

# minutes

MEETING HELD ON **TUESDAY 21 AUGUST 2018**

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

***This document is available in alternate formats upon request***

## TABLE OF CONTENTS

ITEM NO.	TITLE	PAGE NO.
	<b>DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS</b>	<b>1</b>
	<b>DECLARATIONS OF INTEREST</b>	<b>2</b>
	<b>PUBLIC QUESTION TIME</b>	<b>3</b>
C66-08/18	<b>EXTENSION OF PUBLIC QUESTION TIME</b>	
	<b>PUBLIC STATEMENT TIME</b>	<b>9</b>
	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	<b>10</b>
C67-08/18	REQUESTS FOR LEAVE OF ABSENCE – CRS SOPHIE DWYER AND JOHN LOGAN	10
	<b>CONFIRMATION OF MINUTES</b>	<b>11</b>
C68-08/18	MINUTES OF COUNCIL MEETING HELD 17 JULY 2018	11
	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>11</b>
	<b>IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC</b>	<b>12</b>
	<b>PETITIONS</b>	<b>13</b>
C69-08/18	PETITION REQUESTING AMENDMENT OF THE TERMS OF REFERENCE OF THE EDGEWATER QUARRY COMMUNITY REFERENCE GROUP (EQCRG)	13
C70-08/18	PETITION REQUESTING THE INSTALLATION OF A 'NO STANDING ZONE' TRINITY VILLAGE, 7 BEDDI ROAD, DUNCRAIG	13
C71-08/18	PETITION REQUESTING INSTALLATION OF A BMX DIRT TRACK AT KALLAROO PARK, KALLAROO	13
	<b>REPORTS</b>	<b>14</b>
CJ129-08/18	DEVELOPMENT AND SUBDIVISION APPLICATIONS – JUNE 2018	14
CJ130-08/18	PROPOSED DEVELOPMENT APPLICATION FOR 14 MULTIPLE DWELLINGS AT LOT 125 (1) AND LOT 126 (3) CHIPALA COURT, EDGEWATER – SECTION 31 RECONSIDERATION UNDER STATE ADMINISTRATIVE TRIBUNAL ACT 2004	19

ITEM NO.	TITLE	PAGE NO.
CJ131-08/18	PROPOSED MACNAUGHTON LOCAL DEVELOPMENT PLAN – CONSIDERATION FOLLOWING PUBLIC CONSULTATION	40
CJ132-08/18	YOUTH DRIVER EDUCATION SUPPORT PROGRAM	47
<b>C72-08/18</b>	<b>EXTENSION OF TIME TO SPEAK</b>	<b>59</b>
CJ133-08/18	PROPOSED AMENDMENTS TO THE REGISTER OF DELEGATION OF AUTHORITY	60
CJ134-08/18	MODERNISING WESTERN AUSTRALIA'S PLANNING SYSTEM GREEN PAPER – CITY OF JOONDALUP SUBMISSION	65
CJ135-08/18	EXECUTION OF DOCUMENTS	75
CJ136-08/18	MINUTES OF EXTERNAL COMMITTEES	78
CJ137-08/18	CORPORATE BUSINESS PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 APRIL TO 30 JUNE 2018	85
CJ138-08/18	CORPORATE BUSINESS PLAN REVIEW 2018-19 to 2022-23	93
CJ139-08/18	WASTE AMENDMENT LOCAL LAW 2018 – ADOPTION	98
CJ140-08/18	CRAIGIE BUSHLAND MANAGEMENT PLAN	102
CJ141-08/18	FUNDING FOR THE DUYFKEN REPLICA	109
CJ142-08/18	APPOINTMENT OF NORTH WARD COMMUNITY REPRESENTATIVE FOR STRATEGIC COMMUNITY REFERENCE GROUP	116
CJ143-08/18	LIST OF PAYMENTS DURING THE MONTH OF JUNE 2018	120
CJ144-08/18	FINANCIAL ACTIVITY STATEMENTS FOR THE PERIOD ENDED 30 JUNE 2018 (SUBJECT TO END OF YEAR FINALISATION)	123
CJ145-08/18	COMMUNITY SPORTING AND RECREATION FACILITIES FUND APPLICATION – 2019-20 ANNUAL GRANT	130
CJ146-08/18	COMMUNITY SPORTING AND RECREATION FACILITIES FUND SMALL GRANT APPLICATION PROPOSED INSTALLATION OF CRICKET PRACTICE NETS	137
CJ147-08/18	TENDER 008/18 - PLUMBING MAINTENANCE SERVICES AND MINOR PLUMBING WORKS OF VALUE LESS THAN \$50,000	143
CJ148-08/18	TENDER 014/18 - PROVISION OF IRRIGATION ELECTRICAL SERVICES	151

ITEM NO.	TITLE	PAGE NO.
CJ149-08/18	TENDER 013/18 - SUPPLY AND DELIVERY OF MOBILE GARBAGE BINS AND SPARE PARTS	158
CJ150-08/18	STOP PUPPY FARMING CONSULTATION	167
	<b>REPORTS – MAJOR PROJECTS AND FINANCE COMMITTEE – 16 JULY 2018</b>	174
CJ151-08/18	CONFIDENTIAL – JOONDALUP CITY CENTRE DEVELOPMENT – PROJECT STATUS	174/206
CJ152-08/18	DRAFT 20 YEAR STRATEGIC FINANCIAL PLAN 2018 (2017-18 TO 2036-37)	175
	<b>REPORTS – AUDIT AND RISK COMMITTEE – 8 AUGUST 2018</b>	193
CJ153-08/18	AMENDMENTS TO LOCAL GOVERNMENT REGULATIONS	193
<b>C73-08/18</b>	<b>MOTION TO CHANGE ORDER OF BUSINESS</b>	<b>199</b>
<b>C74-08/18</b>	<b>COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION</b>	<b>200</b>
CJ154-08/18	CONFIDENTIAL – APPOINTMENT OF EXTERNAL MEMBER TO AUDIT AND RISK COMMITTEE	201/208
	<b>REPORT OF THE CHIEF EXECUTIVE OFFICER</b>	<b>202</b>
CJ155-08/18	CONFIDENTIAL - EMPLOYMENT CONTRACT - DIRECTOR GOVERNANCE AND STRATEGY	202/210
	<b>URGENT BUSINESS</b>	<b>203</b>
	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>203</b>
C75-08/18	NOTICE OF MOTION NO. 1 – MAYOR ALBERT JACOB – DRONE USAGE IN THE CITY OF JOONDALUP	203
C76-08/18	NOTICE OF MOTION NO. 2 – CR MIKE NORMAN – USE OF RECYCLED MATERIALS IN CITY INFRASTRUCTURE	205
CJ151-08/18	CONFIDENTIAL – JOONDALUP CITY CENTRE DEVELOPMENT – PROJECT STATUS	206/174
CJ154-08/18	CONFIDENTIAL – APPOINTMENT OF EXTERNAL MEMBER TO AUDIT AND RISK COMMITTEE	208/201
CJ155-08/18	CONFIDENTIAL - EMPLOYMENT CONTRACT - DIRECTOR GOVERNANCE AND STRATEGY	210/202

<b>ITEM NO.</b>	<b>TITLE</b>	<b>PAGE NO.</b>
	<b>ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING</b>	<b>213</b>
	<b>CLOSURE</b>	<b>213</b>

# CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON TUESDAY 21 AUGUST 2018.**

## DECLARATION OF OPENING

The Mayor declared the meeting open at 12.01pm.

## ANNOUNCEMENT OF VISITORS

### Mayor:

HON. ALBERT JACOB, JP

### Councillors:

CR KERRY HOLLYWOOD	North Ward
CR TOM McLEAN, JP	North Ward
CR PHILIPPA TAYLOR	North Central Ward
CR NIGE JONES	North Central Ward
CR CHRISTOPHER MAY	Central Ward
CR CHRISTINE HAMILTON-PRIME	South-West Ward
CR MIKE NORMAN	South-West Ward
CR JOHN CHESTER	South-East Ward
CR JOHN LOGAN	South-East Ward
CR RUSS FISHWICK, JP	South Ward
CR SOPHIE DWYER	South Ward

### Officers:

MR GARRY HUNT	Chief Executive Officer
MR MIKE TIDY	Director Corporate Services
MR JAMIE PARRY	Director Governance and Strategy
	<i>Absent from 2.08pm to 2.09pm</i>
MS DALE PAGE	Director Planning and Community Development
	<i>Absent from 1.05pm to 1.07pm</i>
MR NICO CLAASSEN	Director Infrastructure Services
MR BRAD SILLENCE	Manager Governance
MR CHRIS LEIGH	Manager Planning Services
MR MARK McCRORY	Manager Marketing and Communications
MR BLIGNAULT OLIVIER	Manager City Projects
MR DANIEL DAVINI	Media Advisor
MRS DEBORAH GOUGES	Acting Governance Coordinator
MRS LESLEY TAYLOR	Governance Officer
MRS WENDY COWLEY	Governance Officer

There were 117 members of the public and one member of the press in attendance.

## DECLARATIONS OF INTEREST

### Disclosures of Financial / Proximity Interest

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

<b>Name/Position</b>	<b>Cr Russell Poliwka.</b>
<b>Item No./Subject</b>	CJ151-08/18 - Confidential – Joondalup City Centre Development – Project Status.
<b>Nature of interest</b>	Proximity Interest.
<b>Extent of Interest</b>	Cr Poliwka owns property at 53 Davidson Terrace, across the road from Lots C and A.

*Cr Poliwka was not in attendance at this meeting.*

<b>Name/Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No./Subject</b>	CJ155-08/18 - Confidential – Employment Contract – Director Governance and Strategy.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Parry holds the position of Director Governance and Strategy.

### Disclosures of interest affecting impartiality

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

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No./Subject</b>	CJ154-08/18 - Confidential - Appointment of External Member to Audit and Risk Committee.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	One of the applicants is known to Cr McLean.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No./Subject</b>	CJ154-08/18 - Confidential - Appointment of External Member to Audit and Risk Committee.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	One of the applicants is known to Cr Hamilton- Prime.

**PUBLIC QUESTION TIME**

**The following questions were submitted prior to the Council meeting on 21 August 2018:**

**Mr K Bevan, Currambine:**

*Re: Small Business Infringements and Impound Fees.*

*Q1 Why does the City of Joondalup in it's wisdom double dip on infringements issued to small businesses by not only fining, but also charging "impound fees" for what basically amounts to the return of stolen equipment?*

*A1 The City of Joondalup Local Government and Public Property Local Law 2014 enforces provisions around the use of the City's land, including the placement of signs on verges and road reserves.*

As the placement of signs on verges is an offence under the local law, due to safety issues for pedestrians and road users, an infringement fee applies for such an offence. As the City incurs costs associated with the removal and storage of impounded goods an impound fee also applies should the goods wish to be collected.

**Mr M Moore, Edgewater:**

*Re: Draft Local Planning Scheme 3 – Proposed Private Clubs, Institutions and Places of Worship Sites.*

*Q1 Where these sites have buildings on them, are any of them going to be leased to private clubs and the like?*

*A1 In relation to City-owned sites, several buildings are already partly or wholly leased or licensed to community groups and government departments to deliver services such as child health centres, or are otherwise hireable facilities.*

If the City is approached by external organisations to lease or license facilities, tenure arrangements are developed in accordance with the City's *Property Management Framework*.

*Q2 Are any of the sites with buildings on them going to be sold?*

*A2 There are currently no plans to dispose of any City-owned sites that are proposed to be zoned Private Community Purposes under Local Planning Scheme No. 3 (previously known as Private Clubs, Institutions and Places of Worship). Council's consideration and approval is required to dispose of City-owned sites.*

*Q3 Are any of the vacant sites going to be leased to private clubs and the like?*

*A3 There are currently no plans to lease any vacant City-owned sites that are proposed to be zoned Private Community Purposes under Local Planning Scheme No. 3 (previously known as Private Clubs, Institutions and Places of Worship).*



Q4 *Are any of the vacant sites going to be sold?*

A4 There are currently no plans to dispose of any City-owned sites that are proposed to be zoned Private Community Purposes under *Local Planning Scheme No. 3* (previously known as Private Clubs, Institutions and Places of Worship). Council's consideration and approval is required to dispose of City-owned sites.

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

**Eden Gringart - The Montessori School:**

Q1 *What is the local government doing to support our indigenous community and work towards reconciliation, and how can we as young Australians get involved?*

A1 The City of Joondalup recognises the importance of local tradition and incorporates local indigenous culture into a variety of initiatives to help foster a community of respect and understanding.

Some examples of initiatives offered by the City of Joondalup to support reconciliation includes the following:

- Annual NAIDOC Week activities.
- A dedicated indigenous collection of books and at Joondalup Libraries.
- Guided bush tucker tours.
- Environmental programs with schools that focus on the Aboriginal connection to the land.
- Annual Art, Cultural and Library programs for people of all ages that incorporate indigenous culture.
- A Local History collection, with the City being the custodian of stories, memorabilia and significant items that have been donated by local indigenous people.

The City of Joondalup is investigating the potential to develop a Reconciliation Action Plan (RAP) to formalise its commitments toward reconciliation.

**Cooper Chappel-Wood – Belridge Secondary College:**

Q1 *What is the City of Joondalup doing to engage youth in our local area?*

A1 The City of Joondalup's Youth Services team offer a wide range of programs for young people in the City, such as:

- youth outreach in public places
- youth drop-in centres at Heathridge and Currabine
- school holiday programs
- the Youth Truck and
- lots of different events.

As part of these programs, the City engages with young people continually about the issues and topics that are important to them.

The City has a dedicated Youth Services Facebook page which provides a great opportunity for young people to connect directly with the City of Joondalup Youth Services.

The Youth Forum held earlier today as part of Local Government week is another example of how the City engages with young people in a meaningful way in seeking their views on issues that are most relevant to them.

Last month, the City engaged with young people towards development of a BMX, Skate and Youth Outdoor Recreation Strategy. The City held focus groups, talked with young people in lots of different settings and received over 500 surveys back.

The City also has the Community Engagement network, which is an opt-in network of residents and community stakeholders who are interested in being engaged by the City on an ongoing basis. The City encourages young people to become members of this network.

### **Jessica Firth – Belridge Secondary College:**

**Q1** *Will China's decision to cut back on processing recycled materials have any impact on recycling in the City of Joondalup?*

**A1** China has been in the process of reducing waste imports since 2013. Initial changes were introduced due to the quality of materials being received in China. Many materials contained too much contamination which lead to extra expense for the Chinese and an increase in non-recyclable material requiring disposal by China. China has been one of the larger markets for recycling so changes are being felt around the globe. There are many countries that accept material for recycling and although the City does not have any direct links with overseas countries and their recyclers, the City's material has continued to be successfully recycled.

The City's organised domestic recycling collections are processed in Guildford WA. The individual materials are sorted, baled and on sold to recycling commodity brokers who arrange export. Unfortunately, local infrastructure in WA is not at a level to be able to remanufacture all of the recyclable materials.

The City's recycling processor (Cleanaway) operates the Guildford Recovery Facility and exports paper and cardboard to paper mills in India, China, Indonesia, Malaysia, Korea, Thailand and Vietnam. The material is remade into new paper and cardboard products. Bales of plastic bottles are exported to plastic processors in China, Malaysia and Vietnam, who wash and shred the plastic to create a clean input for Asian plastic product manufacturers. Bales of aluminium cans are transported to Sims Metal Management, where they are compacted and containerised for export to aluminium furnaces to be made into aluminium based products. Bales of steel cans are also transported to Sims Metal Management where the steel is shredded in Kwinana and sent in bulk loads to steel furnaces to be made into steel rebar and other construction materials. Glass is crushed and cleaned on site and reused locally as a sand replacement in road base, retaining blocks and drainage material.

The changes in China are impacting the cost of recycling but it is unlikely that this will impact the City in the short term.

**Rachel Snape – St Mark’s Anglican Community School:**

Q1 *Between 2006 and 2011, Perth achieved a 28.6% growth rate in the number of bicycle commuters, the greatest increase of all major Australian cities. For young people in the City of Joondalup, cycling is a major form of transport both to and from school and to take advantage of the numerous recreation, cultural, and other facilities operated by the Council. Our observations are that there is a lack of suitable bike racks and safe storage facilities around our local area. Is there a way the City could alleviate this problem?*

A1 The City’s *Bike Plan 2016-2021* provides for bicycle infrastructure such as bike racks within the City of Joondalup. Popular locations such as the Coastal Shared Path from Burns Beach to Marmion including attached parks have bike racks provided at key locations.

Bike racks are also included at most City buildings where bikes can be securely locked to. Where there are further opportunities to locate bike racks for community buildings and facilities, the City will arrange installation.

It is important to note that bike racks need to be strategically placed where bike riders want to stop and leave their bikes.

The City notes your comment that there is “a lack of bike racks and safe storage facilities in your local area”. The City encourages you to provide locations where additional bike racks could be considered. By working together, the City can provide “end of trip facilities” where possible and encourage more bike riding.

Should locations identified be not under the control of the City (such as shopping centres and state government land) the City will liaise with the relevant land manager.

**Boyd Heyden – West Coast Secondary Education Support Centre:**

Q1 *What can be done about the traffic chaos outside our school at 3pm?*

A1 The issue of high volumes of school traffic in the afternoon peak periods affects the majority of schools throughout the City and wider Perth metropolitan area. This is due to a high number of students being picked up and therefore vehicle demand is intense and high for the 15 to 20 minute period after the school bell. Wet weather can further exacerbate the congestion around this time.

Resolving traffic issues around schools in the afternoon period is difficult and requires individuals to choose alternative means of getting to and from school. Some of the schools within the City have staggered their finishing times to reduce demand, however that is a decision that would need to be made by the school. Another alternative is to encourage the wider school community to take public transport, or to walk or cycle to reduce the number of vehicles within the school precinct at the end of the day.

**Ayden Ault – West Coast Secondary Education Support Centre:**

Q1 *Are there any plans for more BMX parks, like the one at Barridale, to be built?*

A1 The City currently has eight BMX tracks and two skate parks. The BMX Pump and Jump track recently installed at Shepherds Bush, near Barridale Park, has proven incredibly popular. The City recently sought community input to better understand the needs of the community regarding the provision of BMX, skate and outdoor recreation facilities. The aim of this consultation was to seek views on size, types and possible locations of new outdoor recreation facilities. The information will be used to help guide the City in the planning and development of facilities.

Currently the City does not have any specific plans to build another BMX track, although it is anticipated that a draft strategy report will be tabled at a future Council meeting outlining priorities for the future.

**BMX Track Locations**

<b>Park Name</b>	<b>Suburb</b>
Candlewood Park	Joondalup
Kanangra Reserve	Greenwood
Galston Park	Duncraig
Haddington Park	Beldon
Shepherds Bush	Kingsley
Mentieth Park	Kinross
Triton Park	Mullaloo
Quarry Ramble	Edgewater

C66-08/18

**EXTENSION OF PUBLIC QUESTION TIME - [01122, 02154]**

**MOVED Mayor Jacob, SECONDED Cr Hollywood that Public Question Time be extended for a period of 10 minutes.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**Mr A Hill, Burns Beach:**

*Re: Project Review for Joondalup Performing Arts and Cultural Facility.*

Q1 *At the Major Projects and Finance Committee meeting held in 2017 it was stated a reduced cost design would be produced and funding opportunities were being explored. Has the reduced cost design and exploration of funding opportunities commenced?*

A1 The Chief Executive Officer advised the review of the design is underway and funding options have been identified, however until the design review is complete it is problematic to address the funding.

Q2 *What is the schedule for completion for the reduced cost design and the exploration of funding opportunities?*

A2 The Chief Executive Officer advised the schedule is expected to be ready by November 2018.

**Mr K Bevan, Currambine:**

*Re: Small Business Infringements and Impound Fees.*

Q1 *Why does the City of Joondalup in its wisdom double dip on infringements issued to small businesses by not only fining, but also charging "impound fees" for what basically amounts to the return of stolen equipment?*

A1 The Director Corporate Services advised signs illegally placed on City verges is an offence and will incur an infringement. The signs will then be removed and impounded so they no longer cause issues on the verge. A fee is charged for the release of the sign and is related to the costs of the removal and impounding.

Q2 *Why is there no act of goodwill shown to small businesses?*

A2 Mayor Jacob advised there was a call from Council for a report to examine signage issues in commercial areas of the City. Impoundment fees apply to all signs illegally placed on City verges and are charged to recover the costs of removal and impoundment of the illegally placed signs.

**Mrs B Hewitt, Edgewater - representing the Edgewater Community Residents Association:**

*Re: Housing Opportunity Areas (HOAs).*

Q1 *Please advise in detail what progress has been made towards actual consultation with the community in regards to the HOAs?*

A1 The Director Planning and Community Development advised consultants were appointed at the end of July 2018 and inception meetings with the City have been held. Consultants are currently reviewing past documentation associated with the *Local Housing Strategy* (which includes consultation processes) and have finalised preparations of a draft *Engagement and Consultation Strategy* which will be reviewed. It is anticipated the community will be contacted directly by the consultants approximately mid September 2018.

Q2 *Will workshops be conducted and when would the community get a response to the outcome of the consultation?*

A2 The Director Planning and Community Development advised the initial consultation to be undertaken will provide the community with all the information on how, where and when they can provide feedback. A report will be presented to Council early 2019 for final consideration.

**Mr J Zampogna, Edgewater:**

*Re: Construction of 14 units in Tuart Trail Edgewater.*

*Q1 What measures are being taken by the City of Joondalup to appease the ratepayers' concerns with respect to the proposed building of 14 units in Tuart Trail, if any?*

*A1 Mayor Jacob advised the City of Joondalup was not the decision-making authority for that proposal and that it would go to the Development Assessment Panel.*

The Director Planning and Community Development advised community consultation is currently being undertaken. The City would be making a recommendation to the Development Assessment Panel and encouraged Mr Zampogna to lodge a submission detailing any specific comments or concerns he may have.

*Q2 Do residents live in a democracy?*

*A2 Mayor Jacob reiterated that Council was not the decision-making authority for the Tuart Trail matter and responded residents do live in a democracy.*

**Ms S Thompson, Duncraig:**

*Re: CJ130-08/18 - Proposed Development Application for 14 Multiple Dwellings at Lot 125 (1) and Lot 126 (3) Chipala Court, Edgewater – Section 31 Reconsideration Under State Administrative Tribunal Act 2004.*

*Q1 In light of the fact that the Chipala Court development is not supported by Council or the administration, is Council prepared to fight this development in the event that this progresses to the State Administrative Tribunal?*

*A1 Mayor Jacob advised Council would not speculate on potential judicial matters.*

**PUBLIC STATEMENT TIME**

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

**Mr A Hill, Burns Beach:**

*Re: Joondalup Performing Arts and Cultural Facility.*

Mr Hill spoke in support of the Joondalup Performing Arts and Cultural Facility, noting the previous design had not been accepted and was being reviewed. Mr Hill encouraged residents to make use of the City's sporting facilities, however noted the lack of musical performance facilities which the Joondalup Performing Arts and Cultural Facility would address.

**Mrs B Hewitt, Edgewater - representing Edgewater Community Residents Association:**

*Re: R40 / Multiple Unit Developments.*

Ms Hewitt spoke against the proposed 14 unit development at Tuart Trail, Edgewater and R40 zoning in Edgewater.

Ms Hewitt provided an overview of the effects the development will have on residents in Edgewater and the impact to the environment, advising residents would be providing consultants with their concerns.

**Mr J Marchant, Edgewater:**

*Re: Proposed Apartments at 7 and 56 Tuart Trail, Edgewater.*

Mr Marchant spoke against the proposed 14 apartments at 7 and 56 Tuart Trail, Edgewater.

Mr Marchant advised he had attended a meeting on the proposed site and provided an overview of the impact to residents, including himself and his disabled wife. Mr Marchant expressed concerns regarding the increase in vehicles to the area, the impact of parking on verges, the lack of footpaths and the children's playground which would be negatively impacted, creating safety concerns.

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

Cr Russell Poliwka	26 July to 28 August 2018 inclusive;
Mayor Albert Jacob, JP	28 September to 5 October 2018 inclusive.

**C67-08/18****REQUESTS FOR LEAVE OF ABSENCE – CRS SOPHIE DWYER AND JOHN LOGAN - [107073]**

Cr Sophie Dwyer requested Leave of Absence from Council duties covering the period 1 to 30 September 2018 inclusive.

Cr John Logan requested Leave of Absence from Council duties covering the period 22 to 28 September 2018 inclusive.

**MOVED Cr McLean, SECONDED Cr Hamilton-Prime that Council APPROVES the Requests for Leave of Absence from Council Duties covering the following dates:**

<b>1</b>	<b>Cr Sophie Dwyer</b>	<b>1 to 30 September 2018 inclusive;</b>
<b>2</b>	<b>Cr John Logan</b>	<b>22 to 28 September 2018 inclusive.</b>

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

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

**CONFIRMATION OF MINUTES****C68-08/18****MINUTES OF COUNCIL MEETING HELD ON 17 JULY 2018**

**MOVED Cr McLean, SECONDED Cr Jones that the Minutes of the Council Meeting held on 17 July 2018 be CONFIRMED as a true and correct record.**

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

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

**ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION****Local High School Students in Attendance**

Mayor Jacob welcomed the special guests attending today's Council meeting.

Mayor Jacob advised there were 100 local high school students and 13 staff members representing 10 different schools that have participated in today's activities.

Mayor Jacob stated the schools represented were as follows:

- Belridge Secondary College.
- Belridge Secondary Education Support Centre.
- Greenwood College.
- Kinross College.
- Lake Joondalup Baptist College.
- The Montessori School.
- St Mark's Anglican Community School.
- St Stephen's School.
- Warwick Senior High School.
- West Coast Secondary Education Support Centre.

Mayor Jacob introduced the sitting Councillors representing the respective wards in the City.

Mayor Jacob commented Elected Members had chosen to hold this meeting of Council during the day to give local schools an opportunity to send their students along to see first-hand how their local government authority functions and works.

Mayor Jacob advised the first invitation to high school students to attend a Council meeting was in 2006 and it had been very pleasing to see the growing interest from young people in local government affairs and learning about issues that affect the local community.

Mayor Jacob thanked the students and teachers for their attendance and interest in the Council and its business and for the many relevant and well-thought out questions during public question time.



### **Tri-Cities Blood Challenge**

Mayor Jacob commented residents and staff from the Cities of Joondalup, Wanneroo and Stirling are going head-to-head in two Tri-Cities Blood Challenges to see who can donate the most blood.

Mayor Jacob stated last year more than 6,300 blood donations were made during the challenges, saving the lives of almost 19,000 people.

Mayor Jacob advised this year the battle is on to save 20,000 lives through blood donation. The life you save from the blood you donate could be a relative, a friend, or even your own.

Mayor Jacob reiterated the City of Joondalup was proud to be the Tri-Cities champions in both the community and corporate challenges in 2017, with more than 2,300 donations in total during the period of both challenges equating to almost 7,000 lives saved.

Mayor Jacob advised the Tri-Cities blood challenge ends on September 30. For more info and to find your nearest location to donate, visit [donateblood.com.au](http://donateblood.com.au) or call 13 14 95.

### **International Delegation Visiting Joondalup**

Mayor Jacob advised the City of Joondalup will host a delegation of up to 100 people from China's aged care industry for the 2018 Innovation: Solutions for an Ageing Population International Conference at Joondalup Resort next month.

Mayor Jacob commented the inaugural conference, to be held from 12-14 September 2018 is a collaboration between Shanghai Science and Technology Service Centre for Ageing, Bethanie, the Australian Medical Association (WA), Edith Cowan University, Aus Global Exchange and the City of Joondalup.

Mayor Jacob stated this conference will be held in Joondalup every two years and is the direct outcome of a trade delegation that was sent to China by the City last year to investigate opportunities within the aged care sector, as part of the City's International Economic Development Activities Plan.

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

- |   |             |  |
|---|-------------|--|
| 1 | CJ151-08/18 | Confidential – Joondalup City Centre Development – Project Status;         |
| 2 | CJ154-08/18 | Confidential – Appointment of External Member to Audit and Risk Committee; |
| 3 | CJ155-08/18 | Confidential – Employment Contract – Director Governance and Strategy.     |

**PETITIONS****C69-08/18     PETITION REQUESTING AMENDMENT OF THE TERMS OF REFERENCE OF THE EDGEWATER QUARRY COMMUNITY REFERENCE GROUP (EQCRG) – [05386, 37544]**

A 44 signature petition has been received from residents of Edgewater requesting that Council amends the terms of reference of the Edgewater Reference Group (EQCRG) to permit at least one ratepayer or resident of Jasper Way, Edgewater to be included in the membership of the EQCRG.

**C70-08/18     PETITION REQUESTING THE INSTALLATION OF A 'NO STANDING ZONE' TRINITY VILLAGE, 7 BEDDI ROAD, DUNCRAIG – [05386, 38914]**

A 26 signature petition has been received from Catholic Homes on behalf of Duncraig residents requesting that Council installs a 'No Standing Zone' on the village side of Beddi Road for 15 metres either side of the centre point of the driveway to Trinity Village in an attempt to facilitate safer egress from the village.

**C71-08/18     PETITION REQUESTING INSTALLATION OF A BMX DIRT TRACK AT KALLAROO PARK, KALLAROO – [05386, 09188]**

Cr Jones tabled a 141 signature petition on behalf of residents of the City of Joondalup requesting the installation of a BMX dirt track at Kallaroo Park.

**MOVED** Cr Jones, **SECONDED** Cr May that the following petitions be RECEIVED, REFERRED to the Chief Executive Officer and a subsequent report presented to Council for consideration:

- 1     Petition in relation to amending the Terms of Reference of the Edgewater Reference Group (EQCRG) to permit at least one ratepayer or resident of Jasper Way, Edgewater to be included in the membership of the EQCRG;**
- 2     Petition in relation to installation of a 'No Standing Zone' on the village side of Beddi Road for 15 metres either side of the centre point of the driveway to Trinity Village in an attempt to facilitate safer egress from the village;**
- 3     Petition in relation to the installation of a BMX dirt track at Kallaroo Park, Kallaroo.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**REPORTS****CJ129-08/18      DEVELOPMENT AND SUBDIVISION APPLICATIONS  
– JUNE 2018**

<b>WARD</b>	All		
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development		
<b>FILE NUMBER</b>	07032, 101515		
<b>ATTACHMENTS</b>	Attachment 1	Monthly Development Applications Determined – June 2018	
	Attachment 2	Monthly Subdivision Applications Processed – June 2018	
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').		

**PURPOSE**

For Council to note the number and nature of applications considered under delegated authority during June 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 June 2018 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during June 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 June 2018 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	9	38
Strata subdivision applications	9	14
<b>TOTAL</b>	<b>18</b>	<b>52</b>

*Of the 18 subdivision referrals 10 were to subdivide in housing opportunity areas, with the potential for 15 additional lots.*

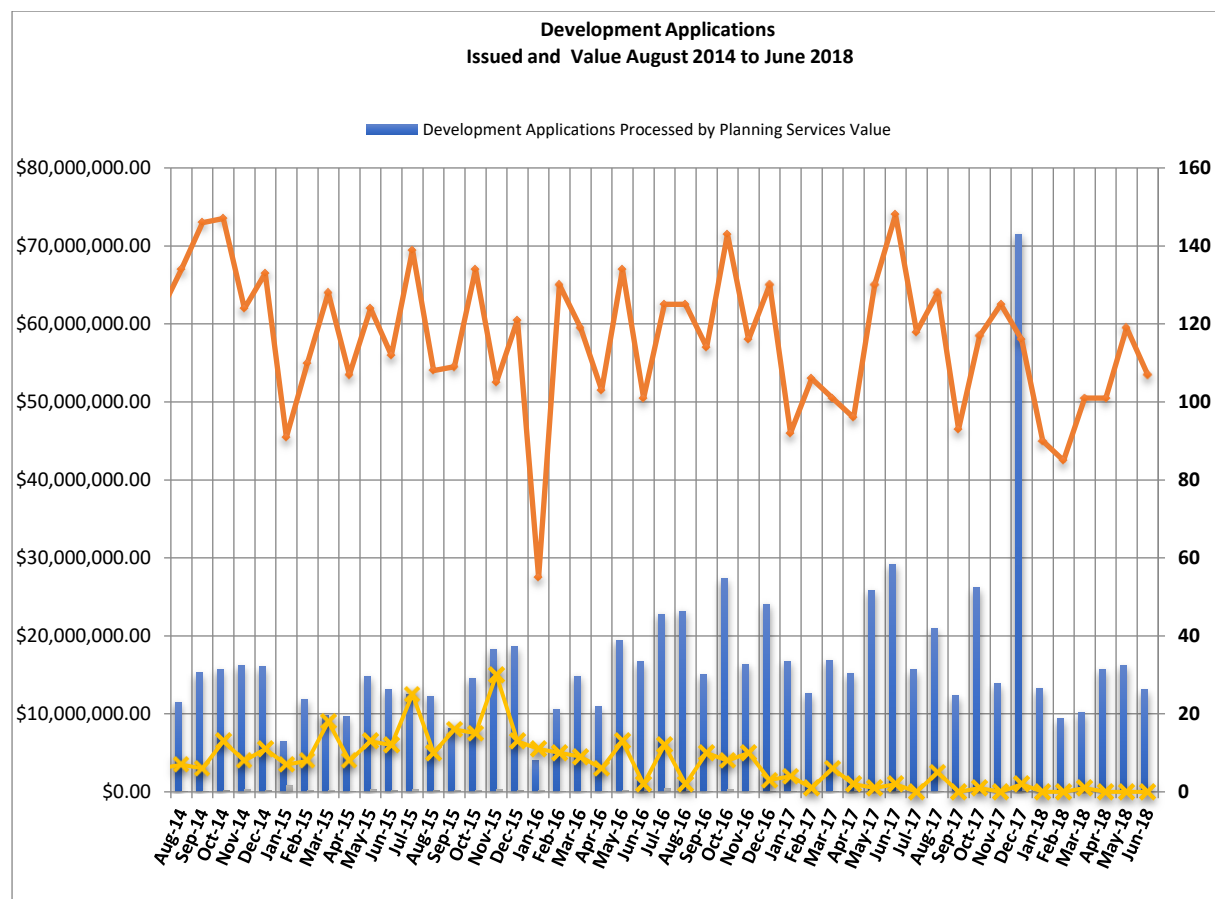
### Development applications

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

Type of development application	Number	Value (\$)
Development applications processed by Planning Services	107	\$ 13,064,175
Development applications processed by Building Services	0	0
<b>TOTAL</b>	<b>107</b>	<b>\$ 13,064,175</b>

*Of the 107 development applications, 11 were for new dwelling developments in housing opportunity areas, proposing a total of 16 additional dwellings.*

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



The number of development applications received during June was 103. (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 June was 213. Of these, 41 were pending further information from applicants and 16 were being advertised for public comment.

In addition to the above, 221 building permits were issued during the month of June with an estimated construction value of \$24,839,046.

### 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 107 development applications were determined for the month of June with a total amount of \$50,557 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.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the determinations and recommendations made under delegated authority in relation to the:**

- 1 Development applications described in Attachment 1 to Report CJ129-08/18 during June 2018;**
- 2 Subdivision applications described in Attachment 2 to Report CJ129-08/18 during June 2018.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf180814.pdf](#)*

**CJ130-08/18      PROPOSED DEVELOPMENT APPLICATION FOR 14  
MULTIPLE DWELLINGS AT LOT 125 (1) AND LOT  
126 (3) CHIPALA COURT, EDGEWATER – SECTION  
31      RECONSIDERATION      UNDER      STATE  
ADMINISTRATIVE TRIBUNAL ACT 2004**

<b>WARD</b>	North-Central
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	09976, 84481, 101515
<b>ATTACHMENTS</b>	Attachment 1      Location plan Attachment 2      Amended development plans Attachment 3      Original development plans Attachment 4      Environmentally      Sustainable      Design Checklist Attachment 5      Summary of submissions
<b>AUTHORITY / DISCRETION</b>	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

## **PURPOSE**

For Council to reconsider a development application for 14 multiple dwellings located at Lot 125 and 126 (1 and 3) Chipala Court, Edgewater following a directive from the State Administrative Tribunal.

## **EXECUTIVE SUMMARY**

An application for development approval was received by the City on 30 May 2017 for 14 multiple dwellings located at Lot 125 and 126 (1 and 3) Chipala Court, Edgewater (subject site). The proposal includes amalgamating the two sites and developing eight two-bedroom dwellings and six single-bedroom dwellings, with a single vehicle access point provided via Chipala Court. The application is required to be determined by Council as the proposal includes more than 10 dwellings.

Council previously considered the proposal at its meeting held on 19 September 2017 (CJ145-09/17 refers) and resolved to refer the proposal back to the Chief Executive Officer to allow the applicant to address the areas of discretion sought and concerns raised during consultation.

The applicant subsequently lodged an appeal through the State Administrative Tribunal (SAT), as the application was not determined within the statutory timeframe of 90 days and was therefore considered 'deemed refused'.



Through the SAT mediation process, the applicant has prepared revised plans to amend the proposal and SAT has invited Council to reconsider its earlier decision in light of the amended proposal. The amended proposal seeks Council's discretion on plot ratio, building height, street setbacks, open space, sight lines, parking and site works/retaining.

The amended proposal was advertised for a period of 14 days with a total of 86 submissions being received, being 85 objections and one letter of support.

Concurrent with the application the subject of this Report, the revised plans also formed the basis of an application to the Metro North-West Joint Development Assessment Panel (JDAP) (DA18/0360 refers).

At its meeting held on 12 July 2018, the JDAP refused the development application, consistent with the recommendation provided by City officers.

It is considered that the amended proposal provided by the applicant does not reduce the impact of the development on the streetscape and surrounding landowners and the areas of concern raised by the community have not been addressed. As a result, it is recommended that Council refuses the application.

## BACKGROUND

<b>Suburb/Location</b>	Lot 125 and 126 (1 and 3) Chipala Court, Edgewater.
<b>Applicant</b>	Claudio Bornia.
<b>Owner</b>	Peter Lee, Margaret Lee and Naim Jones.
<b>Zoning</b>	<b>DPS</b> Residential.
	<b>MRS</b> Urban.
<b>Site area</b>	1,379m <sup>2</sup> (combined).
<b>Structure plan</b>	Not applicable.

The subject site is zoned 'Residential' under DPS2, is located in Housing Opportunity Area 8 (HOA8) and has a dual density coding of R20/R40. The subject site includes two freehold lots, which are currently occupied by two separate single houses, which are proposed to be demolished.

The subject site is bound by residential zoned land (existing single storey dwellings) to the south and west (Attachment 1) and is located approximately 200 metres to the south east of Edgewater Shopping Centre, and 1.1 kilometres south east of Edgewater Train Station.

At its meeting held on 19 September 2017 (CJ145-09/17 refers), Council considered the original proposal and resolved the following:

*"That the item relating to the Proposed 14 Multiple Dwellings at Lots 125 and 126 (1 and 3) Chipala Court, Edgewater BE REFERRED BACK to the Chief Executive Officer to allow the applicant to address the areas of discretions sought and concerns raised during consultation as detailed in Report CJ145-09/17."*

Subsequent to this resolution, the applicant lodged an appeal with SAT as the application was considered a deemed refusal in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), as it was not determined within the statutory timeframe (90 days).

The City (and its planning consultant) have engaged in mediation with the applicant through SAT to discuss the areas of concern and potential modifications to the original design. An amended proposal has been submitted by the applicant. The amended proposal has been assessed by the City, reviewed by the Joondalup Design Reference Panel (JDRP) and was released for public comment.

The City has been invited to reconsider its September decision pursuant to section 31 (1) of the *State Administrative Tribunal Act 2004* by 22 August 2018.

## DETAILS

The amended proposal consists of the following:

- A combined site area of 1,379m<sup>2</sup>.
- Eight two-bedroom dwellings and six single-bedroom dwellings.
- A single vehicle access point from Chipala Court.
- A total of 14 car parking bays on-site, allocated to residents.
- A total of nine visitor car parking bays, comprising two visitor bays on-site and seven visitor bays on-street in the verge.
- A contrasting rendered brick building with feature face brickwork and concealed roofline.
- Associated site works and retaining walls.
- A bin store located in the south-western corner of the lot.

The key differences between the amended proposal and that previously considered by the City on 19 September 2017 are outlined below:

- Change from a pitched to a flat roof design.
- Relocation of two units from the western portion of site to the eastern side of the lots.
- Additional landscaping and tree provision in the street setback area.
- Removal of two on-site visitor bays.
- Addition of an upper floor communal open space area.
- Relocation of the bin store to the south-western corner of the lot.

The amended development plans and building perspectives are provided in Attachment 2 to Report CJ130-08/18. The original plans presented to Council at its meeting held on 19 September 2017 (CJ145-09/17 refers) are included in Attachment 3 to Report CJ130-08/18.

The amended proposal has been assessed against the deemed-to-comply criteria of the R-Codes, the replacement deemed-to-comply criteria of the City's *Residential Development Local Planning Policy* (RDLPP) and clause 67 of the Regulations. The proposal does not meet a number of these requirements, which are outlined in further detail below:

### Building size

The development exceeds the maximum plot ratio requirement for development coded R40 as stipulated by clause 6.1.1 *Building size* of the R-Codes by 0.009 (12m<sup>2</sup>).

In accordance with the R-Codes, consideration against the relevant design principle/s is required to determine the appropriateness of any discretion. Design principle P1 for clause 6.1.1 states the following:

*“Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality”*

Given the design principles require development to be consistent with the existing or future desired built form, the proposed development is not considered to be appropriate in this instance as the City has concerns in relation to the bulk and scale of the development. The additional plot ratio proposed (0.009) is minor and, in isolation, is not considered to be an issue. However, in conjunction with the over height building (as viewed from Chipala Court), reduced street setbacks to Chipala Court and Apalie Trail, reduced open space, and site works exceeding a metre within the Chipala Court street setback area, this has a cumulative negative impact on the amenity of surrounding properties and streetscape and is therefore not appropriate.

#### Building height

The development exceeds the seven metre maximum top of external wall (concealed roof) height as stipulated by clause 6.1.2 *Building height* of the R-Codes (as applicable to R40 development) by 1.064 metres.

In accordance with the R-Codes, consideration against the relevant design principle/s is required to determine the appropriateness of any discretion. Design principle P2 for clause 6.1.2 states the following:

*“Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:*

- *adequate access to direct sun into buildings and appurtenant open spaces;*
- *adequate daylight to major openings into habitable rooms;*
- *access to views of significance;*
- *buildings present a human scale for pedestrians;*
- *building façades designed to reduce the perception of height through design measures; and*
- *podium style development is provided where appropriate.”*

As viewed from the surrounding eastern residential properties and Chipala Court streetscape the development is not considered to have been designed to reduce the perception of height through appropriate design measures, nor present a human scale for pedestrians due to the dominance and height of the building as viewed from street level. Further to this, the development is also non-compliant with deemed-to-comply requirements of R-Code clause 6.1.1 *Building size*, 6.1.3 *Street setbacks* and 6.3.7 *Site works*, which in turn result in a development that does not meet the design principles which relate to impact on the amenity of adjoining properties and the streetscape.

The development is therefore not considered to have been designed having due regard to the existing residential development context or to minimise impacts of the development on adjoining properties.

### Street setbacks

The proposed street setbacks of the development to Chipala Court and Apalie Trail do not meet the deemed-to-comply requirements of clause 6.1.3 *Street setbacks* of the R-Codes. In accordance with clause 6.1.3 the minimum street setback permitted is two metres provided an average setback of four metres is achieved.

The development proposes:

- a minimum setback of 1.7 metres to Chipala Court (associated with the Unit 2 alfresco)
- a minimum setback of 0.2 metres (to the entry canopy) and 1.4 metres (to the Unit 12 balcony) to Apalie Trail
- an average setback of 3.08 metres to Apalie Trail.

In accordance with the R-Codes, consideration against the relevant design principle/s is required to determine the appropriateness of any discretion. Design principle P3 of clause 6.1.3 states the following:

*“Buildings are set back from street boundaries (primary and secondary) an appropriate distance to ensure they:*

- *contribute to the desired streetscape;*
- *provide articulation of the building on the primary and secondary streets;*
- *allow for minor projections that add interest and reflect the character of the street without impacting on the appearance of bulk over the site;*
- *are appropriate to its location, respecting the adjoining development and existing streetscape; and*
- *facilitate the provision of weather protection where appropriate.”*

The proposed elevations to Chipala Court and Apalie Trail are considered to be appropriately staggered and include a variety of minor projections (alfresco areas and balconies) which assist in providing visual interest. Notwithstanding this, the proposed setback to the entry canopy is considered to be inappropriate in its location, given the reduced average setback also proposed to Apalie Trail.

In combination with the proposed discretions also being sought in relation to building size, building height, open space and site works, the development is not considered to respect the adjoining residential development and existing streetscape given the impact that reduced street setbacks in conjunction with the above-mentioned discretions are likely to have on the amenity of the street and surrounding residential properties.

### Open space

The development exceeds the amount of site cover permitted under clause 6.1.5 *Open space* of the R-Codes by 2.6%. The deemed-to-comply requirement for open space for a site coded R40 is 45%, whereas the development proposes 42.4%.

In accordance with the R-Codes, consideration against the relevant design principle/s is required to determine the appropriateness of any discretion. Design principle P5 of clause 6.1.5 states the following:

*“Open space respects existing or preferred neighbourhood character and responds to the features of the site”.*

The proposed site cover results from a combination of the built area proposed and a number of outdoor living areas higher than 0.5 metres above natural ground level. In accordance with the definition of “open space” set out in the R-Codes, outdoor living areas greater than 0.5 metres above natural ground level are required to be counted towards site cover. The reduced open space proposed is therefore in part due to fill within the Chipala Court front setback area exceeding the deemed-to-comply requirement stipulated under clause 6.3.7 *Site works*, which in turn has resulted in the outdoor living areas of the east facing units being counted towards the overall site cover.

