

agenda

Ordinary Meeting of Council

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

ON **TUESDAY 20 AUGUST 2019**

COMMENCING AT **12.00 Noon**

GARRY HUNT
Chief Executive Officer
16 August 2019

www.joondalup.wa.gov.au

This document is available in alternate formats upon request

PUBLIC QUESTION TIME

Members of the public are
requested to lodge questions in
writing by 9.00am on
Monday 19 August 2019

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

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

PROCEDURES FOR PUBLIC QUESTION TIME

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

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

Questions asked verbally

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

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

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

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

- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

Written questions should be sent via email to council.questions@joondalup.wa.gov.au

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

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

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

- 10 Statements will be summarised and included in the minutes of the Council meeting.

CODE OF CONDUCT

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

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

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

Elected Members, Committee Members and employees must:

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

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

CIVIC CENTRE EMERGENCY PROCEDURES

The City of Joondalup values the health and safety of all visitors to City of Joondalup facilities. The following emergency procedures are in place to help make evacuation of the City of Joondalup Civic Centre safe and easy.

Alarms

The City of Joondalup emergency system has two alarm tones:

- Alert Tone (Beep... Beep... Beep)
- Evacuation Tone (Whoop...Whoop...Whoop)

On hearing the Alert Tone (Beep... Beep... Beep):

- DO NOT EVACUATE ON THIS TONE.
- Remain where you are.
- All designated Fire Wardens will respond and assess the immediate area for danger.
- Always follow instructions from the designated Fire Wardens.

On hearing the Evacuation Tone (Whoop...Whoop...Whoop):

- Evacuate the building immediately as directed by a Fire Warden or via the nearest safe exit.
- Do not use lifts.
- Remain calm and proceed to the designated Assembly Area (refer to site plan below).
- People with impaired mobility (those who cannot use the stairs unaided) should report to a Fire Warden who will arrange for their safe evacuation.
- Do not re-enter the building until authorised to do so by Emergency Services.



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LATE ITEMS / ADDITIONAL INFORMATION

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

[Additional Information190820.pdf](#)

CITY OF JOONDALUP

Notice is hereby given that a Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 20 August 2019** commencing at **12.00 Noon**.

GARRY HUNT
Chief Executive Officer
16 August 2019

Joondalup
Western Australia

VISION

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

PRIMARY VALUES

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

DISTINGUISHING VALUES

Bold

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

Ambitious

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

Innovative

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

Enterprising

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

Prosperous

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

Compassionate

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

AGENDA

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

DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

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

Disclosures of Financial Interest / Proximity Interest

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

Name/Position	Cr John Chester.
Item No./Subject	CJ099-08/19 - Draft Interim Planning Framework for Infill Development.
Nature of interest	Financial Interest.
Extent of Interest	Cr Chester owns residential property in Place Neighbourhood 1 and 7 and his son and daughter own residential property in Place Neighbourhoods 1, 4 and 5.

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	CJ099-08/19 - Draft Interim Planning Framework for Infill Development.
Nature of interest	Financial Interest.
Extent of Interest	Cr Fishwick is a joint owner of a property in Housing Opportunity Area No. 1.

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.

Name/Position	Ms Dale Page, Director Planning and Community Development.
Item No./Subject	CJ097-08/19 - Proposed Modification to the Development Approval for Proposed Bridge at Lot 100 (Railway Reserve 299) Joondalup Drive, Joondalup.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Ms Page is a Landcorp Board Member and the applicant is Landcorp. Ms Page had no role in the matter.

Name/Position	Mayor Hon. Albert Jacob, JP.
Item No./Subject	CJ099-08/19 - Draft Interim Planning Framework for Infill Development.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Jacob has a relative that owns a property in Housing Opportunity Area No. 10.

Name/Position	Cr John Logan.
Item No./Subject	CJ099-08/19 - Draft Interim Planning Framework for Infill Development.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan's stepdaughter owns property and lives in a Housing Opportunity Area.

Name/Position	Cr Sophie Dwyer.
Item No./Subject	CJ106-08/19 - List of Payments made during the month of June 2019.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A payment made to Cr Dwyer's employer is noted on page 544 of the Briefing Session Attachments.

PUBLIC QUESTION TIME

The following summarised questions were taken on notice at the Council meeting held on 16 July 2019:

Dr T Green, Padbury:

Re: Housing Opportunity Areas.

Q2 *How many FTEs does the City currently have working on the Local Planning Policy?*

A2 A Senior Urban Planner was allocated the task of preparing the new *Local Planning Policy* and Scheme Amendment, as a primary focus. This Senior Urban Planner also has other responsibilities and dedicated workload.

Four other senior staff members assisted this Senior Urban Planner at various times through discussion of issues and review of the work undertaken.

Mr J Raftis, Duncraig:

Re: Exemption from Payment of Rates and Sale of Land.

Q1 *Is Council able to provide information of how many rateable properties are exempt within the City of Joondalup and what the value of the rates revenue would be that would otherwise be applicable to those properties?*

A1 The *Local Government Act 1995* provides that all land is rateable land except for that land set out in section 6.26(2). Some types of land are simply not rateable at all. Most crown land used or held for a public purpose which includes schools, hospitals, police stations and the like is exempt. Land used for church-based schools and non-government schools is also exempt. In some cases other legislation exempts property from rates such as the legislation governing Edith Cowan University and HBF Arena. All of these kinds of exemptions very rarely change.

The kinds of situations, however, where the City regularly receives requests that the applicant believes they should be exempt are in relation to section 6.26(2)(d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood and section 6.26(2)(g) land used exclusively for charitable purposes. These can include churches, manses, affordable housing, disability services and aged care lease-for-life facilities. These are assessed for compliance with the legislation and are reviewed for land use changes.

In regard to these latter 6.26(2)(d) and (g) exemptions the City currently has 389 of these with the value of rates for 2019-20, if they were rateable, being \$1.37 million.

PUBLIC STATEMENT TIME

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Kerry Hollywood	23 July to 27 August 2019 inclusive;
Cr John Chester	25 to 31 August 2019 inclusive.

REQUEST FOR LEAVE OF ABSENCE – CR RUSS FISHWICK, JP - [107864]

Cr Russ Fishwick, JP has requested Leave of Absence from Council duties covering the period 4 to 13 September 2019 inclusive and 16 to 22 October 2019 inclusive.

RECOMMENDATION

That Council APPROVES the request for Leave of Absence from Council duties for Cr Russ Fishwick, JP 4 to 13 September 2019 inclusive and 16 to 22 October 2019 inclusive.

CONFIRMATION OF MINUTES

MINUTES OF COUNCIL MEETING HELD 16 JULY 2019

RECOMMENDATION

That the Minutes of the Council Meeting held on 16 July 2019 be confirmed as a true and correct record.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

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

PETITIONS

REPORTS**CJ095-08/19 DEVELOPMENT AND SUBDIVISION APPLICATIONS
– JUNE 2019**

WARD	All			
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development			
FILE NUMBER	07032, 101515			
ATTACHMENTS	Attachment 1	Monthly Development Determined – June 2019	Applications	
	Attachment 2	Monthly Subdivision Processed – June 2019	Applications	
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’)			

PURPOSE

For Council to note the number and nature of applications considered under delegated authority during June 2019.

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 2019 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during June 2019 (Attachment 2 refers).

BACKGROUND

Clause 82 of schedule 2 (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 25 June 2019 (CJ078-06/19 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 2019 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	2	3
Strata subdivision applications	12	15
TOTAL	14	18

Of the 14 subdivision referrals, 11 were to subdivide in housing opportunity areas, with the potential for 15 additional lots.

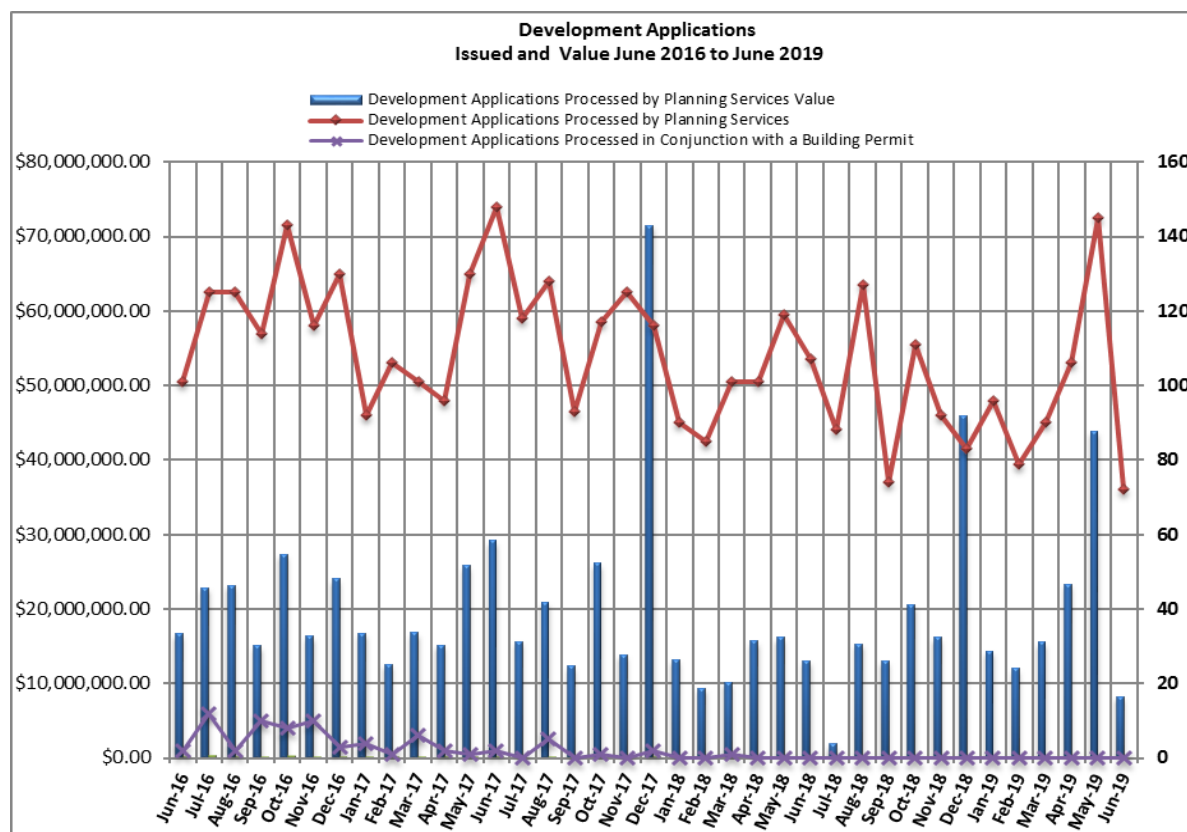
Development applications

The number of development applications determined under delegated authority during June 2019 is shown in the table below:

	Number	Value (\$)
Development applications processed by Planning Services	72	\$8,235,123
TOTAL	72	\$8,235,123

Of the 72 development applications five were for new dwelling developments in housing opportunity areas, proposing a total of eight additional dwellings.

The total number and value of development applications determined between June 2016 and June 2019 is illustrated in the graph below:



The number of development applications received during June 2019 was 93.

The number of development applications current at the end of June was 240. Of these, 39 were pending further information from applicants and 12 were being advertised for public comment.

In addition to the above, 180 building permits were issued during the month of June with an estimated construction value of \$16,787,030.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / Policy implications

Legislation *City of Joondalup Local Planning Scheme No. 3.
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 may apply to the particular development.

Clause 82 of schedule 2 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 Clause 82 of schedule 2 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 72 development applications were determined for the month of June with a total amount of \$32,719.72 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 *Local Planning Scheme No. 3* and the Regulations.

COMMENT

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

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

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

- 1 development applications described in Attachment 1 to Report CJ095-08/19 during June 2019;**
- 2 subdivision applications described in Attachment 2 to Report CJ095-08/19 during June 2019.**

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf190813.pdf](#)

CJ096-08/19 PROPOSED REVOCATION OF THE HEATHRIDGE STRUCTURE PLAN - CONSIDERATION FOLLOWING ADVERTISING

WARD	North Central	
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development	
FILE NUMBER	06878, 101515	
ATTACHMENTS	Attachment 1	Location Plan
	Attachment 2	Heathridge Structure Plan
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.	

PURPOSE

For Council to consider submissions received in relation to the proposed revocation of the *Heathridge Structure Plan* and to forward its decision to the Western Australian Planning Commission (WAPC).

EXECUTIVE SUMMARY

The *Heathridge Structure Plan* was adopted by the City of Joondalup Joint Commissioners at their meeting held on 8 June 1998 and by the Western Australia Planning Commission (WAPC) on 21 April 1999. The purpose of the structure plan was to determine the subdivision layout and residential building form within the “Oceanside Gardens” estate, a then new infill subdivision on the corner of Ocean Reef Road and Marmion Avenue, Heathridge, consisting of 170 lots.

The structure plan specifies that land use permissibility and general provisions are to be the same as those in the 'Residential' zone under (now former) *District Planning Scheme No. 2* and specifies certain additional development provisions to those of the Residential Design Codes (R-Codes). The estate has been fully developed for some time, with the exception of one lot which remains vacant.

As part of the approval of *Local Planning Scheme No. 3* (LPS3), the WAPC advised the City that a separate review of the City's existing structure plan areas should be undertaken to assess whether existing structure plans are still relevant and required.

The *Heathridge Structure Plan* area is zoned 'Residential' R20 under LPS3 and it is considered that there are no development provisions within the structure plan that need to be retained by incorporating the structure plan into LPS3. In view of this, as well as the extent to which the structure plan area has been developed, it is considered that the *Heathridge Structure Plan* is no longer required to guide the development of the area.

At its meeting held on 21 May 2019 (CJ048-05/19 refers), Council considered the intention to revoke the *Heathridge Structure Plan* and resolved to advertise the proposal for a period of 14 days.

The advertising period closed on 21 June 2019, during which time three submissions were received - one requesting further information, another supporting the revocation, and another suggesting the revocation should occur after the vacant lot has been developed. The submissions are discussed within the report.

It is therefore recommended that Council agrees to revoke the *Heathridge Structure Plan* and forwards the decision to the WAPC for its approval.

BACKGROUND

Suburb/Location	Heathridge, including Mermaid Way, Abroholos Drive, Montebello Avenue, Voyage Road, Carnac Way, Rottnest Way, Brewis Court, Dirk Hartog Cove, Sail Terrace.
Owner	Various.
Zoning	LPS Residential.
	MRS Urban.
Site area	15ha.
Structure plan	<i>Heathridge Structure Plan.</i>

The *Heathridge Structure Plan* applies to land located in the south-west corner of Heathridge, specifically, the area bounded by Mermaid Way to the north, Marmion Avenue to the west, Ocean Reef Road to the south and Poseidon Road and Voyage Road to the east (Attachment 1 refers).

The *Heathridge Structure Plan* (Attachment 2 refers) was adopted by the Joint Commissioners at its meeting held on 8 June 1998 and adopted by the WAPC on 21 April 1999. There is limited background information on why a structure plan was needed for this area, aside from providing limited built form provisions in relation to dwellings addressing the street, and front and rear building setbacks.

At its meeting held on 27 February 2007 (CJ024-02/07 refers), Council adopted amendments to several structure plans, including the *Heathridge Structure Plan*, to align the wording with the requirements of the City's (now former) *District Planning Scheme No. 2* and the R-Codes.

The estate has now been fully developed, with the exception of one lot which remains vacant.

As part of the approval of LPS3, the WAPC advised that a separate review of the City's existing structure plan areas should be undertaken to assess the current status of each plan. This would determine if a structure plan covers an area:

- where development is still occurring to the extent that the structure plan is still relevant and needs to be retained
- where development is complete or nearing completion, and if there are no ongoing development provisions required, the structure plan can be revoked, and the appropriate zones updated in LPS3 via a scheme amendment process (if required)
- where development is complete or nearing completion but could be 'normalised' by introducing relevant development provisions and zones from the structure plan into LPS3, allowing the structure plan to be revoked.

It is important that the above assessments be undertaken as all structure plans in place prior to the introduction of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the LPS Regulations) in October 2015 will be automatically revoked in October 2025 unless their period of approval is formally extended.

At its meeting held on 21 May 2019 (CJ048-05/19 refers), Council resolved the following:

“That Council ADVERTISES the proposal to request the Western Australian Planning Commission to revoke the Heathridge Structure Plan to the landowners within the structure plan area, for a period of 14 days.”

DETAILS

Current need for the Heathridge Structure Plan

The *Heathridge Structure Plan* is a very basic structure plan with few development provisions. The structure plan may have been intended to provide appropriate provisions that could support development of lots which, at the time, were likely to have been considered small in size (around 500m²).

The structure plan area is divided into two precincts being “Precinct 1” and “Precinct 2”. Precinct 1 consists of those lots in the estate fronting Mermaid Way, Voyage Road and Poseidon Road. Precinct 2 comprises the remainder of the estate. The following table outlines the structure plan provisions and the current equivalent R-codes provisions:

Precinct 1

Development Requirement	Structure Plan requirement	Current Residential Design Codes requirement
Orientation.	Dwellings must address the street.	The street elevation of the dwelling to address the street with clearly definable entry points visible and accessed from the street. At least one major opening from a habitable room of the dwelling faces the approach to the dwelling.
Building setbacks.	Setbacks shall conform to the R- Codes.	Current R-Code setbacks would apply.

Precinct 2

Development Requirement	Structure Plan requirement	Current Residential Design Codes requirement
Orientation.	Dwellings must address the street.	The street elevation of the dwelling to address the street with clearly definable entry points visible and accessed from the street. At least one major opening from a habitable room of the dwelling faces the approach to the dwelling.
Building setbacks.	Front: 4 metres average, 2 metres minimum. Garages: 6 metres minimum. Rear: 4 metres average.	Front: 6 metres average, 3 metres minimum. Garages: 4.5 metres from the primary street.

Development Requirement	Structure Plan requirement	Current Residential Design Codes requirement
	Side setbacks shall conform to the R-Codes.	Side and Rear: As per tables 2a and 2b of the R-Codes would apply.

It is noted that the R-Codes have been updated on numerous occasions since the commencement of the *Heathridge Structure Plan* in 1999, with some of the provisions in the structure plan either now covered within the R-Codes (such as the requirement that dwellings need to face the street) or are no longer a requirement (such as, rear building setbacks are now equivalent to side building setbacks).

As outlined previously, one vacant lot remains in the structure plan area. Should Council and the WAPC agree to revoke the structure plan, the remaining vacant lot will require the submission of an application for development approval (DA) in the instance that approval is sought to build in line with the setbacks of the structure plan that are less onerous than those of the current R-Codes.

Issues and options considered

The options available to Council in considering the revocation of the *Heathridge Structure Plan* are to:

- resolve to support a request being forwarded to the WAPC for the structure plan to be revoked
or
- resolve not to support a request being forwarded to the WAPC for the structure plan to be revoked.

If Council agrees to, and the WAPC approves the revocation, the requirements of the R-Codes and the City's *Residential Development Local Planning Policy* will be applied to future development and building applications.

If Council refuses to agree to the revocation, the requirements of the *Heathridge Structure Plan* will continue to apply to future development and building applications. However, in October 2025, the *Heathridge Structure Plan* will be automatically revoked unless its period of approval is extended by the WAPC.

Legislation / Strategic Community Plan / policy implications

Legislation *Planning and Development (Local Planning Schemes) Regulations 2015.*
Local Planning Scheme No. 3.

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.

Planning and Development (Local Planning Schemes) Regulations 2015

Clause 28 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) states that structure plans have effect for 10 years from their date of approval. This includes structure plans that were approved before the LPS Regulations came into effect, which are taken to have been approved on commencement day of the LPS Regulations and are therefore valid until 19 October 2025. The WAPC may extend the period of approval of a structure plan, revoke a structure plan or amend the scheme that covers the area to which the structure plan relates.

Structure Plan Framework

The Structure Plan Framework constitutes the manner and form in which a structure plan and activity centre plan is to be prepared under the LPS Regulations. Clause 16 of the framework outlines that the WAPC may revoke its approval of a structure plan under the deemed provisions of the LPS Regulations and provides for common circumstances in which this would occur, including where the zoning of the land is covered within the scheme and following finalisation of the subdivision of the land. Both circumstances are applicable in this instance.

Local Planning Scheme No. 3

The objectives of the 'Residential' zone in LPS3 are:

Zone name	Objectives
Residential	<ul style="list-style-type: none"> • To provide for a range of housing and a choice of residential densities to meet the needs of the community. • To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. • To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

There are no provisions within the LPS Regulations or structure plan framework which require consultation to be undertaken prior to a structure plan being revoked. However, it was considered appropriate to advise the 170 landowners of the proposal to revoke the structure plan and obtain any feedback, prior to Council making a final decision.

In accordance with Council's resolution at its meeting held on 21 May 2019 (CJ048-05/19 refers), the proposal was advertised for a period of 14 days by way of a letter to landowners within the structure plan area.

Three submissions were received during the advertising period. One submission requested further information on the proposal which was provided. Another submission agreed with the proposal. The third submission was of the opinion that the structure plan should be revoked after the remaining vacant lot has been developed.

With regard to the vacant lot, an application for development approval for a two-storey dwelling was submitted in 2014 but subsequently cancelled. Given that the structure plan is basic with few development provisions, and that the development provisions can be replaced by the provisions of the R-Codes and City's *Residential Development Local Planning Policy*, it is not considered necessary to delay the revocation of the structure plan until the vacant lot has been developed.

COMMENT

The area that the *Heathridge Structure Plan* encompasses has now been fully developed, with the exception of one remaining lot. The provisions of the R-Codes and the City's *Residential Development Local Planning Policy* are considered sufficient to ensure that a suitable built form outcome is achieved with any future development within the area.

It is therefore recommended that the WAPC is requested to revoke the *Heathridge Structure Plan*.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 Pursuant to clause 28 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, AGREES to SUPPORT the revocation of the *Heathridge Structure Plan* as detailed in Attachment 2 to Report CJ096-08/19 and forwards its decision to the Western Australian Planning Commission for its determination;
- 2 NOTES the submissions received and ADVISES the submitters of its recommendation to the Western Australian Planning Commission.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf190813.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Ms Dale Page, Director Planning and Community Development.
Item No./Subject	CJ097-08/19 - Proposed Modification to the Development Approval for Proposed Bridge at Lot 100 (Railway Reserve 299) Joondalup Drive, Joondalup.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Ms Page is a Landcorp Board Member and the applicant is Landcorp. Ms Page had no role in the matter.

CJ097-08/19 PROPOSED MODIFICATION TO THE DEVELOPMENT APPROVAL FOR PROPOSED BRIDGE AT LOT 100 (RAILWAY RESERVE 299) JOONDALUP DRIVE, JOONDALUP

WARD	North
RESPONSIBLE MANAGER	Mr Chris Leigh Planning Services
FILE NUMBER	15550, 101515
ATTACHMENTS	Attachment 1 Location plan Attachment 2 Development plans Attachment 3 Original development approval
AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

PURPOSE

For Council to determine a development application to modify the original development approval for the proposed bridge at Lot 100 (Railway Reserve 299) Joondalup Drive, Joondalup.

EXECUTIVE SUMMARY

An application has been received to modify the original development approval for the proposed bridge at Lot 100 (Railway Reserve 299) Joondalup Drive, Joondalup. The modification is to extend the timeframe of the approval to 20 August 2021.

The proposed bridge will extend Injune Way, linking with Lot 9004 (350) Hodges Drive, Joondalup (Lot 9004) (Attachment 1 refers).

At its meeting held on 18 October 2016 (CJ157-10/16 refers), Council granted development approval for the proposed bridge, subject to conditions. This approval lapsed on 25 October 2018 as construction did not substantially commence within two years of the decision notice being issued. LandCorp intends for works to commence shortly and a valid development approval is required.

As the bridge is not directly associated with a land use under *Local Planning Scheme No. 3* (LPS3) it is referred to Council for determination.

The bridge is reflective of the *Joondalup Activity Centre Plan*, providing access to the adjacent Lot 9004 and its design and construction was required as a condition of subdivision approval issued by the Western Australian Planning Commission on 26 February 2016 and new subdivision approval issued on 15 June 2018.

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

BACKGROUND

Suburb/Location	Lot 100 (Railway Reserve 299) Joondalup Drive, Joondalup.
Applicant	LandCorp.
Owner	Edith Cowan University, LandCorp.
Zoning	LPS Centre.
	MRS Central City Area.
Site area	27,396m ² .
Structure plan	<i>Joondalup Activity Centre Plan</i> .

Lot 100 (Railway Reserve 299) is a long site forming part of the Public Transport Authority (PTA) Railway Reserve as it diverges from the centre of the Mitchell Freeway. The area of development is adjacent to the end of Injune Way. The subject site currently accommodates train lines and power lines. The subject site is bound to the west by the Mitchell Freeway Road Reserve and Lot 9004, to the north by Hodges Drive and commercial properties to the east (Attachment 1 refers).

The site is subject to the *Joondalup Activity Centre Plan* and is located in the 'Joondalup West' precinct.

Historically, Lot 9004 was identified as a potential site for a new depot for the City. As part of this, it was identified that a bridge was required to access the site, with vehicle access not possible from Hodges Drive. This site was not pursued for a number of reasons as outlined in a report to Council at its meeting held on 13 December 2005 (CJ295-12/05 refers), with the depot developed at the Water Corporation Beenyup site.

LandCorp has more recently negotiated the sale of Lot 9004 to Edith Cowan University (ECU), with a condition of sale requiring LandCorp to undertake construction of the bridge.

Development approval for the bridge was originally granted by Council at its meeting held on 18 October 2016 (CJ157-10/16 refers). This approval was valid for two years from the date the decision letter was issued, until 25 October 2018. As construction did not substantially commence within this period, the approval has lapsed. LandCorp has stated that development was delayed due to the time taken to secure necessary agreements with the PTA and Main Roads WA (MRWA), which in turn delayed going to tender.

The design and construction of the bridge was required as a condition of the subdivision approval issued by the WAPC on 26 February 2016 and new subdivision approval issued on 15 June 2018. The bridge is shown on the approved plan of subdivision and is required to be constructed to the specification of MRWA, the PTA and the City, and to the satisfaction of the Western Australian Planning Commission (WAPC). The subdivision approval is valid until 15 June 2021.

As part of Council's original decision, it was noted that the City would not be responsible for future maintenance, with responsibility to rest with MRWA. MRWA have confirmed with LandCorp that it will assume all care and maintenance responsibility of the bridge.

DETAILS

The proposed bridge extends Injune Way, crossing the PTA train line, providing two-way vehicle and pedestrian access to Lot 9004. The existing train line will be accommodated by two tunnels, with the design also including protection screens and balustrades to limit access to the train line.

The original development approval for the bridge lapsed on 25 October 2018 as construction did not substantially commence. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), land owners can lodge a new development application to extend the time in which construction must be substantially commenced. LandCorp seeks approval to extend the time to substantially commence development to 20 August 2021. They are in the final stages of appointing a contractor and it is intended to commence works shortly. While they intend to commence works shortly an extension to 20 August 2021 has been requested in case there are any unforeseen circumstances that delay the project. Under the Regulations the standard approval period for development applications is two years.

LandCorp has been engaging with the City and other State agencies since the development approval to obtain all other necessary approvals to commence development. The bridge design remains relatively unchanged from the original development approval, although some refinements have been made to the final construction drawings, incorporating feedback from engineers, the City and State agencies.

The development plans and original development approval are included as Attachments 2 and 3 respectively.

The bridge cannot be reasonably considered in conjunction with a listed land use in LPS3 and therefore requires determination by Council as it is considered an 'unlisted use'.

Joondalup Activity Centre Plan (JACP)

The subject site is located within the 'Joondalup West' precinct of the JACP. The masterplan for the Joondalup City Centre identifies the need for the bridge to facilitate access to Lot 9004. While there are no specific development controls applicable to the bridge, facilitating the future commercial development of Lot 9004 contributes to the broader objectives of the JACP of promoting employment self-sufficiency and its status as the CBD of the North-West corridor.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7)

As the subject site is located within a Bushfire Prone Area, regard is required to be given to the requirements of SPP3.7. As part of the original development application advice was sought from the Department of Planning, Lands and Heritage (DPLH) in relation to the application of the policy. This advice outlined that the requirements of the policy were not applicable given it would be considered 'unavoidable development' and that a bushfire management plan is not required as there are no bushfire protection criteria of SPP3.7 that would be relevant.

Despite the advice from DPLH, a bushfire attack level assessment was undertaken. This identified the site as being located in an area that has a bushfire attack level of 'Flame Zone'.

This risk is not able to be reduced as it is not feasible for vegetation within 17 metres of the bridge to be cleared and maintained in perpetuity.

The construction materials and construction methods of the bridge are considered to reduce any potential damage that could result from a bushfire. Further development and subdivision applications of Lot 9004 will need to be assessed having regard to the requirements of SPP3.7, which will be subject to greater requirements for bushfire attack level assessments and may include the requirement for a bushfire management plan. It is noted that facilitating the bridge development will provide an alternative access / egress point to this site, as well as any potential emergency exits that may be required to Hodges Drive. This will be subject to further assessment at the time these applications are received.

Issues and options considered

Council is required to determine whether the development is appropriate and meets the relevant requirements of LPS3 and the JACP. Council may determine the application for development approval by either:

- 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 Local Planning Scheme No. 3 (LPS3).
Planning and Development (Local Planning Schemes) Regulations
2015 (the Regulations).*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Buildings and landscaping is suitable for the immediate environment and reflective of community values.

Policy *State Planning Policy 3.7 – Planning in Bushfire Prone Areas.*

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

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

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

- (a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*

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

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

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7)

The subject site has been identified as being located within a bushfire prone area on the Map of Bushfire Prone Areas prepared by the Department of Fire and Emergency Services (DFES) and as such is subject to the provisions of SPP3.7. The intent of this policy is:

“...to implement effective risk-based land use planning and development to preserve life and reduce the impact the bushfire on property and infrastructure.”

Risk management considerations

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

Financial / budget implications

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

Regional significance

Not applicable.

Sustainability implications

The construction of the bridge will facilitate future development of a six hectare site, supporting the continued growth of the City Centre.

Consultation

As part of the original development application comments were sought from the following State agencies:

- Main Roads WA.
- Public Transport Authority.
- Western Power.
- Department of Transport.
- Department of Planning, Lands and Heritage.

The City received responses from Western Power and Main Roads WA. The responses received are summarised below:

- Western Power provided advice in relation to safety during the construction of the bridge as it is located adjacent to high voltage power lines.
- Main Roads WA provided support subject to conditions relating to the construction requirements and on-going maintenance.

Advice was also sought from the DPLH on the application of SPP3.7 to the development of the bridge.

Since the original development approval, LandCorp has liaised with these State agencies to further refine the design and seek the necessary approvals to commence development. Given this application seeks to only extend the time in which they can commence construction, further comments have not been sought as part of this application.

COMMENT

The bridge development is consistent with the JACP and will support the continued growth of the Joondalup City Centre.

It is recommended that the application be approved, subject to a modified condition to extend the time in which they can commence construction until 20 August 2021. All other conditions of the original development approval will remain applicable, including conditions for the bridge to be constructed to the City's satisfaction and for access to the bridge to be restricted until development of Lot 9004 has commenced.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council APPROVES under clause 77 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the application for development approval dated 11 July 2019 submitted by LandCorp, on behalf of the owners, LandCorp and Edith Cowan University, for modifications to the development approval for the proposed bridge (DA16/0578) at Lot 100 (Railway Reserve 299) Joondalup Drive, Joondalup, subject to the following conditions:

- 1 The approval period is limited to 20 August 2021 in accordance with clause 72 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Should development not substantially commence before this date, the approval shall lapse and be of no further effect;
- 2 All other conditions and advice notes of development approval DA16/0578 dated 25 October 2016 remain valid.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf190813.pdf](#)

**CJ098-08/19 ADDITIONAL LAND USE ‘COMMUNITY PURPOSE’
TO EXISTING EDUCATIONAL ESTABLISHMENT AT
LOT 803 (15) HOCKING PARADE, SORRENTO
(SACRED HEART COLLEGE) – SECTION 31
RECONSIDERATION UNDER STATE
ADMINISTRATIVE TRIBUNAL ACT 2004**

WARD	South-West	
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development	
FILE NUMBER	06044, 101515	
ATTACHMENTS	Attachment 1	Location plan
	Attachment 2	Development plan
	Attachment 3	Event management plan (as approved)
	Attachment 4	Event management plan (as revised)
AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.	

PURPOSE

For Council to reconsider an application for an additional land use ‘Community Purpose’ to the existing ‘Educational Establishment’ (Sacred Heart College) at Lot 803 (15) Hocking Parade, Sorrento following a directive from the State Administrative Tribunal.

EXECUTIVE SUMMARY

In May 2017 the City received the original application from Sacred Heart College seeking approval to make its performing arts building and ‘new’ gymnasium available for external hire.

Council refused this application at its meeting held on 18 September 2018 (CJ157-09/18 refers), following which the college sought a review of Council’s decision via the State Administrative Tribunal (SAT).

Through the SAT process the college prepared a modified, broader proposal to capture all facilities they intend to make available for external hire including the ‘old’ gymnasium, chapel and oval for external hire in addition to the performing arts building and ‘new’ gymnasium.

Council approved the modified proposal at its meeting held on 16 April 2019 (CJ037-04/19 refers) subject to a number of conditions, including the implementation of an Event Management Plan (EMP).

The college is concerned with a number of conditions imposed and, therefore the SAT process is continuing.

