

# 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 21 JULY 2020

**COMMENCING AT** 7.00pm

**GARRY HUNT**  
Chief Executive Officer  
17 July 2020

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

*This document is available in alternate formats upon request*

**PUBLIC QUESTION TIME**

Residents and / or ratepayers  
of the City of Joondalup are  
requested to lodge questions  
in writing by 9.00am on

**Monday 20 July 2020**

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

**QUESTIONS TO**

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

PO Box 21 Joondalup WA 6919

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

## IMPORTANT INFORMATION

### ATTENDANCE AT MEETING DURING COVID-19 PANDEMIC

Due to State of Emergency and Public Health State of Emergency declared as a result of the COVID-19 pandemic, public attendance at City of Joondalup meetings has unfortunately been restricted.

To maintain the required physical distancing separation between people during this time, **the maximum public attendance at meetings has been capped at 55 people** (37 in the Chamber and 18 in the adjoining lobby). Any members of the public wishing to attend the meeting above this limit will unfortunately be denied entry.

**To manage expectations, members of the public wishing to attend the meeting and ask up to two (2) questions and / or to make a public statement, can register their own interest from 9.00am on the day of the meeting by emailing [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au) or by telephoning (08) 9400 4313. Members of the public can only register themselves and cannot submit a request on behalf of others.**

Attendance priority will be given to those persons listed in a submitted and approved Deputation Request (at Briefing Sessions only) followed by members of the public wishing to ask up to two (2) verbal questions and/or to make a verbal public statement.

Members of the public wishing to only attend the meeting to observe the proceedings, will be permitted to attend where any seats remain vacant after consideration of the above attendee requests.

The City will contact those people that have been approved to attend from 4.00pm on the day of the meeting. In this regard an email address and contact telephone number must be provided when a request is made.

Any member of the public attending the meeting in person without registration will not be given access unless there is space available.

Entry to the City's premises will be restricted after 30 minutes have elapsed past the scheduled start time of the meeting. The public are therefore encouraged to arrive at the meeting well before the scheduled start time of the meeting.

For your health and safety, members of the public are reminded to:

- follow the direction of the Presiding Members and City employees when attending meetings
- maintain 1.5 metre separation between themselves and other members of the public while attending meetings
- use the hand sanitiser that is provided by the City at the venue
- not attend a meetings should they feel unwell or if they have been in contact with a known COVID case, or been overseas in the preceding two weeks
- download the Federal Government's COVIDSafe app.

*Further information can be provided by contacting the Governance Coordinator on 9400 4369.*

## COUNCIL MEETINGS

The following procedures for the conduct of Council Meetings were adopted at the Council meeting held on 21 April 2020:

### PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time were adopted at the Council meeting held on 21 April 2020:

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. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state 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 person.
- 5 Statements are not to precede a question during public question time and questions must be succinct and to the point. Statements can only 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 their decision is final
  - nominate a City employee to respond to the question
  - or
  - take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.

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

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

- 1 Only City of Joondalup **residents and/or ratepayers** may submit questions to the City in writing.
- 2 Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Questions asked at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 The City will accept a maximum of five (5) written questions per City of Joondalup resident/ratepayer. To ensure equity 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 their 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.
- 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](mailto: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 at Council Meetings were adopted at the Council meeting held on 21 April 2020:

- 1 Members of the public are invited to make public statements verbally 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. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 4 Public statement time will be limited to two minutes per person.
- 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 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.





## TABLE OF CONTENTS

ITEM NO.	TITLE	WARD	PAGE NO.
	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS		x
	DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY		x
	PUBLIC QUESTION TIME		xi
	PUBLIC STATEMENT TIME		xii
	APOLOGIES AND LEAVE OF ABSENCE		xii
	CONFIRMATION OF MINUTES		xiii
	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION		xiii
	IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC		xiii
	PETITIONS		xiii
	REPORTS		1
CJ086-07/20	DEVELOPMENT AND SUBDIVISION APPLICATIONS – MAY 2020	All	1
CJ087-07/20	PROPOSED REVOCATION OF THE COOK AVENUE STRUCTURE PLAN AND AMENDMENT TO LOCAL PLANNING SCHEME NO. 3	South-West	5
CJ088-07/20	YOUTH DRIVER EDUCATION SUPPORT PROGRAM	All	12
CJ089-07/20	EXECUTION OF DOCUMENTS	All	21
CJ090-07/20	MINUTES OF REGIONAL COUNCIL MEETINGS	All	24
CJ091-07/20	LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2020	All	27
CJ092-07/20	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2020	All	30
CJ093-07/20	REQUEST FOR AN ADDITIONAL SUBSIDY OF HIRE FEES FOR GRANDPARENTS REARING GRANDCHILDREN WA INC.	All	36
CJ094-07/20	TENDER 010/20 – LIGHT VEHICLE LOGBOOK SERVICING AND REPAIRS	All	41

ITEM NO.	TITLE	WARD	PAGE NO.
CJ095-07/20	TENDER 011/20 – PROVISION OF LANDSCAPE AND IRRIGATION MAINTENANCE SERVICES – HARBOUR RISE ESTATE, HILLARYS	South-West	47
CJ096-07/20	PETITION IN RELATION TO THE USE OF GLYPHOSATE	All	56
	<b>REPORTS – MAJOR PROJECTS AND FINANCE COMMITTEE – 13 JULY 2020</b>		80
CJ097-07/20	CHICHESTER PARK, WOODVALE – PROPOSED COMMUNITY SPORTING FACILITY	Central	80
CJ098-07/20	EDGEWATER QUARRY – PROJECT STATUS	North-Central	88
	<b>REPORT – SPECIAL CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE – 14 JULY 2020</b>		101
CJ099-07/20	CONFIDENTIAL – CHIEF EXECUTIVE OFFICER – VARIATION TO EXPIRY OF CONTRACT OF EMPLOYMENT	All	101
	<b>REPORT OF THE CHIEF EXECUTIVE OFFICER</b>		102
CJ100-07/20	ELECTED MEMBER TRAINING AND DEVELOPMENT SCHEDULE 2019-20	All	102
CJ101-07/20	APPOINTMENT OF AN ALTERNATE MEMBER TO MINDARIE REGIONAL COUNCIL	All	106
	<b>URGENT BUSINESS</b>		<b>110</b>
	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>		110
	<b>ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING</b>		<b>110</b>
	<b>CLOSURE</b>		110

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

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

[Additional Information200721.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 21 July 2020** commencing at **7.00pm**.

GARRY HUNT  
Chief Executive Officer  
17 July 2020

Joondalup  
Western Australia

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## VISION

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

## PRIMARY VALUES

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

## DISTINGUISHING VALUES

### **Bold**

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

### **Ambitious**

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

### **Innovative**

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

### **Enterprising**

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

### **Prosperous**

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

### **Compassionate**

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

## AGENDA

Note: Members of the public are advised that prior to the opening of the Council meeting, Mayor 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

#### Disclosure 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.

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer.</b>
<b>Item No./Subject</b>	CJ099-07/20 - Confidential - Chief Executive Officer - Variation to Expiry of Contract of Employment.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Hunt holds the position of Chief Executive Officer.

#### Disclosures of interest affecting impartiality

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

<b>Name/Position</b>	<b>Mr Mat Humfrey, Director Corporate Services.</b>
<b>Item No./Subject</b>	CJ098-07/20 - Edgewater Quarry - Project Status.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mr Humfrey is a former member of the Edgewater Quarry Community Reference Group and resides in Edgewater.

<b>Name/Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No./Subject</b>	CJ099-07/20 - Confidential - Chief Executive Officer - Variation to Expiry of Contract of Employment.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

**PUBLIC QUESTION TIME**

The following summarised questions were taken on notice at the Council meeting held on 23 June 2020:

**Ms M O’Byrne, Kinross:**

*Re: Peer Review Macro plan Currambine (Sunlander) – Retail Sustainability Assessment.*

*Q1 On which day were City of Joondalup Elected Members supplied with the Peer Review Macro Plan document ahead of the 10 December 2019 Ordinary Council meeting?*

*Q2 At what time during that Retail Sustainability Assessment was the Peer Review Macro Plan document sent through to the City of Joondalup Elected Members ahead of the 10 December 2019 Ordinary Council Meeting?*

**A1&2** A summary of the findings, queries raised and final conclusions of the independent peer review of the MacroPlan Retail Sustainability Assessment is contained in the report presented to the Briefing Session held on 3 December 2019.

The independent peer review document itself was provided to all Elected Members after the Briefing Session and ahead of the Council meeting. The document was provided on 10 December 2019 – the same day it was requested.

**Ms M Macdonald, Mullaloo:**

*Re: Glyphosate.*

*Q2 Can the City state how many times Tom Simpson Park, Mullaloo has been sprayed with glyphosate in the last six months?*

**A2** There has been no chemical weed control with glyphosate undertaken within Tom Simpson Park in the past six months. Chemical weed control (with glyphosate) was undertaken on 1 May 2020 along the dual use path near the northern car park at Tom Simpson Park.

**Ms M Kwok, Ocean Reef:**

*Re: Glyphosate.*

*Q1 According to the Weed Management Plan 2016, ‘4.5.4 High Resolution Multi-spectral Imagery’ states the City currently acquires high resolution multi-spectral imagery of the City of Joondalup every two years as recommended in the Pathogen Management Plan, when was this last carried out?*

**A1** The City acquires high resolution multi-spectral imagery for the purpose of vegetation condition monitoring and last acquired this imagery in November 2019.

**Mrs C Baldwin, Iluka:**

Re: *Glyphosate.*

Q1 *How many people are on the City of Joondalup 'No Spray Register' for chemically sensitive persons, as stated in the government of Western Australia Health Departments 'A Guide to Management of Pesticide in Local Government Pest Control Programs in Western Australia'?*

A1 The Government of Western Australia Health Department document “*A guide to the management of pesticides in local government pest control programs in Western Australia*” dated 10 October 2009, refers to a general principle of minimising pesticide use that is consistent with achieving acceptable pest control outcomes. As stated in the disclaimer, “*this document is intended as a guide to assist a local government authority to develop policy in relation to pesticide use.... The local government authority should ensure that any policy developed and the use of any pesticide accords with applicable legislation.*”

The City's *Weed Management Plan* was adopted by Council at its meeting held on 13 December 2016 (CJ211-12/16 refers). As per this plan, the City undertakes an integrated weed management approach to weed control in natural areas, parks, and urban landscaping areas utilising a range of treatment methods, including the use of a variety of approved herbicides, in order to reduce weed infestations to manageable levels or if possible, to eradicate infestations.

The City of Joondalup does not have a No Spray Register. The City considers chemically sensitive person(s) by providing prior notification of spraying activities directly to registered residents and in addition to a public notice on the City's website. Signage is also displayed in accordance with the Department of Health *Pesticide Regulations 2011 Signage Requirements*.

**PUBLIC STATEMENT TIME****APOLOGIES AND LEAVE OF ABSENCE**

## **CONFIRMATION OF MINUTES**

### MINUTES OF COUNCIL MEETING HELD 23 JUNE 2020 AND SPECIAL COUNCIL MEETING HELD 30 JUNE 2020

## **RECOMMENDATION**

That the Minutes of the following meetings of Council be **CONFIRMED** as a true and correct record:

- 1 Ordinary meeting of Council held on 23 June 2020;
- 2 Special meeting of Council held on 30 June 2020.

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

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

- CJ099-07/20 – Confidential – Chief Executive Officer – Variation to Expiry of Contract of Employment.

## **PETITIONS**

**REPORTS****CJ086-07/20      DEVELOPMENT AND SUBDIVISION APPLICATIONS  
– MAY 2020**

<b>WARD</b>	All			
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development			
<b>FILE NUMBER</b>	07032, 101515			
<b>ATTACHMENT</b>	Attachment 1	Monthly Development Determined – May 2020	Applications	
	Attachment 2	Monthly Subdivision Processed – May 2020	Applications	
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’)			

**PURPOSE**

For Council to note the number and nature of applications considered under delegated authority during May 2020.

**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 annually, or as required.

This report identifies the development applications determined by the administration under delegated authority powers during May 2020 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during May 2020 (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 23 June 2020 (CJ079-06/20 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 May 2020 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	3	3
Strata subdivision applications	7	8
<b>TOTAL</b>	<b>10</b>	<b>11</b>

Of the 10 subdivision referrals, 8 were to subdivide in housing opportunity areas, with the potential for nine additional lots.

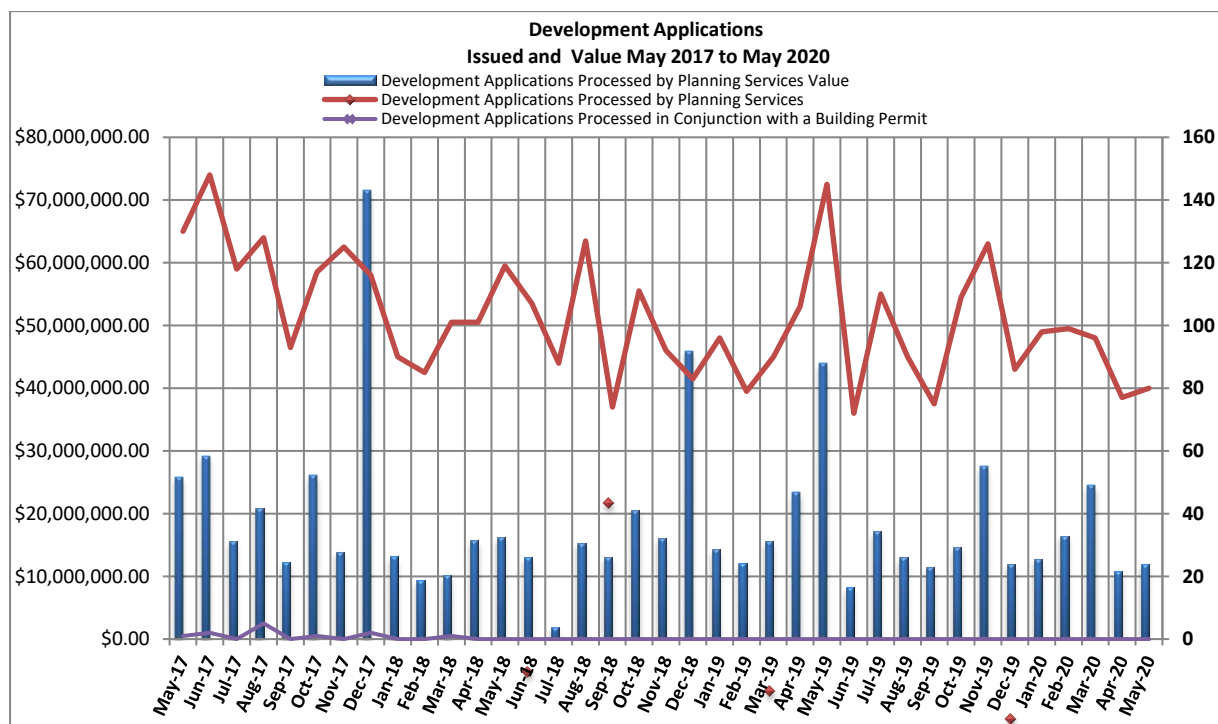
### Development applications

The number of development applications determined under delegated authority during May 2020 is shown in the table below:

	Number	Value (\$)
Development applications processed by Planning Services	80	\$11,971,701
<b>TOTAL</b>	<b>80</b>	<b>\$11,971,701</b>

Of the 80 development applications, 12 were for new dwelling developments in housing opportunity areas, proposing a total of 20 new dwellings.

The total number and value of development applications determined between May 2017 and May 2020 is illustrated in the graph below:



The number of development applications received during May 2020 was 107.

The number of development applications current at the end of May was 178. Of these, eight were pending further information from applicants and 13 were being advertised for public comment.

In addition to the above, 163 building permits were issued during the month of May with an estimated construction value of \$19,679,038.

### **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 80 development applications were determined for the month of May with a total amount of \$41,618.08 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 LPS3 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 CJ086-07/20 during May 2020;**
- 2 subdivision applications described in Attachment 2 to Report CJ086-07/20 during May 2020.**

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf200714.pdf](#)*

## **CJ087-07/20      PROPOSED REVOCATION OF THE COOK AVENUE STRUCTURE PLAN AND AMENDMENT TO LOCAL PLANNING SCHEME NO. 3**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	26549, 101515
<b>ATTACHMENTS</b>	Attachment 1    Location plan Attachment 2    Cook Avenue Structure Plan Attachment 3    Scheme amendment map Attachment 4    Comparison tables
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### **PURPOSE**

For Council to consider progressing the revocation of the *Cook Avenue Structure Plan*, following advertising of the proposal. The proposed revocation will be progressed by way of an amendment to *Local Planning Scheme No. 3*.

### **EXECUTIVE SUMMARY**

The *Cook Avenue Structure Plan* was adopted by the Joint Commissioners at a meeting held on 8 June 2004 (CJ125-06/04) and by the Western Australian Planning Commission (WAPC) on 1 October 2004. The purpose of the structure plan was to facilitate the subdivision, zoning and residential building form within the "C-Air" estate, a 95-lot infill subdivision on a former undeveloped primary school site.

The structure plan specifies that land use permissibility is the same as that of the 'Residential' zone under the (now former) *District Planning Scheme No. 2 (DPS2)* and specifies certain additional development provisions to those of the *Residential Design Codes (R-Codes)*. The estate has been fully developed for some time.

As part of the approval of *Local Planning Scheme No. 3 (LPS3)*, the WAPC advised 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.

As the site is fully developed, it is considered that the structure plan is no longer required to guide development of the area.

In accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015 (LPS Regulations)*, an amendment to LPS3 is proposed to incorporate the zonings outlined in the *Cook Avenue Structure Plan* into LPS3. There are no development provisions in the structure plan that need to be retained and incorporated into LPS3. The amendment will automatically revoke the structure plan. This type of scheme amendment is classified as a 'basic' amendment and there is no provision to advertise this form of amendment.

Although the formal planning process to revoke the structure plan does not require public consultation, it was considered appropriate to seek feedback on the proposal from the landowners within the structure plan area, prior to preparing a basic amendment to LPS3 to rezone the land within the *Cook Avenue Structure Plan* area.