As outlined above, some of the ‘site cover’ relates to areas of elevated open space, rather than actual building. The applicant could elect to reduce the size of some of these alfresco areas to technically comply with the deemed-to-comply requirements, however it is considered that this would be a poorer development outcome.

### Sightlines

The deemed-to-comply requirements of clause 6.2.3 *Sightlines* of the R-Codes require that walls, fences or structures within 1.5 metres of where a vehicle access point intersects with a street are to be no higher than 0.75 metres from natural ground level. The development includes a retaining wall on the southern boundary to a height of four metres within 0.5 metres of the vehicular access point.

In accordance with the R-Codes, consideration against the relevant design principle/s is therefore required to determine the appropriateness of any discretion. Design principle P3 of clause 6.2.3 states the following:

*“Unobstructed sight lines provided at vehicle access points to ensure safety and visibility along vehicle access ways, streets, rights-of-way, communal streets, crossovers, and footpath”.*

Design principle P3 above requires vehicle sightlines to be unobstructed in instances where the deemed-to-comply requirements are not met. The height of the proposed retaining wall on the southern boundary exceeds the permitted height by 3.25 metres, which in combination with the proximity of the wall to the vehicle access point (0.5 metres), is considered to cause obstruction of sight lines for vehicles exiting the property. It is noted that, given the nil setback of the retaining wall to the southern boundary of the site, there is no opportunity to provide a truncation (without altering the levels of the adjoining site) which could allow for adequate vehicle sightlines to be provided.

It is therefore considered that the height and location of the retaining wall does not meet the design principles outlined above in relation to safety and visibility of the vehicle access way.

### Traffic

The main vehicle access point to the development site is to be provided from Chipala Court, which is classified as a local access street.

The traffic review provided as part of the application (Attachment 4 refers) states that the level of traffic generated by the development is very low and able to be adequately accommodated within the existing road network. The traffic report outlines that Garrong Close would be limited to a capacity of 3,000 vehicles per day via Edgewater Drive, in accordance with the *Liveable Neighbourhoods* planning guidelines. It is outlined in the review that data specifically relating to Chipala Court and adjacent roads is not available, however estimates the proposed development would result in an increase of 91 vehicle trips per day within the road network.

The City's traffic engineers have reviewed the traffic report, which demonstrates, in accordance with the WAPC *Transport Assessment Guidelines* that the proposed development (during peak hour periods) will not result in Chipala Court, or connecting local roads within the road network operating beyond their capacity.

In addition, in relation to determining parking requirements for the development, the traffic review submitted with the application contends that the site should be considered as Location A in accordance with the R-Codes. The City has determined that the site is classified as Location B, which is discussed in further detail below.

### Parking

As set out in the R-Codes, parking requirements for multiple dwellings are determined, in part, having regard to a site's proximity to public transport, such as train stations and high frequency bus routes (a route with a service that runs at least every 15 minutes during week day peak periods).

Sites that meet the criteria set out in the R-Codes for public transport are termed 'Location A' sites and have a lower parking ratio. Sites that do not meet the criteria set out in the R-Codes are termed 'Location B' sites. As outlined above, the City has undertaken an assessment and determined that the site does not meet the criteria that would allow the lower parking ratio to be used.

### Visitor Parking

In accordance with clause 6.3.3 *Parking* of the R-Codes, the development requires the provision of 0.25 visitor bays for each dwelling on-site, meaning a total of 3.5 (four) visitor bays are required on-site to meet the R-Code requirements. The City's RDLPP requires a greater number of visitor parking bays at a rate of 0.5 visitor bays per dwelling (total of seven bays) and provides that such parking can be provided in the adjacent verge.

Based on the City's RDLPP, a total of seven visitor bays are required.

A total of nine visitor bays are proposed, two of which are proposed on site and seven which are proposed in the adjoining Apalie Trail and Chipala Court verges.

In relation to the seven visitor bays proposed in the verge, the City has safety concerns with the position of 'Visitor Bay 4' being in close proximity to the street intersection and therefore only the remaining six on-street bays are considered to be acceptable.

It is noted that the two visitor bays located on-site are located behind a security gate, which makes their access by visitors more difficult. It is possible to manage access to some visitor parking located behind a security gate via a condition of approval requiring the preparation of a Security and Access Management Plan. In the event the application was to be approved, a condition reflecting this would be appropriate.

In view of the above, the application provides eight visitor bays considered acceptable to the City and therefore meets the requirements of the City's RDLPP in this regard.

### Resident Parking

In accordance with clause 6.3.3 *Parking* of the R-Codes for Location B sites, 1.25 bays are required for every dwelling which is <110m<sup>2</sup> and / or in instances where the dwelling comprises one or two bedrooms. Consequently, 17.5 (18) car parking bays are required for residents.

The development includes a total of 14 bays allocated to resident parking, resulting in a shortfall of four resident bays.

In accordance with the R-Codes, consideration against the relevant design principle/s is therefore required to determine the appropriateness of any residential car parking discretion.

Design principle P3.1 for clause 6.3.3 states the following:

*“Adequate car and bicycle parking provided on-site in accordance with projected need related to:*

- *the type, number and size of dwellings;*
- *the availability of on-street and other off-site parking; and*
- *the proximity of the proposed development in relation to public transport and other facilities.”*

The amount of parking provided for residents on-site is considered inadequate having regard to the type, number and size of the dwellings. Further, as the adjacent verges are proposed to accommodate visitor parking to support the development, there is not an opportunity to supplement the resident parking shortfall on-street or via other off-site parking means.

Accordingly, it is considered that adequate parking for the site has not been provided and as such, the proposal does not meet the design principles in this regard.

#### Site works

In relation to the deemed-to-comply requirement of clause 6.3.6 *Site works* C6.1 of the R-Codes, the development proposes a maximum of 1.728 metres of fill between the street and the building, whereas a maximum of 0.5 metres is permitted under clause 6.3.6 of the RDLPP.

In accordance with the R-Codes, consideration against the relevant design principle/s is required to determine the appropriateness of any discretion. Design principle P6.1 and 6.2 of clause 6.3.6 states the following:

*“Development that considers and responds to the natural features of the site and requires minimal excavation/fill.”*

*“Where excavation/fill is necessary, all finished levels respecting the natural ground level at the boundary of the site and the adjoining properties and as viewed from the street.”*

While the retaining facing Chipala Court incorporates terraces to reduce the bulk of the walls, a number of these terraces exceed one metre in height, with portions of retaining supporting the stair access to ground floor units exceeding 1.5 metres in height. The proposed site works are therefore not considered to meet the design principles of clause 6.3.6 as detailed below:

- The fill and associated retaining walls to a maximum height of 1.728 metres are not considered minimal and do not respect the ground levels at the boundary of the site as viewed from the street (Chipala Court).
- The resultant bulk of the fill and associated retaining walls exacerbates the impact of the discretions also being sought in relation to clause 6.1.1 *Building size*, 6.1.2 *Building height*, clause 6.1.3 *Street setbacks* and clause 6.1.5 *Open space*.

### Landscaping

The proposal incorporates the following landscaping:

- Terraced retaining walls accommodating shrubs next to Chipala Court.
- Bushes and small trees next to the ground floor dwelling alfresco areas.
- Shrubs adjacent to the retaining wall on the southern boundary.
- Shade trees and a landscaping strip next to the on-site car parking area along the western boundary.

Six street trees and native shrubs on the adjoining verges:

- Planting in the on-site parking area and next to walkways beneath the upper floor.
- An additional tree on-site in front of Unit 5 in a deep soil zone.

### Verge Trees

There are two existing street trees located on Apalie Trail, which are proposed to be substituted by replacement trees as part of a holistic landscaping response. The amenity value of the existing street trees has been assessed and determined that a payment could be made to the City for the removal of the trees as part of any development approval granted.

A total of six Manchurian pear trees (listed on the City's preferred street trees species list) are proposed to be accommodated on the verge, in lieu of the seven that would be required in accordance with the City's RDLPP, however it is noted that due to the site being located on a corner, the placement of additional verge trees within the corner truncation would not be supported.

### On-site landscaping

The landscaping proposed as part of the development is compliant with the deemed-to-comply requirements of clause 6.3.2 *Landscaping* of the R-Codes, which requires 50% of the front setback area to be treated with soft-landscaping. There are however a number of deficiencies regarding the on-site landscaping that are listed below:

- The proposed landscaping strip and shade trees on the western boundary cannot be accommodated considering the length required (5.4 metres) for the adjoining car parking spaces.
- The Joondalup Design Reference Panel's (JDRP) comments in relation to species able to be accommodated beneath the upper floor have not been addressed.
- The JDRP's comments in relation to providing climber species within the terraced retaining walls have not been addressed.
- The JDRP's recommendation that native species be accommodated as part of the on-site landscaping concept have not been addressed.

While the development is compliant with the deemed-to-comply landscaping requirements of the R-Codes, for the reasons highlighted above, the landscaping concept plan for the development (provided at Attachment 3) is not supported in its current form.

### Joondalup Design Reference Panel (JDRP)

The proposal was presented to the City's Joondalup Design Reference Panel (JDRP) at its meeting held on 3 May 2018. The key issues raised by the JDRP and a summary of the applicant's responses and modifications are provided below:



JDRP comment	Applicant response	City response
<p>The panel raised concerns in relation to the appearance of the roofline from Chipala Court being generally uniform and not responding to the natural topography of the site.</p> <p>Additionally, the panel noted that the four metre high retaining wall on the southern boundary appeared at odds with the design principles of the R-Codes in relation to minimal excavation/fill.</p>	<p>The levels for Units 1, 2 and 3 have been reduced by 0.34 metre. The paths and ramps have been included to reflect the level changes of the units.</p> <p>The reduction in levels will assist with reducing the bulk of the development when viewed from the street, removes one tier of retaining wall and reduces the overall height of the development. Only a minor portion of the proposed development is now over height (0.1 metre in the southern corner). A dimension has been inserted to illustrate the height from natural ground level.</p>	<p>Notwithstanding the level reduction of Units 1, 2 and 3, the height of the development as viewed from Chipala Court exceeds the deemed-to-comply requirement of R-Code 6.1.2 Building Height as follows:</p> <p><u>Required</u></p> <ul style="list-style-type: none"> <li>seven metres for a concealed roof.</li> </ul> <p><u>Proposed</u></p> <ul style="list-style-type: none"> <li>8.064 metres (Unit 9 above unit 2).</li> </ul> <p>The concerns in relation to the four metre high retaining wall on the southern boundary have not been addressed by the applicant.</p>
<p>The panel expressed concerns that the applicable on-site parking requirements of the R-Codes had not been achieved with the development.</p>	<p>Reconfiguration of the car parking area to include two additional bays. As previously discussed, the subject land has been identified within the City's 'Housing Strategy' as having access to high frequency public transport (see Figure 5.4 of the Strategy). Given this, the proposal provides adequate on-site car parking based on Location A of the R-Codes provisions.</p>	<p>The applicant has increased the on-site parking provision by two bays resulting in the following:</p> <p><u>Required</u></p> <ul style="list-style-type: none"> <li>22 on-site parking bays (18 resident and four visitor)</li> </ul> <p><u>Proposed</u></p> <ul style="list-style-type: none"> <li>18 on-site parking bays (16 resident and two visitor parking)</li> </ul> <p>The City has undertaken its own assessment in relation to the site's access to public transport and has determined that the site is to be considered in accordance with the Location B parking requirements of the R-Codes.</p>

<b>JDRP comment</b>	<b>Applicant response</b>	<b>City response</b>
A colour palette for the development and balcony balustrading materials was requested to be indicated on the plans.	Materials for balcony have been identified on the plan.	Balcony balustrading material is indicated as glass, which is considered to be appropriate. A full schedule of materials and colours is required to be provided as a standard condition of any development approval.
<p>The panel raised concerns in relation to unit design, in that the east facing units are designed with major openings to receive morning sun only and have very little access to natural sunlight.</p> <p>It was recommended that a redesign of the east facing units be explored to ensure access to northern sun and cross ventilation.</p>	<p>Cross ventilation has been provided to the eastern units with the exception of Units 5 and 12, which have restricted cross ventilation.</p> <p>A void has been included in the communal area to allow for improved light and ventilation to the ground floor.</p>	<p>The panel's comments were also directed at the general amenity of the east facing units in relation to access to cross ventilation and access to northern sun.</p> <p>The proposed void assists with natural sunlight provision to the ground floor units facing Apalie Trail, however the east facing units back onto covered walkways and are limited to non-major openings on the western elevation.</p> <p>The concerns raised in relation to access to natural sunlight are not considered to have been addressed in relation to the east facing units.</p>
The location of air conditioning condensers should be included on the plans.	Air conditioning units have been included and are all screened.	<p>The location of air conditioning units associated with the ground floor units are generally accepted however the position of the Unit 4 unit within the communal walkway and Unit 5 air conditioning unit being visible from Apalie Trail are not appropriate.</p> <p>Air conditioning units associated with upper floor units have been indicated to be located on the roof and accessed via manhole (over relevant balconies).</p>

JDRP comment	Applicant response	City response
<p>The panel expressed concerns in relation to the landscaping proposed for the site, and provided recommendations, specifically:</p> <ul style="list-style-type: none"> <li>• Inclusion of nibs at the end of the western car bays to allow for shaded canopy over the parking area.</li> <li>• Native trees and landscaping should be included in the landscaping concept.</li> <li>• The majority of the verge area proposed as turf is undesirable. Explore shrubs and alternative landscaping in accordance with the City's <i>Street Verge Guidelines</i>.</li> <li>• Inclusion of footpath access to the units within the verge.</li> <li>• Inclusion of further deep soil zones on site to allow for high quality landscaping.</li> <li>• Consideration of climber species to soften retaining walls.</li> <li>• Planting located underneath the communal decking area will likely be impractical unless species can be demonstrated as workable.</li> <li>• Street trees proposed within the truncation area are not supported.</li> </ul>	<ul style="list-style-type: none"> <li>• Additional trees have been provided in the car park area (along the western side boundary to provide shade.</li> <li>• Additional native species have been included on the plans.</li> <li>• The turf area has been removed from the verge areas, pedestrian links provided and additional native plans included as part of the landscaping plan.</li> <li>• The tree previously proposed abutting the bin store has been relocated to the front setback area (in front of Unit 1).</li> <li>• The large trees within the truncation area have been removed as requested and replaced by smaller native species.</li> </ul>	<p>There does not appear to be enough space on the western boundary to accommodate the proposed landscaping strip/shade trees in addition to the car parking spaces themselves.</p> <p>The verge landscaping/treatments including native species proposed by the applicant are accepted.</p> <p>It is noted that the development incorporates a deep soil zone on-site in front of Unit 5 to accommodate a mature tree.</p> <p>A number of the panel's comments in relation to landscaping remain unaddressed as follows:</p> <ul style="list-style-type: none"> <li>• No native species have been included in the landscaping concept for on-site landscaping.</li> <li>• Climber species to soften the retaining walls have not been included.</li> <li>• Planting underneath the communal decking area and within covered walkways has not been reviewed.</li> </ul>

JDRP comment	Applicant response	City response
The panel commented that the driveway is too steep to satisfy relevant accessibility gradient standards.	The driveway grade has been altered to include transition zone to improve access.  All ground floor dwellings have been provided with ramp access for disabled.	Ramped walkways and entries are provided, allowing for disability access to the ground floor units from Apalie Trail and the rear car parking area.

As outlined above, the applicant has not addressed all the issues raised by the JDRP, particularly the concerns surrounding the landscaping, design of the east facing units, car parking and topography of the site.

### Waste Collection

The proposal includes a bin store in the south-western corner of the site, which initially was designed to accommodate 12 standard household bins, is deemed to be insufficient for the waste needs of a 14 dwelling development.

The bin store has since been reconfigured to comply with the *WALGA Multiple Dwelling Waste Management Plan Guidelines* accommodating three large waste and two large recycling bins to be shared communally, which can be collected on site from the bin store via the vehicle access leg.

The applicant also provided justification relating to odours from the bin store affecting adjoining land owners, outlining that the bin store would be three metres below the level of the adjoining properties. In addition to this the City has the ability to manage any offensive or noxious odours arising from improper waste storage in accordance with its *Waste Local Law 2017*.

### Design WA – Draft Apartment Design Policy

The applicant has provided commentary on how the development meets the objectives and intent of the State Government's *Design WA – Draft Apartment Design Policy*.

A copy of the applicant's consideration of *Design WA* is included in Attachment 5.

Although this policy is still in draft format, the assessment of the proposal has included consideration against the 10 design principles of the policy. As outlined in the consultation section of this Report there are a number of concerns raised by the JDRP that remain outstanding. Additionally, it is noted that the cumulative items requiring the exercise of discretion being sought in relation to the proposal results in potential impact on the amenity of the local area and as a result it is considered that the proposal does not meet the following principles of Design WA:

- Principle 1: Context and character.
- Principle 3: Built form and scale.
- Principle 4: Functionality and build quality.
- Principle 6: Amenity.
- Principle 10: Aesthetics.

## Issues and options considered

Council is required to determine whether the proposed development of 14 multiple dwellings is appropriate.

Council may determine an application for development approval by:

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

## Legislation / Strategic Community Plan / policy implications

**Legislation** *City of Joondalup District Planning Scheme No. 2 (DPS2).  
Planning and Development (Local Planning Schemes)  
Regulations 2015 (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** *State Planning Policy 3.1: Residential Design Codes (R-Codes).  
Residential Development Local Planning Policy (RDLPP).  
Design WA – Draft Apartment Design Policy.  
Environmentally Sustainable Design.*

## DPS2

Clause 3.4 of DPS2 sets out the objectives for development within the 'Residential' zone:

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

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

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.*

#### *Residential Development Local Planning Policy*

The policy sets provisions for the design of residential development within the City.

The objectives include the following:

- *An improved streetscape outcome, which is attractive and enhances and complements the visual character, bulk and scale of the surrounding built form.*
- *High quality built development outcomes in relation to building design and site layout.*
- *Residential subdivision and development with safe, functional and attractive access arrangements in and out of sites, which contribute to the overall aesthetics of developments.*
- *New development that is designed having regard to the issue of crime prevention and surveillance of the street and housing entrances.*
- *Varying density development, inclusive of development within dual density coded areas that are integrated into the surrounding built environment.*

### Residential Design Codes of Western Australia

The R-Codes set out provisions for the control of residential development throughout Western Australia.

The objectives of the policy are as follows:

- *To provide residential development of an appropriate design for the intended residential purpose, density, context of place and scheme objectives.*
- *To encourage design consideration of the social, environmental and economic opportunities possible from new housing and an appropriate response to local amenity and place.*
- *To encourage design which considers and respects heritage and local culture.*
- *To facilitate residential development which offers future residents the opportunities for better living choices and affordability.*

### Design WA – Draft Apartment Design Policy

The *Draft Apartment Design Policy* focuses on design guidance for apartments and mixed-use developments and will ultimately replace the development provisions of the R-Codes which relate to Multiple Dwelling development.

The objectives of the policy include the following:

- *To provide residential development of an appropriate design for the intended residential purpose, density, context of place and scheme objectives.*
- *To encourage design consideration of the social, environmental and economic opportunities possible from new housing and an appropriate response to local context.*
- *To encourage design which considers and respects heritage and local culture.*
- *To facilitate residential development which offers future residents the opportunities for better living choices and affordability when seeking a home, as well as reduced operational costs and security of investment in the long term.*

### **Risk management considerations**

As this proposal is currently being considered by SAT, should Council resolve to approve the application the applicants are able to withdraw from proceedings if they are satisfied with the decision made by Council. However, if the applicants are not satisfied with the decision they may request that the matter be determined by SAT through a formal hearing. In this case, the decision by Council would be set aside and SAT would determine the application on its merits in accordance with the *State Administrative Tribunal Act 2004 (WA)* and the Regulations.

### **Financial / budget implications**

The applicant has paid fees of \$4,655 in accordance with the Schedule of Fees and Charges, for assessment of the application.

The City has engaged the services of a planning consultant to assist with this SAT appeal. The total cost of this engagement cannot be confirmed until the appeal process has concluded. However, if the matter cannot be resolved through mediation and the applicant chooses to proceed with the appeal, SAT needs to make a determination via a formal hearing process. The cost for a hearing on a relatively uncomplicated matter, where the City requires the assistance of a planning consultant, usually ranges between \$15,000 to \$20,000. If legal representation is also required, this could cost the City an additional \$30,000.



## **Regional significance**

Not applicable.

## **Sustainability implications**

The applicant has completed the City's *Environmentally Sustainable Design Checklist* to the extent that it is applicable to the development. The applicant has indicated that the following will be provided as part of the development:

- Recycled materials and natural/living materials.
- Natural landforms/topography.
- Northerly orientation of daytime living/working areas with large windows, and minimal windows to the east and west.
- Sufficient thermal mass in building materials for storing heat.
- Floor plan zoning based on water and heating needs and the supply of hot water.
- Low energy technologies.
- Natural and/or fan forced ventilation.
- The intention to incorporate water efficient technologies and low-VOC products.

It is noted however that the development has not been designed and assessed against a nationally recognised "green" rating tool.

The completed checklist is provided at Attachment 4.

## **Consultation**

The JDAP application was advertised for a period of 14 days to surrounding landowners/occupiers, commencing on 6 June 2018 and concluding on 20 June 2018. Consultation was undertaken in the following manner:

- A letter was sent to surrounding landowners/occupiers.
- A sign was erected on the subject site.
- Development plans and supporting reports were made available for public viewing on the City's website and at the City's Administration building.

A total of 86 submissions were received, being 85 letters of objection and one letter of support. A summary of the issues raised, the City's response and the applicant's response to those submissions are provided in Attachment 5.

It is also noted that the City received a petition on 21 March 2018 with 60 signatures requesting that any amended proposal be advertised to the public for comment prior to the City determining the application. As outlined above, the City advertised the amended proposal to surrounding landowners as requested by the signatories of this petition.

## **COMMENT**

Council's original decision was made to allow the applicant to address areas of discretion as well as concerns raised by residents. An amended proposal has been prepared and Council has been invited to reconsider its previous decision as part of the SAT process.

The amended proposal seeks a number of discretions to the deemed-to-comply requirements of the R-Codes and the City's *Residential Development Local Planning Policy*. In some instances, the discretions sought are not considered to meet the design principles of the R-Codes, the objectives of the City's Residential Development Local Planning Policy or Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). The areas of discretion are considered have an accumulative effect and will impact on the amenity of the streetscape and surrounding landowners/occupants. It is therefore recommended that Council refuse the proposed development application.

## VOTING REQUIREMENTS

Simple Majority.

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

- 1 **REFUSES** under clause 68(2) of schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the application for development approval, dated 12 June 2017 submitted by Claudio Bornia, on behalf of the owner, Peter Lee, Margaret Lee and Naim Jones, for proposed multiple dwellings (14 new dwellings) at Lot 125 and 126 (1 and 3) Chipala Court, Edgewater, for the following reasons:
  - 1.1 In accordance with clause 67 (c) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not meet the 'deemed-to-comply' provisions or the 'design principles' of clause 6.1.1 *Building size of State Planning Policy 3.1: Residential Design Codes of Western Australia*, as the bulk and scale of the development is considered to have a negative impact on the amenity of immediately surrounding land owners. The excessive bulk and scale of the development is considered to be a product of the building height (as viewed from Chipala Court), reduced street setbacks, reduced open space and retaining and fill exceeding a metre between Chipala Court and the building;
  - 1.2 In accordance with clause 67 (c) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not meet the 'deemed-to-comply' provisions or the 'design principles' of clause 6.1.2 *Building height of State Planning Policy 3.1: Residential Design Codes of Western Australia*, as the over height development is considered to have an adverse impact on the amenity of eastern adjoining properties and the Chipala Court streetscape as it has not been designed to reduce the perception of height through appropriate design measures;
  - 1.3 In accordance with clause 67 (c) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not meet the 'deemed-to-comply' provisions or the 'design principles' of clause 6.2.3 *Sightlines of State Planning Policy 3.1: Residential Design Codes of Western Australia*, as the vehicular sightlines provided to the Chipala Court vehicle access point are obstructed by the retaining on the southern boundary, which compromises the safety and visibility of the vehicle access way;

- 1.4 In accordance clause 67 (c) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not meet the 'deemed-to-comply' provisions or the 'design principles' of clause 6.3.3 *Parking of State Planning Policy 3.1: Residential Design Codes of Western Australia*, as the car parking provided on-site is inadequate based on the expected demand to be generated by the 14 multiple dwellings;
- 1.5 In accordance with clause 67 (c) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not meet the 'deemed-to-comply' provisions or the 'design principles' of clauses 6.3.7 *Site works of State Planning Policy 3.1: Residential Design Codes of Western Australia*, as:
  - 1.5.1 The fill and associated retaining walls to a maximum height of 1.728 metres are not considered minimal and do not respect the ground levels at the boundary of the site as viewed from the street (Chipala Court);
  - 1.5.2 The resultant bulk of the fill and associated retaining walls exacerbates the impact of the discretions also being sought in relation to clauses 6.1.1 Building size, 6.1.2 Building height, 6.1.3 Street setbacks and 6.1.5 Open space;
- 1.6 In accordance with clause 67 (g) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not comply with the 'deemed-to-comply' provisions or the 'design principles' of clause 6.1.3 *Street setbacks of the City's Residential Development Local Planning Policy* as the proposed street setbacks to Apalie Trail and Chipala Court, do not contribute to the desired streetscape, are not appropriate to the site's location and do not respect adjoining development and existing streetscape;
- 1.7 In accordance with clause 67 (m) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the development is not compatible with its setting and relationship to other development/land within the locality, as the eastern elevation of the development will impact on the amenity of surrounding landowners due to its bulk, scale, height, reduced setbacks and design;
- 1.8 In accordance with clause 67 (n) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the development is not considered to maintain the amenity of the established residential area as the bulk, scale and height of the development is inconsistent with and adverse to the existing character of the locality;
- 1.9 In accordance with clause 67 (s) of schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed means of vehicle access and parking is not adequate in respect to the car parking bay shortfall for residents;

**1.10** There are concerns regarding the individual areas of discretion being sought, as outlined in reasons for refusal in parts 1.1 to 1.9 above. Additionally, when the issues identified are considered cumulatively, the areas of discretion being sought indicate that the extent of proposed development is over-development and greater than what the site should accommodate;

**2** ADVISES the State Administrative Tribunal of its decision;

**3** ADVISES the lead petitioner of Council's decision.

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf180814.pdf](#)*

## CJ131-08/18      PROPOSED      MACNAUGHTON      LOCAL DEVELOPMENT PLAN -      CONSIDERATION FOLLOWING PUBLIC CONSULTATION

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	105172, 101515
<b>ATTACHMENTS</b>	Attachment 1      Location plan Attachment 2      Proposed Local Development Plan Attachment 3      Lots 20 – 25 Modified lot boundary plan Attachment 4      Schedule of modifications
<b>AUTHORITY / DISCRETION</b>	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

### PURPOSE

For Council to consider the proposed MacNaughton Local Development Plan, following public consultation.

### EXECUTIVE SUMMARY

The MacNaughton Crescent Structure Plan was approved by the Western Australian Planning Commission (WAPC) in May 2017 and provides guidance for the development of the former school site. In accordance with the structure plan, a condition of the subsequent subdivision approval for the site is the preparation and approval of a *Local Development Plan* (LDP) for those lots with direct frontage to an area of Public Open Space (POS), for lots with rear-loaded (laneway) vehicle access and for lots where the driveway or dwelling design is impacted by the retention of specified trees.

The applicant has now prepared and submitted a proposed LDP that will serve to guide the built form and surveillance of dwellings and fencing interfacing with the public realm, as well as guide garage locations, access and setbacks to minimise conflict with service infrastructure and refuse collection services. The LDP will also serve to guide garage locations and setbacks of dwellings and driveways/crossovers to ensure the retention and survival of specified trees.

The proposed LDP applies to 24 of the 67 lots and supplements the provisions of the City's *Medium-density Single House Development Standards Local Planning Policy* (R-MD Policy), which applies to all the lots within the MacNaughton Crescent Structure Plan area. Where a development standard is specifically stipulated within the LDP, that standard prevails over the requirements of the R-MD Policy provisions and the *Residential Design Codes* (R-Codes).

The proposed LDP was advertised for public comment and no submissions were received.

It is considered that the proposed LDP addresses the matters outlined in the condition of subdivision approval and it is recommended that Council approves the proposed LDP, subject to modifications.

## BACKGROUND

<b>Suburb/Location</b>	Lot 9021 (3) Lochnagar Way, Kinross.
<b>Applicant</b>	Creative Design + Planning.
<b>Owner</b>	Burns Beach Management Pty Ltd.
<b>Zoning</b>	<b>DPS</b> Urban Development.
	<b>MRS</b> Urban.
<b>Site area</b>	40,267m <sup>2</sup> (MacNaughton Crescent Structure Plan area).
<b>Structure plan</b>	<i>MacNaughton Crescent Structure Plan.</i>

The *MacNaughton Crescent Structure Plan* came into effect in May 2017. This was followed by a subdivision approval to develop the site into 67 residential lots and an area of POS. The subdivision approval was granted by the WAPC in August 2017 and included the following condition:

*Local Development Plan(s) being prepared and approved for lots shown on the plan dated 9 May 2017 (attached) that address the following:*

- a) *for lots with direct frontage to an area of Public Open Space, to guide the built form and surveillance of dwellings and fencing interfacing with the public realm;*
- b) *for lots with rear-loaded (laneway) vehicle access as per the requirements of the subclause (a) and to guide garage locations, access and setbacks to minimise conflict with service infrastructure and refuse collection services; and*
- c) *for lots where the driveway or dwelling design is impacted by the retention of specified trees, to guide garage locations and setbacks of dwellings and driveways/crossover to ensure the retention and survival of identified trees which is to be informed by an aboricultural report where deemed necessary.*

The proposed LDP has been prepared to address this condition of subdivision approval.

The subject site (Attachment 1 refers) is in the process of being developed with earthworks and the installation of services currently underway.

## DETAILS

The applicant has submitted a proposed LDP for 24 lots that will be subject to the LDP. The proposed LDP, with the applicable lots highlighted, is shown at Attachment 2. The LDP addresses the matters required by the condition of subdivision approval and focusses on key development standards being building setbacks, uniform estate fencing, building form, building orientation, vehicle access and garage locations. The proposed provisions and justification from the applicant in relation to the proposed provisions are outlined below.

- a) for lots with direct frontage to an area of Public Open Space, to guide the built form and surveillance of dwellings and fencing interfacing with the public realm.**

Applicant's proposal

*All lots directly fronting the Public Open Space are accessed via a short laneway. As such, Peet Ltd seek to control the built form outcomes of both the laneway and POS frontages to enhance the overall 'streetscape' appearance of the development. The relevant LDP provisions require:*

- The main entry and a habitable room window to front, and be clearly visible to, the laneway;*
- Articulated elevations to both the laneway and POS frontages, including variations in roof pitch, blade wall or portico, or an alternative architectural feature so that both elevations present as a front elevation of the dwelling; and*
- A habitable room window to a living space and an outdoor living area (verandah/alfresco) fronting the POS.*

*Uniform estate fencing is proposed to be constructed by the developer along the southern and western POS boundaries of Lots 26 – 31. Given the topography, the fencing will step down from east to west, however providing a consistent form, as measured from the finished levels on the lots side, being ~1100mm solid limestone fencing with ~700mm high visually permeable fencing above, and ~1850mm limestone pillars between. The proposed uniform fencing offers a level of privacy/security for POS fronting residents without restricting the general surveillance of these properties over the POS.*

*On the western boundary (side return) of Lot 31, a solid 1800mm high limestone fence is proposed to offer a level of visual privacy for future residents behind the POS prescribed setback line. No uniform fencing is proposed along the eastern boundary of Lot 26; this recognising the dwelling may potentially provide a frontage (side return) onto MacNaughton Crescent which would otherwise be restricted by solid fencing. Colorbond or limestone fencing to match the remainder of uniform fencing will be at the discretion of the landowner.*

- b) for lots with rear-loaded (laneway) vehicle access as per the requirements of the subclause (a) and to guide garage locations, access and setbacks to minimise conflict with service infrastructure and refuse collection services.**

Applicant's proposal

*Garage locations are 'mandated' for Lots 26 – 31 in order to group garages and crossovers, thus offering consolidated landscaped verge areas within the laneway setting. The grouping of garages is supported by a minimum 1.5 metre garage setback to the laneway, and prescribed articulated elevations as noted above (for Lots 26 - 31), thus 'opening up' the laneway and providing a 'mews' streetscape compared with a traditional laneway design.*

*Lots 25 and 32 also have mandated garage location off the laneway given the respective retaining, service infrastructure and/or verge tree retention restrictions along the front boundary of these properties*

*Garage locations area also proposed to be 'mandated' for two additional lots, namely:*

- *Lot 42 - to protect the designated bin pad area servicing the adjoining 'nib-road' fronting Lots 38 - 41 with restricted waste management access.*
  - *Lot 53 - to ensure suitable vehicle sight lines are offered to this lot, noting restricted visibility along the front boundary by virtue of the road bend.*
- c) for lots whereby the driveway or dwelling design is impacted by the retention of specified trees, to guide garage locations and setbacks of dwellings and driveways/crossover to ensure the retention and survival of identified trees which is to be informed by an arboricultural report where deemed necessary.**

#### Applicant's proposal

*The designation of garage locations and driveway/crossover locations to (such as Lots 16 – 26 and 59 – 63) is in response to a detailed arboricultural assessment prepared by specialist consultants Arborlogic... The Arborlogic assessment specified tree protection zones/structural root zones via prescribed minimum setback requirements to future crossovers/driveways and buildings. All trees have varying minimum setbacks based on on-site analysis of the root system and canopy of each individual tree... Any lot without a nominated building setback may be developed in accordance with standard RMD-Codes setback.*

#### Officer comment

It is considered that the above proposals will provide a suitable built form outcome for the dwellings that front the POS and have laneway access and are considered to address the requirements of the condition of subdivision approval.

Importantly, the applicant has undertaken an arboricultural assessment that has informed the proposed building and driveway setback distances from the existing trees that have been designated for retention along MacNaughton Crescent, as well as the new internal road. The required building and driveway setback distances are stipulated on the proposed LDP.

Separately, the applicant has also outlined that as part of the subdivision process, they are prepared to modify the existing site boundary along MacNaughton Crescent to ensure that those existing trees that are straddling the current boundary will become wholly contained within the verge area. This will provide an extra level of protection to these trees as they will come under the control of the City.

#### Proposed modifications

Minor modifications to the proposed LDP are recommended to correct references to City policy and other minor errors. The schedule of modifications for the proposed LDP is included as Attachment 4.



## Issues and options considered

Under the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), the options available to Council regarding the LDP include the following:

- Approve the LDP.
- Require the applicant who prepared the LDP to:
  - modify the LDP in the manner specified by the local government.
  - resubmit the modified LDP to local government for approval.
- Refuse to approve the LDP.

## Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	<i>Planning and Development Act 2005.</i>
<b>Strategic Community Plan</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015. District Planning Scheme No. 2.</i>
<b>Key theme</b>	Quality Urban Environment.
<b>Objectives</b>	Quality built outcomes.
<b>Strategic initiative</b>	Housing infill and densification is encouraged and enabled through a strategic, planned approach in appropriate locations.
<b>Policy</b>	<i>State Planning Policy 3.1: Residential Design Codes. Medium-density Single House Development Standards Local Planning Policy.</i>

## *Planning and Development (Local Planning Schemes) Regulations 2015 - Local development plans*

LDPs are determined by the local government in accordance with Schedule 2, Part 6, Clause 52(1) of the Regulations and must do so within 60 days from the last day of public consultation.

The local government has the ability to approve, require modifications or refuse the LDPs taking into account the submissions received during advertising.

When an area is covered by a local development plan that has been approved by a local government, the local government must have due regard to, but is not bound by, the local development plan when deciding an application for development approval.

## Risk management considerations

The applicant has a right of appeal through the *State Administrative Tribunal Act 2005* should Council determine to refuse the LDP, not determine the LDP within 60 days from the last day of advertising, or approve the LDP subject to conditions/modifications that the applicant does not support.

**Financial / budget implications**

The applicant has paid fees of \$3,277.70 (including GST) for assessment of the LDP.

**Regional significance**

Not applicable.

**Sustainability implications**

The proposed LDP incorporates various measures designed to protect and preserve specified trees located primarily along the boundary of the site with MacNaughton Crescent. Efforts to ensure the long-term sustainability of these trees is reinforced through the applicant's proposal to modify the street boundaries of Lots 20 to 25 to ensure all subject trees are situated within the road reservation and not private property (Attachment 3 refers).

**Consultation**

The proposed LDP was advertised for public comment for a period of 21 days, closing on 30 July 2018, as follows:

- A total of 17 letters were sent to landowners and occupiers within the vicinity of the lots forming part of the LDP.
- A notice and documents placed on the City's website.

No submissions were received.

**COMMENT**

The proposed LDP serves to guide the future development of specified lots within the *MacNaughton Crescent Structure Plan* area through the application of appropriate development standards and provisions.

The LDP retains the key principles of the *MacNaughton Crescent Structure Plan* and ensures the subject lots can be developed in an appropriate manner. It is therefore recommended that Council approves the proposed LDP, subject to the modifications outlined in Attachment 4 to Report CJ131-08/18.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council:**

- 1 Pursuant to clause 52 of schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **REQUIRES** the applicant to modify the proposed local development plan included as Attachment 2 to Report CJ131-08/18, as outlined within the schedule of modifications included as Attachment 4 to Report CJ131-08/18;**
- 2 Pursuant to clause 52 of schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **APPROVES** the local development plan included as Attachment 2 to Report CJ131-08/18 subject to the local development plan being modified in accordance with the schedule of modifications included in Attachment 4 to Report CJ131-08/18 as outlined in part 1 above.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf180814.pdf](#)*

**CJ132-08/18 YOUTH DRIVER EDUCATION SUPPORT PROGRAM**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	07116, 101515
<b>ATTACHMENTS</b>	Attachment 1 The Six Steps to Getting Your Licence Department of Transport Attachment 2 Regional Youth Driver Education Program – Frequently Asked Questions
<b>AUTHORITY/DISCRETION</b>	Executive – The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

---

**PURPOSE**

For Council to consider the initiation of a Youth Driver Education Support Program for young people in the community who experience barriers to completing the required 50 hours of supervised driving to obtain their driver's licence.

**EXECUTIVE SUMMARY**

At its meeting held on 15 August 2017, Council adopted a Notice of Motion (C60-08/17 refers) that:

*“The Chief Executive Officer investigates the options to provide a pathway for financially and socially challenged learner drivers to be mentored by experienced, matured-aged volunteers in driving safely and responsibly”*

In response to the request, officers investigated need, suitability and options for supporting young people to obtain their drivers licence. It was considered that implementation of a RYDE (Regional Youth Driver Education) Program would be the most favourable option, involving minimal ongoing costs after setting up the vehicle initially. Whilst RYDE could be set up with a community organisation taking the lead role, the City is well-placed to deliver such a program, especially given its strong track record in being able to attract and retain quality volunteers.

It is recommended that Council agrees to co-ordinate a RYDE Program to service the northern region, noting that the program will only be delivered following the acquisition of a vehicle by donation and the establishment of all other infrastructure being computer program, volunteer recruitment, referral methods and administrative processes. It is anticipated this process will take eight to 12 months.

## BACKGROUND

Australian Bureau of Statistics 2016 Census Data reports that there are 14,169 young people between the ages 18 to 24 years living in the City of Joondalup, representing 9.4% of the City's population.

According to the Youth Affairs Council of WA, after research conducted in 2016, "51.99% of young people have found it hard or very hard to get their drivers licence". These young people are either unable, or find it difficult, to access qualified family or friends as driver mentors to complete the required number of hours and find the process unaffordable.

In addition, "50.52% of those surveyed said that not getting a licence affected their job or potential job applications". A lack of drivers licence may inhibit participation in education, training and employment, with many workforce entry positions, particularly apprenticeships, identifying holding a drivers license as an essential criterion in the position description. While there are opportunities to use public transport in addressing these barriers, there are occupations where workers such as technicians and trade workers need to get to remote locations in the early hours of the day to maintain employment. Where job sites are close to public transport, employees may still require a driver's licence for work operations. In addition to study or work commitments, social and recreational opportunities may be limited by transport barriers.

There are many reasons behind this problem, ranging from time constraints on adult family members to the lack of a functional family support base. Access to a suitable to driver for the 50 hours is also an identified barrier as many young people live in households that have only one car, the car is unsuitable, the parent does not have a licence themselves or the parent is uncomfortable in the role of supervising a learner.

Financial pressures on some young people and families may limit their ability to access paid driving instructors, especially for as many as 50 hours to sit in a passenger's seat.

Desktop research has shown that the presence of programs that may support a young person to attain their drivers licence in WA is limited. One program that is available, however, is the Regional Youth Driver Education (RYDE) program, which is based on successful programs in other states of Australia. With RYDE, young people are connected with volunteer mentors and an automatic vehicle to enhance their opportunity to gain a driver's license. These volunteer drivers are mature-aged people who are competent and keen to make a positive difference to young lives.

RYDE is a program developed by the Town of Bassendean, who have expanded the RYDE program similar to a franchise model to be broadly available to other local governments under the one software operating system. As the owners of the software system, the Town of Bassendean earns \$2.50 from each driving session booked. This pays for direct costs like SMS reminders or notifications before and after the session for the volunteer and participant, IP annual costs, software updates and website maintenance.

The Foyer (youth accommodation provider) and the City of Cockburn now offer the RYDE Program, with the City of Mandurah, Bunbury and Busselton soon to commence. The program has proven highly successful, reportedly operating with minimal costs after setting up the vehicle initially.

Details about driver education programs, including the favoured RYDE Program, are provided below.

## DETAILS

In response to the Notice of Motion in August 2017, officers explored opportunities and the suitability for the City to support young people with a driver education and mentoring program.

It is acknowledged that some young people experience barriers to completing the required 50 hours of supervised driving in order to obtain their driver's licence.

The Department of Transport confirms there are six steps to getting a drivers licence (refer attached) these are as follows:

- (1) Getting a learners permit.
- (2) Learning to drive.
- (3) Taking a hazard perception test.
- (4) Gaining experience.
- (5) Practical driving assessment.
- (6) Provisional licence.

It is important to note that the proposed RYDE Program addresses the equivalent of step four above and is not a replacement for driving lessons. All participants would have reached a certain level of competency and been assessed by a qualified driving instructor prior to entry into the RYDE program. Essentially, the participant can drive already and only needs the supervision to complete their log book to then sit the practical test (step five above).

Online research suggests that private lessons for driving average \$60 for 45 minutes, amounting to a total cost of approximately \$4,020 if all 50 hours were supervised through paid instruction.

A range of programs in Australia were identified involving volunteer driver mentors in response to the increasing requirements of their licencing systems. Program co-ordinators include state government, local governments and community organisations. There was only one program identified in Western Australia, the RYDE Program and the eastern states programs were used as a foundation to develop the RYDE program. It has been reported by Bassendean staff that their research evidenced most of the other programs throughout Australia experienced no difficulty getting a vehicle donated by service groups (Rotary, Apex, Lions) or car dealers for their programs.

### L2P Program (Victoria)

The Victorian Government introduced the 'L2P Program' as a measure to address inequality of access by young people to mentoring opportunities. The L2P program involves volunteer licensed drivers from the community providing driving supervision to young learner drivers. The young learner drivers are usually accessed via youth support agencies managing young people at risk. The driving sessions are undertaken in a minimum four-star ANCAP rated vehicle provided through sponsorship.

### Braking the Cycle (Queensland)

Queensland PCYC deliver the 'Braking the Cycle' program which utilises a similar volunteer mentoring model. Braking the Cycle (BTC) is an innovative community based program developed to provide assistance to disadvantaged young people aged between 16 and 25 across the Ipswich and Logan regions, who face significant barriers in completing their mandatory 100 hours of driving experience through the support of volunteer mentors.

### Geared2Drive (South Australia)

South Australia's Geared2Drive is based on a successful metropolitan program operated by Helping Young People Achieve (HYPA) and has been revised to reflect the needs of regional and rural young people.

The project was run as a pilot before it was fully established. As part of the establishment process, the program purchased a vehicle and developed policies and procedures for the training and induction of volunteer mentors and co-ordination and induction of the youth to enable access to the vehicle.

### yDrive (New South Wales)

New South Wales yDrive program is co-ordinated by the Eurobodulla Shire Council.

yDrive is a learner driver mentor program aimed at providing support to learner drivers under 23 years of age, who do not have access to a supervising driver or vehicle to gain the driving experience required to apply for a probationary licence. Through the program, young people who are financially, socially and geographically isolated are given access to driving lessons with a fully licensed driver who will guide their development as safe drivers.

The program is co-ordinated by the Youthconnections.com.au Youth Reference Group and is supported by the youthconnections.com.au Partnership Brokerage team. The yDrive committee includes members of youthconnections.com.au, Volunteering Central Coast, Benevolent Society, NSW Transport, DEEWR, Hope Unlimited Church, RDA Central Coast and Ministry of Transport.

The yDrive learner driver program is funded by NSW Government Youth Opportunities and NSW Transport.

### Department of Transport (Western Australia)

The City made contact with the Department of Transport (DoT) in April 2018 and the DoT confirmed it does not currently have any programs or arrangements in place to support people complete the mandatory 50 hours of supervised driving. Further, DoT reported it is not anticipating the introduction of any such programs and suggested that young people seek help from family and friends to assist with the supervised driving hours or pay a driving instructor.

### RYDE (Western Australia)

The Town of Bassendean and City of Cockburn have successfully delivered the RYDE Program since November 2015 and November 2017 respectively. The Cities of Bunbury and Busselton will soon be joining the program.