As a result of the ongoing SAT process the college has prepared a further modified proposal for consideration.

The modified proposal relates to changes to the EMP and includes the following:

- Increasing the maximum number of 'Event Participants' to better reflect the total number of people associated within an event (including audience members, performers and support staff).
- Adding an additional tier of 'Events' to the EMP and restricting the number of 'Tier 1 Events' that may take place per year to a maximum of six.
- Reducing the size of an 'Incidental Event' from 'up to 150 people' to 'up to 100 people'.
- Excluding 'Incidental Events' from the overall cap of events.
- Amending the finishing time for events held in the performing arts building (including pack up and vacating the building) from 9.30pm to 10.00pm. Events held on Sundays and Public Holidays are still proposed to finish at 5.00pm.
- Marginally amending the definition of 'Normal School Hours' from '8.00am to 4.30pm' to '7.30am to 4.00pm'.

The SAT has invited Council to reconsider its 16 April 2019 decision in view of the modified proposal.

Community consultation was undertaken on the latest proposal between 11 July 2019 and 25 July 2019. 394 submissions were received, being 331 submissions of support and 63 submissions opposing the modified proposal.

It is therefore recommended that Council approve the modified proposal, subject to conditions.

BACKGROUND

Suburb/Location	Lot 803 (15) Hocking Parade, Sorrento.
Applicant	Sacred Heart College.
Owner	Roman Catholic Archbishop of Western Australia.
Zoning	LPS Private Community Purposes.
	MRS Urban.
Site area	7.947 hectares.
Structure plan	Not applicable.

The subject site is zoned 'Private Community Purposes' under LPS3. Sacred Heart College is an existing secondary school, established in 1966.

The site is bound by West Coast Drive to the west with Sorrento Beach and associated car parking in close proximity. The Sorrento Sunset Estate development is located to the south and existing residential development is located to the north and east (Attachment 1 refers). The residential land surrounding the development site has a density code of R20 and R40.

The original application for the additional land use 'Place of Assembly' was refused by Council at its meeting held on 18 September 2018 (CJ157-09/18 refers). That application proposed to hire out the new gymnasium and performing arts building to non-college third parties outside of school hours. As part of their original approval, both buildings were subject to conditions of development approval which restricted their use to college or school community purposes only.

The original proposal was initially advertised to surrounding landowners for a period of 14 days from 3 July to 17 July 2017 where a total of 75 submissions were received, being 75 objections.

Following receipt of a revised EMP, the application was readvertised for a further 14 days to a wider catchment, from 3 August to 17 August 2018. A total of 114 submissions were received, being 94 objections and 20 non-objections.

In considering the application, Council provided a number of reasons for refusing the application, including that the proposal was not compatible with its setting due to the impact on adjoining residents resulting from traffic and noise; that it would have a negative impact on amenity, and the significant local opposition to the proposed development given the current operations of the facilities that have demonstrably already had significant negative impact on the locality and adjoining properties.

Following the refusal of the application by Council and the gazettal of LPS3, the college sought a review of the decision via the State Administrative Tribunal (SAT). Through this process, several changes to the proposal were made including modifying the land use from 'Place of Assembly' to 'Community Purpose' to align with LPS3, inclusion of additional facilities for the purposes of non-college hire and modifications to the EMP.

The modified proposal was advertised for a period of 14 days from 13 March to 27 March 2019. A total of 67 submissions were received being 57 objections and 10 non-objections.

Council approved the modified proposal at its meeting held on 16 April 2019 (CJ037-04/19 refers refers), subject to conditions. The college has concerns with some of the conditions imposed on the approval and as a result the SAT process is continuing. As part of this SAT process a further modified proposal has been submitted by the college which includes a number of revisions to the EMP.

The modified proposal was advertised for 14 days between 11 July and 25 July 2019. 394 submissions were received, being 331 submissions of support and 63 submissions objecting to the modified proposal.

The SAT has invited Council to reconsider its 16 April 2019 decision in light of the modifications undertaken by the college.

DETAILS

Council approved the use of a number of the College's facilities for use by third parties at its meeting held on 16 April 2019, subject to a number of conditions, including the requirement to modify and then implement an Event Management Plan (EMP) (CJ037-04/19 refers).

The EMP set outs critical details about the management of events at the college including:

- the facilities that are available for external hire
- the total number of events that can be held per annum
- the different scales of events
- hours of operation
- traffic and parking management
- contact details for event.

A condition of approval was also imposed which limits the approval to 12 months. This means that within the 12 month period the college will need to make a fresh application to the City if it wishes to continue hiring its facilities to third parties. The college is currently able and will continue to be able to host events associated with school activities.

The college has concerns with some of the conditions imposed on the approval and through the SAT process has prepared a further modified proposal which seeks to revise the 'as approved' EMP.

A comparison of the 'as approved' and the 'as proposed' EMP is provided in Table 1 below.

Table 1: Event Management Plan – comparison of 'as approved' and 'as proposed'

Item	Event Management Plan	
	As approved	As proposed
Event participants (maximum)	556	800
Event tiers	Tier 1 (350 or more) Tier 2 (150 - 349) Incidental (< 150)	Tier 1 (700 or more) Tier 2 (350 – 699) Tier 3 (100 – 349) Incidental (< 100)
Maximum number of events per tier	Tier 1 (30) Tier 2 (20) Incidental (54) Total (104)	Tier 1 (6) Tier 2 (30) Tier 3 (68) Total (104)
Types of events included in overall event cap	Incidental events included in overall event cap	Incidental events excluded from overall event cap
Finishing times (performing arts building)	9.30pm (Excluding Sundays and public holidays)	10.00pm (Excluding Sundays and public holidays)
Normal school hours	8.00am – 4.00pm	7.30am – 4.00pm

The changes are discussed in further detail below.

Event Participants

The 'as approved' EMP includes a maximum number of people that can attend the site for events. The EMP refers to people associated with an event as 'Event Participants' which includes audience members, performers and support staff.

In its earlier version of the EMP the college included a maximum number of audience members associated with an event.

The reference to 'audience members' was updated with 'event participants' as part of the decision to approve the development, however the maximum number of people did not change to reflect the shift from audience members only to audience members, performers and support staff.

The college has advised that the figures in the 'as approved' EMP are insufficient to cover the number of audience members, performers and other staff that are expected / required for certain events.

The modified EMP has been updated with a maximum number of event participants that, in the college's view, is more reflective of the total number of people that would be attracted to the site as part of an event. In doing so, the maximum number of event participants has increased from 556 people to 800 people for the performing arts building.

The performing arts building is licensed to hold in excess of 800 people and therefore the increase in event participants is not an issue in this regard, however consideration is required in relation to the impacts the increase will have from a traffic and parking perspective.

Traffic

The college has undertaken further traffic analysis to consider the additional impact the increase in event participants will have on the surrounding road network (Appendix 3 of Attachment 4 refers).

The analysis concludes that there is capacity within the surrounding road network, even when assuming a 'worst case scenario' being a maximum capacity event (800 event participants) commencing or concluding at or around the peak hours of road use.

The City has reviewed the analysis undertaken and concurs with the findings and as such the potential impact on the surrounding network is considered acceptable.

Parking

A maximum capacity event (up to 800 event participants) would require 400 car parking bays, based on a parking ratio of one bay per two event participants.

A number of car parking areas are distributed across the site, however not all are considered appropriate for use during events given their proximity to adjoining residential properties. When these inappropriate parking areas are excluded, there are 89 car parking bays available on site for use.

The school oval can also be used for overflow parking and has the capacity to accommodate up to 400 vehicles, resulting in a total of 489 bays available for event parking.

The college is therefore able to accommodate the number of vehicles likely to be attracted to the site even for a maximum capacity event.

In view of the above, the increase in the maximum number of event participants is supported as it is demonstrated that the performing arts building can accommodate this number of people, the site provides sufficient parking and the surrounding road network has capacity to accommodate the additional traffic that will be generated. It is however noted that events of this scale should be limited so as to minimise the impact on surrounding residents. As such, a cap should be introduced specifically for these types of events.

Event Tiers

The 'as approved' EMP includes three tiers of events ('Tier 1', 'Tier 2' and 'Incidental') based on the number of event participants. The EMP also includes a cap on each tier of event resulting in an annual overall cap of all events of 104 (being an average of two events per week).

The college has advised that it recognises potential concern in regard to the significant number of people that may attend larger events and notes that events involving the maximum permissible number of event participants will be limited to six occasions per year.

In order to address this concern, the college proposes to introduce a fourth tier and has modified the number of event participants associated with each event tier to suit.

Tier 1 (700 or more event participants), being the largest type of event, will only be able to occur up to six times per year, with the majority of events falling within the Tier 2 (350 – 699 event participants) (up to 30 events per year) and Tier 3 (100 to 349 event participants) (up to 68 events per year) categories.

Travel Management for event tiers

A condition of the approval granted by Council at its meeting held on 16 April 2019 (CJ037-04/19 refers) requires the preparation and implementation of a Travel Management Plan (TMP) for Tier 1 and Tier 2 events.

This is applicable to events of 150 event participants or more and is generally linked to the size of event that needs to use the oval for parking.

In changing the number of event participants by introducing an additional tier the condition is no longer suitable as overflow parking – and therefore travel management – will be needed for some, but not all, Tier 3 events. It is therefore recommended this condition of the current approval be updated accordingly to still require a TMP for all events of 150 event participants or more.

Incidental Events

The total number of events that can be held per year remains unchanged at 104, however the modified EMP now seeks to exclude 'Incidental Events' from this cap.

The college has advised that as the number of permissible incidental events also encapsulates college events, the limitation imposed would restrict the college's ability to function as a school by restricting the amount of standard / everyday school events that it may hold.

In seeking to exclude incidental events from the overall event cap, the college has reduced the scale of what is considered an incidental event from less than 150 event participants to less than 100 event participants.

The college has advised that the limit of 99 event participants is generally too restrictive for most non-college events and as such the event tier will mostly apply to low amenity impact college events.

A number of submissions suggested that the size of what constitutes an incidental event should be further reduced to 30 or 50, particularly if incidental events are to be excluded from an overall cap on the total number of events.

It is open to Council to modify the definition of 'Incidental Event' to reduce its scale, however, the City is of the view that at the scale and suggested proposed by the college, coupled with the other restrictions required to manage impact on surrounding residents such as restricting access and parking locations, events of this size, if held indoors, are not likely to have a significant impact on the amenity of surrounding residents.

It is however noted that even events at this scale, if held outdoors, may have an impact on surrounding residents. It is therefore recommended that any non-college event held on the school oval be excluded from the definition of 'Incidental Event' and be classified as a Tier 3 event, regardless of the number of event participants associated with it.

In doing so, although these types of events can still occur, they will be counted under the overall cap of events that can be held for the year which in turn will likely mean their frequency will be less than if they were considered an incidental event (and therefore counted toward the overall cap).

Finish Times

The 'as approved' EMP requires events in the performing arts building to finish no later than 9.30pm and events in the new and old gymnasiums and the chapel to finish no later than 8.00pm. On Sundays and public holidays, all events are required to finish by 5.00pm.

The finish time for an event is the time by which the applicable facility must be vacated by all event participants. This means the event itself as well as all cleaning and packing up associated with the event must conclude by the finish time.

The college proposes to amend the finish time for events held in performing arts building from 9.30pm to 10.00pm. Finish times on Sundays and public holidays and for all other facilities remain unchanged.

The college has advised that the later finish time is required as it encompasses pack down and vacation of the building. The college further advises that a required finishing time of 9.30pm (that is as approved) would place undue pressure on events to finish early and would limit the ability to host events that will attract community attendance.

The revised finish times are considered acceptable as they apply to all activities associated with the event. It is anticipated that the event itself, and therefore the majority of people leaving the site, will take place in advance of this finish time to then allow for cleaning and packing up still within the finish time.

Definition of Normal School Hours

The 'as approved' EMP includes a definition of 'Normal School Hours' as being between 8.00am and 4.00pm, Monday to Friday during the academic terms of the college.

The modified EMP seeks to amend the definition from 8.00am to 7.30am.

The amendment to the definition of 'Normal School Hours' is a minor change that reflects a more accurate representation of standard school hours for schools in general and allows for before school activities to occur.

In relation to non-college events, the amended definition is more restrictive in that non-college events can only take place outside of normal school hours. By extending the duration of normal school hours, there are subsequently less hours available to use the facilities for non-college events.

The amendment to the definition of 'Normal School Hours' is acceptable.

Temporary approval

The approval granted by Council at its meeting held on 16 April 2019 limits the approval for a period of only 12 months. Within this 12 month period, in wanting to continue, the college will need to submit a fresh planning application, the assessment of which would include, among other things, public consultation and a review of the EMP.

The college has not requested that this condition be reviewed or deleted as part of their latest modified proposal and will therefore remain in place.

The 12 month timeframe will allow the college time to establish a track record and demonstrate that events can be appropriately managed under the EMP. It will also mean that there will be an opportunity to review the EMP to ensure it is operating optimally.

Although not initially recommended by the City, in view of the modifications proposed by the college as part of their latest EMP, it is considered appropriate to retain this condition as part of the approval.

Issues and options considered

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 Local Planning Scheme No. 3 (LPS3).
Planning and Development (Local Planning Schemes) Regulations
2015 (the Regulations).*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

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

Policy *Private Community Purposes Zone Policy.*

City of Joondalup Local Planning Scheme No. 3 (LPS3)

Clause 16 (2) of LPS3 sets out the objectives for development within the 'Private Community Purpose' zone:

- *To provide sites for privately owned and operated recreation, institutions and places of worship.*
- *To provide for a range of privately owned community facilities and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.*

- *To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.*

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

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

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

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or. any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) any policy of the Commission;*
- (f) any policy of the State;*
- (g) any local planning policy for the Scheme area;*
- (h) any structure plan, activity centre plan or local development plan that relates to the development;*
- (i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (k) the built heritage conservation of any place that is of cultural significance;*
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*

- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of —*
 - (i) *the proposed means of access to and egress from the site; and*
 - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *the availability and adequacy for the development of the following —*
 - (i) *public transport services;*
 - (ii) *public utility services;*
 - (iii) *storage, management and collection of waste;*
 - (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
 - (v) *access by older people and people with disability;*
- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*
- (w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate.*

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 applicant is not satisfied with the decision they may request that the matter be determined by SAT through a formal hearing. In this case, any 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* and the Regulations.

Financial / budget implications

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

The City has engaged the services of a legal representative 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 will need to make a determination via a formal hearing process. The cost for a hearing where the City requires legal representation could cost the City approximately \$30,000. This is in addition to the \$44,190 that has already been incurred to date. Depending on the issues that are the subject of the hearing, the City may also need to engage specialists (planning and traffic consultants) which will result in further costs.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

As the development is for a change of use only, that involves no external additions, the City's Environmentally Sustainable Design Checklist was not required to be completed by the applicant.

As noted in previous reports on this application, there are advantages to having the college facilities available for use by other community groups or organisations rather than having these facilities underutilised or duplicated elsewhere.

Consultation

The application has been advertised a number of times since it was lodged.

The college's latest proposal was advertised between 11 July and 25 July 2019. The City wrote to everyone who was previously consulted on the application and made a submission. Details of the modified proposal were also placed on the City's website.

394 submissions were received, being 331 submissions supporting and 63 submissions opposing the modified proposal.

Support for the modified proposal

The majority of submissions supporting the proposal were lodged in the form of a number of different pro-forma letters.

The matters raised in the submissions supporting the proposal include the following:

- the proposal provides convenient and well-resourced facilities for community events
- the revised proposal enables greater opportunity for use of the facilities by community groups
- it is an efficient use of infrastructure
- it provides economic and social benefits to local sporting and arts organisations
- it may result in deferred costs and reduced school fees.

Opposition to the modified proposal

The majority of submissions opposing the proposal were individual submissions, however a number were lodged as a pro-forma letter where the content was the same.

The majority of concerns raised during the consultation reflect those outlined during previous consultations on the application, including:

- the use of the school for non-school related purposes
- traffic and parking impacts
- noise impacts
- the availability of nearby facilities
- anti-social behaviour
- the track record of the school in managing events to date.

A number of submissions objecting to the proposed modifications were accepting of the current conditions of approval and limitations in relation to the size of events, number of events and finishing times.

The City's response to the concerns raised are summarised below:

The use of the school for non-school related purposes

At its meeting held on 16 April 2019 (CJ037-04/19 refers), Council approved the additional 'Community Purpose' use of the site, subject to conditions.

Allowing the hire of these facilities to community groups is considered to be in keeping with the zoning of the land under LPS3 and provides for additional facilities that are not ordinarily available to the community.

The use is considered acceptable subject to it being managed appropriately.

Traffic and parking impacts

The modified proposal increases the maximum number of event participants that could be attracted to the site for an event, which will also generate additional traffic and parking impacts.

As outlined earlier in the report, the college has undertaken additional traffic analysis based on this increase which demonstrates the surrounding roads have capacity to accommodate the increase, even under a 'worst case scenario'.

There is also sufficient on-site parking available to accommodate events, even when the maximum number of event participants might attend the site for an event.

Based on the above, the increased traffic and parking impacts that will be generated by the increase in number of event participants is considered acceptable.

Noise impacts

The City acknowledges that there will be short periods of noise when cars arrive and leave events. The applicant is required to comply with the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations), and it is unlikely that cars leaving events will exceed the levels prescribed under the Noise Regulations, particularly given the exclusion of the parking areas closest to adjoining residential properties.

The college is also required to undertake acoustic studies and implement recommended modifications to the new and old gymnasium and the chapel so that events being held in these facilities also meet the requirements of the Noise Regulations.

Availability of nearby facilities

Seacrest Park was highlighted as a nearby facility that could cater for external hirers seeking to use the college's facilities.

Seacrest Park provides facilities for sporting groups, however it does not provide a theatre or indoor sports facility. In addition, Seacrest Park does not allow for casual hire after 6.00pm. The City does not currently have any facilities available to hire comparable to the performing arts building at the subject site.

Antisocial behaviour

An earlier version of the EMP was updated to restrict the provision of alcohol to college events only. This same restriction is included in the modified EMP.

The EMP also requires the college to consider security in relation to asset protection, crowd management and public safety associated with a non-college event and determine the appropriateness of the event prior to allowing the event to take place.

The EMP also requires the college to have an employee contactable on a dedicated mobile phone during an event to act and respond to any issues associated with an event in 'real time'.

It is considered that the management strategies included in the EMP will minimise anti-social behaviour, particularly in relation to non-college events.

The track record of the school in managing events to date

Events held previously at the school have not been bound by the details of the proposed EMP, however will be under this approval.

If the college breaches a condition of the planning approval or detail of the EMP the City is able to initiate compliance action.

It is also noted that the current approval includes a condition which limits the approval 12 months.

Within this 12 month period, in wanting to continue, the college will need to submit a fresh planning application, the assessment of which would include, among other things, public consultation and a review of the Event Management Plan.

The 12 month timeframe will allow the college time to establish a track record and demonstrate that events can be appropriately managed under the EMP. It will also mean that there will be an opportunity to review the EMP to ensure it is operating optimally.

Existing approval requirements should be upheld

A number of submissions, although outlining concern for the modifications to the proposal, were accepting of the current approval and were of the view that its requirements should be upheld.

The majority of conditions and requirements of the existing approval will remain in place, however it is noted that some key aspects are proposed to change as outlined earlier in the report.

It is considered that the majority of changes proposed have merit and where appropriate, have been supported by additional information or technical analysis.

As outlined above, it is also noted that the approval will be granted for a period of only 12 months, following which a fresh application will need to be lodged during which there will be an opportunity to review and refine the EMP if needed.

COMMENT

At its meeting held on 16 April 2019 (CJ037-04/19 refers), Council approved the 'Community Purpose' land use subject to a number of conditions which require modifications to the EMP.

The college has prepared a modified EMP which seeks to modify a number of elements of the 'as approved' EMP which effectively provides greater scope and flexibility for the college to host non-college events in some of its facilities.

In view of the information outlined above, it is considered that the modified EMP is acceptable, with some amendments, and is therefore recommended for approval.

It is also recommended that the condition limiting the timeframe for approval to 12 months is retained. Within this 12 month period, in wanting to continue, the College will need to submit a fresh planning application, the assessment of which would include, among other things, public consultation and a review of the EMP.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 APPROVES under clause 68(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the application for development approval, dated 16 May 2017 submitted by Sacred Heart College, for a Community Purpose to the existing Educational Establishment at Lot 803 (15) Hocking Parade, Sorrento, subject to the following conditions:**
 - 1.1 This approval is for the use of Sacred Heart College's performing arts theatre, new and old gymnasium buildings, chapel and oval (Facilities), as shown on Attachment 2 to Report CJ098-08/19, for 'Community Purpose' events by organisations involved in activities for community benefit. 'Community Purpose' has the same meaning as provided in the City's *Local Planning Scheme No. 3*;**

- 1.2 The owner must ensure that the use of the Facilities for community purpose events is undertaken in accordance with the Event Management Plan (as revised) which is Attachment 4 to Report CJ098-08/19, subject to the following modifications:
 - 1.2.1 The definition of 'Incidental Event' is to read 'means an Event where the number of Event Participants at the College in relation to the Event will be less than 100 and excludes any Event that occurs on the oval (excluding for the purposes of vehicle parking);
 - 1.2.2 The definition of 'Tier 3 Event' is to read 'means an event where the number of Event Participants for the Event is between 100 and 349 and includes any Event that occurs on the oval (excluding for the purposes of vehicle parking);
- 1.3 If in any respect the Event Management Plan is inconsistent with a condition of this approval, the condition of this approval shall prevail;
- 1.4 The external hire of the oval for events (excluding for the purposes of vehicle parking), shall be limited to a maximum number of 178 persons;
- 1.5 The external hire of the oval for vehicle parking by non-college community groups shall be limited to a maximum of 400 vehicles;
- 1.6 Delivery and collection of equipment associated with non-college events shall be within the hours outlined in Tables 2 – 7 of the Event Management Plan;
- 1.7 A Travel Management Plan shall be submitted to and approved by the City prior to the first of any non-college Tier 1, Tier 2 or Tier 3 event (that attracts 150 or more Event Participants) being held at the subject site. Once approved by the City, the Travel Management Plan shall be implemented for all subsequent non-college Tier 1, Tier 2 or Tier 3 event that attracts 150 or more Event Participants;
- 1.8 Before undertaking any community purpose events in the new or old gymnasium buildings or the chapel, the owner must obtain and submit to the City an acoustic report prepared by an acoustic engineer demonstrating that the noise emissions for community purpose events in these facilities will comply with the provisions of the *Environment Protection (Noise) Regulations 1997*. The acoustic report must identify and the owner must implement any measures which are necessary to ensure the noise emissions are compliant with the provisions of Regulations;
- 1.9 Gates and associated fencing shall be installed to the carpark located at the northern boundary of the college's site and accessible from Bahama Close and shall be closed for the duration of community events. Such gates shall ensure that both pedestrians and vehicles are unable to access the site from Bahama Close;

1.10 This approval is limited to 12 months from the date of this decision in accordance with clause 72 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;

2 ADVISES the State Administrative Tribunal of its decision.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf190813.pdf](#)

Disclosures of Financial Interest

Name/Position	Cr John Chester.
Item No./Subject	CJ099-08/19 - Draft Interim Planning Framework for Infill Development.
Nature of interest	Financial Interest.
Extent of Interest	Cr Chester owns residential property in Place Neighbourhood 1 and 7 and his son and daughter own residential property in Place Neighbourhoods 1, 4 and 5.

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	CJ099-08/19 - Draft Interim Planning Framework for Infill Development.
Nature of interest	Financial Interest.
Extent of Interest	Cr Fishwick is a joint owner of a property in Housing Opportunity Area No. 1.

Disclosures of interest affecting impartiality

Name/Position	Mayor Hon. Albert Jacob, JP.
Item No./Subject	CJ099-08/19 - Draft Interim Planning Framework for Infill Development.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Jacob has a relative that owns a property in Housing Opportunity Area No. 10.

Name/Position	Cr John Logan.
Item No./Subject	CJ099-08/19 - Draft Interim Planning Framework for Infill Development.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan's stepdaughter owns property and lives in a Housing Opportunity Area.

CJ099-08/19 DRAFT INTERIM PLANNING FRAMEWORK FOR INFILL DEVELOPMENT

WARD	All	
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development	
FILE NUMBER	107575, 10515	
ATTACHMENTS	Attachment 1	Draft <i>Development in Housing Opportunity Areas</i> Local Planning Policy (Option1)
	Attachment 2	Draft Scheme Amendment No. 5 (Option 1)
	Attachment 3	Draft <i>Development in Housing Opportunity Areas</i> Local Planning Policy (Option 2)
	Attachment 4	Draft Scheme Amendment No. 5 (Option 2)

Attachment 5	Draft <i>Residential Development</i> Local Planning Policy (as revised)
Attachment 6	Dwelling descriptions and examples

AUTHORITY / DISCRETION

Executive – The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to:

- consider a draft interim planning framework for infill development in the City of Joondalup
- note that the draft interim planning framework for infill development comprises a draft local planning policy and draft scheme amendment
- endorse the *Development in Housing Opportunity Areas Local Planning Policy* for the purposes of public advertising
- endorse Scheme Amendment No. 5 to *Local Planning Scheme No. 3* for the purposes of public advertising
- endorse the revised *Residential Development Local Planning Policy* for the purposes of public advertising.

EXECUTIVE SUMMARY

At its meeting held on 21 November 2017 (CJ177-11/17 refers), Council agreed to the preparation of a new planning framework for the City's Housing Opportunity Areas.

This is a complex body of work and in mid 2018 an expert external consultant team was engaged to review the existing planning framework and develop a comprehensive new planning framework for infill development in the City of Joondalup.

This draft new planning framework comprises both a draft local planning policy and scheme amendment and was presented to the Council meeting held on 16 April 2019 (C22-04/19 refers) to seek Council's approval to advertise the documents for public consultation.

However, some residents expressed concern about the draft new planning framework and the prescribed, statutory process that needs to be followed for advertisement of the draft scheme amendment. The residents requested to have input into the comprehensive new planning framework prepared by the consultants, before the Council initiates the prescribed, statutory consultation process.

At its meeting held on 16 April 2019 (C22-04/19 refers), Council deferred the item to enable discussion with the Minister for Planning on the matter.

Additional consultation with the community ahead of initiating the prescribed, statutory consultation process for the comprehensive new planning framework will add extra time to the process. Therefore, although some residents have requested this additional consultation occurs, they are also concerned about the development that may occur in their neighbourhoods in the meantime.

The residents therefore also requested development of a different, simpler framework to assist, in the interim, in managing the impacts of infill development, while work continues on the more comprehensive framework prepared by the consultants.

The matter was brought back before Council at its meeting held on 21 May 2019 (CJ31-05/19 refers). In response to the residents' requests, Council decided not to progress with formal consultation on the comprehensive new planning framework prepared by the consultants at that time.

Instead, Council referred the matter back to enable *Section Three – General Development Controls* of the planning policy prepared by the consultants to be converted to a different, interim local planning policy and scheme amendment for Council's consideration (C31-05/19 refers).

A draft interim planning framework has been prepared, consistent with *Section Three – General Development Controls* of the planning policy prepared by the consultants to align with Council's resolution. To enable these provisions to stand alone (outside the comprehensive planning framework for infill development prepared by the consultants) some minor modifications have been undertaken to Section Three simply to correct terminology and provide greater certainty around some provisions.

A second option has also been prepared, which is still considered to maintain the intent of the Council resolution, however has structured the draft interim planning framework to provide greater clarity and useability and in such a way that the framework's relationship with other planning instruments is better understood. The provisions of this second option still reflect those of Section Three to remain consistent with Council's resolution.

Although not entirely consistent with Council's resolution at its meeting held on 21 May 2019, it is also open to Council to consider making changing to the development standards themselves, as considered appropriate. Potential changes have been considered by the City and are detailed in the report for Council's consideration.

BACKGROUND

The City commenced preparation of its *Local Housing Strategy* (LHS) in 2010. The final version of the LHS was endorsed by Council at its meeting held on 16 April 2013 (CJ044-04/13 refers) and approved by the Western Australian Planning Commission (WAPC) in November 2013.

The LHS identifies 10 areas within the City of Joondalup, outside the Joondalup City Centre, most suitable for higher density development. These areas are known as Housing Opportunity Areas (HOAs).

The LHS came into effect in early 2016. Since then, residents in HOAs have been able to redevelop their properties in line with the higher densities allocated to these areas.

As development within the HOAs commenced, some members of the community raised concerns with the impact that infill development was having in these areas.

At its meeting held on 21 November 2017 (CJ177-11/17 refers), Council resolved to prepare a design-led local planning policy for multiple dwellings (apartments) in the HOAs and a scheme amendment to better control the impact of multiple dwellings on existing residents and streetscapes.

This is a complex body of work and in mid 2018 an expert external consultant team was engaged to review the existing planning framework and develop a comprehensive new planning framework for infill development in the City of Joondalup.

As part of this work, throughout the latter half of 2018 and the beginning of 2019, a team of expert consultants undertook extensive community engagement, as follows:

- A dedicated HOA telephone line and email address were created.
- A dedicated HOA project webpage was created, which includes all relevant information for the project, including a detailed set of Frequently Asked Questions.
- A social media campaign was rolled out to generate interest in the project.
- Letters and flyers were sent to every ratepayer and resident in the City of Joondalup (circa 66,000 letters). These letters introduced the project, outlined the different participation opportunities, invited people to participate in an online survey and sought expressions of interest to be part of extended consultation and engagement.
- An online survey was conducted between 24 September 2018 and 29 October 2018 (residents also had opportunities to fill in hard copies). A total of 1,505 valid surveys was received (response rate of around 2.2%).
- Letters were sent to numerous stakeholders (including local Members of Parliament, State Government stakeholders and all the resident and ratepayer associations). Seventeen one-on-one meetings were held with 35 interviewees between 25 September 2018 and 25 October 2018.
- Five Listening Posts were held between 17 September 2018 and 24 September 2018 at various times and locations throughout the City to ensure ease of access for the community. A total of 380 participants registered their attendance at the Listening Posts.
- An industry forum was held on 9 October 2018 with 20 key industry stakeholders including property developers and builders.
- Five Community Design Workshops were held between 19 November 2018 and 5 December 2018 at different times and locations throughout the City to ensure ease of access for the community.

A total of 193 people participated in the workshops. Presentations were made by members of the consultant team and workshop participants were involved in an interactive three-dimensional (3D) modelling activity. Following completion of the activity, further feedback was sought from participants in relation to a range of alternative housing typologies (typologies being a reference to different types of housing designs) that are possible at different densities.

Workshop participants also provided feedback on ideas for design and planning controls.

Following conclusion of this first round of community engagement, the consultant team combined all the outcomes of these processes into a Consultation Report. This report was received by the City on 26 February 2019 and was uploaded onto the HOA webpage on 8 March 2019. On the same day letters/emails were sent to the following, advising the consultant's report was available:

- Local Members of Parliament.
- Everyone who attended a Listening Post session and/or Community Design Workshop and who provided an email address
- Everyone who registered for updates
- People who made direct contact with the City regarding the project
- Members of the City's Community Engagement Network.

The full Consultation Report and Executive Summary can be found on the HOA webpage at <https://www.joondalup.wa.gov.au/kb/resident/hoa>.

The consultation outcomes were then analysed by the consultants and formed a key input in their preparation of the comprehensive new planning framework for infill development. The comprehensive new planning framework for infill development comprises a draft amendment (Scheme Amendment No. 3) to the City's *Local Planning Scheme No. 3* (LPS3) and a draft new local planning policy (*Joondalup Place Neighbourhoods Local Planning Policy*) for the City's HOAs.

At its meeting held on 16 April 2019 Council considered the comprehensive new planning framework for infill development, for the purposes of initiating the scheme amendment and adopting the local planning policy, for community consultation.

However, some residents expressed concern about the comprehensive new planning framework prepared by the consultants. They were also concerned about the prescribed, statutory process that needs to be followed for advertisement of the draft scheme amendment, which sets the wheels in motion for consideration of the amendment by the State Government. The residents requested to have input into the comprehensive new planning framework prepared by the consultants, before the Council initiates any prescribed, statutory consultation process.

In response to the residents' concerns, Council resolved to defer the item to the Council meeting held on 21 May 2019 (C24-04/19 refers) to enable discussion with the Minister for Planning on the matter.

Additional consultation with the community ahead of initiating the prescribed, statutory consultation process for the comprehensive new planning framework prepared by the consultants will add extra time to the process. Therefore, although some residents have requested this additional consultation occurs, they are also concerned about the development that may occur in their neighbourhoods in the meantime.

The residents therefore also requested development of a different, simpler framework to assist, in the interim, in managing the impacts of infill development, while work continues on the more comprehensive framework prepared by the consultants.

At its meeting held on 21 May 2019 (C31-05/19 refers), Council again considered the comprehensive new planning framework for infill development and resolved:

"That Item CJ052-05/19 – Draft New Planning Framework for Infill Development, BE REFERRED BACK to the Chief Executive Officer to allow:

- 1 *relevant provisions of Section Three: General Development Provisions of the draft Joondalup Place Neighbourhoods Local Planning Policy to be extracted and compiled to form a separate, new local planning policy and scheme amendment for Council's consideration at an upcoming Council meeting;*

- 2 *the City to engage and consult with the community on the draft Joondalup Place Neighbourhoods Local Planning Policy and Scheme Amendment No. 3 to the City of Joondalup Local Planning Scheme No. 3, ahead of any formal initiation of Scheme Amendment No. 3.”*

The purpose of this report is to respond to item 1 of Council’s resolution and present the draft *Development in Housing Opportunity Areas Local Planning Policy* and draft Scheme Amendment No. 5 to Council for consideration to progress to advertising (collectively referred to as the draft interim planning framework).