Council considered the intention to revoke the *Cook Avenue Structure Plan* at its meeting held on 17 March 2020 (CJ022-03/20 refers) and resolved to advertise the proposal for a period of 14 days.

The advertising period closed on 14 May 2020 and no submissions were received. It is therefore recommended that Council prepares an amendment to LPS3 to rezone the land within the *Cook Avenue Structure Plan* area, which, if approved by the Minister for Planning, will facilitate the revocation of the structure plan.

## BACKGROUND

<b>Suburb/Location</b>	Hillarys, including Phoenix Street, Fenian Pass, Orient Circuit, Exeter Street, Wilandra Place, New England Drive, Ferndene Mews and Cook Avenue.
<b>Owner</b>	Various.
<b>Zoning</b>	<b>LPS 3</b> Urban Development. <b>MRS</b> Urban.
<b>Site area</b>	4 hectares.
<b>Structure plan</b>	<i>Cook Avenue (C-Air Housing Development) Structure Plan.</i>

The *Cook Avenue Structure Plan* applies to the land bounded by Cook Avenue to the north, Ferndene Mews to the east, Willandra Drive to the south and New England Drive to the west (Attachment 1 refers).

The site had been earmarked for a primary school, however, was subsequently deemed surplus to the Department of Education's requirements. The site was sold, and the *Cook Avenue Structure Plan* was adopted by the Joint Commissioners at a meeting held on 8 June 2004 (CJ125-06/04) and by the WAPC on 1 October 2004 (Attachment 2 refers). The purpose of the structure plan was to facilitate the subdivision, zoning and residential building form within the "C-Air" estate, a 95-lot infill subdivision. The rezoning of the site from 'Public Use – Primary School' to 'Urban Development' was finalised in December 2004.

At its meeting held on 27 February 2007 (CJ024-02/07 refers), Council adopted amendments to several structure plans, including the *Cook Avenue Structure Plan*, to align the wording with the requirements of the City's DPS2 and the R-Codes.

The estate has been fully developed for residential and open space purposes.

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, and the structure plan is still relevant and needs to be retained; or
- where development is complete or nearing completion, the structure plan can be revoked via an amendment to LPS3 to rezone the area. This may include introducing relevant development provisions from the structure plan into the scheme.

It is important that the above assessments be undertaken as all structure plans that were in place prior to the introduction of the LPS Regulations in October 2015 will be automatically revoked in October 2025 unless their period of approval is formally extended.

Council considered the intention to revoke the *Cook Avenue Structure Plan* at its meeting held on 17 March 2020, and resolved the following (CJ022-03/20 refers):

*“That Council ADVERTISES the proposal to revoke the Cook Avenue Structure Plan to the landowners within the structure plan area, for a period of 14 days.”*

## DETAILS

It is proposed that the *Cook Avenue Structure Plan* be revoked as the estate has now been fully developed for some time. Under the LPS Regulations, an amendment to the planning scheme to incorporate the zonings indicated in the structure plan will also revoke the structure plan.

It is proposed to rezone the land within the *Cook Avenue Structure Plan* area from 'Urban Development' to the 'Residential' zone and apply residential density codes of 'R25' and 'R40' and the 'Public Open Space' and 'Local Road' reserves (Attachment 3 refers). This scheme amendment is classified as 'basic' under the LPS Regulations as the amendment to the scheme map is consistent with the approved structure plan and the scheme includes the zones outlined in the structure plan. There is no provision in the LPS Regulations to advertise a basic amendment.

### Current need for the Cook Avenue Structure Plan

The structure plan is divided into three precincts being 'perimeter dwelling precinct', 'internal dwelling precinct' and 'grouped dwelling precinct'. Tables outlining the structure plan provisions, the current equivalent R-Code and, where relevant, *Residential Development Local Planning Policy* (RDLPP) provisions for each of the precincts are included as Attachment 4 to Report CJ087-07/20.

While the structure plan contains many provisions (as detailed in Attachment 4), all dwellings within the estate have been constructed. Therefore, the setbacks, boundary walls, building height, retaining walls, open space and the like have already been established. It is therefore not considered necessary to include any of the development provisions from the structure plan into the scheme. If a property is proposed to be extended or demolished and a new dwelling constructed, it is considered appropriate that the new development be assessed against the R-Codes which includes both the deemed-to-comply and the design principle standards, therefore development can be assessed on its merits and in the context of the surrounding area.

### Zoning

The land within the structure plan area is currently zoned 'Urban Development' under LPS3. It is proposed to rezone this land to the 'Residential' zone (as per the structure plan) and apply density codes of 'R25' and 'R40', and the 'Public Open Space' and 'Local Road' reserves in accordance with the structure plan map (Attachments 2 and 3 refer). As noted previously, the rezoning of the land will automatically revoke the structure plan.

Land use permissibility

The structure plan states that land use permissibility is to be in accordance with the 'Residential' zone under the former DPS2. If the scheme amendment is supported and the structure plan revoked, land use permissibility will be in accordance with the 'Residential' zone of LPS3 which is similar to that of the previous planning scheme.

**Issues and options considered**

The options available to Council in considering the proposed scheme amendment are to:

- prepare the amendment to the local planning scheme without modification
- prepare the amendment to the local planning scheme with modifications  
or
- not prepare the amendment to the local planning scheme.

**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 are suitable for the immediate environment and reflect community values.

Housing infill and densification is encouraged and enabled through a strategic, planned approach in appropriate locations.

**Policy**                              Not applicable.

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

Clause 28 of schedule 2 of the deemed provisions of the 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. These 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 planning scheme that covers a structure plan area which automatically revokes the structure plan.

The LPS Regulations state that an amendment to a scheme map that is consistent with an approved structure plan is a 'basic' amendment if the scheme includes the zones outlined in the structure plan. A basic amendment is not required to be advertised for public comment.

Should Council resolve to prepare the proposed amendment, it is required to be referred to the Environmental Protection Authority (EPA) to decide whether or not a formal environmental review is necessary. Should the EPA decide that an environmental review is not required, the City will notify the WAPC of the EPA's decision.

Separately, Council's decision is 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, or require the amendment to be advertised for public comment. If the WAPC approves the scheme amendment, the *Cook Avenue Structure Plan* will automatically be revoked.

### Structure Plan Framework

The Structure Plan Framework outlines 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.

### Local Planning Scheme No. 3

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

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

The objectives of the 'Public Open Space' and 'Local Road' reserves in LPS3 are:

Reserve name	Objectives
Public Open Space	<ul style="list-style-type: none"> <li>To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152.</li> <li>To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage</li> </ul>
Local Road	<ul style="list-style-type: none"> <li>To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.</li> </ul>

### **Risk management considerations**

Not applicable.

### **Financial / budget implications**

The City, as the proponent, is required to cover the costs associated with advertising the proposal and the cost of publishing a notice in the local newspaper and the Government Gazette should the amendment be approved by the Minister for Planning. The cost of advertising the amendment was \$125, with the remainder of the costs estimated to be \$400.



**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 landowners within the structure plan area of the proposal to revoke the structure plan and obtain any feedback prior to Council making a final decision.

The proposal was advertised for a period of 14 days by way of 112 letters to landowners within the structure plan area, closing on 14 May 2020. No submissions were received.

**COMMENT**

The area encompassed by the *Cook Avenue Structure Plan* has been fully developed. The provisions of the R-Codes and the City's *Residential Development Local Planning Policy* are considered sufficient to ensure that any further development or redevelopment has an appropriate built form outcome.

The proposed scheme amendment to rezone the land within the *Cook Avenue Structure Plan* from 'Urban Development' to the 'Residential' zone and apply a density code of 'R25' and 'R40' and the 'Public Open Space' and 'Local Road' reserves in accordance with the structure plan map is considered appropriate. In the event that the Minister for Planning approves the scheme amendment, the *Cook Avenue Structure Plan* will automatically be revoked.

No issues were identified through the advertising of the proposal and it is therefore recommended that Council prepares an amendment to LPS3 to rezone the land within the *Cook Avenue Structure Plan* area in accordance with the zones and reserves outlined in the structure plan, which will facilitate the revocation of the structure plan.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION****That Council:**

- 1** In accordance with section 75 of the *Planning and Development Act 2005*, resolves to PREPARE an amendment to the City of Joondalup *Local Planning Scheme No. 3* to:
  - 1.1** rezone the land within the *Cook Avenue Structure Plan* from 'Urban Development' to the 'Residential' zone and the 'Public Open Space' and 'Local Road' reserves;
  - 1.2** apply the 'R25' and 'R40' residential density codes,  
as shown in Attachment 3 to Report CJ087-07/20;
- 2** In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DETERMINES that the scheme amendment is a basic amendment as the proposal is consistent with the zones, reserves and residential density codes within the *Cook Avenue Structure Plan*;
- 3** AUTHORISES the Mayor and the Chief Executive Officer, in accordance with Section 9.49A of the *Local Government Act 1995*, to execute under Common Seal the amendment to the City of Joondalup *Local Planning Scheme No. 3*.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf200714.pdf](#)

**CJ088-07/20 YOUTH DRIVER EDUCATION SUPPORT PROGRAM**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Director Planning and Community Development
<b>FILE NUMBER</b>	07116, 101515
<b>ATTACHMENT</b>	Nil
<b>AUTHORITY/DISCRETION</b>	Executive – The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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**PURPOSE**

For Council to revoke Part 3 of the decision it made at the Council meeting held on 21 August 2018 (CJ132-08/18 refers), which made Council's approval for implementation of the RYDE program at the City of Joondalup conditional on donation of a vehicle.

**EXECUTIVE SUMMARY**

At its meeting held on 21 August 2018 (CJ132-08/18 refers), Council unanimously resolved that it:

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

Following Council's decision, the City approached a number of organisations and businesses to seek donation of a vehicle for the RYDE program and made other efforts to seek alternate methods of funding for the vehicle (including grant funding).

Unfortunately, the efforts to secure a donated vehicle were unsuccessful, but the City was successful in securing a Commonwealth Stronger Communities grant of \$7,500 towards the purchase of a vehicle. This left a shortfall of \$15,000.

In consideration of the merits of the RYDE program, and given the City's unsuccessful efforts to secure a donated vehicle, an amount of \$15,000 was included in the City's 2020-2021 budget to cover the balance of the cost of acquisition of a vehicle for the RYDE program. The Council endorsed its 2020-2021 budget at a Special Meeting of Council held on 30 June 2020 (JSC07-06/20 refers).

Notwithstanding the inclusion of funds for the acquisition of the RYDE vehicle in the adopted budget, there is now a need to revoke Council's previous decision, which made approval for implementation of the RYDE program conditional on donation of a vehicle.

## **BACKGROUND**

At its meeting held on 15 August 2017 (C60-08/17 refers), a Notice of Motion was presented and subsequently Council resolved:

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

In response to the request, officers investigated need, suitability and options for supporting young people to obtain their drivers licence. It was considered that implementation of the RYDE (Regional Youth Driver Education) program would be the most favourable option.

A report in response to the Notice of Motion, and recommending implementation of the RYDE program, was therefore presented to Council at its meeting held on 21 August 2018 (CJ132-08/18 refers). Council (unanimously) resolved that it:

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

Following the August Council meeting the City publicised its intention to implement the RYDE program and the need for donation of a vehicle, in the newspaper and via social media. City staff also made contact and had conversations with a significant number of businesses, organisations, community groups and funding bodies, between September 2018 and late 2019, seeking donation of a vehicle for the RYDE program.

None of these approaches were successful. Although many of the businesses/groups acknowledged there appears to be merit with the program, they advised they were unable to support the City for a variety of reasons, including: the program not meeting their sponsorship criteria; having a different area of focus (for instance not youth); not being able to sponsor capital items; the City not being classified as a not-for-profit organisation; simply not interested in or able to sponsor a vehicle at that time.

The City then identified it might be eligible for Stronger Communities funding and a grant application was submitted in September 2019. In December 2019, the City was advised the application for funding was successful, but was conditional on the City having the balance of the funding available to complete the project.

During workshops held with Elected Members, as part of preparation of the City's 2020-21 budget, a request was made to include \$15,000 in the budget to fund the balance of the cost of a vehicle, to allow implementation of a RYDE program in Joondalup. This amount was included and the Council endorsed its 2020-21 budget at a Special Meeting of Council held on 30 June 2020 (JSC07-06/20 refers).

Notwithstanding the inclusion of funds for the acquisition of the RYDE vehicle in the adopted budget, there is now a need to revoke Council's previous decision, which made approval for implementation of the RYDE program conditional on donation of a vehicle.

## **DETAILS**

### **What is the issue that needs addressing?**

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

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

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

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

Financial pressures on some young people and families may limit their ability to access paid driving instructors, especially for as many as 50 hours to sit in a passenger's seat. Online research suggests that private lessons for driving average \$60 for 45 minutes, amounting to a total cost of approximately \$4,020 if all 50 hours were supervised through paid instruction.

Desktop research has shown that the presence of programs that may support a young person to attain their drivers licence in WA is limited. The RYDE program, however, which is based on successful programs in other states of Australia enables young people to connect with volunteer mentors and an automatic vehicle to enhance their opportunity to gain a driver's license.

### **What is the RYDE program?**

There are six steps to getting a driver's licence:

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

The RYDE Program is a program developed by the Town of Bassendean and addresses the equivalent of step four above.

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

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

These service providers would use their professional discretion to refer young people to the RYDE program. This client referral is seen as one of the biggest positives of the program because it relies on an established relationship that has already been built between the young person and the service provider. In the instance that a young person is not a client of a service provider, and the City is confident that the young person is in need of the RYDE program, the City could be the sponsor of that young person with an assigned youth worker. Overall, the program is modelled to target at risk youth or those in genuine need, not those who have the means to access other driving mentors.

It is proposed the RYDE program would initially recruit a group of around 12 volunteers who are prepared to, not only accompany learner drivers during the 'experience' stage of their driver's licence preparation, but to build constructive support relationships with clients throughout the process. These volunteers may be sourced using the services of potential partner Joondalup Volunteer Resource Centre (JVRC), who the City already has an established, formal relationship with.

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

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

Running costs would be supplemented with a small 'fee for service' of approximately \$15 for ninety minutes of driving, which is a contribution to offset the associated 'in kind' running costs. This fee is designed to partially address the challenge of program dependence on external funding, and to represent the learner driver's personal investment in the program.

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

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

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

Mentoring would be scheduled with a minimum 45 minutes between sessions. The City would need to arrange a vehicle shopfront (the Joondalup Library is currently recommended) and volunteer mentors would leave their personal vehicles at this location during driving sessions. Mentors would use a 3G capable tablet computer supplied with the vehicle to log in to the RYDE webpage, and fill out an online checklist involving a brief inspection of the car to log damage or safety issues. The mentor would travel to the location specified on the booking and pick up the learner driver.

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

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

Outcomes of the RYDE Program are as follows:

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

## **The RYDE Program – Is it the role of local government?**

It is not a statutory requirement that local government specifically provide driver education programs. However, as the tier of government that most closely affects the daily lives of citizens, local government is well placed to co-ordinate a response to identified, local community need.

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

There are several advantages for the City to undertake care and control of the RYDE program, including:

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

In terms of insurance implications, the City's volunteers are already covered by the City's insurance policies, as are all fleet vehicles.

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

#### **Legislation**

Nil.

#### **Strategic Community Plan**

#### **Key theme**

Community Wellbeing, Community Spirit.

#### **Objective**

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

#### **Strategic initiative**

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

#### **Policy**

Not applicable.

### **Risk management considerations**

There are several identified risks with the introduction of the RYDE Program, although these could be suitably mitigated:

- Increase in demand beyond vehicle capacity – expectations to be managed via online booking program.



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

### Financial / budget implications

One-off Cost	<p>The City has been successful in getting a \$7,500 Stronger Communities grant towards the purchase of the vehicle for the RYDE program. This grant is conditional on the City having funding available for the balance of the cost of the vehicle.</p> <p>During workshops held with Elected Members as part of preparation of the City's 2020-21 budget, a request was made to include \$15,000 in the budget to fund the balance of the cost of a vehicle, to allow implementation of a RYDE program in Joondalup. This occurred and the Council endorsed its 2020-21 budget at a Special Meeting of Council held on 30 June 2020 (JSC07-06/20 refers).</p>
Annual operating cost	<p>The annual operating expenses are estimated to be approximately \$15,000 per year - this is based on the expenses currently incurred by Town of Bassendean and includes depreciation expenses.</p> <p>The \$15,000 annual cost includes operating expenses of the vehicle, software costs (as owners of the software, the Town of Bassendean will charge the City \$2.50 for every booking made) and other sundry costs.</p> <p>There are no additional employment costs included in the estimate because the service would be controlled by existing staff. The Town of Bassendean reports that, due to the automation of the program, current staff time dedicated to the program as being less than one hour per week.</p>
Annual operating income	<p>It is estimated that the City could receive \$9,000 per year income from youth drivers participating in the scheme. This is based on \$15 per booking x 600 bookings per year.</p>
Net Operating Impacts	<p>The net operating cost to the City is therefore estimated to be \$6,000 per year. This figure will be reduced if the program generates more income than projected.</p>
20 Year Strategic Financial Plan (SFP) impact	<p>The draft 20 Year SFP does not have any allowance for this service. The overall 20 year impacts in cash terms would be approximately \$0.2 million.</p>

## **Regional significance**

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

## **Sustainability Implications**

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

Gaining a driver's licence has positive effects on young people including: the independence this brings; greater access to learning and employment opportunities; increased self-esteem and the positive mental health and social benefits this all brings.

The broader community and economy would also benefit from the positive flow-on impacts of a more engaged community of young people in the City of Joondalup.

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

## **Consultation**

In preparation of the initial report to Council, City officers gathered information about the RYDE Program from the Town of Bassendean and City of Cockburn.

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

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

As indicated earlier in the report, the City has publicised its intention to run the RYDE program and the need for donation of a vehicle in the newspaper and via social media. City staff also made contact and had conversations with a significant number of businesses, organisations, community groups and funding bodies, between September 2018 and late 2019, seeking donation of a vehicle for the RYDE program.