It is considered the RYDE program aligns with the desired outcome of the Notice in Motion in August 2017. RYDE's Frequently Asked Questions provide a thorough overview of the program and give confidence to the rigour upon which the program has been developed. The consortia model aligns with the focus of City Youth Services, taking a holistic approach to the wellbeing of young people and ensuring they are supported throughout with existing networks.

Information provided by the RYDE program states:

*“The RYDE Program is a response developed by the Town of Bassendean to the Western Australian Government’s change from 25 to 50 supervised driving hours in November 2012. This change was as a result of research showing that the main cause of novice drivers being involved in a crash was inexperience. It takes time to develop the skills and abilities needed to become a good driver, and novice driver crashes usually occur because new drivers simply make mistakes. The increase in recorded supervised driving hours provides novice drivers greater opportunity to acquire the necessary skills and develop good driving behaviours.*

*A side effect of these changes has been the marginalisation of young people with limited access to suitable vehicles or Mentors with which to undertake these requirements. The RYDE Program seeks to use technology in the areas of; induction, communication, bookings, payments and risk management to demonstrate a sustainable program model. Volunteer Mentor programs delivered in the Eastern States rely on significant and continuous funding streams for continued operation.*

*The RYDE model by comparison, leverages the in-kind support of multiple agencies specialising in specific aspects of the Program, linked by a proprietary software platform. The OBAMS (Online Booking and Management) software significantly reduces the analogue human input required to deliver the Program by automating and coordinating as many aspects as possible.*

*The online platform allows the burden of delivering a complex program to be shared by multiple Program Partners who possess expertise in particular areas of operation. Their activities are coordinated by the software which attempts to provide ‘fail safe’ treatments to many possible contingencies.”*

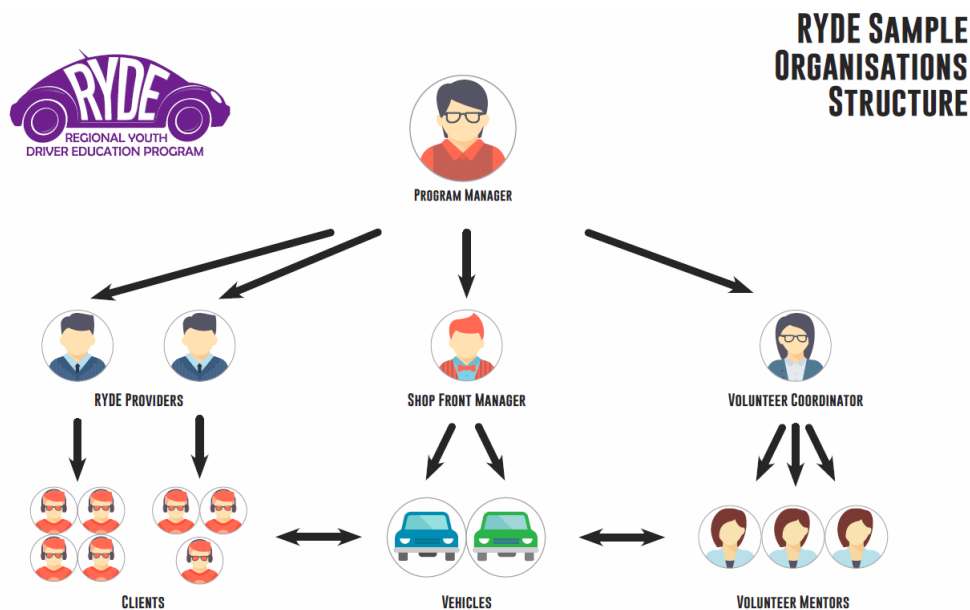
Outcomes of the RYDE Program would be to:

- 1 provide access to mentored driving experience for those learner drivers who have barriers to accessing a supervising driver and/or appropriate/safe vehicle
- 2 reduce the crash and injury rate of young novice drivers by ensuring they undertake 50 legitimate hours of quality supervised practice
- 3 increase opportunity for all young people in the north metropolitan region to participate in education, training, employment, recreational and social opportunities
- 4 foster safer attitudes towards driving through intensive mentoring
- 5 reduce the incidence of young people falsely recording their supervised hours
- 6 build supportive relationships with mentors who may offer referral materials and advice
- 7 deliver a program model and software platform which removes the need for much of the human resource overhead through automated systems in volunteer induction, communication, supervision, bookings, and payments.

### **RYDE program – Structure**

If the City decides to implement the RYDE Program, it would likely follow the lead of the programs being delivered by the Town of Bassendean and the City of Cockburn and their partnering agencies as follows:





### Program Manager

Overall co-ordination of the RYDE Program, responsible for general program operation, partner liaison and dealing with issues as they arise. The City is best placed to provide this function.

### Volunteer Co-ordinator

Responsible for recruitment, screening and ongoing support of volunteer mentors. The Joondalup Volunteer Resource Centre (JVRC) (contracted by the City) would be the natural choice to fulfil this role.

### RYDE shopfront and Vehicle Manager

Responsible for managing the servicing and repairs of vehicles and provision of a shopfront where learner drivers and their mentors meet to pick up the car. The most appropriate shopfront is one whereby the opening hours go beyond regular business hours such as a library or leisure centre.

Joondalup Library (central position, close to train station, extended opening hours) is the most suited location for the shopfront as the vehicle can be accommodated in secure overnight parking adjacent to the facility. City officers based at the Joondalup Library would be able to manage the pickup and drop off of vehicle keys.

It is possible the vehicles could come under the responsibility of the City's fleet management and an arrangement be made with a local Driving School to provide the initial driving assessments of mentors as they sign up.

### RYDE Providers

A network of youth agencies responsible for assessment of participant eligibility as well as ongoing support throughout program engagement.

The City co-chairs the Joondalup and Wanneroo Services (JAWS) network which has regular meetings attended by up to 15 youth services providers. In addition, Youth Futures WA (youth services provider based in Joondalup) has provided strong support for the implementation of a RYDE program in the northern region and a recent commitment to being a source of referrals.

### Processes

Eligible clients for the RYDE Program would be young people aged 17-25 years who have completed at least five formal driving lessons with a professional driving instructor, but have barriers to accessing instructional/supervised driving hours with family or friends. These young people would be required to live in the northern metropolitan region and be linked to, assessed for eligibility and referred by a participating support agency.

It is proposed the RYDE Program would initially recruit a group of around 12 volunteers who are prepared to not only accompany learner drivers during the 'experience' stage of their driver's licence preparation, but to build constructive support relationships with clients throughout the process. These volunteers may be sourced using the services of potential partner JVRC.

Volunteers would undergo an initial screening (conducted by the JVRC) to assess suitability and answer any questions about the program's operation. They would then apply for a Federal Police Clearance, Working with Children Check, produce an appropriate driver's licence, and undergo a driving session with a qualified driving instructor.

Volunteer mentors would view a series of online induction videos in their own time which focus on driver training, road safety, working with young people and operational aspects of the mentor program. Volunteer mentors would then be ready to log in to the RYDE Program's website and allocate the times that they are available in coming weeks.

Learner drivers could access the program primarily via referral from youth agencies within the region, or Job-Search Agencies assisting young people with their licence. Running costs would be supplemented with a small 'fee for service' of approximately \$15 for 90 minutes of driving, which is a contribution to offset the associated 'in kind' running costs. This fee is designed to partially address the challenge of program dependence on external funding, and to represent the learner driver's personal investment in the program.

Learner drivers would then input their details on the RYDE website, and browse for appropriate time slots which the site's calendar would display as 'available'. The name of the mentor would be listed next to the available appointment, so that clients can choose to continue their training with the same mentor each time, or choose someone else. To complete the booking, learner drivers, family or support agencies would be required to make an online payment via credit/debit card, or direct deposit.

Agencies would be able to book blocks of appointments and would be provided 'single use' access codes to complete a booking. Upon payment, an automated SMS would be sent to both client and mentor confirming the time, date and start location of the booking. Additional texts would be sent both 24 hours and one hour before the booking.

Cancellations with 24 hours' notice would be provided with an automated access code sent via SMS for use with future bookings.

Mentoring would be scheduled with a minimum 45 minutes between sessions. The City would need to arrange a vehicle shopfront (Joondalup Library recommended) and volunteer mentors would leave their personal vehicles at this location during driving sessions.

Mentors would use a 3G capable tablet computer supplied with the vehicle to log in to the RYDE webpage, and fill out an online checklist involving a brief inspection of the car to log damage or safety issues. The mentor would travel to the location specified on the booking and pick up the learner driver.

The website would provide the mentor with notes from any previous sessions regarding areas for improvement and the routes undertaken would reflect any specific driver training needs. Upon completion of the session, the mentor would return the client to the original pick up point, and provide constructive feedback if appropriate. On returning the vehicle to the shopfront, the mentor would be required to enter a brief written report into the website, which would be separated into 'Driving' notes and 'Support' notes. The Support notes would include any support issues the client may have raised in discussion and would be added to by 'case supervisors' to offer support and referral advice for use in future sessions.

The web connected tablet computer would provide data and statistics to produce reports, and to view the location of the vehicle if required.

### **Partner Agencies**

The City of Joondalup facilitates the Joondalup Volunteer Resource Centre (JVRC), which is envisaged will assist with the recruitment and screening of volunteer driver mentors for the RYDE Program. City officers expect the JVRC will participate in the program as part of their ongoing operations.

The City also has a close relationship with Youth Futures WA which has attempted to set up a support driving program for young people but found it challenging as a small community service organisation, to sustain the program. Discussions held with the CEO of Youth Futures WA indicate strong support for the RYDE Program model being delivered in the region.

The City co-chairs the Joondalup and Wanneroo Services JAWS (youth service providers network) so existing relationships can be used to promote the program and seek support in getting referrals.

These close relationships with partner youth agencies would ensure the City will be well-placed to co-ordinate the program and assist with provision of information and stakeholder support.

Experience with the issues faced by the proposed client group, as well as a sound understanding of the incentives and barriers to their participation, would allow for program delivery which would be responsive and appropriate to their needs.

The City has conducted a preliminary discussion with a local service group which has indicated an immediate interest in conducting fundraising to purchase a vehicle for the program. The concept aligns well with other projects the group is pursuing at the moment.

The City's Youth Services team would be responsible for setting up the program then providing the co-ordination once up and running. It is envisaged this commitment would include liaising between partner agencies and the shop front and answering any enquiries about the program as needed.

### **RYDE Program – Is it the role of Local Government?**

It is not a legislative or statutory requirement that Local Government specifically provide driver education programs, nor is it a vocal current community expectation that local governments offer such a service.

As the tier of government that most closely affects the daily lives of citizens, however, local government is well placed to co-ordinate a response to identified, local community need. Research indicates that local young people would benefit from the availability of a driver education program to assist them meet the 50 hours of supervised driving hours to obtain a licence.

The City has a significant operating deficit that it is endeavouring to curb, with any new initiatives risking attempts to address this problem. That said, if the City considers the need is great enough for new expenditure and/or the new service could run at neutral cost, then it may be suitable for implementation.

The RYDE organisation has provided information advising it can generate income when operating above 65% capacity, and therefore could actually support the City's endeavours to address the operating deficit, while also meeting a community need. In June 2018, the Town of Bassendean reported that its program has generated a surplus over the past two years.

It is acknowledged that the delivery of the RYDE Program could be 'owned' by other service providers, such as Youth Futures WA or YMCA, or Alta-1 (alternative education program). However, the likelihood of an existing provider having the capacity, resources and resolve to undertake the RYDE Program (or equivalent) is considered low. If the City considers a driver education program to be important for its community, it is considered that relying on a third party to deliver may not bring an outcome at all locally.

It is considered there are several advantages for the City to undertake care and control of the RYDE program, these include the following:

- An existing high performing Youth Services team that has direct and sustainable access to the target market for the RYDE Program.
- Good business structures to support the program.
- Given the delivery of the RYDE Program relies fundamentally on volunteers, the City has a good track record in attracting and managing volunteers with formal links to the Joondalup Volunteering Resource Centre (JVRC).
- Understanding of fleet vehicles and strong safety controls as part of normal business operations.

There is an option for the City to progress RYDE as a collaboration with the Cities of Stirling and Wanneroo to create a truly regional program, however this was considered unsuitable. The RYDE Program is already equally available to all local governments to set up so, in this instance, establishing a tri-cities arrangement would bring limited benefit and is likely to risk access of local young people to the program, with potentially less total number of hours available to support young people in Joondalup.

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

**Legislation** Not applicable.

### **Strategic Community Plan**

**Key theme** Community Wellbeing, Community Spirit.

**Objective** To have proud and active residents who participate in local activities and services for the betterment of the community.

**Strategic initiative** Support and encourage opportunities for local volunteering. Promote and support the needs of disadvantaged communities.

**Policy** There is no policy that relates directly to this Report.

### **Risk management considerations**

There are several identified risks with the introduction of the RYDE Program, although it is reported by Town of Bassendean and City of Cockburn that these could be suitably mitigated:

- Increase in demand beyond vehicle capacity – expectations to be managed via online booking program.
- Demand outweighs volunteer drivers available – to be mitigated through accessing the JVRC for volunteers.
- Insufficient demand for the program hinders ability to recoup expenses – to be mitigated by utilising existing strong youth networks, both within industry and with young people through current services.
- Staff resources to manage the program are higher than anticipated by the City - to be mitigated by automated IT solutions in the areas of induction, mentor/driver communication, booking and payment systems. This unique feature would endeavour to mitigate the requirement for large human resource components normally involved in the coordination of these types of projects.

### **Financial / budget implications**

**One-off Cost** The vehicle required is estimated to cost \$18,000 and would then require \$3,000 fit-out for extra driver pedals. A six year life is estimated for the vehicle and the annual depreciation expense is estimated to be approximately \$2,500 per year.

**Annual operating cost** The annual operating expenses are estimated to be approximately \$15,000 per year - this is based on the expenses currently incurred by Town of Bassendean and includes depreciation expenses.

The \$15,000 annual cost includes operating expenses of the vehicle, software costs (as owners of the software, the Town of Bassendean will charge the City \$2.50 for every booking made) and other sundry costs.

There are no additional employment costs included in the estimate because it is assumed that the service would be controlled by existing staff. The Town of Bassendean reports that, due to the automation of the program, current staff time dedicated to the program as being less than one hour per week.

**Annual operating income** It is estimated that the City could receive \$9,000 per year income from youth drivers participating in the scheme. This is based on \$15 per booking x 600 bookings per year.

**Net Operating Impacts** The net operating cost to the City is therefore estimated to be \$6,000 per year. This figure will be reduced if the program generates more income than projected.

## 20 Year Strategic Financial Plan (SFP) impact

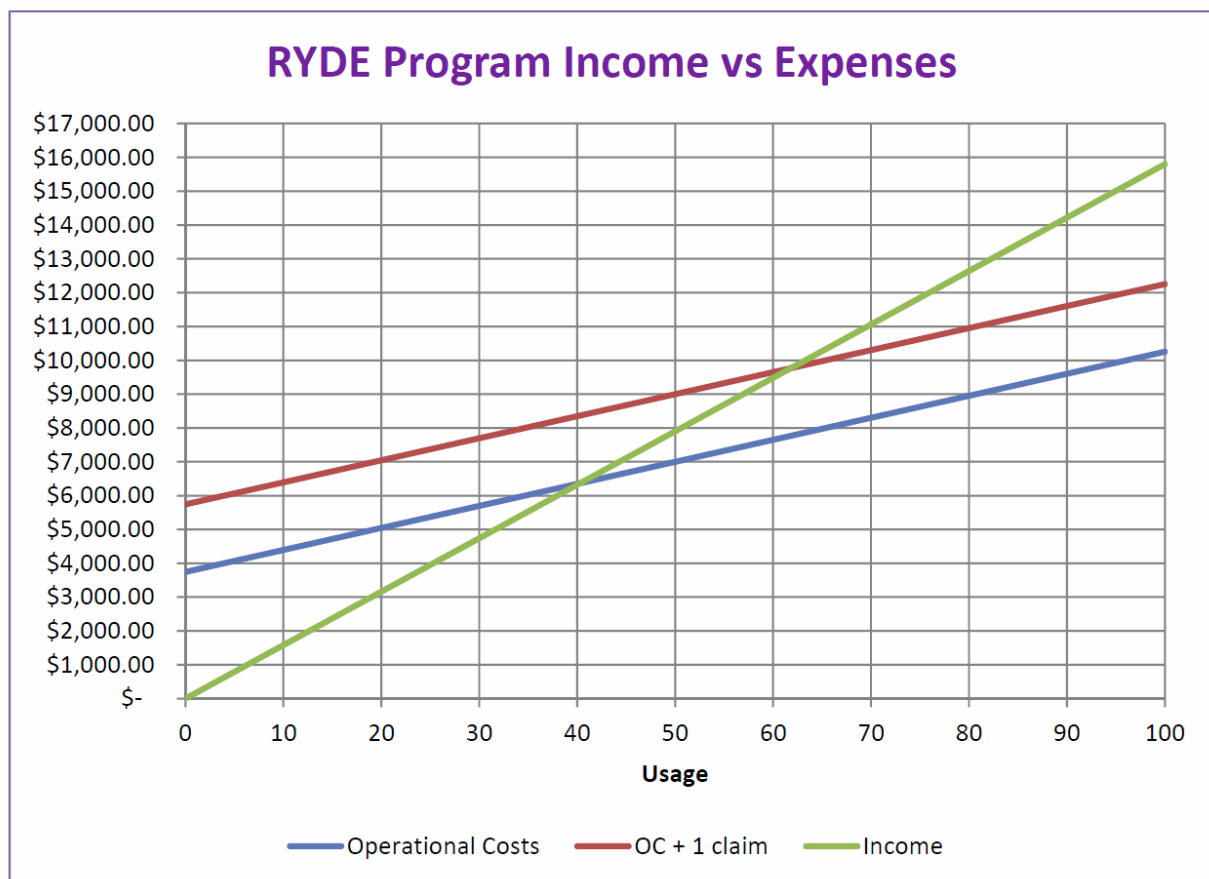
The draft Budget and draft *20 Year Strategic Financial Plan* do not have any allowance for this service. The overall 20 year impacts in cash terms would be approximately \$0.2 million.

## Risks / Sensitivity

The Town of Bassendean operate the service at cost-neutral (or in fact on track for surplus this financial), as it has higher income and had the vehicle donated. It would be worthwhile for the City to investigate whether a donor could be found, including renewal every six years, to avoid the \$2,500 annual depreciation expense.

The City has not budgeted for the establishment of this program in the current budget or financial forecasts. Once the program is established, if the City can operate at 40% capacity (or 65% with one claim), then according to the RYDE providers it will be cost neutral. Anything over 40% (or 65% with one claim) could generate funds for the City, supporting endeavours to address the current operating deficit.

Bassendean and Cockburn have reported the biggest factor to hinder the program is securing volunteers. The City has excellent processes for seeking, managing and recognising volunteers and it is anticipated securing volunteers would be quite straight-forward.



## Regional significance

If the City were to deliver a RYDE Program, it is likely that learner drivers from outside the City may access the program. The Town of Bassendean reports that it has participants from the City of Joondalup who access their program at the current time.

## **Sustainability Implications**

It is anticipated the RYDE Program would provide young people who face barriers to gaining their driver's license with the ability to complete their supervised hours of driving with cost being less of a prohibitive factor.

The nature of the current regulations may also account for some individuals who have limited or no access to supervised driving hours, falsely recording the quantity of driving in their logbooks. These barriers may lead to novice drivers having less authentic supervised experience before driving independently. It is envisaged that with easier and more universal access to mentored driving hours, young people will be less likely to falsify experience, illegally drive without a licence and pick up bad driving habits through inadequate or poor-quality mentoring.

The City of Cockburn and the Town of Bassendean have both successfully delivered the RYDE Program for two years and five months respectively. Both local governments report that the programs are running on a cost-neutral basis after initial set-up. Further, the program does not incur some costs (fuel, vehicle wear and tear) during periods of low bookings.

## **Consultation**

While preparing this Report, City officers gathered information about the RYDE Program from their counterpart officers at the Town of Bassendean and City of Cockburn. Extensive written material which was very useful in the preparation of this Report was also provided by the Town of Bassendean.

Informal conversations were held by the Youth Team with service providers to garner their view on whether local young people needed the program and it was concluded there is suitable demand for Driver Education.

Preliminary meetings were held with Joondalup Library, Joondalup Volunteer Resource Centre, Youth Futures WA and a local service group.

## **COMMENT**

Research indicates that some local young people have difficulty obtaining their drivers licence due to barriers completing the required 50 hours of supervised driving. The RYDE Program is identified to meet that need and comes highly regarded by both the Town of Bassendean and City of Cockburn.

It is reported that once the RYDE Program is established, it has minimal ongoing costs and can be cost neutral, or generate revenue.

With commitment from the Joondalup Volunteer Resource Centre and partner youth agencies, the recruitment of volunteer mentors and learner drivers for the program should prove successful.

If the program is approved to proceed, a comprehensive implementation plan, operations manual, performance measures and program reporting mechanisms will be developed prior to its commencement.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1**     **NOTES** the information about the Regional Youth Driver Education Program (RYDE);
- 2**     **AGREES** that such a youth driver education support program would result in significant benefit for the Joondalup community;
- 3**     **REQUESTS** the Chief Executive Officer to commence planning for and implementation of a RYDE Program in the 2019-20 financial year, subject to a vehicle being donated for this purpose.

**C72-08/18**

**EXTENSION OF TIME TO SPEAK**

**MOVED Mayor Jacob, SECONDED Cr McLean that Cr Logan be permitted an extension of time to speak for a further five minutes.**

**The Motion to Extend was Put and**

**CARRIED (12/0)**

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

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf180814.pdf](#)*



**CJ133-08/18      PROPOSED AMENDMENTS TO THE REGISTER OF  
DELEGATION OF AUTHORITY**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	07032, 101515
<b>ATTACHMENTS</b>	Attachment 1 <i>Register of Delegation of Authority</i> (proposed - showing tracked changes) Attachment 2 <i>Register of Delegation of Authority</i> (proposed – clean copy)
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

## PURPOSE

For Council to consider updates to the Register of Delegation of Authority, to align with the City's new planning scheme, *Local Planning Scheme No. 3*.

## EXECUTIVE SUMMARY

The City's new planning scheme, *Local Planning Scheme No. 3* (LPS3), has been considered by the Western Australian Planning Commission and the Minister for Planning and the Minister has advised the City it has been determined that LPS3 should be approved, subject to some minor administrative modifications. The modifications have been made and the document has been resubmitted for finalisation.

The current planning scheme, *District Planning Scheme No. 2 (DPS2)* will be revoked on the day LPS3 is published in the *Gazette*. Therefore, amendments are required to the City's Register of Delegation of Authority to ensure that the wording of the existing delegations aligns with LPS3, when it comes into operation. The proposed amendments do not alter or fundamentally change the extent of delegation, but update the terminology to ensure alignment with LPS3.

The delegations have also been updated to reflect current position numbers within the Planning Services business unit.

It is recommended that Council supports the proposed update to the Register of Delegation of Authority.

## BACKGROUND

In accordance with clause 82 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), a local government may, by resolution, delegate any of the functions or powers of the local planning scheme to the Chief Executive Officer.

Clause 83 of the LPS Regulations allows the Chief Executive Officer to then delegate any of their functions or powers under a local planning scheme directly to employees. The Council last reviewed its delegations on 26 June 2018 (CJ101-06/18 refers).

In accordance with the requirements of the *Planning and Development Act 2005* and the LPS Regulations, the City has prepared a new local planning scheme. At its meeting held on 27 June 2017 (CJ089-06/17 refers), Council resolved to support draft LPS3 subject to modifications. Draft LPS3 has now been considered by the Western Australian Planning Commission and the Minister for Planning and was supported subject to modifications. These modifications have been made and LPS3 is currently awaiting finalisation. Once LPS3 has been published in the *Gazette*, the City's current scheme, DPS2 will automatically be revoked.

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 and checked by the assessing officer, cross-checked by a Senior Urban Planner, checked and reviewed by the Manager Planning Services or Director Planning and Community Development where required by existing delegations and reported to Council on a monthly basis.

## DETAILS

The Register of Delegation of Authority is required to be amended to align with LPS3, to ensure that the delegations under DPS2 can continue under LPS3.

The existing delegations showing the proposed modifications (as tracked changes) are included as Attachment 1 and the proposed delegations incorporating the changes are included as Attachment 2.

The proposed amendments do not alter or fundamentally change the extent of the existing delegations, but update the terminology to ensure it aligns with LPS3.

The proposed amendments to the delegations are as follows:

- Replacement of the term '*District Planning Scheme No. 2*' with '*Local Planning Scheme No. 3*'.
- Replacement of 'Home Business Category 2' with 'Home Occupation' and 'Home Business Category 3' with 'Home Business' in accordance with the LPS Regulations.
- Replacement of reference to 'non-residential coastal site' with 'coastal area building height'.
- Modification of 'Table 1 Zoning Table' to 'Table 3 Zoning Table'.
- Insertion of reference to 'Table 3a Whitford Activity Centre Zoning Table' and 'Table 3b Joondalup Activity Centre Zoning Table'.

- Incorporation of reference to development standards contained in local planning policies.
- Deletion of reference to 'ancillary dwelling' and 'aged or dependent persons' dwellings' as these land uses no longer exist in LPS3.

Deletion of the delegation for 'land sales office (temporary)' and 'display home' as these land uses no longer exist in LPS3.

- Deletion of the delegation where development is not for 'short stay accommodation' abutting the 'Residential' zone (see below).
- Inclusion of additional position number Senior Urban Planner (01479).

### Short stay accommodation

The current delegations require Council to determine applications for 'short stay accommodation' abutting the 'Residential' zone. However, LPS3 introduces new land use classes for 'short stay accommodation'. Under LPS3, 'short stay accommodation' is referred to as 'short-term accommodation' and has been split into separate land uses, depending on their built form - these being 'holiday house', 'holiday accommodation' and 'serviced apartment'.

In addition, 'holiday house' and 'holiday accommodation' can now be considered in the 'Residential' zone and a new local planning policy has been prepared to guide their development. Therefore, the delegation that Council determine applications for 'short stay accommodation' abutting the 'Residential' zone is no longer considered appropriate as 'holiday house' and 'holiday accommodation' can be considered in that zone. Applications for short-term accommodation will be determined in accordance with the requirements of the *Short-term Accommodation Local Planning Policy*.

### Time periods for town planning delegations

Currently, certain town planning delegations are effective for two years from a specified date, being that the date the delegations are adopted by Council. However, it is considered appropriate that this clause be removed as the delegation manual, which includes the town planning delegations is now subject to an annual review by Council.

### **Issues and options considered**

The options available to Council in considering the changes to the Register of Delegation Authority are:

- accept the updates to delegations as detailed in this Report and set out in Attachment 2
- vary the proposed delegations as presented
- or
- reject the proposed changes to delegations.

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

#### **Legislation**

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

**Strategic Community Plan**

<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Corporate capacity.
<b>Strategic initiative</b>	Continuously strive to improve performance and service delivery across all corporate functions.
<b>Policy</b>	Not applicable.

**Risk management considerations**

The proposed amendments do not alter or fundamentally change the delegations, and as such are not considered to create additional risk.

Where adequate and appropriate delegations are not in place there may be a risk that the day-to-day operations of the City in relation to certain legislative responsibilities are not undertaken in a timely manner or overly burden the Council's business activity. If the amendments to delegations to align with LPS3 are not supported, determination of all development applications will require a Council decision. Currently, on average, 114 development applications are determined under delegated authority each month. If these items were required to be considered by Council, it is likely that Council meetings would lengthen substantially and would detract from Council's focus on important strategic and policy matters.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focusing on the day-to-day operations of the City. The use of delegated authority means the large volume of routine work of a local government can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

The LPS Regulations allow Council to delegate any of the functions and powers of the local planning scheme to the Chief Executive Officer, who can in turn delegate those functions or powers to employees of the local government.

The proposed changes do not alter or fundamentally change the delegations, but predominantly update the terminology and references to ensure alignment with LPS3. It is therefore recommended that Council supports the changes to the Register of Delegation of Authority.

## **VOTING REQUIREMENTS**

Absolute Majority.

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

- 1 BY AN ABSOLUTE MAJORITY and in accordance with clause 82 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DELEGATES the local government functions as listed in the amended Register of Delegation of Authority forming Attachment 2 to Report CJ133-08/18;**
- 2 RESOLVES that the amendments to the Register of Delegation of Authority will come into effect upon commencement of the operation of *Local Planning Scheme No. 3* once it is published in the *Government Gazette*.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf180814.pdf](#)*

## CJ134-08/18      MODERNISING      WESTERN      AUSTRALIA'S PLANNING SYSTEM GREEN PAPER - CITY OF JOONDALUP SUBMISSION

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	106771, 101515
<b>ATTACHMENTS</b>	Attachment 1      Modernising Western Australia's Planning System - Green paper concepts for a strategically led system Attachment 2      City of Joondalup submission
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### PURPOSE

For Council to consider and endorse the City of Joondalup's submission on the *Modernising Western Australia's Planning System - Green paper concepts for a strategically led system* (Green Paper).

### EXECUTIVE SUMMARY

The Minister for Planning has commissioned an independent review of the planning system to identify ways to make it more efficient, open and understandable to everyone. A Green Paper has been developed which outlines a number of proposals aimed at modernising the planning system. The Green Paper proposes the following five key planning reform areas:

- Strategically-led: Make strategic planning the cornerstone of the planning system.
- Legible: Make the planning system easy to access and understand.
- Transparent: Open up the planning system and increase community engagement in planning.
- Efficient: Make the planning system well-organised and more efficient.
- Delivering smart growth: Refocus the planning system to deliver quality urban infill.

Many of the planning reforms proposed are supported, as they have the potential to improve the efficiency of the planning system. However, for it to be successful, planning reform (including timeframes and the need for transparency) needs to be shared equally across all stakeholders, in decision making - local government, the Department of Planning, Lands and Heritage (DPLH) and the Western Australian Planning Commission (WAPC).

In addition, the DPLH and WAPC need to be adequately resourced and funded to ensure the proposed reforms are implemented.

It is recommended that Council endorses the City of Joondalup's Green Paper.

## BACKGROUND

The Minister for Planning has commissioned an independent review of the planning system to identify ways to make it more effective, streamlined, open and understandable to everyone. The Green Paper outlines challenges in the planning system and proposes five key reform areas (Attachment 1 refers). It is a discussion paper and does not commit the State Government to adopt the proposals. Feedback on the Green Paper will inform a future White Paper, which will set out the Government's proposed reforms for a modernised planning system.

The Green Paper has been prepared in response to State Government concern that the planning system has become overly complex and focusses heavily on processes rather than outcomes. There are many out of date and overlapping policies and guidelines, with the focus on individual development applications rather than an overall vision for an area.

The Green Paper identifies a number of reform measures aimed at refocussing the effort on strategic planning that engages residents, local government and other stakeholders early in the planning process to set the vision and direction for their community.

This Green Paper is one of a number of proposals suggested over the last few years to reform Western Australia's planning system. In September 2009, the Minister for Planning released *Planning Makes it Happen: a blueprint for planning reform*. In September 2013, *Planning Makes It Happen: phase two* was released. Some of the key changes implemented by these previous planning reforms are the introduction of Development Assessment Panels, model subdivision conditions, *Directions 2031 and Beyond*, and the *Planning and Development (Local Planning Schemes Regulations) 2015* (the Regulations) which introduced a track-based scheme amendment process, provided model scheme provisions and standardised the structure plan process.

However, these planning reforms were never finalised and have only been partially implemented.

## DETAILS

The Green Paper identifies four key reform principles to underpin the planning system being fairness, transparency, integrity and efficiency and proposes five key reforms as follows:

- Strategically-led: Make strategic planning the cornerstone of the planning system.
- Legible: Make the planning system easy to access and understand.
- Transparent: Open up the planning system and increase community engagement in planning.
- Efficient: Make the planning system well-organised and more efficient.
- Delivering smart growth: Refocus the planning system to deliver quality urban infill.

The Department of Planning, Lands and Heritage (DPLH) has prepared a response template to assist local governments and industry groups to respond to the specific proposals outlined in the Green Paper. The City has provided its detailed comments in this response template (Attachment 2 refers), however a summary of the proposed reforms and the City's general comments are outlined below.

**Key reform one: A strategically-led system**

*Putting strategy at the centre of the planning system will give the community a say in how their neighbourhoods will be developed and provides the development industry with a clear picture of what is expected for future development.*

Key proposals

- Require local governments to maintain up-to-date local planning strategies in consultation with their communities and to review the strategy prior to a scheme amendment.
- Amend the Planning and Development Act to make strategic planning for sustainable development the purpose of planning in Western Australia.
- Develop a new State Planning Policy that defines sustainable development and decision-making for sustainable outcomes.
- Require local governments to prepare a local housing strategy to show where growth will be accommodated and what types of housing are needed.

City's comments

The City supports a strategic led planning system with the development of a local planning strategy (LPS) and local housing strategy (LHS) prior to the review of a local planning scheme. However, it is noted this is a reflection of the current planning process.

The City's experience with its own LPS and LHS has demonstrated that the timeframes for finalisation of these key strategic documents is protracted and, therefore, timeframes need to be implemented within which the DPLH and WAPC need to consider and assess the LPS and LHS prior to advertising. This is fundamental to the establishment of a strategic led system, as the strategies need to be approved in a timely manner to ensure they are relevant and not out of date by the time they are approved.

It should also be noted that a LPS does not easily translate into a local planning scheme. The Local Planning Manual, prepared by the DPLH, which serves as a guide for the preparation of local planning strategies and local planning schemes, should also be updated to explain how the strategies of the LPS can be implemented in the scheme.

One of the issues with planning is not the system itself, but how people interact with the system.

It is often not until a development directly affects a person that they interact with the planning system, even though they may have been given the opportunity to comment on higher order strategic plans that set the framework for individual development proposals, such as the local planning strategy, the local housing strategy or a structure plan. Encouraging the community to interact and have input into higher order strategic plans will be one of the challenges of implementing these reforms.

**Key reform two: A legible planning system**

*The planning system should be easy to access and understand. A consistent set of schemes, policies and plans will restore trust in the system by reducing red tape and the need for discretionary decision making.*



### Key proposals

- Consolidate State Planning Policies into a single concise framework with easy-to-understand guidance.
- The links between State Planning Strategy and State Planning Policies, and local planning strategies and schemes should be strengthened and made clear and understandable.
- Define common strategic elements for the State Planning Framework and require all planning documents to be organised around these elements.
- Require all local planning schemes, strategies and policies to be published in a single, easy-to-navigate, standardised format, to be known as a Comprehensive Local Planning Scheme.
- Reduce red tape for business by standardising land use permissibility for the most commonly-used zones.

### City's comments

The consolidation of State Planning Policies and the development a Comprehensive Local Planning Scheme are supported in principle. However, the proposal for local planning policies to be reviewed by the DPLH, endorsed by the WAPC and then approved by the Minister is not supported. This will be a time-consuming process and add another layer of complexity to the planning system rather than simplifying the planning system. Local planning policies should remain under the control of the local government who have the best knowledge of the local area.

The proposal to delay the review of local planning strategies and local planning schemes until after the finalisation of these planning reforms is not supported as it may take years to finalise the reforms, preventing local governments from undertaking necessary strategic work.

The proposal to standardise land use permissibility in zones is supported in part, as local government should still be able to retain the flexibility to determine the appropriateness of some land uses in particular zones. For example, more contentious land uses, such as 'Tavern', should be for the local government to determine what zones they are appropriate in, based on local context and not be determined by the State Government.

The Local Planning Manual has not been updated since the Regulations came into effect and requires review as a matter of key importance to provide guidance to local governments in developing the required strategic documents.

### **Key reform three: A transparent planning system**

*The planning system should be open with engagement increased to ensure the community understands how an area will develop. The accountability and transparency of the DAP system also needs to be improved.*

### Key proposals

- Develop a community engagement charter for all aspects of the planning system and align this with the regulations while removing out-dated requirements.
- Preparation and publication of a guide as to the scope of reasons by planning decision makers, with detailed summaries to be provided on decisions.
- Make available DPLH and WAPC statutory reports to allow for a greater level of scrutiny and for providing stakeholders with an opportunity to directly address any matters of concern.
- Local governments to report on such planning matters as the quantity and value of applications, timeliness, details on the types of proposal, the use of discretion and delegations.
- Increase the accountability of Development Assessment Panels (DAP's) by providing for regular meeting times, recording of meetings, specialist panel members, reasons for decisions and measures to improve the consistency of reports, procedures and decisions.

### City's comments

The development of a community engagement charter that covers the associated process for all planning matters is supported in part. It is acknowledged that such a charter may provide for consistency, not only for planning matters, but also between determining authorities. It is however noted that a large number of local authorities have developed their own comprehensive consultation policies that best suit their local community interest. As a result of a report on the City's existing Local Housing Strategy presented to Council at its meeting held on 21 November 2017 (CJ177-11/17 refers), the City has commenced its own review of consultation practices and development of a consultation policy, specifically for planning matters. A charter which is largely prescriptive may result in the City undertaking consultation on planning matters that ordinarily would not be warranted or removing the need for consultation on matters that generate a large amount of community interest, based on local context.

Similarly, a scope of decisions document and mandatory reporting by local governments on planning matters will also provide some consistency for landowners and applicants across local governments. A scope of decisions guide should provide for a set of standardised reasons to eliminate additional time spent by City officers and Council providing unnecessary and onerous justification and should be clear as to when such reasons should be applied and what level of detail is required.

The City currently prepares a monthly report for Council on decisions made under delegated authority. The mandatory reporting proposed will potentially require additional information, including net lettable area, discretion used and the level of delegation required. In 2017, over 1,400 development applications alone were determined by the City, most of which the City and Council exercised a level of discretion on. Adjustments would need to be made to how the City reports to capture the volume and detail required. Furthermore, to ensure transparency, the scope should apply to all decision makers, including the WAPC and all levels of government should be subject to the same reporting requirements.

While a number of the proposals in relation to Development Assessment Panel (DAPs) are supported, there are concerns with the specifics of some of these. The introduction of DAP meetings being held at regular times is supported, but the inclination for these to be outside of business hours is not. Additional costs will be incurred by local governments in the way of staff attendance outside office hours, in particular where meetings are held within Council chambers and require the presence of additional support staff.

Further readvertising of those DAP applications amended through SAT unless full compliance is proposed is not considered appropriate where consultation would not ordinarily be undertaken, such as in instances for very minor discretion or where discretion sought would not impact surrounding landowners. This may result in additional costs and additional time for very little benefit and may also result in unnecessary angst with affected parties. Likewise, introducing parties, such as adjoining landowners, into the SAT process may potentially further complicate matters and lead to more protracted timelines in a process that is being reviewed with the intent of being streamlined. Similarly, providing a framework for an expanded DAP meeting process where a development application could potentially be presented to multiple meetings or deferred to enable site visits, will also result in timeframes being exceeded and be contrary to the purpose behind the introduction of the DAPs.

The provision of a DAP Chief Presiding Member is supported by the City as well as those measures proposed within key reform three which seek to introduce greater consistency in DAP decision making.

#### **Key reform four: An efficient planning system**

*The efficiency of the planning system and decision making will be improved by better defining the roles and responsibilities of the WAPC, Department of Planning, Lands and Heritage, local government and other State agencies.*

#### **Key proposals**

- Revise the WAPC membership down to five to seven members with a breadth of skills and experience focussed on State policy, regional plans and planning for smart growth.
- Give the WAPC the flexibility to form expert committees as required in response to emerging issues or specific projects.
- Increase delegation of statutory and administrative matters from the WAPC to accredited local governments with delegations in place.
- Rethink administrative processes that add unnecessary time and cost to approvals processes such as introducing a track-based approach, maximum timeframes to request additional information, pre-lodgement meetings and 30-day approval for single houses with minor variations.

#### **City's comments**

The City supports the delegation of certain statutory and administrative planning matters from the WAPC to local government, such as local planning policies, basic local structure plans and minor subdivisions. However, no information has been provided on why 'accreditation' of a local government is required, or what it entails.

Although local government currently makes a recommendation on subdivision applications, if they become responsible for determining minor subdivisions, it is anticipated that local governments will also be responsible for dealing with any appeals that arise and defending decisions at the State Administrative Tribunal. This could have an impact on resourcing depending on the number and nature of subdivisions delegated to local government.

The proposal for structure plans to return to having the 'force and effect' of a local planning scheme is supported, rather than the current situation where decision-makers need to simply give "due regard" to structure plans.

The introduction of mechanisms to streamline the approvals process is supported, particularly the 30-day fast track for 'minor' single house applications, which is already undertaken by the City of Joondalup. However, the proposal to allow a 'deemed-to-comply' check of single houses before lodgement of any application is not supported as it would likely require a full assessment of each single house, which is resource intensive and would likely require additional local government staffing requirements to undertake this in a timeframe required to add value to process and meet customer expectations. Although it is noted that a fee would be payable for the additional service, it is considered unlikely that the fee would reflect the cost of resource to provide the service.

#### **Key reform five: Planning for consolidated and connected smart growth**

*The planning system should focus on achieving high quality growth to meet the needs of the growing and diverse population and economy.*

#### **Key proposals**

- Collaboration between state and local government with clear arrangements on the planning and delivery of urban infill areas.
- Development of a new consolidated and connected smart growth state planning policy based on contemporary leading practices.
- Establishment of a new Infrastructure Committee to assist in strategic coordination across the state from the WAPC, local government and utility providers.
- Provision of an "Industrial Deferred Zone" within the Metropolitan Region Scheme (MRS) to coordinate state infrastructure with regional rezonings.
- Forward planning of state infrastructure, including advice from utility providers to assist in early preparation of local planning strategies and structure plans.
- Amendments to the MRS to allow Department of Transport to coordinate a whole of transport portfolio along urban corridors, ensuring consistency.
- Review of Liveable Neighbourhoods with respect to greenfield development and in the context of it being elevated to a state planning policy.

### City's comments

It is noted that the Green Paper reaffirms State Government commitment to smart growth and urban infill. Further, it is agreed that coordination between state and local government needs to be improved, with early collaboration between all parties an essential step towards ensuring that there are minimal repercussions at later stages in the planning process for infill development.

A consolidated policy that incorporates several existing policies such as State Planning Policy 4.2: *Activity Centres for Perth and Peel*, is supported by the City, ensuring that the State's direction on planning matters is captured within one space. While such a policy should build on smart growth principles, the policy should be broad enough to ensure that it does not capture the elements of just Metronet alone, but rather is a policy that can be used more long-term.

The establishment of an Infrastructure Committee is also supported as the City has often found that advice from utility providers is not forthcoming and that decisions and recommendations are required to be made prior to input being received from relevant parties.

While the inclusion of 'Industrial Deferred Zones' within the MRS will not have a direct impact on the City of Joondalup, it is considered that its inclusion within the reform will assist the City in future proofing its development to ensure that the additional economy that may result can be supported. By such areas being identified early, the City will be able to proactively review road network capacity in this context and prepare and adjust funding and upgrades that would likely be required.

The last edition of *Liveable Neighbourhoods* was released in 2009, with the City invited to consider a draft revision of the document in 2015. Within that review, specific comments were provided in relation to the proposed amendments, however in general the City was of the view that as the document was not directed at infill development, it would be difficult to apply to established areas and it was a missed opportunity to provide a comprehensive set of guidelines for both greenfield and infill development. The City's previous submission on this remains valid and a further review of the policy is supported in the context of infill sites also being included. Given the lack of large greenfield sites within the City, it is considered that a review in the context of urban infill will provide a large amount of guidance for both developers and City officers in the assessment and development of both structure plans and subdivisions.

### **Issues and options considered**

The options available to Council in considering the Green Paper and the proposed submission are:

- endorse the proposed submission and forward to the DPLH
- endorse the proposed submission with modifications and forward to the DPLH  
or
- not endorse the proposed submission.

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

#### **Legislation**

*Planning and Development Act 2005.*  
*Planning and Development (Local Planning Schemes) Regulations 2015.*  
*District Planning Scheme No. 2.*  
*Local Planning Scheme No. 3.*

## **Strategic Community Plan**

<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Strong leadership.
<b>Strategic initiative</b>	Participate in State and Federal policy development processes affecting local government.
<b>Key theme</b>	Quality Urban Environment.
<b>Objective</b>	Quality Built Outcomes.
<b>Strategic initiative</b>	Housing infill and densification is encouraged and enabled through a strategic, planned approach in appropriate locations.
<b>Policy</b>	All local planning policies.

## **Risk management considerations**

The Green Paper proposes significant changes to the State's planning system. Local government is a key part of the planning system and it is therefore important for the City to provide a submission.

## **Financial / budget implications**

It is difficult to quantify the financial implications of the proposed planning reforms as many changes are proposed and until they are finalised, it is not known what the financial implications will be. However, there is likely to be increased cost to local government arising from:

- additional delegation on certain planning matters being shifted to local government
- increased community expectation and broader community consultation
- more up front strategic work will need to be undertaken
- the need to provide published reasons for all planning decisions.

## **Regional significance**

The proposed planning reforms will apply across the State and have significant impacts for all local governments.

## **Sustainability implications**

The Green Paper highlights the importance of sustainability in the planning system by proposing a definition of sustainability be included in an overarching State Planning Policy.

## **Consultation**

The DPLH is currently undertaking consultation on the Green Paper. Although the submission period officially closes on 20 July 2018, the City of Joondalup has been granted an extension until the 24 August 2018 to allow Council to consider the City's submission at its meeting being held on 21 August 2018.

## COMMENT

Reform of the planning system is supported. As a Green Paper, not all detail is available to understand the potential impact of the proposed reforms. However, many of the planning reforms have merit and will improve the planning system.

It is noted the planning reforms will have limited or no impact if the DPLH and WAPC are not properly resourced to ensure planning documents are progressed in a timely manner.