Different options for the draft interim planning framework are provided for Council’s consideration.

DETAILS

State Planning Policy No. 7.3 - (Residential Design Codes Volumes 1 and 2)

The Residential Design Codes (R-Codes) is the overarching suite of development standards, developed by the State Government, to guide residential development in Western Australia.

Volume 1 of the R-Codes provides development standards for single houses and grouped dwellings.

A “single house” is a dwelling on its own lot where there is no common or shared property. A “grouped dwelling” is a group of two or more dwellings on the same lot which has an area of common or shared property. Grouped dwellings are also commonly known as townhouses or villas. Examples of these types of dwellings are shown in Attachment 6.

Volume 2 of the R-Codes provides development standards for multiple dwellings.

Multiple dwellings are a group of two or more dwellings, where part of one dwelling is located vertically above another. Multiple dwellings are commonly known as apartments or flats. Examples of multiple dwellings are shown in Attachment 6.

Prior to its gazettal on 24 May 2019, Volume 2 of the R-Codes was also commonly referred to as Design WA or the Apartment Design Codes.

The R-Codes allow for local governments to prepare local planning policies that modify certain standards set out in the R-Codes. The approval of the Western Australian Planning Commission (WAPC) is required to modify some of the R-Code standards. In other instances, local government is able to modify R-Code standards without the need for WAPC approval.

The R-Code standards remain in place for any provisions not modified by a local planning policy and, as such, the two documents (the R-Codes and any local planning policy) need to be read in conjunction with one another.

City of Joondalup Residential Development Local Planning Policy

At its meeting held on 15 December 2015 (CJ228-12/15 refers), Council approved the City’s *Residential Development Local Planning Policy* (RDLPP).

The RDLPP applies to all residential development in the City of Joondalup and includes specific provisions that apply to development in HOAs.

In preparing a new local planning policy for infill development there is a need to also consider the impact on and what changes may be required to the City's existing RDLPP.

A review has been undertaken of the RDLPP with a draft revised version at Attachment 5.

The revisions do not seek to amend or introduce new policy standards and simply seek to remove standards and references within the RDLPP that apply to development in HOAs that would now potentially be covered by the draft *Development in Housing Opportunity Areas Local Planning Policy*.

The revised RDLPP will continue to apply to all residential development outside the HOAs or land operating at the lower (R20) density code within a HOA, until revoked or replaced with a different policy. It has been the City's intention for some time now to do a comprehensive review of this policy, once a new planning framework for infill development is finalised.

Draft Joondalup Place Neighbourhoods Local Planning Policy

The draft *Joondalup Place Neighbourhoods Local Planning Policy* is a component of the comprehensive new planning framework for infill development prepared by the expert consultant team and is intrinsically linked to draft Scheme Amendment No. 3, also prepared by the consultant team.

The draft *Joondalup Place Neighbourhoods Local Planning Policy* comprises four sections being:

- 1 Introduction
- 2 Place Neighbourhoods Design Vision
- 3 General Development Controls**
- 4 Housing Typology Controls.

Section Three – General Development Controls includes a range of development standards that respond directly to community priorities identified through the community engagement undertaken by the consultant team late last year. These development standards aim to provide greater control and improved outcomes for infill development in the City's infill areas.

Council's decision at its meeting held on 21 May 2019 requires the conversion of *Section Three – General Development Controls* into an interim local planning policy and scheme amendment.

Draft Interim Planning Framework for Infill Development

In accordance with Council's resolution, the draft interim planning framework comprises both a local planning policy and a scheme amendment.

There are some challenges in preparing a local planning policy and scheme amendment exactly as per the wording of *Section Three*, in isolation of the comprehensive planning framework for infill development prepared by the consultants.

For example, *Section Three* includes terms such as 'Place Neighbourhoods' and 'Place Types' which, in the absence of the comprehensive framework prepared by the consultants, have no context. The comprehensive framework also recommends that the dual density coding, which currently exists, be replaced with a single density code.

Council's resolution to convert *Section Three – General Development Controls* to a different, interim local planning policy and scheme amendment will, therefore, require some of the wording of Section Three to be amended to allow it to stand alone, outside of the more comprehensive planning framework prepared by the consultant team.

In addition, there are also opportunities to refine some of its content and structure to optimise its operation.

For example, there are instances where the phrasing within Section Three is subjective and would make certain provisions difficult to assess and enforce. Terms like 'should', 'generally', 'encouraged' and 'where practical' do not provide sufficient clarity to operate as an effective development standard. It is more appropriate that the standard refers to 'shall' or 'must' in place of 'should' in order to ensure clarity that the standard is a requirement rather than an option.

There are also instances where development standards are not supported by objectives. In instances where a proposal does not meet the development standard, in the absence of an objective, it would be difficult to gauge whether the proposal still achieves the intended outcome, even if it does not meet the specific development standard.

There are also practical challenges that arise in progressing Section Three in isolation of the more comprehensive planning framework for infill development, prepared by the consultants. The interplay and relationship with other planning frameworks, such as the R-Codes Volumes 1 and 2 and the City's *Residential Development Local Planning Policy* is not defined and lacks clarity, which could create confusion and frustration for designers, assessors, decision-makers and the community.

As such, two options for a draft interim planning framework have been prepared for Council's consideration.

Option 1 is a draft interim planning framework that is almost entirely consistent with Section Three, with the only exceptions being modifications to terminology. Attachment 1 (draft local planning policy) and Attachment 2 (draft scheme amendment) collectively make up Option 1.

Option Two is a draft interim planning framework that still retains the objectives and acceptable outcomes of Section Three but is structured to provide greater clarity and useability and in such a way that the framework's relationship with other planning instruments is better understood. Attachment 3 (draft local planning policy) and Attachment 4 (draft scheme amendment) collectively make up Option 2.

Both options are discussed in further detail below.

Option 1

Option 1 consists of a draft local planning policy and a draft scheme amendment, the wording of which is almost entirely consistent with the wording of Section Three.

Refinements have been undertaken to remove reference to terms such as 'Place Neighbourhoods' and 'Place Types' as these terms have no context in the absence of the comprehensive planning framework for infill development, prepared by the consultants. Given implementing only Section Three will not change the density of any properties in the HOAs, references to a single density code have also been replaced with the relevant (existing) dual density code.

In addition, where appropriate, when acceptable outcomes include subjective terms such as 'should', 'where practical' and 'encouraged', more definitive terms have been included to provide greater certainty in the acceptable outcome and to make the provision more enforceable.

The structure and sequencing of provisions in this option is as per Section Three, and all content, including 'Purpose', 'Intent', 'Objective' and 'Acceptable Outcome' from Section Three is included.

The draft scheme amendment translates the acceptable outcomes of the policy into a form that can be included in LPS3. It also amends the existing provision of LPS3 that relates to minimum lot frontage requirements as the interim framework will allow for narrower frontages in select instances (as per Section Three) than currently allowed under LPS3.

Option 2

Option 2 consists of a draft local planning policy and a draft scheme amendment and includes all 'Objectives' and 'Acceptable Outcomes' of Section Three.

Like Option 1, refinements have been undertaken to remove reference to terms such as 'Place Neighbourhoods' and 'Place Types' as these terms have no context in the absence of the more comprehensive planning framework for infill development, prepared by the consultants. Given implementing only Section Three will not change the density of any properties in the HOAs, references to a single density code have been replaced with the relevant (existing) dual density code.

In addition, subjective terms such as 'should', 'where practical' and 'encouraged' included in acceptable outcomes are replaced with definitive terms where appropriate.

The structure of this option differs to that of Section Three and follows the structure and sequencing of the R-Codes Volume 2.

The R-Codes Volume 1 and Volume 2 have different structures. A structure similar to Volume 2 is favoured given a key intent of the *Joondalup Place Neighbourhoods Local Planning Policy*, prepared by the consultants, is to subject single houses and grouped dwellings (that are currently assessed under Volume 1) to certain additional provisions of Volume 2 (which ordinarily only apply to multiple dwelling development).

A structure similar to Volume 2 is therefore considered to be the most in keeping with this intent.

The Option 2 policy clearly identifies which provisions relate to all types of development (single, grouped and multiple dwellings) and which apply to only certain types of development (multiple dwellings only).

The Option 2 policy also clearly identifies which provisions of the R-Codes Volumes 1 and 2 are being modified which makes the policy easy to 'plug in' to the balance of the R-Codes for the design elements that are not being modified by the policy.

Section Three and the Option 1 policy include content and sub-headings of 'Purpose', 'Intent', 'Objective' and 'Acceptable Outcome'. The Option 2 policy includes 'Objectives' and 'Acceptable Outcomes'.

The 'Objective' defines the intended outcome that needs to be met for a development proposal to be considered acceptable. The 'Acceptable Outcome' is a specific measure or outcome which assists in meeting the 'Objective'. Accordingly, it is the 'Objective' and 'Acceptable Outcome' that determines whether a design is appropriate. The 'Purpose' and 'Intent' provide an explanation and useful background on the rationale of a particular development standard but would not be used in the actual assessment of a development proposal.

It is also noted that in Section Three (and therefore also the Option 1 policy), there are some instances where a 'Purpose' and 'Intent' may not then be supported by an 'Objective' and 'Acceptable Outcome' and equally some 'Objectives' and 'Acceptable Outcomes' do not appear to always be underpinned by a 'Purpose' or 'Intent'.

In view of the above, the Option 2 policy includes 'Objectives' and 'Acceptable Outcomes' only. This makes the policy simpler, easier to use and still maintains the necessary content to undertake informed assessments and decisions.

There are instances in Section Three where standards prescribe a particular acceptable outcome, that is then referenced elsewhere in the policy as being as per the R-Codes Volume 2, which creates a conflict within the policy. In these instances, the policy has been written to remove the conflict and require the acceptable outcome to be as per Section Three.

As outlined above, there are also other instances in Section Three where an acceptable outcome is not underpinned by an objective. In these instances, a set of objectives has been included and is derived either from Section Three itself or the relevant objectives from the R-Codes.

Like Option 1, the associated draft scheme amendment translates the acceptable outcomes of the policy into a form that can be included in LPS3 and also amends the existing provision of the scheme that relates to minimum lot frontage requirements as the interim framework will allow for narrower frontages in select instances (as per Section Three) than currently allowed.

Development Standards Review

Although the Council resolution specifically requests that relevant provisions of Section Three be extracted and compiled to form a separate new local planning policy and scheme amendment, it is also open to Council at this point to progress a draft interim planning framework that includes some development standards that are different to those set out in Section Three.

The City has not prepared an additional 'Option 3' interim framework that includes alternative development standards as this would be inconsistent with Council's resolution. However, a number of possibilities are outlined below for consideration.

Limiting the number of multiple dwellings (apartments)

Under the current planning framework, single houses and grouped dwellings are required to have an average site area for each dwelling. Application of this requirement directly restricts the number of dwellings that can be built on a lot. There is, however, no average site area that applies to multiple dwellings.

The draft interim planning framework, however, includes a provision that applies a minimum site area to multiple dwellings in cul-de-sacs and non-through roads which will, in effect, limit the number of multiple dwellings per development to the same number of grouped dwellings that could be developed on a site.

The definition for a cul-de-sac and non-through road versus a through-road, for the purposes of the draft interim planning framework, is illustrated in the figure below (indicative scenario only):



This provision is proposed to apply to all cul-de-sacs and non-through roads and across all densities. Given the number of cul-de-sacs throughout the City of Joondalup's HOAs, it is anticipated this will have a significant impact in restricting the number of apartments in cul-de-sacs and non-through roads.

The principle of limiting the number of multiple dwellings to the same number of grouped dwellings that could be developed on a site, is similar to the principles of the WAPC's *Planning Bulletin 113 – Multiple dwellings in R40 coded areas and variations to R-Codes standards* (PB113).

The draft interim planning framework proposes to apply this principle to cul-de-sacs and non-through roads (as defined above) whereas PB113 applies the principle to areas coded R40 that fall outside of certain catchments.

PB113 was released in 2015 in response to issues in areas that have blanket R40 codes over entire suburbs / regions (such as areas like Scarborough, Doubleview and Innaloo in the City of Stirling).

For these types of areas, PB113 outlines criteria to determine catchments around nodes where multiple dwellings are considered more appropriate.

The following 'core' criteria set out in PB113 include:

- areas within 800 metres of any existing or proposed strategic metropolitan, secondary, district or specialised activity centre or railway station on a high frequency rail route.

The following 'optional' criteria is also included in PB113 to determine which catchments are considered more appropriate for multiple dwelling development:

- Areas within 200 metres of public open space (preferably overlooking public open space).
- Areas within 400 metres of a local or neighbourhood activity centre.

- Areas within 250 metres of a bus stop on a high frequency bus route.

As per PB113, R40 coded areas that fall outside of these catchments are considered less appropriate for multiple dwellings and, while multiple dwellings can still be developed in these areas, the number of apartments should be limited to the same number of grouped dwellings that could be developed on that site.

The City's HOAs are different to areas like Scarborough, Doubleview and Innaloo in that the higher density codes of the City's HOAs do not apply as a blanket code to an entire suburb and are already based on criteria that includes proximity to centres, train stations and high frequency bus routes.

However, if the PB113 criteria were applied to the R20/R40 coded areas within the City's HOAs, some R20/R40 coded areas would fall outside of the PB113 'core' criteria and possibly some of the PB113 'optional' criteria.

Therefore, although not entirely consistent with the current requirements of Section Three, it is open to Council to apply the principles of PB113 in addition to (or in place of) the cul-de-sac and non-through road provision of the draft interim planning framework as a way of limiting the number and restricting the location of multiple dwellings in the HOAs.

In doing so, Council would need to:

- consider which criteria of PB113 to apply (core and / or optional) in determining catchments that are more appropriate for multiple dwelling development
- determine whether the criteria of PB113 will apply in addition to or in place of the cul-de-sac and non-through road provision of the draft interim planning framework.

If Council chooses to progress with incorporating the principles of PB113 into the draft interim planning framework, it is important to note that:

- the intent of PB113 is to apply to areas coded R40 and would therefore only apply to the areas within HOAs coded R20/R40
- the intent of PB113 is that the provisions are introduced as an amendment to a local planning scheme (rather than through a local planning policy) and would therefore require a scheme amendment
- yield analysis will need to be undertaken to consider the impact on the City's ability to meet its dwelling targets set by the State Government.

Application of different development standards to different parts of HOAS

The development standards in Section Three are divided into two sub-sections:

- sub-section 1.0 contains development standards that augment the standard requirements of the R-Codes Volume 2
- sub-section 2.0 contains extra (more restrictive) development standards that also augment the standard requirements of the R-Codes Volume 2.

For properties within 400 metres of larger activity centres or train stations, only sub-section 1.0 of the draft policy applies, with the remaining design elements required to comply with the corresponding standard requirements of the R-Codes Volume 2.

For properties located more than 400 metres of larger activity centres or train stations, both sub-section 1.0 and sub-section 2.0 will apply.

The R-Codes Volume 2 still provides valid and well-reasoned design standards, considered broadly to provide appropriate outcomes.

Therefore, the City understands the rationale behind the decision to exclude areas within 400 metres of larger activity centres or train stations from these “over and above” requirements. Specifically, these are likely to be areas within the City of Joondalup’s infill areas where the more intense urban form and scale is anticipated and desired and, as such, it is considered that the requirements of R-Codes Volume 2 will provide appropriate controls for the intended outcomes for these areas.

However, although not entirely consistent with the current requirements of Section Three, it is open to Council to not require this separation of areas that are within or not within 400 metres of larger activity centres or train stations and require all development within HOAs to be subject to both sub-sections of the policy.

Visitor parking

Under the R-Codes, additional parking for visitors is required to be provided, as follows:

Single houses	Grouped dwellings	Multiple dwellings
No visitor parking required	One bay per four dwellings. Requirement is only triggered when a development includes five or more dwellings.	One bay per four dwellings up to 12 dwellings. plus One bay per eight dwellings for the 13 th dwelling and above.

Section Three requires visitor parking to be provided at a rate of 0.25 bays per dwelling (rounded up to the next whole number). Visitor parking applies to all types of development including single houses, grouped dwellings and multiple dwellings.

The visitor parking requirement of Section Three is more onerous than that of the R-Codes. This is offset to a degree by allowing one bay to be informally located on-street immediately adjacent to a development site, when the development is located on an Access Street. In instances where this is not possible, all visitor parking is required to be provided on site. Although it is already possible for residents of or visitors to any dwelling to park on the street, the City is aware that formalising this parking “credit” has already been raised as a concern by some residents.

The City’s current RDLPP requires visitor parking at a rate of one bay per two dwellings. The RDLPP also allows formal parking bays to be constructed within the verge to provide for some of this visitor parking; however, this approach is less preferable.

Although not entirely consistent with Section Three, it is open to Council to define an alternative visitor parking requirement. There are a number of options, including the following:

- (a) Retain the more onerous Section Three visitor parking ratio and the ability to provide one on-street bay on certain types of streets.
- (b) Retain the Section Three visitor parking ratio, but require all visitor parking to be provided on site.

- (c) apply the standards of the R-Codes, which are widely adopted and implemented standards throughout Western Australia, and require all parking to be accommodated on site.

A review was conducted to ascertain how other local governments approach visitor parking for residential development. Of the local governments reviewed, all have local planning policies that relate to residential development; however, none modify the visitor parking requirements of the R-Codes (as per point (c) above).

Building height

Building height is the height measured from the base of a wall (where it meets natural ground level) and the highest point of the wall or roof above that point.

Maximum building height is currently controlled by the requirements of the R-Codes, as follows:

Single houses; grouped dwellings; multiple dwellings at less than R40:

Density code	Height to top of external wall (roof above)	Height to top of external wall (roof concealed)	Height to top of pitched roof	Comment
R20/25	6 metres	7 metres	9 metres	Usually equates to two storeys
R20/30	6 metres	7 metres	9 metres	Usually equates to two storeys
R20/40	6 metres	7 metres	9 metres	Usually equates to two storeys
R20/60	6 metres	7 metres	9 metres	Usually equates to two storeys

Multiple dwellings (R40 and above):

Density code	Overall building height	Comment
R20/40	Two storeys	9 metres (indicative overall building height in metres)
R20/60	Three storeys	12 metres (indicative overall building height in metres)

Section Three includes the same maximum building heights for all density codes, though this is expressed as storeys and not in metres. It also, however, includes a minimum building height (two storeys) for areas coded R20/R60.

There is some merit in requiring a minimum building height for these higher coded areas as it will establish a stronger urban form that is considered appropriate for areas with higher density codes. It will also provide for more consistent streetscapes and sympathetic transition if three storey development is proposed.

It does, however, force someone who chooses to redevelop a site at the higher density to develop at two storeys or greater. In addition, in the absence of more clear definition, there could be some uncertainty as to whether this minimum building height is intended to apply to all aspects of a development or just to elements visible from the street. This could add additional unintended and unwanted bulk impacts on surrounding properties and reduce the ability to include points of difference in building design.

Although not entirely consistent with Section Three, it is open to Council to either not require a minimum building height for areas coded R20/R60 or provide more clarification as to elements of a development that are required to be a minimum of two storeys.

Street setbacks

A street setback is the distance between the front face of a building and the front (street) property boundary.

Section Three currently requires street setbacks to be provided in accordance with the R-Codes. Under the R-Codes, at densities of R40 and above, the street setback requirements for single houses and grouped dwellings are different to the street setback requirements for multiple dwellings.

Single houses and grouped dwellings can have a minimum street setback of two metres at R40 (subject to meeting an overall average of four metres) and one metre at R60 (subject to meeting an overall average of two metres).

Multiple dwellings are required to have a minimum street setback of four metres at R40 and two metres at R60.

There is therefore the potential that the minimum street setback for a building could be different depending on whether it was a single house or grouped dwelling or multiple dwelling. In order to achieve a more consistent streetscape, there could be merit in defining a street setback that applies to all types of development.

Although not entirely consistent with Section Three, it is open to Council to define a street setback distance for areas coded R20/R40 and R20/R60 that applies to all types of development. If Council chooses to pursue this option, the City is of the view that a minimum street setback of four metres at R20/R40 and two metres at R20/R60 would be appropriate.

Rear setbacks

A rear setback is the distance between the rear face of a building and the rear property boundary.

Rear setbacks are currently controlled by the requirements of the R-Codes and are calculated for each building, based on the length and the height of a wall and the type of openings in the wall.

Section Three takes a different approach to the R-Codes by including defined minimum rear setback requirements for all density codes. At densities of R20/R25 and R20/R30 the minimum setback requirement is three metres and at densities of R20/R40 and R20/R60 the minimum setback requirement is 1.5 metres.

Separately, Section Three requires the provision of 'landscaped areas' and sets a minimum width requirement of two metres for these landscaped areas.

There is therefore the potential that minimum rear setback requirements at R20/R40 and R20/R60 densities could result in areas between the building and an adjoining property that would not be able to be included as 'landscaped area' and may therefore end up being paved instead. There is potentially a missed opportunity to provide meaningful landscaping between the building and a neighbouring property, that could reduce impacts of building bulk and also contribute to the overall greening of a site.

Although not entirely consistent with Section Three, it is open to Council to require a greater minimum rear setback distance for areas coded R20/R40 and R20/R60. If Council chooses to pursue this option, the City is of the view that a minimum rear setback of two metres would be appropriate as it correlates with the minimum 'landscaped area' width.

Paving

Section Three currently includes acceptable outcomes for paving; however, these are written subjectively and do not include a specific measurement or metric to guide what the acceptable outcome is. In view of this and given this is a requirement that would be very difficult to control in perpetuity, it is considered that the acceptable outcomes for paving are more appropriate to be included as objectives in the broader 'landscape quality' element.

Although not entirely consistent with Section Three, it is open to Council to redefine the acceptable outcomes for paving as objectives in-lieu of acceptable outcomes.

Crossovers and driveways

Crossovers and driveways provide vehicle access from the street to the on-site parking area and are currently controlled by the requirements of the R-Codes.

For single houses and grouped dwellings, crossovers and driveways need to have a minimum width of three metres and maximum width of 6 metres per crossover / driveway, with a maximum total of nine metres for the sum of all crossovers and driveways on a site.

For multiple dwellings, crossovers and driveways need to be designed for two-way access where:

- there are more than 10 dwellings
- on-site parking is more than 15 metres from the street
- the street is a higher order road (district distributor or above).

Section Three currently includes acceptable outcomes that restrict the overall width of a crossover depending on whether the crossover is servicing a single or double (side-by-side) garage. The provision has merit as it seeks to minimise the extent of paving within the verge, thereby freeing up more space to be landscaped. The provision however lacks clarity and does not capture all development scenarios.

Although not entirely consistent with Section Three, it is open to Council to define an alternative acceptable outcome for crossovers, while still achieving the intent of the Section Three provision. If Council chooses to pursue this, the City is of the view that the following would be an appropriate alternative:

"A crossover shall be limited to a maximum width as detailed below:

- i. Where the proposed development yield exceeds 10 dwellings, then a maximum crossover width of 6.0 metres is permitted.*

- ii. *Where the proposed development yield does not exceed 10 dwellings, and a side-by-side (double or greater) garage / carport which fronts the primary street is proposed, then a maximum crossover width of 4.5 metres is permitted.*
- iii. *Where the proposed development yield does not exceed 10 dwellings, and a single width garage / carport which fronts the primary street is proposed, then a crossover width of 3.0 metres is required.”*

Development standards review summary

A review of the current Section Three development standards indicates that the majority of standards and principles that underpin the interim framework can be readily implemented. However, there are a number of opportunities that, although not entirely consistent with Council's May 2019 resolution, could add additional benefit to the interim framework to further better built form outcomes in the City's infill areas.

Although these have been outlined above, they are summarised below for ease of reference:

Development standards	Current framework	Options 1 and 2	Possible changes	Implications
<i>Limit the number of multiple dwellings</i>	No minimum lot size applies to multiple dwellings.	Apply a minimum lot size for multiple dwellings in cul-de-sacs and non-through roads.	<p>Apply a minimum lot size for multiple dwellings in cul-de-sacs and non-through roads</p> <p><u>and / or</u></p> <p>Apply a minimum lot size for multiple dwellings outside of 800m catchment of larger centres and train stations</p> <p><u>and / or</u></p> <p>Apply a minimum lot size for multiple dwellings outside the following catchments:</p> <ul style="list-style-type: none"> • 200 metres of public open space • 400 metres of smaller centres 	<p>Will limit the number of multiple dwellings.</p> <p>Will need to be introduced as a scheme amendment (not just a local planning policy).</p> <p>Will affect the possible yield in the HOAs (impact on the City's ability to achieve its infill targets unknown at this stage).</p>

Development standards	Current framework	Options 1 and 2	Possible changes	Implications
			<ul style="list-style-type: none"> 250 metres of a bus stop on a high frequency bus route. 	
Application of standards to different parts of HOAs	<p>Standards of R-Codes Volume 1 apply to single houses and grouped dwellings</p> <p>Standards of R-Codes Volume 2 apply to multiple dwellings.</p> <p>City's <i>Residential Development</i> Local Planning Policy applies some enhanced standards to development in HOAs.</p>	<p>Within 400 metres of larger centres or train stations, development needs to comply with R-Codes Volume 2 and only one sub-section of new policy (which goes over and above R-Codes).</p> <p>Outside 400m of larger centres or train stations, development needs to comply with both sub-sections of new policy (which go over and above R-Codes).</p>	Apply both sub-sections of new policy (which go over and above R-Codes) to all areas within HOAs.	More stringent controls would apply to all development in HOAs, irrespective of whether they are located close to centres and stations, or not.
Visitor parking	<p>One bay per two dwellings.</p> <p>Allows some bays to be constructed in the verge.</p>	<p>0.25 bays per dwelling.</p> <p>Allows one bay to be located informally on certain types of streets.</p> <p>Where this is not possible, all parking to be on site.</p>	<p>0.25 bays per dwelling but all parking to be on site.</p> <p>or</p> <p>Apply R-Codes standards and require all parking to be on site:</p> <ul style="list-style-type: none"> No visitor parking for single houses. One bay per four grouped dwellings, 	<p>Standards of Options 1 and 2 more onerous than R-Codes but offset by street parking in certain cases.</p> <p>Most local government retain R-Code standards in their policies.</p>

Development standards	Current framework	Options 1 and 2	Possible changes	Implications
			<p>when there are five or more dwellings.</p> <ul style="list-style-type: none"> One bay per four multiple dwellings up to 12 dwellings and then one bay per eight dwellings for the 13th dwelling and above. 	
Building height	<p>As per R-Codes. Maximum height (in metres) usually equates to two storeys for R30 and R40 areas (for all types of dwellings).</p> <p>Maximum height (in metres) usually equates to three storeys for R60 areas (for multiple dwellings).</p>	<p>As per R-Codes. Also includes minimum building height (two storeys) for R60 areas.</p>	<p>Remove minimum building height for R60 areas.</p> <p><u>or</u></p> <p>clarify which elements of development need to be minimum two storeys.</p>	<p>Minimum height requirement will force development of two storeys or greater in R60 areas.</p> <p>Removal of minimum height will result in smaller scale buildings in areas most suited to higher density.</p>
Street setbacks	<p>As per R-Codes. 2 metres setback for single house or grouped dwellings in R40 area - need to meet overall average of 4 metres.</p> <p>1 metres setback for single house or grouped dwellings in R60 area - need to</p>	<p>As per R-Codes (see left column).</p>	<p>4 metres for all types of dwellings in R40 areas.</p> <p>2 metres for all types of dwellings in R60 areas.</p>	<p>Would achieve a more consistent streetscape if the same setback in an area applies to all types of development.</p>

Development standards	Current framework	Options 1 and 2	Possible changes	Implications
	<p>meet overall average of 2 metres.</p> <p>4 metres setback for multiple dwellings in R40 area.</p> <p>2 metres setback for multiple dwellings in R60 area.</p>			
Rear setbacks	<p>As per R-Codes. Calculated for each building - based on length and height of wall and the type of openings in the wall.</p>	<p>Minimum rear setbacks for all density codes:</p> <ul style="list-style-type: none"> • 3 metres for R25 and R30 areas. • 1.5 metres for R40 and R60 areas. 	<p>Minimum rear setbacks for all density codes:</p> <ul style="list-style-type: none"> • 3 metres for R25 and R30 areas. • 2 metres for R40 and R60 areas. 	<p>Options 1 and 2 have requirements for 'landscaped areas' with a minimum width of 2 metres.</p> <p>If a rear setback is less than 2 metres this area cannot be included as 'landscaped area'.</p> <p>Increasing the minimum setback to 2 metres would allow meaningful landscaping between the building and the neighbouring property.</p>
Paving	No standards	<p>Subjective standards with no specific metric to guide what an acceptable outcome is.</p>	<p>Redefine as an objective and not as a specific standards requirement.</p>	<p>Standards in Options 1 and 2 are difficult to control in perpetuity.</p> <p>More appropriate to be included as objectives.</p>

Development standards	Current framework	Options 1 and 2	Possible changes	Implications
Crossover width	<p>Single houses and grouped dwellings:</p> <ul style="list-style-type: none"> • Minimum 3 metres per crossover. • Maximum 6 metres per crossover. • Maximum 9 metres for sum of all crossovers. <p>Multiple dwellings:</p> <p>Design for two-way access where:</p> <ul style="list-style-type: none"> • More than 10 dwellings. • On-site parking is more than 15 metres from the street. • Street is higher order road (district distributor or above). 	<p>Maximum 3 metres for single width.</p> <p>Maximum 4.5 metres for double width enclosed garage.</p> <p>Can be increased to 6 metres if more than 10 dwellings.</p>	<p>Maximum 6 metres for development with more than 10 dwellings.</p> <p>Maximum 4.5 metres for development with 10 or less dwellings and a side-by-side (double or greater) garage or carport which fronts the primary street.</p> <p>Maximum 3 metres for development of 10 or less dwellings and a single width garage or carport which fronts the primary street.</p>	<p>Standards in Options 1 and 2 lack clarity and does not capture all development scenarios.</p> <p>Rewording of the standards make them clearer while still achieving the intent to minimise paving on the verge, thereby freeing up more space to be landscaped.</p>

Although not consistent with the May 2019 resolution, it is open to Council to make a decision to request specific modifications be made to the draft interim framework, ahead of commencing consultation, to include some or all of the possible changes to the development standards outlined above. This is outlined in the section below.

Issues and options considered

Whether to proceed to consultation

In considering whether to proceed with the draft interim planning framework, Council has the following options:

- 1 proceed with the draft interim planning framework
or
- 2 not proceed with the draft new planning framework.

Option 1

If Council decides to proceed with the draft planning framework, it will then need to determine what the framework will consist of, which is outlined further below.

This option is the preferred option and will allow the City to progress a mechanism to better manage the impact of infill development, while the longer processes associated with the more comprehensive planning framework for infill development, prepared by the consultants, are undertaken.

Option 2

If Council decides not to proceed with the draft interim planning framework, it is likely that the current community concern about the impacts of infill development will remain, as the current framework will continue to apply until a new one is implemented.

It could however mean that the engagement on the draft *Joondalup Place Neighbourhoods Local Planning Policy* and Scheme Amendment No. 3 could commence sooner. However, it is noted that the intent behind preparing an interim planning framework is to respond to a need to implement change sooner than the timeframes associated with the draft *Joondalup Place Neighbourhoods Local Planning Policy* and Scheme Amendment No. 3 allow.

Further, in March 2018, the Minister for Planning wrote to the Mayor, urging the City to clarify its position in relation to infill development. If Council elects not to proceed at this stage, it is open to the Minister for Planning to take a more active role and direct certain changes be undertaken, as has been the case with other local government authorities. This could remove Council from the decision-making process.

Which version of a draft interim planning framework should be progressed?

If Council decides to proceed with progressing a draft interim planning framework, it must also select which draft interim planning framework it wishes to progress, as different options have been prepared for Council's consideration.

Option 1

Option 1 is almost entirely consistent with the wording of Section Three prepared by the consultants and therefore most closely reflects Council's resolution at its meeting held on 21 May 2019 (C31-05/19 refers). Option 1 is collectively made up of Attachment 1 (draft local planning policy) and Attachment 2 (draft scheme amendment).

Although this is the option most consistent with Council's resolution, it is considered to be a less suitable framework when used in isolation of the broader planning framework for infill development, prepared by the consultants. As such, there is a risk that if it is progressed and implemented in this format it will create confusion and frustration which could lead to unintended and undesirable built form outcomes.

Option 2

Option 2 is still considered to maintain the intent of the Council resolution, however has been structured to provide greater clarity and useability. Option 2 also has a more clearly defined relationship with other planning instruments. Option 2 is collectively made up of Attachment 3 (draft local planning policy) and Attachment 4 (draft scheme amendment).

For the reasons highlighted earlier in the report, it is the City's view that Option 2 is the preferred option.

In selecting an interim framework, Council will also need to determine whether it wishes to make any changes to any of the development standards of the framework such as those set out earlier in the report.

What makes up the draft interim planning framework?

If Council decides to proceed with progressing a draft interim planning framework, it must also determine what makes up the draft interim planning framework. Currently, the draft interim planning framework consists of a local planning policy and a scheme amendment; however, it is open to Council to proceed with both, or one or the other.