## **COMMENT**

As outlined in this report, many young people find it challenging to get a driver's licence because they struggle with access to qualified drivers to help them achieve their required number of driving hours and/or they simply cannot afford to achieve these using normal driving instructors.

Not being able to get a driver's licence affects their independence and could affect participation in education and training and job prospects.

The RYDE program is one of very few programs in Western Australia that assists young people with this challenge.

In Joondalup, the City is well-placed to deliver this much-needed service and it is anticipated that once the RYDE Program is established, it would have minimal ongoing costs and can be cost neutral, or generate revenue.

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

Funding to supplement the grant funding received, has been included in the City's approved budget for 2020-21 and this report seeks Council's agreement to revoke Part 3 of its previous decision on this matter, to allow the City progress implementation of this valuable community service.

## **VOTING REQUIREMENTS**

Absolute Majority.

## **RECOMMENDATION**

**That Council:**

- 1 **BY AN ABSOLUTE MAJORITY REVOKES** Part 3 of its decision of 21 August 2018 (CJ132-08/18 refers) as follows:
  - “3 **REQUESTS** the Chief Executive Officer to commence planning for and implementation of a RYDE Program in the 2019-20 financial year, subject to a vehicle being donated for this purpose.”;
- 2 **REQUESTS** the Chief Executive Officer to commence planning for the implementation of the RYDE Program;
- 3 **NOTES** an amount of \$22,500 has been listed in the 2020-21 Capital Works Budget for the purchase of the RYDE Program Vehicle, **NOTING** the City has received a \$7,500 stronger communities grant towards the project;
- 4 **BY AN ABSOLUTE MAJORITY** and in accordance with section 6.16(3)(a) of the *Local Government Act 1995*, **IMPOSES** a fee of \$15.00 (including GST) for a 90-minute RYDE Program Driving Session;
- 5 **NOTES**, in accordance with section 6.19 of the *Local Government Act 1995* local public notice will be given of the date from which the proposed fee in Part 4 above will be imposed.

**CJ089-07/20 EXECUTION OF DOCUMENTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	15876, 101515
<b>ATTACHMENT</b>	Attachment 1 Documents sealed by affixing the Common Seal during the period 2 June 2020 to 30 June 2020
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 2 June 2020 to 30 June 2020.

**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 the Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 2 June 2020 to 30 June 2020, as detailed in Attachment 1 to Report CJ089-07/20.*

**BACKGROUND**

For the period 2 June 2020 to 30 June 2020, five documents were executed by affixing the Common Seal. A summary is provided below:

<b>Type</b>	<b>Number</b>
Replacement of Legal Agreement	1
Section 70A Notification	4

**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 implications**Current financial year impact

Not applicable.

Future financial year impact

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 2 June 2020 to 30 June 2020, as detailed in Attachment 1 to Report CJ089-07/20.**

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf200714.pdf](#)*

## **CJ090-07/20      MINUTES OF REGIONAL COUNCIL MEETINGS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	03149, 41196, 101515
<b>ATTACHMENT</b>	Attachment 1    Tamala Park Regional Council Meeting Minutes – 20 February 2020 Attachment 2    Mindarie Regional Council Meeting Minutes – 27 February 2020 Attachment 3    Mindarie Regional Special Council Meeting Minutes – 2 April 2020 Attachment 4    Mindarie Regional Council Meeting Minutes – 23 April 2020 Attachment 5    Mindarie Regional Special Council Meeting Minutes – 28 May 2020 Attachment 6    Tamala Park Regional Council Meeting Minutes – 18 June 2020
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

The following minutes are provided:

- Minutes of Tamala Park Regional Council meeting held on 20 February 2020.
- Minutes of Mindarie Regional Council meeting held on 27 February 2020.
- Minutes of Mindarie Regional Council Special meeting held on 2 April 2020.
- Minutes of Mindarie Regional Council meeting held on 23 April 2020.
- Minutes of Mindarie Regional Council Special meeting held on 28 May 2020.
- Minutes of Tamala Park Regional Council meeting held on 18 June 2020.

### **DETAILS**

#### **Tamala Park Regional Council Meetings**

Meetings of the Tamala Park Regional Council were held on 20 February 2020 and 18 June 2020.

At the time of the meeting held on 20 February 2020 Cr John Chester and Cr Philippa Taylor were Council's representatives at the Tamala Park Regional Council meeting.

At the time of the meeting held on 18 June 2020 Cr John Chester and Cr Philippa Taylor were Council's representatives at the Tamala Park Regional Council meeting.

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

### **Mindarie Regional Council Meetings**

Ordinary meetings of the Mindarie Regional Council were held on 27 February 2020 and 23 April 2020 and Special meetings were held on 2 April 2020 and 28 May 2020.

Hon. Mayor Albert Jacob, JP and Cr Russ Fishwick, JP were Council's representatives at the Mindarie Regional Ordinary Council meetings held on 27 February 2020 and 23 April 2020 and Special Council meetings held on 2 April 2020 and 28 May 2020.

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:

- 1 Tamala Park Regional Council Ordinary meeting held on 20 February 2020 forming Attachment 1 to Report CJ090-07/20;**
- 2 Mindarie Regional Council Ordinary meeting held on 27 February 2020 forming Attachment 2 to Report CJ090-07/20;**
- 3 Mindarie Regional Council Special meeting held on 2 April 2020 forming Attachment 3 to Report CJ090-07/20;**
- 4 Mindarie Regional Council Ordinary meeting held on 23 April 2020 forming Attachment 4 to Report CJ090-07/20;**
- 5 Mindarie Regional Council Special meeting held on 28 May 2020 forming Attachment 5 to Report CJ090-07/20;**
- 6 Tamala Park Regional Council Ordinary meeting held on 18 June 2020 forming Attachment 6 to Report CJ090-07/20.**

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf200714.pdf](#)

## **CJ091-07/20 LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2020**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENTS</b>	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of May 2020 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of May 2020 Attachment 3 Municipal and Trust Fund Vouchers for the month of May 2020
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

---

### **PURPOSE**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of May 2020.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of May 2020, totalling \$10,427,595.22.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for May 2020 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 CJ091-07/20, totalling \$10,427,595.22.*

### **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 May 2020. Lists detailing the payments made are appended as Attachments 1 and 2 to Report CJ091-07/20.

The vouchers for the month are appended as Attachment 3 to Report CJ091-07/20.

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Municipal Account	Municipal Cheques & EFT Payments 109894 - 110031 & EF085396 EFT085897 Net of cancelled payments.	\$6,105,562.51
	Vouchers 2811A -2823A	\$4,264,834.02
Trust Account	Trust Cheques & EFT Payments 207448-207651 & TEF001777 – TEF001855 Net of cancelled payments.	\$57,198.69
	<b>Total</b>	\$10,427,595.22

### Issues and options considered

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

#### Option 1

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

#### Option 2

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

### Legislation / Strategic Community Plan / policy implications

#### Legislation

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

#### Strategic Community Plan

#### Key theme

Financial Sustainability.

#### Objective

Effective management.

#### Strategic initiative

Not applicable.

#### Policy

Not applicable.

**Risk management considerations**

In accordance with section 6.8 of the *Local Government Act 1995*, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.

**Financial / budget implications**

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

**Regional significance**

Not applicable.

**Sustainability implications**

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

**Consultation**

Not applicable.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the *2019-20 Revised Budget* as adopted by Council at its meeting held on 18 February 2020 (CJ018-02/20 refers) 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 May 2020 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 CJ091-07/20, totalling \$10,427,595.22.**

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf200714.pdf](#)

## **CJ092-07/20 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2020**

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

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### **PURPOSE**

For Council to note the Financial Activity Statement for the period ended 31 May 2020.

### **EXECUTIVE SUMMARY**

At its meeting held on 25 June 2019 (CJ073-06/19 refers), Council adopted the Annual Budget for the 2019-20 financial year. Council subsequently revised the budget at its meeting held on 18 February 2020 (CJ018-02/20 refers) and 21 April 2020 (CJ050-04/20). The figures in this report are compared to the revised budget (as amended).

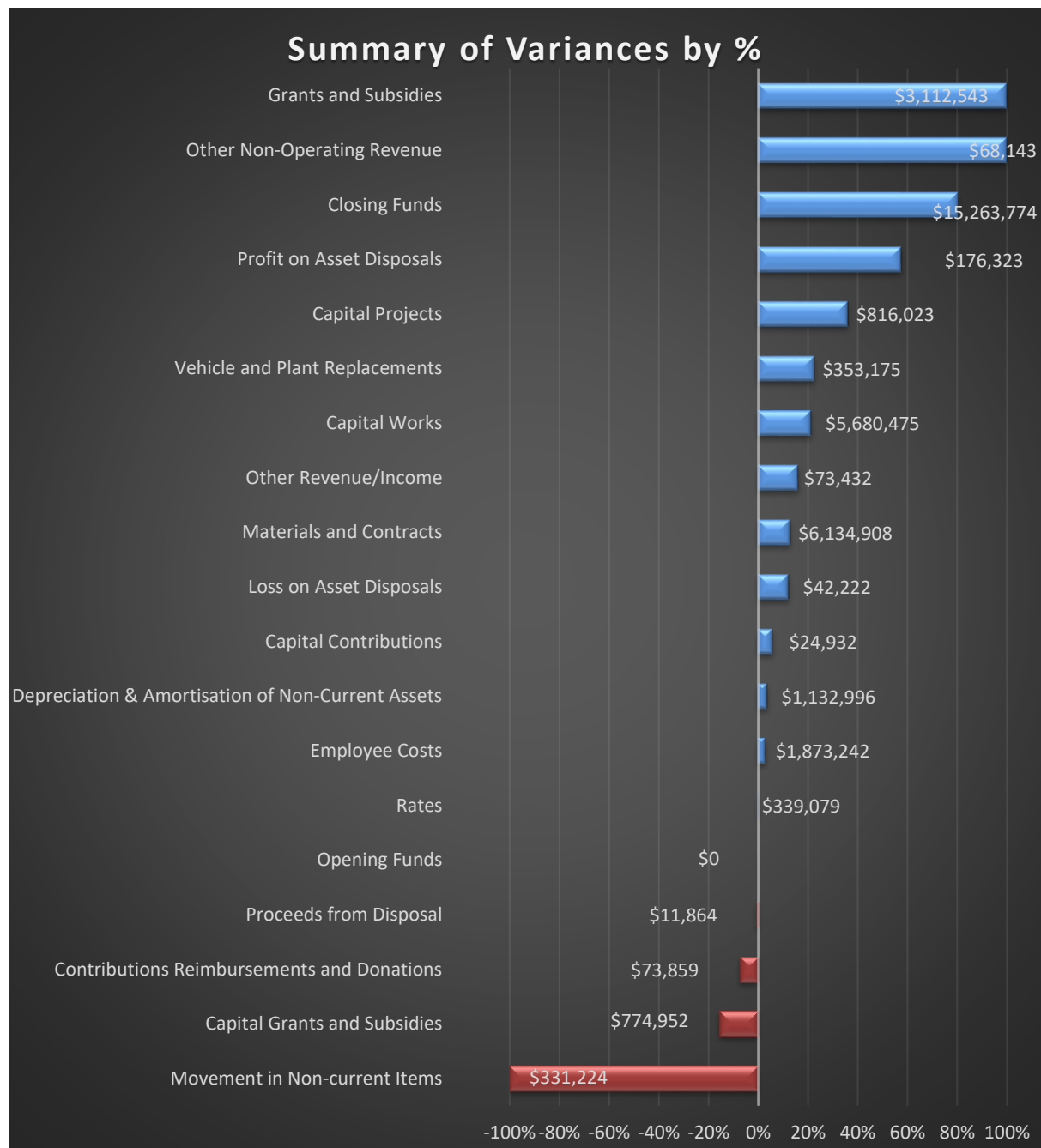
The May 2020 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$15,263,774 for the period when compared to the revised budget.

It should be noted that this variance does not represent a projection of the end of year position or that these funds are surplus to requirements. It represents the year to date position to 31 May 2020 and results from a number of factors identified in the report.

There are a number of factors influencing the favourable variance, but it is predominantly due to the timing of revenue and expenditure compared to the budget estimate. The notes in Attachment 3 identify and provide commentary on the individual key material revenue and expenditure variances to date.

The COVID-19 pandemic impacted the City with the closure of leisure and library facilities in late March. Revenue from leisure centres and facility bookings has been virtually non-existent but as COVID-19 restrictions ease this may improve in the coming months. In addition, reduction in economic activity and implementation of social distancing measures has resulted in a fall in the City's parking revenues as well.

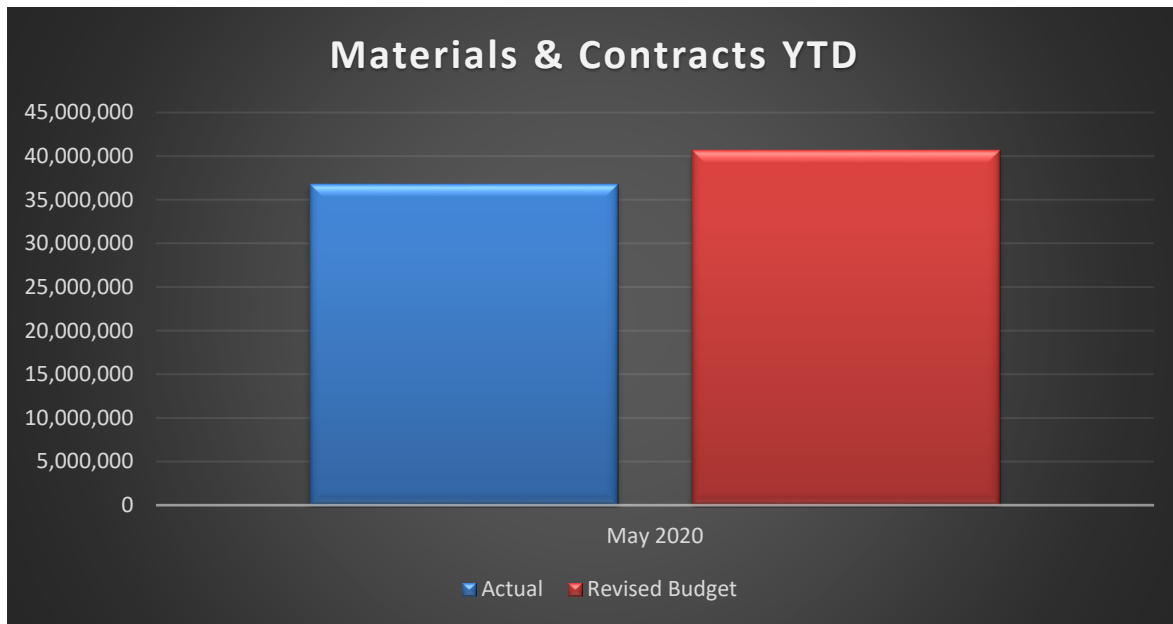
The key elements of the variance are summarised below:



The significant variances for May were:

### **Materials & Contracts**

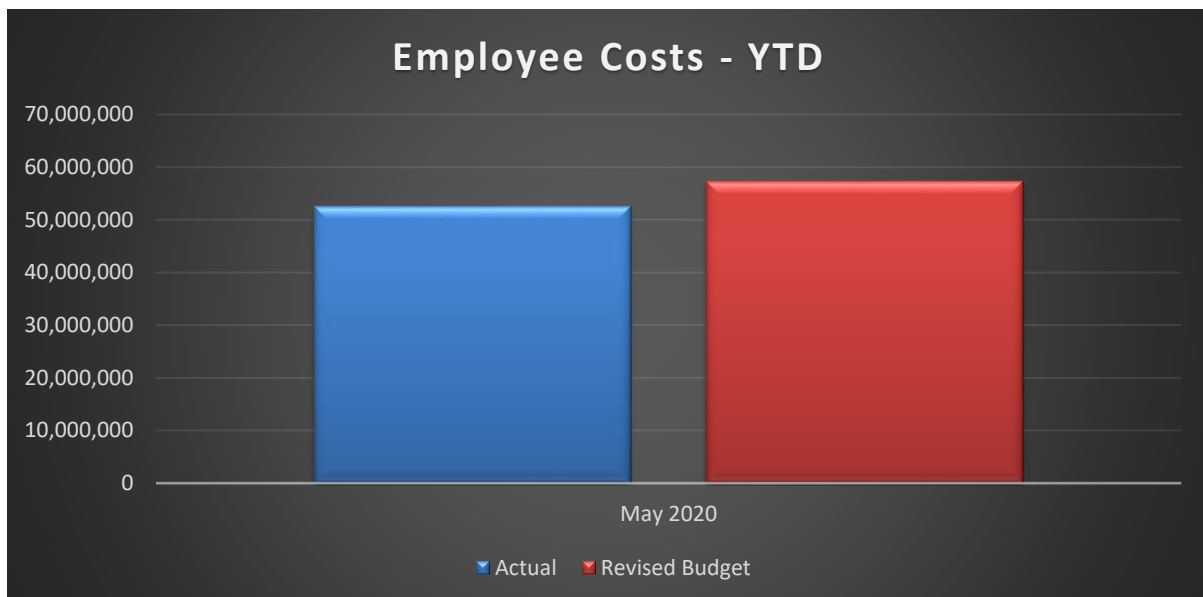
**\$6,134,908**



Materials and Contracts expenditure is \$6,134,908 below budget. This is spread across a number of different areas including favourable timing variances for External Service Expenses \$2,725,143, Professional Fees & Costs \$1,115,330 and Furniture, Equipment and Artworks \$414,071.

### **Employee Costs**

**\$1,873,242**



Employee Costs expenditure is \$1,873,242 below budget. Favourable variances predominantly arose from vacancies in various areas.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 May 2020 forming Attachment 1 to Report CJ092-07/20.*

## BACKGROUND

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

## DETAILS

### Issues and options considered

The Financial Activity Statement for the period ended 31 May 2020 is appended as Attachment 1 to Report CJ092-07/20.

