a resident of the City of Joondalup and / be enrolled to vote in the elections for the City in accordance with the provisions of the *Local Government Act 1995*;**
- 4 AGREES the external member will be reimbursed for expenditure relating to attendance at meetings of the Audit and Risk Committee in accordance with Regulation 31(1) of the *Local Government (Administration) Regulations 1996*.**

REPORT OF THE CHIEF EXECUTIVE OFFICER

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

CR NIGE JONES – STRATEGIC APPROACH TO THE NEEDS OF SOCCER CLUBS WITHIN THE CITY OF JOONDALUP

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Jones has given notice of his intention to move the following Motion at the Council meeting to be held on 20 March 2018:

“That Council ENDORSES the following new strategic position statement relating to the forming of a second A League Football (Soccer) team in Western Australia:

“In the event that the Australian A League decides to establish a second A League Football (Soccer) team in Western Australia, the City of Joondalup supports the licence being located within the City of Joondalup.”.

REASON FOR MOTION

In 2017 the Mayor met with Football West and discussed the high probability of a further A League Team from Perth. Joondalup with its high soccer involvement and three National Premier League teams was considered a good fit for the location of a second A League team from Western Australia. Football West acknowledges that the North-West corridor of Perth is a major growth corridor for soccer.

OFFICER'S RECOMMENDATION

To enable the Council to make an informed decision in regards to the proposed Position Statement, it is suggested that a report be prepared by the Chief Executive Officer that will examine the proposal and provide relevant information before the Council considers the Notice of Motion.

REPORTS REQUESTED BY ELECTED MEMBERS

CLOSURE



DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

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

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

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

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

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

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

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

QUESTIONS

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Please submit this form at the meeting or:

- email to council.questions@joondalup.wa.gov.au

Please note that:

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



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

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

STATEMENT

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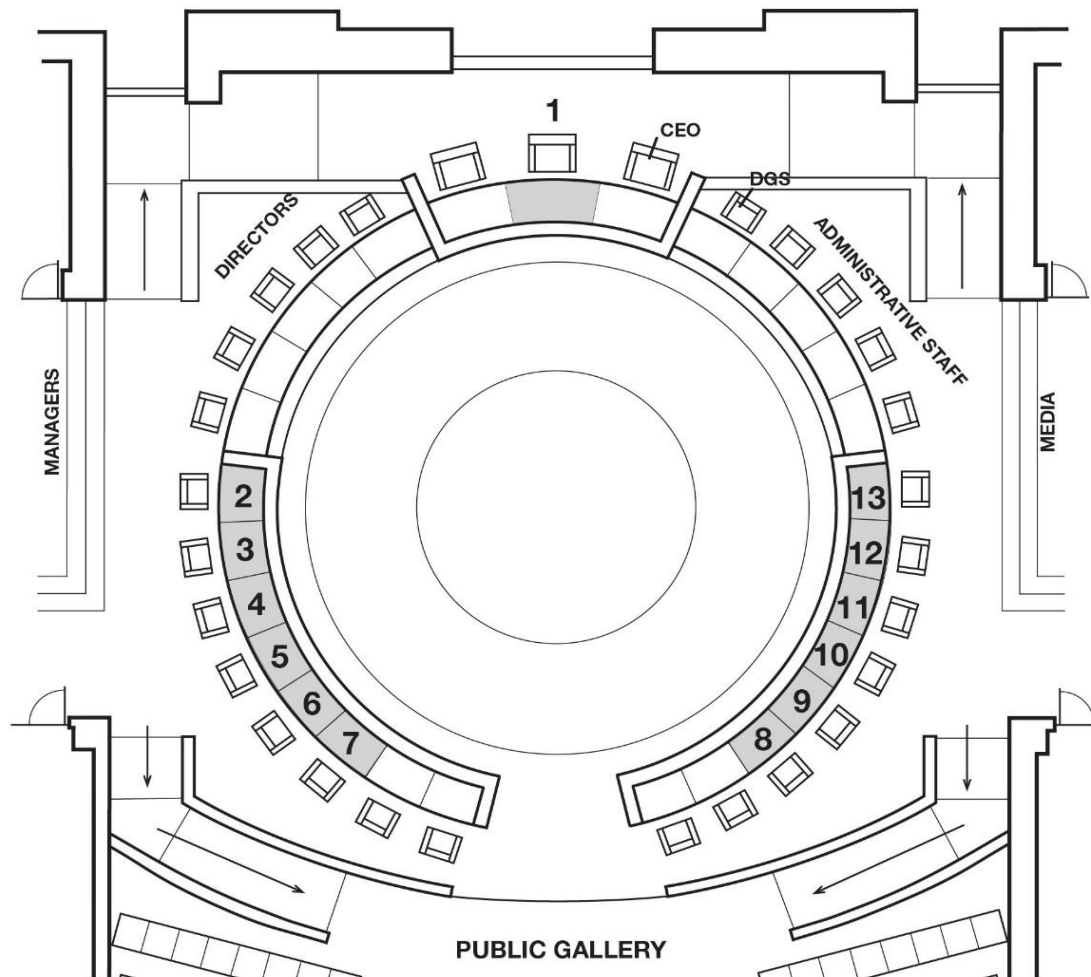
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Please submit this form at the meeting.

Please note that:

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

Council Chamber – Seating Diagram



Mayor

1 His Worship the Mayor, Hon. Albert Jacob, JP (Term expires 10/21)

North Ward

- 2 Cr Kerry Hollywood (Term expires 10/21)
- 3 Cr Tom McLean, JP (Term expires 10/19)

North-Central Ward

- 4 Cr Philippa Taylor (Term expires 10/21)
- 5 Cr Nige Jones (Term expires 10/19)

Central Ward

- 6 Cr Christopher May (Term expires 10/21)
- 7 Cr Russell Poliwka (Term expires 10/19)

South-West Ward

- 8 Cr Christine Hamilton-Prime (Term expires 10/21)
- 9 Cr Mike Norman (Term expires 10/19)

South-East Ward

- 10 Cr John Chester (Term expires 10/21)
- 11 Cr John Logan (Term expires 10/19)

South Ward

- 12 Cr Russ Fishwick, JP (Term expires 10/21)
- 13 Cr Sophie Dwyer (Term expires 10/19)