Option 1

Council may elect to proceed with a draft interim planning framework that consists of both a local planning policy and a scheme amendment. In doing so, more weight will be given to the development standards in decision making as town planning schemes are a more powerful planning instrument than a local planning policy.

This is the preferred option as it is most consistent with the resolution made by Council at its meeting held on 21 May 2019.

Option 2

Council may elect to proceed with a draft interim planning framework that consists of a local planning policy only. In doing so, the weight of the provisions will not be as great, although it is noted that the policy will still be a valid and enforceable planning instrument. There are also some potential time efficiencies in proceeding with just a local planning policy as this will have a shorter mandatory consultation timeframe.

How should consultation progress?

If Council decides to proceed with a draft interim planning framework that consists of both a local planning policy and a scheme amendment, it will also need to determine how it wishes to consult as each have different consultation timeframes.

A local planning policy has a minimum consultation period of 21 days, whereas a 'standard' scheme amendment has a minimum consultation period of 42 days.

Option 1

Council may elect to consult on both documents at the same time for the same length of time. There is merit in doing this as it will mean the draft interim planning framework will progress as a single solution which will minimise confusion for the community.

This is the preferred option.

Option 2

Council may elect to uncouple the two documents and proceed to consult on them for different lengths of time. While this may provide some time efficiencies for the local planning policy as it has a shorter consultation timeframe, it could potentially create confusion for the community.

It also potentially undermines the intent of both documents to act as a collective interim solution.

In addition, both require some level of State Government approval. The local planning policy requires approval by the Western Australian Planning Commission (WAPC), and the scheme amendment requires approval by the Minister for Planning.

Even though Council may be able deal with the local planning policy and refer it to the WAPC in a shorter timeframe than the scheme amendment, there is no certainty that this will necessarily mean that the WAPC approval will come out ahead of the Minister's decision on the scheme amendment.

Legislation / Strategic Community Plan / Policy implications

Legislation *Planning and Development Act 2005.*
 Planning and Development (Local Planning Schemes) Regulations 2015.
 State Planning Policy 7.3: Residential Design Codes Volume 1 and Volume 2.

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 *Residential Development Local Planning Policy.*

Scheme amendments

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

Under the Regulations, scheme amendments are classified as being basic, standard or complex amendments. In resolving to proceed with an amendment, Council needs to specify the amendment type and explain the reason for that classification. Both options for draft Scheme Amendment No. 5 are considered to be 'standard' amendments.

Should Council resolve to proceed with a proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the EPA to decide whether or not a formal review is necessary. Should the EPA decide that an environmental review is not required, and notifies the City accordingly, then it will be necessary to proceed to advertise the proposed scheme amendment for a minimum of 42 days.

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

Local Planning Policies

Part 2 of Schedule 2 of the Regulations enables a local government to prepare a local planning policy and sets out the process to be followed. In the case of residential development, *State Planning Policy 7.3: Residential Design Codes Volume 1 and Volume 2* provide specific guidance on what elements of each document can be modified by local governments and which cannot, and also clarify, of those elements which can be modified, which ones require approval of the WAPC.

The Department of Planning, Lands and Heritage has previously advised that it will consider local planning policies following consultation and Council's consideration, so that they are considering the 'final' version adopted by the local government, rather than a version that may be subject to change following consultation.

Both versions of the draft *Development in Housing Opportunity Areas Local Planning Policy* have been prepared within the scope of what is able to be modified via a local planning policy; however, both options will require the approval of the WAPC.

Accordingly, should Council resolve to proceed with the proposed local planning policy for the purposes of public advertising, then community consultation will be undertaken. The Regulations require local planning policies to be advertised for a minimum period of 21 days, however a longer timeframe can be applied if considered appropriate.

As the draft *Development in Housing Opportunity Areas Local Planning Policy* and draft Scheme Amendment No. 5 contain the same development standards, it is intended that they will be advertised for the same period of time. However, it is open to Council to uncouple them and advertise them separately.

Upon closure of the advertising period, Council is required to consider all submissions received and to either proceed with the policy, with or without modifications, or not proceed with the policy. Should Council elect to proceed, the local planning policy will then be forwarded to the WAPC to request approval. The WAPC may grant approval, with or without modifications or elect not to grant approval.

Risk management considerations

When the draft new planning framework for infill development, prepared by the consultants, was presented to Council at its meeting held on 16 April 2019, and again at its meeting held on 16 May 2019, a number of community members requested more engagement be undertaken prior to Council formally initiating the prescribed, statutory process that needs to be followed for advertisement of the draft scheme amendment component of the framework.

While there are advantages to this, it will mean a delay in progressing a new framework for infill development and the current framework, that is viewed by some members of the community as not adequately managing the impacts of infill development, will remain in place until it is replaced.

In response, Council has requested the preparation of a separate local planning policy and scheme amendment that can serve as an interim solution while further work on the more comprehensive new framework for infill development is undertaken.

This approach is considered to provide a balanced risk management approach in providing opportunity for additional engagement and more detailed analysis to inform a final version of the broader new planning framework for infill development, but at the same time progressing with a separate framework that could be implemented sooner to better manage the impacts of infill development in the City's HOAs.

As outlined above, there are a number of decisions Council needs to make in relation to the interim planning framework and a number of options exist for each decision. The risks associated with these, along with the City's recommended options are set out above.

Financial / budget implications

If Council agrees with the recommendations of this report, and the Environmental Protection Authority provides consent, the interim planning framework will be advertised for public comment.

In addition to the cost of staff time, other costs will be incurred for this consultation process. Although the direct costs that will be incurred are yet to be determined, it is likely they will exceed \$20,000 for the consultation process recommended in the report.

Regional significance

Perth is currently home to more than two million people and this is anticipated to grow to 3.5 million by 2050.

The State Government has a strategy for the future growth of Perth that aims to accommodate 47% of this population growth in existing suburbs. To achieve this, the State Government set targets for new dwellings for each metropolitan local government. For local governments like the City of Joondalup, which do not have many undeveloped areas left, this growth needs to be infill development.

The City was required to develop a LHS to show how it was going to meet the residential infill target set by the State Government. The recommendations of the LHS resulted in the City's current infill areas (or Housing Opportunity Areas), and the planning framework that currently underpins these areas.

Although the draft interim planning framework does not alter any densities within the City of Joondalup's infill areas, it does set out a new set of development standards that will apply in these areas to support appropriate infill development.

Sustainability implications

The draft interim planning framework includes a number of sustainability initiatives, including the following:

- A fundamental shift in focus toward a 'green ratio'. The draft new planning framework mandates that a certain amount of area on a site be set aside for landscaping and includes specific controls as to how this landscape area should function and be treated to place a greater emphasis on the provision of tree canopy cover.
- Development standards to allow visitor parking, in some instances, to occur informally on the street, or to be contained within the development site. This results in more verge area that can be dedicated to landscaping and greening the public realm.
- Built form provisions to make better use of access to sunlight and cross ventilation to reduce reliance on artificial heating and cooling of dwellings.

Consultation

If Council agrees to proceed to advertise the draft *Development in Housing Opportunity Areas Local Planning Policy* and draft Scheme Amendment No. 5, and once the Environmental Protection Authority has consented to the advertising of the scheme amendment, the City will commence consultation with the community to seek feedback and determine the level of community support for the draft interim planning framework and changes to the *Residential Development Local Planning Policy*.

It is intended that consultation will be undertaken as follows:

- Letters will be sent to:
 - everyone who owns property or lives in one of the 10 HOAs
 - everyone who lives adjacent to a HOA
 - registered resident and ratepayer groups
 - industry stakeholders
 - relevant State Government Departments.
- Emails will be sent to:
 - members of the City's HOA database, being
 - attendees at Listening Posts who provided email addresses
 - attendees at Community Design Workshops who provided email addresses
 - other people who registered for updates
 - community engagement network members
 - utility providers
 - local members of parliament.
- Information will be placed on the HOA webpage and via the City's website.
- Notices will be placed in the Joondalup Community newspaper.
- Notices will be placed through the City's social media platforms.
- Continued use of a dedicated telephone line and email address for HOAs.
- Briefing of local Members of Parliament.

COMMENT

The interim planning framework has been prepared in response to Council's resolution at its meeting held on 21 May 2019.

It is considered that the interim planning framework achieves an appropriate balance in progressing with and implementing a revised planning framework to better manage the impacts of infill development, while further engagement and analysis is undertaken on the comprehensive new planning framework for infill development which was presented to Council at its meeting held on 16 April 2019.

As outlined in the report, there are risks and challenges in progressing with Section Three in its current form (Option 1 – Attachments 1 and 2), in isolation of the more comprehensive framework for infill development, prepared by the consultants.

An alternative (Option 2 – Attachments 3 and 4) has been prepared for Council's consideration which retains the integrity of Council's resolution of the intent of Section Three but includes some changes to ensure the interim planning framework can operate independently of the comprehensive framework for infill development, prepared by the consultants.

It is recommended that Council progresses with this alternative option (Option 2) given it responds most appropriately to Council's May 2019 resolution.

However, there are a number of opportunities that, although not entirely consistent with Council's May 2019 resolution, could add additional benefit to the interim framework to further better built form outcomes in the City's infill areas and it is open to Council to request specific modifications be made to the draft interim framework, ahead of commencing consultation, to include some or all of the possible changes to the development standards mentioned earlier in this report.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 Pursuant to clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PREPARES and ADVERTISES the draft *Development in Housing Opportunity Areas Local Planning Policy*, as shown in Attachment 3 to Report CJ099-08/19, for a period of 42 days;
- 2 Pursuant to section 75 of the *Planning and Development Act 2005* and regulation 37 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to proceed to advertise Scheme Amendment No. 5 to the *City of Joondalup Local Planning Scheme No. 3* to amend the Scheme Text as set out in Attachment 4 to Report CJ099-08/19, for the purpose of public advertising for a period of 42 days;
- 3 Pursuant to regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* RESOLVES that Scheme Amendment No. 5 is a 'standard' amendment as the proposal is consistent with the *City of Joondalup Local Housing Strategy* and does not meet the criteria for either a 'complex' or 'basic' amendment;
- 4 NOTES that the draft *Development in Housing Opportunity Areas Local Planning Policy* and Scheme Amendment No. 5 collectively make up the draft interim planning framework for infill development in the City of Joondalup and will, therefore, be advertised concurrently once approval to advertise has been received from the Environmental Protection Authority;
- 5 Pursuant to clauses 4 and 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PREPARES and ADVERTISES the revised *Residential Development Local Planning Policy*, as shown in Attachment 5 to Report CJ099-08/19, for a period of 42 days;
- 6 NOTES that the draft *Development in Housing Opportunity Areas Local Planning Policy* will require the approval of the Western Australian Planning Commission.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5agn190820.pdf](#)

CJ100-08/19 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	15876, 101515
ATTACHMENTS	Attachment 1 Documents executed by affixing the Common Seal during the period 2 July 2019 to 11 July 2019
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 2 July to 11 July 2019.

EXECUTIVE SUMMARY

The City enters into various agreements by affixing the 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 2 July to 11 July 2019, as detailed in Attachment 1 to Report CJ100-08/19.

BACKGROUND

For the period 2 July to 11 July 2019, three documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Deed of Variation	1
Freeman of the City Certificate	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.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implicationsCurrent 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.

RECOMMENDATION

That Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 2 July to 11 July 2019, as detailed in Attachment 1 to Report CJ100-08/19.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf190813.pdf](#)

CJ101-08/19 MINUTES OF EXTERNAL COMMITTEES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	03149, 101515
ATTACHMENTS	Attachment 1 Minutes of Tamala Park Regional Council meeting held on 20 June 2019. (Please note: These minutes are only available electronically).
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

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

EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of Tamala Park Regional Council meeting held on 20 June 2019.

DETAILS**Tamala Park Regional Council Meeting – 20 June 2019**

A meeting of the Tamala Park Regional Council was held on 20 June 2019.

At the time of this meeting Cr John Chester and Cr Nige Jones were Council's representatives at the Tamala Park Regional Council meeting. As Cr Nige Jones was on leave of absence, Cr Christine Hamilton-Prime deputised on this occasion.

The attached minutes detail those matters that were discussed at this external meeting that may be of interest to the City of Joondalup.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

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

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the minutes of the Tamala Park Regional Council meeting held on 20 June 2019 forming Attachment 1 to Report CJ101-08/19.

To access this attachment on electronic document, click here: [EXTERNAL MINUTES190813.pdf](#)

CJ102-08/19 CORPORATE BUSINESS PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 APRIL TO 30 JUNE 2019

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	20560, 101515
ATTACHMENTS	Attachment 1 Corporate Business Plan Quarterly Progress Report for the period 1 April to 30 June 2019 Attachment 2 Capital Works Program Quarterly Report for the period 1 April to 30 June 2019
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to receive the *Corporate Business Plan Quarterly Progress Report* for the period 1 April 2019 to 30 June 2019 and the *Capital Works Quarterly Report* for the period 1 April 2019 to 30 June 2019.

EXECUTIVE SUMMARY

The City's *Corporate Business Plan 2018-19 to 2022-23* 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 (2018-19).

The *Corporate Business Plan Quarterly Progress Report* for the period 1 April 2019 to 30 June 2019 provides information on the progress of 2018-19 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 this Report.

It is therefore recommended that Council RECEIVES the:

- 1 *Corporate Business Plan Quarterly Progress Report for the period 1 April to 30 June 2019, which is shown as Attachment 1 to Report CJ102-08/19.*
- 2 *Capital Works Quarterly Report for the period 1 April to 30 June 2019, which is shown as Attachment 2 to Report CJ102-08/19.*

BACKGROUND

The City's *Corporate Business Plan 2018-19 to 2022-23* demonstrates how the objectives of the City's *Strategic Community Plan* are translated into a five-year delivery program.

The *Corporate Business Plan 2018-19 to 2022-23* was endorsed by Council at its meeting held on 21 August 2018 (CJ138-08/18 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 2018-19 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 2018-19 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 grey shaded sections of Attachment 1 to this Report. "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 2018-19, the following provides an overall summary of significant achievements for the financial year.

Governance and Leadership:

- 2017-18 Annual Customer Satisfaction Survey conducted with 84.7% overall customer satisfaction rating.
- The launch of the City's new website.
- A significant number of policies reviewed and new policies developed including:
 - *Consulting Rooms Local Planning Policy*
 - *Home-based Business Local Planning Policy*
 - *Light Industry Zone Local Planning Policy*
 - *Mixed Use and Service Commercial Zone Local Planning Policy*
 - *Private Community Purposes Zone Local Planning Policy*
 - *Short-term Accommodation Local Planning Policy*
 - *Signs Local Planning Policy*
 - *Investment Policy*.
- The following local laws came into effect during the year:
 - *Animals Amendment Local Law 2018*
 - *Parking Amendment Local Law 2018*
 - *Waste Amendment Local Law 2018*.

- Two meetings of the Strategic Community Reference Group held to discuss the City's approach to engaging young people and the City's *Community Safety and Crime Prevention Plan*.
- The *2018 Compliance Audit Return* adopted by Council and submitted to the Department of Local Government, Sport and Cultural Industries.
- Review of the *Delegated Authority Manual* endorsed.
- Participation in the Australasian Local Government Performance Excellence Program to track and benchmark performance against the local government sector.
- Sister City relationship maintained with Jinan, China, including City led delegations to Jinan, Shanghai and Huzhou.
- Community consultation on a number of projects, including:
 - *Housing Opportunity Areas – Planning Framework* consultation
 - *Juniper Park – Landscape Master Plan*
 - Proposed name changes for Parin and Blackthorn Parks
 - Proposed fenced dog exercise area
 - Spring Markets
 - Survey of football (soccer) clubs
 - Twilight Markets
 - Chichester Park, Woodvale — proposed community sporting facility
 - City Communications Survey
 - Emerald Park, Edgewater — clubrooms refurbishment
 - Paid Parking Survey
 - Chichester Park, Woodvale — Proposed community sporting facility
 - Proposed *Scheme Amendment No. 1* (16 Sunlander Drive, Currambine)
 - Proposed Dog Control Measures – Central and Lakeside Park, Joondalup
 - Percy Doyle Reserve, Duncraig – Proposed Sports Floodlighting Upgrade
 - Emerald Park, Edgewater – Proposed Sports Floodlighting Upgrade.
- The level of communication via the City's social media increased to more than 45,000 people.
- A Gold award received for the City's *2017-18 Annual Report* in the Australasian Reporting Awards.

Financial Sustainability:

- Review of the *20–Year Strategic Financial Plan* commenced.
- Capital Works Projects completed — new or upgraded park equipment:
 - Tom Simpson Park, Mullaloo.
 - Delamere Park, Currambine.
 - Burns Beach Park, Burn Beach.
 - Wedgewood Park, Edgewater.
- Capital Works Projects completed — Blackspot Program road upgrades:
 - Moore Drive – Marmion Avenue.
 - Marmion Avenue – Ocean Reef Road.
- Capital Works Projects completed — road preservation and resurfacing:
 - Davallia Road, Duncraig.
 - Lobelia Street, Greenwood.
 - Jetty Place, Heathridge.
 - Gibson Avenue, Padbury.
 - Whitfords Avenue, Woodvale.
 - Armytage Way, Hillarys.
- Capital Works Projects completed — drainage upgrades:
 - Blackboy Park, Mullaloo.
 - Parkland Close, Edgewater.
 - Timberlane Park, Woodvale.

- Giles Avenue, Padbury.
- Capital Works Projects completed — new or resurfaced paths:
 - Treetop Avenue – Prospector Gardens, Edgewater.
 - Sloop Place – Cruise Court, Heathridge.
 - Moore Drive shared path, Joondalup.
 - Ridge Close – Parkland Close, Edgewater.
- Capital Works Projects completed — major building works commenced or completed:
 - Sorrento Tennis Club refurbishment.
 - Craigie Leisure Centre – 50m pool and play area upgrade.
 - Mirror Park, Ocean Reef.
 - Mawson Park, Hillarys.
- Review of the *Property Management Framework* continued.
- Hillarys animal beach car park improvements completed.

Quality Urban Environment:

- *Local Planning Strategy No. 3* Gazetted in October 2018.
- Local Planning Policies to support the *Local Planning Scheme No. 3* reviewed.
- *Joondalup Activity Centre Plan* Gazetted in October 2018.
- Housing Opportunity Areas consultation procedures refined.
- Development of *Housing Opportunity Areas Planning Consultation Policy* commenced.
- The design-led local planning policy for multiple dwellings in the City's Housing Opportunity Areas progressed.
- Priority 3 Entry Statements completed at the intersections of Marmion Avenue and Whitfords Avenue, and Marmion Avenue and Hepburn Avenue.
- Planting of trees in Woodvale and Heathridge as part of the *Leafy City Program* completed.
- Works on the Whitfords Nodes Heath and Wellbeing Hub commenced.
- Works on the Burns Beach Dual Use Path commenced.
- Construction on the Beach Road Shared Path commenced.
- Actions from the *Road Safety Action Plan 2016–2020* implemented.
- Development of the Joondalup City Centre Development – Boas Place project continued.
- Progress on the Joondalup City Centre street lighting project.

Economic Prosperity, Vibrancy and Growth:

- Actions from the Economic Development Strategy implemented, include the following:
 - Distribution of a Business Online newsletter.
 - Launch of the City's new website including significant updated information and content for the new business and visitors specific user portals.
 - Actions from the *International Economic Development Activities Plan* implemented including a trade delegation to Jinan and Huzhou with the identification of a number of foreign investment opportunities following the trade delegations.
- Delivery of two successful Business Forums.
- Delivery of the Kaleidoscope 2018, Festival of Light, Music and Art, attracting a crowd of more than 115,000 people.
- Continued progress on Ocean Reef Marina 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:
 - Delivery of the Environmental Education Program which included a Noongar Cultural Bushland Tour at Craigie Bushland and a Food Gardens Seminar.
 - Actions from *Climate Change Strategy 2014–2019* implemented including the progression of the Coastal Adaptation Planning and Implementation Project.
 - Endorsement of the *Craigie Bushland Management Plan*.
 - Actions from the *Craigie Bushland Management Plan* implemented including weed control in Craigie Bushland.
 - 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 continued collaboration with DFES regarding bushfire mitigation activities and implementation of the Hazard Reduction (Grass Tree) Burning Program.
 - Actions from the *Yellagonga Integrated Catchment Management Plan* implemented including the Water Quality Monitoring and Improvement Program.
 - Actions from the *Pathogen Management Plan* implemented.
 - 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.
 - Actions from the *Waste Management Plan* implemented including the three-bin rollout.

Community Wellbeing:

- Actions from *Community Development Plan 2015–2020* implemented including the Communities in Focus program and launch of the *Regional Homelessness Plan*.
- 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:
 - Falkland Park, Kinross
 - Percy Doyle Reserve, Sorrento
 - Duncraig Community Centre
 - Windermere Park Facility, Joondalup
 - Chichester Park Clubroom, Woodvale
 - Craigie Leisure Centre.

- 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
- Endorsement of a *Regional Homeless Plan*.
- Endorsement of an *Age Friendly Communities Plan*.
- Continued development of the *Master Plan for Edgewater Quarry*.
- Funding of approximately \$43,000 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 1,200 residents becoming Australian Citizens and a range of civic ceremonies and corporate functions conducted.

Legislation / Strategic Community Plan / Policy implications

Legislation	<p>The <i>Local Government Act 1995</i> provides a framework for the operations of Local Governments in Western Australia. Section 1.3 (2) states:</p> <p><i>"This Act is intended to result in:</i></p> <ul style="list-style-type: none"> <i>a) better decision making by local governments;</i> <i>b) greater community participation in the decisions and affairs of local governments;</i> <i>c) greater accountability of local governments to their communities; and</i> <i>d) more efficient and effective government.</i>
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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 2018-19 projects and programs in the *Corporate Business Plan* were included in the 2018-19 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.

Consultation

Not applicable.

COMMENT

The *Corporate Business Plan 2018-19 to 2022-23* was endorsed by Council at its meeting held on 21 August 2018 (CJ138-08/18 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 the projects and programs in the 2018-19 Capital Works Program.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council RECEIVES the:

- 1 ***Corporate Business Plan Quarterly Progress Report*** for the period 1 April 2019 to 30 June 2019, which is shown as Attachment 1 to Report CJ102-08/19;
- 2 ***Capital Works Quarterly Report*** for the period 1 April 2019 to 30 June 2019, which is shown as Attachment 2 to Report CJ102-08/19.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf190813.pdf](#)

CJ103-08/19 CORPORATE BUSINESS PLAN REVIEW 2019-20 – 2023-24

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	52605, 101515
ATTACHMENTS	Attachment 1 Corporate Business Plan 2019-20-2023-24
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to adopt the *Corporate Business Plan 2019-20 – 2023-24*.

EXECUTIVE SUMMARY

The *Corporate Business Plan* translates the City's *Strategic Community Plan, Joondalup 2022* into a five year delivery program and contains the major projects and priorities which the City proposes to deliver over the five year period.

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 2019-20 – 2023-24 as shown in Attachment 1 to Report CJ103-08/19.

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*.

At its meeting held on 23 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 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 reviewed and updated its *Corporate Business Plan* annually in line with current projects and priorities and in line with major and minor reviews of the *Strategic Community Plan, Joondalup 2022*.

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 for 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).

DETAILS

The *Corporate Business Plan* contains the projects, programs and activities to be undertaken over a five year period which are aligned with the *20 Year Strategic Financial Plan, Asset Management Plans, and Workforce Plan*.

The *Corporate Business Plan* 2019-20 – 2023-24 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 that the City proposes to deliver in the 2019-20 financial year – pages 29-92.

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 2019-20* will be provided with the quarterly reports.

- Detailed financial information including the following:
 - Financial Summary – pages 93-94.
 - Capital Expenditure – excluding escalation - pages 95-98.
 - 20 Year Plan - Rate Setting – page 99-101.
 - General Financial Projection Assumptions – page 102-104.

- Strategic Community Plan References – pages 105-110.

Issues and options considered

Council may choose to either:

- adopt the *Corporate Business Plan 2019-20 to 2023-24*, as shown in Attachment 1 to this Report
or
- adopt the *Corporate Business Plan 2019-20 to 2023-24*, as shown in Attachment 1 to this Report, 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 2019-20 – 2023-24*.

It should be noted that the financial information is derived from the draft *20 Year Strategic Financial Plan* for the years 2019-20 to 2038-39. This plan will be presented to Council at its meeting to be held on 20 August 2019 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 2019-20 – 2023-24*.

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:

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

Consultation

Community consultation is not required for the annual 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 2019-20 – 2023-24* is in line with Department of Local Government, Sports and Cultural Industries' *Integrated Planning and Reporting Framework* which sets out the requirements for local governments to undertake planning and reporting.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council BY AN ABSOLUTE MAJORITY ADOPTS the *Corporate Business Plan 2019-20 to 2023-24*, as shown in Attachment 1 of Report CJ103-08/19.

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8agn190820.pdf](#)

CJ104-08/19 PROPOSED LOCAL GOVERNMENT AND PUBLIC PROPERTY AMENDMENT LOCAL LAW 2019 – CONSENT TO ADVERTISE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	22513, 107598
ATTACHMENTS	Attachment 1 <i>City of Joondalup Local Government and Public Property Amendment Local Law 2019</i> Attachment 2 <i>City of Joondalup Local Government and Public Property Local Law 2014 (marked up with changes)</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to make the *City of Joondalup Local Government and Public Property Amendment Local Law 2019* for the purpose of public advertising.

EXECUTIVE SUMMARY

At its meeting held on 21 August 2018 (C75-08/18 refers), Council requested 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.

At its meeting held on 25 June 2019 (CJ082-06/19 refers), Council received a report on potential launching and landing sites for drones and subsequently requested an amendment be initiated to the City's *Local Government and Public Property Local Law 2014*, that in effect, allows the City to make determinations as to specific local government property where drones cannot be launched from.

In view of this resolution and to put it into effect, a *City of Joondalup Local Government and Public Property Amendment Local Law 2019* (Amendment Local Law) has been developed for Council's consideration, for the purposes of public advertising.

It is therefore recommended that Council MAKES the City of Joondalup Local Government and Public Property Amendment Local Law 2019, as detailed in Attachment 1 to Report CJ104-08/19, for the purposes of public advertising.

BACKGROUND

At its meeting held on 9 December 2014 (CJ233-12/14 refers), Council adopted the *City of Joondalup Local Government and Public Property Local Law 2014* (the local law) and has been in operation since 28 January 2015. The local law provides for the regulation, control and management of activities and facilities on local government and public property within the City's district.

At its meeting held on 21 August 2018 (C75-08/18 refers), Council requested that the Chief Executive Officer prepare a report which examines and identified potential launching and landing sites within the City of Joondalup for recreational aerial drone usage.

At its meeting held on 25 June 2019 (CJ082-06/19 refers), Council received a report on potential launching and landing sites for drones and subsequently requested an amendment be initiated to the City's *Local Government and Public Property Local Law 2014*, that in effect, allows the City to make determinations as to specific local government property where drones cannot be launched from.

DETAILS

In terms of making an amendment to the City's existing local law around the management of the launching and landing of drones, there are a number of matters to consider.

Management of drones generally

As previously reported, once a drone is in the air it is not governed by a local government, but by the Civil Aviation Safety Authority (CASA). Although CASA does not have a formal definition for a drone, it generally recognises them as remotely piloted aircraft systems, and regulates the flying of drones to protect people, property and the flight areas of other aircraft.

In view of this, CASA currently has separate drone safety rules and requirements depending on whether a drone is being flown for recreational purposes or for commercial purposes. Within the "commercial purposes" category, there are different requirements for drones under two kilograms and those greater than two kilograms, as well as whether the operator wishes to fly outside of CASA Standard Operating Conditions. CASA will be introducing new drone registration and accreditation requirements later in 2019 which will apply (with certain exceptions) to:

- drones more than 250 grams operated recreationally
- all drones operated commercially regardless of weight.

Other key parts of the proposal include:

- flyers under 16 years of age need to be supervised by someone 18 or older who is accredited
- accreditation will be an online education course, watching video and answering a quiz
- registration for recreational flyers will be less than \$20
- for commercial flyers registration is likely to be from \$100 to \$160 per drone.

Notwithstanding the above, CASA current recreational drone safety rules have been in place since 2002 and sets out the following:

- *You must not fly your drone higher than 120 metres (400 ft) above the ground.*
- *You must not fly your drone over or near an area affecting public safety or where emergency operations are underway (without prior approval). This could include situations such as a car crash, police operations, a fire and associated firefighting efforts and search and rescue operations.*
- *You must not fly your drone within 30 metres of people, unless the other person is part of controlling or navigating the drone.*
- *You must fly only one drone at a time.*
- *If your drone weighs more than 100 grams:*
 - *You must keep your drone at least 5.5 kilometres away from controlled aerodromes (usually those with a control tower).*
 - *You may fly within 5.5 kilometres of a non-controlled aerodrome or helicopter landing site (HLS) only if manned aircraft are not operating to or from the aerodrome. If you become aware of manned aircraft operating to or from the aerodrome/ HLS, you must maneuver away from the aircraft and land as soon as safely possible. This includes:*
 - *not operating your drone within the airfield boundary (*without approval).*
 - *not operating your drone in the approach and departure paths of the aerodrome (*without approval).*
- *You must only fly during the day and keep your drone within visual line-of sight.*
 - *This means being able to orientate, navigate and see the aircraft with your own eyes at all times (rather than through a device; for example, through goggles or on a video screen).*
- *You must not fly over or above people. This could include festivals, sporting ovals, populated beaches, parks, busy roads and footpaths.*
- *You must not operate your drone in a way that creates a hazard to another aircraft, person, or property.*
- *You must not operate your drone in prohibited or restricted areas.*

** Approval is generally linked to an approved model flying association and its members.*

Commercial drone operators are exempt from the rules above if they are flying drones for money or for any form of economic gain but must hold a Remote Pilots Licence (RePL) and be certified as an operator, or work for a certified operator.

In view of the CASA safety rules for recreational drone usage, all drone usage on City's reserves, road reserves or other local government property will be regulated by these rules. However, there may be specific local government property that CASA safety rules may not apply, and the City may need to identify such property or reserves to restrict the launching and landing of drones should it wish to do so through a local law determination. It should also be highlighted that CASA safety rules will always override any provision that City places within its local law once the drone is in the air.

Current local law provisions

The local law currently contains provisions under clause 2.4 of Schedule 2 of the local law (Determinations) that specifies the following provision around motorised model aircraft, cars or ships:

“2.4 Motorised model aircraft, cars or ships

A person may use, launch or fly a motorised model aircraft, car, ship, glider or rocket that is propelled by mechanical, hydraulic, combustion or pyrotechnic means on or from local government property where that person is authorised by a permit or a determination specifying a particular local government property.”

As detailed in the report presented to Council at its meeting held on 25 June 2019 (CJ082-06/19 refers), a drone is not deemed a model aircraft, nor does it fall under the formal definition of “aircraft” as defined by the *Civil Aviation Act 1998* (Cwlth). It is considered that model aircraft are generally scale models or similar replicas of larger aircraft that may need an extended area for horizontal take-off and landing (with the exception of model helicopters). Therefore, a formal definition for a drone is required for the purposes of any local law amendment that makes a distinction between a drone and a model aircraft.

At the Council meeting held on 25 June 2019 (CJ082-06/19 refers), a member of the Western Australian Electric Flyers club made a public statement in relation to the differentiation between drones and petrol-powered radio-controlled planes, and requested that in formulating the Amendment Local Law, the City considers assigning non-pad or electric pad radio controlled fixed wing aircraft either to the category of drones or create a new third category.

As part of the justification around calling for a report at the Council meeting held on 21 August 2018, the intent of the issue was to support the use of recreational drones which is increasing throughout the community with the identification of locations throughout the City that would, wherever possible, maximise imagery and landscape potential as most recreational drone usage are also utilised for still or video image recording.

In view of this, the Amendment Local Law has been developed, not to allow extensive determinations to be made on a full suite of remotely piloted aircraft systems (such as model aircraft and different types of aircraft used by a range of flying and model clubs) but to focus only on those type of remotely piloted aircraft that are commonly used by members of the community for recreational purposes, being three or more propellered systems.

Local law amendment

The proposed Amendment Local Law seeks to progress the direction of Council by amending the current local law to allow the City to make determinations as to specific local government property where drones cannot be launched from. Determinations are mechanisms in local laws that allow local governments to regulate activity specifically on local government property and land.

Under the current local law (Part 2), the City is able to make a determination in relation to:

- activities which may be pursued on specified local government property
- activities which may be prohibited on specified local government property.

Any determination may specify the extent to which, and the manner in which, an activity may be pursued, or prohibited on local government property. Such matters include:

- the days and times during which the activity can be pursued or is prohibited
- that an activity can be pursued or prohibited on a class of local government property, specified local government property or all local government property
- that an activity may be limited to, or is prohibited, in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things

- that an activity can be pursued or is prohibited in respect of a class of persons or all persons
- may distinguish between different classes of the activity.

Once the Amendment Local Law comes into effect (14 days after its publication in the *Government Gazette*) and subject to it being agreed to by the Joint Standing Committee on Delegated Legislation (JSCDL), the City would then be able to make a determination on which local government property drones cannot be launched from or landed on. The process for making a determination is detailed in clause 2.2 of the local law and includes a public consultation process, before any restrictions can be put into place. This consultation is outside of the formal local law-making consultation process as detailed in this report.