### 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

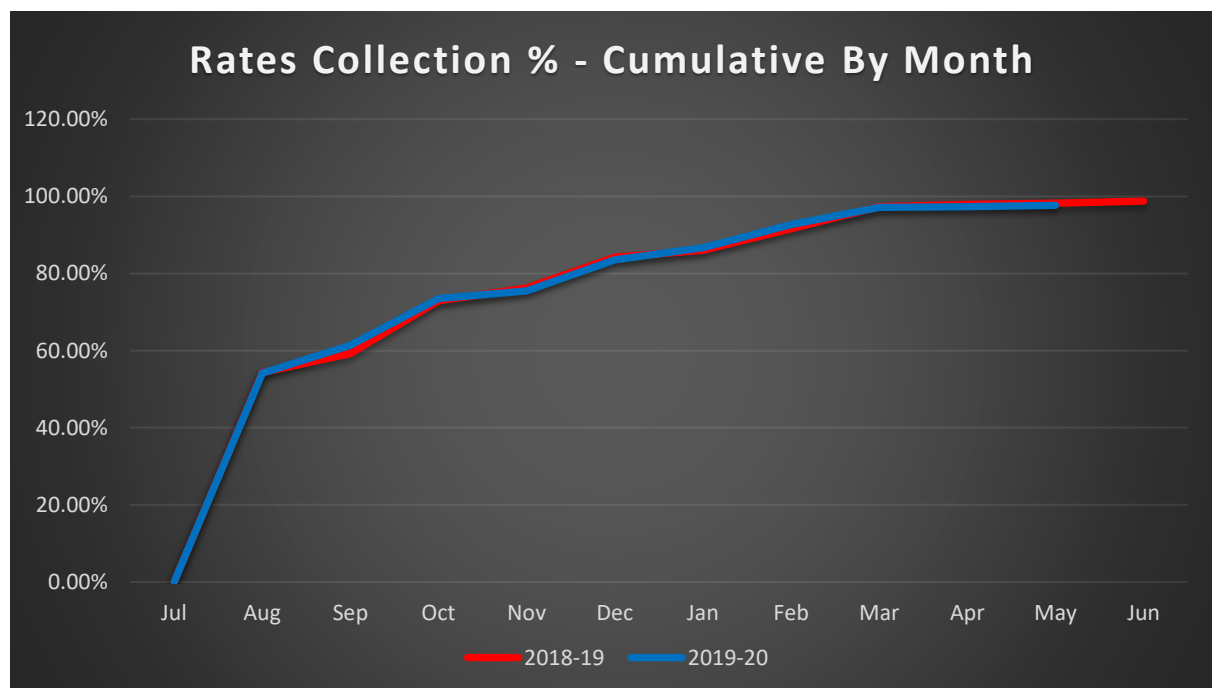
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

## 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*.

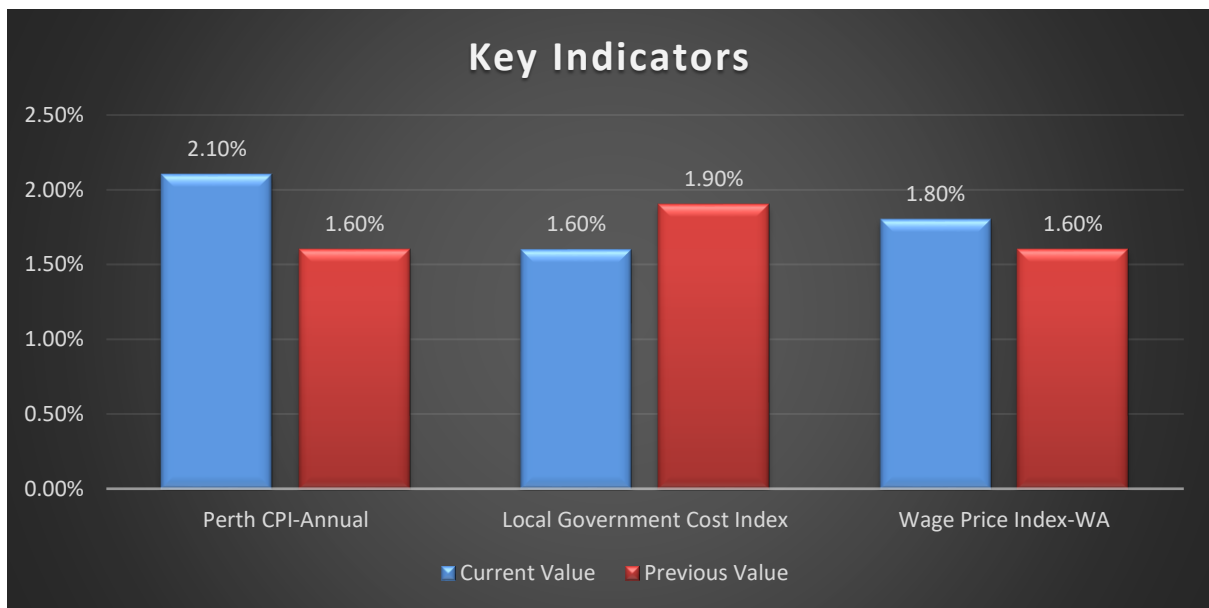
## KEY INDICATORS

### Rates Collection



Rates collections as a percentage of rates issued (debtors) continues slightly below the prior year at the end of May. This trend is expected to continue to the end of the financial year as debt collection activity was halted at the onset of the COVID-19 pandemic for the remainder of 2019-20.

## **Economic Indicators**



Wage inflation rose from the December Quarter but continues to lag the national wage price index which is 2.2% for the same period. The Local Government Cost Index is lower mainly driven by reduced electricity and street lighting costs, but CPI grew significantly.

In the current environment where significant disruption to economic activity has occurred as a result of measures taken by government to combat the COVID-19 pandemic, there is a high level of uncertainty about key indicators as this latest data was collected before the full impact of the pandemic restrictions and measures was felt.

### **COMMENT**

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the 2019-20 revised budget (as amended) or has been authorised in advance by Council where applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That Council NOTES the Financial Activity Statement for the period ended 31 May 2020 forming Attachment 1 to Report CJ092-07/20.**

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf200714.pdf](#)

**CJ093-07/20      REQUEST FOR AN ADDITIONAL SUBSIDY OF HIRE FEES FOR GRANDPARENTS REARING GRANDCHILDREN WA INC.**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	101271, 101515
<b>ATTACHMENTS</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

---

**PURPOSE**

For Council to consider an application for an additional subsidy of hire fees of the Grove Child Care facility by Grandparents Rearing Grandchildren WA Inc. in 2020.

**EXECUTIVE SUMMARY**

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

As part of the framework, Council also reviewed various supporting policies to assist it in managing property and users of City facilities. The revised *Facility Hire Subsidy Policy* allows for various levels of subsidisation of the hire fees for certain community groups. The policy states that where a community group wishes for further subsidisation, application must be made to the City with a report presented to Council for its consideration for requests over \$5,000.

Grandparents Rearing Grandchildren WA Inc. (GRG) have been assessed as eligible for subsidy of their fees and are seeking an additional subsidy. As a charitable organisation the policy allocates the club up to 10 hours of fully (100%) subsidised use per week. GRG average 30 hours per week, to enable it to undertake its activities and events, therefore are seeking an additional subsidy of 20 hours per week.

*It is therefore recommended that Council:*

- 1      *AGREES to the request to waive the hire fees for the Grandparents Rearing Grandchildren WA Inc. for the use of the Grove Child Care facility in 2020;*
- 2      *NOTES that the Facility Hire Subsidy Policy states that requests for additional subsidies apply for one year / season and a new application must be made each following year / season.*

## BACKGROUND

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted the *Property Management Framework* which is intended to provide a consistent and concise methodology to property management. Also, at that meeting, Council adopted the *Facility Hire Subsidy Policy* which provides direction relating to subsidised use of City venues, that is to:

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

The policy applies to all local not-for-profit community groups and groups from educational institutions hiring City venues on a regular or casual basis, excluding facilities contained within the City of Joondalup Leisure Centre, Craigie. The policy applies to organised groups only and does not apply to individuals.

The policy allocates a level of subsidy to user groups. The City will subsidise the cost of venue hire charges for City-managed facilities for local not-for-profit community groups and groups from educational institutions if the group is able to demonstrate that at least 50% of its active members / participants reside within the City of Joondalup. These groups are categorised within the policy based on the nature of the group - groups that provide recreational, sporting activities and / or targeted services exclusively for people aged 55 years and over.

Notwithstanding the above, the City reserves the right that if a group is booking a facility at a subsidised rate and it is not being utilised it may charge that group for the unutilised booking of that venue at the full community rate.

In regard to dealing with requests for additional subsidies over and above what is permitted within the policy, the policy states:

*“A group may apply for an additional subsidy under special circumstances. Applications must be made in a written submission to the Chief Executive Officer. The Chief Executive Officer will determine such requests where the value of the additional subsidy is below \$5,000. Requests for additional subsidies above \$5,000 will be addressed by the Chief Executive Officer and referred to Council for determination.*

*Additional subsidies will be provided for the following:*

- *Any group who has provided recent, significant cash or in-kind contribution(s) towards the total value of the construction of a hire facility.*
- *Any group who is experiencing significant financial difficulties.*
- *Any other group who can provide reasonable justification for receiving an additional subsidy.*

*Submissions for additional subsidies will be assessed on a case-by-case basis and will apply for one year / season. A new application must be made each following year / season.”*

**DETAILS**Grandparents Rearing Grandchildren

Facility hired	Classification within the policy	Current extent of subsidy	Average hours booked per week	Hours exceeding subsidy per week
Grove Child Care	Community service and charitable group	10 hours per week	30	20

The City has recently identified the Grove Child Care facility as a relocation opportunity for the Grandparents Rearing Grandchildren organisation. The GRG are an incorporated not-for-profit and registered charity that provides support services to grandparents who are raising their grandchildren on a full-time basis. Currently, the organisation assists 102 grandparents and 112 grandchildren. The GRG are based within the City of Joondalup previously utilising a small office space within the Mildenhall facility under a licence agreement. They have previously utilised the Kingsley Memorial Clubroom facility to deliver some of their services, however as of 2020 they have not booked any City facilities, preferring to use their members' private residences to meet.

GRG have booked 774 hours for 2020, averaging 30 hours per week, to enable it to undertake its activities and events. The club has been assessed as being eligible for a subsidy under the policy. As a charitable organisation the policy allocates the clubs up to 10 hours of fully (100%) subsidised use per week.

It should be noted GRG are not in a financial position to afford the cost to hire the Grove Child Care facility without the additional subsidy. GRG have requested Council consider an additional subsidy for the additional 20 hours to deliver its activities and events during 2020. As the club meets the eligibility criteria within the policy, it is recommended that Council agrees to the request for an additional subsidy of hire fees for GRG for up to 20 per hours per week.

Total booking cost	Current		Requested		Recommended	
	Subsidy value	Group payment	Subsidy value	Group payment	Subsidy value	Group payment
\$21,440	\$7,202	\$14,238	\$21,440	\$0	\$21,440	\$0

**Issues and options considered**

Council may agree or not agree to the request for an additional subsidy.

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

Section 6.12 of the *Local Government Act 1995*.

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

Financial Sustainability.

**Objective**

Financial diversity.

**Strategic initiative**

Identify opportunities for new income streams that are financially sound and equitable.

**Policy**

*Facility Hire Subsidy Policy.  
Property Management Framework.*

**Risk management considerations**

The following risks may arise pending the consideration of the additional requests for subsidised use of City facilities:

- The user groups may not have the financial capacity to meet the costs proposed by the City for the additional use above the group's allocated subsidy.
- The City compromises its strategic initiative in examining alternative revenue streams.
- Making exceptions for groups may set a precedent and cause complications when determining subsidies for other groups.

**Financial / budget implications**

The cost to the City across all levels of subsidised use of City managed community venues is approximately \$1.3 million.

If Council approves the additional subsidies and waivers of fees requested by GRG, the City will forgo \$14,238 in income from the Grove Child Care facility. In 2019, Council approved approximately \$112,047 of additional subsidies and waivers of fees for venue bookings. A summary of those 2019 additional subsidies and waivers of fees in excess of \$5,000 has been provided below:

<b>Group</b>	<b>Request type</b>	<b>Amount approved</b>
Whitford Senior Citizens Club	Additional subsidy	\$38,667
Youth Futures	Additional subsidy	\$38,450
Lions Club of Whitford (Inc)	Additional subsidy	\$10,407
University of the Third Age (U3A) Inc – Joondalup Region	Waiver of hire fees	\$9,682
Grace Church Padbury	Waiver of hire fees	\$8,885
Farmers Markets (WA) Pty Ltd	Waiver of hire fees	\$5,956

In 2020 to date, Council has approved approximately \$40,389 of additional subsidies and waivers of fees for venue bookings. A summary of those 2020 additional subsidies and waivers of fees has been provided below:

<b>Group</b>	<b>Request type</b>	<b>Amount approved</b>
Whitford Senior Citizens Club	Additional subsidy	\$24,616
University of the Third Age (U3A) Inc – Joondalup Region	Waiver of hire fees	\$6,071
Kingsley Seniors Group	Waiver of hire fees	\$5,942
Greenwood Tennis Club Juniors	Waiver of hire fees	\$3,760

**Regional significance**

Not applicable.

### **Sustainability implications**

The *Property Management Framework* aims to support the equitable, efficient and effective management of City-owned and managed properties. The framework recognises the value and community benefit of activities organised and provided for by community groups, by subsidising such groups where appropriate. The framework also aims to protect and enhance the City's property assets for the benefit of the community and for future generations.

### **Consultation**

Not applicable.

### **COMMENT**

The intent of the *Facility Hire Subsidy Policy* is to achieve more equitable and greater use of City facilities. It is important that the classification of groups within the policy for levels of subsidisation remains consistent. However, if a group requires further consideration relating to fees, Council has the option to waive those fees.

It should be noted that the *Property Management Framework* and the *Facility Hire Subsidy Policy* are currently under review. This review is expected to be completed by early 2021.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That Council:**

- 1      AGREES to the request to waive the hire fees for the Grandparents Rearing Grandchildren WA Inc. for the use of the Grove Child Care facility in 2020;**
- 2      NOTES that the Facility Hire Subsidy Policy states that requests for additional subsidies apply for one year / season and a new application must be made each following year / season.**

## **CJ094-07/20 TENDER 010/20 - LIGHT VEHICLE LOGBOOK SERVICING AND REPAIRS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	108623, 101515
<b>ATTACHMENTS</b>	Attachment 1 Schedule of Items Attachment 2 Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to accept the tender submitted by The Trustee for Northside Nissan Unit Trust trading as Northside Nissan for the provision of light vehicle logbook servicing and repairs.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 21 March 2020 through state-wide public notice for the provision of light vehicle logbook servicing and repairs. Tenders closed on 7 April 2020. A submission was received from each of the following:

- Carcare Motor Company Pty Ltd (Carcare Joondalup).
- The Trustee for Northside Nissan Unit Trust trading as Northside Nissan.

The submission from The Trustee for Northside Nissan Unit Trust trading as Northside Nissan represents best value to the City. The company demonstrated a good understanding and appreciation of the City's requirements. It services and maintains multiple vehicle fleets for private organisations in WA including Total Eden, Centurion Building Products and multiple leasing organisations. Northside Nissan is well established with sufficient industry experience and capacity to provide the services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by The Trustee for Northside Nissan Unit Trust trading as Northside Nissan for the provision of light vehicle logbook servicing and repairs as specified in Tender 010/20 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).*

### **BACKGROUND**

The City has a requirement to engage an appropriately qualified and experienced contractor to undertake genuine manufacturer's vehicle logbook servicing and repairs identified during the service, to the City's fleet of light vehicles.



The City has a single contract in place with Carcare Motor Company Pty Ltd (Carcare Joondalup) which expired on the 30 June 2020.

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

## **DETAILS**

The tender for the provision of light vehicle logbook servicing and repairs was advertised through statewide public notice on 21 March 2020. The tender period was for two weeks and tenders closed on 7 April 2020.

### **Tender Submissions**

A submission was received from each of the following:

- Carcare Motor Company Pty Ltd (Carcare Joondalup).
- The Trustee for Northside Nissan Unit Trust trading as Northside Nissan.

The schedule of items listed in the tender is provided in Attachment 1 to Report CJ094-07/20.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ094-07/20.

### **Evaluation Panel**

The evaluation panel comprised three members:

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

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

### **Evaluation Method and Weighting**

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

The standard minimum acceptable qualitative score for tenders at the City is 50%, but the specific circumstances of tender requirements may, from time to time, require the minimum score to be set higher than 50%, where the specification has complex design or technical requirements. As the City requires a high calibre contractor that has the capacity to undertake multiple vehicle services in a day and to carry out the work to a high standard and in a timely manner, the predetermined minimum acceptable pass score was therefore set at 60%.

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

Qualitative Criteria		Weighting
1	Capacity	35%
2	Demonstrated experience in providing similar services	35%
3	Demonstrated understanding of the required tasks	25%
4	Social and economic effects on the local community	5%

### Compliance Assessment

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

### Qualitative Assessment

Northside Nissan scored 62.6% and was ranked second in the qualitative assessment. It has experience providing fleet servicing to various private and fleet leasing organisations. However, period and dates of contracts or when these services were undertaken for its clients were not supplied. It demonstrated a good understanding of the required tasks. It demonstrated the capacity required to provide the services. It indicated it has full diagnostic equipment on site for all brands with access to manufacturer equipment for all scheduled vehicles. However, it did not initially fully address specialised equipment that will be used, particularly for wheel alignment, wheel balancing and supply of tyres and batteries. The equipment was confirmed as being in place via a later clarification. An organisation chart and details of key personnel's qualifications, skills and experience were not provided.

Carcare Joondalup scored 78.7% and was ranked first in the qualitative assessment. The company demonstrated a thorough understanding and appreciation of the City's requirements. It services and maintains many large WA fleets of vehicles for private and public organisations in WA including the City of Wanneroo. It has held the City of Joondalup light fleet contract since 2011. Carcare Joondalup is well established with sufficient industry experience and capacity to provide the services to the City.