One of the major issues with the planning system, is not the system itself, but the implementation of the system. It currently takes the WAPC (sometimes) many years to approve strategic documents, therefore they are already out of date by the time they are approved. For these reforms to significantly improve the planning system and move to a strategically-led system, timeframes for approval by DPLH or WAPC need to be specified and adhered to. In addition, commitment needs to be given to the implementation of the reforms, particularly the adequate staffing of the DPLH, in order for strategic documents to be progressed in a timely manner.

It is recommended that Council endorses the City's submission on the draft Green Paper as shown in Attachment 2 to Report CJ134-08/18.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council ENDORSES the City of Joondalup's submission on the Modernising Western Australia's Planning System Green Paper as shown in Attachment 2 to Report CJ134-08/18 and forwards it to the Department of Planning, Lands and Heritage.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf180814.pdf](#)*

**CJ135-08/18 EXECUTION OF DOCUMENTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	15876, 101515
<b>ATTACHMENTS</b>	Attachment 1 Documents executed by affixing the Common Seal during the period 3 July to 31 July 2018
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 3 July 2018 to 31 July 2018.

**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 3 July 2018 to 31 July 2018, as detailed in Attachment 1 to Report CJ135-08/18.*

**BACKGROUND**

For the period 3 July 2018 to 31 July 2018, 10 documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Access Deed	2
Agreement	1
Amendment	2
Animals Amendment Local Law 2018	1
Licence Agreement	1
Parking Amendment Local Law 2018	1
Restrictive Covenant	1
Section 70A Notification	1



**DETAILS****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**Current financial year impact

Not applicable.

Future financial year impact

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.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 3 July 2018 to 31 July 2018, as detailed in Attachment 1 to Report CJ135-08/18.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf180814.pdf](#)*

**CJ136-08/18 MINUTES OF EXTERNAL COMMITTEES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	00033, 101515
<b>ATTACHMENTS</b>	Attachment 1 Minutes of WALGA North Metropolitan Zone meeting held on 28 June 2018 Attachment 2 Summary Minutes of WALGA State Council meeting held on 4 July 2018  (Please Note: These minutes are only available electronically).
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

---

**PURPOSE**

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

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Minutes of WALGA North Metropolitan Zone meeting held on 28 June 2018.
- Summary Minutes of WALGA State Council meeting held on 4 July 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.

**WALGA North Metropolitan Zone meeting – 28 June 2018**

A meeting of the North Metropolitan Zone was held on 28 June 2018.

At the time of this meeting Cr Russ Fishwick JP, Cr Nige Jones, Cr Sophie Dwyer and Mr Jamie Parry were Council's representatives at the North Metropolitan Zone.

Cr Mike Norman, Cr Christopher May and Mr Garry Hunt were apologies for this meeting.

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

### 1.1 Presentation - Trends Affecting the Health and Wellbeing

Ms Krista Coward, Manager Health Promotion, Public Health, North Metropolitan Health Service (NMHS), presented to the Zone.

The aim of the presentation was to increase awareness of Elected Members about their local community profiles, issues and trends affecting the health and wellbeing of their local community.

In summary the presentation included:

- 1 Impact of social, economic, environmental factors on the health and well-being of their local community.
- 2 Current trends and best practice.
- 3 How the NMHS can better support LGAs to develop and implement tailored Public Health and Wellbeing plans.
- 4 What support, assistance and useful tools the NMHS can provide to LGAs of the North Metropolitan Zone.

### 5.3 Interim Submission – Position Statement – Housing on lots less than 100m<sup>2</sup>

The following resolution was proposed for an additional recommendation regarding to the Interim Submission - Position Statement – Housing on lots less than 100m<sup>2</sup> at item 5.3 of the State Council Agenda.

- 2 That careful consideration be given to avoiding undesirable streetscape outcomes of such lots in areas where there is a distinct lack of amenity; and it be noted that this form of housing is vulnerable to poor outcomes being achieved if not planned correctly.

*CARRIED*

## **WALGA State Council meeting – 4 July 2018 – Summary Minutes**

A meeting of the State Council was held on 4 July 2018.

At the time of this meeting Cr Nige Jones as Deputy was Council's representative at the State Council meeting.

Cr Russ Fishwick, JP was an apology for this meeting.

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

### 5.1 Updated Climate Change Policy Statement (05-028-03-0011 LS)

It was resolved by the WALGA State Council as follows:

That the revised WALGA Climate Change Policy Statement be endorsed, subject to the inclusion of an additional comment; "that support be provided for communities impacted by any changes to the policy".

*CARRIED*

5.2 Interim Submission – Model Subdivision Conditions (05-047-01-0003 VJ)

It was resolved by the WALGA State Council as follows:

That the interim submission to the WA Planning Commission on the Model Subdivision Conditions be endorsed.

*CARRIED*

5.3 Interim Submission – Position Statement – Housing on lots less than 100m<sup>2</sup> (05-306-03-0062 CH)

It was resolved by the WALGA State Council as follows:

That the interim submission to the WA Planning Commission on Position Statement – Housing on Lots less than 100m<sup>2</sup> be endorsed, subject to an additional recommendation ensuring careful consideration to avoid undesirable streetscape outcomes of such lots in areas where there is a distinct lack of amenity.

*CARRIED*

5.4 Policy for Restricted Access Vehicles on Roads not on an Approved Network During Harvest (05-006-03-0004 ID)

It was resolved by the WALGA State Council as follows:

That WALGA:

- 1 Subject to part 3 of this resolution, support continuation of the provisions within the Harvest Mass Management Scheme to enable heavy vehicles that meet the requirements of RAV 2, RAV 3 or RAV 4 to travel on roads not assessed for the RAV network between paddocks and the nearest RAV route during the harvest period.
- 2 Advocate that any roads assessed on the initiative of Main Roads that do not meet the requirements for addition to the RAV network at the level used under the Harvest Mass Management Scheme remain unassessed for the purpose of network definition.
- 3 Request that Main Roads Heavy Vehicle Services work with stakeholders to provide an alternative solution, prior to the 2018 harvest, to the proposed requirement for an Agricultural Pilot on unassessed roads that meets legal requirements and is acceptable to Industry.

*CARRIED*

5.5 WA State Library Strategy Implementation Plan and Consultation Report (05-057-02-0051 KD)

It was resolved by the WALGA State Council as follows:

That:

- 1 The WA Public Libraries Strategy be endorsed; and,
- 2 WALGA continue to advocate with Western Australia Public Libraries and key stakeholders to Department of Local Government, Sport and Cultural Industries to prioritise funding for implementation of the strategy.

*CARRIED*

5.6 Aboriginal Heritage Act 1972 Review Submission to State 1

It was resolved by the WALGA State Council as follows:

That the submission to Stage 1 Review of the Aboriginal Heritage Act 1972 be endorsed.

*CARRIED*

5.7 Interim Submission – Review of the State Industrial Relations System (05-034-01-0001 KP)

It was resolved by the WALGA State Council as follows:

That the interim supplementary submission in response to the Interim Report of the Review of the State Industrial Relations System be endorsed.

*CARRIED*

5.8 Local Government Insurance Service Governance Review Update

It was resolved by the WALGA State Council as follows:

That the update on the actions in response to the Deloitte Governance Review of LGIS report be received.

*CARRIED*

6.1 Report on Local Government Road Assets and Expenditure 2016/17 (06-007-03-0016 MB)

It was resolved by the WALGA State Council as follows:

That State Council note the Report on Local Government Road Assets and Expenditure 2016 /17.

*CARRIED*

6.2 ERA Draft Decision – Western Power Access Arrangement (05-049-03-0001 DM)

It was resolved by the WALGA State Council as follows:

That State Council note WALGA's response to the ERA's draft decision on the Proposed Western Power Access Arrangement 2017 to 2022.

*CARRIED*

6.3 2017-18 State Budget (05-088-03-0001 DM)

It was resolved by the WALGA State Council as follows:

That State Council note the key outcomes for Local Governments in the 2018-19 Budget.

*CARRIED*

6.4 Research on Verge Permit Fees and Bonds (05-036-03-0061 VJ)

It was resolved by the WALGA State Council as follows:

That State Council note the review undertaken by the Growth Alliance Perth and Peel (GAPP) Local Governments in regards to verge permit fees and bonds.

*CARRIED*

6.5 Independent Planning Reform – Green Paper (05-047-02-0015 VJ)

It was resolved by the WALGA State Council as follows:

- 1 That State Council Note the release of the Independent Planning Reform Green Paper and the consultation currently being undertaken with members;
- 2 That the WALGA interim submission should include that Third Party Appeal Rights for Development Assessment Panel should be addressed in the paper; and
- 3 That the WALGA interim submission should include that open and transparent Declarations of Interest should be addressed in the paper.

*CARRIED*

6.6 Update on the Noongar Standard Heritage Agreement for Local Government (05-032-01-0001 KD)

It was resolved by the WALGA State Council as follows:

That State Council notes the update on the Noongar Standard Heritage Agreement for Local Government.

*CARRIED*

6.7 Community Resource Centre funding and Service Model (05-018-03-0004 KD)

It was resolved by the WALGA State Council as follows:

- 1 That State Council notes:

WALGA has sent a letter to the Hon Alannah MacTiernan MLC, Minister for Regional Development; Agriculture and Food; Minister assisting the Minister for State Development, Jobs and Trade that proposes:

  - a. CRCs are involved in the development of service delivery models and tiered funding system
  - b. WALGA is involved in correspondence for the 12 directly affected Local Governments; and
  - c. A joint information session with industry bodies, State Government agencies and key stakeholders is convened
- 2 WALGA has written to the 12 directly affected Local Government CEOs to facilitate a way forward.

*CARRIED*

6.8 Alternative Approaches to Volunteer Based Health Services in the Regions Survey (05-031-01-0001EDR)

It was resolved by the WALGA State Council as follows:

That State Council note WALGA's engagement with regional WA Local Governments to determine the level of coverage of health services in each region.

*CARRIED*

6.9 Public Health Act 2016 Regulation Review Program (05-031-01-0001 EDR)

It was resolved by the WALGA State Council as follows:

That State Council note the Department of Health's regulation review program to develop regulations for the Public Health Act 2016.

*CARRIED*

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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Strong leadership.

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

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.



**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the minutes of the:**

- 1 WALGA North Metropolitan Zone meeting held on 28 June 2018 forming Attachment 1 to Report CJ136-08/18;**
- 2 WALGA State Council Summary Minutes from the meeting held on 4 July 2018 forming Attachment 2 to Report CJ136-08/18.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*To access this attachment on electronic document, click here: [Externalminutes180814.pdf](#)*

## **CJ137-08/18      CORPORATE BUSINESS PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 APRIL TO 30 JUNE 2018**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	20560, 101515
<b>ATTACHMENTS</b>	Attachment 1      Corporate Business Plan Quarterly Progress Report for the period 1 April to 30 June 2018 Attachment 2      Capital Works Program Quarterly Report for the period 1 April to 30 June 2018
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

### **PURPOSE**

For Council to receive the *Corporate Business Plan Quarterly Progress Report* for the period 1 April 2018 to 30 June 2018 and the *Capital Works Quarterly Report* for the period 1 April 2018 to 30 June 2018.

### **EXECUTIVE SUMMARY**

The City's *Corporate Business Plan 2017-18–2021-22* is the City's five year delivery program which is aligned to the strategic direction and priorities set within the 10 year *Strategic Community Plan: Joondalup 2022*.

The *Corporate Business Plan* contains the major projects and priorities which the City proposes to deliver over the five-year period and also specific milestones for projects and priorities in the first year (2017-18).

The *Corporate Business Plan Quarterly Progress Report* for the period 1 April 2018 to 30 June 2018 provides information on the progress of 2017-18 projects and programs against these quarterly milestones and is shown as Attachment 1 to this Report.

A *Capital Works Quarterly Report*, which details all projects within the Capital Works Program, is provided as Attachment 2 to Report CJ137-08/18.

*It is therefore recommended that Council RECEIVES the:*

- 1      *Corporate Business Plan Quarterly Progress Report for the period 1 April to 30 June 2018, which is shown as Attachment 1 to Report CJ137-08/18;*
- 2      *Capital Works Quarterly Report for the period 1 April to 30 June 2018, which is shown as Attachment 2 to Report CJ137-08/18.*

## BACKGROUND

The City's *Corporate Business Plan 2017-18–2021-22* demonstrates how the objectives of the City's *Strategic Community Plan* are translated into a five year delivery program.

The *Corporate Business Plan* was endorsed by Council at its meeting held on 15 August 2017 (CJ132-08/17 refers). The Plan contains the major projects and priorities for the five year delivery period and more detailed information with quarterly milestones on projects that the City intends to deliver in the 2017-18 financial year.

The City's *Corporate Reporting Framework* requires the development of quarterly reports against annual projects and priorities which are presented to Council on a quarterly basis.

The City's *Corporate Business Plan* and quarterly reports are in line with the Department of Local Government, Sport and Cultural Industries *Integrated Planning Framework* which requires planning and reporting on local government activities.

## DETAILS

The *Corporate Business Plan Quarterly Progress Report* provides information on progress against the milestones for the 2017-18 projects and programs within the *Corporate Business Plan*.

A commentary is provided against each quarterly milestone on the actions completed and project status is reported via colour coding which indicates if the project has been completed, is on track or slightly behind schedule. Information is also provided on the budget status for each item.

The milestones being reported this quarter are the shaded sections of Attachment 1. "*Business as usual*" activities within each key theme have also been separated from strategic projects and programs within the report.

As this is the final *Corporate Business Plan Quarterly Progress Report* for 2017-18, the following provides an overall summary of significant achievements for the financial year.

### Governance and Leadership:

- 2016-17 Annual Customer Satisfaction Survey conducted with 83.8% overall customer satisfaction rating.
- Local Government Elections held on 21 October 2017 with 31% participation rate, an increase on the participation rate of 20.17% in 2015.
- A significant number of policies reviewed and new policies developed.
- The following local laws developed or reviewed:
  - *Animals Amendment Local Law 2018*
  - *Parking Amendment Local Law 2018*
  - *Waste Local Law 2017*
  - *Repeal Local Law 2017.*
- Two meetings of the Strategic Community Reference Group held to discuss the City's approach to community leadership development and support for small to medium business enterprises in Joondalup.
- The *2017 Compliance Audit Return* adopted by Council and submitted to the Department of Local Government, Sport and Cultural Industries.

- Major review and update of the *Strategic Community Plan, Joondalup 2022*, completed and adopted by Council.
- Review of the *Delegated Authority Manual* endorsed.
- Review of the *Code of Conduct* conducted and adopted by Council.
- Participation in the *Australasian Local Government Performance Excellence Program* to track and benchmark performance against the local government sector.
- A review and update of the City's *Strategic Position Statements*.
- Sister City relationship maintained with Jinan, China, including City led delegations to Shanghai, Beijing and Huizhou.
- Community consultation on a number of projects, including:
  - *Access and Inclusion Plan*
  - Chichester Park redevelopment
  - *Strategic Community Plan* major review
  - Prince Regent Park proposed redevelopment
  - Proposed Health and Wellbeing Hub at Whitfords Nodes Park
  - *District Planning Scheme No 2 Scheme Amendments 80 and 90*
  - *Animals Amendment Local Law 2018*
  - *Parking Amendment Local Law 2018*
  - *Waste Amendment Local Law 2018*
  - Bike Survey
  - Draft *Craigie Bushland Management Plan*
  - Joondalup BMX, Skate and Youth Outdoor Recreation Strategy.
- The level of communication via the City's social media increased to more than 41,000 people.
- A silver award received for the City's 2016-17 Annual Report in the Australasian Reporting Awards.

#### Financial Sustainability:

- Review of the *20–Year Strategic Financial Plan* undertaken.
- Capital Works Projects completed — new or upgraded park equipment:
  - Tom Simpson Park, Mullaloo.
  - MacDonald Park, Padbury.
  - Granadilla Park, Duncraig.
  - Prince Regent Park, Heathridge.
- Capital Works Projects completed — traffic management upgrades:
  - Whitfords Avenue, Hillarys.
  - Venturi Drive, Ocean Reef.
- Capital Works Projects completed — road preservation and resurfacing:
  - Harvest Loop, Edgewater.
  - Northwood Way, Kallaroo.
  - Protea Street, Greenwood.
  - Mayree Way, Duncraig.
  - Kansal Green Way, Kingsley.
- Capital Works Projects completed — drainage upgrades:
  - Coolibah Park, Greenwood.
  - Blackthorn Park, Greenwood.
  - Northshore Avenue, Kallaroo.

- Capital Works Projects completed — new or resurfaced paths:
  - Granadilla Street to Karo Place, Duncraig.
  - Nautilus Way to Woonona Place, Kallaroo.
  - Eddystone Avenue to Nyara Crescent, Craigie.
- Capital Works Projects completed — major building works commenced or completed:
  - Warrandyte Park Clubrooms, Craigie.
  - Mawson Park, Hillarys.
  - Windermere Park, Joondalup.
  - Penistone Park, Greenwood.
  - Percy Doyle Reserve, Duncraig.
- Construction on the Whitfords Avenue upgrade was completed.
- Review of the Property Management Framework continued.

#### Quality Urban Environment:

- Draft *Childcare Centres Local Planning Policy* finalised and endorsed by Council.
- Draft *Cash-in-lieu of Car Parking Local Planning Policy* endorsed by Council.
- Local Planning Strategy endorsed by the Western Australia Planning Commission.
- Joondalup Activity Centre Structure Plan forwarded to the WAPC for endorsement.
- Priority 3 Entry Statements installed on Warwick Road and Burns Beach Road as part of the *Arterial Roads Program*.
- Planting completed as part of the *2017-18 Leafy City Program*.
- Construction of the Whitfords Avenue shared path completed.
- Actions from the *Road Safety Action Plan 2016–2020* implemented.
- Continued development of the Joondalup City Centre Development – Boas Place project.
- Actions from *Walkability Plan 2013–2018* implemented.
- Progress on the Joondalup City Centre street lighting project.

#### Economic Prosperity, Vibrancy and Growth:

- Actions from the Economic Development Strategy implemented, include the following:
  - Conducting a Business Needs Survey of 570 City of Joondalup businesses to inform the City's business advisory services and resulting in follow-up actions such as promotion of the Supplier Development Program and expanding the database of Joondalup Business Online publication to over 10,000 local businesses.
  - Further promotion and improvement of THE LINK website to assist business growth in the City.
  - Actions from the Digital City Strategy implemented, including collaboration with Edith Cowan University to secure State funding for the Cybersecurity Innovation Hub in Joondalup and the development of the Yellagonga Smart Cities Project.
  - Actions from the International Economic Development Activities Plan implemented including two trade delegations to China with business representatives from the Australian Medical Association, Bethanie Aged Care and Edith Cowan University and the identification of a number of foreign investment opportunities following the trade delegations.
  - Delivery of two successful Business Forums on the importance of marketing to boost business success and on the Joondalup Innovation Hub focussing on Cyber Security.

- Delivery of the Kaleidoscope 2017, Festival of Light, Music and Art, attracting a crowd of more than 85,000 people.
- Continued progress on Ocean Reef Marina Project including a \$120 million commitment from the State Government and the signing of a Memorandum of Understanding between the City and LandCorp to progress the project.
- Continued progress on the proposal for cafés, kiosks and restaurants on identified sites in the City of Joondalup.

#### The Natural Environment:

- Actions from *Environment Plan 2014–2019* implemented include the following:
  - Actions from *Climate Change Strategy 2014–2019* implemented including the endorsement of the *Coastal Infrastructure Adaptation Plan*.
  - Council endorsement of the *Mullaloo Foreshore Management Plan*.
  - Development of the *Craigie Bushland Management Plan*.
  - Actions from the *Weed Management Plan* implemented including weed control in natural areas, parks and urban landscaping in accordance with the annual maintenance schedule.
  - Actions from the *City Water Plan* implemented including ongoing monitoring of groundwater usage and implementation of water saving devices in City parks and buildings.
  - Gold Waterwise Councils endorsement for best practice water efficiency in City operations and throughout the community.
  - Actions from the *Bushfire Risk Management Plan* implemented including the endorsement of the *Bushfire Risk Management Plan* by the Office of Bushfire Risk Mitigation and the development of individual bush management plans for high priority reserves.
  - Actions from the *Yellagonga Integrated Catchment Management Plan* implemented including the Water Quality Monitoring and Improvement Program, a targeted feral animal control program and continued implementation of the Revegetation Project at South Lake, Joondalup.
  - Review of the *Pathogen Management Plan* completed.
  - Council adoption of the *Beach Management Activities Policy* to guide the use, enjoyment, maintenance, protection and preservation of the City's coastline and coastal facilities.
  - Delivery of the Adopt-a-Coastline Project and Adopt-a-Bushland Project, providing school students with the opportunity to take part in a natural areas management project.
  - Friends' groups activities, aimed at improvement of natural areas, undertaken in line with agreed work plans.
  - A successful Capture Nature Photography Competition conducted for young people between 12 and 18 years with 189 entries and 20 finalists being selected.
  - Actions from the *Waste Management Plan* implemented including preparation for the three-bin rollout in 2018-19.

#### Community Wellbeing:

- Actions from *Community Development Plan 2015–2020* implemented including the launch of the Communities in Focus program, commencement of a Volunteer Recognition Review and delivery of programs for National Volunteer Week.

- Delivery of a range of youth events and programs, including:
  - Outdoor Summer Sessions events
  - Youth Music Event
  - BMX/Skate/Scooter competitions
  - Children's Book Week
  - Little Feet Festival.
- Delivery of a range of community-based events, including:
  - Neighbourhood BBQ Program
  - School holiday programs
  - International Volunteer Day
  - International Day of People with Disability.
- Completion or commencement of major and minor upgrades at a number of community facilities, including:
  - Penistone Reserve, Greenwood
  - Warrandyte Park Clubrooms, Craigie
  - Percy Doyle Reserve, Duncraig
  - Windermere Park, Joondalup
  - Chichester Park, Woodvale.
- Delivery of a comprehensive program of cultural events throughout the year, including:
  - Joondalup Festival
  - Valentine's Concert
  - NAIDOC Week
  - Summer Concert Series — Music in the Park
  - Sunday Serenades
  - Community Invitation Art Award
  - Community Art Exhibition
  - Inside-Out Billboard Art Project.
- Delivery of Lifelong Learning and Library events and activities including:
  - School Holiday Programs
  - Adult and Seniors programs such as Discovery Sessions, Meet the Author and Live and Learn
  - Civics Education tours
  - Better Beginnings and associated programs such as Baby Rhyme Time and Toddler Time
  - English conversation classes.
- Council endorsement of the new *Access and Inclusion Plan 2018-2021*.
- Commenced development of a Homeless Strategy.
- Development of an Age Friendly Joondalup Plan.
- Continued development of the Master Plan for Edgewater Quarry.
- Funding of approximately \$57,000 distributed to community groups as part of the Community Funding Program.
- Actions from *Community Safety and Crime Prevention Plan* implemented including ongoing support for Neighbourhood Watch, the WA Police E-Watch Program and the Adopt a Spot Program.
- Citizenship ceremonies conducted with over 1,000 residents becoming Australian Citizens and a range of civic ceremonies and corporate functions conducted.

## Legislation / Strategic Community Plan / policy implications

### Legislation

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

*"This Act is intended to result in:*

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

### Strategic Community Plan

#### Key theme

Governance and Leadership.

#### Objective

Corporate capacity.

#### Strategic initiative

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

#### Policy

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

### Risk management considerations

The *Corporate Business Plan Quarterly Progress Reports* provide a mechanism for tracking progress against milestones for major projects and programs.

### Financial / budget implications

All 2017-18 projects and programs in the *Corporate Business Plan* were included in the 2017-18 Annual Budget.

### Regional significance

Not applicable.

### Sustainability implications

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

The key themes are:

- Governance and Leadership
- Financial Sustainability
- Quality Urban Environment



- Economic Prosperity, Vibrancy and Growth
- The Natural Environment
- Community Wellbeing.

### **Consultation**

Not applicable.

### **COMMENT**

The *Corporate Business Plan 2017-18–2020-21* was endorsed by Council at its meeting held on 15 August 2017 (CJ132-08/17 refers). A detailed report on progress of the Capital Works Program has been included with the *Corporate Business Plan Quarterly Progress Report*. This Report provides an overview of progress against all of the projects and programs in the *2017-18 Capital Works Program*.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council RECEIVES the:**

- 1 ***Corporate Business Plan Quarterly Progress Report* for the period 1 April 2018 to 30 June 2018, which is shown as Attachment 1 to Report CJ137-08/18;**
- 2 ***Capital Works Quarterly Report* for the period 1 April 2018 to 30 June 2018, which is shown as Attachment 2 to Report CJ137-08/18.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf180814.pdf](#)*

**CJ138-08/18      CORPORATE BUSINESS PLAN REVIEW 2018-19 TO 2022-23**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	52605, 101515
<b>ATTACHMENTS</b>	Attachment 1 <i>Corporate Business Plan 2018-19 to 2022-23</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

---

**PURPOSE**

For Council to adopt the *Corporate Business Plan 2018-19 to 2022-23* as shown in Attachment 1 to Report CJ138-08/18.

**EXECUTIVE SUMMARY**

The *Corporate Business Plan* demonstrates how objectives within the City's *Strategic Community Plan 2012-2022* are translated into a five year delivery program. The *Corporate Business Plan* contains the major projects and priorities which the City proposes to deliver over the five year period and also specific milestones for projects and priorities in the first year (2018-19).

In accordance with the *Local Government (Administration) Regulations 1996*, the City is required to review its *Corporate Business Plan* annually and submit any modifications to Council for adoption.

The *Corporate Business Plan* requires adoption by Council by an absolute majority.

*It is therefore recommended that Council BY AN ABSOLUTE MAJORITY ADOPTS the Corporate Business Plan 2018-19 to 2022-23, as shown in Attachment 1 of Report CJ138-08/18.*

**BACKGROUND**

All local governments are required to produce a plan for the future under s5.56 (1) of the *Local Government Act 1995*. The minimum requirement to meet the intent of the plan for the future is the development of a *Strategic Community Plan* and a *Corporate Business Plan*.

In October 2012 (CJ210-10/12 refers) Council adopted the City's first *Corporate Business Plan* in accordance with the *Local Government (Administration) Regulations 1996 (The Regulations)*. The Regulations were amended in August 2011, requiring all local governments to prepare a *Strategic Community Plan* and *Corporate Business Plan* by 30 June 2013. The Regulations also required local governments to review their *Corporate Business Plan* annually, with any modifications to be considered and adopted by Council by an absolute majority decision.

Since October 2012, the City has annually reviewed and updated its *Corporate Business Plan* to demonstrate how the objectives of its *Strategic Community Plan Joondalup 2022* are translated into a five-year delivery program.

Requirements from the Department of Local Government, Sport and Cultural Industries in developing a *Corporate Business Plan* are relatively flexible with no specific template offered. Basic requirements are that the plan is:

- a minimum of four years
- identifies priorities and projects that are listed in alignment with the *Strategic Community Plan*
- demonstrates to be within the capacity of the local government to deliver (that is, it considers resourcing requirements).

In accordance with the *Local Government (Administration) Regulations 1996* and *Integrated Planning and Reporting Framework (IPRF)* guidelines, local governments are required to conduct a major review of their *Strategic Community Plan* once every four years and minor reviews every two years.

The City's *Strategic Community Plan Joondalup 2022*, the City's highest level plan, sets out the City's vision, aspirations and objectives for a 10-year period. *Joondalup 2022* has undergone a major review which assessed its structure and relevance in line with community aspirations, the City's vision, priorities and aspirations and was modified to reflect completion of some transformational projects and the inclusion of new endorsed projects. Following minor modifications and consideration of community feedback, the revised *Strategic Community Plan Joondalup 2022* was endorsed by Council at its meeting held on 17 April 2018 (CJ062-04/18 refers). The *Corporate Business Plan 2018-19 to 2022-23*, shown as Attachment 1, has been developed in line with the newly endorsed *Strategic Community Plan Joondalup 2022*.

## DETAILS

The *Corporate Business Plan* translates the Council's and community's long-term aspirations into a five year program of projects, services and activities that are aligned with the *20 Year Strategic Financial Plan*, *Asset Management Plans* and *Workforce Plan*.

The *Corporate Business Plan 2018-19 to 2022-23* includes the following:

- Information explaining the relationship between resourcing plans and the *Corporate Business Plan (20 Year Strategic Financial Plan, Asset Management, Workforce Plan, Information and Communications Technology Plan)* – pages 7-9.
- Incorporation of strategic priorities at the front of the document to highlight the alignment of transformational projects in *Joondalup 2022* and the achievement of key objectives and strategic initiatives over the next five years – pages 10-12.

- Clear articulation of the roles and responsibilities of Council and the organisation in developing and adopting the *Corporate Business Plan* – pages 13-14.
- A “service delivery” section of the *Corporate Business Plan*, grouped by Directorate which outlines:
  - “Business-as-usual” activities and their relationship to achieving strategic initiatives within *Joondalup 2022*.
  - Projected service level changes at a Business Unit level – pages 15-27.
- A Projects and Activities section within each key theme which contains a brief description of the key projects and programs within that the City proposes to deliver in the 2018-19 financial year – pages 29-90.

Quarterly milestones are set for each project and activity to be delivered, and a report will be presented to Council at the end of each quarter detailing progress against these milestones. Progress against the *Capital Works Program 2018-19* will be provided with the quarterly reports.

- Detailed financial information including:
  - Financial Summary – pages 91-92
  - Capital Expenditure – excluding escalation - pages 93-95
  - 20 Year Plan - Rate Setting – page 96-98
  - General Financial Projection Assumptions – page 99-101.
- Strategic Community Plan References – pages 102-107.

### Issues and options considered

Council may choose to either:

- adopt the *Corporate Business Plan 2018-19 to 2022-23*, as shown in Attachment 1 to Report CJ138-08/18
- or
- adopt the *Corporate Business Plan 2018-19 to 2022-23*, as shown in Attachment 1 to Report CJ138-08/18, subject to further amendments.

### Legislation / Strategic Community Plan / policy implications

#### Legislation

*Local Government (Administration) Regulations 1996*  
Reg. 19DA Corporate Business Plans, Requirements  
(Act s.5.56).

#### Strategic Community Plan

##### Key theme

Governance and Leadership.

##### Objective

For the community to have confidence and trust in the City that it can deliver services effectively and transparently.

##### Strategic initiative

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

**Policy** Not applicable.

### **Risk management considerations**

It is a legislative requirement for the City to review its *Corporate Business Plan* annually and submit any modifications to Council for adoption by an absolute majority. A failure to achieve this in a timely manner could result in a circumstance of non-compliance.

### **Financial / budget implications**

The annual review of the *Corporate Business Plan* provides an opportunity for the City to reassess forecasted timeframes in accordance with resourcing strategies to ensure the sustainable delivery of projects.

The financial information contained within the revised *Corporate Business Plan* is drawn directly from the *20 Year Strategic Financial Plan* and draft *Capital Works Program 2018-19 to 2022-23*.

It should be noted that the financial information is derived from the draft *20 Year Strategic Financial Plan* for the years the 2017-18 to 2036-37. The plan will be presented to Council at its meeting to be held on 21 August 2018 and it is possible that the values included in the schedules may change following the review. Any changes will then be reflected in the final *Corporate Business Plan 2018-19 to 2022-23*.

### **Regional significance**

Many of the projects in the *Corporate Business Plan* have regional significance and highlight the importance of regional planning and cooperation in managing and responding to future challenges within the north metropolitan region.

### **Sustainability implications**

The *Corporate Business Plan* demonstrates the operational capacity of the City to achieve its aspirational outcomes and objectives over the medium term. Project planning and prioritisation within the Plan is based on the City's ambition to deliver services sustainably and affordably.

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

The key themes are as follows:

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

### **Consultation**

There is no community consultation component required in the review of the *Corporate Business Plan*, however, a public notice is required by legislation following the adoption of any changes to the Plan by Council.

## COMMENT

It is important that the City provides the community with a clear plan of the projects and activities it intends to deliver. The City's *Corporate Business Plan* provides a useful tool for measuring performance over the medium term (five years), and against the priority projects and programs in the first year where specific milestones are provided for each quarter.

Measuring performance on the timely delivery of projects and programs enables the community to assess the City's achievements against the *Corporate Business Plan* and the *Strategic Community Plan*.

The City's *Corporate Business Plan 2018-19 to 2022-23* is in line with Department of Local Government and Communities *Integrated Planning and Reporting Framework* which sets out the requirements for local governments to undertake planning and reporting.

## VOTING REQUIREMENTS

Absolute Majority.

**MOVED Mayor Jacob, SECONDED Cr Hollywood that Council BY AN ABSOLUTE MAJORITY ADOPTS the *Corporate Business Plan 2018-19 to 2022-23*, as shown in Attachment 1 to Report CJ138-08/18.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf180814.pdf](#)*

## **CJ139-08/18      WASTE    AMENDMENT    LOCAL    LAW    2018    - ADOPTION**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	101906, 101515
<b>ATTACHMENTS</b>	Attachment 1 <i>City of Joondalup Waste Amendment Local Law 2018 – signed consent</i> Attachment 2 <i>City of Joondalup Waste Amendment Local Law 2018 – final for adoption</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to note the consent of the Department of Water and Environmental Regulation (DWER) on the proposed *City of Joondalup Waste Amendment Local Law 2018* and resolve to make the local law.

### **EXECUTIVE SUMMARY**

At its meeting held on 26 June 2018 (CJ100-06/18 refers) Council considered the public submissions and resolved to proceed with the making of the *City of Joondalup Waste Amendment Local Law 2018* and refer it to the DWER for consent.

The local law was subsequently referred to the Chief Executive Officer of DWER for consent, which was provided and has been received (Attachment 1 refers). It is now necessary for Council to make the local law for publication in the *Government Gazette* and enable its implementation.

*It is therefore recommended that Council:*

- 1    *NOTES the Department of Water and Environmental Regulation has provided its consent to the proposed City of Joondalup Waste Amendment Local Law 2018;*
- 2    *BY AN ABSOLUTE MAJORITY MAKES the City of Joondalup Waste Amendment Local Law 2018 as detailed in Attachment 1 to Report CJ139-08/18 and AUTHORISES the Common Seal to be attached;*
- 3    *NOTES the progression of the remaining actions to finalise the local law adoption process as detailed in section 3.12 and 3.15 of the Local Government Act 1995.*

## BACKGROUND

At its meeting held on 18 July 2017 (CJ117-07/17 refers) Council adopted the *City of Joondalup Waste Local Law 2017*. The waste local law provides for the regulation, control and management of waste services, including the use and control of receptacles for the deposit and collection of waste, undertaken by or on behalf of the local government within the district.

Upon review of the local law, the Joint Standing Committee on Delegated Legislation (JSCDL) requested the City to provide undertakings in relation to the future amendment and enforcement of the *City of Joondalup Waste Local Law 2017*. At its meeting held on 21 November 2017 (CJ188-11/17 refers) Council resolved, in part, to provide an undertaking to the JSCDL to delete clauses 4.3 and 4.4 when next amending the *City of Joondalup Waste Local Law 2017* and not enforce those clauses in the meantime.

At its meeting held on 20 March 2018 (CJ039-03/18 refers), Council resolved to make the proposed *City of Joondalup Waste Amendment Local Law 2018* for the purpose of public advertising. The effect of the *City of Joondalup Waste Amendment Local Law 2018* is to comply with the undertaking provided to the JSCDL. The amendments aim to better clarify the provisions relating to the enforcement of the local law by removing clauses 4.3 and 4.4.

The local law was publicly advertised for a period of six weeks and a total of six submissions were received. At its meeting held on 26 June 2018 (CJ100-06/18 refers), Council considered the submissions and resolved to make the local law with minor amendments and refer it to the Chief Executive Officer of DWER for consent.

## DETAILS

The local law was subsequently referred to the Chief Executive Officer of DWER for consent, which was provided and has been received (Attachment 1 refers). It is now necessary for Council to make the local law as shown at Attachment 2 for publication in the *Government Gazette* and enable its implementation.

### Issues and options considered

Council can either:

- 1 make the local law as consented to
- or
- 2 not make the local law.

Option one is the recommended option, to ensure the City complies with the undertakings given 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 the City not follow the local law creation process as detailed in the Act, the local law may be disallowed by the JSCDL. This risk has been mitigated by the City strictly adhering to the legislated process.

### **Financial / budget implications**

#### Current financial year impact

<b>Account no.</b>	1.522.A5202.3277.0000.
<b>Budget Item</b>	Advertising – Public/Statutory.
<b>Budget amount</b>	\$7,500
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$ 300
<b>Balance</b>	\$7,200

All amounts quoted in this Report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

The development of local laws requires statutory advertising of the proposal and consultation with the public throughout the local law-making process. This has been undertaken and included the following:

- Giving 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:
  - statewide advertising in *The West Australian* newspaper
  - advertising in the *Joondalup Weekender* newspaper
  - advertising in the *Joondalup Times* newspaper
  - displaying public notices at the City of Joondalup Administration Centre, Whitfords Customer Service Centre and each City of Joondalup public library
  - advertising on the City's website
  - emailing the City's Community Engagement Network.
- Providing a copy of the notice and the proposed local law to the Minister for Local Government and the Minister for Environment.
- Providing a copy of the proposed local law to the Chief Executive Officer of DWER for consent.

## COMMENT

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 a further two months to complete the process, following a decision of Council. This includes the following:

- Signing of the local law and affixing of the Common Seal.
- Publishing the local law in the *Government Gazette*, at which point the local law becomes effective 14 days after publication.
- Providing the Minister for Local Government and the Minister for Environment a copy of the adopted local law.
- Sending all materials regarding the making of the local law to the JSCDL for its review and recommendation to the Western Australian Parliament to either allow or disallow the local law.

## VOTING REQUIREMENTS

Absolute Majority.

### MOVED Cr Fishwick, SECONDED Cr May that Council:

- 1 **NOTES** the Department of Water and Environmental Regulation has provided its consent to the proposed *City of Joondalup Waste Amendment Local Law 2018*;
- 2 **BY AN ABSOLUTE MAJORITY MAKES** the *City of Joondalup Waste Amendment Local Law 2018* as detailed in Attachment 1 to Report CJ139-08/18 and **AUTHORISES** the Common Seal to be attached;
- 3 **NOTES** the progression of the remaining actions to finalise the local law adoption process as detailed in section 3.12 and 3.15 of the *Local Government Act 1995*.

The Motion was Put and

**CARRIED (12/0)**

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

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf180814.pdf](#)

**CJ140-08/18      CRAIGIE BUSHLAND MANAGEMENT PLAN**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	102082, 101515
<b>ATTACHMENTS</b>	Attachment 1      Summary of Community Consultation Attachment 2      Community Engagement Outcomes Report Attachment 3      Craigie Bushland Management Plan
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For Council to consider the outcomes of community engagement for the draft *Craigie Bushland Management Plan (the Plan)* and to endorse the Plan as final.

**EXECUTIVE SUMMARY**

The City of Joondalup is responsible for the management of a diverse number of natural areas and undertakes conservation activities to enhance and protect the biodiversity values within these areas in order to reduce the impact of environmental threats.

Environmental threats have the potential to degrade natural areas and reduce biodiversity values. Environmental threats include weeds, plant diseases, bushfire, non-native fauna species, human impacts and inappropriate access. In order to provide strategic ongoing management of the City's natural areas and protect native vegetation and ecosystems, Natural Area Management Plans are developed for the City's high priority natural areas.

The *Craigie Bushland Management Plan* has been developed to provide direction for the ongoing management of Craigie Bushland for the next ten years. The Plan describes the potential environmental impacts, risks and threats that are likely to affect the biodiversity values of the area and proposes management strategies to be implemented over the life of the Plan, in order to minimise potential impacts.

Council endorsed the release of the draft *Craigie Bushland Management Plan* for community consultation for a period of 28 days at its meeting held on 17 April 2018 (CJ060-04/18 refers). The feedback received during the community consultation period is outlined within the *Summary of Community Consultation*, shown as Attachment 1 to Report CJ140-08/18.

In view of the comments received it is therefore recommended that Council endorses the *Craigie Bushland Management Plan* as shown as Attachment 3 to Report CJ140-08/18.

## BACKGROUND

Craigie Bushland is classified as a Major Conservation Area and is ranked in the City of Joondalup's top five bushland natural areas due to the high biodiversity values of the area. Craigie Bushland contains regionally significant plant communities comprising of *Banksia* and Jarrah (*Eucalyptus marginata*) Open Woodland and has been recognised for its regional environmental significance by being designated as a Bush Forever site, by the Western Planning Commission in 2000.

Craigie Bushland is located approximately 19 kilometres north of the Perth Central Business District. The reserve covers approximately 56 hectares of remnant bushland with 42 hectares enclosed within a permanent fence.

In order to provide strategic ongoing management of Craigie Bushland and to protect native vegetation and fauna populations inhabiting the site, the *Craigie Bushland Management Plan* has been developed.

The *Craigie Bushland Management Plan* outlines a framework for the management of the site for the next 10 years. Flora, fauna and fungi surveys have been undertaken in Craigie Bushland to inform the development of the Management Plan.

The objectives of the *Craigie Bushland Management Plan* are to:

- establish a baseline description of the Craigie Bushland environment to guide future environmental planning and recommended management actions
- outline key environmental threats and the impact they have on conservation and recreation values
- outline management actions to address key environmental threats including monitoring and reporting.

The aim of the *Craigie Bushland Management Plan* is to provide a framework to protect and enhance biodiversity values of the natural area whilst maintaining appropriate community access and awareness of the natural area.

A number of management actions are proposed within the plan to address these environmental threats. These include:

- the development of a Fauna Management Plan
- ongoing weed control and monitoring
- undertaking annual bushfire fuel load assessments
- feral animal monitoring and control as required
- the implementation of environmental education initiatives
- undertaking follow up ecological surveys.

The proposed management actions will be implemented in partnership with key stakeholders and community groups, in particular the Friends of Craigie Bushland, the University of Western Australia, Department of Biodiversity, Conservation and Attractions and the Department of Fire and Emergency Services.

## DETAILS

At its meeting held on 17 April 2018 (CJ060-04/18 refers), Council endorsed the release of the draft *Craigie Bushland Management Plan* for targeted consultation in accordance with the Community Engagement Plan to key stakeholders including local parliamentarians.

Information was provided to the general community via the Community Engagement page on the City's website that included an online Feedback Form. Information promoting the community engagement period was also made available via signage at the main entrance into Craigie Bushland, through the City's social media and online communications such as its Facebook page, Twitter and online Voice newsletters, information displayed at the Craigie Leisure Centre and an article in the *Joondalup Times* Community online newspaper on 30 April 2018 and the *Joondalup Times* Community newspaper on 1 May 2018.

Feedback received indicates the City's community and relevant stakeholders are generally supportive of the strategic direction of the Management Plan and the recommendations included within the plan. Further details are shown in Attachment 1 – *Summary of Community Consultation* to Report CJ140-08/18.

Nineteen submissions were received from community members and stakeholders on the *draft Craigie Bushland Management Plan*. A summary of feedback received is shown in Attachment 1 – *Summary of Community Consultation* and all verbatim comments are shown in Attachment 2 – *Community Engagement Outcomes Report* to Report CJ140-08/18.

Where appropriate, amendments have been made to the Management Plan following the community engagement period. Proposed changes to the *Craigie Bushland Management Plan* are shown in highlighted yellow and strike-through text as included in Attachment 3 to Report CJ140-08/18.

### Issues and options considered

Council can choose to either:

- adopt the *Craigie Bushland Management Plan* with amendments made following the community engagement period, as shown in highlighted text within Attachment 3 – *Craigie Bushland Management Plan* to Report CJ140-08/18
- adopt the *Craigie Bushland Management Plan* without any amendments  
or
- the *Craigie Bushland Management Plan* with further amendments.

The preferred option is to adopt the plan as detailed in Attachment 3 to Report CJ140-08/18 as it reflects the feedback received from the community and stakeholders during the community engagement period.

### Legislation / Strategic Community Plan / policy implications

#### Legislation

Not applicable.

Although there is no legislative requirement to develop the *Craigie Bushland Management Plan*, Federal and State legislative requirements exist to protect the Threatened Ecological Communities existing with Craigie Bushland.

## Strategic Community Plan

<b>Key Theme</b>	The Natural Environment.
<b>Objective</b>	Environmental resilience – to continually adapt to changing local environmental conditions.
<b>Strategic Initiative</b>	Identify and respond to environmental risks and vulnerabilities.
<b>Policy</b>	<p>The objectives of the <i>Craigie Bushland Management Plan</i> are consistent with the City's <i>Sustainability Policy</i>.</p> <p>The development of Natural Area Management Plans is listed as an action within the City's <i>Biodiversity Action Plan 2009-2019</i>.</p>

## Risk management considerations

A coordinated and planned approach is required to address issues in natural areas and provide strategies for ongoing long-term management. If Management Plans are not developed to guide the conservation efforts within the City's natural areas, there is a risk that the overall condition of the natural bushland areas of the City will become degraded.

The *Craigie Bushland Management Plan* includes a number of management actions to protect the biodiversity values of the conservation area. If the Management Plan is not endorsed, there are risks associated with the long-term protection of the native vegetation and ecosystems that exist within the area.

The *Craigie Bushland Management Plan* recommends the development of a *Fauna Management Plan* to address the long-term management of fauna populations and potential threats to fauna inhabiting Craigie Bushland. The current limited management of fauna populations within Craigie Bushland may become a significant risk to the City due to the potential for fauna to inbreed, exceed the carrying capacity available at Craigie Bushland and the possible welfare issues this may cause to individual animals. It is proposed a *Fauna Management Plan* will outline:

- carrying capacity and population growth
- genetic variability, fauna health and animal ethics
- the roles and responsibilities of relevant land managers and authorities responsible for fauna management at Craigie Bushland.