The Amendment Local Law must firstly include a definition of drone, that as detailed above, can differentiate it between a model aircraft, as provisions around model aircraft are already provided in the local law (clause 2.4 of Schedule 2). In view of this it proposed to include, at clause 1.6 of the local law (under Definitions), a new definition for drone as follows:

‘drone means a remotely piloted aircraft system that:

- (a) has three or more propellers; and*
- (b) capable of vertical take-off and landing;’*

To enable the City to make determinations around the launching and landing of drones, new sub-clauses need to be included in both clause 2.7 (Activities which may be pursue on specified local government property) and clause 2.8 (Activities which may be prohibited on specified local government property) of the existing local law. Clause 2.7(1) of the local law therefore is proposed to be amended by including the following sub-clause:

“(k) launch or land a drone”.

Similarly, clause 2.8(1) of the local law sets out the activities that may be determined to be prohibited from being pursued on local government property, through a determination. It is proposed to amend the local law to include in the list of activities that may be prohibited the following:

‘(j) the launching or landing of a drone.’

A marked-up version of the *Local Government and Public Property Local Law 2014*, that incorporates the proposed amendments, is detailed in Attachment 2.

Local law-making procedure

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

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

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

In view of this the **purpose** of this local law is to amend certain provisions within the *City of Joondalup Local Government and Public Property Local Law 2014*.

The **effect** of this local law is to enable the local government to make a determination as to specific local government property throughout the district where drones cannot be launched from.

Issues and options considered

Council can either:

- make the *City of Joondalup Local Government and Public Property Amendment Local Law 2019* as presented for the purposes of public advertising (option 1)
- make the *City of Joondalup Local Government and Public Property Amendment Local Law 2019* as proposed with any necessary amendments (option 2)
- or
- not recommend the making of the *City of Joondalup Local Government and Public Property Amendment Local Law 2019* and retain the existing local law.

Option 1 puts into effect the decision of Council made at its meeting held on 25 June 2019.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*
Local Government (Functions and General) Regulations 1996.
Local Government and Public Property Local Law 2014.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Effective representation.

Strategic initiative Ensure the elected body has a comprehensive understanding of its roles and responsibility.

Policy Not applicable.

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

Risk management considerations

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

Financial / budget implications

The cost associated with the local law making process is approximately \$2,500, being public advertising costs and costs to publish the local law in the *Government Gazette*. Funds are available in the *2019-20 Budget* for statutory advertising.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

In formulating the Amendment Local Law the City sought advice from Surf Life Saving WA (SLSWA) due to the use of drones for surf life saving activities. SLSWA has advised the following:

- All of SLSWA's drones are under two kilograms, meaning they are in the 'excluded' category and do not require operators to obtain a Remote Pilot's Licence (RePL) providing they notify the Civil Aviation Safety Authority (CASA) before they fly and operate within the standard operating conditions.
- SLSWA require all drone operators to complete their own training program which covers approximately 70% of the RePL training content.
- All SLSWA drone operators have an Aviation Reference Number and are required to sign a document that they will comply with SLSWA procedures for drone operation. These procedures have been designed to comply with CASA regulations.

Currently only Mullaloo SLSC operate drones as part of their patrols. Sorrento SLSC are located too close to the helipad at Hillarys Boat Harbour to operate without breaching the CASA regulations, and the beach enclosure reduces the need for aerial surveillance to a degree.

As part of its operations, the City's natural areas team also use drones to survey bushland where suitable, for maintenance activities. Similar to SLSWA this drone is not operated under a commercial licence and its operation therefore is governed by the CASA safety rules for recreational drone usage. Due to the importance of these activities, it is possible through the determination to exclude SLSWA's and the City's drone usage from any restriction on a local government property determination.

Comment was also sought from the WA Electric Flyers Club, in view of the deputation made at the Council meeting held on 25 June 2019. The President of the club expressed concern in terms of the narrowness of the proposed definition in the Amendment Local Law and that it does not cover a range of drone varieties that are available on the market and are flown by members of the public or by club members. Comment was also made in terms of the risks associated with a variety of remotely piloted aircraft and such risks of flying these types of aircraft would be commensurate to recreational drone usage that is commonly undertaken as well as other sporting activities on reserves (such as cricket and other velocity ball games).

Should Council decide to make the *City of Joondalup Local Government and Public Property Amendment Local Law 2019* for the purposes of public advertising, statutory advertising and consultation with all members of the public will occur, as follows:

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

COMMENT

The flying of drones for recreational purposes is a growing activity with a large range of models readily available and designed to cater for a range of users. For recreational use, drones range in size from a few grams to several kilograms. Drones are typically electric powered with rechargeable battery packs with an operational range that can vary from a few metres to a couple of kilometres depending on the sophistication of the drone; the control device; and the battery pack. However, there are many variety of “drones” on the market and defining what is a drone could be unreasonably restrictive.

The City's jurisdiction in regard to drones is restricted to prevent or permitting the taking off and landing of drones from City controlled property. The City has no jurisdiction over taking off and landing from private property and CASA is the responsible agency when a drone is airborne.

It is highly unlikely there will be situations on the City's controlled property that will satisfy CASA's recreational drone usage guidelines, possibly with a few exceptions. Any change to the local law is therefore questionable in terms of its desired intent and what it is trying to regulate. By creating determinations as to where drones cannot be launched from, may give the community the perception that a drone can be flown in certain other places, which in effect, could possibly contravene CASA's rules around drone usage.

Instead of creating an amendment to the local law, it may be more beneficial for the City to assist with educating the community on acceptable drone usage, as opposed to implementing a regulatory enforcement regime through the City's local law.

Notwithstanding the above, the proposed *City of Joondalup Local Government and Public Property Amendment Local Law 2019* will implement Council's direction to enable the City to make a determination as to specific local government property throughout the district where drones cannot be launched from.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council **MAKES** the *City of Joondalup Local Government and Public Property Amendment Local Law 2019*, as detailed in Attachment 1 to Report CJ104-08/19, for the purposes of public advertising.

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf190813.pdf](#)

CJ105-08/19 ESTABLISHMENT OF RESIDENT DATABASE FOR COMMUNITY CONSULTATION (COMMUNITY ENGAGEMENT NETWORK)

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	103443, 101515
ATTACHMENTS	Nil
AUTHORITY / DISCRETION	Executive – the substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to note an update on the City of Joondalup's Community Engagement Network, which serves as the City's online, opt-in resident database for community consultation projects and to note that the establishment of a separate resident database mechanism for community consultation is not required.

EXECUTIVE SUMMARY

At the Briefing Session held on 14 May 2019, the Chief Executive Officer received a request to provide a report on the establishment of a database of electors / residents to opt into for the purposes of community consultation.

Since 2013, the Community Engagement Network has served as the City's online, opt-in resident database for community consultation projects. With over 3,000 community members registered, the Community Engagement Network receives email notifications for specific community consultation projects and City-wide projects and members are emailed information that is tailored to projects that are happening in their area.

The Community Engagement Network is promoted regularly on the City's website and social media, as well as City-wide flyer distributions and face-to-face registrations through local community and school events. The most popular registration method has been through a checkbox that is attached to all major community consultation projects.

It is therefore recommended that Council NOTES the:

- 1 *information on the City's Community Engagement Network as detailed in Report CJ105-08/19;*
- 2 *establishment of a separate resident database mechanism for community consultation is not required.*

BACKGROUND

Community consultation aims to assist Council in deliberating and then making decisions based on a clear understanding of its community's views. The City's commitment to community consultation is outlined in the City's *Community Consultation Policy*, and tailors its techniques based on the community's level of influence to encourage greater community participation in the decisions and affairs of the City of Joondalup.

The City uses several consultation mechanisms to inform residents of upcoming consultations including personalised letters to letterboxes, emails to users, community groups and parliamentarians and information on the City's website. Where relevant, the City also promotes upcoming consultation projects through its 12 e-newsletter publications with a total of over 100,000 subscriptions through the City's website.

History of the Community Engagement Network

The Community Engagement Network was established in 2013 as the City's online, opt-in network for residents and community stakeholders where members are informed by email notifications about upcoming consultation projects. The Community Engagement Network is one of several consultation mechanisms used in conjunction to the ones listed above that the City utilises to inform residents.

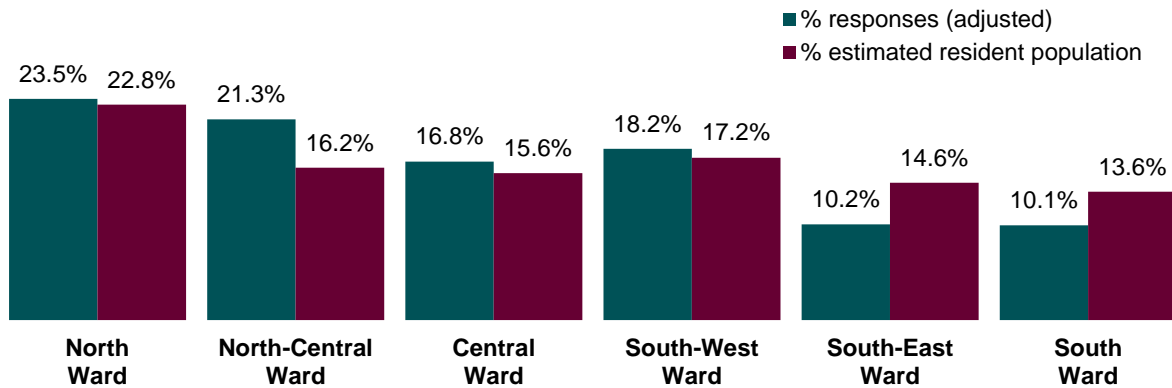
While the Community Engagement Network was predominantly used to inform members electronically of opportunities to provide feedback on consultation projects, the scope of notification has now been broadened to informing members of City projects that are advertised through the public notices, City events and to source potential participants for focus groups, workshops or forums for strategic projects.

To register, community members and stakeholders can either complete an online subscription form which is located on the City's website or complete a 'sign-up to the Community Engagement Network' checkbox which is located at the end of survey forms for major consultation projects. Demographic information such as name, address, suburb, gender and age are collected to enable tailored information for members on specific projects and events. Contact details are kept strictly confidential and members can unsubscribe from the Community Engagement Network at any time by emailing the consultation inbox.

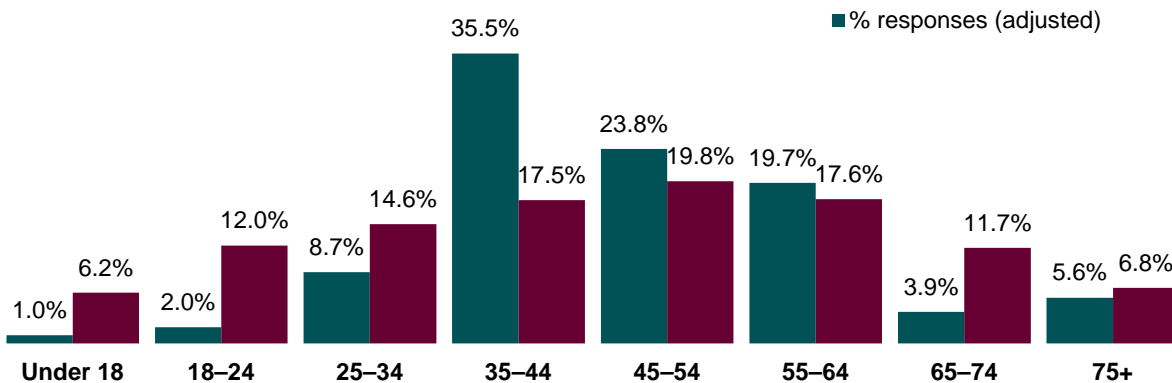
DETAILS

Current Membership

The Community Engagement Network currently has 3,184 registered members, with most members (94%) residing within the City of Joondalup. Across the six wards, there is a slightly higher proportion of members from the North Ward (23.5%) and the North Central Ward (21.3%). When compared to the 2018 estimated resident population for the City of Joondalup, the South-East Ward and the South Ward are slightly underrepresented while the North Central Ward is slightly overrepresented.



Most members indicate that they are between the ages of 35 to 44 years (35.4%), 45 to 54 years (23.8%) and 55 to 64 years (19.6%). When compared to the 2016 City of Joondalup population, the younger age groups (particularly 18 to 24 years and 25 to 34 years) are underrepresented, and the 35 to 44 years age groups are considerably overrepresented.



Current Usage

In 2018-19, 25 email notifications were distributed to Community Engagement Members with 15 being suburb specific and 10 being distributed to all members. Four email notifications related to informing the community of events such as the Ocean Reef Marina Open Day or the Housing Opportunity Area Community Information Sessions while four emails were about notifications of works such as the demolition of Jack Kikeros Hall.

Seventeen email notifications were directly sent to members that related to community consultation of which an average of 13.0% of members provided a response. Examples of these community consultation projects include but not limited to the Housing Opportunity Area consultations, City Communications Survey, Paid Parking Survey, Arts and Culture Audit, Proposed Community Sporting Facilities and Sports Floodlighting Upgrades. Overall, compared to other direct contact mediums that the City uses (that is letter drop to residents, email to stakeholders and the like), the Community Engagement Network often achieves the highest response rate.

Current Promotions

The City regularly promotes / advertises the Community Engagement Network to the wider community to encourage participation. In 2018-19, the Community Engagement Network was promoted via the following means:

- A dedicated Community Engagement Network webpage outlining the purpose of the Network and contains the online registration form.
- Community Engagement Network sign-up checkboxes were attached at the end of 10 major community consultation projects, inviting respondents to join.
- Annual social media advertising was published through the City's Facebook, Twitter, LinkedIn and Instagram accounts.
- Promotional flyers were distributed to all City of Joondalup resident mailboxes. These flyers were also made available via customer service centres, leisure centres and libraries.
- Posters were affixed inside customer service centres, leisure centres and libraries.
- E-screen display messages were designed and displayed on the e-screens located at customer services centres, Craigie Leisure Centre and libraries.
- Promotional advertisements and articles were printed in the Joondalup Voice section of the community newspaper.
- Promotional advertisements and articles were posted in a variety of the City's eNewsletter publications including Business Edge, Environmental Events and Libraries.
- Promotion in the Budget edition of the City News.

Opportunities for improvement

In August 2017, members were invited to provide input on how the City could improve communications through the network. The survey was emailed to all registered members and 255 responses were collected throughout the 21 day advertised engagement period.

Survey outcomes showed that:

- members were satisfied or highly satisfied with the current content of the Community Engagement Network
- members indicated email notifications were the most appropriate form of communicating
- topics that interested members included consultation on City projects, information on City events, items identified on public notices and consultations from external agencies (such as Federal and State Government consultations).

Other opportunities for improvement include the following:

- *Increasing numbers of residents under 25 on the Network* – While the City receives relatively high response rates to its engagement and consultation projects, responses from those under the age of 25 are often underrepresented. More so, of the 3,184 registered members of the Community Engagement Network, less than 2% are aged under 25 years. To increase and ensure young voices are heard in the community, the City piloted two face-to-face promotions at school expos to get input from young people and register them for the Network.
- *Increase word of mouth promotions* – Of the 255 responses, only 20.2% indicated that their friends and colleagues were aware of the City's Community Engagement Network. As a result, 2019-20 Community Engagement Network promotions will target a 'Refer a friend' campaign in an effort to increase registrations.

Issues and options considered

Council can either:

- note the information detailed in this Report
or
- provide further direction in terms of the City's Community Engagement Network.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Active democracy.

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

Policy *Community Consultation and Engagement Policy.*

Risk management considerations

The Community Engagement Network remains a relevant and successful mechanism to update residents on community consultation projects, however there is a potential for members to feel "over-consulted". To prevent this, there is an "opt-out" clause that is reiterated in all communications material which ensures that members are continually provided with the opportunity to cease communication with the network should they wish.

Financial / budget implications

While funds are allocated to marketing and promotion of the Community Engagement Network, there are no major financial or budget implications in maintaining a database of members, as it is managed via a simple electronic database.

Regional significance

Just under 6% of Community Engagement Network members live outside of the City of Joondalup, with most living in neighbouring suburbs such as Mindarie, Tapping, Banksia Grove and Butler. Most of these members have indicated that they are either regional stakeholders interested in the City's community consultation projects or regional visitors to the area, who use the City's facilities or conduct business within the City of Joondalup.

Sustainability implications

Not applicable.

Consultation

The Community Engagement Network is intended to establish an innovative and useful consultation and engagement tool for the City. It is envisaged that input and feedback will continually be sought to ensure the material remains relevant to members.

COMMENT

The Community Engagement Network aligns to the “adapt to community preferences for engagement formats” strategic initiative listed in the City’s *Strategic Community Plan – Joondalup 2022*. It is anticipated that the Community Engagement Network will continue to provide an opportunity for interested community residents and stakeholders to be notified of the City’s consultation projects on an ongoing basis. Therefore, it is considered that the establishment of a separate resident database mechanism for community consultation is not required.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the:

- 1 information on the Community Engagement Network as detailed in Report CJ105-08/19;**
- 2 establishment of a separate resident database mechanism for community consultation is not required.**

Disclosure of interest affecting impartiality

Name/Position	Cr Sophie Dwyer.
Item No./Subject	CJ106-08/19 - List of Payments made during the month of June 2019.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A payment made to Cr Dwyer's employer is noted on page 544 of the Briefing Session Attachments.

CJ106-08/19 LIST OF PAYMENTS MADE DURING THE MONTH OF JUNE 2019

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENTS	<div>Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of June 2019</div> <div>Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of June 2019</div> <div>Attachment 3 Municipal and Trust Fund Vouchers for the month of June 2019</div>
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of June 2019.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of June 2019, totalling \$15,795,771.85.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for June 2019 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 CJ106-08/19, totalling \$15,795,771.85.

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 2019. Lists detailing the payments made are appended as Attachments 1 and 2 to this Report.

The vouchers for the month are appended as Attachment 3 to this Report.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 108417 - 108606 & EF078353 – EF078970 Net of cancelled payments.	\$10,534,748.68
	Vouchers 2559A – 2575A	\$ 5,248,747.77
Trust Account	Trust Cheques & EFT Payments 207361 - 207366 & TEF001694 – TEF001699 Net of cancelled payments.	\$ 12,275.40
Total		\$15,795,771.85

Issues and options considered

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

Option 1

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

Option 2

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

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

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

Strategic Community Plan**Key theme**

Financial Sustainability.

Objective

Effective management.

Strategic initiative

Not applicable.

Policy

Purchasing Policy.

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 *2018-19 Annual Budget* as adopted by Council at its meeting held on 26 June 2018 (CJ114-06/18 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Chief Executive Officer's list of accounts for June 2019 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 CJ106-08/19, totalling \$15,795,771.85.

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf190813.pdf](#)

CJ107-08/19 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 JUNE 2019 (SUBJECT TO END OF YEAR FINALISATION)

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	07882,101515
ATTACHMENTS	Attachment 1 Financial Activity Statement Attachment 2 Investment Summary Attachment 3 Supporting Commentary
AUTHORITY/ DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the Financial Activity Statement (subject to end of year finalisation) for the period ended 30 June 2019.

EXECUTIVE SUMMARY

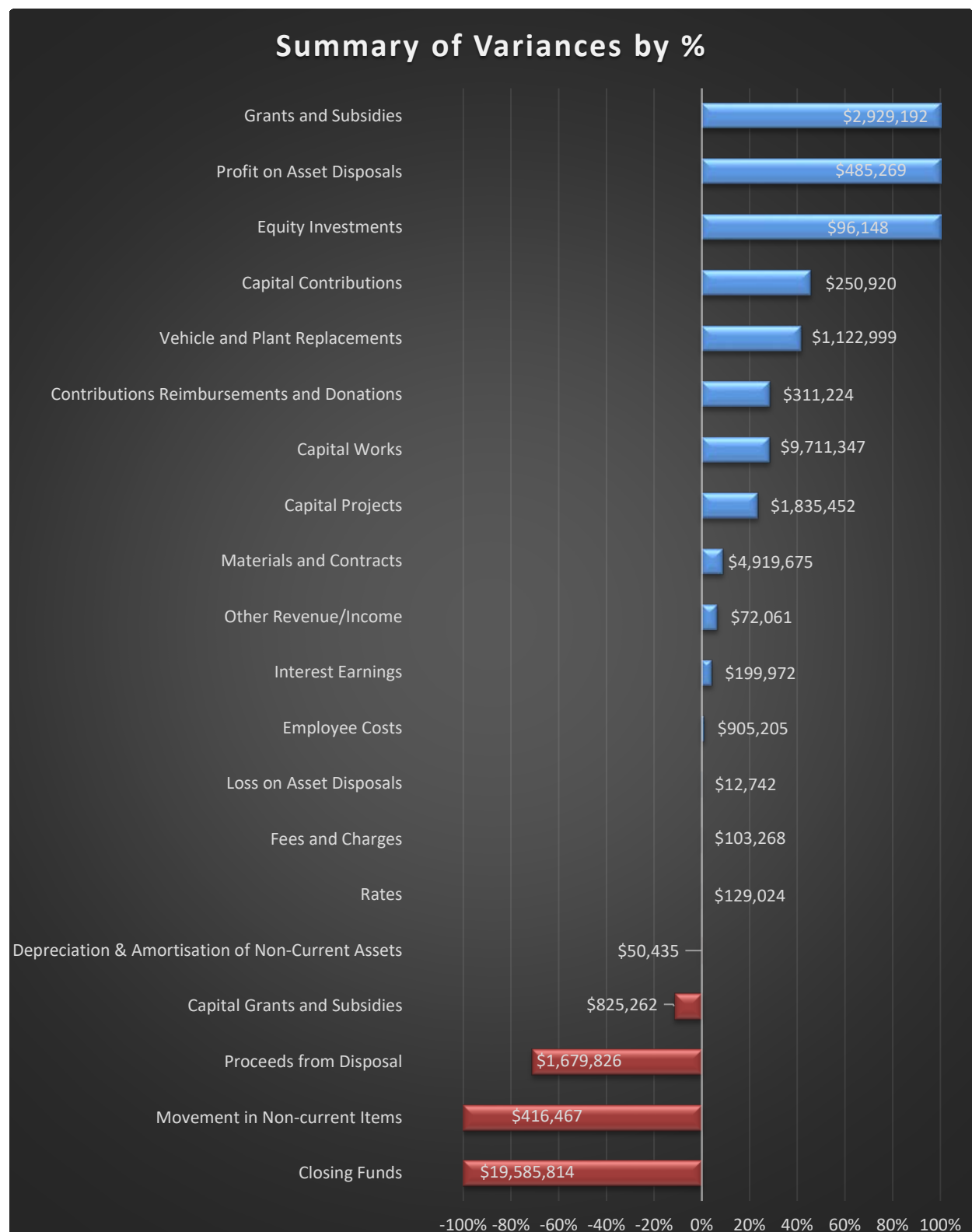
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. Council subsequently revised the budget at its meeting held on 19 February 2019 (CJ017-02/19 refers). The figures in this report are compared to the revised budget.

The June 2019 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$19,585,814 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 including reserves movements are still to be finalised, which will incorporate transfers to and from the Capital Works Carried Forward Reserve, Waste Management Reserve, Parking Facility Reserve, and Strategic Asset Reserve, as well as transfers to the Asset Renewal and Tamala Park Land Sales Reserves.

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 Attachment 3 identify and provide commentary on the individual key material revenue and expenditure variances to date.

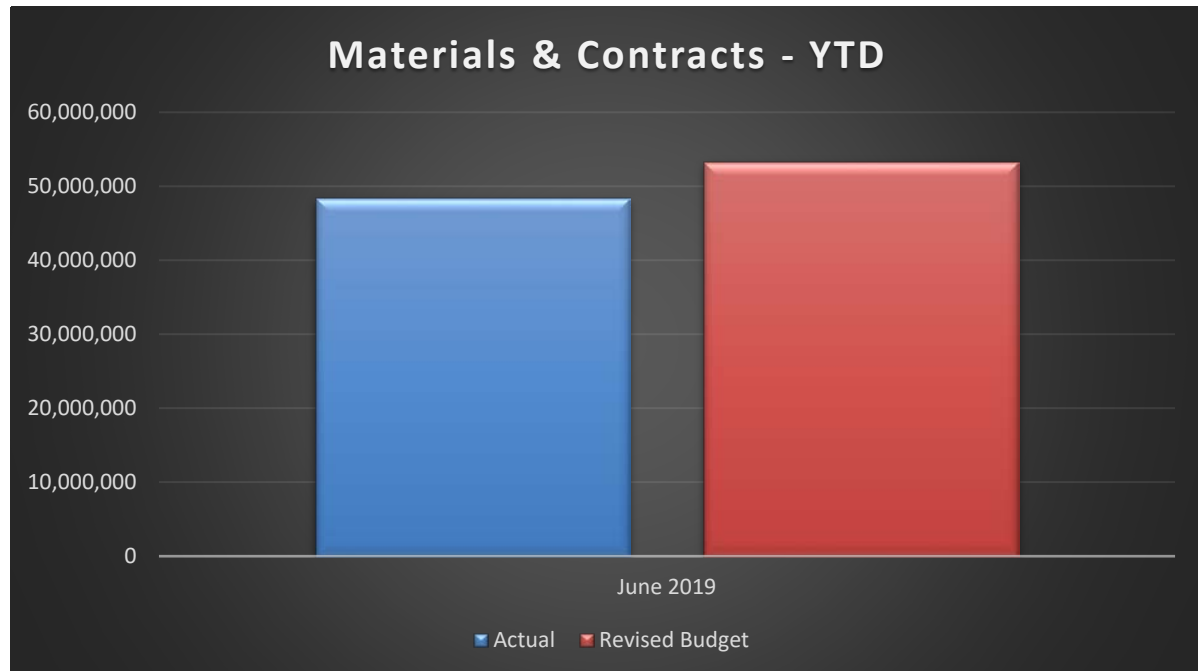
The key elements of the variance are summarised below:



The significant variances for June were:

Materials & Contracts

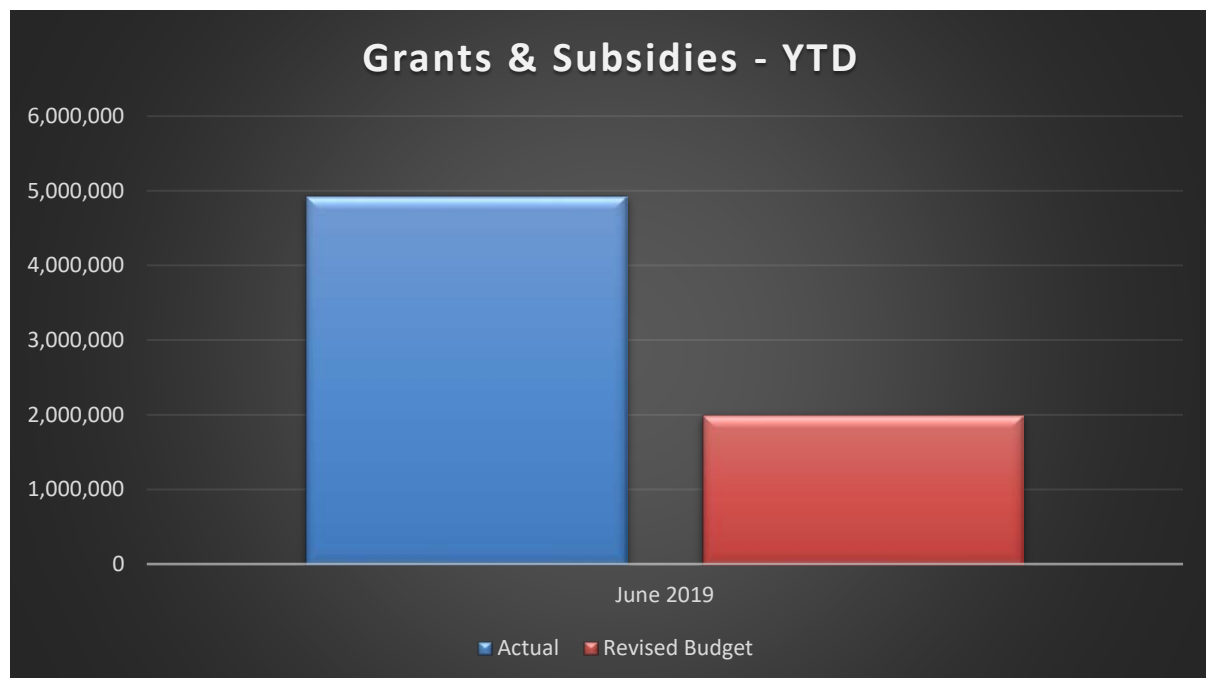
\$4,919,675



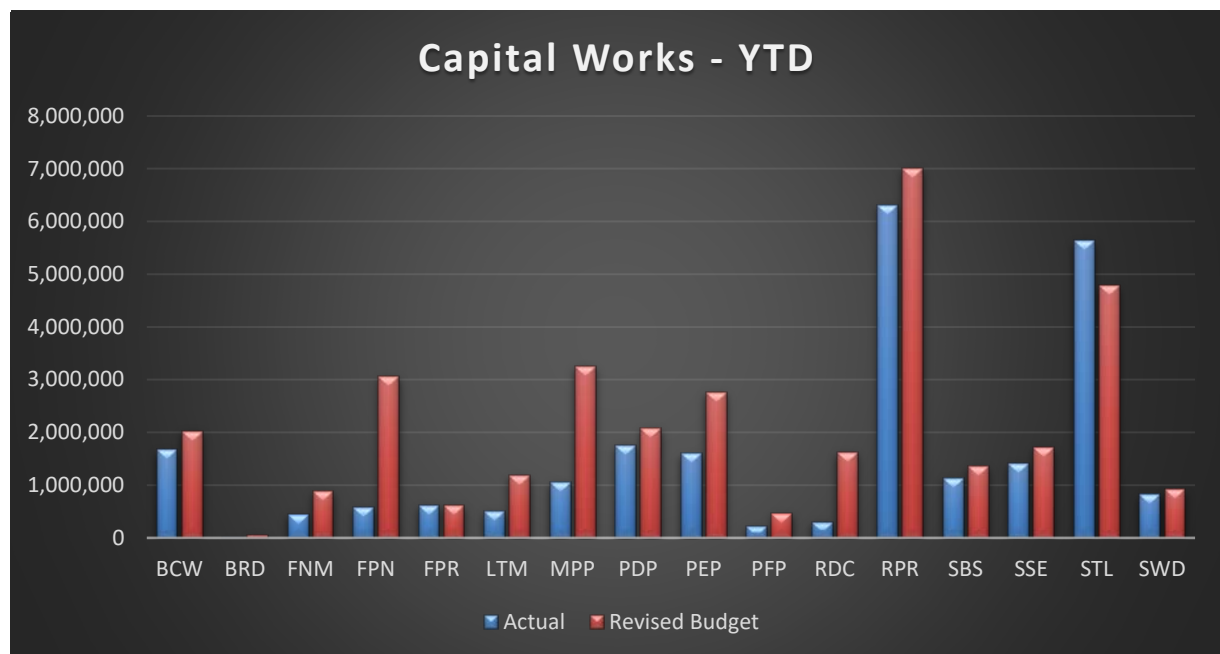
Materials and Contracts expenditure is \$4,919,675 below budget. This is spread mainly across a number of different areas including favourable variances for External Service Expenses \$2,496,270, Administration \$691,319 and Professional Fees and Costs \$471,818.

Grants & Subsidies

\$2,929,192



Operating Grants and Subsidies is \$2,929,192 more than budget. Favourable variances mainly arose from; Federal General Purpose (WALGGC) Grant \$1,660,654, Federal Assistance (FLRG) Grant \$1,225,765 and Other State Operating Grants and Subsidies \$37,088.

Capital Works**\$9,711,347**

Capital Works is \$9,711,347 below budget, most of which is estimated to be carried forward to the next financial year. This is spread mainly across a number of different areas including favourable variances for Paths Program \$2,477,901, Major Projects Program \$2,192,658, Major Road Construction Program \$1,327,837 and Parks Equipment Program \$1,167,540.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 30 June 2019 forming Attachment 1 to Report CJ107-08/19.

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 2019 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

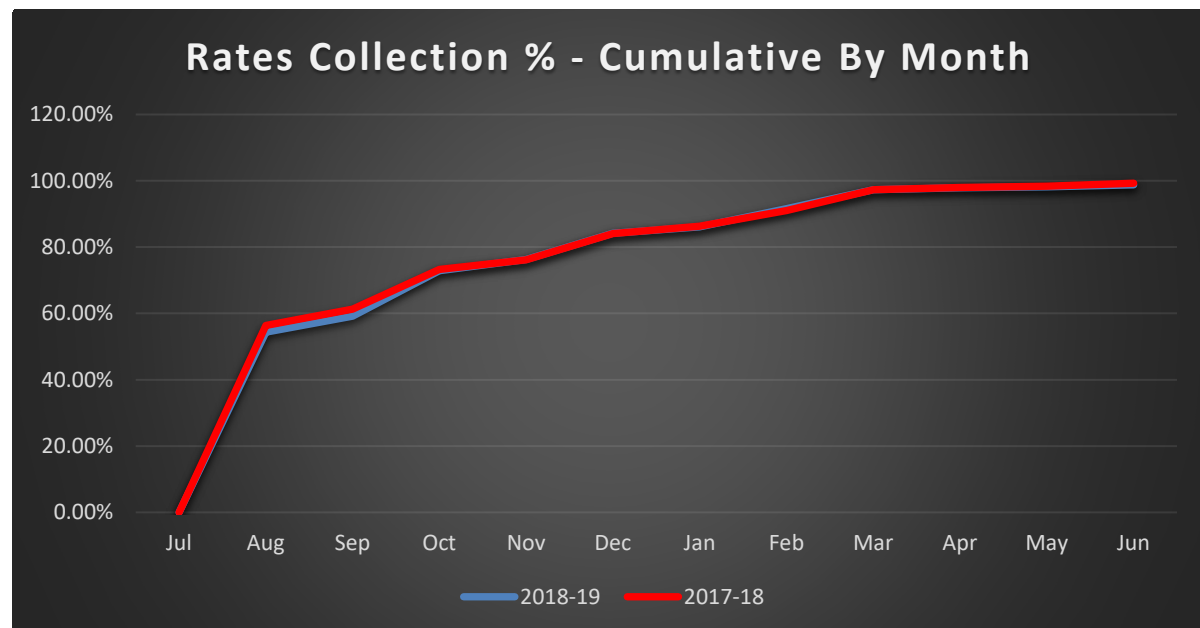
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

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*. The *Mid Year Review Budget* was prepared in accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*.