Given the minimum acceptable qualitative score of 60%, Carcare Joondalup and Northside Nissan qualified for stage two of the assessment.

### Price Assessment

The panel carried out a comparison of the rates offered by each tenderer and the existing rates in order to assess value for money to the City.

The estimated expenditure over a three year period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tenders, the tendered rate offered by each tenderer has been applied to scheduled servicing over the three year period for each of the light vehicles in the fleet and actual historical usage data for labour and parts/materials. This provides a value of the tender for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained. There is no guarantee that this will occur and actual costs will be paid on the actual usage in future.

The rates are fixed for the first year of the contract but are subject to a price variation in years two and three of the contract to a maximum of the CPI for the preceding year. For estimation purposes, a 2% CPI increase was applied to the additional repairs costs in years two and three.

All Scheduled Items (including additional or new vehicles)

Respondent	Servicing (3 Years)	Additional Repairs			Total
		Year 1	Year 2	Year 3	
Carcare Joondalup	\$274,336	\$102,880	\$104,938	\$107,037	\$589,191
Northside Nissan	\$226,418	\$91,137	\$92,960	\$94,819	\$505,335

During 2018-19, the City incurred \$147,500 for light vehicle logbook servicing and repairs.

**Evaluation Summary**

Tenderer	Price Ranking	Estimated Total Comparative Price	Qualitative Ranking	Weighted Percentage Score
Carcare Joondalup	2	\$589,191	1	78.7%
Northside Nissan	1	\$505,335	2	62.6%

Based on the evaluation result the panel concluded that the tender from northside Nissan provides value to the City and is therefore recommended.

**Issues and options considered**

The City has a requirement for the provision of light vehicle logbook servicing and repairs, identified during the service, to the City's fleet of light vehicles. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

In the current State of Emergency as a result of the COVID-19 pandemic, local government is being encouraged by the State Government to support local business when procuring goods and services. The State Government *Buy Local Policy* was established in 2002. This policy does not give a specific definition of what 'local' is but refers to suppliers with headquarters in Western Australia. Local governments are not required to comply with this *Buy Local Policy*.

The City does not currently have a specific buy local policy and the current purchasing policy does not define local as only those located within the boundaries of the City of Joondalup.

The two tenderers are both located within Western Australia. Carcare Joondalup is located in Joondalup and its owners and staff all live locally. It indicated that a large proportion of its parts are purchased from other local suppliers. Northside Nissan is located in Wangara. It is part of the AHG Group that has more than 180 car and truck franchises across Australia and New Zealand. It indicated that it utilises local businesses such as Repco and Tint-a-Car and employs City of Joondalup residents.

**Legislation / Strategic Community Plan / Policy implications****Legislation**

A statewide public tender was advertised, opened and evaluated in accordance with regulations 11(1) and 18(4) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be more, or worth more, than \$250,000.

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

Community Wellbeing.

<b>Objective</b>	Quality facilities.
<b>Strategic initiative</b>	Support a long-term approach to significant facility upgrades and improvements.
<b>Policy</b>	Not applicable.

### **Risk management considerations**

Should the contract not proceed, the risk to the City will be high as log book servicing as per manufacturer's specification is required to ensure warranty compliance and safety for the City's fleet.

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

### **Financial / budget implications**

<b>Account no.</b>	1.643.A6403.3348/3353.0000.
<b>Budget Item</b>	Fleet logbook servicing and repairs.
<b>Budget amount</b>	\$ 170,000
<b>Amount spent to date</b>	\$ 125,930
<b>Proposed cost</b>	\$ 0
<b>Balance</b>	\$ 44,070

The balance does not represent a saving at this time. The actual expenditure will depend on actual usage under the contract.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

Not applicable.

### **COMMENT**

The evaluation panel carried out the evaluation of the submissions in accordance with the City's evaluation process and concluded that the offer submitted by The Trustee for Northside Nissan Unit Trust trading as Northside Nissan represents value to the City.

### **VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the tender submitted by The Trustee for Northside Nissan Unit Trust trading as Northside Nissan for the provision of light vehicle logbook servicing and repairs as specified in Tender 010/20 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).**

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf200714.pdf](#)*

## **CJ095-07/20 TENDER 011/20 - PROVISION OF LANDSCAPE AND IRRIGATION MAINTENANCE SERVICES – HARBOUR RISE ESTATE, HILLARYS**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	108663, 101515
<b>ATTACHMENTS</b>	Attachment 1 Schedule of Items Attachment 2 Summary of Tender Submissions Attachment 3 Confidential Schedule of Rates  <i>(Please Note: Attachment 3 is Confidential and will appear in the official Minute Book only)</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the tender submitted by Greenworx Commercial Maintenance Pty Ltd trading as Greenworx for the provision of landscape and irrigation maintenance services at Harbour Rise Estate, Hillarys.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 2 May 2020 through state-wide public notice for the provision of landscape and irrigation maintenance services at Harbour Rise Estate, Hillarys. Tenders closed on 19 May 2020. A submission was received from each of the following:

- Baileys Landscaping Group Pty Ltd (Renoscape WA).
- Environmental Industries Pty Ltd.
- Green Options Pty Ltd trading as Green Options.
- Greenworx Commercial Maintenance Pty Ltd trading as Greenworx.
- Horizon West Landscape and Irrigation Pty Ltd.
- Landscape Elements Pty Ltd.
- LLS Aust Pty Ltd as Trustee for the Lochness Unit Trust (Loch Ness Landscape Services).
- Sanpoint Pty Ltd trading as LD Total.
- Skyline Landscape Services Group Pty Ltd (Skyline Landscape Services (WA)).
- Tim Davies Landscaping Pty Ltd.

The submission from Greenworx Commercial Maintenance Pty Ltd trading as Greenworx represents best value to the City. The company demonstrated extensive experience providing landscape and irrigation maintenance services and cited contracts it has been awarded within high profile estates and public open spaces for state government and commercial entities.

It is conversant with the City's specifications and expectations, as it provides comparable services to the City at the Woodvale Waters Estate, Woodvale. It provided a clear and concise explanation of how it would conduct turf, garden bed, irrigation maintenance and traffic management to achieve the City's desired outcomes and allocated sufficient hours to undertake the tasks. It provided details for its nominated key personnel highlighting their qualifications and experience. The company is well-established and has capacity to provide the services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by Greenworx Commercial Maintenance Pty Ltd trading as Greenworx for the provision of landscape and irrigation maintenance services at Harbour Rise Estate, Hillarys as specified in Tender 011/20 for a period of three years, for the fixed lump sum of \$340,419 (GST exclusive) with an option for a further two years and schedule of rates for any modifications with annual price variations subject to the percentage change in the Perth (All Groups) CPI.*

## **BACKGROUND**

The City has a requirement to engage a suitably qualified and experienced Contractor to provide landscape and irrigation maintenance services for designated public open space and landscaped areas within Harbour Rise Estate, Hillarys.

The scope of work shall include but not be limited to:

- turf maintenance
- mowing
- removal of grass clippings and green waste
- garden bed maintenance
- weed control and reporting
- irrigation maintenance
- administrative reporting and routine site inspections
- landscape upgrades.

The City has a single contract in place with the Trustee for the Lochness Unit Trust (Loch Ness Landscape Services) which will expire on 2 August 2020.

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

## **DETAILS**

The tender for the provision of landscape and irrigation maintenance services at Harbour Rise Estate, Hillarys was advertised through state-wide public notice on 2 May 2020. The tender period was for two weeks and tenders closed on 19 May 2020.

### **Tender Submissions**

A submission was received from each of the following:

- Baileys Landscaping Group Pty Ltd (Renoscape WA).
- Environmental Industries Pty Ltd.

- Green Options Pty Ltd trading as Green Options.
- Greenworx Commercial Maintenance Pty Ltd trading as Greenworx.
- Horizon West Landscape and Irrigation Pty Ltd.
- Landscape Elements Pty Ltd.
- LLS Aust Pty Ltd as Trustee for the Lochness Unit Trust (Loch Ness Landscape Services).
- Sanpoint Pty Ltd trading as LD Total.
- Skyline Landscape Services Group Pty Ltd (Skyline Landscape Services (WA)).
- Tim Davies Landscaping Pty Ltd.

The schedule of items listed in the tender is provided in Attachment 1 to Report CJ095-07/20.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ095-07/20.

### **Evaluation Panel**

The evaluation panel comprised of three members:

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

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

### **Evaluation Method and Weighting**

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

This is a high profile landscape and irrigation maintenance requirement and the risk is determined as high. It is essential to appoint a contractor that can clearly demonstrate its capacity and capability to deliver the services detailed in the specification.

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

<b>Qualitative Criteria</b>		<b>Weighting</b>
1	Demonstrated understanding of the required tasks	35%
2	Demonstrated experience providing similar services	30%
3	Capacity	30%
4	Social and economic effects on the local community	5%

### **Compliance Assessment**

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



## Qualitative Assessment

Green Options Pty Ltd scored 38.6% and was ranked tenth in the qualitative assessment. The company did not fully demonstrate its understanding of the City's requirements. It stated that mulching and weed control strategies would be additional to the contract, which is contrary to the tender's specifications. The hours allocated were considered excessive to achieve the desired outcomes for the City and the information provided to demonstrate experience working on similar contracts was brief. Though the company is of sufficient size to fulfil the needs of the contract, the list of resources allocated to the City's contract was limited, with persons not nominated for all key positions. It is therefore uncertain what qualifications, skills and experience these roles will bring to the contract. A sample monthly report and list of chemicals to be used for the services were omitted from the submission, despite being a prerequisite of the tender.

Bailey's Landscaping Group Pty Ltd scored 39% and was ranked ninth in the qualitative assessment. It submitted basic information to demonstrate its understanding of the required tasks. Specific information relating to compliance with the City's chemical reporting requirements was not evidenced, however it did include the schedule of chemicals that would be applied under the contract. It demonstrated limited experience in undertaking works comparable to the City's requirements, as it has been principally engaged to undertake projects for commercial and residential complexes and display homes. Specific information such as the length of contract, exact nature of the works, or areas serviced, was missing for some contracts. Details of the proposed team were submitted, however licences, qualifications, previous employment information and outcomes of projects previously worked on, were not included for all personnel. The company will require additional resources if awarded the contract and stated that it would add more overtime or source extra qualified staff to service the contract if awarded.

Tim Davies Landscaping Pty Ltd scored 47.1% and was ranked eighth in the qualitative assessment. Its methodology identified how it would manage aspects such as risk, communication, equipment, and materials storage, but the company did not acknowledge the specific components of the City's requirements. It did, however, provide sample reports and details of chemicals. Information to demonstrate experience in providing similar services was brief, with only two examples provided, for BGIS and Elizabeth Quay. Resumes for key supervisory personnel were provided evidencing qualifications and experience, however specific information, such as scopes of works previously worked on and their outcomes, was missing from the response. Information for other key personnel, specified within the methodology, was missing. The number of resources allocated to its current list of contracts was not addressed.

Loch Ness Landscape Services scored 48.1% and was ranked seventh in the qualitative assessment. Though it demonstrated some understanding of the required tasks by providing a generic methodology covering all areas of services, the proposed percentage of weed free areas and statements regarding weed spraying were not in line with the City's specified requirements. Sample forms and details for chemicals it will use for the contract were provided, however, there was no suggested schedule for the activities. It demonstrated reasonable experience in providing similar services by citing examples of contracts performed for the Town of Victoria Park, City of Rockingham, Department of Education and Perth Airport, some of which included a reticulation and / or irrigation inspection component. The size of areas serviced was not evident for all contracts to compare against the City's contract.

It is the City's incumbent contractor for landscaping services at Harbour Rise, Hillarys, but failed to mention this in its submission. Details of key personnel including their length of service and a brief summary of industry experience were provided, however key personnel allocated to the irrigation component was not addressed. A list of current contracts was included, but lengths of contract and resources allocated were missing.

Skyline Landscape Services (WA) scored 50.7% and was ranked sixth in the qualitative assessment. It provided basic information to demonstrate its understanding of the City's requirements and provided no suggested timelines or proposed program for the implementation. It did not provide a sample report however it did submit a schedule of chemicals. It demonstrated good experience providing similar services and provided detail for nine contracts it has been awarded two of which had a scope of works comparable to the City's requirements being landscape and irrigation maintenance for the City of Belmont and landscape maintenance for the City of Subiaco. An organisation structure was provided with resumes sighted for team leaders showing their experience, qualifications and work on similar contracts, however information for other key personnel was missing. Current work commitments detailing scope of works, length of contract and resources allocated was not specifically addressed.

Horizon West Landscape and Irrigation Pty Ltd scored 50.9% and was ranked fifth in the qualitative assessment. It demonstrated a reasonable understanding of the City's requirements and provided a methodology for the mowing operations, turf edging and trimming, the timings of which accord to the City's requirements. Sample reports and a schedule for chemicals to be used for the contract were omitted from the response. Aspects such as complying with setback clearance and use of equipment for turf maintenance were not addressed in the methodology. The company has experience providing landscaping works for major land developers, commercial clients and state / local governments including the City of Armadale's Skeet, Warton and Ranford Road maintenance contracts, however irrigation maintenance was not included in the scope of all contracts. The company provided an organisation structure and details for key supervisory personnel showing ongoing maintenance contracts they have been involved in, their experience and qualifications, however details for the nominated person for irrigation was not sighted. A list of current commitments was submitted comprising 14 contracts, with the exact scope of works and resources allocated to these contracts not addressed.

Landscape Elements Pty Ltd scored 64.2% and was ranked fourth in the qualitative assessment. It demonstrated a good understanding of the required tasks and provided a methodology for the various components of the works. A sample report was not provided however a schedule of chemicals was included with the company confirming its compliance with the City's reporting requirements for chemical management. It demonstrated considerable experience in providing landscape maintenance citing five contracts it has for various private businesses and local government agencies such as the City of Cockburn, the Town of Cambridge and the Department of Communities. It was noted, however, that not all contracts included irrigation maintenance. It is a WALGA panel member for mowing services, turf maintenance and landscape maintenance. A list of current commitments was provided however the longevity of all contracts was not stipulated with individual resources not assigned to the works. It provided a list of specialised equipment allocated to the City's contract but did not specify any irrigation equipment. Details for most key personnel were submitted demonstrating skills, experience and qualifications, however the ability to provide additional personnel if required was not addressed.

LD Total scored 65.1% and was ranked third in the qualitative assessment. It demonstrated significant experience in providing similar services providing examples of eight similar contracts for private and public organisations including local governments. Examples included landscape maintenance contracts for the Cities of Rockingham, Wanneroo, Stirling and Kwinana. The scope of works included traffic management, irrigation and / or reticulation system maintenance. It did not fully demonstrate its understanding of the required tasks providing a high level detail to its approach to turf and garden maintenance, traffic management and waste disposal. The company indicated that it is well resourced and can transfer staff from its existing employee pool if required.

Details of key personnel were submitted which included their qualifications however industry experience, including the person's previous roles and involvement, was lacking. The company is the incumbent contractor for the City's Iluka landscaping maintenance services contract but failed to mention this in the submission.

Environmental Industries Pty Ltd scored 76% and was ranked second in the qualitative assessment. The company demonstrated a thorough understanding and appreciation of the City requirements, fully articulating the detail of each service and providing a schedule correlating to the periodicity of all services required. Sample reports and a schedule of chemicals were submitted. It has substantial experience in carrying out landscape maintenance services for large scale projects including streetscape and park maintenance services for the Cities of Joondalup and Wanneroo. It has also provided streetscape and park maintenance services for LWP for 17 years. Details of key personnel were provided showing qualifications achieved, however specific information relating to prior roles, involvement and outcomes of previous contracts, was lacking for some employees. It stated that the company is well resourced and can transfer staff from its existing employee pool.

Greenworx scored 76.6% and was ranked first in the qualitative assessment. The company demonstrated a thorough understanding and appreciation of the City's requirements and provided a clear and concise methodology for managing the estate. Sample reports and a schedule of chemicals were submitted. It demonstrated extensive experience providing similar services having provided landscape maintenance services to the City at Burns Beach and Woodvale Waters estates. Other examples of similar works included landscape maintenance for South Metropolitan TAFE, Challenger TAFE and the Department of Premier and Cabinet. A list of current work commitments was provided, and period and dates were noted for most contracts. The number of resources assigned to each contract was not however addressed. Details for all personnel assigned to the City's project were provided including their qualifications and industry experience. Five of the employees were noted as having worked on the City's landscape maintenance contracts for Burns Beach and Woodvale Waters estates. The company stated it has capacity to move staff and machinery throughout the organisation if necessary.

Given the minimum acceptable qualitative score of 60%, Environmental Industries Pty Ltd, Greenworx, Landscape Elements Pty Ltd and LD Total qualified for stage two of the assessment.

### **Price Assessment**

The panel carried out a comparison of the lump sum prices and rates offered by the shortlisted tenderers in order to assess value for money to the City.

The contract price is a fixed lump sum per year to undertake the scheduled landscape and irrigation maintenance services. All tenderers have factored in their price increase for years two and three. In addition, a schedule of rates is used for irrigation repairs and landscape upgrades. This does not form part of the costs set out below.

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Environmental Industries Pty Ltd	\$135,890	\$138,608	\$141,380	\$415,878
Greenworx	\$113,473	\$113,473	\$113,473	\$340,419
Landscape Elements Pty Ltd	\$111,276	\$113,502	\$116,078	\$340,856
LD Total	\$129,800	\$133,693	\$137,705	\$401,198

During the year 2019-20, the City incurred \$156,375 for landscaping services at Harbour Rise Estate, Hillarys inclusive of landscape upgrades.

It is anticipated that over the next three years the City will incur expenditure of \$340,419 during the Contract period, and up to \$577,269 over a five-year Contract period (excluding capital projects), if the two-year extension option is exercised. The proposed first year cost of the new contract is 6.39% less than the City will pay for the last year of the current contract. This does not include the cost for irrigation maintenance.