As the *draft Craigie Bushland Management Plan* was released for community engagement asking for the community and stakeholders to provide feedback, a potential risk associated with not endorsing the *Craigie Bushland Management Plan* following community engagement is that the City may appear that it has not considered the views of its community and relevant stakeholders involved in the management of Craigie Bushland.

## Financial/budget implications

A flora, fauna and fungi survey was undertaken in 2016-17 for the cost of \$47,508 (excluding GST). This included a primary fauna survey in spring (October 2016) and a secondary fauna survey in summer (December 2016). The survey informed the development of the *draft Craigie Bushland Management Plan*. Funds were allocated for this survey in the 2016-17 budget.

Funds are currently allocated within the City's annual operating budget to implement conservation and maintenance activities at Craigie Bushland, however the implementation of some recommendations from the *Craigie Bushland Management Plan* will have additional budget implications and these will be subject to the City's annual budget approvals process. Many of the actions proposed are existing actions currently being implemented by the City and will therefore have limited additional financial implications for the City.

Opportunities to apply for grant funding will also be investigated, as they arise.

### **Regional significance**

Remnant vegetation within Craigie Bushland has regional, state and national environmental significance due to the type of vegetation at the site, the limited extent of the vegetation left in its naturally occurring geographic range and the limited amount of this vegetation remaining within the Perth Metropolitan Region.

### **Sustainability implications**

Environmental threats have the potential to degrade natural areas and reduce biodiversity values. The development and implementation of the *Craigie Bushland Management Plan* will ensure that measures are taken to address threats within this natural area and provide strategies for ongoing long-term management which will result in protection of the natural environment at Craigie Bushland.

The *Craigie Bushland Management Plan* recommends the development of a *Fauna Management Plan* to address the long-term management of the fauna populations currently existing within the area. The proposed *Fauna Management Plan* will outline roles and responsibilities of land managers and relevant authorities and address carrying capacity, population growth and animal ethics (human-animal interactions) to ensure the long-term survival and sustainable management of fauna populations within Craigie Bushland.

The *Craigie Bushland Management Plan* includes actions that target community education and awareness to ensure that the City of Joondalup community is well-informed regarding the environmental values of Craigie Bushland. The actions proposed will enhance the natural assets of the area while providing the community with passive recreation opportunities.

### **Consultation**

The *draft Craigie Bushland Management Plan* was available for public comment for a period of 28 days commencing 30 April 2018 and closing on 28 May 2018.

A total of 19 submissions were received on the *draft Craigie Bushland Management Plan*.

Comments received by the community and stakeholders indicate that the implementation of environmental management actions within Craigie Bushland are strongly supported. The comments were generally supportive of the proposed management actions, however, some respondents commented they would like the City to consider allowing dogs on lead within the fenced area. The City is not proposing to make amendments to the prohibition of dogs due to the risks associated with the welfare of the wildlife populations inhabiting the fenced area.

Some amendments have been made to the Management Plan following feedback received during the community engagement period. The proposed changes to the *Craigie Bushland Management Plan* are shown in yellow highlighted and strike-through text as included in Attachment 3 – *Craigie Bushland Management Plan* to Report CJ140-08/18.

A Summary of the feedback received through the community engagement is provided in Attachment 1 – *Summary of Community Consultation*. The verbatim comments received through the community engagement are shown in Attachment 2 - *Community Engagement Outcomes Report* to Report CJ140-08/18.

## **COMMENT**

The *Craigie Bushland Management Plan* will inform maintenance schedules and capital works programs by providing prioritised management recommendations to be implemented within Craigie Bushland over a 10 year period. The plan will also increase opportunities for the City to apply for grant funding by having a detailed forward schedule of projects to be carried out within Craigie Bushland.

The implementation of the *Craigie Bushland Management Plan* will allow the City to demonstrate leadership in addressing environmental threats, providing strategic ongoing management of natural areas and raise community awareness regarding the need to protect the biodiversity values of the environment for the future.

The plan will be continually monitored to track the progress of implementation and an annual review will be undertaken, including an assessment against the Council endorsed Natural Areas Key Performance Indicators. A major review will be conducted at the end of the 10 year period.

## **VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER'S RECOMMENDATION**

That Council ENDORSES the *Craigie Bushland Management Plan* shown as Attachment 3 to Report CJ140-08/18.

*The Director Planning and Community Development left the Chamber at 1.05pm and returned at 1.07pm.*



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

- 1      ENDORSES the *Craigie Bushland Management Plan* shown as Attachment 3 to Report CJ140-08/18;**
- 2      REQUESTS the Chief Executive Officer to investigate a targeted multi-year program to control the aggressive weed species “Yellow Soldier” (*Lachenalia reflexa*) throughout the Craigie Bushland as a priority.**

**The Motion was Put and**

**CARRIED (9/3)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Hamilton-Prime, Hollywood, Logan, McLean, May, Norman and Taylor.

**Against the Motion:** Crs Dwyer, Fishwick and Jones.

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf180814.pdf](#)*

**CJ141-08/18      FUNDING FOR THE DUYFKEN REPLICA**

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

---

**PURPOSE**

For Council to consider possible funding for the Duyfken replica (the Duyfken) in lieu of the State Government's reported funding withdrawal.

**EXECUTIVE SUMMARY**

Following the submission of a notice of motion, at its meeting held on 20 March 2018 (C27-03/18 refers), Council requested a report on the possibility for the City providing sponsorship funding of \$160,000 for the Duyfken replica, in lieu of the State Government's funding withdrawal. In support of the notice of motion it was stated that the location of the Duyfken within the City of Joondalup could generate possible tourist and economic benefits for the City's community. A suggestion was made that the Duyfken could be located at Hillarys Boat Harbour or possibly the new Ocean Reef Marina development.

To-date, the Duyfken's maintenance and staffing costs have primarily been funded through grants from the State Government, along with donations from members of the public. Recent stories in the media had reported this funding arrangement was under threat, however, negotiation with the State Government to repackage the funding arrangement has been completed, securing certainty of funding from the State Government for the Duyfken for the next two financial years (2018-19 and 2019-20).

Moving forward, in exploring new options and opportunities for berthing the Duyfken, the Duyfken 1606 Replica Foundation's (the Foundation) preference is to house the ship in a secure area to minimise damage to the ship. In this regard the disused dolphin pen at the Aquarium of Western Australia (AQWA) has been selected as a possible site for the berthing due to the extra security it would provide and to minimise the risk of damage as opposed to the main Hillarys Boat Harbour facility. The expected build time for the new Ocean Reef Marina is projected at approximately 12 – 13 years, meaning Ocean Reef Marina is not capable of being considered as a berthing port for the Duyfken until at least the year 2032.

However, to progress the AQWA option, the Foundation has advised a one-off capital investment would be required to upgrade the infrastructure at AQWA to a standard that would be suitable to berth the ship for around six months each year (April to September). As leaseholders, the infrastructure upgrade would be the responsibility of AQWA to coordinate. AQWA would be seeking a funding partner or partners to progress this option.

The desktop modelling of projected economic impacts of the Duyfken being berthed at Hillarys Boat Harbour has indicated there could be tourism and economic benefits. Additional tourism, education and cultural history and heritage benefits could also be returned to the City and its communities through the Duyfken's education programs.

Given the potential economic and tourism benefits which could be delivered to the City from the Duyfken being berthed within AQWA between April and September for 2019, 2020 and 2021 there may be cause for the City to offer some contribution toward the funding, with the remaining funding to be sought from one or more of the owners and operators of Hillarys Boat Harbour who would also benefit from the investment.

*It is therefore recommended that Council:*

- 1 *NOTES the State Government has committed to funding the Duyfken for the next two financial years (2018-19 and 2019-20);*
- 2 *NOTES the Chief Executive Officer will continue discussions with the Duyfken 1606 Replica Foundation regarding its efforts to berth the ship at the Aquarium of Western Australia (AQWA), Hillarys Boat Harbour.*

## **BACKGROUND**

The Duyfken replica sailing ship was built in Fremantle to tell the story of the first European vessel to make landfall with the Australian continent in 1606, and at the same time presenting an opportunity for students to learn more about the maritime history and life at sea 400 years ago. Today, Duyfken serves as an external classroom by offering an educational program that aligns with the Humanities and Social Sciences (HASS) section of the WA Curriculum, and particularly the Year 4 curriculum that focuses on history, civics and citizenship and geography.

The Duyfken 1606 replica is a tourist attraction and is often berthed at the Fishing Boat Harbour, behind Little Creatures Brewery in Fremantle. It is also occasionally moored at Elizabeth Quay in Perth and Duyfken's Twilight Swan River Sailing tours are conducted from the South of Perth Yacht Club. The Duyfken is managed by the Duyfken 1606 Replica Foundation (the Foundation).

The State Government had been funding the Foundation with annual grants of \$160,000 for staff to maintain the Duyfken and \$125,000 annually for maintenance. The contribution for staffing was due to finish this financial year with the contribution for maintenance expiring in 2021. However, the Foundation recently completed negotiations with the State Government to repackage the funding arrangement that was in place. The original arrangement was for four years at \$120,000 per year however it is understood the new arrangement is the State Government will fund the Duyfken at \$250,000 per year over the next two financial years (2018-19 and 2019-20).

The City has provided support and activities for the Duyfken over recent times as follows:

#### Dirk Hartog 400<sup>th</sup> Anniversary Celebrations

In 2016, the Duyfken undertook a voyage program as part of the State Government's initiative to celebrate the 400<sup>th</sup> anniversary of Dirk Hartog's arrival on Australia's West Coast. As part of this program the Duyfken was docked at Hillarys Boat Harbour from 16 – 27 September 2016 and was opened for members of the public and for primary school students to explore. The City provided \$15,000 (excluding GST) in sponsorship to help facilitate this visit to Hillarys Boat Harbour.

During this time, 4,431 members of the public took a tour of the Duyfken while it was berthed at Hillarys Boat Harbour, with approximately 4,000 further visitors taking advantage of the free components of the exhibition. According to the Foundation some 746 students from 28 classes within the northern suburbs and City of Joondalup catchment area attended the Duyfken's education program.

#### Duyfken display and events in City of Joondalup Libraries

The City's libraries, as part of their lifelong learning program, have hosted historian Mike Lefroy to talk about the history of the Duyfken, enabling this important part of history to be shared with the local community. They have also displayed the replica of the Duyfken in each of the City's four libraries following on from the 2016 visit.

The schedule of talks and displays comprised the following:

- September 2013 – Discovery Session talk at Duncraig Library focussing on the stories of the Duyfken history and plans of the future.
- February 2017 – Live and Learn: Lifelong learning for older adults – talk at Woodvale Library on the history of the Duyfken and its recent journeys.
- February 2017 to February 2018 – Scale replica model displayed on rotation at the four City of Joondalup libraries – Duncraig, Joondalup, Whitford and Woodvale.

At its meeting held on 20 March 2018, a notice of motion was submitted in terms of the possibility of the City providing sponsorship funding of \$160,000 for the Duyfken in lieu of the State Governments reported funding withdrawal and the possible tourism and economic benefits in berthing the Duyfken at Hillarys Boat Harbour or Ocean Reef Marina would offer. At its meeting held on 20 March 2018 (C27-03/18 refers), Council resolved that a report be prepared around the issue.

## **DETAILS**

Recent advice from the Chief Executive Officer of the Foundation has indicated it has recently completed negotiations with the State Government to repackage the funding arrangement that was in place. The original arrangement was for four years at \$120,000 per year however it is understood the new arrangement is the State Government will fund the Duyfken at \$250,000 per year over the next two financial years (2018-19 and 2019-20).

The completion of negotiations with the State Government to repackage the funding arrangement has provided surety to the immediate funding requirements of the Duyfken. Therefore, there is no requirement for the City to consider funding the Duyfken at this time.

Notwithstanding, desktop modelling of the projected economic impacts of the Duyfken being berthed at Hillarys Boat Harbour has indicated there could be tourism and economic benefits to the City. Additional tourism, education and cultural history and heritage benefits could also be returned to the City and its communities through the Duyfken's education programs. In view of this any proposed arrangement with the City providing funding would include having the Duyfken occasionally docked at either Hillarys Boat Harbour or Ocean Reef Marina to deliver on these tourism and economic benefits.

The Foundation's preference would be to berth the Duyfken at the Aquarium of Western Australia (AQWA) in what was previously their dolphin pen, rather than at Hillarys Boat Harbour, due to the extra security it would provide. There would be some risk in berthing the ship right next to venues serving alcohol.

The expected build time for the new Ocean Reef Marina is projected at approximately 12 - 13 years, meaning Ocean Reef Marina is not capable of being considered as berthing port for the Duyfken until at least the year 2032.

AQWA is owned and operated by Coral World International, a privately-owned company boasting a range of aquariums around the world. AQWA does not receive any subsidy nor is it government funded.

To bring the Duyfken to AQWA, it has been advised there is an initial investment of approximately \$80,000 that is required for the installation of four more piles and associated infrastructure to make this area suitable for the Duyfken to be berthed. This is a one-off capital investment, not an ongoing cost. AQWA is waiting on a written costing estimate from a piling company before they can progress discussions further with the Duyfken and any other potential funding partners.

The Foundation's discussions with AQWA propose hosting Duyfken from April to September, with the thought of structuring a three-year agreement which would see Duyfken located in AQWA during 2019, 2020 and 2021. The span of April to September would include Terms Two and Three of the school year, two lots of school holiday breaks and Easter to maximise interest and visitor accessibility.

The key reasons the Foundation has initiated discussions with AQWA are to facilitate better access to the northern suburbs catchment schools to deliver their school education program, and to provide a different, immersive experience for patrons. When berthed at its regular home at the Fishing Boat Harbour in Fremantle, the ship is visible to all walking past. Housing the Duyfken inside AQWA would encourage patrons to board the ship. While ticket prices are still being determined, it is expected a family pass will cost approximately \$20 for two adults and two children. This cost would be in addition to the cost of entry to AQWA.

Other stakeholders that would benefit from a proposal to berth the Duyfken at AQWA would include Department of Transport (as possible owners of the installed infrastructure), Sorrento Quay Boardwalk (managed by McGees Property) and Strezlecki Holdings (Lease Holders of Hillarys Boat Harbour). Given the unique owner/management structure of the Hillarys Boat Harbour facility and the resulting breadth of stakeholders and owners, there would be merit in AQWA and the Foundation of the Duyfken seeking financial contributions from these organisations.

Duyfken have an excellent relationship with Department of Transport (DOT), liaising frequently regarding its current berthing at the Fremantle port. The Foundation has advised the Duyfken had not faced any operational issues caused by the number of owners and operators involved in sections of Hillarys Boat Harbour as they have a close working relationship with DOT who have been very supportive.

The Duyfken would return to its usual berth at the Fishing Boat Harbour in Fremantle when it is not at berthed AQWA.

A recent crowd funding campaign undertaken by the Duyfken when their engines needed replacing received 310 donations and raised around \$130,000 in six weeks. This demonstrates support in the community for the Duyfken. The Duyfken has also received significant media coverage regarding their funding story.

### **Issues and options considered**

Council can either:

- provide funding for the berthing of the Duyfken at Hillarys Boat Harbour as previously requested
- not provide any funding for the Duyfken considering the State Government's funding commitment  
or
- continue to explore other possible funding opportunities.

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

**Legislation** Not applicable.

#### **Strategic Community Plan**

**Key theme** Economic Prosperity, Vibrancy and Growth.

**Objective** Destination City.

**Strategic initiative** Facilitate the establishment of major tourism infrastructure.

**Policy** *Community Funding Policy.*

The City's *Community Funding Policy* is developed with an objective to support the City's role as a community partner in building capacity and developing community ownership and identity.

The City acknowledges its role as a facilitator and partner in the development and sustainable management of local community-based organisations and to support the aspirations and achievements of its residents. To fulfil these roles and to enable the continued provision of local events, activities and services, the City supports the annual allocation of funding towards a variety of community grant programs and schemes.

### **Risk management considerations**

Potential risks assessed in preparing this Report and determining the recommendations include:

- another local government partnering with the Duyfken to draw the possible economic benefits to their district (for example, the City of Wanneroo could agree to assist with funding to enable the berthing of the Duyfken at Mindarie Marina)
- the State Government could withdraw all funding support at the end of the new two-year deal which has been negotiated, which may result in the Duyfken returning to the Netherlands

- on the option to berth the Duyfken at AQWA other beneficiaries of the infrastructure may not agree to contribute funding to the project. To mitigate this risk, any funding which the City may provide should be contingent on AQWA and the Duyfken securing and providing confirmation of the rest of the funding from other sources.

### **Financial / budget implications**

There is no specific allocation in the City budget for the funding arrangement as proposed in the notice of motion considered at the Council meeting held on 20 March 2018.

### **Regional significance**

Desktop modelling of the projected economic impacts of the Duyfken being berthed at Hillarys Boat Harbour has indicated there could be tourism and economic benefits to the City. Additional tourism, education and cultural history and heritage benefits could also be returned to the City and its communities through the Duyfken's education programs.

The Foundation and AQWA are also investigating the possibility of remodelling AQWA's existing cinema area into a Dutch Maritime-themed exhibit to complement the berthing of the Duyfken. This would provide an extension of the educational value for school visits plus provide a comparative experience to that which schools currently receive in Fremantle when they visit the nearby WA Shipwrecks Museum.

### **Sustainability implications**

#### Social

As well as attracting extra visitors to Hillarys Boat Harbour/AQWA during its lower season, a key benefit to the Duyfken being housed with the City of Joondalup would be more easily delivering their school visitation programs for school students within the City's catchments. Some northern suburbs schools presently travel to Fremantle to learn about the Duyfken. As detailed above, along with a unique experience, the Duyfken offers an educational program that aligns with the HASS section of the WA Curriculum.

The Duyfken would also look to run other programs to activate the opportunity for the City's communities in conjunction with AQWA, along the lines of night tours, historical evenings and events for senior's groups to open it up to new demographics and the community in the northern suburbs.

#### Economic

As detailed earlier in this Report, the State Government funding arrangement has been repackaged to give the Duyfken at least two years of funding certainty. It should be acknowledged that after this time, the Duyfken may be reliant on donations from the public and/or funding from the private sector.

Hillarys Boat Harbour is one of the most popular boating and recreation destinations in the Perth metropolitan region, receiving over 4.5 million visitors each year. Berthing the Duyfken at AQWA could assist with attracting more visitors to Hillarys during its lower season, potentially delivering tourism benefits to the City.

### **Consultation**

The Foundation was informally consulted with to ascertain the information in Report CJ141-08/18.

## COMMENT

Following the Duyfken's successful renegotiation with the State Government, investigation into the original suggestion for the City to provide an amount of \$160,000 in funding to the Duyfken has revealed this is not required.

Following the recent signing of the MOU between the City of Joondalup and LandCorp, it is anticipated that work on the Ocean Reef Marina will commence in 2020. The expected build time is projected at approximately 12 – 13 years, meaning Ocean Reef Marina is not be capable of being considered as a berthing port for Duyfken until at least the year 2032.

Although berthing the Duyfken at Ocean Reef Marina is not an immediate option in terms of the proposed construction timetable for this facility, the berthing of the Duyfken at AQWA, would require a one-off capital investment of approximately \$80,000 for site works to make the area suitable for the ship.

Given the number of owners/operators involved at Hillarys Boat Harbour who would benefit from the investment in infrastructure and the Duyfken berthing at AQWA, it may be appropriate for AQWA and the Duyfken to seek a contribution toward funding from several sources. The City may wish to investigate the possibility of contributing part of the funding sought by AQWA and the Duyfken, minimising potential risk to the City's investment while potentially delivering tourism and economic benefits to the City and its communities.

Investigating the possibility of providing financial assistance to the Duyfken could meet the City's objective to create a Destination City by supporting a significant tourist attraction and to act as a community partner in building capacity and developing community ownership and identity in line with the City's *Community Funding Policy*.

## VOTING REQUIREMENTS

Simple Majority.

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

- 1 NOTES the State Government has committed to funding the Duyfken for the next two financial years (2018-19 and 2019-20);**
- 2 NOTES the Chief Executive Officer will continue discussions with the Duyfken 1606 Replica Foundation regarding its efforts to berth the ship at the Aquarium of Western Australia (AQWA), Hillarys Boat Harbour.**

**The Motion was Put and**

**CARRIED (12/0)**

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



## **CJ142-08/18 APPOINTMENT OF NORTH WARD COMMUNITY REPRESENTATIVE FOR STRATEGIC COMMUNITY REFERENCE GROUP**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	102605, 101515
<b>ATTACHMENTS</b>	Attachment 1 Terms of Reference Attachment 2 (Confidential) Nominations – North Ward  <i>(Please Note: Attachment 2 is confidential and will appear in the official Minute Book only)</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

---

### **PURPOSE**

For Council to appoint a new North Ward community representative for the Strategic Community Reference Group.

### **EXECUTIVE SUMMARY**

On 5 July 2018, the City received a resignation from a North Ward community representative on the City's Strategic Community Reference Group (SCRG), which has now created a vacancy.

Community representatives were only recently appointed by Council at its meeting held on 20 March 2018 (CJ038-03/18 refers), following the public advertising in January 2018. During this public advertising period, the City received 20 nominations for the North Ward community representative position of which a community representative and a deputy member were appointed. At its meeting on 26 June 2018 (CJ096-06/18 refers), Council resolved to appoint all Deputy Members as Community Representatives and remove reference to Deputy Members from the SCRG Terms of Reference.

Following the resignation, the City contacted the remaining 18 nominees to confirm whether they were still interested in a position on the Strategic Community Reference Group, of which 14 expressed interest.

Council is now requested to consider the nominations provided at Attachment 2 of Report CJ142-08/18 and subsequently appoint a community representative to fill the vacant North Ward position on the Strategic Community Reference Group.

## **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, the terms for community members concluded in October in line with the ordinary Council election cycle. 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 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 76 valid nominations. Given the high number of nominations received, Council resolved to amend the SCRG Terms of Reference to allow the appointment of a maximum of one community member and one deputy member from each of the six wards at its meeting held on 20 March 2018 (CJ038-03/18 refers).

An induction meeting was held on 21 May 2018 where members queried the role of the deputy members, particularly in relation to opportunities to attend and participate in the SCRG meetings. At its meeting held on 26 June 2018 (CJ096-06/18 refers), Council resolved to appoint all members as community representatives and remove reference to deputy members from the SCRG Terms of Reference.

## **DETAILS**

During this public advertising period in January 2018, the City received 20 nominations for the North Ward community representative position on the City's Strategic Community Reference Group.

At its meeting held on 20 March 2018 (CJ038-03/18 refers), Council appointed Ross Hollett as the North Ward community representative and Victoria Brimelow as North Ward deputy member. Following Council's decision to appoint all deputy members as community representatives and remove reference to deputy members from the SCRG Terms of Reference at its meeting held on 26 June 2018 (CJ096-06/18 refers), Victoria Brimelow was appointed as a North Ward community representative.

On 5 July 2018, the City received a resignation from Victoria Brimelow as a North Ward community representative on the City's Strategic Community Reference Group, which has now created a vacancy. Following the resignation, the City contacted the remaining 18 nominees to confirm whether they were still interested in a position on the Strategic Community Reference Group, of which 14 expressed interest.

## **Issues and options considered**

Council is requested to assess the nominations and appoint one community representative for the North Ward.

Council can either:

- accept all nominations and appoint one community representative for the North Ward or
- not accept the nominations and commence a new expression of interest process.

It is the preferred option to select from the existing nominations based on the number and quality 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** To have a community that actively engages with the City to achieve consensus and legitimacy in decision-making.

**Strategic initiative** 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** *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 repeating the period for nominations may elicit low levels of interest and potentially disenfranchise those that have already nominated.

### **Financial / budget implications**

Due to the high number of nominations received during the recent public advertising period, the pool of community member representative nominations remains relevant. Therefore, no additional costs for advertising and promotions are required to advertise the vacancy.

### **Regional significance**

Not applicable.

### **Sustainability implications**

The Strategic Community Reference Group 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 planning reviews pertaining to environmental, crime and community safety, community development and waste management matters.

### **Consultation**

The Strategic Community Reference Group is a mechanism for community engagement on strategic issues.

## COMMENT

The Strategic Community Reference Group provides a unique mechanism for community representatives and subject experts providing advice to Council on a range of issues of importance to the community. The high number and quality of applications received is evidence of the success of the Group.

## VOTING REQUIREMENTS

Simple Majority.

## OFFICER'S RECOMMENDATION

That Council CONSIDERS APPOINTING 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 Report CJ142-08/18.

**MOVED Cr McLean, SECONDED Cr Hollywood that Council APPOINTS Mr Graydon Charles Smith representing the North Ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 2 to Report CJ142-08/18.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf180814.pdf](#)*

## **CJ143-08/18 LIST OF PAYMENTS DURING THE MONTH OF JUNE 2018**

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

### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

This Report presents the list of payments made under delegated authority during the month of June 2018 totalling \$15,624,896.09.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for June 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 Report CJ143-08/18, totalling \$15,624,896.09.*

### **BACKGROUND**

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

## DETAILS

The table below summarises the payments drawn on the funds during the month of June 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 106723 - 106863 & EF071351 – EF071994 Net of cancelled payments.	\$10,159,704.44
	Vouchers 2261A – 2280A	\$5,442,616.65
Trust Account	Trust Cheques & EFT Payments 207294 - 207299 & TEF001530 – TEF001554 Net of cancelled payments.	\$22,575
<b>Total</b>		<b>\$15,624,896.09</b>

## Issues and options considered

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

### Option 1

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

### Option 2

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

## Legislation / Strategic Community Plan / policy implications

### Legislation

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

### Strategic Community Plan

<b>Key theme</b>	Financial Sustainability.
<b>Objective</b>	Effective management.
<b>Strategic initiative</b>	Not applicable.
<b>Policy</b>	Not applicable.

**Risk management considerations**

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.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the Chief Executive Officer's list of accounts for June 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 Report CJ143-08/18, totalling \$15,624,896.09.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 13 refers*

To access this attachment on electronic document, click here: [Attach13brf180814.pdf](#)

## **CJ144-08/18      FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 JUNE 2018 (SUBJECT TO END OF YEAR FINALISATION)**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	07882,101515
<b>ATTACHMENTS</b>	Attachment 1      Financial Activity Statement Attachment 2      Investment Summary Attachment 3      Supporting Commentary
<b>AUTHORITY/ DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

---

### **PURPOSE**

For Council to note the Financial Activity Statement (subject to end of year finalisation) for the period ended 30 June 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. Council subsequently revised the budget at its meeting held on 20 February 2018 (CJ022-02/18 refers). The figures in this Report are compared to the revised budget.

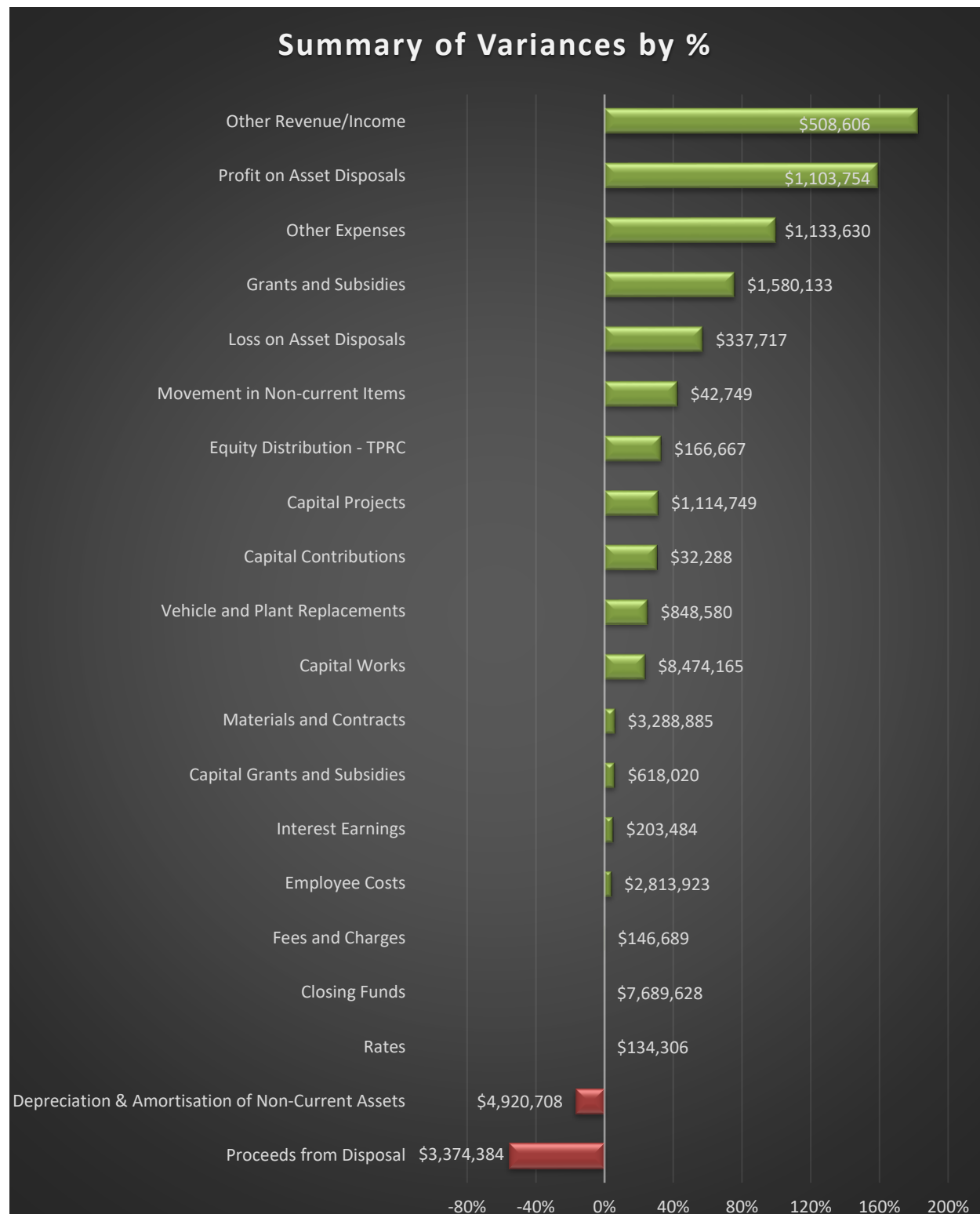
The June 2018 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$7,689,628 for the period when compared to the revised budget.

**It should be noted that this variance does not represent a projection of the end of year position as end of year adjustments are still to be finalised. These adjustments include transfers to and from reserves, as well as asset capitalisations, disposals and revaluations that are currently being finalised.**

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.



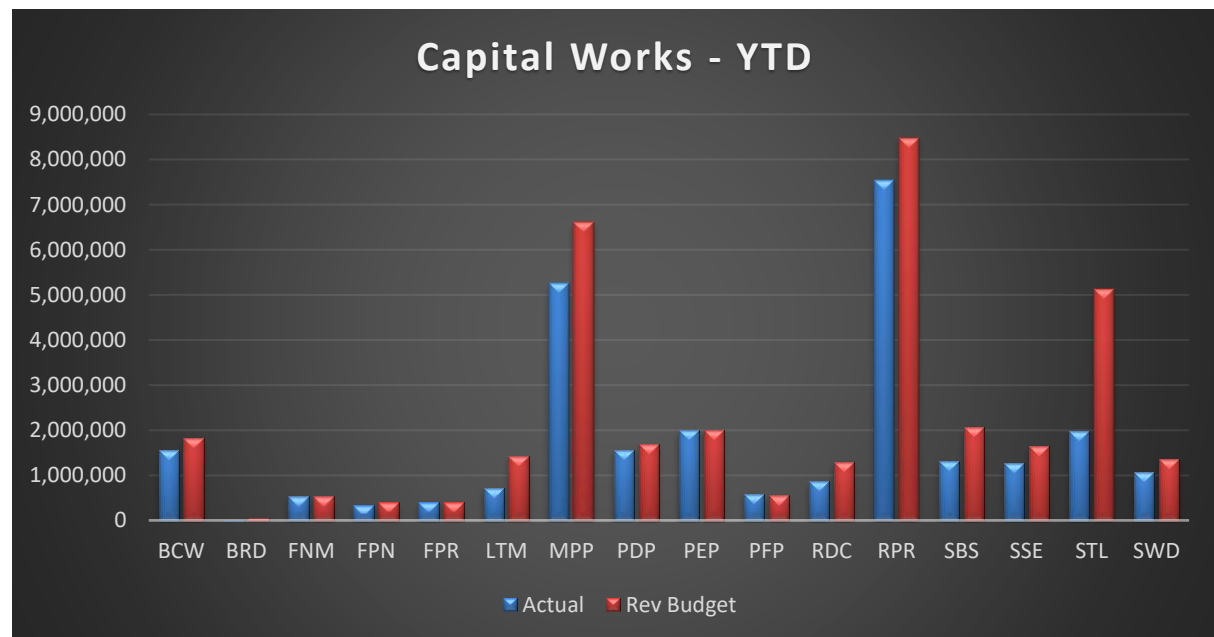
The key elements of the variance are summarised below:



The significant variances for June were:

### Capital Works

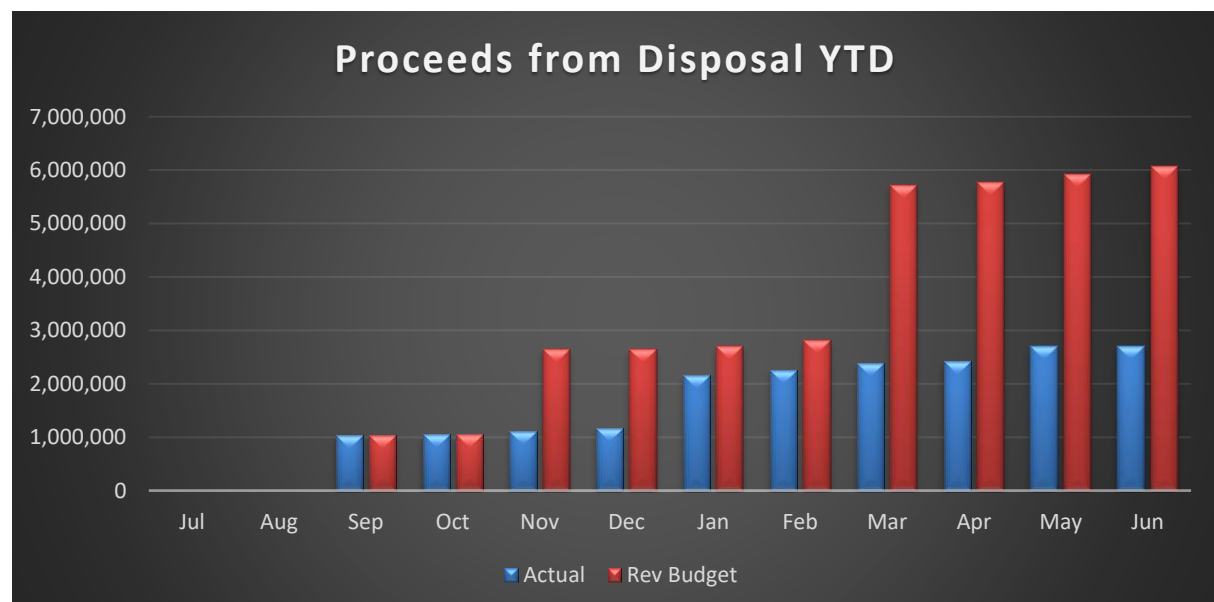
**\$8,474,165**



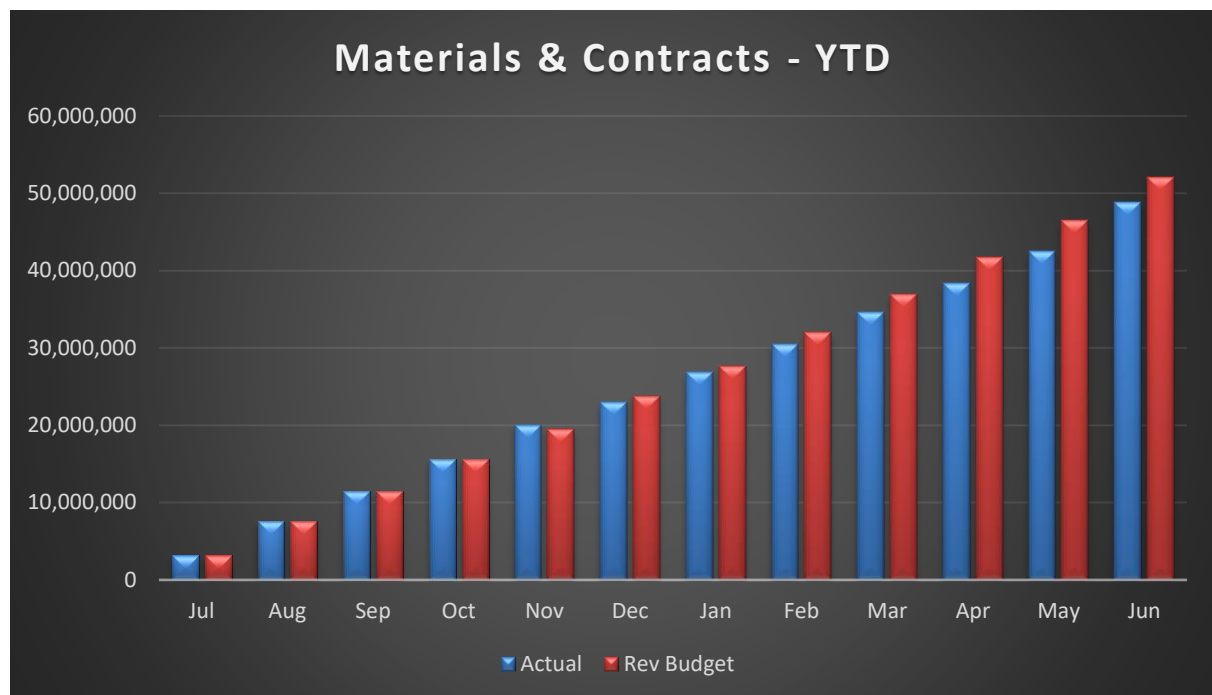
Capital Works expenditure is \$8,474,165 below budget. This includes favourable timing variances for Street Lighting Program \$3,151,139, Major Projects Program \$1,357,763 and Road Preservation / Resurfacing Program \$934,690.

### Proceeds from Disposal

**(\$3,374,384)**



Proceeds from Disposal revenue is \$3,374,384 below budget mainly due to the timing of disposal of surplus land holdings (\$3,422,777). Remaining land identified for sale in the current year is expected to be disposed in the next financial year.

**Materials and Contracts****\$3,288,885**

Materials and Contracts expenditure is \$3,288,885 below budget. This is spread across a number of different areas including favourable timing variances for External Service Expenses \$976,069, Professional Fees and Costs \$731,722 and Administration \$374,834.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 30 June 2018 forming Attachment 1 to Report CJ143-08/18.*

**BACKGROUND**

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

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

The Financial Activity Statement for the period ended 30 June 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**

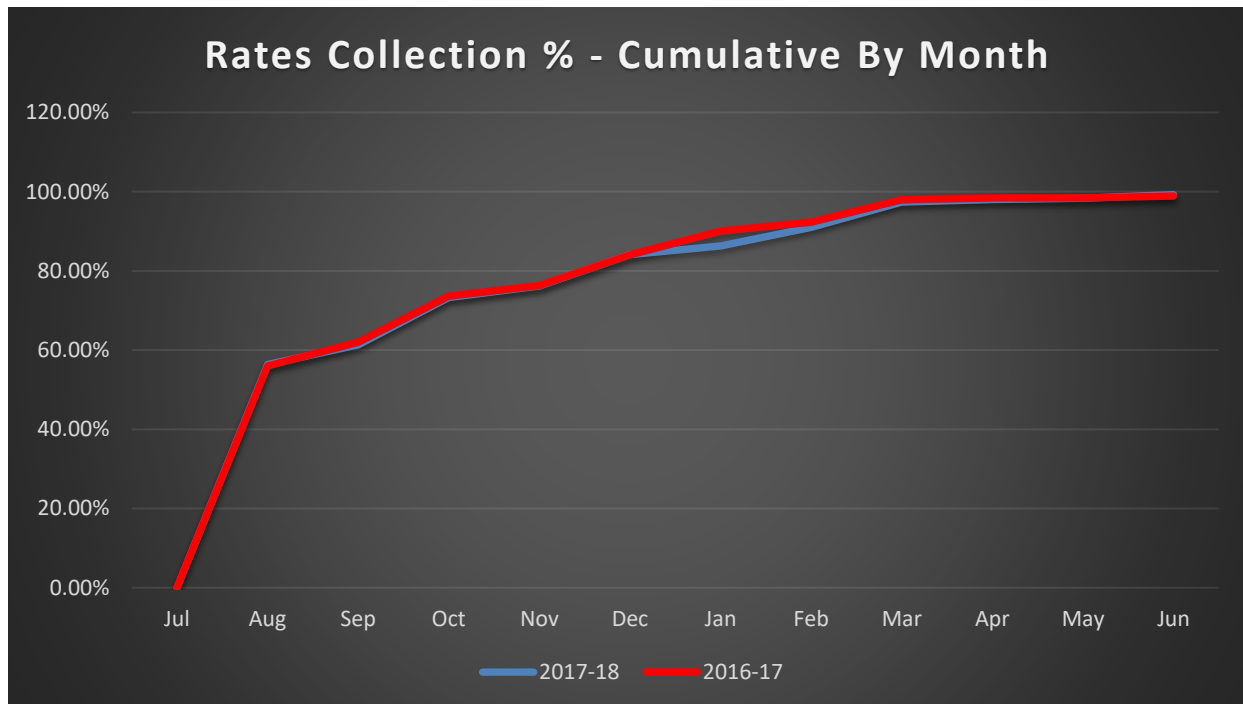
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

**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*.

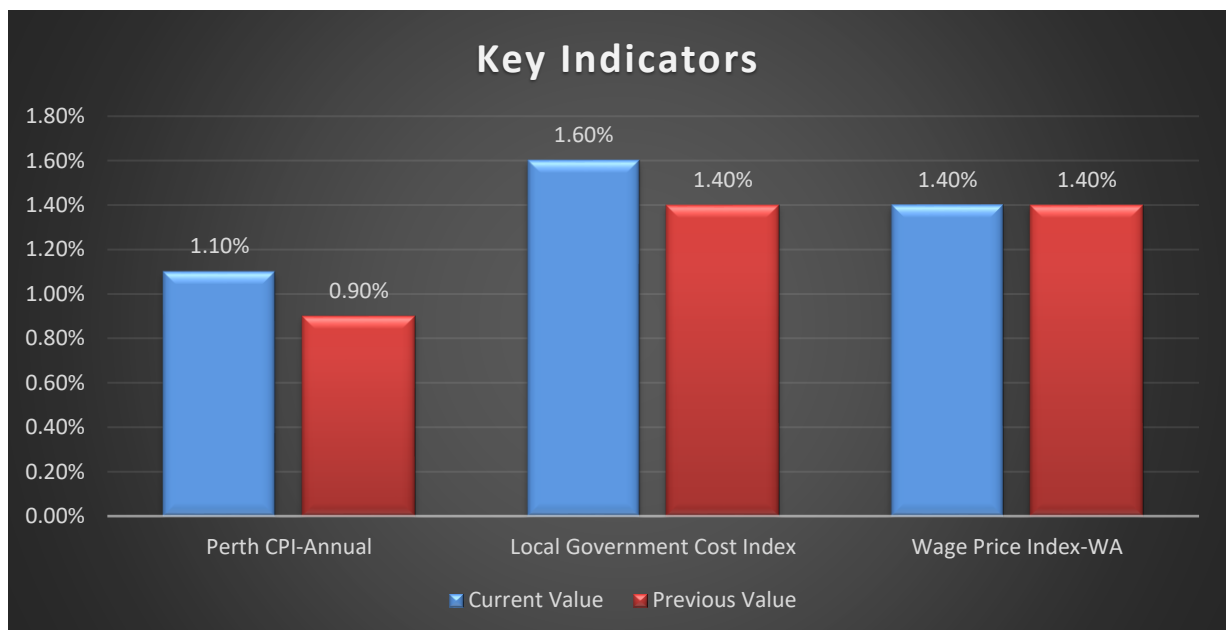
## KEY INDICATORS

### Rates Collection



Rates collections as a percentage of rates issued (debtors) remained on par with the prior year.

### Economic Indicators



The Local Government Cost Index remains well above CPI, indicating that cost pressures in the local government industry remain higher than the general economy. Wage inflation remains above CPI, although significantly lower than in the past.

**COMMENT**

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the 2017-18 revised budget or has been authorised in advance by Council where applicable. The results presented in the Financial Activity Statement are prior to the regular end of year finalisation and audit and the final results will not be known until after end of year adjustments and entries are processed, including reserve movements.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the Financial Activity Statement (subject to end of year finalisation) for the period ended 30 June 2018 forming Attachment 1 to Report CJ144-08/18.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf180814.pdf](#)*

## **CJ145-08/18      COMMUNITY SPORTING AND RECREATION FACILITIES FUND APPLICATION - 2019-20 ANNUAL GRANT**

<b>WARD</b>	South
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	18014, 22209, 101515
<b>ATTACHMENTS</b>	Attachment 1      Ellersdale Park aerial map Attachment 2      Ellersdale Park consultation report Attachment 3      Ellersdale Park floodlighting designs
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to consider an application for the Department of Local Government, Sport and Cultural Industries' Community Sporting and Recreation Facilities Fund 2019-20 annual grant round.

### **EXECUTIVE SUMMARY**

The Community Sporting and Recreation Facilities Fund (CSRFF) program aims to increase participation in sport and recreation with an emphasis on physical activity, through the rational development of good quality, multipurpose, well designed and well utilised facilities.