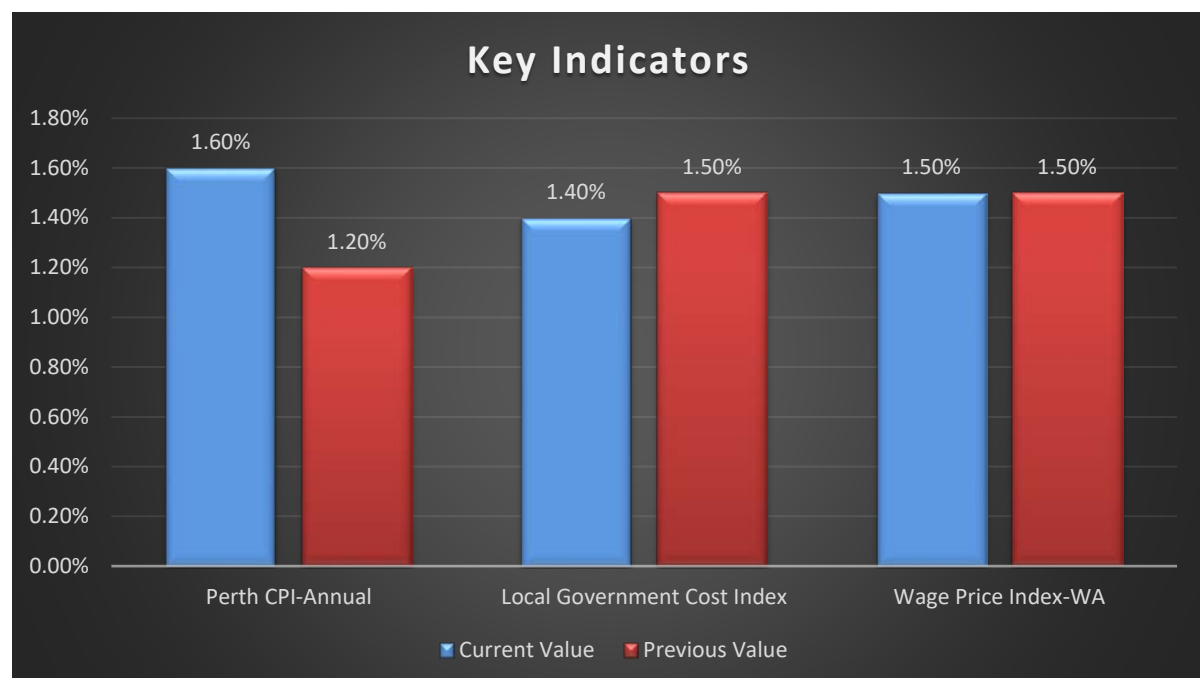
KEY INDICATORS

Rates Collection



Rates collections as a percentage of rates issued (debtors) continues on par with the prior year at the end of June.

Economic Indicators



Increase in the Perth CPI during the June quarter demonstrates the WA economy continues to emerge from its downturn further indicating future cost pressures in the general economy. Wage inflation data for March demonstrates the WA wage price index remains steady and continues to contrast the national wage price index which increased by 2.2% for the same period.

COMMENT

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the 2018-19 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.

RECOMMENDATION

That Council NOTES the Financial Activity Statement (subject to end of year finalisation) for the period ended 30 June 2019 forming Attachment 1 to Report CJ107-08/19.

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf190813.pdf](#)

REPORTS – MAJOR PROJECTS AND FINANCE COMMITTEE – 15 JULY 2019

CJ108-08/19 DRAFT 20 YEAR STRATEGIC FINANCIAL PLAN 2019 (2018-19 TO 2037-38)

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	107632
ATTACHMENTS	Attachment 1 Schedules Attachment 2 Draft 20 Year Strategic Financial Plan 2019 (2018-19 to 2037-38) with tracked changes Attachment 3 Draft 20 Year Strategic Financial Plan 2019 (2018-19 to 2037-38) without tracked changes
AUTHORITY / DISCRETION	Executive – The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to adopt the draft *20 Year Strategic Financial Plan* (20 Year SFP) for the period 2018-19 to 2037-38 and *Guiding Principles 2019*.

EXECUTIVE SUMMARY

The new plan included in this document covers the years 2018-19 to 2037-38 and is referred to as the draft 20 Year SFP. At its meeting held on 21 August 2018 (CJ152-08/18 refers), Council adopted the previous plan which covered the years 2017-18 to 2036-37.

Some of the key assumptions and outcomes of the updated plan are as follows:

- Existing services and infrastructure assumed to continue - \$400 million set aside for renewal (20 years). New projects and upgrades to existing infrastructure are included - investment of \$500 million (20 years).
- Economic indicators updated with reference to state and federal budgets and RBA economic outlook. The economy continues to be in low-inflationary period and this is expected to continue for a few years.
- Employment Costs: Average increase of 2.31% from 2019-20 to 2022-23 which is 0.5% less than the 2.81% increase in Perth Wages Price Index #1 projected in the May 2019 State Budget.
- Materials/Contracts: Average increase of 2.06% from 2019-20 to 2022-23 which is 0.19% less than the 2.25% increase projected in Perth CPI.

- Rate Increases: Average increase of 2.44% from 2019-20 to 2022-23 which is 0.37% less than the projected 2.81% increase in Wages CPI, so the plan should provide more affordability for the community to cope with increases in rates.
- Rate increases of 2.44% are slightly higher than the increases in expenses which ensures that income grows more than expenses and allows the City to improve the operating surplus.
- Operating Result: Minor surplus is now expected to be achieved in 2019-20 and by 2022-23 a moderate surplus of \$2.4 million (1.4% surplus).
- Asset Renewal Reserve will ensure that the City has the long-term financial capacity to maintain infrastructure and assets to existing service levels.

#1 Forecasts for Perth Wages Price Index are only available up to 2022-23.

The major changes in the draft 20 year SFP compared to the previously adopted plan are as follows:

- Rate Increases: Average increase of 2.67% over the 20 years of the plan instead of 4.13% in the previous plan.
- Long-term financial targets refined, the City will strive to achieve a modest 2% Operating Surplus, rather than the previous target between 2% and 8%.
- Asset Renewal Reserve will ensure that the City has the long-term financial capacity to maintain infrastructure and assets to existing service levels.
- Arbitrary estimate for capital renewal just to achieve the Asset Sustainability Ratio has been removed. It is unnecessary for the City to try to achieve a ratio that it does not need to do so at this point in time.
- Borrowings: New borrowings of \$20.5 million, which is \$4.5 million less 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 \$7.0 million deficit in 2018-19 to a surplus of \$0.3 million in 2019-20 and then a \$2.4 million surplus in 2022-23 which is 0.6% less than the City's target for a 2% Operating Surplus Ratio - it is not a major concern to be below the 2% target. Most importantly the cash surpluses that the City is projected to achieve are sufficient to support long-term renewal requirements and planned new infrastructure.

It is therefore recommended that Council:

- 1 *ADOPTS the draft 20 Year Strategic Financial Plan 2019 (2018-18 to 2037-38) forming Attachment 2 to Report CJ108-08/19;*
- 2 *ADOPTS the Guiding Principles 2019 as included in Appendix 1 of Attachment 2 to Report CJ108-08/19.*

BACKGROUND

The new plan included in this document covers the years 2018-19 to 2037-38 and is referred to as the draft 20 Year SFP. At its meeting held on 21 August 2018 (CJ152-08/18 refers), Council adopted the previous plan which covered the years 2017-18 to 2036-37 and is referred to throughout this report.

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 strategic 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 may be projects and plans being under review 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.

Twenty years is a long period for financial forecasting and it needs to be emphasised that the outer years have a lot more uncertainty than the earlier years. The 20 Year SFP strives to achieve the following:

- *Years 1 to 5 – High level of accuracy, albeit dependent on the key assumptions.*
- *Years 6 to 10 – Moderate level of accuracy.*
- *Years 11 to 20 – Minor level of accuracy/high uncertainty.*

How the draft 20 Year SFP is produced

There are four sets of assumptions used to build up the draft 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 2019-20 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 2019-20 to 2023-24* is embedded into the draft 20 Year SFP.
- Forecasts for the outer years (2024-25 to 2037-38) 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	20 Year Plan - Rate Setting	<ul style="list-style-type: none"> Operating statement, capital expenditure, funding.
1.2	Key Ratios Summary	<ul style="list-style-type: none"> Summary of the Key Ratios achieved versus previous plan. Other key indicators are also summarised. Graphs of key indicators.
1.3	Assumptions	<ul style="list-style-type: none"> Economic Indicators and external environment. Escalation assumptions applied for operating income and operating expenditure. Also includes other key assumptions, such as costs of borrowing.
1.4	Major Project Assumptions	<ul style="list-style-type: none"> List of major projects. Comparison of updated capital cost versus previous plan, and comparison of timescales for completion.
1.5	Capital Expenditure (Capex) by Year – excluding escalation	<ul style="list-style-type: none"> Summary of all capital requirements, both for existing programs and new projects.
1.6	Capital Expenditure (Capex) by Year – including escalation	<ul style="list-style-type: none"> Summary of all capital requirements, both for existing programs and new projects.
1.7	Project Funding Estimates	<ul style="list-style-type: none"> Funding summary to explain how projects are funded.
1.8	Reserves	<ul style="list-style-type: none"> Projected reserve balances and movements.

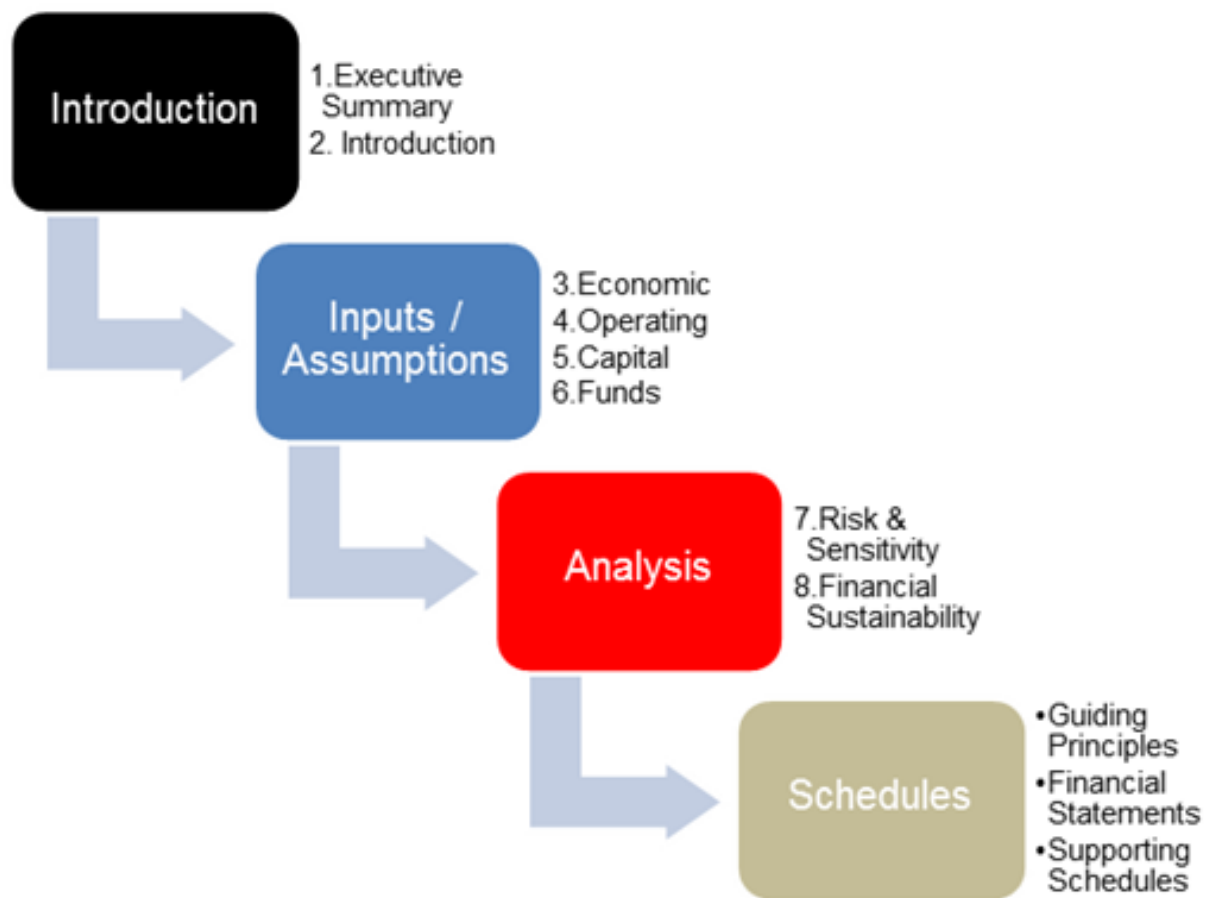
Format and Content of the Plan (Attachment 2 and Attachment 3 refer)

The draft 20 year SFP follows the same content and structure as the previous plan. There are two versions of the draft 20 year SFP attached:

- Attachment 2 - the text is shown as tracked changes to the previous plan, while all the tables and charts have been replaced using the new model.
- Attachment 3 – new plan without tracked changes.

The draft 20 year SFP complies with the Department of Local Government, Sport and Cultural Industries *Integrated Planning & Framework*. The draft 20 year SFP 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 2019

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 21 August 2018 (CJ152-08/18 refers). The proposed Guiding Principles 2019 are shown with changes shown as tracked changes at Appendix 1 of Attachment 2.

Ideally, there should not be much change year to year on the Guiding Principles, but the revised principles have several key changes, which reflect the discussions at Budget Workshops during 2019, the establishment of the Asset Renewal Reserve and the subsequent development of the draft 20 Year SFP. It would be envisaged that changes in future years are minimal. These revised principles now put the City in a much stronger position than previous principles because they put the operating projections at the heart of the SFP, specify a more modest target for Operating Surplus Ratio and ensure that all other elements revolve around the operating projections which are the most important part of a strong long-term sustainable financial plan.

Table 2 – Proposed Changes to Guiding Principles (page numbers refer to Attachment 2)

Page	Change	Details
35	Targets Ratios /	<p>The previous guiding principles referred to two core assumptions that should always be achieved, a balanced cash budget and rates increases no more than 5%. The Balanced Cash Budget each year is still crucial but has been moved to the “Treasury” section – bullet five.</p> <p>However the reference to rates increases being no more than 5% is unnecessary for several reasons. Firstly, the City now has a lower target for Operating Surplus Ratio (2% instead of 2% to 8%) so there is no need to have a rate increase close to 5%. Secondly there is no need to specify a target for rate increases because the rate increase should be determined with reference each year to economic conditions, services provided/changed, inflationary factors, all other impacts on the operating results and the desired target for operating surplus.</p> <p>Although the reference to rates increases has been removed from this part of the Guiding Principles there is now a new statement about rate increases that has been added to the Operating Results which deals with the issues above.</p>
35	Asset Management - Bullet 1	This item, which refers to long-term renewal projections being used to inform the draft 20 year SFP, has been refined so that it now refers to the Asset Renewal Reserve and that these long-term renewal projections will (not “may”) inform the draft 20 year SFP.
36	Asset Management - Bullet 3	The guiding principles used since 2013 has specified that the target for the Asset Sustainability Ratio should be calculated on a five year average, rather than an individual figure each year. A five year average is normally a better indicator of underlying performance with ratios as it evens out peaks and troughs. However the use of a five year average is inconsistent with the Advisory Standard and a five year average adds a degree of complication. Ratios should ideally be easy to follow, so it is proposed to revert to the original intended calculation where the target for the ratio is just calculated on an annual basis.
36	Treasury Management - Bullet 4	Refinement of statement which refers to the treatment of surplus municipal funds. The previous guiding principles stated that any surplus funds would go to the Strategic Asset Management Reserve (now renamed as the Strategic Asset Reserve). Now that the Asset Renewal Reserve is set up, the Strategic Asset Reserve should only receive the funding it requires to fund future major projects, and any other surplus thereafter should be transferred to the Asset Renewal Reserve.
36	Operating Results - Bullet 2	Clarification that the City will strive to achieve an operating surplus, and that is calculated by having more operating income than operating expenses.

Page	Change	Details
36	Operating Results - Bullet 3	<p>The previous statements here were limited. It is worthwhile expanding this section to explain more clearly how the operating projections are prepared, and that the estimated costs are based on service provision as directed by Council. The expansion of this section also allows for a statement on how rates increases are determined, this is important as the previous statement of rates increases (previously within Core Assumptions) has been removed.</p> <p>This section also refers to the need for sufficient operating surpluses to ensure that adequate transfers in/out of the Asset Renewal Reserve can be supported so that future asset renewals can be completed on time, without affecting asset or service performance.</p>
36	Operating Results - Bullet 4	<p>The previous guiding principles referred to a target Operating Surplus Ratio of between 2% and 8%. This range is too wide and can lead to surpluses which are unnecessary and can lead to implied high rate increases within the SFP which are unnecessary and unlikely to be implemented anyway. The 2019 budget process reviewed these targets and a 2% target for Operating Surplus was noted as a desired target.</p> <p>The 2% target needs to be tempered though because it may not be possible to achieve this target in some years (without high increases in rates), and in other years it may be necessary to have a higher ratio of 2%, depending on some other key assumption for example transfers required for the Asset Renewal Reserve. Therefore the statement has been modified to provide a reasonable level of flexibility, so that the 2% is noted as a target but not necessarily a fixed assumption.</p>
36	Operating Results - Bullet 5	<p>This statement is no longer necessary because the refinements in Bullet 3 supersede this, and there may be some years where it is reasonable to have operating expenses grow by more than operating income.</p>

DETAILS

With reference to Attachment 1, the key changes to the previous plan are as follows:

- Employment Cost increases – reference is made initially to the assumptions that the City has currently made with the proposed workplace agreements (covering the years 2018-19, 2019-20 and 2020-21). For the year 2021-22 an increase of 2.75% is now assumed, rather than the 3.0% assumed in the previous plan – this change of 0.25% is made with reference to the most up-to-date Wages Price Index Forecasts (which forecast 3.0%) but the view of the City that the projections for Wages Price Index are optimistic. The increases for every year thereafter are the same as the previous plan. These will be reviewed next year and if the projected growth in Wages Price Index does not materialise again then the increases in future years will be reduced.

- Materials/Contracts – the majority of the items are assumed to increase by CPI, the key issue is then the projected increase in CPI. The most up-to-date projection for Perth CPI is from the State Budget but this again looks overly optimistic (as was the case for the 2018 State Budget), so the City has opted to assume that CPI will increase by 0.25% less than the State Budget increases – this relates to the years 2020-21 and 2021-22 so these increases are now 0.25% lower than the previous plan.
- Operating Surplus Ratio & Rate Increases – the previous plan assumed much higher rate increases and this has undermined the plan in the past because these higher rate increases were not implemented as part of the annual budget. A revised regime has been established as described in the changes to the *Guiding Principles*. The new targets strive for a 2% Operating Surplus Ratio and Rates Increases should be established to achieve this target and to also ensure that there is sufficient funding of existing and future renewals. An initial estimate of 2.5% for rate increases has been used in the draft 20 year SFP for 2020-21 onwards, although this has to be increased in some of the outer years due to the high impact of new projects. The average rate increase in the draft 20 year SFP is now 2.67%, much lower and realistic than the 4.13% in the previous plan. A 2.5% rate increase has been assumed in the early years of the plan and allows the City to eventually achieve a 2% operating surplus ratio by 2026-27, which is reasonable as the City is only expected to achieve a 0.2% surplus in 2019-20. Care has to be taken though in future updates of the SFP with this target, a 2.5% Rate Increase may appear satisfactory while the economy is in a low inflationary period, but if the economy returns to higher escalation and higher wages price index then rates increases may need to be applied accordingly.
- Capital Expenditure Classification (Renewal/Upgrade/New) - the previous plan used arbitrary classifications of projects based on the general nature of a project that is 100% of Path Replacement was deemed to be 100% renewal. The Five Year Capital Works Program 2019-20 to 2023-24, as reported through 2019 Budget Workshops two and three, provided a much more detailed and insightful analysis of the split of expenditure – each individual project was separately assessed with reference to existing assets, and a better split of each component of a project. This revised analysis has been used as the basis of splitting out the overall proposed capital expenditure for all 20 years of the draft 20 year SFP.
- Capital Works Program has been refined during the past few years with stronger emphasis on renewal projects, and less expenditure on upgrade/new. There is little scope now for additional upgrade/new expenditure.
- Major Projects. The proposed timing and expenditure/funding of each project was reported as part of 2019 Budget Workshop four. Where there are significant changes thereafter (for example at Major Projects and Finance Committee), they are included in the draft 20 year SFP. Some of the key changes in the timing/cost of major projects and reasons are as follows:
 - Joondalup Performing Arts and Cultural Facility capital expenditure reduced from \$80 million to \$59 million based on revised scope and report to the Major Projects and Finance Committee at its meeting held on 6 May 2019.
 - Multi-Storey Car Park (two) was previously shown to start in 2021-22 and completed for 2022-23, this is now moved on two years to 2024-25. The potential location of a second car park has not yet been identified and there needs to be a Needs / Feasibility analysis as well as a Location Analysis, comprehensive business case, tender, contract award and construction – it is

unrealistic to assume that this could be completed in just two years. The City has begun to work on this project, while the capacity of the Reid Promenade Car Park, is now nearing full utilisation this does not mean that there would be adequate utilisation of a second multi-storey, indeed the City needs to tread carefully with such a large investment with the potential evolution/adoption of autonomous vehicles and vehicle sharing.

Attachment 1.4 provides a list of all 22 Major Projects and specifies if there is a change in timing, the reason and source of the estimate.

- Borrowings – the draft 20 Year SFP projects \$20.5 million which is \$4.5 million less than the \$25 million in the previous plan. There are lower borrowings than the previous plan because the Multi-Storey Car Park (two) project has been moved on two years and there would be more reserve funding available from the Parking Facility Reserve.
- Asset Renewal Reserve. A vital change was made to the use of reserves as part of the 2019-20 adopted budget, that provides strong long-term sustainability for the future. The previous Vehicles, Plant & Equipment reserve was changed to become an Asset Renewal Reserve. This ensures that there is greater focus and funding for much larger renewals that will arise in the future. The City is currently in a strong cash position because it does not need to spend as much on renewals as the cost of depreciation, but in future years this trend will be reversed so it is vital to plan for this. The draft 20 year SFP has referred to the projected long-term renewals (70 years) and has set aside adequate funding for the Asset Renewal Reserve. Meanwhile the reserve previously referred to as the “Strategic Asset Management Reserve” has been renamed to the “Strategic Asset Reserve” and the definition amended, so that there is no confusion or conflict with the Asset Renewal Reserve.
- Tamala Park Reserve. The proceeds from Tamala Park Regional Council (TPRC) from sale of land at Tamala Park have been lower for 2018-19 and 2019-20 than assumed in the previous plan. The revised forecast has been updated in the draft 20 Year SFP based on an updated projection from TPRC (May 2019). The projected balance in the reserve at June 2020 is now estimated to be \$14.7 million, which is \$2.3 million less than the \$17.0 million assumed in the previous plan. The lower proceeds are due to the softening in the housing market and the plan assumes that this will be caught up in later years. The draft 20 Year SFP continues to assume that the proceeds are simply put into reserve and as yet there is no project identified to use the funds, so at first glance it appears as though the impacts are minimal. However the funds in reserve do attract earnings which does affect the operating results.
- Ratios. The previous plan set aside surplus funds into “Unspecified Capital Renewal” merely so that the 90% Asset Sustainability Ratio would be achieved. This is unnecessary and unrealistic, there is no need for the City to be renewing as much as 90% of the depreciation value any time soon so there is no need to try and achieve the ratio and therefore the arbitrary allocation to the “Unspecified Capital Renewal” has been removed. Unfortunately this means that the draft 20 year SFP now only achieves 24 ratios out of 60, whereas the previous plan estimated achievement of 46 ratios. Ratios are only there as a guide and the variances to target simply need to be understood and explained.

Issues and Scenarios considered

Scenarios

Three scenarios for rate increases have been evaluated in the plan (Section 7.2). The increases explained earlier (2.5% Rate Increase per year) have been used as the base case and used as the basis of the draft 20 year SFP and schedules.

Options

The options are:

- adopt the 2019 draft 20 Year SFP without any further changes
- adopt the 2019 draft 20 Year SFP with changes
or
- do not adopt the 20 Draft 20 Year SFP at this stage, pending further changes.

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 as follows:

- 1 Sorrento Surf Life Saving Club Redevelopment. A business case has been submitted by the Club, reviewed by the City and presented to Elected Members. The City will now be developing the Concept Design, and will report back to Council before the project can be included in the SFP.
- 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. A draft Order of Magnitude Business Case was presented to the Major Projects and Finance Committee at its meeting held on 6 May 2019.
- 3 Ocean Reef Marina. The project costs are included but no other capital costs or financial impacts are included. The City has prepared initial estimates for the impacts to the City, but these are subject to review and negotiation with Landcorp and other stakeholders.
- 4 Cafes/Kiosks/Restaurants. The draft 20 year SFP includes capital expenditure for projects at Pinnaroo Point and Burns Beach, but the recurring income and expenses are not yet included in the draft 20 year SFP. These will be included in subsequent updates when leases have been signed and/or greater certainty is available on the recurring impacts.
- 5 BMX, Skate and Outdoor Youth Recreation Strategy. As per Council's resolution at its meeting held on 16 May 2017 (CJ067-05/17 refers), a draft strategy is being developed. As specified in the updated Guiding Principles, it is not viable to include any potential impacts of this strategy in the draft 20 Year SFP until it has been considered by Council.
- 6 Place Neighbourhood Infrastructure. The increased density and new dwellings may result in requirements for new or upgraded infrastructure at some future stage. This may be identified as part of the annual update of the *Five Year Capital Works Program* or potentially as a project in its own right, but before any expenditure is included in the SFP there needs to be scoping and options evaluation.
- 7 Works Operations Centre (WOC) Tenure Review. At the request of Council, the City is currently reviewing options for changing the tenure for the WOC. Preliminary work has been completed but it is too early in the process to make any assumptions in the SFP.
- 8 Free Parking Review. A report is currently being prepared for Council which will assess the impacts of providing an element of free parking in some or all of the City Centre. It is likely that any form of free parking would have an impact on the City's operating results.

The above list of projects not currently included in the SFP may initially appear to provide a significant risk to the SFP if they are subsequently included. However five of the eight projects above (Items 1, 2, 3, 4 and 7) would be expected to provide a net benefit (or no worse than break-even) to the City so it is prudent for the City to exclude the projects at this point. In any case the SFP is updated annually and can take account of any projects that have matured and should be included.

The other key item missing from the draft 20 year SFP at this stage are the potential impairment costs arising from some of the projects above (Sorrento Surf Life Saving Club and Ocean Reef Marina) as well as costs for transfer of assets to Main Roads WA. The impairment costs will be a one-off expense to the operating expenses and therefore depress the operating results in the year they are incurred. While these costs are book transactions, these costs are important to recognise as part of the decision-making process because they represent future year's depreciation, sub-optimal use of assets and not making best use of the cash that was initially spent on the assets. When impairment costs are known they will be added to future updates of the SFP and it may also be necessary to break down the operating results between

the overall projected numbers and the underlying results (for example excluding the one-off impairments).

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 2018-19 to 2037-38 (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 2019 (2018-19 to 2037-38) replaces the previous plan adopted in 2018.

Comparison to Other Local Government

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 2017-18. The results are varied. Both the Cities of Joondalup and 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. 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 and Gosnells are below the threshold of 70 and designated as “not sound”. Although it is

far from ideal for the City of Joondalup to be labelled as “not sound”, there are a few key issues to note:

- Projected score for 2019-20 is 71, if the City achieves a positive operating result.
- The scoring mechanism used is flawed and cannot in totality be accepted by the City, for example to achieve all the available marks for the Operating Surplus Ratio would require the City to achieve a 15% Operating Surplus Ratio.
- Asset Sustainability Ratio contributes nine points of the score. It is correct that the City should not be achieving this ratio as it should not be spending as much on renewals as the depreciation expense (unlike more mature Cities such as Stirling), so this is another nine points that will not be achieved for a number of years.

Table 3 – Comparison to other metropolitan local governments

Comparisons	Operating Surplus / (Deficit)	Financial Health Indicator
	<u>2017-18</u> \$ms	<u>2017-18</u> Score out of 100
Joondalup	(\$3.2)	61
Wanneroo	\$14.2	71
Stirling	\$7.6	89
Swan	\$34.3	91
Gosnells	(\$13.0)	53
Perth	\$8.7	80

The Financial Health Indicator is currently being reviewed by the West Australian Treasury Corporation and the City has had the opportunity to provide input to the review process.

Analysis of Operating Results by Service

The table below lists the projected surplus for Parking Services, Waste and all other services for 2019-20 and 2022-23. Parking Services and Waste have been shown separately because the surpluses generated are transferred to reserve, and it shows that if it were not for these surpluses in 2019-20 then the City would incur a \$2.4 million deficit. The surpluses from Parking Services are planned because they help to pay off the borrowings for the Reid Promenade Car Park and also help to build up reserves for future investment in parking facilities. The surpluses from Waste have been achieved through service improvements and are being retained as a hedge against the uncertainty for future waste disposal. By 2022-23 it is projected that all other services/infrastructure will still make a negative contribution of \$0.4 million to the overall \$2.4 million surplus that is projected.

The overall key comment about this table is to demonstrate that the projected surpluses in 2019-20 and in the following two years are still fragile. It would only take a minor change in any number of key assumptions to move the results back into deficit. It is therefore crucial for the City to continue the momentum to improve the operating results so that there is a healthier margin.

Table 4 – Analysis of Operating Results by Service.

Analysis of Operating Results by Service	2019-20	2022-23
	\$ms	\$ms
Parking Services	\$1.3	\$1.4
Waste Net Result	\$1.4	\$1.4
All other Services and Infrastructure	(\$2.4)	(\$0.4)
Projected Operating Surplus	\$0.3	\$2.4

Combined Refuse / Rates Charges

The table below shows the total household impact from 2014-15 to 2019-20 of increases to Rates and Refuse Charges. The City has now kept the Refuse Charge per Household at \$346 for six years and this means that the actual increases incurred are lower than the headline rate increase. The 2.25% increase in 2019-20 in Rates when combined with the 0% increase in Refuse Charges translates to a 1.77% increase in household charges (excluding Emergency Service Levy which the City has no control over). This information is important when reviewing the rates increases that have been levied versus economic indicators and considering the increases of 2.5% that are assumed in the next few years to ensure that City can achieve a 2% Operating Surplus Ratio.

The City has continued to update financial modelling for Waste Expenditure, taking account of all known changes to its own services/contracts, as well as making assumptions about the increase in the Mindarie Regional Council Gate Fee that are likely once other Councils implement three bins.

Table 5 – Combined Rates & Refuse Charge.

Combined Rates & Refuse Charge	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
	%	%	%	%	%	%
Rates Increase %	3.9%	3.9%	2.5%	1.95%	2.95%	2.25%
Refuse Charge % Increase	3.9%	0.0%	0.0%	0.0%	0.0%	0.0%
Household Total Impact	3.9%	3.1%	2.0%	1.6%	2.4%	1.77%

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 15 July 2019.

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

RECOMMENDATION

That Council ADOPTS the:

- 1 draft *20 Year Strategic Financial Plan 2019* (2018-18 to 2037-38) forming Attachment 2 to Report CJ108-08/19;**
- 2 Guiding Principles 2019 as included in Appendix 1 of Attachment 2 to Report CJ108-08/19.**

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf190813.pdf](#)

CJ109-08/19 CHICHESTER PARK, WOODVALE - PROPOSED COMMUNITY SPORTING FACILITY

WARD	Central
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	00428, 03179, 101515
ATTACHMENTS	Attachment 1 Chichester Park aerial map Attachment 2 Existing clubroom floorplan Attachment 3 Proposed site concept plan Attachment 4 Proposed facility floorplan Attachment 5 Proposed facility elevations Attachment 6 Proposed facility perspectives Attachment 7 Community engagement outcomes report
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider the community engagement undertaken for the new proposed community sporting facility and other supporting infrastructure at Chichester Park, Woodvale and endorse progression of the project.

EXECUTIVE SUMMARY

Chichester Park located on Trappers Drive, Woodvale is classified as a district park and includes two active sport playing fields (north and south), a clubroom, floodlighting, car parking, disc golf course and a playground. As a district park, the ovals and infrastructure service the local area and several surrounding suburbs. Currently, five sporting clubs hire the ovals and the clubroom. The clubroom was constructed in 1992 and consists of a small meeting room, kitchen, toilets, change rooms and user group storage.