### **Evaluation Summary**

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

<b>Tenderer</b>	<b>Price Ranking</b>	<b>Total Lump Sum Price</b>	<b>Qualitative Ranking</b>	<b>Weighted Percentage Score</b>
Greenworx	1	\$340,419	1	76.6%
Environmental Industries Pty Ltd	4	\$415,878	2	76%
LD Total	3	\$401,198	3	65.1%
Landscape Elements Pty Ltd	2	\$340,856	4	64.2%

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

Whilst Skyline Landscape Services (WA) was \$882 less expensive than Greenworx over the three-year Contract period, it failed to meet the minimum qualitative assessment score of 60%.

It was noted that should the City exercise the option to extend the contract to the maximum five years, the lump sum price from Greenworx was \$4,257 more expensive than Landscape Elements Pty Ltd. However, in the schedule of additional rates which will be utilised for any landscape upgrades and irrigation repairs, Landscape Elements Pty Ltd were less competitive for 14 out of 20 items. In particular, the hourly rate for an irrigation technician was higher than Greenworx, which will impact irrigation repair costs on a weekly basis. Based on average attendance on site during normal business hours, the higher cost of Landscape Elements Pty Ltd's irrigation repairs would exceed the potential cost saving in the lump sum price in the first year of the contract (refer Confidential Attachment 3).

## Issues and options considered

The City has a requirement for the provision of landscape and irrigation maintenance services at Harbour Rise Estate, Hillarys to satisfy the service level agreement standards agreed between the City and the Home Owners Association (Harbour Rise Estate). The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

## Legislation / Strategic Community Plan / Policy implications

**Legislation** A statewide public tender was advertised, opened and evaluated in accordance with regulations 11(1) and 18(4) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be more, or worth more, than \$250,000.

## Strategic Community Plan

**Key theme** Quality Urban Environment.

**Objective** Quality Open Space.

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

**Policy** *Specified Area Rating.*

## Risk management considerations

Should the contract not proceed, the risk to the City will be high as the estate would not have the additional services implemented to the levels agreed which would result in community and customer dissatisfaction. These services are funded in part from specified area rates and are subject to a service level agreement between the City and the Home Owners Association (Harbour Rise Estate).

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

## Financial / budget implications

### Current financial year impact

<b>Account no.</b>	P3306 (Harbour Rise Estate SAR).	
<b>Budget Item</b>	Harbour Rise Estate Specified Area Rating Landscape Services.	
<b>Budget amount</b>	\$ 147,416	(\$121,793 of this is funded by the SAR levy)
<b>Amount spent to date</b>	\$ 0	
<b>Proposed cost</b>	\$ 9,033	Current contract (to 02/08/2020)
<b>Proposed cost</b>	\$ 104,017	New contract (from 03/08/2020)
<b>Balance</b>	\$ 34,366	

### Future financial year impact

**Annual operating cost**           \$ 113,473

The balance does not represent any savings at this time, as funds are required to finance any repairs to irrigation.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

The provision of landscape and irrigation maintenance services at Harbour Rise Estate, Hillarys enhances the amenity of public open space for residents.

### **Consultation**

The Home Owners Association (Harbour Rise Estate) will be consulted yearly on the schedule of maintenance services that will form part of the annual service level agreement.

### **COMMENT**

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

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That Council ACCEPTS the tender submitted by Greenworx Commercial Maintenance Pty Ltd trading as Greenworx for the provision of landscape and irrigation maintenance services at Harbour Rise Estate, Hillarys as specified in Tender 011/20 for a period of three years, for the fixed lump sum of \$340,419 (GST exclusive) with an option for a further two years and schedule of rates for any modifications with annual price variations subject to the Perth (All Groups) CPI.**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf200714.pdf](#)*

## **CJ096-07/20      PETITION IN RELATION TO THE USE OF GLYPHOSATE**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services
<b>FILE NUMBER</b>	02082, 101515
<b>ATTACHMENT</b>	Attachment 1    City of Joondalup <i>Weed Management Plan (Available Electronic Only)</i> Attachment 2    APVMA Final Regulatory Position – Consideration of the evidence for a formal reconsideration of glyphosate
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to consider the matters raised in the petition regarding the use of glyphosate by the City as part of its integrated weed management approach.

### **EXECUTIVE SUMMARY**

A petition of electors was received by Council at its meeting held on 17 September 2019 (C58-09/19 refers). The petition requested that Council revise and phase out the use of glyphosate in public places; conduct and repeat alternative non-chemical weed control trials; and to immediately introduce marker dye so the public can avoid recently sprayed areas.

Effective weed management is critical to ensuring the long-term protection of biodiversity, especially in the context of a changing climate where conditions such as altering temperature, rainfall and wind strength, as well as increased intensity and frequency of extreme weather events, can create favourable conditions for weeds.

The City's *Weed Management Plan* (the Plan) (Attachment 1 refers), was developed in order to provide strategic and ongoing weed management of the City's natural areas, parks and urban landscaping areas in order to protect native vegetation and ecosystems in natural areas as well as the amenity, functionality and aesthetics of parks and urban landscaping areas.

This report details the City's integrated weed management approach using both physical (non-chemical) and chemical weed control methods. The City only uses herbicide products that are approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA) in accordance with all the specifications of the approved herbicide labels and permits issued when undertaking chemical weed control. It is estimated that more than 90% of the current weed control undertaken within the City of Joondalup is via non-chemical means.

This report also assesses the opportunity to increase non-chemical weed control further.

*It is therefore recommended that Council:*

- 1 *NOTES that the City of Joondalup Weed Management Plan details an integrated weed management approach which includes the use of approved herbicides;*
- 2 *NOTES that the current position of the Australian Pesticides and Veterinary Medicines Authority, as Australia's Agvet chemical regulator, is that products containing glyphosate are registered for use in Australia and APVMA approved products containing glyphosate can continue to be used safely according to the label instructions;*
- 3 *NOTES that the City will continue to abide by the direction of the Australian Pesticides and Veterinary Medicines Authority with regard to the use of approved herbicides;*
- 4 *ENDORSES the use of Australian Pesticides and Veterinary Medicines Authority approved herbicides including glyphosate in accordance with manufacturers' specifications for the control of weeds within the City of Joondalup as part of an integrated weed management approach;*
- 5 *SUPPORTS the continuation of the City's integrated weed management approach using both physical and chemical weed control methods, noting that the majority of weed control undertaken by the City is by non-chemical means;*
- 6 *NOTES the City will continue to undertake weed control trials, both chemical and no-chemical as new products and technologies become available in order to inform the City's integrated weed management approach;*
- 7 *SUPPORTS the use of marker foam or dye in conjunction with herbicide applications being applied broad-acre style or in natural areas only, as it is used as a visual reference to ensure uniform coverage of chemicals in open areas, eliminating overlapping of herbicide application;*
- 8 *REQUESTS the Chief Executive Officer to undertake a trial of incorporating marker dye with glyphosate applications within a City park or reserve;*
- 9 *NOTES the City of Joondalup's Weed Management Plan will be reviewed in 2021 and will be updated including the outcomes of the trials detailed in parts 6 and 8 above;*
- 10 *ADVISES the lead petitioner of its decision.*

## **BACKGROUND**

The City is located within the southwest Australian biodiversity hotspot, one of 35 biodiversity hotspots in the world, with over 2,900 endemic plant species occurring in this region. There are a number of regionally, nationally and internationally significant natural areas located within or adjacent to the City of Joondalup including Yellagonga Regional Park, Marmion Marine Park and Neerabup National Park. There are eight Bush Forever sites within the City that contain species of high conservation value.



Effective weed management is therefore critical to ensuring the long-term protection of these biodiversity assets, that are becoming increasingly threatened by the impacts of climate change that can create favourable conditions for weeds to thrive. Aesthetically, the City also maintains a high level of service for over 370 parks and reserves and a substantial number of urban landscaping areas.

In addition to the above, under the *Bush Fires Act 1954*, local government has the responsibility of preventing bushfires. Weed control is a key management action to manage fuel loads within vegetated areas of the City in order to reduce fuel and therefore bushfire hazard.

Weed prevention and control in the City's natural areas, parks and urban landscaping areas, including the use of herbicides, has been the subject of much discussion over the past decade and has resulted in a number of considerations and decisions by Council as detailed below:

- At its meeting held on 22 May 2007, Council received a 137 signature petition relating to the use of hydrothermal weed control technology instead of chemical spraying and requested a report be presented to Council at a future meeting.

At its meeting held on 28 August 2007, Council considered a report on thermal weed control in the City of Joondalup (CJ170-08/07 refers) and requested additional detail on the likely cost implications of undertaking a 12 month thermal weed control trial. A report regarding the cost to undertake the 12 month trial was considered by Council at its meeting held on 19 February 2008 (CJ015-02/08 refers) and resolved to list an amount of \$25,000 at the 2007-08 midyear budget review to fund the trial.

Council considered the outcomes of the hydrothermal weed control trial at its meeting held on 15 December 2009 (CJ282-12/09 refers) and resolved *inter alia* as follows:

*That Council:*

- 1 *NOTES the findings in Report CJ282-12/09 on the Hydrothermal Weed Control trial that hydrothermal was the least effective and most expensive method of controlling weeds;*
  - 2 *ENDORSES the use of Glyphosate and Pendimethalin for the control of weeds within the City in accordance with manufacturers' specifications;*
  - 3 *REQUESTS that the City continues to investigate techniques and technologies to reduce the City's reliance on herbicides for the control of weeds;*
- At the Annual General Meeting of Electors held on 29 November 2010, a motion was carried for the City of Joondalup to reduce its herbicide use and the use by its contractors in public areas, including parks, school ovals, road verges and public footpaths in the interests of public health and safety was put and carried.
- At its meeting held on 15 February 2011 in regard to the above motion, Council resolved to continue to undertake the control of weeds in public areas through the application of herbicides.
- At the Annual General Meeting of Electors held on 4 December 2012, a motion was carried for the City of Joondalup to change from herbicide spraying to hydrothermal weed control on all public paths and verges, beach accessways, playgrounds, parks, carparks and median strips was put and carried.

At its meeting held on 19 February 2013 in relation to the above motion carried at the Annual General Meeting of Electors, Council resolved that it:

2.1 *NOTES the outcomes of the use of Hydrothermal weed control has been previously reported to Council at its meeting held on 15 December 2009 (CJ282-12/09 refers);*

2.2 *NOTES the City will CONTINUE to investigate techniques and technologies to reduce the City's reliance on herbicides for the control of weeds;*

- At the Annual General Meeting of Electors held on 10 December 2013, a motion was carried for the City of Joondalup to change from herbicide spraying to hydrothermal weed control on all public paths and verges, beach accessways, playgrounds, parks, carparks and median strips was put and carried.

At its meeting held on 17 February 2014 in relation to the above motion carried at the Annual General Meeting of Electors, Council resolved that it:

2.1 *NOTES the outcomes of the use of Hydrothermal weed control has been previously reported to Council at its meeting held on 15 December 2009 (CJ282-12/09 refers);*

2.2 *NOTES the City will CONTINUE to investigate techniques and technologies to reduce the City's reliance on herbicides for the control of weeds;*

3 *REQUESTS that the City prepares a Weed Management Plan that applies to all public places within the City of Joondalup where herbicides may be applied including natural areas.*

- At its meeting held on 20 September 2016 (CJ136-09/16 refers), Council endorsed the release of the City's draft Weed Management Plan for community consultation for a period of 21 days. The inclusion of marker dye to all herbicide applications was considered but not supported by Council.
- At its meeting held on 13 December 2016 (CJ211-12/16 refers), Council considered the outcomes of the community consultation undertaken in relation to City's draft *Weed Management Plan*. It was noted in the report that 22 submissions were received from community members and stakeholders within the consultation period and subsequent amendments were made to the management plan where appropriate. Council endorsed the *Weed Management Plan* and once again the inclusion of marker dye to all herbicide applications, with the exception of broad acre spraying, was considered but not supported by Council.

### Weed Management Plan

The City's *Weed Management Plan* (the Plan) (Attachment 1 refers), was developed in order to provide strategic and ongoing weed management of the City's natural areas, parks and urban landscaping areas and protect native vegetation and ecosystems in natural areas as well as the amenity, functionality and aesthetics of parks and urban landscaping areas.

The Plan details an integrated weed management approach which prevents, monitors and controls the spread of weeds in the City and describes the following:

- The potential environmental and social impacts from weeds.
- The weed control methods utilised.
- The City's current weed management approach.
- The proposed management strategies to be implemented over the life of the Plan.

### **Natural Areas**

The City manages large areas of bushland (533 hectares), many of which are recognised as having local and regional significance; however, the invasion of weeds threatens the diversity of these natural areas. The impacts on the natural environment as detailed in the Plan include the following:

- Reducing the viability of native plant species by competing more vigorously for space, water and nutrients which can result in a decrease in the abundance and health of native species.
- Reducing natural diversity by smothering native plants or preventing them from regenerating after clearing, fire or other disturbance.
- Altering nutrient recycling and soil quality by fixing nitrogen in the soil which can inhibit the germination of native species or releasing nutrients into the soil which may impact negatively on native seedling germination and growth.
- Introducing pests and disease from different areas which native species may not have previously had contact with and be particularly susceptible to.
- Creating high fuel loads for fires and increasing the risk of fire in bushland areas.
- Negatively impacting on native fauna by replacing or reducing the native plants and altering plant communities that animals use for shelter, food and nesting.

### **Parks and Urban Landscaping**

The City manages over 370 parks and reserves (588 hectares) and a substantial number of urban landscaping areas such as the City centre, streetscapes, pedestrian accessways (PAWs), sumps and swales. Parks and urban landscaping are categorised and prioritised based on the type, profile, amenity, or functional requirements of a specific location. The impacts of weeds can have both environmental and social effects on communities as follows:

- Build-up of seed banks that can spread and infect the biodiversity of nearby natural areas.
- Degrading the aesthetics of parks and urban landscaping areas to a lesser standard than that expected by the community.
- Affecting the quality (useability) of playing surfaces of the City's sporting parks.
- Increase maintenance implications for City infrastructure.
- Decrease public open space available for use by the community.

### **Weed Control**

As per the Plan, the City undertakes an integrated weed management approach to its weed control in natural areas, parks, and urban landscaping areas utilising a range of treatment methods, including the use of a variety of approved herbicides, in order to reduce weed infestations to manageable levels or if possible, to eradicate infestations.

All methods of weed control carry a degree of risk and the City chooses the method to be used on the basis of minimising risks in terms of safety and maximising effectiveness. In determining the appropriate weed control method for a given situation, the City takes the following into consideration:

- The target weed.
- The season and timing, for instance before seeding.
- Resistance of the weed to specific herbicides.
- Site location and any special considerations, for instance near wetlands.
- Weather conditions, for example rain and wind.
- Rotation of the type of herbicide used to reduce herbicide resistance.
- Effectiveness of outcomes, labour intensity required, and cost involved.

Current control methods utilised by the City include the following:

- Physical (non-chemical) weed control such as mowing, whipper snipping, mulching and manual removal.
- Chemical weed control using selective and non-selective herbicides.

The majority of weed control within the City of Joondalup is managed using physical weed control methods and the City estimates that its proportion of these non-chemical methods of weed control is already in excess of 90%.

In order to maintain the functionality and aesthetics of the City's parks, reserves, and medians, scheduled mowing is undertaken to maintain a turf surface at a consistent height suitable for the intended purpose. Regular mowing does not remove weeds; however, it assists in preventing weed establishment and spread. Mowing limits weed germination by removing seed heads prior to maturity. Mowing also encourages turf grasses to grow horizontally rather than vertically so a tighter turf surface is created which smothers out many weed species.

Chemical weed control in natural areas, parks and urban landscaping areas within the City of Joondalup is undertaken using approved herbicides as detailed below:

Weed Control Program	Location	Chemical Used	Schedule	Weeds Controlled	Frequency
Kerbs Footpaths Hardstand	City wide	Glyphosate	S5	Non-selective	Local/access roads once per year
					Arterial/main distributor roads twice per year
Park infrastructure (fence lines, trees, footpaths, buildings) *	City wide	Glyphosate	S5	Non-selective	Local open space once per year  High priority parks twice per year
Garden bed maintenance	City wide	Glyphosate	S5	Non-selective	Non- scheduled  Applied as required
		Quizalofop	S6	Selective	
		Fusilade	S6	Selective	

Weed Control Program	Location	Chemical Used	Schedule	Weeds Controlled	Frequency
Sports Parks – winter weed program	Selective reserves	MCPA i.e. Bow and Arrow	S5	Selective	Seasonal – once per year
Irrigated Recreation Parks – winter weed program	Selective reserves	MCPA i.e. Bow and Arrow	S5	Selective	Seasonal – once per year
Fire Mitigation	Fire breaks	Glyphosate	S5	Non-selective	Twice per year
Conservation Weed Management	Natural areas	Glyphosate	S5	Non-selective	Applied as required
		Metsulfuron	N/A	Selective	Once per year
		Triasulfuron	N/A	Selective	Once per year
		Triclopyr / picloram	S6	Non-selective	When required
		Quizalofop	S6	Selective	Once per year
	Lakes and water bodies	Glyphosate Biactive	S5	Non-selective	Once per year
		Halosulfuron-methyl	S5	Selective	Once per year

\* It should be noted that when undertaking spraying of glyphosate around park infrastructure it is not applied broad-acre style as it is a non-selective herbicide. On average, less than 1% of the total park area is spray using glyphosate. Mechanical mowing is undertaken where possible along hard surfaces.

The legislated standard for poisons is created by the Australian Department of Health – Therapeutic Goods Administration and sets out categories of poisons in a schedule numbered 1 – 10 with 1 being the lowest toxicity and 10 being the highest.

The Poisons Standard defines schedule 5 poisons as **“Caution – Substances with a low potential for causing harm, the extent of which can be reduced through the use of appropriate packaging with simple warnings and safety directions on the label.”**

The Poisons Standard defines schedule 6 poisons as **“Poison – Substances with a moderate potential for causing harm, the extent of which can be reduced through the use of distinctive packaging with strong warnings and safety directions on the label”.**

The two main methods of applying approved herbicides is as follows:

- Broad-acre (blanket) spraying – scheduled.
- Target (spot) spraying – scheduled and unscheduled.