The State Government allocates \$12 million per year for CSRFF grants in three categories. There is one project for consideration in the 2019-20 annual grant round for the upgrade of sports floodlighting at Ellersdale Park, Warwick. It is proposed to install four 25 metre light poles and LED dog walking lights at an estimated cost of \$394,720 for competition level floodlighting.

The Department of Local Government, Sport and Cultural Industries (DLGSCI) has previously advised that competition level floodlighting is not a high priority for the CSRFF program. Therefore, the City is proposing to only seek one third of the costs for training level floodlighting of \$112,747. The City would then fund the remainder of the project costs.

Community consultation was conducted from 7 May to 28 May 2018 in accordance with the City's *Community Consultation and Engagement Policy* and *Protocol*. Targeted consultation was undertaken with residents living within 200 metres of Ellersdale Park and sporting clubs using the park. Respondents were asked to provide their level of support for the upgrade to the sports floodlighting. The City received 15 valid responses during the consultation period with 100% of respondents either strongly supporting or supporting the upgrade.

*It is therefore recommended that Council:*

- 1 *ENDORSES an application be made to the Department of Local Government, Sport and Cultural Industries for funding through the Community Sporting and Recreation Facilities Fund program for \$112,747 for the upgrade of sports floodlighting at Ellersdale Park, Warwick;*
- 2 *NOTES there is \$400,000 for the project listed within the Five Year Capital Works Budget in 2019-20;*
- 3 *NOTES that the announcement of Community Sporting and Recreation Facilities Fund application results is expected in February 2019;*
- 4 *NOTES that if successful for Community Sporting and Recreation Facilities Fund grant funding, the City will install competition standard floodlighting to meet Australian Standards for football (all codes) (AS2560.2.3) and obtrusive effects of outdoor lighting (AS4282) in 2019-20.*

## **BACKGROUND**

<b>Suburb/Location</b>	Ellersdale Park 50 Ellersdale Avenue, Warwick WA 6024.
<b>Applicant</b>	City of Joondalup.
<b>Owner</b>	Crown Land – City of Joondalup Management Order.
<b>Zoning</b>	<b>DPS</b> Parks and Recreation.
	<b>MRS</b> Urban.
<b>Site area</b>	35,815m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

The Western Australian Government, through the DLGSCI provides financial assistance to Local Government Authorities and sport and recreation clubs through the CSRFF program which aims to increase participation in sport and recreation with an emphasis on physical activity, through the rational development of good quality, multipurpose, well designed and well utilised facilities. The joint funding partnership is usually based on an equal one third contribution from each partner or in this case, two thirds from the City as a sporting club is not involved in the application.

The State Government allocates \$12 million per year for CSRFF grants in three categories over the 2019-20 funding period. Annual grants require detailed planning and have a total project value of between \$200,001 and \$500,000.

Ellersdale Park is located on Ellersdale Avenue Warwick, is approximately 3.5 hectares in size and is classified as a 'Local Park' within the City's existing *Parks and Public Open Spaces Classification Framework*. The park has an active sporting field, two sports floodlighting poles, centre cricket wicket, two cricket practice nets, three on three basketball pad and a playground.

The park is currently used in summer by the Warwick Greenwood Junior Cricket Club (220 members) and Warwick Greenwood Senior Cricket Club (105 members) and during winter by the Warwick Greenwood Junior Football Club (500 members).



## DETAILS

There is one project for consideration in the 2019-20 annual grant round. The City identified the need for the upgrade of sports floodlighting at Ellersdale Park, Warwick (Attachment 1 refers) in the 2017 Active Reserve and Community Facility Review (CJ205-12/17 refers). It was determined to be a high priority due to the high level of usage. While the park does currently have floodlighting, these lights do not meet the relevant Australian Standards for sports floodlighting.

Currently there is \$400,000 listed within the *Five Year Capital Works Program* in 2019-20 for the upgrade of sports floodlighting at Ellersdale Park (\$133,333 was identified as potential revenue from a CSRFF grant).

The City has prepared designs (Attachment 3 refers) and cost estimates for the sports floodlighting upgrade to ensure the project meets the Australian Standard for football (all codes) (AS2560.2.3) and the control of obtrusive effects of outdoor lighting (AS4282). It is proposed to install four 25 metre light poles with four lights on each pole. The project will also include installation of two LED dog walking lights (attached to two floodlight poles). The lights will operate one hour prior to sunrise and from sunset to 10.00pm seven days a week. There are two levels of floodlighting that can be installed, training standard for football (all codes) at a cost of \$338,241 or competition standard for football (all codes) at a cost of \$394,720.

The City is proposing to upgrade the sports floodlighting to meet the competition standard so that the football club may choose to fixture night games at the park. By fixturing night games, the club could better spread usage of the park by re-scheduling fixtures from the peak usage on Saturdays and Sundays to other times including Friday and Saturday evenings. Floodlighting will be managed in relation to bookings made for the park by sporting clubs, schools, community groups and individuals in accordance with the City's existing hiring process, all floodlighting will be switched off by 9.30pm.

The DLGSCI has previously advised that competition standard floodlighting is not a high priority of the CSRFF program and would not contribute to the upgrade of floodlighting from training standard to meet the competition standard. Therefore, the City is proposing to only seek one third of the costs for training level floodlighting through the CSRFF grant of \$112,747.

## Issues and options considered

It is considered that Council has two options, to either agree or not to agree to progress the application to the DLGSCI for funding through the CSRFF. The announcement of the grant is due in February 2019. If successful, the City will undertake detailed design and construction in 2019-20. If Council chooses not to progress the project, the clubs will remain training at the park under the existing two floodlights that do not meet Australian Standards for football.

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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Quality facilities.

**Strategic initiative** Support a long-term approach to significant facility upgrades and improvements.

**Policy** Not applicable.

**Risk management considerations**

All capital projects bring risks in relation to contingencies and overruns against original design. The cost estimates are based on recent relevant projects and may differ once detailed designs are undertaken for the project.

**Financial / budget implications**

Currently there is \$400,000 listed within the *Five Year Capital Works Program* in 2019-20 for the upgrade of sports floodlighting at Ellersdale Park (\$133,333 was identified as potential revenue from a CSRFF grant).

<b>Project no.</b>	STL2073
<b>Budget Item</b>	Ellersdale Park floodlighting upgrade.
<b>Budget amount</b>	\$400,000 (2019-20 \$266,667 City Reserve funds; \$133,333 grant funding).
<b>Amount spent to date</b>	\$0
<b>Proposed cost</b>	\$394,720 (\$281,973 City Reserve funds; \$112,747 grant funding).
<b>Balance</b>	\$ 5,280

Future financial year impact

**Capital costs and funding** The capital costs are estimated to be approximately \$394,720. An assessment of eligible CSRFF funding has been prepared and an application for \$112,747 in proposed. There is no club contribution for this project therefore the net City contribution is \$281,973.

**Capital replacement** The City would be responsible for all of the future replacement costs. It is estimated that the infrastructure has a 25 year life, so a cost of \$16,000 per year for depreciation and future capital replacement would be required by the City.

<b>Annual operating cost including depreciation</b>	The operating costs may increase by \$11,500 per year for maintenance and electricity. The overall increase in operating costs including depreciation of \$16,000 would be \$27,500 per year.
<b>Annual operating income</b>	There may be a marginal increase in the fees to the City of approximately \$500 per year from sporting clubs for park hire fees.
<b>Annual operating results</b>	The net impact on the operating results would be \$27,000 per year, which is based on the \$27,500 additional operating expenses less the \$500 additional income.
<b>20 Year Strategic Financial Plan impact</b>	The project is included within the <i>Five Year Capital Works Program</i> and therefore the <i>20 Year Strategic Financial Plan</i> .
<b>Comment / operating deficit and Five Year Capital Works Program</b>	<p>The proposed floodlights at Ellersdale Park are classed as upgrade infrastructure and make it more difficult for the City to address the operating deficit because they increase depreciation and increase operating costs.</p> <p>The <i>Five Year Capital Works Program</i> is prepared each year with a higher priority towards renewal expenditure, and the amount of expenditure on upgrade / new infrastructure is limited so that the operating deficit can be addressed. If this program progresses, then it leaves less affordability for new / upgrade projects.</p>

All amounts quoted in this Report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

Community consultation was conducted from Monday 7 May to Monday 28 May 2018 in accordance with the City's *Community Consultation and Engagement Policy and Protocol*. Targeted consultation was undertaken with residents living within 200 metres of Ellersdale Park and sporting clubs using the park. In addition, consultation documentation was available on the City's website for any other interested community members to make comment. The consultation was advertised through the following methods:

- Direct mail out – cover letter and frequently asked questions sheet was sent to the identified stakeholders.
- Site signage – three signs were placed at the park during the consultation period.
- City's website – frequently asked questions sheet and online comment form were available on the City's website during the consultation period.

The aim of the community consultation was to determine the level of support for the upgrade to sports floodlighting to competition level at the park.

The City received 15 valid responses during the consultation period (Attachment 2 refers). A summary of some of the demographic data is as follows:

- Majority of respondents were aged 35-44 years (42.9%) and 65-74 years (42.9%).
- 92.3% use Ellersdale Park for informal sport or recreation, 38.5% for organised sport or recreation, while 7.7% do not use the park but are interested in the project.
- 64.3% of respondents were not affiliated with any of the clubs listed, 35.7% were affiliated with Warwick Greenwood Junior Football Club, while 28.6% were affiliated with the Warwick Greenwood Junior Cricket Club.

Respondents were asked to indicate their level of support for the upgrade to the sports floodlighting. 100% of respondents either strongly supported, or supported the upgrade.

In addition, respondents were asked if they had any additional comments regarding the proposed upgrade, 11 respondents provided feedback and common themes included:

- belief that the floodlighting upgrades will support local clubs and families
- belief that the floodlighting upgrades will have a positive impact on safety and security
- request that the City ensure park user groups adhere to curfews for switching off floodlighting
- request other infrastructure improvements for Ellersdale Park (including parking, verge improvements, sporting infrastructure and other park infrastructure).

## **COMMENT**

The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity, through the rational development of good quality, multipurpose, well designed and well utilised facilities. The funding program provides the City with an opportunity to upgrade City infrastructure with the support of the State Government which will benefit the community and sporting clubs.

The upgrade to the sports floodlighting will provide opportunity for the current sporting clubs that use the park to extend their training later in the evening and enable other sporting clubs to train at the park. The upgrade to meet competition standard may enable the football club to fixture night games at the park. By fixturing night games, the clubs can better spread usage of the park by re-scheduling fixtures from the peak usage on Saturdays and Sundays to other times including Friday and Saturday evenings.

## **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council:**

- 1**      **ENDORSES** an application be made to the Department of Local Government, Sport and Cultural Industries for funding through the Community Sporting and Recreation Facilities Fund program for \$112,747 for the upgrade of sports floodlighting at Ellersdale Park, Warwick;
- 2**      **NOTES** there is \$400,000 for the project listed within the *Five Year Capital Works* Budget in 2019-20;
- 3**      **NOTES** that the announcement of Community Sporting and Recreation Facilities Fund application results is expected in February 2019;
- 4**      **NOTES** that if successful for Community Sporting and Recreation Facilities Fund grant funding, the City will install competition standard floodlighting to meet Australian Standards for football (all codes) (AS2560.2.3) and obtrusive effects of outdoor lighting (AS4282) in 2019-20.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf180814.pdf](#)*

## **CJ146-08/18 COMMUNITY SPORTING AND RECREATION FACILITIES FUND SMALL GRANT APPLICATION PROPOSED INSTALLATION OF CRICKET PRACTICE NETS**

<b>WARD</b>	South
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	06471, 101515, 22209
<b>ATTACHMENTS</b>	Attachment 1 Percy Doyle Football Teeball Park aerial map Attachment 2 Consultation report
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

---

### **PURPOSE**

For Council to consider an application from Northern Knights Cricket Club and Kallaroo Cricket Club for grant funding to install cricket practice nets at Percy Doyle Football Teeball Park, Duncraig.

### **EXECUTIVE SUMMARY**

The Community Sporting and Recreation Facilities Fund (CSRFF) program aims to increase participation in sport and recreation with an emphasis on physical activity, through the rational development of good quality, multipurpose, well designed and well utilised facilities.

The State Government allocates \$12 million per year for CSRFF grants in three categories over the 2018-19 funding period.

The City received one application for the CSRFF small grant summer round for 2018-19. The application is to install a three-lane cricket practice net with power access at Percy Doyle Football Teeball Park, Duncraig. The Northern Knights Cricket Club and Kallaroo Cricket Club are merging and will be basing the new club at the park which does not currently have cricket nets.

The City also identified the need for the installation of cricket practice nets at the park in the 2017 Active Reserve and Community Facility Review (CJ205-12/17 refers).

The project has been estimated at \$99,900 (excluding GST) with a third contribution of \$33,300 proposed from the City, CSRFF and clubs.

Community consultation was conducted from Monday 21 May 2018 to Monday 18 June 2018 in accordance with the *City's Community Consultation and Engagement Policy and Protocol*. Targeted consultation was undertaken with residents living within 500 metres of Percy Doyle Football Teeball Park and sporting clubs using the park. The City received 44 valid responses during the consultation period. Respondents were asked to provide their level of support for the installation of cricket practice nets, 90.9% of respondents either strongly supported or supported the project.

*It is therefore recommended that Council:*

- 1 *ENDORSES an application be made to the Department of Local Government, Sport and Cultural Industries for funding through the Community Sporting and Recreation Facilities Fund program for \$33,300 for the installation of a three-lane cricket net at Percy Doyle Football Teeball Park, Duncraig;*
- 2 *NOTES there are no funds for the project listed within the Five Year Capital Works Budget;*
- 3 *NOTES that the announcement of Community Sporting and Recreation Facilities Fund application results is expected in November 2018;*
- 4 *LISTS for consideration in the 2018-19 mid-year budget review process \$33,300 for the installation of the cricket nets at Percy Doyle Football Teeball Park, Duncraig.*

## BACKGROUND

<b>Suburb/Location</b>	Percy Doyle Reserve 47-49 Beddi Road Duncraig WA 6023.
<b>Applicant</b>	City of Joondalup.
<b>Owner</b>	Crown Land – City of Joondalup Management Order.
<b>Zoning</b>	<b>DPS</b> Parks and Recreation.
	<b>MRS</b> Urban.
<b>Site area</b>	190,290m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

The Western Australian Government, through the Department of Local Government, Sport and Cultural Industries (DLGSCI) provides financial assistance to Local Government Authorities and sport and recreation clubs through the CSRFF program which aims to increase participation in sport and recreation with an emphasis on physical activity, through the rational development of good quality, multipurpose, well designed and well utilised facilities. The joint funding partnership is usually based on an equal one third contribution from each partner.

The State Government allocates \$12 million per year for CSRFF grants in three categories over the 2018-19 funding period. The small grants are offered on a bi-annual basis for projects that have a total value of between \$7,500 and \$200,000.

Percy Doyle Football Teeball Park is located on Warwick Road, Duncraig on the north-eastern corner of Percy Doyle Reserve. The reserve is approximately 19 hectares in size and is classified as a 'Regional Park' within the City's existing *Parks and Public Open Spaces Classification Framework*. The football teeball park has an active sporting field, four sports floodlighting poles, centre cricket wicket, clubroom facility including toilet and change rooms.

The park is currently used in summer by the Wanneroo Joondalup Teeball Club (550 members) and Northern Knights Cricket Club (100 members) and during winter by Greenwood Football Club (70 members), Sorrento Duncraig Junior Football Club (1,080 members) and an informal soccer group.

## **DETAILS**

The City received one application for the CSRFF small grant summer round for 2018-19.

The application from the Northern Knights Cricket Club and Kallaroo Cricket Club is to install a three-lane cricket practice net and power access at the Percy Doyle Football Teeball Park, Duncraig (Attachment 1 refers). The two clubs are merging and will be basing the new club at the park which does not currently have cricket nets.

The City also identified the need for the installation of cricket practice nets at the park in the 2017 Active Reserve and Community Facility Review (CJ205-12/17 refers).

The proposed works include the following:

- Installation of a three-lane practice net (including retaining wall along the western side of the practice net).
- Installation of power access (for bowling machine).
- Irrigation realignment.
- Site preparation and returfing.
- Possible relocation of existing floodlight pole.

The project has been estimated at \$99,900 (excluding GST) with a third contribution of \$33,300 proposed from the City, CSRFF and clubs.

The park is currently utilised by Northern Knights Cricket Club for cricket matches during the summer season. The clubs currently train at Glengarry Park, Duncraig (two practice nets) and Korella Park, Mullaloo (two practice nets), however neither of these parks have adequate nets to meet the training needs of the combined club and do not have clubroom facilities to accommodate the merging clubs.

The park is also currently utilised during the summer season by Wanneroo Joondalup Teeball Club and an informal soccer group. Therefore, the application was assessed based on the potential impact on the existing park hirers. As the proposed cricket nets would impact the teeball club's usage of the park, they were consulted to discuss the project. Both the teeball and cricket clubs have committed to work together to ensure safe access to the practice nets and teeball diamonds for training purposes.

## **Issues and options considered**

It is considered that Council has two options, to either agree or not to agree to progress the application to the DLGSCI for funding through the CSRFF. The announcement of successful grants is due in November 2018. If successful the City will undertake detailed design and construction in 2018-19. If Council chooses not to progress the project, the clubs will continue to train at Glengarry Park, Duncraig and Korella Park, Mullaloo.



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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Quality facilities.

**Strategic initiative** Support a long-term approach to significant facility upgrades and improvements.

**Policy** Not applicable.

**Risk management considerations**

All capital projects bring risks in relation to contingencies and overruns against original design. The cost estimates are based on recent relevant projects and may differ once detailed designs are undertaken for the project.

**Financial / budget implications**

**Capital costs and funding** The capital cost is estimated to be \$99,900. An assessment of eligible CSRFF funding has been prepared, and an application for \$33,300 will be made. The Northern Knights Cricket Club and Kallaroo Cricket Club will contribute \$33,300 and therefore the net City contribution is \$33,300.

**Capital replacement** Although the initial City contribution of \$33,300 is only one third of the capital cost, the City would be responsible for all of the future replacement costs. It is estimated that the infrastructure has a 20 year life, so a cost of \$4,995 per year for depreciation and future capital replacement would be required by the City.

**Annual operating income** There is not expected to be any change to the income received by the City.

**Annual operating cost including depreciation** The operating costs may increase by \$3,000 per year for maintenance and cleaning and combined with the depreciation per year of \$4,995 the total impact on the operating results is a cost of \$7,995 per year.

**20 Year Strategic Financial Plan (SFP) impact** The project is not included in the *Five Year Capital Works Program* or the *20 Year Strategic Financial Plan*. The total 20 year impact in cash terms of adding the project to the *SFP* is a cost of approximately \$500,000.

**Comment / operating deficit and Five Year Capital Works Program** The proposed cricket nets at Percy Doyle Football Teeball Park are classed as new infrastructure and make it more difficult for the City to address the operating deficit because they increase depreciation, increase operating costs and in this case does not increase income.

The *Five Year Capital Works Program* is prepared each year with a higher priority towards renewal expenditure and the amount of expenditure on new infrastructure is limited so that the operating deficit can be addressed. If this project progresses then other projects will need to be removed / reduced to allow the *Five Year Capital Works Program* to remain at the same overall levels of funding. These issues will be considered as part of the 2018-19 mid-year budget review process.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

Consultation for the project was conducted from Monday 21 May 2018 to Monday 18 June 2018 in accordance with City's approved *Community Consultation and Engagement Policy and Protocol*. Targeted consultation was undertaken with residents living within 500 metres of Percy Doyle Football Teeball Park and sporting clubs using the park. In addition, consultation documentation was available on the City's website for any other interested community members to make comment. The consultation was advertised through the following methods:

- Direct mail out – cover letter and frequently asked questions sheet was sent to the identified stakeholders.
- Site signage – three signs were placed at the park during the consultation period.
- City's website – frequently asked questions sheet and online comment form were available on the City's website during the consultation period.

The aim of the community consultation was to determine the level of support for the installation of cricket practice nets at the park.

The City received 44 valid responses during the consultation period (Attachment 2 refers). A summary of some of the demographic data is as follows:

- Majority of respondents were aged 45-54 years (31.8%), 65-74 years (29.5%) and 55-64 years (15.9%).
- 56.8% used the park for informal sport or recreation, 25% do not use the park but are interested in the project, 9.1% for organised sport or recreation.
- 81.8% of respondents were not affiliated with any of the clubs listed, 9.1% were affiliated with Sorrento Duncraig Junior Football Club, while 2.3% were affiliated with the Marmion, Sorrento Duncraig Progress and Ratepayers Association.

Respondents were asked to indicate their level of support for the installation of cricket practice nets. 90.9% (40) of respondents either strongly supported or supported the project.

In addition, respondents were asked if they had any additional comments regarding the proposed project, 32 respondents provided feedback and common themes include the following:

- Belief that cricket nets will be a good addition to the park / enhance usage of the park.
- Belief that cricket nets will be beneficial for young people and families.
- Belief that cricket nets can encourage young people to play outdoors.
- Believe that cricket nets will help to enhance social cohesion / community interaction.
- Concern about potential noise as a result of people using cricket nets.
- Concern about ongoing maintenance of cricket nets.

## COMMENT

The DLGSCI through the CSRFF, aims to increase participation in sport and recreation with an emphasis on physical activity, through the rational development of good quality, multipurpose, well designed and well utilised facilities. The funding program provides the City with an opportunity to upgrade City infrastructure with the support of the State Government and the sporting clubs that will directly benefit from the upgrades.

The installation of a three-lane cricket practice net at the Percy Doyle Football Teeball Park will enable the cricket clubs to be based at the one location which will therefore make Glengarry Park, Duncraig and Korella Park, Mullaloo available for other clubs to use.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council:**

- 1 ENDORSES an application be made to the Department of Local Government, Sport and Cultural Industries for funding through the Community Sporting and Recreation Facilities Fund program for \$33,300 for the installation of a three-lane cricket net at Percy Doyle Football Teeball Park, Duncraig;**
- 2 NOTES there are no funds for the project listed within the *Five Year Capital Works Budget*;**
- 3 NOTES that the announcement of Community Sporting and Recreation Facilities Fund application results is expected in November 2018;**
- 4 LISTS for consideration in the 2018-19 mid-year budget review process \$33,300 for the installation of the cricket nets at Percy Doyle Football Teeball Park, Duncraig.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 16 refers*

*To access this attachment on electronic document, click here: [Attach16brf180814.pdf](#)*

## **CJ147-08/18      TENDER   008/18   -   PLUMBING   MAINTENANCE SERVICES   AND   MINOR   PLUMBING   WORKS   OF VALUE   LESS   THAN   \$50,000**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107274, 101515
<b>ATTACHMENTS</b>	Attachment 1      Schedule of Items Attachment 2      Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the tender submitted by RW & JA Olsen trading as Joondalup Plumbing Services for the provision of plumbing maintenance services and minor plumbing works of value less than \$50,000.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 13 June 2018 through statewide public notice for the provision of plumbing maintenance services and minor plumbing works of value less than \$50,000. Tenders closed on 28 June 2018. A submission was received from each of the following:

- AAA Hillarys Plumbing and Gas.
- The Trustee for MR Hoskins Family Trust trading as AE Hoskins Building Services.
- AHS Services WA Pty Ltd.
- Access Without Barriers Pty Ltd trading as AWB Building Co.
- Majestic Plumbing Pty Ltd.
- Morris & Ioppolo Pty Ltd trading as MI Plumbers.
- The trustee for the Link Trust trading as Nathan's Plumbing & Gas Pty Ltd.
- The trustee for Radford Family Trust trading as AFM Plumbing Services.
- The trustee for the Pride Trust trading as Pride Plumbing & Gas.
- The trustee for Campbell Allsworth Family Trust trading as Snap Plumbing & Construction.
- Techworks Plumbing Pty Ltd.
- RW & JA Olsen trading as Joondalup Plumbing Services.
- The trustee for STLP Trust trading as Zambezi Plumbing and Gas.

The submission from RW & JA Olsen trading as Joondalup Plumbing Services represents best value to the City. It has been providing plumbing maintenance services for local governments for many years including the Cities of Wanneroo and Joondalup, Harbourside Village Mindarie and Settlers Village Ridgewood. It demonstrated a thorough understanding and appreciation of the City's requirements. Joondalup Plumbing Services is a well-established company with extensive industry experience and the capacity to provide the services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by RW & JA Olsen trading as Joondalup Plumbing Services for the provision of plumbing maintenance services and minor plumbing works of value less than \$50,000 as specified in Tender 008/18 for a period of 34 months at the submitted schedule of rates, applicable for the term of the contract.*

## **BACKGROUND**

The City has a requirement to engage a suitably qualified and experienced contractor for the provision of plumbing maintenance services to City owned infrastructure including 150 buildings at various sites located within its boundaries, public showers, drinking fountains, ablutions and the like. The contractor may also be required to undertake plumbing projects to both new and existing plumbing infrastructure to a value of up to \$50,000 per project.

The current maximum value of \$100,000 per project was reduced to \$50,000 to enable larger plumbing capital works to be subject to a broader and competitive quotation process. An analysis of reactive plumbing works over the period of the last contract revealed that works over the value of \$50,000 are mostly associated with major roof restoration projects of which the City historically averages one project of this type per annum.

The City currently has a single contract for the provision of plumbing maintenance services and minor plumbing works of value less than \$100,000 with Joondalup Plumbing Services Ltd which expired on 12 August 2018.

Joondalup Plumbing Services has provided a quality service throughout the term of the contract.

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

## **DETAILS**

The tender for the provision of plumbing maintenance services and minor plumbing works of value less than \$50,000 was advertised through statewide public notice on 13 June 2018. The tender period was for two weeks and tenders closed on 28 June 2018.

### **Tender Submissions**

A submission was received from each of the following:

- AAA Hillarys Plumbing and Gas.
- The Trustee for MR Hoskins Family Trust trading as AE Hoskins Building Services.
- AHS Services WA Pty Ltd.

- Access Without Barriers Pty Ltd trading as AWB Building Co.
- Majestic Plumbing Pty Ltd.
- Morris & Ioppolo Pty Ltd trading as MI Plumbers.
- The trustee for the Link Trust trading as Nathan's Plumbing & Gas Pty Ltd.
- The trustee for Radford Family Trust trading as AFM Plumbing Services.
- The trustee for the Pride Trust trading as Pride Plumbing & Gas.
- The trustee for Campbell Allsworth Family Trust trading as Snap Plumbing & Construction.
- Techworks Plumbing Pty Ltd.
- RW & JA Olsen trading as Joondalup Plumbing Services.
- The trustee for STLP Trust trading as Zambezi Plumbing and Gas.

The schedule of items listed in the tender is provided in Attachment 1 to Report CJ147-08/18.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ147-08/18.

### **Evaluation Panel**

The evaluation panel was composed of three members being:

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

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

### **Evaluation Method and Weighting**

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. Prior to assessment of individual submissions a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the tenderer to satisfactorily deliver the services. The predetermined minimum acceptable qualitative score was set at 55%.

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

<b>Qualitative and Price Criteria</b>		<b>Weighting</b>
1	Demonstrated Experience in Providing Similar Services	40%
2	Capacity	30%
3	Demonstrated understanding of the required tasks	25%
4	Social and economic effects on the local community	5%

### **Compliance Assessment**

All submissions received were assessed as compliant and remained for further consideration.

### **Qualitative Assessment**

Nathan's Plumbing and Gas scored 34.9% and was ranked thirteenth in the qualitative assessment. It did not demonstrate sufficient experience providing similar plumbing services. The company is currently providing general maintenance services to Midland Gate Shopping Centre and plumbing construction works to Howell Builders and is a listed contractor in Department of Finance's low value maintenance panel for plumbing services. It did not demonstrate sufficient understanding of the required tasks, providing only a brief response with limited relevant details. Its response to capacity did not address the organisation structure of the company, afterhours contacts for emergency requirements and copies of its safety statistics.

AHS Services WA scored 37.2% and was ranked twelfth in the qualitative assessment. The company has the capacity to undertake the works and demonstrated the experience in providing similar services to private organisations and State Government including the Department of Corrective Services, the Department of Attorney General, the Department of Education, Vesco Foods and Silcar. No response was submitted to demonstrate its understanding of the City requirements.

MI plumbers scored 45.4% and was ranked eleventh in the qualitative assessment. The company demonstrated some understanding of the required tasks. It has the capacity required to carry out the services for the City, however it did not provide copies of its safety policy and records. MI Plumbers demonstrated some experience in providing similar plumbing services to private organisations including Jones Laing LaSalle, Savills, Colliers, Knight Frank, CBRE, Stockland, Scentre, Aurizon and Vicinity Shopping Centre. The number of sites and the specific periods and dates of contracts for these clients were not provided.

Pride Plumbing and Gas scored 45.6% and was ranked tenth in the qualitative assessment. The company demonstrated experience in providing similar services to various private organisations including Metropolitan Health, Invocare, Venues West, Austral Bricks and Perth Mint. The company also completed some minor plumbing works at Craigie Leisure Centre, MRWA head office and Forbes and Hunt Boilers. The company has the capacity to provide the services but did not demonstrate an understanding of the required tasks, supplying a generic methodology and limited relevant information on its approach to the City requirements.

Techworks Plumbing scored 54.3% and was ranked ninth in the qualitative assessment. The company has the capacity to provide the required services to the City. It demonstrated experience in providing similar plumbing services to LJ Hooker, Alder Tapware, Programmed, ICS Australia, Orixon and M Construction. Techworks Plumbing did not demonstrate sufficient understanding of the required tasks with limited responses to general, emergency and scheduled maintenance works.

AFM Plumbing Services scored 56.86% and was ranked eighth in the qualitative assessment. The company demonstrated considerable experience in providing similar services to local governments and private organisations including plumbing services to the City of Stirling and minor plumbing works to the Cities of Joondalup, Wanneroo, Swan, South Perth, Fremantle and Vincent and the Towns of Bayswater and Victoria Park. The company demonstrated some understanding of the required tasks and has the capacity to provide the services.

AAA Hillarys Plumbing and Gas scored 56.93% and was ranked seventh in the qualitative assessment. The company has the capacity to provide the required services to the City but did not demonstrate sufficient understanding of the required tasks supplying a brief response with limited detail. It demonstrated considerable experience providing plumbing services to local governments and private organisations including the Cities of South Perth and Fremantle and Strzelecki Group.

AE Hoskins Building Services scored 57.1% and was ranked sixth in the qualitative assessment. The company demonstrated the capacity and understanding to carry out the required tasks. It demonstrated some experience in providing similar plumbing services. Fifteen example contracts were submitted but most contracts were for general building maintenance and repair services. The company is currently providing general building, roof plumbing and plumbing and painting services to the City of Stirling, facilities and asset maintenance services to the City of Subiaco, general maintenance services to the City of Perth and property and building maintenance and repair services to the Town of Cambridge.

AWB Building Co. scored 60.7% and was ranked fifth in the qualitative assessment. The company demonstrated considerable experience providing plumbing and building services to local governments and private organisations including the Cities of Vincent and Melville (plumbing maintenance), Salvation Army (general building and plumbing services), the Town of Cambridge (building and maintenance services) and WA Building Services Management (plumbing and general building services). The company has sufficient capacity to carry out the required tasks. It also demonstrated a suitable understanding of the City's requirements.

Snap Plumbing & Construction scored 64.2% and was ranked fourth in the qualitative assessment. It demonstrated experience providing plumbing services to local government and private organisations including the Shire of Mundaring, Royal Perth Hospital, St John of God Hospital (Midland, Mount Lawley and Subiaco campuses) and Mercy Care. The company demonstrated a thorough understanding of the required tasks and has the required capacity to provide the services to the City.

Majestic Plumbing Pty Ltd scored 67.3% and was ranked third in the qualitative assessment. The company demonstrated an understanding of the required tasks. It is an established company and has the capacity to provide the services to the City. Majestic Plumbing Pty Ltd demonstrated extensive experience in providing similar services to local and state governments and private organisations including the Cities of Cockburn, Perth, Kwinana and Belmont, Department of Child Protection, Southern Metropolitan Regional Council, Baiada Enterprises and Mercu College.

Zambezi Plumbing and Gas scored 68.5% and was ranked second in the qualitative assessment. The company demonstrated extensive experience in providing similar services to state, local governments and private organisations including the Town of Cambridge, Public Transport Authority (maintenance, breakdown repairs and small works on PTA rail network), Programmed, the Department of Finance and Spine and Limb Foundation. It demonstrated considerable understanding of the required tasks and has the capacity to provide the services.

Joondalup Plumbing Services scored 78.8% and was ranked first in the overall assessment. It has been providing similar plumbing maintenance services for local governments including the Cities of Wanneroo (2003 – 2015) and Joondalup (since 2002), Harbourside Village Mindarie and Settlers Village Ridgewood. It demonstrated a thorough understanding and appreciation of the City's requirements. Joondalup Plumbing Services is a well-established company and has the capacity to provide the services to the City.

Based on the minimum acceptable score (55%), Joondalup Plumbing Services, Zambezi Plumbing and Gas, Majestic Plumbing Pty Ltd, Snap Plumbing & Construction, AWB Building Co., AE Hoskins Building Services, AAA Hillarys Plumbing and Gas and AFM Plumbing Services qualified for stage two (price) assessment.

### **Price Assessment**

The panel carried out a comparison of the rates offered by each tenderer qualified for stage two (price) assessment to assess value for money to the City.



To arrive at the estimated financial value of the tender, the tendered rates offered by each tenderer (qualified for stage two assessment) have been applied to historical usage of the most commonly used types of labour, materials and plant hire were identified and used in the calculation. This provides a value of the tender based on the assumption that the historical pattern of usage is maintained. The estimated expenditure over a 12 month period will vary based on demand and is subject to change in accordance with ongoing requirements.

The following table provides a summary of the comparison of the estimated expenditure of each tenderer. The rates offered by the tenderers are applicable for the term of the contract.

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Joondalup Plumbing Services	\$978,458	\$978,458	\$978,458	\$2,935,374
AFM Plumbing Services	\$1,136,771	\$1,136,771	\$1,136,771	\$3,410,312
Majestic Plumbing	\$1,153,766	\$1,153,766	\$1,153,766	\$3,461,297
AWB Building Co.	\$1,233,195	\$1,233,195	\$1,233,195	\$3,699,585
Zambezi Plumbing and Gas	\$1,258,656	\$1,258,656	\$1,258,656	\$3,783,782
AAA Hillarys Plumbing and Gas	\$1,265,770	\$1,265,770	\$1,265,770	\$3,797,310
AE Hoskins Building Services	\$1,338,220	\$1,338,220	\$1,338,220	\$4,014,659
Snap Plumbing & Construction	\$1,348,318	\$1,348,318	\$1,348,318	\$4,044,954

During 2017-18, the City incurred \$937,937 for plumbing maintenance services and minor plumbing works.

### **Evaluation Summary**

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

<b>Tenderer</b>	<b>Weighted Percentage Score</b>	<b>Qualitative Ranking</b>	<b>Total Estimated Contract Price</b>	<b>Price Ranking</b>
Joondalup Plumbing Services	78.8%	1	\$2,935,374	1
Zambezi Plumbing and Gas	68.5%	2	\$3,783,782	5
Majestic Plumbing	67.3%	3	\$3,461,297	3
Snap Plumbing & Construction	64.2%	4	\$4,044,954	8
AWB Building Co.	60.7%	5	\$3,699,585	4
AE Hoskins Building Services	57.1%	6	\$4,014,659	7
AAA Hillarys Plumbing and Gas	56.93%	7	\$3,797,310	6
AFM Plumbing Services	56.86%	8	\$3,410,312	2

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

### Issues and options considered

The City has a requirement for the provision of plumbing maintenance services to City owned infrastructure including 150 buildings at various sites located within its boundaries, public showers, drinking fountains, ablutions, and the like. The City does not have the internal resources to provide the required services and requires an appropriate external contractor to undertake the works.

### Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	A statewide public tender was advertised, opened and evaluated in accordance with clauses 11(1) and 18(4) of Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i> , 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

<b>Key theme</b>	Community Wellbeing.
<b>Objective</b>	Quality facilities.
<b>Strategic initiative</b>	Support a long-term approach to significant facility upgrades and improvements.
<b>Policy</b>	Not applicable.

### Risk management considerations

Should the contract not proceed, the risk to the City will be high as the City needs to repair and maintain city's assets to the standards required for public health and safety.

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

### Financial / budget implications

<b>Account no.</b>	Various accounts.
<b>Budget Item</b>	Plumbing maintenance services and minor plumbing works.
<b>Budget amount (2018-19)</b>	\$923,655
<b>Amount spent to date (1 - 23 Jul'18)</b>	\$ 5,616
<b>Proposed cost (Aug'18 – Jun'19)</b>	\$896,919
<b>Balance</b>	\$ 21,120

The balance does not represent a saving at this time. The actual usage will determine the total cost of the contract. All amounts quoted in this Report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

The provision of plumbing services to the City's buildings and assets within parks and reserves assists the City in efficient use of its water resources.

**Consultation**

Not applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the submission in accordance with the City's evaluation process and concluded that the offer submitted by RW & JA Olsen trading as Joondalup Plumbing Services represents best value to the City.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council ACCEPTS the tender submitted by RW & JA Olsen trading as Joondalup Plumbing Services for the provision of plumbing maintenance services and minor plumbing works of value less than \$50,000 as specified in Tender 008/18 for a period of 34 months at the submitted schedule of rates, applicable for the term of the contract.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 17 refers*

*To access this attachment on electronic document, click here: [Attach17brf180814.pdf](#)*

## **CJ148-08/18      TENDER 014/18 - PROVISION OF IRRIGATION ELECTRICAL SERVICES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107377, 101515
<b>ATTACHMENT</b>	Attachment 1      Schedule of Items Attachment 2      Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the tender submitted by Triton Electrical Contractors Pty Ltd for the provision of irrigation electrical services.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 16 May 2018 through state-wide public notice for the provision of irrigation electrical services for a period of three years. Tenders closed on 6 June 2018. A submission was received from each of the following:

- Triton Electrical Contractors Pty Ltd.
- Northlake Electrical Pty Ltd.
- Heru Holdings Pty Ltd (Mechanical and Electrical Services).
- Industrial Automation Group Pty Ltd trading as Waterman Irrigation.
- Sanpoint Pty Ltd trading as LD Total.
- Wired West Electrical Contracting Pty Ltd.

The submission from Triton Electrical Contractors Pty Ltd represents best value to the City. The company has considerable experience in providing similar services to local governments including the Cities of Wanneroo, Melville and Belmont and the Town of Victoria Park. It demonstrated a thorough understanding of the City's requirements a high level of capacity to undertake the services for the City. Triton Electrical Contractors Pty Ltd has provided irrigation electrical services to the City since 2009.

*It is therefore recommended that Council ACCEPTS the tender submitted by Triton Electrical Contractors Pty Ltd for the provision of irrigation electrical services as specified in Tender 014/18 for a period of three years at the submitted schedule of rates with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).*

## **BACKGROUND**

The City has a requirement for a contractor to provide irrigation electrical services including supply, installation, inspection, maintenance, repair and modification of irrigation electrical cubicles, control switchboards and cabling servicing.

The City constructs on average three to five irrigation systems per year which require the installation of new pumps, cubicles, cabling and electrical equipment. There are approximately 319 irrigated parks with irrigation cubicles which may require repair work or modification over the contract period.

The City had a single contract for the provision of irrigation electrical services with Triton Electrical Contractors Pty Ltd which expired on 2 August 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, respondents' experience and performance history, productive use of City resources and other environmental or local economic factors.

## **DETAILS**

The tender for the provision of irrigation electrical services was advertised through state-wide public notice on 16 May 2018. The tender period was for two weeks and tenders closed on 6 June 2018.

### **Tender Submissions**

Six submissions were received from the following:

- Triton Electrical Contractors Pty Ltd.
- Northlake Electrical Pty Ltd.
- Heru Holdings Pty Ltd (Mechanical and Electrical Services).
- Industrial Automation Group Pty Ltd trading as Waterman Irrigation.
- Sanpoint Pty Ltd trading as LD Total.
- Wired West Electrical Contracting Pty Ltd.

The schedule of items as listed in tender is provided in Attachment 1 to Report CJ148-08/18.

A summary of tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ148-08/18.

### **Evaluation Panel**

The evaluation panel comprised three members:

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

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

## Compliance Assessment

All offers received were assessed as compliant and remained for further consideration.

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

Waterman Irrigation scored 47% and was ranked sixth in the qualitative assessment. The company did not fully demonstrate its understanding of the required tasks. The company is a division of the larger company, Automation Group. It did not provide details of specialised equipment to be used. Waterman Irrigation demonstrated experience providing irrigation electrical services for the City of Mandurah and the Town of Port Hedland.

LD Total scored 47.8% and was ranked fifth in the qualitative assessment. The company demonstrated some understanding of irrigation electrical service requirements. It did not submit information to demonstrate its experience providing similar services and neither were periods and dates of contracts supplied. LD Total is a well-established company with suitable capacity, skills and experienced personnel capable of providing the service.

Mechanical and Electrical Services scored 50.9% and was ranked fourth in the qualitative assessment. The company demonstrated experience providing some similar services for the Department of Defence, Broadspectrum and Ecanet Engineering. Its approach to various tasks and interaction with the City or other contractors including sourcing of parts and materials specific to irrigation electrical services was not clearly defined.

Wired West scored 63.7% and was ranked third in the qualitative assessment. It demonstrated a sound understanding of the City's requirements. The company demonstrated some capacity and proposed to employ more staff in order to meet City requirements. It provided a list of the basic equipment required to meet installation and maintenance requirements, with a backup reliance through other equipment providers. Wired West demonstrated experience providing similar services for Horizon West Irrigation Pty Ltd and some sites for the City of Wanneroo.

Northlake Electrical scored 71.1% and was ranked second in the qualitative assessment. The company demonstrated extensive experience providing irrigation electrical maintenance to multiple organisations including Cities of Cockburn, Fremantle, Kwinana, Melville, Town of Bassendean, Western Irrigation Pty Ltd, and multiple sites for the State Government under the Department of Finance panel contract. It is well established and has the equipment and capacity necessary to provide the services. It demonstrated a thorough understanding of the required tasks specific to irrigation pump switch board construction and maintenance.

Triton Electrical Contractors scored 79.4% and was ranked first in the qualitative assessment. The company demonstrated a thorough understanding of irrigation electrical tasks by submitted a comprehensive methodology and is well resourced to undertake the works for the City. It also demonstrated considerable experience providing similar services to multiple private and local governments including Cities of Wanneroo, Melville, Belmont and Town of Victoria Park. Triton Electrical Contractors is the City's current provider of irrigation electrical services.

Based on the minimum acceptable score (60%), Triton Electrical Contractors Pty Ltd, Northlake Electrical Pty Ltd and Wired West Electrical Contracting Pty Ltd qualified for stage two price assessment.

### Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted rates offered by the three qualified tenderers for stage two to assess value for money to the City.

The rates are fixed for the first year of the contract, but are subject to a price variation in years two and three of the contract to a maximum of the Perth Consumer Price Index (All Groups) percentage change for the preceding year. For estimation purposes, a 2% CPI increase was applied to the rates in years two and three.

To provide a comparison of the rates offered by each tenderer, the most commonly used items over the life of the previous contract were used in the calculation. 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 estimated comparative like for like costs for each tenderer is as follows:

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Triton Electrical Contractors Pty Ltd	\$408,082	\$416,244	\$424,568	<b>\$1,248,895</b>
Northlake Electrical Pty Ltd	\$443,932	\$452,811	\$461,867	<b>\$1,358,610</b>
Wired West Electrical Contracting Pty Ltd	\$422,664	\$431,117	\$439,740	<b>\$1,293,522</b>

During the financial year 2017-18, the City incurred \$633,247 for the provision of irrigation electrical services. The total contract expenditure for the contract just expired was \$1,388,365 over a three-year period.

### Evaluation Summary

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

<b>Tenderer</b>	<b>Estimated Total Contract Price</b>	<b>Price Rank</b>	<b>Weighted Percentage Score</b>	<b>Qualitative Rank</b>
Triton Electrical Contractors Pty Ltd	\$1,248,895	1	79.4%	1
Northlake Electrical Pty Ltd	\$1,358,610	3	71.1%	2
Wired West Electrical Contracting Pty Ltd	\$1,293,522	2	63.7%	3

Based on the evaluation result the panel concluded that the tender that provides best value to the City is that of Triton Electrical Contractors Pty Ltd and is therefore recommended. A comparison of the proposed rates to scheduled rates under the current contract, based on estimated usage, indicates that the City may experience a slight cost reduction as some rates are now lower in the proposed schedule.

### **Issues and options considered**

The City has a requirement for irrigation electrical services to be provided to all parks and streetscapes within the City on an 'as and when required' basis. The City does not have the internal resources to provide the required services and requires an appropriate external supplier to undertake the services.

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

#### **Legislation**

A state-wide 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**

The Natural Environment.

##### **Objective**

Environmental resilience.

##### **Strategic initiative**

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

##### **Policy**

Reserves, Parks and Recreation Grounds.

### **Risk management considerations**

Should the contract not proceed, the risk to the City will be high. The City constructs on average three to five irrigation systems per year which require the installation of new pumps, cubicles, cabling and electrical equipment. The City also has a large number of older electrical cabinets with continuing need for repair and modification to ensure effective operation of the City's irrigation systems. Failure to maintain the irrigation infrastructure will result in the parks and reserves not being maintained at the required service level.



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

### **Financial / budget implications**

#### Current financial year impact

<b>Account no.</b>	Various Parks Cost Centres and Capital Works.
<b>Budget Item</b>	Irrigation Electrical Services.
<b>Estimated Budget amount</b>	\$420,000
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$340,068
<b>Balance</b>	\$ 79,932

The balance does not represent a saving at this time. The actual expenditure will depend on actual usage under the contract.