Due to the existing clubroom facility's functionality, size, layout and location issues, it was proposed that a new community sporting facility is developed. The existing car parking provisions and drainage issues on the southern playing field were also investigated as part of the project.

At its meeting held on 18 April 2017 (CJ063-04/17 refers), Council considered the project and requested community consultation be undertaken to determine the level of support for the redevelopment of Chichester Park. In July / August 2017, the City undertook community consultation on the proposed project. Given the support from the community (over 90% of respondents supported the redevelopment), at its meeting held on 10 October 2017 (CJ169-10/17 refers), Council requested the development of concept plans for the project.

A facility floor plan, site concept plan, elevations and perspectives were developed for the project which proposed to replace the existing building with a new two-storey community sporting facility including four change rooms, umpire room, first aid room, toilets, kitchen, meeting room, associated storage and a covered verandah area. The project also proposed a new BBQ / picnic area, underground drainage for the southern playing field and additional car parking provisions. The total project was estimated at \$4,159,170.

At its meeting held on 20 November 2018 (CJ208-11/18 refers), Council considered the proposed plans, approved the project to proceed and requested further community engagement be conducted. The City undertook community engagement from 25 March to 15 April 2019 and received a total of 154 valid responses. Respondents were requested to indicate their level of support for the various elements proposed at Chichester Park. The following is a summary of the results:

- Replacing the existing clubroom (in the current location) with a new multi-purpose community sporting facility – 92.2% support; 6.5% oppose; 1.2% unsure / no response.
- Installation of new BBQ / picnic area with drink fountain – 93.5% support; 5.1% oppose; 1.3% unsure / no response.
- Additional parallel car parking 4a (Trappers Drive) – 88.9% support; 7.1% oppose; 3.9% unsure / no response.
- Additional parallel car parking 4b (Landor Gardens) – 79.8% support; 8.4% oppose; 11.7% unsure / no response.
- Additional parallel car parking 4c (Standish Way) – 79.9% support; 8.4% oppose; 11.6% unsure / no response.
- Underground drainage to address flooding issues on the southern playing field – 95.4% support; 2.5% oppose; 1.9% unsure / no response.

**percentages may not total 100% due to rounding.*

Based on the results of the community engagement, it is recommended that the project proceed and is listed as part of the City's Community Sporting and Recreation Facilities Fund (CSRFF) project submission report to be considered by Council at its meeting to be held on 17 September 2019.

It is therefore recommended that Council:

- 1 *NOTES the findings of the second round of community engagement undertaken for the Chichester Park project as detailed in Report CJ109-08/19;*
- 2 *NOTES that \$4,159,170 is currently included across 2019-20, 2020-21 and 2021-22 of the City's Five Year Capital Works Program and 20 Year Strategic Financial Plan for the Chichester Park project;*
- 3 *NOTES the Chichester Park project will be listed as part of the City's Community Sporting and Recreation Facilities Fund (CSRFF) project submission report to be considered by Council at its meeting to be held on 17 September 2019.*

BACKGROUND

Suburb/Location	Chichester Park (south oval) 109 Trappers Drive Woodvale WA 6026.
Applicant	City of Joondalup.
Owner	Crown Land – City of Joondalup Management Order.
Zoning	LPS Public Open Space.
	MRS Urban.
Site area	81,666.4m ² .
Structure plan	Not applicable.

Chichester Park located on Trappers Drive, Woodvale (Attachment 1 refers) is approximately 8.2 hectares (southern playing field) and is classified as a district park within the City's existing *Parks and Public Open Spaces Classification Framework*. The park includes two active sport playing fields (north and south), a clubroom, floodlighting, disc golf course, car parking and a playground.

The clubroom (Attachment 2 refers) was constructed in 1992 and consists of a small meeting room, kitchen, toilets, change rooms and user group storage. In 2008-09 the facility was refurbished with a new kitchen, change rooms, painting and user group storage. In 2017 the Kingsley Soccer Club extended the undercover spectator viewing area on the western side of the building as part of a club funded facility upgrade application. The current size, location and layout of the existing clubroom facility is considered poor and it is not well utilised due to the size and condition of the existing meeting room and kitchen, limited available storage, size and location of the existing change rooms and drainage issues around the facility.

The northern playing field is used by the adjacent school (North Woodvale Primary School) as part of a "shared use" agreement with the City. The southern playing field is one of the most heavily utilised sporting grounds in the City with parking issues at peak usage times. It is used predominantly for soccer with the ability to hold three soccer pitches. There are drainage issues on the southern playing field during winter which impacts sporting club usage of the area. Also, irrigation filtration could be improved on the southern playing field to address the high iron issues.

The playground was upgraded in 2009 and an upgrade of the sports floodlighting on the southern playing field was completed in July 2016.

There are no annual hire groups of the existing clubroom facility due to the size, location and layout issues. The meeting room is one of the City's least utilised rooms (9.01% utilisation rate in 2018). The southern playing field is one of the City's most highly utilised active reserves (70% utilisation rate in peak periods during winter 2018). There are five sporting clubs with 1,420 registered members that currently use Chichester Park:

- Kingsley Soccer Club.
- Woodvale Football Club (soccer).
- WA Christian Football Association (soccer).
- Kingsley Woodvale Junior Cricket Club.
- Kingsley Woodvale Cricket Club.

The City first identified the need to redevelop Chichester Park in 2010 and allocated funds within the *20 Year Strategic Financial Plan (SFP)* for the project. At its meeting held on 15 July 2014 (CJ116-07/14 refers), Council considered the 2014 active reserve and community facility review report and a list of redevelopment projects with a recommended priority order which was agreed to be used in the development of the City's future *Five Year Capital Works Program* and *SFP*. The Chichester Park project was listed as the next

redevelopment project to be undertaken due to the heavy utilisation of the southern playing field and as a district park, it should have an appropriate level of infrastructure to support user group needs.

At its meeting held on 18 April 2017 (CJ063-04/17 refers), Council agreed to commence the project and requested community consultation be undertaken to determine the level of support for the redevelopment of Chichester Park.

In July / August 2017, community consultation was undertaken with over 90% of respondents supporting the redevelopment. At its meeting held on 10 October 2017 (CJ169-10/17 refers), Council requested the development of concept plans for the Chichester Park redevelopment project with the inclusion of the following:

- Redevelopment of the existing clubroom into a new community sporting facility.
- Investigation of car parking provisions.
- Investigation of drainage issues on the southern playing field.

A facility floor plan, site concept plan, elevations and perspectives (Attachments 3 to 6 refer) were developed for the project which proposed to replace the existing building with a new two-storey community sporting facility including four change rooms, umpire room, first aid room, toilets, kitchen, meeting room, associated storage and a covered verandah area. The project also proposed a new BBQ / picnic area, underground drainage for the southern playing field and additional car parking provisions. The total project was estimated at \$4,159,170.

At its meeting held on 20 November 2018 (CJ208-11/18 refers) Council considered the proposed plans, approved the project to proceed and requested further community engagement be conducted.

DETAILS

The City undertook community engagement from 25 March to 15 April 2019 and advertised the engagement through the following methods:

- Direct mail out - a cover letter and frequently asked questions document were sent to all stakeholders.
- Site signage – three signs were placed at Chichester Park during the engagement period.
- City's website – a frequently asked questions document and online comment form was available on the City's website and linked from the 'community consultation' section during the engagement period.
- Social media – a Twitter and Facebook post were published through the City's accounts on 25 March 2019.
- Newspaper – two public notices were published in the 'Joondalup Weekender' and one article was included in the Joondalup Voice during the engagement period.

A total of 1,857 stakeholders were directly engaged by the City including:

- residents and ratepayers within a 500 metre radius of the site (1,701 residents)
- community engagement network members residing in Woodvale (149)
- representatives from the park and facility user groups (five groups)
- representative from the North Woodvale Primary School
- representative from the Woodvale Waters Landowners Association.

Engagement results

The full results of the community engagement are included as Attachment 7.

The City received 154 valid responses of which 47 were from residents and ratepayers living within a 500 metre radius of the site. 111 respondents stated that they are a member of or are affiliated with one or more of the clubs that utilise Chichester Park, the North Woodvale Primary School or the Woodvale Waters Landowners Association. Of these, the majority of respondents (55) are associated with the Kingsley Soccer Club and Woodvale Football (soccer) Club (37).

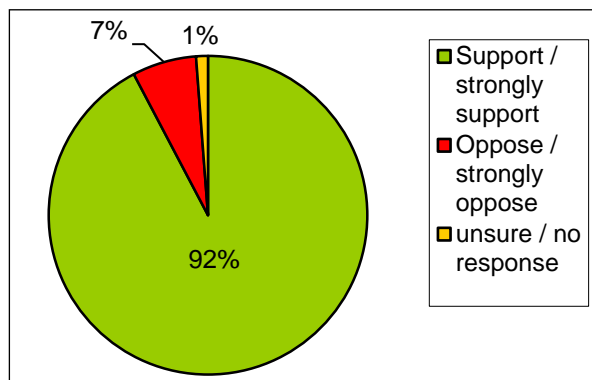
The majority of respondents (57.1%) indicated they use Chichester Park as part of an organised sporting club that hires the clubroom or the park, while 51.9% use it for informal sport or recreation. Ten respondents (6.5%) do not use Chichester Park, however are interested in the project.

Respondents were requested to indicate their level of support for the various elements proposed at Chichester Park including:

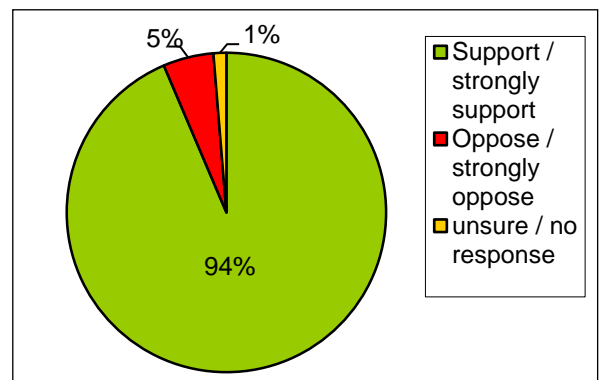
- replacing the existing clubroom (in the current location) with a new multi-purpose community sporting facility
- installation of new BBQ / picnic area with drink fountain
- additional parallel car parking 4a (Trappers Drive)
- additional parallel car parking 4b (Landor Gardens)
- additional parallel car parking 4c (Standish Way)
- underground drainage to address flooding issues on the southern playing field.

The following charts summarise the level of support for each component (rounding has been applied).

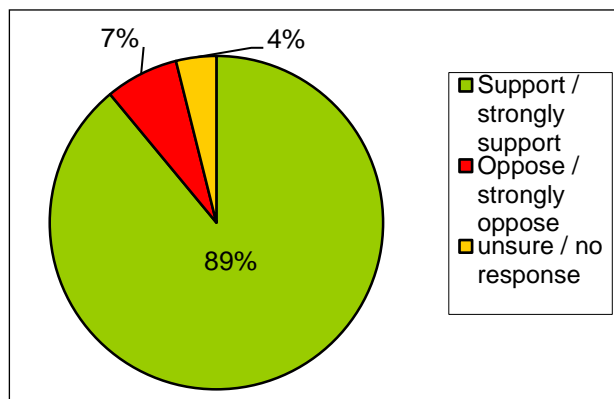
New multi-purpose community sporting facility



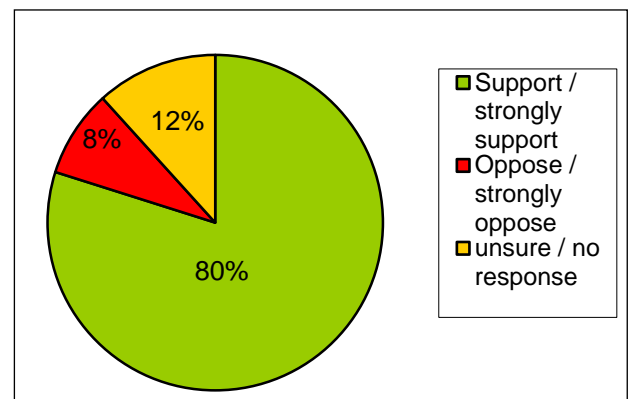
BBQ / picnic area with drink fountain



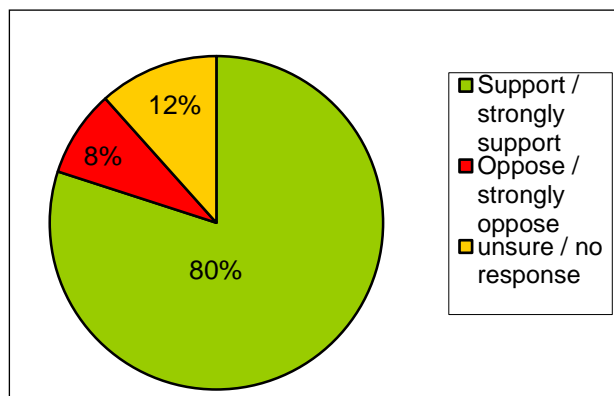
Parallel parking 4a (Trappers Drive)



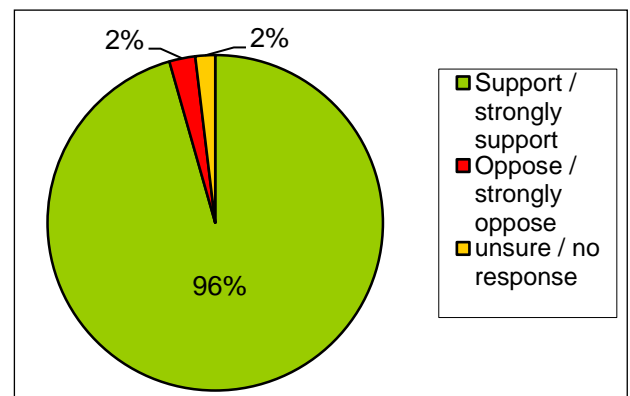
Parallel parking 4b (Landor Gardens)



Parallel parking 4c (Standish Way)



Underground drainage to southern field



Respondents who indicated that they either opposed or strongly opposed any of the project components were asked to describe why. A total of 18 respondents provided reasons for their opposition. Of the 18 respondents providing comment, eight opposed the parallel parking proposed at Landor Gardens, Standish Way or Trappers Drive. Reasons provided included concerns that these additional car parking bays would increase noise and traffic on these streets.

As part of the project, a traffic and parking assessment was undertaken in June 2018. The assessment indicated that there were two main factors contributing to the parking issues at Chichester Park. One is the shortage of formal parking areas at certain times of the peak usage period. The second is the desire to park as close as possible to the training / game pitch. As the field accommodates three playing pitches, some people prefer to park as close to the allocated pitch as possible using local streets such as Landor Gardens and Standish Way in particular.

The assessment proposed three potential additional off-street parallel parking areas totalling 39 bays to assist with parking issues during peak periods. There are 19 bays proposed along Trappers Drive to the south of the existing car park, eight bays along Landor Gardens and 12 bays along Standish Way. Given parking in these areas is already taking place, formalising the parking should not increase noise or traffic and will prevent erosion and damage to the verge area.

Additional Comments

Respondents were asked if they had any further comments on the proposed project. A total of 88 respondents provided comments. Common themes included the following:

- General support for the project (56 responses).
- Request for a playground next to the new facility (five responses).
- Request for six change rooms instead of four (four responses).
- Suggest existing car park be extended (three responses).

A summary of the additional requests has been included in the following table with a response.

Request	Response
Request for a playground next to the new facility (five responses).	It is not proposed to include a playground in this area as space is limited given the contour / level change challenges with the site. There is an existing playground at the site in the natural park area located north of the playing field.
Request for six change rooms instead of four (four responses).	<p>The City's standard provision for a single oval is two change room facilities. For this project, four change rooms have been proposed due to the number of playing fields accommodated on the southern oval (three) and the growing demand on City facilities to accommodate increasing female sports participation.</p> <p>Given the contour / level change challenges with the site and limited space for the new facility, six change rooms cannot be accommodated without significant additional cost and loss of vegetation.</p>
Suggest existing car park be extended (three responses).	<p>The existing car park cannot be extended to the east due to the fenced Banksia Woodlands area and an extension to the north would impact the existing vegetation in this area.</p> <p>As part of the traffic and parking assessment undertaken in June 2018, a new additional car park of 33 bays accessed off Trappers Drive to the north of the existing car park was explored. However, this was considered too far from the playing field and would not address the parking on the south eastern side.</p>

Issues and options considered

It is considered that Council has two options:

- to agree to progress the project
- or
- not to agree to progress the project.

If Council agrees to progress the project, a report will be submitted for consideration by Council at its meeting to be held on 17 September 2019 for all projects proposed to have CSRFF grant applications submitted.

Legislation / Strategic Community Plan / Policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Quality facilities.

Strategic initiative

- Support a long-term approach to significant facility upgrades and improvements.
- Understand the demographic context of local communities to support effective facility planning.
- Employ facility design principles that will provide for longevity, diversity and inclusiveness and where appropriate, support decentralising the delivery of City services.

Policy *Requests for New or Capital Upgrades to Existing Community Buildings Policy.*
Public Art Policy.
Asset Management Policy.
Community Consultation and Engagement Policy.

Risk management considerations

If the project does not progress, the sporting clubs that use Chichester Park will continue to operate within the existing limited facility. Based on the classification of the park (district park), heavy utilisation of the southern playing field and inadequate existing facilities, a redevelopment is required to better service the sporting clubs and the local wider community's needs. Furthermore, the clubroom will be nearing 30 years old at the time of the proposed redevelopment, therefore it is considered appropriate to upgrade it.

Any capital project brings risks in relation to contingencies and over-runs against original design. The capital cost estimate is based on concept designs and may differ once further detailed designs are undertaken for the project.

Financial / budget implications

The total estimated capital cost for the proposed project is \$4,159,170 which is currently included across 2019-20, 2020-21 and 2021-22 of the City's *Five Year Capital Works Program* and *20 Year Strategic Financial Plan* for the project.

It has been identified that this project would be suitable for consideration as part of the Department of Local Government, Sport and Cultural Industries (DLGSCI) CSRFF program. The CSRFF program considers a contribution of up to one-third for eligible components of a project that demonstrate they will increase sport participation, in this case up to \$1,093,790.

The financial projections for the project were included in the report considered by Council at its meeting held on 20 November 2018 (CJ208-11/18 refers).

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Environmental

All facility redevelopment projects are planned to reduce the impact of the carbon footprint and consider environmental sustainability design features where possible within the project budget. In addition, the site concept plans have been developed with the aim of minimising the impact on important flora and fauna at Chichester Park. Four trees have been recommended for removal due to existing health and structural condition however, in preparation of the potential loss of these identified trees, the City planted 16 new trees during the 2018 winter tree planting program.

Social

The project has included two rounds of engagement with existing user groups and the local wider community to ensure that the proposed redevelopment represents the communities' diverse needs. Furthermore, the proposed development at the site considers access and inclusion principles and aims to enhance the amenity of the public space. One of the main challenges with the site is the contour / level changes which create issues with access from the existing car park and compliance with access and inclusion requirements. To address this, a vehicle ramp and separate pedestrian pathways have been proposed to link the existing car park to the proposed new community sporting facility and park playing surface.

Economic

One of the main principles of the City's *Masterplan framework* is the development of 'shared' and 'multi-purpose' facilities to avoid duplication, and to reduce the ongoing maintenance and future capital expenditure requirements.

Consultation

Engagement for the project was conducted in accordance with the City's approved *Community Consultation and Engagement Policy* and *Protocol*. Results of the initial community engagement for this project were considered by Council at its meeting held on 10 October 2017 (CJ169-10/17 refers). Results of the second round of community engagement that was undertaken from 25 March to 15 April 2019 have been provided in the Details section of this report.

COMMENT

The City has undertaken a number of community sporting facility developments over the last 10 years such as those at Seacrest Park, Sorrento; Forrest Park, Padbury; Bramston Park, Burns Beach and Penistone Park, Greenwood.

The City identified Chichester Park as the next redevelopment project to be undertaken due to the existing clubroom facility functionality, size, layout and location issues and several challenges that have been identified in relation to the site. The park is one of eight district level parks within the City and the infrastructure supports five sporting clubs with 1,420 registered members. The works proposed at Chichester Park, is the final community sporting facility development currently planned to be undertaken by the City in the next 10 years.

The results of the community engagement demonstrates that over 92% of respondents support the new community sporting facility, BBQ / picnic area and underground drainage on the southern playing field proposed as part of the project. Approximately 80% of respondents support the additional parking proposed on Landor Gardens and Standish Way and approximately 90% support the additional parking proposed on Trappers Drive.

Based on the results of the community engagement, it is recommended that the project proceed and is listed as part of the City's CSRFF project submission report to be considered by Council at its meeting to be held on 17 September 2019.

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 15 July 2019.

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

RECOMMENDATION

That Council:

- 1 NOTES the findings of the second round of community engagement undertaken for the Chichester Park project as detailed in Report CJ109-08/19;**
- 2 NOTES that \$4,159,170 is currently included across 2019-20, 2020-21 and 2021-22 of the City's *Five Year Capital Works Program* and *20 Year Strategic Financial Plan* for the Chichester Park project;**
- 3 NOTES the Chichester Park project will be listed as part of the City's Community Sporting and Recreation Facilities Fund (CSRFF) project submission report to be considered by Council at its meeting to be held on 17 September 2019.**

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf190813.pdf](#)

REPORTS –POLICY COMMITTEE – 5 AUGUST 2019

CJ110-08/19 DRAFT PLANNING CONSULTATION LOCAL PLANNING POLICY

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	108216, 101515
ATTACHMENTS	Attachment 1 Draft <i>Planning Consultation</i> Local Planning Policy Attachment 2 Proposed Fees and Charges
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider the draft *Planning Consultation Local Planning Policy* for the purposes of public advertising.

EXECUTIVE SUMMARY

At its meeting held on 21 November 2017 (CJ177-11/17 refers), Council committed to preparing a new planning framework for infill development. Council also resolved to request the preparation of a Planning Consultation Policy to provide greater certainty and transparency regarding consultation for planning proposals.

The draft *Planning Consultation Local Planning Policy* (the draft LPP) elaborates and provides clarity on the various provisions relating to consultation contained in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the *Residential Design Codes*. It also proposes consultation that goes above and beyond the requirements of the afore-mentioned planning legislation. Notwithstanding this, the draft LPP retains some flexibility around planning consultation. Given the varying scale and context of planning proposals, it is not possible or appropriate to mandate a standard method of consultation for all applications.

The draft LPP was held pending the outcomes and progress of work on the draft new planning framework for infill development, to ensure alignment with any new framework. However, the draft LPP is now presented to Council based on the existing framework, in order to progress the draft LPP as soon as possible. The draft LPP can be amended to align with any new planning framework at a later stage.

It is therefore recommended that Council supports the draft LPP for the purposes of consultation for a period of 21 days.

BACKGROUND

As part of the consideration on addressing issues in Housing Opportunity Areas, Council at its meeting held on 21 November 2017 resolved, in part, as follows (CJ177-11/17 refers):

“...2 Requests the preparation of a Planning Consultation Policy to provide greater certainty and transparency regarding consultation for planning proposals;...”

The requirement for consultation on planning proposals is principally governed by the *Planning and Development (Local Planning Schemes) Regulations 2015* (the LPS Regulations) and the *Residential Design Codes* (the R-Codes). The R-Codes collectively now include both Volume 1 (relating to single and grouped dwellings) and Volume 2 (relating to multiple dwellings - previously known as Design WA). These documents outline minimum, and sometimes maximum, consultation periods, and the various methods which can be used for consultation.

However, the LPS Regulations often do not specifically stipulate how a particular planning proposal must be advertised. Rather, they provide a range of methods and options that can be employed, only requiring that one (or more) of the methods be used.

For consistency, it was initially intended to align the draft LPP with the outcomes of the draft *Joondalup Place Neighbourhoods Local Planning Policy* and *Scheme Amendment No. 3*, considered by Council at its meetings held on 16 April and 21 May 2019 (CJ045-04/19 and CJ052-05/19 refer).

However, given Council's decision at its meeting held on 21 May 2019 (CJ052-05/19 refers) to develop a new local planning policy and scheme amendment and to separately engage and consult with the community on the draft *Joondalup Place Neighbourhoods Local Planning Policy* and *Scheme Amendment No. 3*, finalisation of the latter documents will take longer than originally envisaged. It is, therefore, considered appropriate to progress the draft planning consultation policy separately, and consider any necessary alignment required with a final planning framework for infill development at a later date.

DETAILS

The aim of the draft LPP is to provide guidance on the community consultation processes for planning proposals.

The draft LPP contains the following:

- Objectives
- Provisions, including the following:
 - Criteria that will be considered when determining the extent of written consultation (such as letters to affected and nearby owners).
 - An appendix containing the duration and methods of consultation for particular types of planning proposals.
 - Ensuring the availability of appropriate supporting and technical material.
 - Consultation over the Christmas and Easter periods.
 - An 'opt-in' option, to receive further updates from the City on the proposal, for example, dates of forthcoming Council meetings and the final decision.
 - Cost associated with consultation - to be borne by the applicant in accordance with updated fees to be included in the City's *Schedule of Fees and Charges*.

It should be noted that, given the varying scale and context of planning proposals, there will continue to be a degree of judgement that will need to be applied to consultation processes, as it is not possible for a 'one size fits all' approach to accommodate all planning proposals.

As such, arbitrary limits on the extent of consultation (for example set radius) have not been included in the draft policy. Rather, a set of criteria has been included to assist in establishing the extent of consultation, given the potential impact a particular proposal may have, being:

- the requirements of the R-Codes in relation to consultation requirements
- the scale and scope of the planning proposal
- the location and proximity to the property in question
- the potential impact of the planning proposal on local amenity, such as vehicle movements, streetscapes and landscaping, among others.

The only exception to the above is for proposed telecommunication towers, where a 400 metre radius is already specified in the City's *Telecommunications Local Planning Policy*.

Multiple and grouped dwellings

At its meeting held on 21 November 2017 (CJ177-11/17 refers), Council requested a review of the City's consultation procedures be undertaken and that a new consultation process be adopted to increase the amount of consultation and notification undertaken on multiple dwelling development applications lodged in the City's Housing Opportunity Areas.

Following this decision, the way consultation on multiple dwelling proposals was undertaken was amended so all new proposals (not only those in Housing Opportunity Areas) are advertised by way of a sign on the site, information on the City's website and potentially affected owners and occupiers notified in writing. This form of consultation is undertaken irrespective of whether or not the proposal complies with the deemed-to-comply requirements of the R-Codes (the R-Codes state that where a development proposal is deemed-to-comply, it will not require advertising to adjoining owners and occupiers).

The draft LPP applies the above consultation methods to grouped dwelling proposals of five dwellings or more, to align with the requirements for multiple and grouped dwelling proposals over five dwellings to be referred to the Joondalup Design Reference Panel.

Opt-in option for submitter updates

Currently, if a resident makes a submission on a planning proposal, it is standard practice to send updates on its progress via letter. Depending on the nature of an application, this may involve several letters being sent to all submitters to update on a planning proposal's progress.

In order to improve the relevance of this correspondence and to create greater efficiency, it is proposed to include an 'opt-in' provision within the initial correspondence sent to residents, where a submitter can provide an email address and choose whether to receive future updates. While this may be seen as a fundamental shift in the way follow-up correspondence is undertaken, it is considered it will have the following benefits:

- The process will be more efficient as only those submitters who wish to receive follow-up information will receive an email.
- The follow-up information will be delivered in a more timely manner.
- Sending information by email will reduce waste in terms of the paper, printing, handling and postage associated with hard copy letters.

In the event that a submitter does not have an email address, a residential address can be provided.

Alignment with draft *Community Consultation Policy*

The draft LPP has been prepared to align with the draft, revised *Community Consultation Policy*, being the overarching policy, which sets out the principles of community consultation for the City. The draft LPP expands on those principles to provide specific considerations related to planning proposals.

Issues and options considered

Council has the option to either:

- advertise the draft *Planning Consultation Local Planning Policy*, without modifications
- advertise the draft *Planning Consultation Local Planning Policy*, with modifications or
- not support the advertising of the draft *Planning Consultation Local Planning Policy*.

In the event Council adopts a final version of the draft LPP following advertising, a number of other local planning policies will need to be amended to remove reference to consultation requirements given those requirements will have been incorporated within the new *Planning Consultation Local Planning Policy*.

Legislation / Strategic Community Plan / policy implications

Legislation

Planning and Development (Local Planning Schemes) Regulations 2015.
Local Planning Scheme No. 3.
State Planning Policy 3.1 - Residential Design Codes.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Active democracy.

Strategic initiative

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

Policy

Revised draft *Community Consultation Policy*.

Risk management considerations

Not applicable.

Financial / budget implications

The costs associated with any public advertising and notice of any final adoption will be approximately \$1,000.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The deemed provisions as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* require a new policy or major amendment to a policy to be advertised for public comment for a period of not less than 21 days. The policy is proposed to be advertised for 21 days as follows:

- a notice published in the local newspaper
- letter sent to registered resident and ratepayer groups
- a notice and documents placed on the City's website
- a notice on the City's social media platforms.

If, in the opinion of the City, the policy is inconsistent with any State planning policy, then notice of the proposed policy is to be given to the Western Australian Planning Commission. The proposed policy is not considered to be inconsistent with any State planning policy.

COMMENT

The draft LPP aims to provide clarity as to how planning applications are to be advertised for public comment. It is recommended that Council advertise the draft LPP for public comment for a period of 21 days.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 5 August 2019.

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

RECOMMENDATION

That Council in accordance with clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PREPARES and ADVERTISES the draft *Planning Consultation Local Planning Policy*, as shown in Attachment 1 to Report CJ110-08/19, for a period of 21 days.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf190813.pdf](#)

CJ111-08/19 REVIEW OF COMMUNITY CONSULTATION AND ENGAGEMENT POLICY

WARD	All	
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy	
FILE NUMBER	45153, 75521, 101515, 106742	
ATTACHMENTS	Attachment 1	Revised <i>Community Consultation Policy</i>
	Attachment 2	<i>Community Consultation Protocol</i>
	Attachment 3	Existing <i>Community Consultation and Engagement Policy</i>
	Attachment 4	Summary of Proposed Changes to the <i>Community Consultation and Engagement Policy</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.	

PURPOSE

For Council to adopt the revised *Community Consultation Policy*.

EXECUTIVE SUMMARY

At its meeting held on 19 October 2010 (CJ174-10/10 refers), Council adopted the *Community Consultation and Engagement Policy* after revoking the *Public Participation Policy*. At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council reviewed the policy as part of a bulk Policy Manual review and has remained unchanged since that time.

The review was conducted to ensure that the policy:

- reflects contemporary consultation methodology
- promotes practices that are consistent and of high quality
- reflects current City processes.

The review also sought to update operational procedures and ensure alignment with the draft *Planning Consultation Local Planning Policy*.

Key changes proposed include the following:

- References to “engagement” have been removed and “community consultation” has been defined as “*any activity which seeks feedback from community members to inform decision-making*”.
- The requirements for a minimum 21-day duration for consultation activities and a prohibition on consultation activities during the summer Council break have been removed and replaced with a more holistic statement:

“The City will ensure that the timing and duration of consultation activities has due regard for conflicting priorities such as public holidays, school holidays, Council elections and/or other consultation activities.”

- Detailed operational references have been removed from the policy.

The proposed changes reflect the contemporary way in which the City consults with the community, including greater use of face-to-face interactions, as well as online and digital platforms, and less dependency on formal written submissions.

It is therefore recommended that Council:

- 1 *ADOPTS the revised Community Consultation Policy provided as Attachment 1 to Report CJ111-08/19;*
- 2 *NOTES the Community Consultation Protocol provided as Attachment 2 to Report CJ111-08/19.*

BACKGROUND

Community Consultation and Engagement Policy

The City has had a policy relating to community consultation since the transfer of the policy manual from the former City of Wanneroo. The *Public Participation Policy* was endorsed at the Meeting of Joint Commissioners in June 1999 (CJ213-06/99 refers) and was reviewed with minor amendments at the Council meeting held on 19 September 2006 (CJ156-09/06 refers). At its meeting held on 19 October 2010 (CJ174-10/10 refers), Council revoked the *Public Participation Policy* and adopted the *Community Consultation and Engagement Policy*. This policy was then reviewed by Council as part of a bulk Policy Manual Review at its meeting held on 15 May 2012 (CJ093-05/12 refers) and has remained unchanged since that time. The existing policy is provided as Attachment 3 to this Report.

Community Consultation Protocol

The City has an internal *Community Consultation Protocol* which guides the implementation of the *Community Consultation and Engagement Policy*. This is provided for reference as Attachment 2 to this Report.

Planning Consultation Local Planning Policy

Further to the City's existing *Community Consultation and Engagement Policy* and *Community Consultation Protocol*, Council requested the preparation of a *Planning Consultation Policy* at its meeting held on 21 November 2017 (CJ177-11/17 refers). This policy will address community consultation on planning proposals specifically.

DETAILS

City of Joondalup policies are generally reviewed at least every five years to ensure ongoing applicability and relevance. As such, it was considered timely to review the *Community Consultation and Engagement Policy* to ensure it:

- reflects contemporary consultation methodology

- promotes practices that are consistent and of high quality
- reflects current City processes.