Scheduled weed control is carried out at set intervals and requires planning due to the large areas of spraying involved. Unscheduled weed control is a secondary action resulting from streetscape, park, and natural area maintenance activities where minimal spraying is undertaken (if required) at the time of these activities.

Scheduled **broad-acre spraying** is undertaken by machinery with boom sprays and is the most effective and efficient method to apply selective herbicides to large open spaces such as sports ovals. Broadleaf turf weeds are subject to seasonal control, generally between July and September and is currently conducted on the City's sporting parks, regional parks, and irrigated local recreation parks. A foam marker is used as a visual reference to ensure uniform coverage of chemicals in open areas, eliminating overlapping of herbicide application.

**Target spraying**, both scheduled and unscheduled is undertaken using the following methods:

- Backpack spray units.
- Vehicle mounted tanks and hoses with applicable control attachments where required.
- Wick or sponge wiping via a handheld applicator directly on the target plant/s.
- Cut and paint/basal bark treatment.

Target spraying of herbicide is undertaken within landscaped medians and verges, kerblines, footpaths, brick paved areas, the City Centre, park infrastructure, and tree surrounds. While the City does not exclude any areas from chemical weed control, the City does not spray residential verges that are, in the main, maintained and kept weed free by the adjoining property owner.

City residents wishing to be advised in advance of scheduled spraying activities occurring within 100 metres of their residence can apply to be added to the City's Notification Register and will receive notification at least 24 hours prior to spraying commencing.

A list of the following weeks scheduled spraying activities is also provided as a Public Notice on the City's website and this information can be received as an E-Newsletter by subscribing via the City's website. This information is intended to inform the community of scheduled herbicide treatments so visits, travel and usage of the City's public open spaces can be planned or avoided at the discretion of individuals.

The City has implemented a 500 metre zone around all schools, kindergartens, childcare centres and community health centre sites where herbicide application is only undertaken between 9.00am and 2.00pm to avoid the time children and patrons may be travelling to and from these sites. In addition to this, herbicide applications on shared ovals are scheduled to coincide with school holidays where practicable.

Weed control within playspaces, where practicable, is undertaken via the use of physical weed control methods only, for example, hand weeding, edging and sand sifting.

When chemical weed control is undertaken, City staff and/or contractors, comply with the specifications of approved herbicide labels and permits issued by the Australian Pesticides and Veterinary Medicines Authority (APVMA), including additional warnings and safety protocols including:

- use of PPE in accordance with the products Safety Data Sheet (SDS) and label requirements
- signage displayed in accordance with the *Health (Pesticide) Regulations 2011* Signage Requirements
- record keeping in line with the *Health (Pesticide) Regulations 2011* 'Record of Pest Management Treatments.'

In addition to the above, Contractor's only use pest management technicians with the appropriate licences as per the *Health (Pesticide) Regulations 2011*. Although not a requirement, City staff also complete the three national units of competency before undertaking any spraying activities.

## DETAILS

At its meeting held on 17 September 2019 (C58-09/19 refers), Council received a 1,499 signature petition from residents requesting that Council:

- 1 *Revise and phase out the use of glyphosate in public places considering the mounting evidence of its toxicity to workers, public health and environment;*
- 2 *Conduct and repeat alternative non-chemical weed control trials especially in areas where children and pets are exposed;*
- 3 *Immediately introduce marker dye in herbicide so public can avoid the recently sprayed areas.*

### Glyphosate

Glyphosate is a non-selective herbicide that works by inhibiting an enzyme found in plants; this enzyme is not found in humans. It was developed by Monsanto chemist John E. Franz in 1970 and brought to the market in 1974 under that trade name Roundup. When the patent expired in 2000 it was developed by many global agrochemical companies and now there are over 750 equivalent branded products containing glyphosate as the key active constituent.

Herbicide products that contain glyphosate are commonly used to control various annual and perennial broadleaf, grassy and woody weeds, trees, and brush and is used in a variety of different situations, such as:

- croplands for the control of emerged weeds prior to crop and fallow establishment, minimum tillage farming, direct drilling into seedbed, for pre-harvest desiccation.
- non-cultivated land (for example industrial, commercial, domestic and public service areas) and rights of way
- forests, orchards, vines and plantations
- home garden use on rockeries, garden beds, driveways, fence lines, firebreaks, around buildings and prior to planting new lawns and gardens
- aquatic areas (restricted to dry drains and channels, dry margins or dams, lakes and streams)
- aquatic weed control and control of weeds on margins of dams, lakes and streams or in channels, drains or irrigation (selected products only).

All herbicides in Australia, including glyphosate, are risk assessed nationally by the APVMA and only "approved" herbicides can be used in Australia. The APVMA is an independent statutory authority with the responsibility for regulating agricultural and veterinary chemicals in Australia. Its statutory powers are provided in the Agvet Codes scheduled to the *Agricultural and Veterinary Chemicals Code Act 1994*.

Glyphosate has been approved by the APVMA for over 40 years and there are around 500 products containing glyphosate registered for use in Australia. The City currently uses an approved brand of glyphosate manufactured by Nufarm called Weed Master Duo. This brand is commonly used by local governments in Western Australia.

The APVMA has legislated powers to reconsider the approval of an active constituent, registration of a chemical product or approval of a label at any time after it has been registered. A reconsideration may be initiated when new research or evidence raises concerns about the use or safety of a particular chemical, a product containing that chemical, or its label.

The APVMA chose to consider glyphosate for reconsideration following the reclassification of glyphosate as “probably carcinogenic to humans” by the International Agency for research on Cancer in 2015. Once a chemical has been nominated for reconsideration, the APVMA examines the new information to determine if there are sufficient scientific grounds to warrant placing the chemical under formal reconsideration.

The APVMA will only affirm the approval or registration if it is satisfied that it meets all the statutory safety, efficacy, trade and labelling criteria and also complies with all requirements in the regulations.

The APVMA report *Final regulatory position: Consideration of the evidence for a formal reconsideration of glyphosate* published in March 2017 following public consultation (Attachment 2 refers), represents the outcome of this nomination process; an extract of which is provided below:

*“Final regulatory position*

*Based on this nomination assessment, the APVMA concludes that the scientific weight-of-evidence indicates that:*

- *exposure to glyphosate does not pose a carcinogenic or genotoxic risk to humans*
- *there is no scientific basis for revising the APVMA’s satisfaction that glyphosate or products containing glyphosate:*
  - *would not be an undue hazard to the safety of people exposed to it during its handling or people using anything containing its residues*
  - *would not be likely to have an effect that is harmful to human beings*
  - *would not be likely to have an unintended effect that is harmful to animals, plants or things or to the environment*
  - *would be effective according to criteria determined by the APVMA by legislative instrument, and*
  - *would not unduly prejudice trade or commerce between Australia and places outside Australia.*
- *there is no scientific grounds for placing glyphosate and products containing glyphosate under formal reconsideration*
- *the APVMA will continue to maintain a close focus on any new assessment reports or studies that indicate that this position should be revised.”*



The APVMA again on 13 June 2019, advised the following in the Regulatory Update Issue #289:

*“Glyphosate use in Australia*

*The APVMA continues to actively monitor any new scientific information about glyphosate and we remain satisfied that APVMA approved products containing glyphosate can continue to be used safely according to label directions. The APVMA’s position on glyphosate is aligned with other international regulators and the Joint FAO/WHO Meeting on Pesticide Residues, including recent comprehensive reviews of glyphosate conducted by the USA and Canada”*

The Department of Health, Western Australia (DOH) are the state government agency responsible for controlling the use of agricultural chemicals after the point of sale. This includes transport, storage and use in accordance with the APVMA approvals.

For this purpose, the DOH administers the registration and licencing of pest management practitioners in accordance with the *Health (Pesticides) Regulations 2011*. The DOH is therefore responsible for ensuring that agricultural chemicals are used in accordance with the APVMA’s approval in Western Australia.

In 2018, the Department of Health wrote to the Chair of the Standing Committee on Environment and Public Affairs in relation to a petition received by the Department (*Petition No 63 and 64: Impact of pesticides on public health / Pesticides in public places*). In this correspondence, the following was stated:

*“in brief, I am strongly of the opinion that there is no requirement for a Royal Commission or Inquiry into the use of pesticides in WA for the following reasons:*

- *WA has the most robust system of pest technician accreditation and pest management business registration of any Australian State or Territory.*
- *The DOH operates on the basis of evidence based policy and relies on evidence that has been peer reviewed and has professional consensus by qualified and respected scientists in pesticide research and risk assessment.*
- *The Australian Pesticide and Veterinary Medicines Authority undertake a rigorous process that assesses each pesticide before it is approved to enter the Australian market.*
- *The petitioners represent the opinion of two small activist groups with a long history of lobbying successive Governments to ban pesticide use in public spaces.*
- *The issues raised by the petitioners are not based on evidence or scientific consensus, but rather reflect a series of distorted facts through selective omission or drawing incorrect conclusions from current evidence.”*

In the attachment to the letter the following additional commentary was provided:

- *“The International Agency for Research on Cancer (IARC) has classified glyphosate as a 2A carcinogen. The IARC classification category is used when there is limited evidence of carcinogenicity in humans and sufficient evidence of carcinogenicity in experimental animals. The epidemiological evidence, which comes mostly from agricultural studies, demonstrated some weak, but inconsistent, associations between glyphosate exposure and cancer. To place this classification into perspective, consumption of processed meat and alcohol carries the highest IARC classification of 1, meaning there is sufficient evidence of carcinogenicity in humans from consuming processed meats and alcohol.*

*The glyphosate classification, as with any IARC classification, is qualitative and does not consider the dose associated with the risk. Regulatory bodies use risk assessment to determine if there are acceptable levels of exposures where risk is minimal. Such levels are then used to derive toxicological reference values; maximum residue limits (MRLs) and acceptable daily intake (ADI) values for chemicals and substances. This health based value always includes a safety margin. For example, an MRL, ADI have been derived for glyphosate in food and a reference value has been derived for glyphosate in drinking water.*

- *It is true that some scientists cannot agree on how to interpret the evidence around the safety of glyphosate; this is not unusual and is in fact a sign of proper scientific process. However, just because a small number of scientists disagree with the vast majority of their peers on a particular issue, does not necessarily mean that the current evidence or scientific consensus is wrong.*

*The DOH does not assert that social, cultural or ideological views represented by these websites are not valid in the debate. Indeed, such views often influence policy, as demonstrated by the decisions of some countries and local governments to ban glyphosate. National Governments on the other hand, have not banned glyphosate, and the DOH, as with other government agencies in WA, aspires to evidence based policy. To this end, DOH relies on evidence that has been peer reviewed and has professional consensus by scientists qualified to assess the validity of scientific methodology and the appropriateness of the interpretation and conclusions. DOH will continue to monitor the scientific debates around glyphosate and pesticides in the interest of good science based policy, and to ensure the continued protection of public health in WA.”*

In alignment with the regulatory requirements for the use of herbicides including glyphosate set by the APVMA and the DOH, the City has robust procedures and processes in place to ensure adherence to these requirements.

As mentioned previously, when chemical weed control is undertaken, City staff and/or contractors, comply with the specifications of approved herbicide labels and permits issued by the APVMA, including additional warning and safety protocols, such as:

- use of PPE in accordance with the products Safety Data Sheet (SDS) and label requirements
- signage displayed in accordance with the *Health (Pesticide) Regulations 2011* Signage Requirements
- record keeping in line with the *Health (Pesticide) Regulations 2011* 'Record of Pest Management Treatment'.

In January 2020, the City engaged the services of Chem-Safe Australia Pty Ltd to undertake an independent review of the City's use of the chemical glyphosate which found the following:

- *“The management team at the City of Joondalup have a good understanding of the current hazards and controls for glyphosate which has grabbed everyone's attention since the IARC re-classification in 2015.*
- *Current controls are well managed and documented and in many areas the City of Joondalup has gone “above and beyond” to ensure employees work safely with this high-profile chemical.*
- *The Safe Work Australia risk management model is in place and the hierarchy of control is well developed.*

- *It is pleasing to see that alternative herbicides are being reviewed and an open mind is always kept with regards to alternatives.*
- *Overall, the City of Joondalup meets all regulatory requirements under the Occupational Health and Safety Regulations 1996, here in Western Australia which is excellent to see.”*

### Alternative Weed Control Options

It is acknowledged that weed control methods are evolving over time as new technologies and research become available. Weed control research and trials can assess the effectiveness of different weed control methods and inform the best weed management approach.

The City has undertaken a number of weed control trials over the past decade in line with previous Council decisions, and the outcomes are provided below:

<b>Timeframe</b>	<b>Trial</b>	<b>Outcomes</b>
2006-07	Use of certain herbicides to control One-leaf Cape Tulip ( <i>Moraea flaccida</i> ) in Iluka.	The trial indicated a negative effect on native flora in soils with high pH values and the outcomes informed the future use of herbicides to control One-leaf Cape Tulip.
2007	Report on weed control using hot water / steam and herbicides in the City of Joondalup (urban areas only).	Found that herbicides are more cost effective and have better kill rates than thermal weed control methods. The cost advantages and speed of application indicate that herbicides are suitable for large scale operations.
2009	Weed control trials comparing hydrothermal and herbicides in the City of Joondalup (urban areas only).	Thermal control was found to be ineffective for long term weed control.
2013-14	Effectiveness of hand weeding and herbicide methods in Central Park, Joondalup and Mullaloo Beach Foreshore.	The outcomes of the trial indicated that the use of herbicides combined with hand weeding was the most effective but also most expensive form of weed treatment, as compared to the use of herbicides only. The use of herbicides only was found to be the second most effective form of weed treatment but was less expensive.

Further weed trials have been undertaken as follows:

Timeframe	Trial	Outcomes
2018	Slasher (Schedule 6 poison) was trialled on the roundabouts of Connolly Drive and a section of mulched areas on Paddington Avenue.  This product is not approved for use in natural areas.	The outcome of the trial of Slasher was not as effective as weeds reappeared after 3 – 4 weeks. More product was required to be applied to ensure that the weed foliage was totally covered. There was an issue with strong smells reported by the operators which also caused headaches. Slasher is classed as a Schedule 6 poison and is approximately 18 times more costly than glyphosate, a Schedule 5 poison.
2019	Localsafe Weed Terminator (Schedule 6 poison) was trialled in various locations throughout the City of Joondalup.	The outcome of the trial found this product was not an effective form of weed treatment due to repeat applications being required after a very short time period. More product was required to be applied to ensure that the weed foliage was totally covered. Localsafe is classed as a Schedule 6 poison and is approximately 15 times more costly than glyphosate, a Schedule 5 poison.
2019	Steam trial undertaken on Eddystone Avenue, Craigie on the hardstand and kerblines only (1.2km between Joondalup Drive and Ocean Reef Road).	The outcome of this trial found steam was not an effective form of weed treatment as weeds reappeared after 4-five weeks. A single treatment with steam was five times more expensive than treating the same area with glyphosate as it was more labour intensive and multiple treatments were required, as opposed to a single application of glyphosate.

The following trials are currently underway:

#### Esplanade Herbicide (Bayer)

Esplanade Herbicide, a Schedule 6 poison, is a pre-emergent herbicide that claims to offer long-lasting control of over 30 species of annual grasses, broadleaves and sedges. Esplanade is used primarily in vegetation management applications such as railroads, utility substations and roadside rights-of-way, among others. Esplanade may also be used pre-plant and post-plant for weed control in forestry plantations.

As per the Esplanade Herbicide approved label, the product cannot be applied if there are sensitive crops, gardens, landscaping vegetation, protective native vegetation or protected animal habitat within 40 metres downwind from the application area.

Esplanade provides pre-emergence control of seedlings by disrupting and inhibiting normal growth of roots as they try to emerge. It controls weeds by reducing the emergence of seedlings through inhibition of cellulose biosynthesis (CB inhibitor). In general, Esplanade has no post-emergence activity meaning that it does not control plants after they have emerged and established a root system.

Based on the above, the City selected the following three locations to trial this product:

- Shenton Avenue brick paved areas near the corner of McLarty and Shenton.
- Marmion Avenue safety barrier rails between Cambria Street and Albion Street.
- Ocean Reef Road mulched area south side just before Meridian Drive.

Initial indications are that the overall cost of using Esplanade is comparable with using glyphosate at these locations.

#### Thermal weed control

The City is currently trialling thermal weed control (steam) at Elcar Park in Joondalup as part of the scheduled maintenance closure Tuesday and Friday between 10.30am and 12.00 noon in the mulched garden beds within the enclosed dog exercise area. The advantage of using steam as a form of weed control at this location is that the dog exercise area does not need to be closed to the public for extended periods of time. It must be noted, however, that the contractor does not recommend the use of steam for the control of weeds within mulched areas due to the steam pressure dispersing the mulch requiring additional maintenance.

Current indications are that thermal weed control would require fortnightly visits during the summer months and once per month during the winter months. This frequency and therefore, overall cost are likely to make this weed control methodology cost prohibitive.

As demonstrated above, the City continues to undertake weed control trials, both chemical and non-chemical as new products and technologies become available. This requirement is also outlined as a management action in the City's *Weed Management Plan*.

#### Marker Dye

The City currently uses marker dye with herbicide to indicate where spraying is conducted in natural areas. The purpose of the marker dye is for staff or contractors spraying herbicides to see which areas have been sprayed due to the difficult spraying conditions such as moving through and around plants, and the varying topography, rather than to alert the public about spraying.

As noted previously in this report, in broad acre spraying, a foam marker is used rather than a dye due to the large areas covered. The foam is released from both sides of the boom to guide the spraying vehicle to ensure uniformity of application.

If a marker dye was to be used for spraying around park infrastructure, public access ways, footpaths or kerb lines, the following should be noted:

- The marker dye would be mixed with the herbicide and applied as a single application.
- Marker dye will remain on surfaces for a considerable time (sometimes weeks depending on weather conditions) compared to the time it takes for the active constituent of the herbicide to be absorbed by the leaf (30 minutes – 2 hours).
- Marker dye safety instructions provide that contact with eyes and skin should be avoided and cannot be considered 'safe' for residents to come into contact with.