All amounts quoted in this Report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

#### Environmental

The maintenance of reticulation systems is essential for the efficient management of the City's water resources. The City has more than 319 irrigated parks and public open spaces. The provision of efficient maintenance and repair services to irrigation systems will maintain and enhance the quality of these areas used by the community.

### **Consultation**

Not applicable.

### **COMMENT**

The evaluation panel carried out the evaluation of the submissions in accordance with the qualitative criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by Triton Electrical Contractors Pty Ltd.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council ACCEPTS the tender submitted by Triton Electrical Contractors Pty Ltd for the provision of irrigation electrical services as specified in Tender 014/18 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 18 refers*

*To access this attachment on electronic document, click here: [Attach18brf180814.pdf](#)*

## **CJ149-08/18      TENDER 013/18 - SUPPLY AND DELIVERY OF MOBILE GARBAGE BINS AND SPARE PARTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107376, 101515
<b>ATTACHMENTS</b>	Attachment 1      Schedule of Items Attachment 2      Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the tender submitted by Trident Plastics (SA) Pty Ltd (Conforming Offer) for the supply and delivery of mobile garbage bins and spare parts.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 9 June 2018 through state-wide public notice for the supply and delivery of mobile garbage bins (MGBs) and spare parts for a period of three years plus two one-year optional extensions. Tenders closed on 3 July 2018. A submission was received from each of the following:

- Scandinavian Investments Pty Ltd trading as GC Sales (WA).
- SULO MGB Australia Pty Ltd trading as SULO MGB Australia (Alternative Offer).
- The Trustee for WRS Trust trading as Mastec Australia Pty Ltd (Conforming Offer).
- The Trustee for WRS Trust trading as Mastec Australia Pty Ltd (Alternative Offer).
- Trident Plastics (SA) Pty Ltd (Conforming Offer).
- Trident Plastics (SA) Pty Ltd (Alternative Offer).

The conforming offer from Trident Plastics (SA) Pty Ltd represents best value to the City. The company demonstrated an understanding of the City's requirements addressing both the top-up maintenance and the three-bin roll-out. It also demonstrated the manufacturing and resource capacity to meet supply requirements of the City's contract. The company demonstrated extensive experience providing similar MGB supply services to clients across Australia including Suez, Cleanaway, City of Hobart (TAS) and Canterbury Bankstown Council (NSW), and the Cities of Melville and Rockingham in Western Australia.

*It is therefore recommended that Council:*

- 1 *ACCEPTS the tender submitted by Trident Plastics (SA) Pty Ltd (Conforming Offer) for Separable Portion one for the supply and delivery of mobile garbage bins and spare parts as specified in Tender 013/18 for a period of three years plus two one-year optional extensions at the submitted schedule of rates with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups);*
- 2 *ACCEPTS the tender submitted by Trident Plastics (SA) Pty Ltd (Conforming Offer) for Separable Portion two for the one-off supply and phased delivery of mobile garbage bins, lids and pins for the roll-out of the Three-Bin collection system as specified in Tender 013/18 at the submitted schedule of rates.*

## **BACKGROUND**

The City has a requirement for a contractor to supply and deliver mobile garbage bins and spare parts.

Tender 013/18 was advertised as two separable portions:

- Separable Portion One – Supply and delivery of variable sized MGBs (120 litre to 360 litre) and replacement parts (wheels, lids, axles and pins) to top up and maintain the existing bin assets.
- Separable Portion Two – Roll-out of the three-bin collection system commencing January 2019 as a one-off supply with phased delivery over six months. This will require the purchase of up to 60,000 140 litre red lidded bins, 60,000 lime green lids (to suit 240 litre bins), 25,000 360 litre yellow lidded recycling bins, 15,000 240 lime green lidded bins and 5,000 red lids (to suit 240 litre bins).

The tender was also issued with optional items for separable portion one only including:

- rebate rates for removal and recycling of redundant/waste MGBs and spare parts.
- supply and delivery of variable sized bins for extending waste collection services to Multi-Use Dwellings (MUD's).

These are purely optional items and the City reserves the right to go out to market for alternate arrangements/quotations.

The City has a single contract for the supply and delivery of mobile garbage bins and spare parts with GC Sales WA which expires on 20 September 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, respondents' experience and performance history, productive use of City resources and other environmental or local economic factors.

## DETAILS

The tender for the supply and delivery of mobile garbage bins and spare parts was advertised through state-wide public notice on 9 June 2018. The tender period was for three weeks and tenders closed on 3 July 2018.

### Tender Submissions

Six submissions were received from the following:

- Scandinavian Investments Pty Ltd trading as GC Sales (WA).
- SULO MGB Australia Pty Ltd trading as SULO MGB Australia (Alternative Offer).
- The Trustee for WRS Trust trading as Mastec Australia Pty Ltd (Conforming Offer).
- The Trustee for WRS Trust trading as Mastec Australia Pty Ltd (Alternative Offer).
- Trident Plastics (SA) Pty Ltd (Conforming Offer).
- Trident Plastics (SA) Pty Ltd (Alternative Offer).

The schedule of items as listed in the tender is provided in Attachment 1 to Report CJ149-08/18.

A summary of tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ149-08/18.

### Evaluation Panel

The evaluation panel comprised five members:

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

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

### Compliance Assessment

The following offers received were assessed as fully compliant:

- GC Sales (WA).
- Trident Plastics (SA) Pty Ltd (Conforming Offer).

The following offer received was assessed as partially compliant:

#### Mastec Australia Pty Ltd (Conforming Offer)

The offer was subject to:

- Separable Portion One – Small quantities of unstamped MGBs or spare parts may be ordered from its Jandakot Warehouse but will have freight added if delivery is required.

- Separable portion Two – Manufacture and dispatch to Depot will commence according to the manufacturing timeline. This may not be in accordance with the City's timeline and that considerable storage would be required at a cost to the City.
- Invoices will be issued as each container leaves the manufacturing facility. This may expose the City to additional risk should there be loss or damage to bins before delivery. The City can only verify goods and process invoices once goods are delivered.
- Lid pins and parts are to be supplied for Mastec tooling only. Any other product from other manufacturers will need to be sourced separately by the City. The City's current bins are manufactured by Trident Plastics (SA) Pty Ltd. In order to maintain existing stock, the contractor is required to supply universal pins and parts. This means the City would have to enter into a different arrangement to supply spares for current bins and bin stocks or alternatively change all bins resulting in additional cost.
- The offer included its standard terms and conditions of supply containing some terms which differ from the City's contract terms.

The submission was included for further assessment on the basis that clarification could be sought, should the offer represent best value to the City.

The following offers were assessed as non-compliant:

- SULO MGB Australia (Alternative Offer).
- Mastec Australia Pty Ltd (Alternative Offer).
- Trident Plastics (SA) Pty Ltd (Alternative Offer).

#### SULO MGB Australia (Alternative Offer)

- The tenderer submitted an offer containing a significant number changes to the City's conditions of contract. These included not applying the *Sale of Goods Act 1895 (WA)*, changes to the payment timeframe from 30 days to 14 days, removing the City's right for Financial Offsets, minimising the product guarantees associated with supply of its goods, requesting contract exclusivity, increasing the number of exclusions where the Contractor indemnifies the City and changes to the rise and fall variation mechanism.
- The alternative offer did not accompany a conforming offer in accordance with clause 4.8 of the tender.

#### Mastec Australia Pty Ltd (Alternative Offer)

The tenderer's offer comprised all goods specified in the conforming offer, with the inclusion of the supply of Kitchen Organic Bins which is not currently part of the City's three bin project.

#### Trident Plastics (SA) Pty Ltd (Alternative Offer)

The tenderer's offer proposed a bin body that is black in colour. This does not conform to the City's requirement for green bodied bins, as per the City's existing bin stock.

These offers did not meet the City's scope of requirements and were not considered further.

### Qualitative Assessment

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. The minimum acceptable score was set at 55%.

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	25%
3	Demonstrated understanding of the required tasks	30%
4	Social and economic effects on the local community	5%

Mastec Australia Pty Ltd scored 58% and was ranked third in the qualitative assessment. The company demonstrated its capacity to perform the services as a privately-owned MGB manufacturing company employing over 40 full time staff, however the skills, experience of key personnel and details of emergency contacts were not addressed.

It demonstrated extensive experience providing similar services to local governments in the eastern states of Australia including Barossa Regional Council (SA), Dubbo Regional Council (NSW), Wagga Wagga (NSW) and the City of Stirling in WA. The company demonstrated some understanding of required tasks, however it stated that the delivery schedule will be according to MGB manufacture rather than the City's schedule. It also stated that it does not manufacture lid pins to fit other manufacturer bins. This means lid pins it provides would not be suitable for the City's current bin lid change over requirements.

GC Sales WA scored 58.8% and was ranked second in the qualitative assessment. The company demonstrated capacity to provide the services to the City, however, a safety management policy was not supplied. It demonstrated some experience providing similar services in warehousing and distributing MGBs for on-going contracts with the City of Rockingham and is the current supplier of MGBs for the City. The MGBs are manufactured by Trident Plastics (SA) Pty Ltd. It demonstrated a sound understanding of the required tasks by addressing the main contract requirements.

Trident Plastics (SA) Pty Ltd scored 64.4% and was ranked first in the qualitative assessment. The company demonstrated considerable experience providing similar services for waste companies like Suez and Cleanaway and major bin roll outs for the Cities of Melville and Rockingham in Western Australia and the City of Hobart (TAS) and Canterbury Bankstown Council (NSW). It demonstrated the capacity to provide resources and meet the delivery timeline and dates outlined in the tender. Trident Plastics (SA) Pty Ltd is the City's current bin manufacturer with distribution through GC Sales WA.

Based on the minimum acceptable score (55%), all tenderers qualified for stage two price assessment.

### Price Assessment

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

To provide a comparison of the rates for separable portion one offered by each tenderer, an average estimate of the number of MGB's and replacement parts over the last three years was used in the calculation.

To provide a comparison of the rates for separable portion two offered by each tenderer, the estimated maximum MGB quantities to be purchased for the three-bin roll-out project was used in the calculation. The cost was applied as a one-off cost in year one (2018-19).

The following tables provide a summary of the comparison of the estimated expenditure of each tenderer who qualified for stage two. Any future mix of requirements will be based on demand and subject to change in accordance with future City growth.

The rates are fixed for the first year of the Contract but are subject to price variations to a maximum of CPI in subsequent years. Notional CPI rates of 2% in 2019/20 and 2.25% in 2020/21 consistent with the City's draft *20 Year Strategic Financial Plan 2017-18 to 2036-37* were used for the purpose of cost estimation in this analysis. An estimate for the growth of City dwellings was applied from year two of 0.4% per year.

#### Price Assessment Summary – Separable Portion One

Tenderer	Year 1	Year 2	Year 3	Total
Trident Plastics (SA) Pty Ltd Conforming Offer	\$181,789	\$209,366	\$214,922	<b>\$606,077</b>
GC Sales (WA)	\$200,437	\$231,792	\$237,947	<b>\$670,176</b>
Mastec Australia Pty Ltd Conforming Offer	\$187,552	\$218,646	\$224,448	<b>\$630,646</b>

#### Price Assessment Summary – Separable Portion Two

Tenderer	Year 1	Year 2	Year 3	Total
Trident Plastics (SA) Pty Ltd Conforming Offer	\$3,979,500	\$0	\$0	<b>\$3,979,500</b>
GC Sales (WA)	\$4,532,750	\$0	\$0	<b>\$4,532,750</b>
Mastec Australia Pty Ltd Conforming Offer	\$4,014,500	\$0	\$0	<b>\$4,014,500</b>

During the financial year 2017-18, the City incurred \$355,843 for the supply and delivery of mobile garbage bins and spare parts. The City is expected to incur in the order \$606,077 over the three-year contract period and \$1,055,846 over five years should the City exercise the extension options (separable portion one).

For the implementation of the three-bin system (separable portion two) the City is expected to only incur a one-off cost of \$3,979,500.

#### Evaluation Summary

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



Tenderer	Price Ranking	Estimated Contract Price			Qualitative Ranking	Weighted % Score
		Separable Portion 1	Separable Portion 2	Total		
Trident Plastics (SA) Pty Ltd Conforming Offer	1	\$606,077	\$3,979,500	\$4,585,577	1	64.4%
GC Sales (WA)	3	\$670,176	\$4,532,750	\$5,202,926	2	58.8%
Mastec Australia Pty Ltd Conforming Offer	2	\$630,646	\$4,014,500	\$4,645,146	3	58.0%

Based on the evaluation result the panel concluded that the tender that provides best value to the City is that of Trident Plastics (SA) Pty Ltd (Conforming Offer) and is therefore recommended.

### Issues and options considered

The City has a requirement for the provision of variable sized MGB's and replacement parts to top up and maintain the existing bin assets, located throughout the City. The City also has a requirement for the purchase of a large quantity of 140 litre red lidded bins, lime green lids and 360 litre yellow recycling bin in order to implement the three-bin project endorsed by Council at the March 2018 meeting. The City does not have the internal resources to provide the required goods and services and requires an appropriate external supplier to undertake the supply.

### Legislation / Strategic Community Plan / policy implications

#### Legislation

A state-wide 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

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

Should the contract not proceed, the risk to the City will be high. It is essential that the City has a contract in place to supply bins and replacement parts to maintain the existing bin assets. The City has a legal duty to provide domestic waste collection services failure to which may result in environmental and reputational risks. The City will not be able to achieve the 65% diversion from landfill target by 2020 if the current two bin system for household collection is retained. Introduction of the three-bin system will increase diversion of waste from landfill and therefore reduce the financial impact from an increased Mindarie Regional Council gate fee and landfill levy.

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

## Financial / budget implications

### Current financial year impact

<b>Account no.</b>	625 A6205 3318 0000.	625 C1144 6232 0000.
<b>Budget Item</b>	Bins and Spare Parts.	Better Bins – Implementation of a three-bin system.
<b>Estimated Budget amount</b>	\$272,000	\$5,700,000
<b>Amount spent to date</b>	\$ 0	\$ 0
<b>Proposed cost</b>	\$151,491	\$3,979,500
<b>Balance</b>	\$120,509	\$1,720,500

The balances do not represent a saving at this time. The budget includes a contingency provision to accommodate any variations that may arise further in the project, as well as other costs outside of this contract.

All figures quoted in this Report are exclusive of GST.

## Regional significance

Not applicable.

## Sustainability implications

### Environmental

Implementation of the 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.

## Consultation

The City will continue its 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

The evaluation panel carried out the evaluation of the submissions in accordance with the qualitative criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by Trident Plastics (SA) Pty Ltd (Conforming Offer).

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Norman, SECONDED Mayor Jacob that Council:**

- 1 ACCEPTS the tender submitted by Trident Plastics (SA) Pty Ltd (Conforming Offer) for Separable Portion One for the supply and delivery of mobile garbage bins and spare parts as specified in Tender 013/18 for a period of three years plus two one-year optional extensions at the submitted schedule of rates with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups);**
- 2 ACCEPTS the tender submitted by Trident Plastics (SA) Pty Ltd (Conforming Offer) for Separable Portion Two for the one-off supply and phased delivery of mobile garbage bins, lids and pins for the roll-out of the Three-Bin collection system as specified in Tender 013/18 at the submitted schedule of rates.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 19 refers*

*To access this attachment on electronic document, click here: [Attach19brf180814.pdf](#)*

**CJ150-08/18 STOP PUPPY FARMING CONSULTATION**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	103278, 101515
<b>ATTACHMENTS</b>	Attachment 1 Stop Puppy Farming Consultation Outcome: City of Joondalup
<b>AUTHORITY / DISCRETION</b>	Advocacy - Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.

**PURPOSE**

For Council to endorse a response to a consultation paper in relation to the legislative provisions proposed with respect to the State Government initiative to prevent puppy farming in Western Australia.

**EXECUTIVE SUMMARY**

The City received correspondence from the Department of Local Government, Sport and Cultural Industries (DLGSCI) in May 2018 and similar correspondence from the Western Australian Local Government Association (WALGA) in June 2018 inviting feedback on proposed legislative changes being considered by the State Government. Both pieces of correspondence provided the same feedback template. Following the attendance by City officers at a DLGSCI workshop in July 2018, which further explored the themes in the proposal, officers have developed a response to the consultation, which is to be sent to DLGSCI and to WALGA as shown in Attachment 1 to Report CJ150-08/18.

The feedback request does not seek a view on whether puppy farming is an issue or should be addressed, rather it invites comments as to how legislation may be drafted and which organisations or groups may be involved in the management or enforcement of any legislation designed to prevent puppy farming. It is clear from the consultation that local governments will be required to be major participants in enforcement if the legislation proceeds as proposed.

*It is therefore recommended that Council ENDORSES the response, Stop Puppy Farming Consultation Outcome: City of Joondalup as at Attachment 1 to Report CJ150-08/18t, to the Department of Local Government Sport and Cultural Industries and to the Western Australian Local Government Association.*

**BACKGROUND**

The Minister for Local Government has committed to introducing the necessary legislative provisions, in regard to the *Dog Act 1976* and the *Animal Welfare Act 2002*, to stop puppy farming and improve the health and wellbeing of all dogs in Western Australia.

While there are already legislative powers to investigate and prosecute those who mistreat their animals, legislation relevant to puppy farming is needed to facilitate the investigation and prosecution of puppy farming in Western Australia.

The RSPCA defines puppy farming as intensively breeding dogs under inadequate conditions that fail to meet the dogs' behavioural, social and/or physiological needs. The issue with puppy farming is that dogs bred in inadequate conditions, or used for breeding in inadequate conditions, can suffer from a range of health and behavioural issues. The other issue is that puppy farming is resulting in too many dogs being bred that do not have homes.

The City received advice from DLGSCI in May 2018 that a public consultation entitled Stop Puppy Farming was being conducted into puppy farming in Western Australia. There were two consultation papers, one targeting the public and interested parties and the second directed to local governments.

The consultation is not seeking a view on whether puppy farming is an issue that needs to be addressed. Rather the State Government is already committed to implementing measures in this regard. The consultation is around the legislative provisions, either changes to existing or new, that would be required to enable these measures.

While the City has no record of any puppy farming type issues directly within the City of Joondalup and there are no known breeders or currently registered kennels the proposed measures have wide implications for the existing dog control and management regime.

The local government paper poses a series of questions and provides an opportunity for local government's to respond individually by 3 August 2018. A request has been made to extend this deadline to enable the City to provide a response.

## DETAILS

In May 2016, the Western Australian Government released its *Stop Puppy Farming Policy*. The policy outlines a number of measures to stop the overbreeding of dogs, covering changes to both the *Animal Welfare Act 2002* (mandatory standards) and to the *Dog Act 1976* (other initiatives).

These measures include:

- the transition of pet shops into adoption centres that will only sell puppies and dogs from approved rescue organisations and animal shelters
- mandatory de-sexing of dogs unless an exemption is requested for breeding purposes or for reasons stated by a registered veterinarian
- a centralised registration system to ensure every dog and puppy can be identified at the point of sale or adoption, including in advertisements for sale
- mandatory standards for dog breeding, housing, husbandry, transport and sale.

Consultation with the community on the impact and implementation of these measures is being undertaken. The State Government has commissioned research and consulted on ways to prevent puppy farming and reduce the number of unwanted dogs that are either euthanised, surrendered or abandoned. The State Government believes the most pragmatic approach to achieve the key objectives is to amend the *Dog Act 1976* which local governments are primarily responsible for enforcing.

Currently the *Animal Welfare Act 2002* is enforced by inspectors appointed under the provisions of that Act and local governments are not responsible unless they have employees who are duly appointed inspectors. The City of Joondalup does not have any officers appointed as inspectors under the *Animal Welfare Act 2002*. The State Government's commitment to introduce mandatory standards for dog breeding, housing, husbandry, transport and sale (the standards) is being progressed by the Department of Primary Industries and Regional Development (DPIRD), the agency responsible for administering the *Animal Welfare Act 2002*.

Amendments to the *Animal Welfare Act 2002* are currently before Parliament, which, if adopted will enable animal standards to be adopted, including mandatory standards for dog breeding, housing, husbandry, transport and sale.

### **Issues and options considered**

There is no history of puppy farming issues directly within the City of Joondalup however the proposed changes to the *Dog Act 1976* will potentially have impacts on dog registration requirements, enforcement and other dog control measures regardless of any puppy farming issue. There are many aspects to the proposed changes, but the following are the key changes that would have an effect on the City and relate to:

- additional enforcement requirements associated with new provisions
- mandatory sterilisation of dogs unless used for breeding
- creation of a State-wide Centralised Registration System
- new breeding registration provisions
- transitioning pet shops to become adoption centres.

A further explanation of each is provided below:

#### *Enforcement*

Local Governments are currently responsible for the enforcement of the *Dog Act 1976*. Amendments to the *Dog Act 1976* are being considered that would impose additional responsibilities on local governments, including the following:

- Enforcing the mandatory dog de-sexing requirement (by acting against owners when this comes to the local government's attention).
- Processing dog breeder applications.
- Enforcing the dog breeder registration requirement.
- Enforcement of pet shops sourcing dogs only from registered breeders.
- Potential for requirement to provide enforcement for dog breeders and owners who do not include identification information when advertising for sale or transferring a dog.

These additional responsibilities would create an additional cost impost. The City has a concern firstly at the ability to provide enforcement in some of these cases, particularly enforcement of pet shops sourcing dogs and the requirements for advertising dogs for sale or transfer. Secondly that dog registration fees and if applicable dog breeder registration fees need to reflect these additional enforcement requirements.

### *Mandatory Sterilisation*

It is proposed that all dogs be sterilised unless they are intended for breeding. The owner would be required to apply to the local government to become a registered breeder and provide their breeder registration number to be able to sell puppies. This would bring dogs into line with cats. It needs to be determined whether mandatory sterilisation would be phased in applying only to new registrations or also applying to existing registrations with a suitable period to comply.

The City's view is that mandatory sterilisation should apply to all dogs from six months with a phase in period for existing dogs. Mandatory sterilisation also adds an additional element to the processing of dog registrations and is an additional cost that should also be recognised in registration fees.

### *Centralised Registration System*

Having a State-wide centralised registration system would provide a number of benefits including an improved ability to track dogs moving between local governments particularly where dogs have been declared dangerous. Often dog owners fail to advise a change of dog registration address when they change residence from one local government to another. The dog's behavioural history could be made available to ensure actions such as a dangerous dog declaration is taken in an appropriate and timely manner.

It is also proposed that a certain level of access would be provided to dog owners, breeders, various State Government agencies, veterinarians and others. Some would be view only such as being able to verify a breeders registration others may include veterinarians being able to update sterilisation and microchip details.

The City generally supports the proposal for a centralised registration system which could also include centralising the cat register at the same time. There are some clear benefits for such as system. There is a concern though that while issues around how a centralised registration system could best be achieved are well canvassed there is no reference to the funding of setting it up and more importantly its ongoing management. The City would be very concerned if there was any proposal to apply part of dog registration fees to cover the management costs without a corresponding increase in the dog registration fee.

### *Breeding*

The intent of the proposals are to restrict dog breeding and therefore prevent puppy farmers from uncontrolled breeding that may lead to many unwanted dogs. Breeders would have to register and then can only sell dogs via their breeder registration number. As referred to above, the proposal is that registered dog breeders would then be required to include their registration number in any advertising of dogs for sale or transfer.

The City does not have any known breeders and the expected impacts of these proposals are therefore not expected to be of significance. Nevertheless the City generally supports the registering of breeders and understands the concept of including the registration number in any advertising as a way of tracing the ownership of dogs. It does not, however, support local governments being responsible for the enforcement of the advertising requirements. This does not sit neatly within the confines of individual local government boundaries and is more a broader consumer protection issue and enforcement would better reside with an appropriate State Government agency.

*Transitioning Pet Shops to becoming Adoption Centres*

The objective of transitioning pet shops to adoption centres is to help break the supply chain with puppy farms and to address the homeless dog problem.

This would affect the City if the local government becomes the enforcement authority in regard to compliance by pet shop in regard to its source of dogs. Pet shops would initially only be able to sell dogs from registered breeders, accredited dog rescue groups or dog shelters. After a five-year transition period pet shops would only be able to sell dogs from accredited rescue and dog shelters.

There would likely need to be an inspection regime introduced to ensure compliance, but it is open as to whether such inspections should be random, periodic or only on complaint. It is also open as to which agency or organisation should undertake this. This City's position is that this is not a role for local government. Similar to enforcement in regard to breeding this does not sit neatly within the confines of individual local government boundaries and is more a broader consumer protection issue and enforcement would better reside with an appropriate State Government agency.

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

**Legislation** *Dog Act 1976, Animal Welfare Act 2002.*

**Strategic Community Plan**

**Key theme** Strong Leadership.

**Objective** For the City to demonstrate advocacy in promoting the needs and ambitions of the City and the advancement of local government.

**Strategic initiative** Participate in State and Federal policy development processes affecting local government.

**Policy** Not applicable.

**Risk management considerations**

There are differing views in the community on the issue of puppy farming. The City's draft response to the consultation does not promote any particular view. Rather it addresses the issues raised in regard to the implementation of State Government's policy, the implications of legislation and which organisations or groups may be involved in the management or enforcement.

The potential risks to the City relate to addressing increased legislated enforcement requirements in terms of resources and managing the engagement with those the subject of enforcement enquiry and/or action.

**Financial / budget implications**

At this time, it is unclear what net impacts there may be on the finances of the City. While clearly some of the proposals will have cost implications these could not be quantified without further clarification of the final details. Also, there is discussion on the potential impacts of dog registration fees and other charges which would also require further clarification to quantify.



It should be noted that the progressive introduction of the *Cat Act* over 2012 and 2013 resulted in the appointment of an additional City Ranger and an Administration Officer and the acquisition of an additional vehicle to be able to deliver the legislative obligations that were imposed when the Act came into force.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The Department is conducting consultation with local government and with the community and industry in regard to proposals for legislative changes to implement the State Government's policy in regard to addressing the issue of puppy farming.

The WALGA is also consulting the local government industry before formalising its response to the consultation.

It is intended that this Report respond to both requests for feedback.

**COMMENT**

The feedback request does not seek a view on whether puppy farming is an issue or should be addressed, rather it invites comments as to how legislation may be drafted, and which organisations or groups may be involved in the management or enforcement of any legislation designed to prevent puppy farming. While the City has no record of any puppy farming type issues directly within the City of Joondalup and there are no known breeders or currently registered kennels the proposed measures have wide implications for the existing dog control and management regime.

The City has completed a draft response to the consultation paper (Attachment 1 refers). The response was requested to be a Council endorsed response. The original deadline for responses was 3 August 2018 however a report was not able to be presented to Council before this date. The City has provided an interim response to both the Department and WALGA but has sought and obtained an extension of time from both to provide a final Council endorsed response.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Jones that Council ENDORSES the response, Stop Puppy Farming Consultation Outcome: City of Joondalup as at Attachment 1 to Report CJ150-08/18, to the Department of Local Government Sport and Cultural Industries and to the Western Australian Local Government Association.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of C73-08/18, page 200 refers.**

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

*Appendix 20 refers*

*To access this attachment on electronic document, click here: [Attach20brf180814.pdf](#)*

## REPORTS – MAJOR PROJECTS AND FINANCE COMMITTEE – 16 JULY 2018

### Disclosure of Proximity Interest

<b>Name/Position</b>	<b>Cr Russell Poliwka.</b>
<b>Item No./Subject</b>	CJ151-08/18 - Confidential – Joondalup City Centre Development – Project Status.
<b>Nature of interest</b>	Proximity Interest.
<b>Extent of Interest</b>	Cr Poliwka owns property at 53 Davidson Terrace, across the road from Lots C and A.

*Cr Poliwka was not in attendance at this meeting.*

## CJ151-08/18      **CONFIDENTIAL      JOONDALUP      CITY      CENTRE DEVELOPMENT - PROJECT STATUS**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	103036
<b>ATTACHMENTS</b>	Attachment 1      Boas Place Concept Plan – Option 4B Attachment 2      Potential components of a Heads of Agreement and Sales and Development Agreement
	<i>(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

This Item was dealt with later in the meeting, after C76-08/18, page 206 refers.

## **CJ152-08/18      DRAFT 20 YEAR STRATEGIC FINANCIAL PLAN 2018 (2017-18 TO 2036-37)**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	106869, 101515
<b>ATTACHMENTS</b>	Attachment 1      Schedules Attachment 2      Draft 20 Year Strategic Financial Plan 2018 (2017-18 to 2036-37)
<b>AUTHORITY / DISCRETION</b>	Executive – The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to adopt the draft *20 Year Strategic Financial Plan* (20 Year SFP) for the period 2017-18 to 2036-37 and *Guiding Principles 2018*.

### **EXECUTIVE SUMMARY**

The new plan included in this document covers the years 2017-18 to 2036-37 and is referred to as the draft 20 Year SFP. The previous plan covered the years 2016-17 to 2035-36 and was presented to the Finance Committee in August 2017 but was not adopted by Council.

Some of the key assumptions of the updated plan are as follows:

- Rate Increases: Average increase of 3.56% from 2018-19 to 2021-22 instead of 3.9% in the previous plan.
- Employment Costs: Average increase of 2% from 2018-19 to 2021-22 instead of 2.7% in the previous plan.
- Investment: Capital Expenditure of \$1.3 billion, comprising of \$0.8 billion on renewal of existing infrastructure and \$0.5 billion on upgrade/new Infrastructure.

The key outcomes of the draft 20 Year SFP are as follows:

- Borrowings: New borrowings of \$25 million, which is \$69 million less than the \$94 million new borrowings projected in the previous plan.
- Financial Sustainability: 46 out of 60 key ratios are achieved, five more than the previous plan, the improvement is mostly due to the operating projections.
- Operating Surplus: Surplus is now expected to be achieved in 2020-21, this is two years earlier than the previous plan.

The most important projections from the draft 20 Year SFP are the operating projections, these provide the best indication of long-term healthy financial sustainability. The Operating Surplus/(Deficit) is projected to improve from \$6.1 million deficit in 2018-19 to a surplus of \$8.4 million by 2023-24. A surplus of \$8.4 million in 2023-24 would still be slightly less (\$0.9 million) than the target from the Department of Local Government, Sport and Cultural Industries.

While the plan has many positive aspects, the City still has a high operating deficit and is approximately \$13 million lower than the recommended target. The City has taken positive steps to help address the operating deficit, with \$0.4 million changes to services and fees in 2018-19 but it needs to continue the momentum.

*It is therefore recommended that Council:*

- 1 *ADOPTS the draft 20 Year Strategic Financial Plan 2018 (2017-18 to 2036-37) as at Attachment 2 to Report CJ152-08/18;*
- 2 *ADOPTS the Guiding Principles 2018 as included in Appendix 1 of Attachment 2 to Report CJ152-08/18.*

## **BACKGROUND**

The new plan included in this document covers the years 2017-18 to 2036-37 and is referred to as the draft 20 Year SFP. The previous plan will also be referred to throughout this document. The previous plan covered the years 2016-17 to 2035-36 and was presented to the Finance Committee on 7 August 2017. The previous plan was not adopted but is the most relevant plan for comparison purposes. The last plan to be adopted was in 2016.

### Disclaimer

*Readers of the 20 Year SFP should note that the document is used predominantly as a planning tool. As such it is based on many assumptions and includes several projects and proposals that in some cases:*

- have been approved by Council and are in progress*
- have been considered by Council, but are yet to receive final approval*
- have only been considered by Elected Members at a strategy level*
- have only been considered by Officers*
- are operational in nature and based on the continued provision of services and maintenance of City assets and infrastructure in accordance with management and other plans.*

*Any of the assumptions and any of the projects or proposals not already approved could prove to be inaccurate both as to likely requirement, timing and financial estimates or may not come to pass at all. They have, however, been included based on the best available information and knowledge to hand at this time in relation to likely requirement, timing and financial estimates. Adoption of the 20 Year Strategic Financial Plan by Council does not constitute a commitment or agreement to any of the projects or proposals that have not already been approved or the financial estimates and projections.*

At the time of presenting the 20 Year SFP for adoption, there are likely to be projects and plans being reviewed that have different assumptions to those included in the 20 Year SFP.

The 20 Year SFP is updated annually, and therefore revised assumptions can be included in future updates of the 20 Year SFP.

#### How the 20 Year SFP is produced

There are four sets of assumptions used to build up the 20 Year SFP, as summarised below. These assumptions are explained in more detail in the plan itself (Attachment 2 refers).

#### 1 External Environment

- Demographics.
- Economic indicators.
- Housing Strategy.
- Business Growth.

#### 2 Operating Income and Expenses

- Baseline analysis. Budget 2018-19 is used as the baseline.
- Escalation factors (such as % increases) are then applied to each individual service item.
- Volume changes based on changes to services, approved projects and planned projects. Where information is available from a feasibility study or business case or a decision by Council, then this information is used.

#### 3 Capital Expenditure

- *Five Year Capital Works Program 2018-19 to 2022-23* is embedded into the draft 20 Year SFP.
- Forecast for the outer years (2023-24 to 2036-37) for each of the programs have been made.
- Other 'business as usual' capital programs (Information technology, fleet, and parking) have been forecast.
- Major Projects – based on feasibility studies or Council papers. Projects which have not been subject to any review by Elected Members are excluded.
- Escalation factors (such as % increases) are then applied to each individual project.

#### 4 Funding

Each program or project has been separately assessed, to identify whether the project is funded by either:

- municipal funds
- specific reserves
- strategic asset management reserve
- disposal proceeds (for example Grove Child Care / Dorchester Hall)
- borrowings.

The critical set of inputs to the plan are the second group – operating income and expense because they are recurring, and have a bigger on-going impact than one-off capital expenditure. For example, a lower rate increase in one year will affect each year of the plan thereafter.

The plan is prepared in consultation with all Business Units within the City. Additionally, external agencies are involved where necessary.

Attachments 1.1 to 1.8 are the detailed schedules. Each of these attachments is explained in the table below.

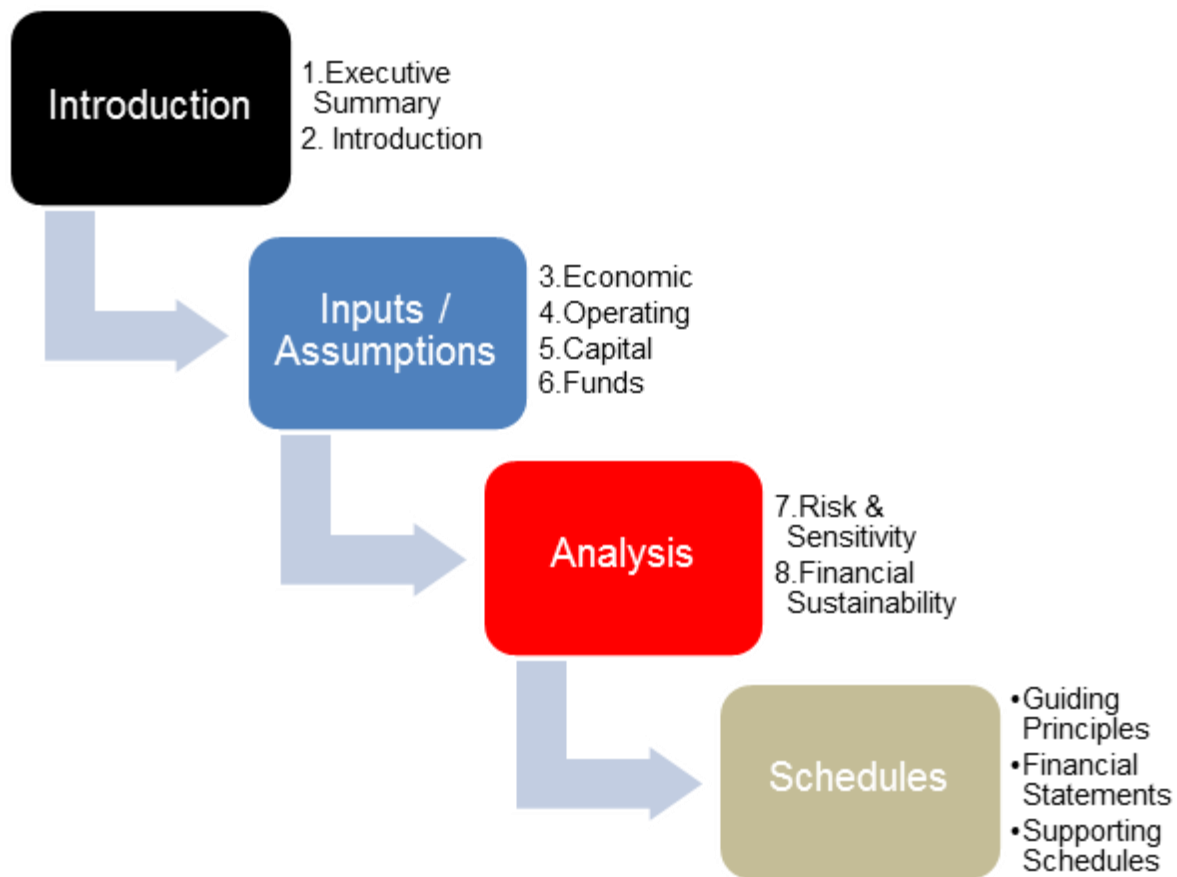
Table 1 – Attachments 1.1 to 1.8 – Detailed Schedules

No	Report	Purpose
1.1	Key Ratios Summary	<ul style="list-style-type: none"> <li>Summary of the Key Ratios achieved versus previous plan.</li> <li>Other key indicators are also summarised.</li> <li>Graphs of key indicators.</li> </ul>
1.2	20 Year Financial Projections	<ul style="list-style-type: none"> <li>Operating statement, capital expenditure, funding.</li> </ul>
1.3	Assumptions	<ul style="list-style-type: none"> <li>Economic Indicators and external environment.</li> <li>Escalation assumptions applied for operating income and operating expenditure.</li> <li>Also includes other key assumptions, such as costs of borrowing.</li> </ul>
1.4	Major Project Assumptions	<ul style="list-style-type: none"> <li>List of major projects.</li> <li>Comparison of updated capital cost versus previous plan, and comparison of timescales for completion.</li> </ul>
1.5	Capital Expenditure by Year – excluding escalation	<ul style="list-style-type: none"> <li>Summary of all capital requirements, both for existing programs and new projects.</li> </ul>
1.6	Capital Expenditure by Year – including escalation	<ul style="list-style-type: none"> <li>Summary of all capital requirements, both for existing programs and new projects.</li> <li>Projects that are highlighted in yellow are in Attachment 1.7.</li> </ul>
1.7	Capital Projects Funding	<ul style="list-style-type: none"> <li>Funding summary to explain how projects are funded.</li> </ul>
1.8	Reserves	<ul style="list-style-type: none"> <li>Projected reserve balances and movements.</li> </ul>

#### Format and Content of the Plan (Attachment 2 refers)

The plan follows similar format to the plan presented in August 2017. Further refinement has been made with several new charts added to the body of the report and all detailed 20-year schedules moved to the end of the report. The plan complies with the Department of Local Government, Sport and Cultural Industries' *Integrated Planning Framework*. The plan is split into eight sections with financial statements and supporting schedules, the chart below summarises the contents of the plan:

Chart 1 – Contents of the Draft 20 Year SFP



### Guiding Principles 2018

The draft 20 Year SFP has been developed using a set of Guiding Principles. These are reviewed annually and were last adopted by Council at its meeting held on 28 June 2016 (CJ103-06/16 refers). The proposed Guiding Principles 2018 are shown with tracked changes at Appendix 1 of Attachment 2. The changes are intended to refine the Key Ratios and to also ensure that the plan reflects current circumstances.

Table 2 – Proposed Changes to Guiding Principles

Page	Change	Details
25	Header	2018 referred to instead of 2016
26	<u>Targets/Ratios</u>  <b><i>Number of ratios reduced from five ratios to three ratios</i></b>	Previous Guiding Principles used five key ratios to evaluate the plan. There are two ratios which must be achieved every year of the plan and should therefore be regarded as core assumptions rather than ratios (rates increase 5% or less and balanced cash budget).



Page	Change	Details
26	<u>Targets/Ratios</u>  <b><i>Operating Results and Operating Surplus Ratio</i></b>	<p>There are two changes to this section as follows:</p> <ul style="list-style-type: none"> <li>Statement added that the operating results are the most important indicator of long-term financial sustainability.</li> <li>Statement removed about the need for the “Projections will be based on the notion that each year in the SFP should be as close as possible be balanced (closing Municipal cash balance)”. This statement means the same as the core assumption “balanced cash budget” and is therefore duplicated.</li> </ul>
27	<u>Targets/Ratios</u>  <b><i>Asset Management and Asset Sustainability Ratio</i></b>	<p>A new bullet point added to state that the City needs to consider asset renewal requirements in a longer time frame than the 20 years of the SFP. This is necessary because there are many long-life assets (such as Drainage) that will not require renewal for a long time but the City will need to consider funding strategies well in advance.</p>
27	<u>Targets/Ratios</u>  <b><i>Treasury Management</i></b>	<p>Heading slightly amended. The fourth bullet point has then been simplified. The previous bullet point stated that the Strategic Asset Management Reserve would be applied to fund projects using an internal payback mechanism, and that municipal funds should pay back to the Strategic Asset Management Reserve over a 10-year period (including interest), but only if there were surplus municipal funds available to do so. The mechanism had been in operation during the previous three SFPs, but had no overall bearing on the projections of the plan or the ratios because the payback mechanism only operated where there were surplus municipal funds available to do so and any other remaining surplus funds were transferred to the Strategic Asset Management Reserve anyway.</p>
27/28	<u>New Expenditure</u>  <b><i>Various enhancements</i></b>	<p>There are four changes proposed to this section as follows:</p> <ul style="list-style-type: none"> <li>Statement added that the adoption of the 20 Year SFP does not constitute a commitment to projects.</li> <li>Whole of Life costs – original bullet point simply mentioned that these should be identified for new expenditure. This is still valid but it has always been the case within the 20 Year SFP that projects that are not yet sufficiently scoped do not yet have Whole of Costs included and it is worth stating this otherwise the Guiding Principles sets unrealistic expectations in the SFP.</li> <li>New bullet point added (second) which requires the SFP to include potential impairment costs if assets are replaced before the end of their useful life.</li> <li>New bullet point (third) which requires major projects to investigate fully whether they can have a neutral or positive impact on operating results.</li> </ul>

## DETAILS

### Economic Environment and City Indicators

The Federal Budget (May 2018) showed an improved budget position compared to previous budget, and achieving a surplus one year earlier in 2019-20 (albeit a very small surplus) than previously projected. Nevertheless the current economic position both federally and at state level is still fragile, with a current budget deficit, sluggish wages growth and sluggish growth in household consumption. Indeed the fragility of the economy is demonstrated with the lack of movement of the RBA cash rate at 1.50% and it appears increasingly unlikely that this will increase any time soon due to the concerns that increases may have on consumption, housing investment and the overall economy.

The forecasts at both Federal and State level indicate higher wages growth in the next couple of years, but these appear optimistic. The West Australian economy contracted in 2016-17 but is showing more positive signs as it is in a period of transition from the resources construction boom. Unemployment remains high but is forecast to reduce to levels which are considered more acceptable.

### Capital Expenditure and Major Projects

A large component of the 20 Year SFP are the capital expenditure projections. The draft 20 Year SFP assumes Capital Expenditure of \$1.3 billion, comprising of \$0.8 billion on renewal of existing infrastructure and \$0.5 billion on upgrade/new Infrastructure. The estimates are prepared with reference to the Capital Works Program, Fleet, IT and Major Projects. There are 22 major projects included and the plan includes details of the source, funding, phasing and impacts on operating deficit. The assumptions for Major Projects align with the presentation to Elected Members at Budget Workshop 4. Some of the key issues for major projects are as follows:

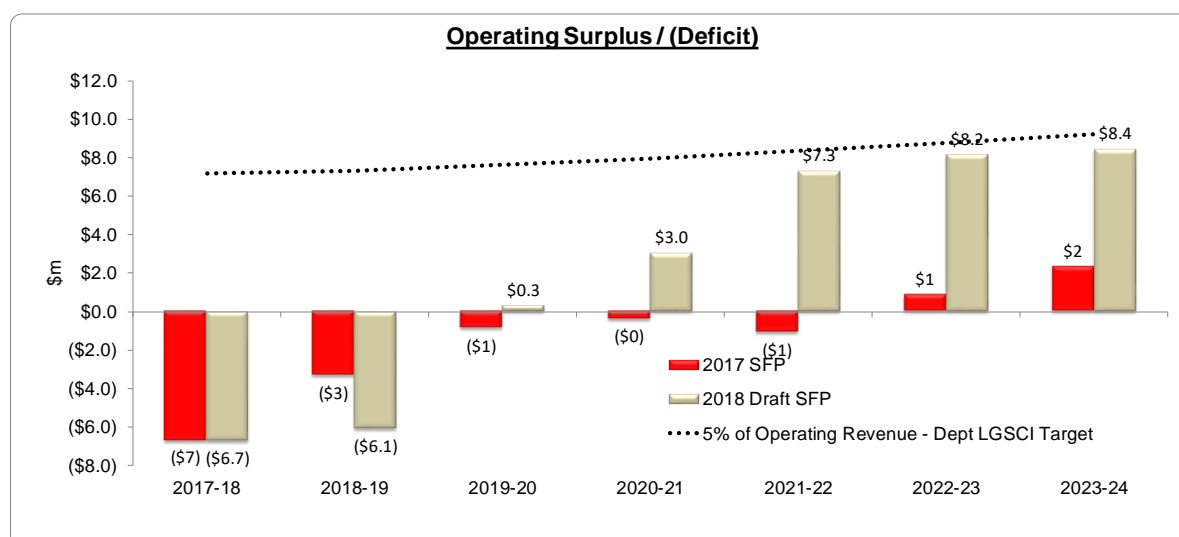
- Joondalup Performing Arts and Cultural Facility – the draft 20 Year SFP has been prepared on the basis that the project moves out two years (completed 2022-23), and the City contribution is reduced. It may be reasonable for the project to move out a further five years (completed 2027-28), and this possibility has been included in the scenario analysis within the draft 20 Year SFP.
- Ocean Reef Marina Business Case and Structure Plan – at present the draft 20 Year SFP includes estimated expenditure to assist with the business case, there are no other capital projections. It is expected that the City's capital contribution will only be the land it owns. This is subject to future detailed evaluation and only after they have been considered by Council can they be included in the 20 Year SFP.