The review also sought to update operational procedures and ensure alignment with the draft *Planning Consultation Local Planning Policy*.

Review outcomes

In reviewing the *Community Consultation and Engagement Policy*, the following issues were identified:

- The terms “consultation” and “engagement” are not clearly defined and may be causing confusion.
- The focus of the policy is centred around written submissions (for example questionnaires) and does not adequately address more contemporary consultation methodology (for example meetings, focus groups, interviews, forums, workshops, online methods and the like).
- A number of sections of the policy are very detailed and operational and do not allow enough flexibility to address the range of matters the City now consults the community on.
- The policy includes a section related to “community education” and “active citizenship” which is not considered appropriate for a policy on community consultation.

Proposed changes

To address the above identified issues, a number of changes are proposed to the *Community Consultation and Engagement Policy*. These proposed changes are described in detail in Attachment 4 to this Report and key changes are summarised below:

- References to “engagement” have been removed and “community consultation” has been defined as “*any activity which seeks feedback from community members to inform decision-making*”. Specified in this way, the revised policy does not cover general communication (for example notifications, community education, advertising, “informing”, and the like), or unsolicited feedback (for example general emails, letters, social media posts, phone calls and the like). This will provide greater clarity to City staff, Elected Members and the community on what the City’s intentions are regarding community consultation. The title of the policy has also been adjusted to reflect this.
- The requirements for a minimum 21-day duration for consultation activities and a prohibition on consultation activities during the summer Council break have been removed and replaced with a more holistic statement:

“The City will ensure that the timing and duration of consultation activities has due regard for conflicting priorities such as public holidays, school holidays, Council elections and / or other consultation activities.”

This will provide flexibility for non-written feedback (for example meetings, focus groups, interviews, forums, workshops, online methods and the like) and ensure that these are adequately covered by the policy.

- Detailed, operational references have been removed from the policy. This will ensure the City’s position and internal procedures are up-to-date and align to current City practices. This will also ensure that the City’s approach to community consultation is undertaken in a consistent and high-quality manner.

In addition to these key changes, minor updates have been made to wording and administrative processes to ensure the policy provides a clear and unambiguous statement to the community.

Local government benchmarking

Benchmarking of other local government consultation policies was undertaken to inform the review of the City's *Community Consultation and Engagement Policy*. Of the 28 local governments in the Perth metropolitan area, 16 have a policy relating to community consultation and 12 have no related policy. A selection of these policies is summarised in the table below.

This benchmarking demonstrates that there is a broad and varied interpretation of what community consultation is and how it should be conducted across local governments. The majority of existing local government policies have varied levels of procedural and operational detail, and many reference external frameworks and standards (including from the International Association for Public Participation Australia and AccountAbility). Further, most are limited in scope primarily to written forms of feedback, and do not reflect or incorporate contemporary consultation methodology. With this in mind, appropriate content from these policies has been considered and incorporated into the revised City of Joondalup *Community Consultation Policy*.

Local government:	Related policy:	Policy details:
City of Canning	No	-
City of Cockburn	Yes	<i>Community Engagement Policy.</i> <ul style="list-style-type: none"> States an overall commitment to community engagement. Restates the Core Values of the International Association for Public Participation Australia. References a <i>Community Engagement Framework</i> (internal document).
City of Mandurah	No	-
City of Melville	Yes	<i>Stakeholder Engagement Policy.</i> <ul style="list-style-type: none"> States an overall commitment to stakeholder engagement. Restates Core Values of the International Association for Public Participation Australia. Restates the Principles of the <i>AccountAbility AA1000 Stakeholder Engagement Standard</i>.
City of Perth	Yes	<i>Community Participation Policy.</i> <ul style="list-style-type: none"> States that the City will hold community forums, establish special interest/advisory groups and compile a database of community members.
City of Stirling	No	-

Local government:	Related policy:	Policy details:
City of Vincent	Yes	<i>Community Consultation Policy:</i> <ul style="list-style-type: none"> States an overall commitment to community consultation. Lists specific circumstances when the City will and will not consult with the community. States detailed principles of community consultation. Lists detailed operational processes.
City of Wanneroo	Yes	<i>Community Engagement Policy:</i> <ul style="list-style-type: none"> States an overall commitment to community engagement. States principles of community engagement. Lists detailed operational processes and internal roles and responsibilities.

Issues and options considered

Council has the option to either:

- adopt the revised *Community Consultation Policy*
- suggest further modifications to the revised *Community Consultation Policy* or
- retain the existing *Community Consultation and Engagement Policy*.

The recommended option is to ADOPT the revised *Community Consultation Policy*.

Legislation / Strategic Community Plan / Policy implications

Legislation *Dog Act 1976.*
Land Administration Act 1997.
Local Government Act 1995.
Planning and Development (Local Planning Schemes) Regulations 2015.
Integrated Planning and Reporting Framework and Guidelines.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Active democracy.

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 Engagement and Consultation Policy.

Risk management considerations

The *Community Consultation and Engagement Policy* has been reviewed to reflect a broader position on the City's commitment to consulting with the community. If the revised policy is not adopted, there is a risk that the City will be limited to a narrow selection of consultation methodologies, which may not be appropriate for the community, the target audience or the matter in question. This, in turn, could result in community consultation that is delivered poorly, damaging community perceptions of the City and leading to outcomes and results that are not useful or meaningful.

Financial / budget implications

Financial implications associated with community consultation activities are considered during the annual budget planning process.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The City undertakes community consultation on a variety of matters throughout the year and via a range of different methodologies. Feedback gained through these processes indicates that there is significant community interest in, and desire for more flexible and more meaningful consultation opportunities. The City's Strategic Community Reference Group has also strongly reaffirmed this through its meeting held in March 2017 meeting on Community Engagement and Communication Practices, and its meeting held in November 2018 meeting on Youth Engagement.

COMMENT

In recent years, community expectations around local government consultation practices have shifted significantly. Members of the community have an increased interest in the issues that affect them and an increased desire to be involved in the decision-making process. Further, the ways in which the community wish to engage with local government continue to evolve, and many community members no longer want to be limited to formal, written submissions.

It is therefore crucial that the City has an appropriate policy in place that enshrines the principles of community consultation in a clear and transparent manner. It is also essential that the City responds to the community's desire for more contemporary consultation methodology and greater flexibility in the way feedback is collected.

The revised *Community Consultation Policy* and internal *Community Consultation Protocol* have been developed to reflect best practice and ensure internal processes deliver consistent, effective and professional community consultation across the City of Joondalup.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 5 August 2019.

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

RECOMMENDATION

That Council:

- 1 **ADOPTS** the revised *Community Consultation Policy* provided as Attachment 1 to Report CJ111-08/19;
- 2 **NOTES** the *Community Consultation Protocol* provided as Attachment 2 to Report CJ111-08/19.

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf190813.pdf](#)

CJ112-08/19 RECORDS MANAGEMENT POLICY REVIEW

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	26542, 101515
ATTACHMENTS	Attachment 1 Revised <i>Records Management Policy</i> Attachment 2 Current <i>Records Management Policy</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to adopt the revised *Records Management Policy* following an update to the WA State Records Office Digitization Specification guideline document.

EXECUTIVE SUMMARY

In May 2018, the WA State Records Office announced that the *Digitization Specification Guideline* document had been updated in relation to specifications for reproductions of receipts/proof of purchase records. The *Digitization Specification Guideline* document must be utilised by all local government authorities that implement the *General Disposal Authority for Source Records*; the official and continuing authority that allows for the legal destruction of source records that have been successfully reproduced (digitised).

As a result, the City's *Records Management Policy* will require minor amendments, namely:

- expand definition of a corporate record to outline that it may include hard copy documents, online transactions or digital records
- include *Electronic Transactions Act 2011* to list legislation that the City will act in accordance with in relation to general recordkeeping
- include reference to *General Disposal Authority for Source Records* which the City will act in accordance with in relation to Destruction
- include *City of Joondalup Record Keeping Plan* as 'Related Documentation'.

It is therefore recommended that Council ADOPTS the revised Records Management Policy shown at Attachment 1 to Report CJ112-08/19.

BACKGROUND

At its meeting held on 9 March 2004 (CJ040-03/04 refers), the Joint Commissioners adopted the *Recordkeeping Responsibilities Policy* as part of the *Recordkeeping Plan* required by the *State Records Act 2000*. The policy was then reviewed as part of the Policy Manual Review in 2005 with minor amendments and a change of title. The *Records Management Policy* was adopted by Council at its meeting held on 11 October 2005 (CJ206-10/05 refers).

In 2012, the *Records Management Policy* was again reviewed for relevance and to update the policy format into a new template. Minor reviews were also conducted to update reference documentation and create consistency with other City policies. At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council subsequently adopted the revised *Records Management Policy*.

The policy was reviewed with minor amendments as part of the Policy Manual Review in 2017 and has remained unchanged since then.

DETAILS

Since the *Records Management Policy* was last reviewed in 2017, there have been some changes to the legislative requirements of local governments in relation to the management of corporate records.

In May 2018, the WA State Records Office announced that the *Digitization Specification Guideline* document had been updated in relation to specifications for reproductions of receipts/proof of purchase records. The *Digitization Specification Guideline* document must be utilised by all local government authorities that implement the *General Disposal Authority for Source Records*; the official and continuing authority that allows for the legal destruction of source records that have been successfully reproduced (digitised).

Proposed Amendments

Following an update to the WA State Records Office *Digitization Specification Guideline* document, the City's *Records Management Policy* requires minor amendments to ensure these changes are reflected. These include the following:

- The definition of a corporate record has been expanded to clarify that it may include hard copy documents, online transactions or digital records.
- The *Electronic Transactions Act 2011* has been included in the list of legislation that the City will act in accordance with in relation to general record keeping.
- In section 4.3, the *General Disposal Authority for Source Records* has been included alongside the *General Disposal Authority for Local Government Records*; both of which the City will act in accordance with in relation to destruction of records.
- The City's *Record Keeping Plan* has been included in the 'Related Documentation' section to reflect its important role as a driver of best practice record keeping for the organisation.

Issues and options considered

Council has the option to:

- adopt the revised *Records Management Policy*, as shown in Attachment 1 to this Report
- suggest further modifications to the revised *Records Management Policy*
or
- retain the *Records Management Policy*, as shown in Attachment 2 to this Report.

The recommended option is to adopt the revised *Records Management Policy*.

Legislation / Strategic Community Plan / Policy implications**Legislation**

Evidence Act 1906.
Freedom of Information Act 1992.
Local Government Accounting Directions 1994.
Local Government Act 1995.
State Records Act 2000.
Electronic Transactions Act 2011.

Strategic Community Plan**Key theme**

Governance and Leadership.

Objective

Corporate capacity.

Effective representation.

Strategic initiative

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

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

Ensure the elected body has a comprehensive understanding of its roles and responsibilities.

Policy

Records Management Policy.

Risk management considerations

Adoption of the revised *Records Management Policy* will mitigate the risks associated with the City not having appropriate procedures in place to correctly manage corporate records.

Financial / budget implications

There are no anticipated financial or budget implications.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The *Records Management Policy* provides guidance to City staff, contractors and Elected Members regarding the storage, access and destruction of records. The policy amendments will allow the City to continue to effectively manage City records, while also clarifying the content of the policy and removing operational content. As such, it is considered appropriate that the revised *Records Management Policy* is adopted by Council.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 5 August 2019.

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

RECOMMENDATION

That Council ADOPTS the revised *Records Management Policy* as detailed in Attachment 1 of Report CJ112-08/19.

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16brf190813.pdf](#)

CJ113-08/19 VISUAL ARTS COMMISSIONING PROGRAM 2020-21 – WESTERN AUSTRALIAN PROPOSED ARTISTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	14158, 101515
ATTACHMENTS	Attachment 1 Paul Kaptein Proposal Attachment 2 Simon Gilby Proposal Attachment 3 Monique Tippet Proposal Attachment 4 Summary of proposals from other Artists <i>(Please Note: The Attachments are confidential and will appear in the official Minute Book only).</i>
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to select one of the three shortlisted Western Australian artists for the *Visual Arts Commissioning Program 2020-21*.

EXECUTIVE SUMMARY

At its meeting held on 19 April 2011 (CJ064-04/11 refers), Council agreed to establish an annual *Visual Art Commissioning Program* designed to commission artists to develop an artwork documenting and capturing the iconic landmarks and people who represent the City of Joondalup to be acquired for the City's art collection. The value of this commission is \$15,000 per annum and the three year cycle dictates that a Western Australian artist is due to be commissioned in 2020-21.

At its meeting held on 28 June 2016 (CJ100-06/16 refers), Council endorsed the proposal to alternate between an annual artwork commission from a high profile Western Australian artist in one year and an artist residency for international / interstate artists that takes place over two years and is comprised of two parts, a residency and commission. This cycle allowed for the research and appointment of an artist to occur in the preceding year. The three year cycle dictates that a Western Australian artist is due to be commissioned in 2020-21.

The appointment of this artist will be the start of the second cycle since Council's decision at its meeting held on 28 June 2016.

This report provides options for the commissioning of an artwork that documents and captures the social, urban or natural attributes of the City of Joondalup. All artists are of high professional standing, have confirmed that they can deliver the artwork within the allocated budget and timeframe, and are well qualified to produce an artwork that will be a sound investment for the City.

Each of the artists is equally worthy of being awarded the commission, in terms of artistic excellence and the merit of their individual proposals. It is therefore recommended that the Council selects Paul Kaptein to undertake the commission.

BACKGROUND

The City's art collection comprises over 250 artworks created by professional Western Australian contemporary artists. Artworks span a wide range of media including painting, sculpture, drawing, ceramic, print, photography, textile and glass.

The City's art collection operates on a yearly art acquisition budget of \$15,000, which enables the acquisition of two or three high quality contemporary artworks throughout the year from the City of Joondalup Community Invitation Art Award, the City of Joondalup Community Art Exhibition and other exhibitions such as the NAIDOC Week art exhibition.

Acquisitions are also made from exhibitions across the Perth metropolitan area, and occasionally from regional Western Australia. These acquisitions allow the City's art collection to grow in cultural and fiscal value and fulfil the objectives of the City's *Visual Arts Policy*.

At its meeting held on 19 April 2011 (CJ064-04/11 refers), Council agreed to establish an annual *Visual Art Commissioning Program* designed to commission artists to develop an artwork documenting and capturing the iconic landmarks and people who represent the City of Joondalup to be acquired for the City's art collection. The value of this commission is \$15,000 per annum (and is in addition to the annual allocation of \$15,000 for artwork acquisitions).

At its meeting held on 28 June 2016 (CJ100-06/16 refers), Council endorsed the proposal to alternate between an annual artwork commission from a high profile Western Australian artist in one year and an artist residency for international / interstate artists that takes place over two years and is comprised of two parts, a residency and commission. This cycle allowed for the research and appointment of an artist to occur in the preceding year. The three year cycle dictates that a Western Australian artist is due to be commissioned in 2020-21.

Since the program began, three commissions from Western Australian artists have been completed including works by Tony Windberg (2012), Lindsay Harris (2013) and Nien Schwarz (2018), all of which have focussed on the geographic and biological features of the Joondalup region. This was also the subject of the City's first international public art commission, Brandon Ballengee's *Emperor Gum Moth* (2014).

The second international / interstate artist commission is currently underway, with the conclusion of Helen Pynor's period of residence in November 2019 being followed by her production of an artwork to occur in 2019-20. This artwork will differ from the previous commissions in that it will reflect the relationships that she formed with the healthcare communities in the area during her stay.

DETAILS

To fulfil the Western Australian artist commission in 2020-21 a call-out for Expressions of Interest was issued in February 2019 to which 40 artists responded (Attachment 4 refers).

In alphabetical order the list of 40 artists who expressed interest include:

- | | |
|------------------------|-----------------------------|
| • Christine Baker. | • Paul Kaptein. |
| • Nathan Beard. | • Bethamy Linton. |
| • Hilary Buckland. | • Alexander Maciver. |
| • Paul Caporn-Bennett. | • Elisa Markes-Young. |
| • Karen Chappelow. | • Lucille Martin. |
| • Erin Coates. | • Esther McDowell. |
| • Jennifer Cochrane. | • Matthew McVeigh. |
| • Ben Crappsley. | • Alan Muller. |
| • Melanie Dare. | • Holly O'Meehan. |
| • Sarah Elson. | • Leesa Padget. |
| • Eva Fernandez. | • Denise Pepper. |
| • Michael Francas. | • Annette Peterson. |
| • Danielle Freakley. | • Peter Ryan. |
| • Simon Gilby. | • Prina Shah. |
| • Marian Giles. | • Nicole and Bruce Slatter. |
| • Michael Gray. | • Liliana Stafford. |
| • Dita Hagedorn. | • Suzy Swanborough. |
| • Nick Horn. | • Jon Tarry. |
| • Eric Hynynen. | • Sioux Tempestt. |
| • Adam Ismail. | • Monique Tippet. |

All Expressions of Interest contained information about the artist and a specific proposal for the commission which has been assessed against the following criteria:

- The artist's experience, skill, and professional standing.
- Likelihood that the work produced will be original, unique and of high quality.
- Likelihood that the proposed work will be engaging and represent Joondalup's identity.
- The market value of the artist's work.
- The suitability of the proposed artwork for the art collection.
- That the artwork produced has financial investment potential.

Based on the criteria, three artists have been shortlisted and are put forward for consideration. These artists are as follows:

- 1 Paul Kaptein.
- 2 Simon Gilby.
- 3 Monique Tippet.

Once the successful artist has been selected the commissioning process will follow. This includes contracting the selected artist to produce a comprehensive concept response which will be provided for comment prior to the artist starting work on the commission. The finished artwork will be delivered within the agreed timeframe and budget and accessioned into the art collection as per the *Art Collection Management Plan* by June 2021.

Issues and options considered

Option 1 – Paul Kaptein

About the Artist

Paul Kaptein's current work is principally figurative sculpture that reflects a high degree of technical skill. The dramatic contrast between his realistic figures and their imagined states results in compelling pieces.

Paul studied at the Claremont School of Art (1996-1998) before graduating with a Bachelor of Arts (Fine Art) from Curtin University in 1999. Since 2010, Paul has been producing figurative sculptural works that have earned him great acclaim. In 2015, he was shortlisted for the City of Joondalup Community Invitation Art Award, as well as Albany Art Prize, Bankwest Art Prize and Jacaranda Art Award for drawing. He has won the prestigious Mandorla Art Award, the Mid-West Art Prize and the Stockland Sculpture Prize in the City of Armadale's Minnawarra Art Award.

Paul's work can be found in the collections of the University of Western Australia, Edith Cowan University, Royal Perth Hospital, Grafton Regional Gallery, New Norcia Museum Art Collection and City of Wanneroo. He is currently completing a major commission for St Josephs College in Hunters Hill, Sydney.

Examples of Paul's works are attached (Attachment 1 refers). For more examples visit www.paulkaptein.com

Extract from Proposal

"...I'm interested in exploring historical (social and geographical) dimensions of Joondalup as well as speculative futures, possibly related to health and educational institutions. The expanse of coastline is also of particular interest as a geographical boundary marking the edge of a continental plane as well as a stark division between primal elements of earth, water and air and also as a site of diverse cultural activity. As a starting point, the question I'm asking myself in response to the themes of this commission is 'How do the social, urban and geographical environments give shape to the identity of the people of Joondalup?'"

Option 2 – Simon Gilby

About the Artist

Simon Gilby graduated from the Claremont School of Art in 1990 and is renowned for his large sculptural artworks made from forged steel. These are usually hollow, figurative sculptures of human and animal bodies that often feature surreal motifs, such as wings or structures that operate as metaphors for internal and psychological states. Simon is a community-minded artist, working as a lecturer, an artist-in-residence in schools and in Aboriginal communities.

Many significant art collections include examples of Simon's work. These include the Art Gallery of Western Australia, the University of Western Australia, Parliament of Western Australia, Curtin University, Edith Cowan University, Murdoch University and the City of Bunbury.

Examples of Simon's works are attached (Attachment 2 refers). For more examples visit www.simongilby.com.au

Extract from Proposal

“After recent circumstances of personal injury and residencies in regional and Aboriginal communities, I’ve become increasingly interested in the conjunction between the morphology of landforms and that of the internal anatomy of the body. I see this visual congruence as symbolically reflecting our interdependence and mutual vulnerability. I intend to investigate the both ancient and contemporary culture’s interest in transcending the encapsulated reality within the body of the individual into the mass of landscape. The intended result would be an artwork, two-dimensional or three-dimensional, responding to a prevailing sentiment of the permeability of the human and the elemental.”

Option 3 – Monique Tippet*About the Artist*

Monique Tippet is based in Dwellingup and her timber works explore themes drawn from her relationship with the natural environment. She strives to portray the scale, light, texture and beauty and fragility through her finely crafted objects. Monique’s artworks are both sculptures and paintings, with subtle linear and geometric patterns being painted on the surface of smooth timber surfaces. The aim of their enigmatic, abstract qualities is to elicit contemplation of the natural world.

Monique has won many art awards, some on several occasions, including the City of Armadale’s Minnowarra Art Award and the Mandjar Art Award. She has received numerous art commissions and her works are included in many collections including the Edith Cowan University, the Cities of Armadale, Mandurah and Bunbury, St John of God Hospitals as well as Perth Childrens, Sir Charles Gairdner, Busselton and Merriden Hospitals. Monique was recently honoured to be announced as the 2019 artist-in-residence for the Western Australian Parliament.

Examples of Monique’s work are attached (Attachment 3 refers). For more examples visit www.moniquetippet.com

Extract from Proposal

“The theme for the proposed artwork will be based around the natural environment of the Joondalup area. I lived in the area for a number of years before moving to Dwellingup for a tree change and I am familiar with the types of landscapes that the City of Joondalup encompasses, from the coastal heathlands that fringe the beachside suburbs to the unique wetland landscapes of Lake Joondalup and Yellagonga Regional Park. Areas associated with events in local history, pre or post European, would also be of interest. A work that evokes the natural environment benefits from scale. I prefer working in the larger format for this reason and this commission would allow me to do that.”

Legislation / Strategic Community Plan / Policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Cultural development.

Strategic initiative Invest in publicly accessible visual art that will present a culturally-enriched environment.

Policy *Visual Arts Policy.*

Risk management considerations

Not applicable.

Financial / budget implications

The 2020-21 budget will include an amount of \$15,000 for the commissioning of artworks. No funds to date have been expended.

Current financial year impact

Account no.	C1078.
Budget Item	Commissioning for the City's Art Collection.
Budget amount	\$ 15,000 (2020-21)
Amount spent to date	\$ 0
Proposed cost	\$ 15,000
Balance	\$ 0

All amounts quoted in this report are exclusive of GST.

Regional significance

The City's art collection, including its public art, archives and memorabilia, plays an important role in shaping and developing the community's identity. The on-going provision of an accessible and high calibre art collection is integral to the cultural development and vibrancy of the City of Joondalup region.

Sustainability implications

Economic

One of the stated purposes of the art collection is to grow the value of the City's art and cultural assets. Procuring artworks from professional artists in the mid and later stages of their careers is the most secure investment choice.

Social sustainability

The commissioning of special purpose artworks has positive social sustainability implications. Artworks that reflect the City of Joondalup foster the place-identity of the community, enhancing social wellbeing through a sense of belonging.

Consultation

Not applicable.

COMMENT

The three shortlisted artists are equally worthy in terms of artistic excellence and value for money and are all notably absent from the City's art collection. There were several other artists listed in Attachment 4 to this Report, whose works are not of equivalent merit to those shortlisted but would be suitable for consideration as potential acquisitions in the future.

While the commissioning of the artwork will not occur until 2020-21, it is necessary to appoint an artist before then to enable contracts, design concept brief and the like to be finalised. This will allow a full 12 months for the artist to undertake the commission and present to the City within the contracted timeframe. The finalisation of the contract for the commission will be subject to funds being allocated in the 2020-21 budget.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 5 August 2019.

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

That Council SELECTS one of the three artists recommended to undertake the artwork commission in 2020-21 to the value of \$15,000.

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

That Council SELECTS Option 1 – Paul Kaptein to undertake the artwork commission in 2020-21 to the value of \$15,000.

RECOMMENDATION

That Council SELECTS Option 1 – Paul Kaptein to undertake the artwork commission in 2020-21 to the value of \$15,000.

CJ114-08/19 DISPOSAL OF MINOR SURPLUS ASSETS POLICY REVIEW

WARD	All	
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services	
FILE NUMBER	101267	
ATTACHMENTS	Attachment 1	Revised <i>Disposal of Minor Surplus Assets Policy</i>
	Attachment 2	Current <i>Disposal of Minor Surplus Assets Policy</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.	

PURPOSE

For Council to review the *Disposal of Minor Surplus Assets Policy* and adopt the revised policy as part of the Policy Manual Review process.

EXECUTIVE SUMMARY

The *Disposal of Minor Surplus Assets Policy* was identified as part of the 2019 Policy Manual Review as requiring only minor amendments. The proposed minor amendments are not anticipated to impact the intent or application of the Policy.

It is therefore recommended that Council ADOPTS the revised Disposal of Minor Surplus Assets Policy as detailed in Attachment 1 to Report CJ114-08/19.

BACKGROUND

At its meeting held on 26 March 2002 (CJ060-03/02 refers), Council first adopted the *Disposal of Minor Surplus Assets Policy* as the *Policy for Disposal of Surplus Personal Computers*. This policy was developed as a mechanism for identifying community groups and education providers who were suitable recipients of surplus computer assets following equipment upgrades. This ensured that surplus minor assets were sustainably disposed of and reused by local community groups that required support and assistance for undertaking community activities.

During the 2005 Policy Manual review, the scope of the policy was broadened to incorporate any form of minor asset and the title was consequently amended to become the *Disposal of Surplus Assets (Minor) Policy* (CJ206-10/05 refers).

As part of the 2012 Policy Manual review, the *Disposal of Surplus Assets (Minor) Policy* was identified as requiring major review (CJ169-08/12 refers). Besides minor amendments to improve readability, the following changes were made:

- Changes to the 'Disposal Assessment' requirements which allowed the Chief Executive Officer discretion to determine whether an advertised application process was necessary.
- A definition of a 'minor asset' was included in an 'Application' section which aligned to the *Western Australian Local Government Accounting Manual*. This document defined a minor asset to be any asset with an acquisition value below the local government's capitalisation threshold, which for the City, is anything below \$5,000.

DETAILS

The City's policies are regularly reviewed to ensure their continued relevance and applicability. The *Disposal of Minor Surplus Assets Policy* was identified as part of the 2019 Policy Manual Review.

Local government comparison

An analysis of other local government policies relating to the disposal of minor surplus assets was undertaken to inform the review of the *Disposal of Minor Surplus Assets Policy*. Of the 12 local governments benchmarked, five have a policy which provides a position on sustainably disposing of minor surplus assets.

Name of Government	Local Related Policy
City of Bayswater	Disposal of Surplus Goods and Equipment (Minor Assets)
City of Canning	Disposal of surplus furniture, equipment and materials
City of Cockburn	Disposal of Assets
City of Mandurah	No Policy
City of Perth	Disposal of Property
City of South Perth	Disposal of Surplus Property
City of Stirling	No Policy
City of Vincent	No Policy
City of Wanneroo	No Policy
Shire of Mundaring	Disposal of Minor Surplus Assets
Town of East Fremantle	Disposal of Surplus Property
Town of Victoria Park	No Policy

Analysis shows that while these policies are largely consistent with the City's *Disposal of Minor Surplus Assets Policy* most policies outline provisions for the disposal of all surplus assets, with minor assets included. This comparison indicates that the policy remains relevant and is consistent with local government practices.

Proposed Amendments

With no major changes identified within the policy review, the following minor amendments are recommended to the *Disposal of Minor Surplus Assets Policy*, as shown in Attachment 1 to this Report:

- Inclusion of a 'Definition' section to define the terminology 'minor surplus assets'.
- A revision of the 'Statement' section to clearly articulate the consideration of disposing minor surplus assets that no longer have commercial value and that the City may choose to donate these assets to local community groups or education providers.
- Updated the 'Related Document' section to reference the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* instead of the *Western Australian Local Government Accounting Manual*.
- Minor wording changes to improve readability.

Issues and options considered

Council has the option to either:

- adopt the revised *Disposal of Minor Surplus Assets Policy* as shown in Attachment 1 to this Report
- suggest further modifications to the *Disposal of Minor Surplus Assets Policy* or
- retain the *Disposal of Minor Surplus Assets Policy* in its current format, as shown in Attachment 2 of this Report.

The recommended option is to adopt the revised *Disposal of Minor Surplus Assets Policy*.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Government (Financial Management) Regulations 1996.*

Strategic Community Plan

Key theme Community Wellbeing.

Objective Community spirit.

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

Strategic initiative Promote the sustainable management of local organisations and community groups.

Policy *Disposal of Minor Surplus Assets Policy.*

Risk management considerations

The policy states that no risk liability is to be attached to any minor assets provided to groups through the disposal process. The City's current *Risk Management Framework* and associated processes provide a system for ensuring that potential risks to the City are minimised and managed.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Encouraging the re-use of surplus minor assets ensures that waste is diverted from land fill in accordance with the City's commitment to environmentally sustainable outcomes.

Consultation

Not applicable.

COMMENT

The *Disposal of Minor Surplus Assets Policy* continues to provide a clear direction for sustainably disposing of minor surplus assets in a way that benefits local community groups and education providers.

The proposed minor amendments to the policy further clarify the City's position on the disposal of minor surplus assets. It is considered appropriate that the *Disposal of Minor Surplus Assets Policy* is adopted by Council.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 5 August 2019.

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

RECOMMENDATION

That Council ADOPTS the revised *Disposal of Minor Surplus Assets Policy* as detailed in Attachment 1 to Report CJ114-08/19.

Appendix 17 refers

To access this attachment on electronic document, click here: [Attach17brf190813.pdf](#)

URGENT BUSINESS

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

CLOSURE



**DECLARATION OF
FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT
MAY AFFECT IMPARTIALITY**

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

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

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

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

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



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

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

QUESTIONS

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to council.questions@joondalup.wa.gov.au

Please note that:

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



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

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

STATEMENT

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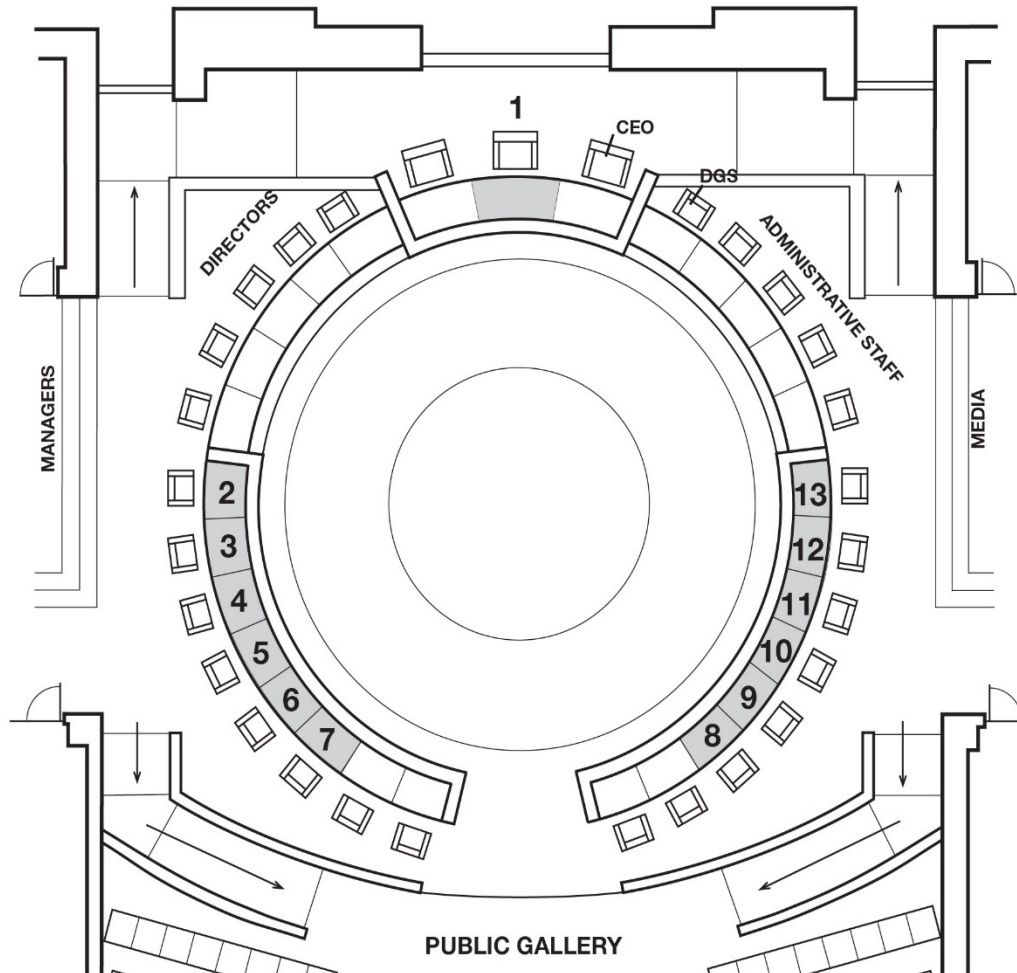
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Please submit this form at the meeting.

Please note that:

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

Council Chamber – Seating Diagram



Mayor

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

North Ward

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

North-Central Ward

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

Central Ward

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

South-West Ward

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

South-East Ward

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

South Ward

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