### Operating Projections

The most important projections from the 20 Year SFP are the operating projections; these provide the best indication of long-term healthy financial sustainability. The City has a large operating deficit and has had for several years. A deficit in the long-term is not sustainable because there would come a point when there would be insufficient cash available to meet service levels. The ratio has been depressed for several years; as the City has grown and taken on new services and infrastructure there have been increased operating expenses and depreciation which has not been fully matched in income. The key issue for the City is to ensure that there is a long-term plan to improve the ratio which this plan addresses.

The chart below summarises the operating projections up to 2023-24 and indicates that the Operating Surplus/(Deficit) is projected to improve from (\$6.1 million) deficit in 2018-19 to a surplus of \$8.4 million by 2023-24. The updated plan estimates that an operating surplus will be achieved in 2020-21 which is two years earlier than the previous plan. The chart also shows the target from the Department of Local Government, Sport and Cultural Industries which is a surplus of 5% of Operating Revenue. The projected surplus at 2023-24 will still fall short of that.

Chart 2 – Operating Projections 2017-18 to 2023-24



Section 4 of the 20 Year SFP (Attachment 2) provides detailed explanation for the movements between 2018-19 and 2023-24, the key issues are:

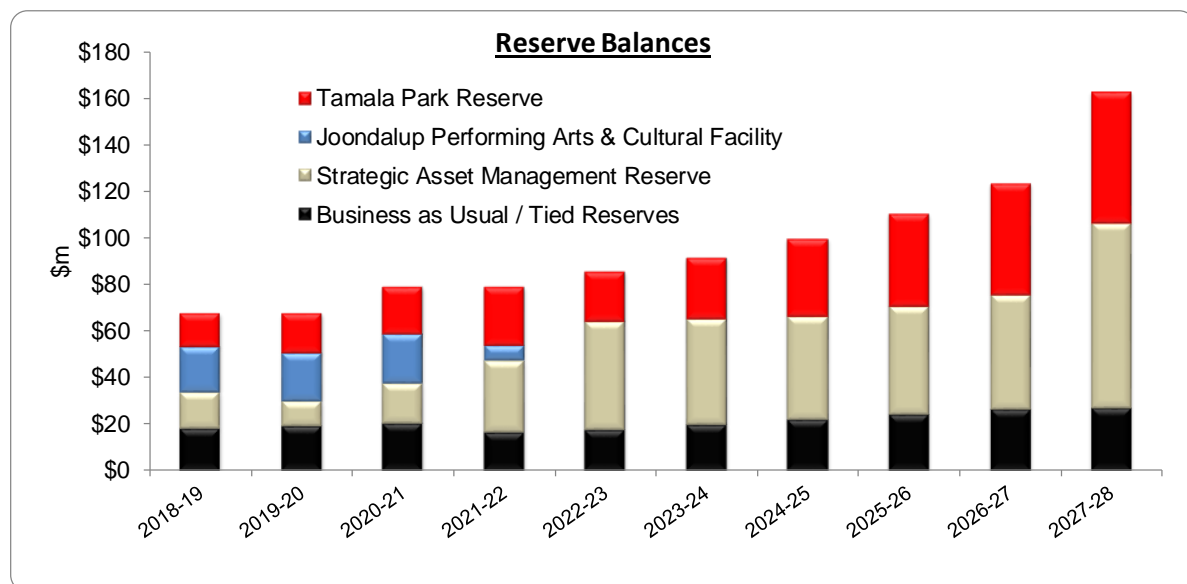
- Critical assumptions – the most important assumptions in the 20 Year SFP, and those which contribute most to improving the operating results, are the assumed increases to existing income (most importantly rates) being higher than the increases in existing expenses. The key assumptions in the draft 20 Year SFP are as follows:
  - Rate Increases: Average increase of 3.56% from 2018-19 to 2021-22 instead of 3.9% in the previous plan.
  - Employment Costs: Average increase of 2% from 2018-19 to 2021-22 instead of 2.7% in the previous plan.
- Rates Growth (Commercial and Residential) is expected to be minimal in the next couple of years but by 2023-24 additional rates income of \$3.6 million.
- Joondalup Performing Arts and Cultural Facility – the project has been moved on two years and assumed completed by 2022-23. The first year of service is 2023-24 and estimated to impact the operating results by \$2.3 million (\$1.4 million Depreciation and \$0.9 million operating subsidy). The revised assumptions now assume no borrowings and therefore the operating impacts of \$2.3 million at 2023-24 are approximately \$2 million less than the previous plan.
- New Depreciation caused by upgrade and new capital investment. The 20 Year SFP includes \$1.3 billion of capital expenditure, but 37% of this is classed as upgrade/new which results in new depreciation, as well as other operating expenses.

- **Waste Expenditure and Refuse Charge Income.** The draft 20 Year SFP includes the impacts of the Better Bins Business Case, as reflected in the Adopted Budget 2018-19. There is likely to be further volatility to refuse services/expenditure in the next few years such as potential increase in recycling costs, MRC Gate Fee changes, Waste to Energy. Indicative estimates have been prepared by the City for the impact of these changes, and while there may be some cost increases these may be offset with reductions. The draft 20 Year SFP has assumed a prudent increase of CPI only each year to Waste Expenditure, and that is matched by increases to Refuse Charge Income, these assumptions will be reviewed as part of the annual update and more information is known on changes to services or costs.
- **Utility costs** is another volatile area of expenditure. The increase in Western Power Street Lighting to 2021-22 is based on the State Budget May 2018 and the remaining electricity costs are assumed to increase by 5% each year.

### Reserves

The graph below summarises the projected balances in reserves, the reserves grouped into four overall categories. The 20 Year SFP includes an explanation of the key assumptions for the reserves and a schedule showing the movements of each individual reserve.

Chart 3 – Reserve Balances



### Borrowings

The previous 20 Year SFP assumed a high level of new borrowings (\$94 million), the updated plan now assumes a much lower level of new borrowings (\$25 million), because it is no longer assumed that the City will require borrowings for the Joondalup Performing Arts and Cultural Facility.

## Issues and Scenarios considered

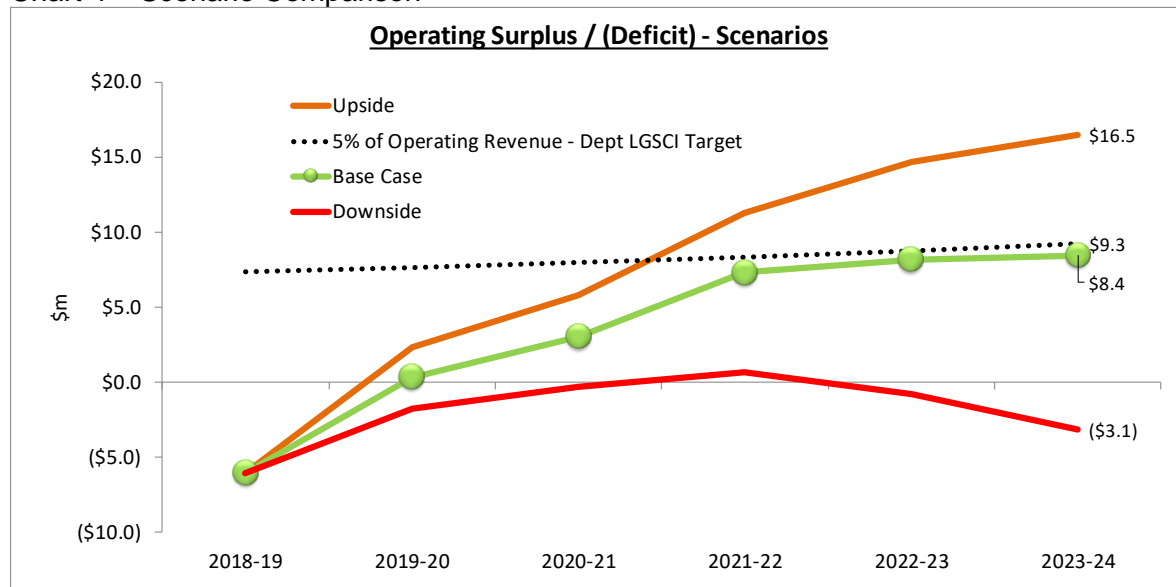
### Scenarios

The following three scenarios have been used to evaluate the 20 Year SFP:

- Base Case – this is based on the previous plan combined with other known changes arising from the draft budget or as advised by internal and external parties.
- Downside – pessimistic change compared to base case.
- Upside – optimistic change compared to base case.

Key Risks and Opportunities have been evaluated against each of the scenarios, the impacts on the Operating Results are shown in the Graph below. Additionally, the target by the Department of Local Government, Sport and Cultural Industries to deliver a 5% operating surplus is shown on the chart. The upside and downside scenarios are extreme because it would require all key risks and opportunities to be worst case or best case, in reality it is much more likely for the actual impacts to be somewhere in-between which the 20 Year SFP achieves.

Chart 4 – Scenario Comparison



## Options

Council can either:

- adopt the 2018 draft 20 Year SFP, without any further changes
- adopt the 2018 draft 20 Year SFP with changes
- or
- do not adopt the 2018 draft 20 Year SFP at this stage, pending further changes.

The previous plan (2017) was not adopted by Council, the last plan to be adopted by Council was in 2016. If the 2018 plan is not adopted it will therefore be more than two years since the City has had an adopted 20 Year SFP – while it is reasonable to refer to the 2017 plan (albeit not adopted) as a comparative tool, it is far from ideal for the City not to have a recent adopted plan.

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

**Legislation** Section 5.56(i) of the *Local Government Act 1995* provides that:

*“A local government is to plan for the future of the district.”*

**Strategic Community Plan**

**Key theme** Financial Sustainability.

**Objective** Effective management.

**Strategic initiative** Manage liabilities and assets through a planned, long-term approach.

Balance service levels for assets against long-term funding capacity.

**Policy** *20 Year Strategic Financial Plan – Guiding Principles.*

**Risk management considerations**

The plan is based on many assumptions. There is a risk that those assumptions could be wrong or may not come to pass, however, it is a planning tool and the City is not committed to anything in the plan by virtue of endorsing it. Periodic review and update of the plan will ensure that it remains a relevant and useful document to manage the City's financial affairs into the future.

**Projects not included in the 20 Year Strategic Financial Plan**

There are several projects which have been subject to some discussion, but not included as they have not been sufficiently clarified. This could be due to a requirement for a Council decision, the need for a business case, to determine some financial basis for how it may happen, unresolved external factors such as State Government Participation or some combination of these.

Projects discussed but not included are:

- 1 Sorrento Surf Life Saving Club Redevelopment – a business case has been submitted by the Club and has been reviewed by the City. This will be presented to Elected Members in the near future and direction will be sought regarding the status of the project.
- 2 Joondalup City Centre Development. The project costs are included, but no other capital costs or financial impacts are included at this stage until the project is developed further.
- 3 Ocean Reef Marina. The project costs are included but no other capital costs or financial impacts are included at this stage until the business case for the City impacts has been developed.

**Financial / budget implications**

The draft 20 Year SFP represents projections and estimates, based on many assumptions and is a primary planning tool for the development of future budgets. Adoption of the draft 20 Year SFP, however, does not constitute a commitment or agreement by the City to the projects and proposals it contains or the financial estimates and projections included in the draft 20 Year SFP.

The plan is used as a reference point to the annual Budget for the following year.

**Regional significance**

Not applicable.

**Sustainability implications**

The draft 20 Year SFP represents the primary and key strategic financial planning document for the City and has a direct bearing on planning for the financial sustainability of the City.

**Consultation**

The draft 20 Year SFP has been prepared after extensive consultation with City Business Units, the Executive Leadership Team and Elected Members.

**COMMENT**

The draft 20 Year SFP 2017-18 to 2036-37 (Attachment 2 refers), sets out a significant program of works and projects for the City of Joondalup over the next 20 years. These are in keeping with and represent the *Joondalup 2022* vision for the City: “*A global City: bold, creative and prosperous*”.

Although the program is ambitious, it is achievable with financial discipline and the draft 20 Year SFP maps out how this can be done. The draft 20 Year SFP 2018 (2017-18 to 2036-37) replaces the previous plan adopted in 2016.





A timeframe of 20 years for financial projections may appear to be too long to prepare financial projections. Within the next one to five years, the projections have a high level of confidence, within years six to 10 a medium level of confidence and beyond year 10 a low level of confidence. It is worthwhile for the City to plan for the 20 year period, even though there is a low level of confidence with the outer years because it provides the opportunity to identify potential increases in expenditure, particularly capital renewals. Indeed it will be important for the City to consider projections beyond the 20 years because of much higher renewals in later years.

**Ratios**

The financial sustainability of the City is measured by its ability to be financially viable whilst meeting community expectations. There are three key ratios that the 20 Year SFP aims to achieve each year, so the maximum achievement is 60 ratios within tolerance (20 years x three key ratios). The draft *20 Year Strategic Financial Plan* is projecting a total of 46 out of 60, this is five more than the previous plan as summarised in the table below.

The last 10 years of the plan are all within tolerance (30 out of 30), but the first 10 years are 16 out of 30. Although it is far from ideal to only achieve 16 ratios out of 30 in the first 10 year years, the Asset Sustainability Ratio would not expect to be within tolerance due to the young age profile of the City's assets while the Operating Surplus Ratio is showing a positive upwards trend. Most importantly the Operating Surplus Ratio is now projected to be within tolerance by 2023-24 which is three years earlier than the previous plan.

Table 3 – Ratios

KEY RATIOS		Target Range		Updated SFP		Previous	
		Low	High	Number of Years within Tolerance	Number of Years Outside Tolerance	Aug 17	Draft versus Prev
1	Operating Surplus Ratio %	2.0%	8.0%	14	6 	10	4
2	Asset Sustainability Ratio %	90.0%	110.0%	12	8 	11	1
3	Debt Service Coverage Ratio	3.0	>5	20	0 	20	0
<b>Total</b>				<b>46</b>	<b>14</b> 	<b>41</b>	<b>5</b>

*Out of a maximum of 20 for each Ratio, Red is indicated if the Ratios achieved is 15 or less, Amber is shown if 16 or 17 is achieved and Green is shown if 18 or more*

### Comparison to Other Local Governments

The tables below compare some key financial measures for the City versus other Perth metropolitan local governments. The key points from the comparison are as follows:

- Operating Surplus / (Deficit) for 2016-17. The results are varied. Both the City of Joondalup and City of Gosnells recorded a deficit, the Cities of Wanneroo, Stirling and Perth recorded a reasonable operating surplus but the City of Swan recorded a very large operating surplus.
- Financial Health Indicator - is published by The Department of Local Government, Sport and Cultural Industries based on published accounts. The score is marked out of a maximum of 100 with a score of 70 or more designated as sound. The Indicator is based on seven ratios, including the Operating Surplus Ratio. The Cities of Joondalup, Wanneroo and Gosnells are below the threshold of 70 and designated as "not sound". If the City of Joondalup had an Operating Surplus similar to the City of Wanneroo's \$7.9 million the Financial Health Indicator for the City of Joondalup would be 66 instead of 50.

Depreciation as % of Written Down Value – this is a crude comparison but is useful to identify whether the City's Depreciation values are comparable with other local governments. The most noticeable comparison is with the City of Stirling who have infrastructure almost twice as much as City of Joondalup but the annual Depreciation expense is slightly less than the City.



Table 4 – Comparison to Other Metropolitan Local Governments

Comparisons	Operating Surplus / (Deficit)	Financial Health Indicator	Depn as % of Written Down Value
	2016-17 \$ms	2016-17 Score out of 100	2016-17 %
Joondalup	(\$7.1)	50	2.29%
Wanneroo	\$7.9	69	1.63%
Stirling	\$2.0	96	0.92%
Swan	\$37.6	99	2.09%
Gosnells	(\$2.0)	52	1.78%
Perth	\$3.7	86	2.75%

Continuing to Address the Operating Deficit

The City still has a high operating deficit and is approximately \$13 million lower than the recommended target. Council has taken positive steps to address the operating deficit, with \$0.4 million changes to services and fees in 2018-19 but it needs to continue the momentum. As part of the annual budget process there will be a review of services and fees and further consideration of changes which can help to address the operating deficit. There are a wide range of opportunities which the City can review such as cultural events, subsidies and asset rationalisation.

The most critical issue for the City to implement to address the operating deficit is applying increases in existing income which is more than increases in expenses – this does not necessarily mean that the increases to income should be excessive but they should ensure that the City is generating sufficient income to pay for the services it delivers. The proposed increases set out within the 2018 20 Year SFP are considered necessary to achieve further improvements to the operating results and improve long-term financial sustainability.

The actual increase in rates that the Council implements is determined as part of the annual budget, the assumptions from the 20 Year SFP provide a guide, but an important guide. Council can choose to implement as part of the annual budget an increase that is higher or lower but it is vital that the increase applied is greater than the increase estimated for expenses. If the City implements lower rate increases than indicated by the 20 Year SFP then this leads to a shortfall which has to be met from other sources if the City wants to overcome the operating deficit as shown in this plan.

For example if Council chooses to implement a 2% increase in 2019-20 instead of the 3% increase assumed in the 20 Year SFP, then this would result in a shortfall of approximately \$1 million in 2019-20 and every year thereafter. The gap can either be met from increased fees or a reduction in services which can reduce employment costs and/or materials and contracts. \$1 million per year is roughly equal to the net operating impacts caused by one of the following:

- One suburban library.
- 80% of the Toilets and Changerooms.
- 33% of the Cultural Events per year.
- 40% reduction of Contributions and Donations.
- 80% of the subsidies currently provided by the City to sporting groups and not-for-profit.

- 5% less expenditure on maintaining Parks and Natural areas.

#### Joondalup Performing Arts and Cultural Facility Reserve

As a result of the changing scope and funding model for the project, the following is provided by way of context for the current status of the reserve:

- The reserve was first created in August 2000 and named the Performance Arts Facility Reserve (JSC29-08/00 refers). It was renamed the Cultural Facility Reserve in July 2005 (JSC4-07/05 refers) and subsequently renamed as the Joondalup Performing Arts and Cultural Facility Reserve in June 2006 (CJ103-06/10 refers).
- The current balance of the reserve is made up of transfers of general accumulated surpluses from operations and capital, land sales of City of Joondalup land in various locations in the City and interest earned from the investment of funds. No funds from the sale of land at Tamala Park have been transferred to the Joondalup Performing Arts and Cultural Facility Reserve.
- Project origin. The need for a facility for the Joondalup region was first identified and defined in the 1992 Joondalup Cultural Plan. The Philosophy and Parameters were adopted by Council in 2010 (CJ103-06/10 refers) and provided the basis of the various works undertaken since then which culminated in the business case presented to Council in June 2017.
- Decision Making Program. The project has been part of a transparent and documented governance regime, with minutes of all key decisions/reports recorded and reported to Council. The governance regime has been amended over time due to changes in Committee structure and terms of reference. At present the project will provide reports in the first instance to the Major Projects and Finance Committee, which was established in November 2017. Between 2015 and 2017 the project reported to the Major Projects Committee, which was established in 2015. For a number of years prior to 2015 the project had its own steering group, the Joondalup Performing Arts and Cultural Facility Steering Committee. Where necessary Council are requested to endorse decisions which the Committee is not empowered to make.
- It is possible for the purpose of the Joondalup Performing Arts and Cultural Facility Reserve to be changed and the funds in the reserve applied for a different purpose. There is a statutory process for this which varies on whether it is done as part of the annual budget or separately. In either case it requires an Absolute Majority decision of Council.

#### **ADDITIONAL INFORMATION**

Further to the report presented to the Major Projects and Finance Committee on 16 July 2018, there has been an amendment to Supporting Schedule 1 (Page 38 of Attachment 2 refers). This schedule includes details of economic assumptions and estimates for operating income increases. The values that were previously shown on the schedule for rate increases were inconsistent with the values shown in four other places of the Attachments (Attachment 1.2, Attachment 1.3, Attachment 2 (Page 9) and Attachment 2 (Page 20) refers. This change does not affect the projections in any way or any other part of the attachments or report.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The committee recommendation to Council for this Report (as detailed below) was resolved by the Major Projects and Finance Committee at its meeting held on 16 July 2018.

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

## COMMITTEE'S RECOMMENDATION

That Council:

- 1 ADOPTS the draft *20 Year Strategic Financial Plan* for the period 2017-18 to 2036-37 as at Attachment 2 to Report CJ152-08/18;
- 2 ADOPTS the *Guiding Principles 2018* as included at Appendix 1 of Attachment 2 to Report CJ152-08/18.

## MOVED Cr McLean, SECONDED Mayor Jacob that Council:

- 1 **ADOPTS the draft *20 Year Strategic Financial Plan* for the period 2017-18 to 2036-37 as at Attachment 2 to Report CJ152-08/18 subject to:**
  - 1.1 **the completion date for the Joondalup Performing Arts and Cultural Facility being 2027-28 in lieu of 2022-23;**
  - 1.2 **the total cost of the Joondalup Performing Arts and Cultural Facility being capped at \$50 million in lieu of \$80 million;**
  - 1.3 **the City's capital contribution for the Joondalup Performing Arts and Cultural Facility being limited to \$30 million;**
  - 1.4 **the City's capital contribution in part 1.3 above is not to be funded with loan funds;**
- 2 **ADOPTS the *Guiding Principles 2018* as included at Appendix 1 of Attachment 2 to Report CJ152-08/18.**

It was requested that Parts 1.1, 1.2, 1.3 and 1.4 be voted on separately.

**MOVED Cr McLean, SECONDED Mayor Jacob that Council:**

- 1 ADOPTS the draft *20 Year Strategic Financial Plan* for the period 2017-18 to 2036-37 as at Attachment 2 to Report CJ152-08/18 subject to:**

- 1.1 the completion date for the Joondalup Performing Arts and Cultural Facility being 2027-28 in lieu of 2022-23.**

**The Motion was Put and**

**CARRIED (7/5)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Jones and McLean.

**Against the Motion:** Crs Hollywood, Logan, May, Norman and Taylor.

**MOVED Cr McLean, SECONDED Mayor Jacob that Council:**

- 1 ADOPTS the draft *20 Year Strategic Financial Plan* for the period 2017-18 to 2036-37 as at Attachment 2 to Report CJ152-08/18 subject to:**

- 1.2 the total cost of the Joondalup Performing Arts and Cultural Facility being capped at \$50 million in lieu of \$80 million.**

**The Motion was Put and**

**LOST (3/9)**

**In favour of the Motion:** Crs Jones, McLean, and May.

**Against the Motion:** Mayor Jacob, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Logan, Norman and Taylor.

**MOVED Cr McLean, SECONDED Mayor Jacob that Council:**

- 1 ADOPTS the draft *20 Year Strategic Financial Plan* for the period 2017-18 to 2036-37 as at Attachment 2 to Report CJ152-08/18 subject to:**

- 1.3 the City's capital contribution for the Joondalup Performing Arts and Cultural Facility being limited to \$30 million.**

**The Motion was Put and**

**CARRIED (9/3)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Dwyer, Fishwick, Jones, Logan, McLean, May and Norman.

**Against the Motion:** Crs Hamilton-Prime, Hollywood and Taylor.

**MOVED Cr McLean, SECONDED Mayor Jacob that Council:**

- 1 ADOPTS the draft *20 Year Strategic Financial Plan* for the period 2017-18 to 2036-37 as at Attachment 2 to Report CJ152-08/18 subject to:**

- 1.4 the City's capital contribution in part 1.3 above is not to be funded with loan funds.**

**The Motion was Put and**

**CARRIED (10/2)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Jones, Logan, McLean, May and Norman.

**Against the Motion:** Crs Hollywood and Taylor.

**MOVED Cr McLean, SECONDED Mayor Jacob that Council:**

- 2       ADOPTS the *Guiding Principles 2018* as included at Appendix 1 of Attachment 2 to Report CJ152-08/18.**

**The Motion was Put and**

**CARRIED (10/2)**

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

**Against the Motion:** Crs McLean and Taylor.

*Appendix 21 refers*

*To access this attachment on electronic document, click here: [Attach21brf180814.pdf](#)*

## REPORTS – AUDIT AND RISK COMMITTEE – 7 AUGUST 2018

### CJ153-08/18 AMENDMENTS TO LOCAL GOVERNMENT REGULATIONS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	12283, 101515
<b>ATTACHMENTS</b>	Attachment 1 DLGSCI Guide to Local Government Auditing Reforms Attachment 2 Proposed New Terms of Reference for the Audit and Risk Committee
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

#### PURPOSE

For Council to note the recent amendments to the *Local Government (Financial Management) Regulations 1996* and the *Local Government (Audit) Regulations 1996* and to adopt a new terms of reference for the Audit and Risk Committee.

#### EXECUTIVE SUMMARY

Amendments to the *Local Government (Financial Management) Regulations 1996* and the *Local Government (Audit) Regulations 1996* were gazetted on 26 June 2018. Changes include revisions to requirements for review of audit systems and financial management systems, changes to asset fair value requirements and changes to the responsibilities of audit committees including recognising that audits are now to be undertaken by the Office of the Auditor General of Western Australia.

*It is therefore recommended that Council:*

- 1 *NOTES the latest amendments to the Local Government (Financial Management) Regulations 1996 and the Local Government (Audit) Regulations 1996;*
- 2 *BY AN ABSOLUTE MAJORITY ADOPTS the new Terms of Reference for the Audit and Risk Committee as per Attachment 2 to Report CJ153-08/18 to replace the previous Terms of Reference.*

## BACKGROUND

In 2017 changes were made to the *Local Government Act 1995* to give effect to the Office of the Auditor General of Western Australia taking responsibility for financial and supplementary audits of local governments in Western Australia. A review of certain provisions of the *Local Government (Financial Management) Regulations 1996* and the *Local Government (Audit) Regulations 1996* was then undertaken to support these changes.

The Department of Local Government, Sport and Cultural Industries (DLGSCI) has now advised that amendments to the regulations were effected and gazetted on 26 June 2018.

## DETAILS

The *Local Government Act 1995* was amended in 2017 to provide for the Auditor General of Western Australia to take responsibility for financial and related audits of local governments in Western Australia.

Subsequent to this, changes were proposed to the related regulations, namely the *Local Government (Financial Management) Regulations 1996* and the *Local Government (Audit) Regulations 1996*. Local governments were afforded the opportunity to provide comment on the proposed changes. The City also participated in this process.

On 26 June 2018, amendments were gazetted as the *Local Government Regulations Amendment (Auditing) Regulations 2018*.

### Key amendments to the *Local Government (Audit) Regulations 1996*

Regulation	Description of change	Effective Date
3, 8, & 9	<p><u>Change</u> Minor amendments have been made to tidy up various provisions with updated references to accounting bodies, agencies and department head and updated definitions.</p> <p><u>Implication</u> None.</p>	27/06/18
9A	<p><u>Change</u> A new regulation has been inserted to define “audit document” and the requirement that the CEO must provide these to the Auditor General within 14 days of a request. An audit document includes the <i>Strategic Community Plan</i>, <i>Corporate Business Plan</i> and any other plan, informing strategy or document the Auditor General specifies.</p> <p><u>Implication</u> Documents would normally be provided as a matter of course as part of an audit.</p>	27/06/18

Regulation	Description of change	Effective Date
16	<p><u>Change</u> This regulation sets out the functions of the audit committee. The existing regulation has been replaced with new one with the functions of the audit committee expanded to increase involvement in guiding and assisting the local government.</p> <p><u>Implication</u> Previously the functions referred to guiding and assisting the local government in regard to its functions under Part 7 Audit, this now also includes Part 6 Financial Management. Previously referred to reviewing a report provided to it by the CEO into a review of risk management, internal control and legislative compliance.</p>	27/06/18
	<p>This now also includes guiding and assisting the CEO in regard to that review and also now extends to the review of financial management systems and procedures required to be undertaken by the CEO (under the <i>Local Government (Financial Management) Regulations</i>). The functions now also include a provision that the committee support the auditor to conduct the audit and oversee the implementation of any actions required.</p>	
17(2)	<p><u>Change</u> The review by the CEO of risk management, internal control and legislative compliance amended from at least once every two calendar years to not less than once in every three financial years.</p> <p><u>Implication</u> None, will now align with a similar change to the review of financial management systems and procedures required to be undertaken by the CEO (under the <i>Local Government (Financial Management) Regulations</i>).</p>	27/06/18

Key amendments to the *Local Government (Financial Management) Regulations 1996*

Regulation	Description of change	Effective Date
5(2)(c)	<p><u>Change</u> The requirement for the CEO to undertake a review of the financial management systems and procedures at least once every four financial years changed to at least once every three financial years.</p> <p><u>Implication</u> None, will now align with a similar change to the review of risk management, internal control and legislative compliance required to be undertaken by the CEO (under the <i>Local Government (Audit) Regulations</i>).</p>	27/06/18



Regulation	Description of change	Effective Date
17A	<p><u>Change</u> Regulation relates to assets, valuation of for financial reports. A new definition of carrying amount has been inserted. The requirement to revalue classes of assets according to the specified schedule every three years has been amended to allow local governments to revalue any asset whenever fair value may be materially different from carrying value. The new regulation also permits revaluation of an asset to occur up to five years after its last valuation. There is also a new provision that explicitly excludes from consideration as an asset, any asset with a value less than \$5,000 on the date of acquisition.</p> <p><u>Implication</u> None, these changes largely accord with current City practice.</p>	01/07/18
17B	<p><u>Change</u> A new regulation inserted that requires the CEO to take all reasonable steps to safeguard assets that are below the \$5,000 threshold (referred to in regulation 17A) or are otherwise portable or attractive.</p> <p><u>Implication</u> The City will review current controls over portable and attractive assets under \$5,000.</p>	01/07/18

The DLGSCI has published a *Guide to Local Government Audit Reforms* which provides more details of the amendments passed. This is included as Attachment 1 to Report CJ153-08/18.

#### Audit and Risk Committee Terms of Reference

The current terms of reference of the Audit and Risk Committee were set prior to the legislative changes described above. As a result of the changes there are elements of the terms of reference that no longer apply and as well new requirements for the role of the Audit and Risk Committee that are currently not reflected.

The current terms of reference are as follows:

#### ***Terms of Reference***

*The role of the Audit and Risk Committee is to provide guidance and assistance to Council as to:*

- *the carrying out of functions in relation to audits under the Local Government Act 1995*
- *the development of a process used to select and appoint a person to be the City's auditor*
- *matters to be audited and the scope of audits*
- *the carrying out of functions relating to other audits and other matters related to financial management*

- *the review, the appropriateness and effectiveness of the City's systems and procedures in relation to:*
  - *o risk management*
  - *internal control*
  - *legislative compliance*
  - *internal and external audit reporting.*

The following at least needs to change:

- The second dot point – the City no longer appoints the Auditor.
- The third dot point – the City no longer has control to set the scope of the audit.
- The fourth dot point – there are additional responsibilities.

It is proposed that a new set of Terms of Reference be considered to replace the existing. A draft is as at Attachment 2 to Report CJ153-08/18. The proposed Terms of Reference address the key requirements of the legislation in parts one to four and the City's internal requirements in part five.

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

**Legislation** *Local Government (Financial Management) Regulations 1996.*  
*Local Government (Audit) Regulations 1996.*

### **Strategic Community Plan**

**Key theme** Not applicable.

**Objective** Not applicable.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

### **Risk management considerations**

The changes to the *Local Government (Audit) Regulations 1996* and the *Local Government (Financial Management) Regulations 1996* as far as they pertain to risk are intended to assist in mitigating risk and not add to it.

There is a minor risk in terms of potential non-compliance with the regulations however there are few new requirements, they are mostly changes to existing requirements.

### **Financial / budget implications**

The changes to asset revaluation requirements to allow up to five years between compulsory valuations may result in a reduction in costs, over the long term, that the City incurs on the use of third parties for valuations and peer reviews of various asset classes.

### **Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The City will be required to comply with the amended regulations from the effective date stipulated for each change. Changes to asset revaluation requirements will not be applicable for the 2017-18 financial year.

The proposed new Terms of Reference for the Audit and Risk Committee will ensure the Committee is fulfilling its statutory obligations as well as meeting the City's own internal requirements.

**VOTING REQUIREMENTS**

Absolute 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 7 August 2018.

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

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

- 1**      **NOTES** the latest amendments to the *Local Government (Financial Management) Regulations 1996* and the *Local Government (Audit) Regulations 1996*;
- 2**      **BY AN ABSOLUTE MAJORITY ADOPTS** the new Terms of Reference for the Audit and Risk Committee as per Attachment 2 to Report CJ153-08/18 to replace the previous Terms of Reference.

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 22 refers*

*To access this attachment on electronic document, click here: [Attach22brf180814.pdf](#)*

**C73-08/18                    MOTION TO CHANGE ORDER OF BUSINESS – [02154, 08122]**

**MOVED** Mayor Jacob, **SECONDED** Cr Hamilton-Prime that Council, in accordance with clause 14.1 of the *City of Joondalup Meeting Procedures Local Law 2013*, suspends the operation of clause 4.3 – Order of Business of the *City of Joondalup Meeting Procedures Local Law 2013*, to enable the consideration of:

- 1            CJ151-08/18            Confidential – Joondalup City Centre Development – Project Status;**
- 2            CJ154-08/18            Confidential – Appointment of External Member to Audit and Risk Committee;**
- 3            CJ155-08/18            Confidential – Employment Contract – Director Governance and Strategy,**

**to be discussed after “Motions of which previous notice has been given”.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**C74-08/18****COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION -  
[02154, 08122]**

**MOVED** Mayor Jacob, **SECONDED** Cr Jones that pursuant to the *Meeting Procedures Local Law 2013* – Clause 4.8 – Adoption by exception resolution, Council **ADOPTS** the following items:

**CJ129-08/18, CJ131-08/18, CJ134-08/18, CJ135-08/18, CJ136-08/18, CJ137-08/18, CJ143-08/18, CJ144-08/18, CJ145-08/18, CJ146-08/18, CJ147-08/18, CJ148-08/18 and CJ150-08/18.**

**The Motion was Put and**

**CARRIED (12/0)**

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

## Disclosures of interest affecting impartiality

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No./Subject</b>	CJ154-08/18 - Confidential - Appointment of External Member to Audit and Risk Committee.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	One of the applicants is known to Cr McLean.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No./Subject</b>	CJ154-08/18 - Confidential - Appointment of External Member to Audit and Risk Committee.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	One of the applicants is known to Cr Hamilton- Prime.

**CJ154-08/18      CONFIDENTIAL – APPOINTMENT OF EXTERNAL  
MEMBER TO AUDIT AND RISK COMMITTEE**

WARD All

<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
---------------------------------	------------------------------------

**FILE NUMBER** 107022

<b>ATTACHMENTS</b>	Attachment 1	Confidential	Expression of Interest No. 1
	Attachment 2	Confidential	Expression of Interest No. 2
	Attachment 3	Confidential	Expression of Interest No. 3
	Attachment 4	Confidential	Expression of Interest No. 4

(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only)

<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
-------------------------------	---

This Item was dealt with later in the meeting after CJ151-08/18, page 208 refers.

**REPORT OF THE CHIEF EXECUTIVE OFFICER****Disclosure of Financial Interest**

<b>Name/Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No./Subject</b>	CJ155-08/18 - Confidential - Employment Contract - Director Governance and Strategy.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Parry holds the position of Director Governance and Strategy.

**CJ155-08/18      CONFIDENTIAL - EMPLOYMENT CONTRACT -  
DIRECTOR GOVERNANCE AND STRATEGY**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	98394
<b>ATTACHMENTS</b>	Attachment 1      Curriculum Vitae - Jamie Parry including significant achievements  <i>(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only)</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

---

This Item was dealt with later in the meeting after CJ154-08/18, page 210 refers.

## URGENT BUSINESS

Nil.

## MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### **C75-08/18                      NOTICE OF MOTION NO. 1 – MAYOR ALBERT JACOB – DRONE USAGE IN THE CITY OF JOONDALUP [107582]**

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Mayor Jacob gave notice of his intention to move the following Motion at the Council meeting to be held on 21 August 2018:

***That Council REQUESTS the Chief Executive Officer prepare a report which examines and identifies potential launching and landing sites within the City of Joondalup for recreational aerial drone usage.***

## REASON FOR MOTION

Recent technological advancements have seen a surge in the availability and accessibility of recreational drones and the recreational flying and usage of aerial drones is an increasingly popular pastime within the City of Joondalup.

Future potential uses for drone technology are also growing at a phenomenal rate and these uses do not yet come close to the realisation of full potential of this technology. As a City which prides itself on education and innovation, facilitating drone usage in appropriately identified areas will also help to position Joondalup to be seen in the broader community as friendly towards and at the forefront of this emerging technology.

Once a drone is airborne, its usage is regulated by CASA and in calling for this Report it is not intended that the City seek to duplicate or add to the existing federal regulations which are already in place. However, by identifying appropriate landing and launching locations the City will also be seen to be indicating those areas which we see as most appropriate for operation within the City of Joondalup.

Locations should, wherever possible, maximise imagery and landscape potential as most recreational drone usage are also utilised for still or video image recording. Locations should also be situated so as to minimise potential impacts on existing nearby residents or users. Identifying appropriate locations for usage will also assist in addressing broader community concern around drone usage in inappropriate locations and any final designation of launching and landing locations should only be done after local community consultation.

## OFFICER'S COMMENT

A report can be prepared.



**MOVED Mayor Jacob, SECONDED Cr Hamilton-Prime that Council REQUESTS the Chief Executive Officer prepare a report which examines and identifies potential launching and landing sites within the City of Joondalup for recreational aerial drone usage.**

**The Motion was Put and**

**CARRIED (11/1)**

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

**Against the Motion:** Cr Jones.

C76-08/18

**NOTICE OF MOTION NO. 2 – CR MIKE NORMAN – USE OF RECYCLED MATERIALS IN CITY INFRASTRUCTURE – [107582]**

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Norman gave notice of his intention to move the following Motion at the Council meeting to be held on 21 August 2018:

***That Council REQUESTS the Chief Executive Officer prepare a report which examines the use of glass, plastics and C&D waste to construct City infrastructure such as roads, car parks and footpaths.***

**REASON FOR MOTION**

The City of Joondalup community, as a creator of waste, should also be prepared to be a user of recycled waste, either directly or indirectly. By blending recycled content with raw materials, there is the opportunity to use significant quantities of recycled content in civic construction projects such as roads, footpaths and car park construction, while simultaneously reducing the need to use virgin materials. This is more sustainable environmentally, rather than at least a proportion of these types of waste going to landfill or stockpiled. The City could be a leader in the use of recycled content in our civic construction projects and I seek a report on how this could be achieved. There is a need to help create a market signal and as volumes increase, costs will come down. The City's commitment to use recycled content would encourage others to follow. A target could be established in terms of the percentage of recycled material used in the City's civic construction projects annually.

To my knowledge the City of Canning has been using recycled content in their road and path projects. In the Eastern States, Swinburne University of Technology have found plastics and glass fines can be incorporated into concrete pathways with no impact on mechanical properties. Downer and Sutherland Shires have used plastic and glass to build the first road made from using that recycled content in NSW. There are many others involved with the use of recycled content in civil construction projects and the City will leverage off that.

Financial incentives are available from the Waste Authority for local governments to use recycled content in their civic construction projects (that meet their criteria). So subsidies should be available to support this initiative.

**OFFICER'S COMMENT**

A report can be prepared.

**MOVED Cr Norman, SECONDED Cr Hollywood that Council REQUESTS the Chief Executive Officer prepare a report which examines the use of glass, plastics and C&D waste to construct City infrastructure such as roads, car parks and footpaths.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**Disclosure of Proximity Interest**

<b>Name/Position</b>	<b>Cr Russell Poliwka.</b>
<b>Item No./Subject</b>	CJ151-08/18 - Confidential – Joondalup City Centre Development – Project Status.
<b>Nature of interest</b>	Proximity Interest.
<b>Extent of Interest</b>	Cr Poliwka owns property at 53 Davidson Terrace, across the road from Lots C and A.

*Cr Poliwka was not in attendance at this meeting.*

## CJ151-08/18      **CONFIDENTIAL      JOONDALUP      CITY      CENTRE DEVELOPMENT - PROJECT STATUS**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	103036
<b>ATTACHMENTS</b>	Attachment 1      Boas Place Concept Plan – Option 4B Attachment 2      Potential components of a Heads of Agreement and Sales and Development Agreement
	<i>(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

This report is confidential in accordance with Section 5.23(e)(ii) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

- *A matter that if disclosed, would reveal information that has a commercial value to a person.*

A full report was provided to Elected Members under separate cover. The report is not for publication.

**MOVED Mayor Jacob, SECONDED Cr May that Council:**

- 1 NOTES the Joondalup City Centre Development Project Status Report;**
- 2 REQUESTS the Chief Executive Officer to advise Devwest Group Pty Ltd that the sale of Lot C of the Boas Place concept plan for a residential development cannot be effected until:**
  - 2.1 The following matters are resolved:**
    - 2.1.1 contribution to the public realm by Devwest Group Pty Ltd guided by a percentage contribution related to the proportion of the overall development site;**
    - 2.1.2 clarification and agreement regarding the proposed alfresco licence if required for the residential development;**
    - 2.1.3 construction of Boas Square;**
    - 2.1.4 alignment of the proposed residential development with the City's planning requirements;**
    - 2.1.5 confirmation and agreement on the proposed site dimensions;**
  - 2.2 The following is provided:**
    - 2.2.1 the information required to execute a Heads of Agreement and prepare a Sale and Development Agreement;**
    - 2.2.1 the information required to enable the City to prepare a business plan in order to meet its obligations under the *Local Government Act 1995*;**
- 3 REQUESTS the Chief Executive Officer to discontinue negotiations for the sale of Lot C, Boas Place to Devwest Group Pty Ltd for a residential development if the matters outlined in Part 2.1 above are unable to be resolved or that Devwest Group Pty Ltd is unable to provide the information as outlined in Part 2.2 above by 30 September 2018.**

**The Motion was Put and**

**CARRIED (12/0)**

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

## Disclosures of interest affecting impartiality

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No./Subject</b>	CJ154-08/18 - Confidential - Appointment of External Member to Audit and Risk Committee.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	One of the applicants is known to Cr McLean.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No./Subject</b>	CJ154-08/18 - Confidential - Appointment of External Member to Audit and Risk Committee.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	One of the applicants is known to Cr Hamilton- Prime.

**CJ154-08/18      CONFIDENTIAL – APPOINTMENT OF EXTERNAL  
MEMBER TO AUDIT AND RISK COMMITTEE**

WARD All

<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
---------------------------------	------------------------------------

**FILE NUMBER** 107022

<b>ATTACHMENTS</b>	Attachment 1	Confidential Expression of Interest No. 1
	Attachment 2	Confidential Expression of Interest No. 2
	Attachment 3	Confidential Expression of Interest No. 3
	Attachment 4	Confidential Expression of Interest No. 4

(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only)

<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
-------------------------------	---

This report is confidential in accordance with Section 5.23(2)(b) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

- *the personal affairs of any person.*

A full report was provided to Elected Members under separate cover. The report is not for publication.

**MOVED Cr Hamilton-Prime, SECONDED Cr May that Council AUTHORISES the Chief Executive Officer, the Presiding Member of the Audit and Risk Committee and Mayor Jacob to interview the preferred candidate as detailed in Attachment 3 to Report CJ154-08/18 and the second preferred candidate as detailed in Attachment 4 to Report CJ154-08/18, with a further report to be submitted to Council for formal appointment.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**REPORT OF THE CHIEF EXECUTIVE OFFICER****Disclosure of Financial Interest**

<b>Name/Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No./Subject</b>	CJ155-08/18 - Confidential - Employment Contract - Director Governance and Strategy.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Parry holds the position of Director Governance and Strategy.

*The Director Governance and Strategy left the Chamber at 2.08pm.*

**CJ155-08/18      CONFIDENTIAL - EMPLOYMENT CONTRACT -  
DIRECTOR GOVERNANCE AND STRATEGY**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	98394
<b>ATTACHMENTS</b>	Attachment 1      Curriculum Vitae - Jamie Parry including significant achievements  <i>(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only)</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

*a matter affecting an employee or employees.*

A full report was provided to Elected Members under separate cover. The report is not for publication.

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

- 1 the action of the Chief Executive Officer to renew the employment contract of the Director Governance and Strategy for a further five year period from 21 April 2019;**
- 2 that the terms of the employment contract will be the same as the current contract which expires on 20 April 2019.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*The Director Governance and Strategy entered the Chamber at 2.09pm.*



**C77-08/18****MOTION TO RESUME ORDER OF BUSINESS – [02154, 08122]**

**MOVED** Mayor Jacob, **SECONDED** Cr McLean that Council **RESUMES** the operation of clause 4.3 of the *City of Joondalup Meeting Procedures Local Law 2013 – Order of Business*.

**The Motion was Put and**

**CARRIED (12/0)**

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

**ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

Nil.

**CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 2.10pm the following Elected Members being present at that time:

MAYOR HON. ALBERT JACOB, JP  
CR KERRY HOLLYWOOD  
CR TOM MCLEAN, JP  
CR PHILIPPA TAYLOR  
CR NIGE JONES  
CR CHRISTOPHER MAY  
CR CHRISTINE HAMILTON-PRIME  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR JOHN LOGAN  
CR RUSS FISHWICK, JP  
CR SOPHIE DWYER