## Issues and options considered

### Petition request – Revise and phase out the use of glyphosate

The City undertakes an integrated weed management approach which includes both physical and chemical weed control. The majority of weed control within the City of Joondalup is managed using physical weed control methods and the City estimates that its proportion of non-chemical methods of weed control is already in excess of 90%. As outlined in this report, the City uses herbicides including glyphosate in accordance with the regulatory requirements set by the APVMA and the DOH.

Council may choose either of the following options:

Option 1 Continue with the City's integrated weed management approach including the use of approved herbicides such as glyphosate as detailed in the City's *Weed Management Plan*.

This is the recommended option for the reasons outlined in this report.

Option 2 Phase out the use of glyphosate.

This option is not recommended as trials undertaken to date have not revealed viable alternatives to glyphosate at this point in time to meet the City's weed management objectives.

### Petition request – conduct and repeat non-chemical weed control trials

As noted previously in this report, the City continues to undertake weed control trials, both chemical and non-chemical as new products and technologies become available. This requirement is also outlined as a management action in the City's *Weed Management Plan*.

### Petition request – immediately introduce marker dye in herbicide

The City uses marker dye with herbicides when spraying in natural areas and a foam marker when conducting broad acre spraying within parks and reserves to optimise the application of the herbicide.

Council may either:

Option 1 Continue with the current practice of only using marker dye in natural areas or foam markers when conducting broad acre spraying.

Option 2 Introduce marker dye in all herbicide applications.

Option 3 As per option 1 above, with the addition of trialling the use of marker dye with glyphosate application within a City park or reserve.

This is the recommended option. Undertaking a trial will better enable the City to evaluate the advantages and disadvantages of adding marker dye to glyphosate applications within City parks and reserves. It is also noted that the City has not previously undertaken a trial for marker dye within these locations.

Issue for consideration – Introduction of a No-Spray Verge List

The City, in recent months, has received requests from residents to implement a No-Spray Verge list similar to other local governments referencing the City of Stirling as an example.

Council may either:

Option 1 Introduce a No-Spray Verge list allowing residents to register the verge adjacent to their property to be exempt from chemical weed control.

Registration to the No-Spray Verge list would require the resident to commit to the following:

- Maintaining their verge and keeping it weed free.
- Re-register on an annual basis.

It must be noted that a No-Spray Verge list would only relate to the verge adjacent to the registered property and would not include parks, reserves, natural areas and sumps.

Option 2 Not introduce a No-Spray Verge list and continue with the current practice of notifying residents registered on the Pesticide Notification Register and the general community via a public notice on the City's website when spraying activities will be undertaken.

It should be noted that the City only treats verges (kerblines and footpaths) which are not kept weed free by the adjacent property owner.

This is the recommended option as the City will not treat a verge that is kept weed free.

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

**Legislation**                      *Local Government Act 1995.*  
    *Health (Miscellaneous Provisions) Act 1911.*  
    *Health (Pesticides) Regulations 2011.*  
    *Public Health Act 2016.*  
    *Occupational Safety and Health Act 1994.*  
    *Occupational Safety and Health Regulations 1996.*

### **Strategic Community Plan**

**Key theme**                              Quality Urban Environment.  
     The Natural Environment.

**Objective**                              Quality open spaces.  
     Accessible environments.  
     Environmental leadership.

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

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

Promote significant local natural areas.

Demonstrate leadership in environmental enhancement and protection initiatives.

**Policy** Not applicable.

The City's overarching approach to weed management is guided by the Council endorsed *Weed Management Plan*.

### **Risk management considerations**

The City only uses herbicides registered for use in Australia by the regulator, in this case, the APVMA. It is the role of regulators to determine whether products used according to label instructions could result in a level of exposure that poses an unacceptable risk. All herbicides including products containing glyphosate that are registered for use in Australia by the APVMA have been through a robust chemical risk assessment process and are considered safe to use, provided they are used as per the label instructions.

Further to the guidance provided by the APVMA, the City also implements a considerable number of controls in order to mitigate the risks associated with herbicides within public spaces. The table below provides a general overview of some of these controls.

<b>Risk</b>	<b>Current Controls in Place</b>
City staff and contractors using herbicides not approved for use.	<ul style="list-style-type: none"> <li>• City's control of Hazardous and Non-hazardous chemical protocol provides a formal process for the purchase and approval of chemical use including herbicides.</li> <li>• Protocol includes requirements for risk management assessment to be undertaken and recorded.</li> </ul>
	<ul style="list-style-type: none"> <li>• As part of the risk assessment, review of the current APVMA register of approved herbicides is undertaken to confirm consideration for use.</li> <li>• Only herbicides that are approved by the APVMA can be considered for use.</li> <li>• For contractors, the City's contract management process provides mechanisms for herbicide use to be specified in work schedules in accordance with the City's approved use of chemicals.</li> </ul>
City staff do not have the necessary knowledge and experience to undertake weed management activities including requirements for PPE and herbicide application processes.	<ul style="list-style-type: none"> <li>• City staff are trained in the correct application and safe use of herbicides.</li> <li>• Training records are maintained to ensure staff complete three nationally accredited units of competency before using herbicides.</li> <li>• The City provides all required PPE for City staff that utilise herbicide in their daily tasks.</li> </ul>



Risk	Current Controls in Place
	<ul style="list-style-type: none"> <li>• Operators have access to the Chem Watch data base to ensure the latest SDS for the herbicide application is readily available.</li> <li>• The City's participation in ISO 9001:2015 requires auditing and review of operator knowledge in relation to weed spraying processes.</li> <li>• Supervisors monitor operator task and processes associated with weed spraying.</li> </ul>
Contractors do not have the necessary knowledge and experience to undertake weed management activities.	<ul style="list-style-type: none"> <li>• Contractors directly involved in the use of herbicides are licenced with the Department of Health under the Health (Pesticides) Regulations 2011.</li> <li>• Supervisors monitor operator task and processes associated with weed spraying.</li> </ul>
Herbicides are applied during hazardous or inappropriate weather conditions causing unintended impacts to other vegetation and animals.	<ul style="list-style-type: none"> <li>• Prior to commencing spraying, weather conditions such as temperature, wind speed, wind direction and general conditions are measured and recorded by operators in the local area to which spraying will be undertaken.</li> <li>• Spraying activities are postponed if wind speed is measured above 15km/h.</li> </ul>
Persons not being aware of herbicide application occurring within particular areas.	<ul style="list-style-type: none"> <li>• The City's Pesticide Notification Plan outlines the City's communication mechanisms for informing the community of scheduled spraying events. This includes public notices available on the City's website and a notification register for direct correspondence with registered residents living with 100 metres of scheduled spraying events.</li> <li>• Caution signage is used to alert the public of areas being sprayed and is displayed during application and until the herbicide has dried, as per the <i>Health (Pesticides) Regulations 2011 - Signage Requirements</i>.</li> </ul>
Adequate record keeping of the City's spraying activities is not maintained.	<ul style="list-style-type: none"> <li>• Each individual spraying activity undertaken by the City and its contractors is recorded via a weed spraying report to confirm all details and conditions associated with the application.</li> </ul>

The use of herbicides, including glyphosate, forms an integral part of the City's comprehensive weed management approach in natural areas, parks and urban landscaping areas. Not effectively managing weeds in the City's parks, natural areas and urban landscaping will:

- reduce the viability of native plant species by competing for space, water and nutrients resulting in the decrease in the abundance and health of native species
- reduce the natural diversity by smothering native plants or preventing them from regenerating

- create high fuel loads for fires and increasing the risk of fires in bushland areas
- reduce the amenity, functionality and aesthetic values of the City's parks and urban landscaping areas.

### Financial / budget implications

The City's 2020-21 adopted budget includes an amount of \$980,337 for chemical weed control which includes parks and streetscapes (\$606,461) and natural areas (\$373,876). Chemical weed control is undertaken utilising both in-house resources and external contractors.

The overall allocation for the in-house component, which includes labour, plant, materials and overheads is \$502,911 of which the materials component of \$55,606 is for the purchase of all herbicides as detailed in this report. This equates to 11% of the in-house chemical weed control budget.

Changes to weed control methodology and/or herbicide will substantially increase the cost to the City and ultimately its residents. This can be demonstrated using the cost comparisons for the steam trial undertaken on Eddystone Avenue in 2019. The cost for a single steam treatment was \$2,280 as compared to a cost of \$443 using glyphosate to treat the same area. Assuming at least five treatments utilising steam at a total cost of \$11,400 will be 13 times more expensive than two treatments using glyphosate at a total cost \$886.

### Regional significance

There are a variety of regionally, nationally and internationally significant natural areas located within the City including the Yellagonga Regional Park and a number of Bush Forever sites which contain species of high conservation value.

### Sustainability implications

Weeds have the potential to degrade natural areas and reduce biodiversity values, as well as negatively affect the amenity, functionality and aesthetics of parks and urban landscaping areas. The implementation of an integrated weed management approach, including the use of approved herbicides, as described in the City's *Weed Management Plan* will ensure that the threat of weeds within the City is addressed and provide strategies for ongoing, long-term management which will result in protection of the City's natural environment, parks and urban landscaping areas.

### Consultation

The City has reviewed the weed management approach undertaken by other local governments within the Perth Metropolitan Area, specifically focusing on those local governments who have recently reviewed their weed control methodology including the use of glyphosate. This review has confirmed that the majority undertake an integrated weed management approach including the use of glyphosate.

Local Government	Council Meeting Date	Weed Management Approach
City of Joondalup	July 2020	<ul style="list-style-type: none"> <li>• An integrated weed management approach using non-chemical and chemical methods including glyphosate.</li> </ul>

Local Government	Council Meeting Date	Weed Management Approach
		<ul style="list-style-type: none"> <li>• Notification of scheduled spraying activities via public notice on the City’s website and individual communication to registered residents.</li> <li>• Herbicide applications within 500 metres of sensitive areas (schools, kindergartens, childcare centres and community health centres) undertaken between 9.00am and 2.00pm and scheduled to be undertaken during school holidays.</li> </ul>
City of Stirling	December 2018	<ul style="list-style-type: none"> <li>• An integrated weed management approach using non-chemical and chemical methods including glyphosate.</li> <li>• The use of glyphosate was reintroduced following a previous ban in 2015 as it was “causing problems for biodiversity” in natural areas.</li> <li>• Residents can subscribe to a No Spray verge list.</li> <li>• Notification only relates to parks, reserves and natural areas.</li> </ul>
City of Rockingham	February 2019	<ul style="list-style-type: none"> <li>• An integrated weed management approach using non-chemical and chemical methods including glyphosate.</li> <li>• Residents can subscribe to a No Spray list for the road reserve adjacent to their properties.</li> <li>• Notification process for parks and reserves similar to the City of Joondalup’s.</li> </ul>
City of Wanneroo	April 2019	<ul style="list-style-type: none"> <li>• An integrated weed management approach using non-chemical and chemical methods including glyphosate.</li> <li>• No pesticide application within 500 metres of school zones between the hours of 7.30am - 9.00am and 2.30pm and 4.00pm.</li> <li>• Notification process similar to the City of Joondalup’s.</li> </ul>
City of Bayswater	November 2019	<ul style="list-style-type: none"> <li>• An integrated weed management approach using non-chemical and chemical methods including glyphosate.</li> <li>• Residents can register the front of their property as a No Spray area.</li> </ul>

Local Government	Council Meeting Date	Weed Management Approach
Town of Mosman Park	November 2019	<ul style="list-style-type: none"> <li>• An integrated weed management approach using non-chemical and chemical methods including glyphosate.</li> <li>• Operates a Do Not Spray register for land adjacent to properties.</li> </ul>
City of Subiaco	December 2019	<ul style="list-style-type: none"> <li>• Awarded a 12 month contract to replace the use of glyphosate with a non-chemical weed control process.</li> <li>• Noted in the report that the non-chemical weed control process will increase current weed control costs by approximately 60%.</li> <li>• Noted in the report that glyphosate still remains the safest, proven and most effective chemical control of weeds. Will still require selective turf herbicides for broadleaf weed control.</li> </ul>
Town of Victoria Park	December 2019	<ul style="list-style-type: none"> <li>• An integrated weed management approach using non-chemical and chemical methods including glyphosate.</li> <li>• Manages a Do Not Spray register where residents keep the land in front of their property weed free.</li> <li>• Spraying around schools, pre-schools and kindergartens conducted outside of normal school hours where possible.</li> </ul>
City of Mandurah	May 2020	<ul style="list-style-type: none"> <li>• An integrated weed management approach using non-chemical and chemical methods including glyphosate.</li> <li>• All chemical herbicide application in and around commercial shopping and school precincts to be undertaken before 7.30am.</li> </ul>

## COMMENT

An integrated weed management approach which is required for effective weed management, involves the use of a variety of different techniques in order to monitor, prevent and control weeds.

Herbicides are an important and effective component of an integrated weed management approach and are generally recognised as being the most effective weed control method having higher success rates than other forms of weed control. They are also generally the most economical means of weed control, requiring less labour, fuel and equipment than other methods.

When herbicides such as glyphosate are used correctly, they can be very effective and have limited negative impact on the environment. The correct application of herbicide involves knowing the target weed, understanding the site conditions, choosing the correct herbicide, choosing the correct application method, ensuring operators are trained and ensuring all regulations and label instructions are followed.

Over the last decade and even more so, over the past few years, attention has been drawn to the potential environment and human health effects of herbicides, specifically, glyphosate which is the active ingredient in products such as Roundup (available for purchase by the general public) and Weed Master Duo (the product currently used by the City). Currently, the APVMA, who are the independent statutory authority with the responsibility for the regulation of agricultural and veterinary chemicals in Australia, considers glyphosate safe for application in public places, when applied as per the label instructions.

Following the announcement in late June 2020 of a financial settlement offer by the pharmaceutical giant Bayer to settle claims in the United States, the Federal Government on 25 June 2020 stated the following:

*“The standards and the labelling in the United States is different to Australia. The APVMA as the regulator makes sure the directions and the labelling on glyphosate products is quite clear....Our regulations, and our regulatory reform, is as robust as anyone in the world. I am confident the APVMA has provided the right directions, I am confident if Australians use it as per the label it is perfectly safe”.*

With regard to the City’s recent experiences, it is acknowledged that there is an increase in misleading information circulating within the community on the topic of glyphosate use by local governments. It is the City’s view that decisions and approaches to integrated weed management need to be based on current, relevant and well-informed data and are informed by robust regulatory frameworks. The City is satisfied that its obligations and approach to risk management associated with the use of glyphosate meets all legal requirements to which it is bound.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council:**

- 1 NOTES that the City of Joondalup Weed Management Plan details an integrated weed management approach which includes the use of approved herbicides;**
- 2 NOTES that the current position of the Australian Pesticides and Veterinary Medicines Authority, as Australia’s Agvet chemical regulator, is that products containing glyphosate are registered for use in Australia and APVMA approved products containing glyphosate can continue to be used safely according to the label instructions;**
- 3 NOTES that the City will continue to abide by the direction of the Australian Pesticides and Veterinary Medicines Authority with regard to the use of approved herbicides;**

- 4 **ENDORSES** the use of Australian Pesticides and Veterinary Medicines Authority approved herbicides including glyphosate in accordance with manufacturers' specifications for the control of weeds within the City of Joondalup as part of an integrated weed management approach;
- 5 **SUPPORTS** the continuation of the City's integrated weed management approach using both physical and chemical weed control methods, noting that the majority of weed control undertaken by the City is by non-chemical means;
- 6 **NOTES** the City will continue to undertake weed control trials, both chemical and non-chemical as new products and technologies become available in order to inform the City's integrated weed management approach;
- 7 **SUPPORTS** the use of marker foam or dye in conjunction with herbicide applications being applied broad-acre style or in natural areas only, as it is used as a visual reference to ensure uniform coverage of chemicals in open areas, eliminating overlapping of herbicide application;
- 8 **REQUESTS** the Chief Executive Officer to undertake a trial of incorporating marker dye with glyphosate applications within a City park or reserve;
- 9 **NOTES** the City of Joondalup's Weed Management Plan will be reviewed in 2021 and will be updated including the outcomes of the trials detailed in parts 6 and 8 above;
- 10 **ADVISES** the lead petitioner of its decision.

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf200714.pdf](#)*

**REPORTS – MAJOR PROJECTS AND FINANCE COMMITTEE – 13 JULY 2020****CJ097-07/20 CHICHESTER PARK, WOODVALE – PROPOSED COMMUNITY SPORTING FACILITY**

<b>WARD</b>	Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	00428, 101515, 03179
<b>ATTACHMENTS</b>	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
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For Council to consider the additional funds required for the proposed community sporting facility and other supporting infrastructure at Chichester Park, Woodvale.

**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 playing fields and infrastructure service the local area and several surrounding suburbs. Currently, five sporting clubs hire the playing fields 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 engagement 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.

Concept plans 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. In March / April 2019, the City undertook further community engagement on the proposed project. Given the support from the community (over 92% of respondents supported the main components of the redevelopment), at its meeting held on 17 September 2019 (CJ124-09/19 refers), Council endorsed an application be made to the Department of Local Government, Sport and Cultural Industries (DLGSCI) for funding through the Community Sporting and Recreation Facilities Fund (CSRFF) grant program seeking a contribution to the project.

The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity, through the rational development of good quality; multipurpose; well designed and well utilised facilities.

In February 2020, the City received notification from the Department of Local Government, Sport and Cultural Industries (DLGSCI) that it was successful in securing a grant contribution of \$400,000 of the requested \$1,093,790. This leaves a project shortfall of \$693,790.

The design of the proposed redevelopment at Chichester Park includes a variety of interrelated components. Modifying the design or the scope of the project in order to reduce the budget would have a significant impact on the project, therefore it is not recommended to remove any proposed project components. It is also not recommended to reduce the proposed number of change rooms (four). These changing facilities will service both the northern and southern playing field. The southern playing field accommodates three soccer pitches so there is a high demand for change rooms. In addition, there has been an increase in women's sport participation and there is a need to ensure there is adequate change facilities to accommodate this.

At its meeting held on 17 March 2020 (CJ037-03/20 refers), Council considered the outcome of the CSRFF grant and deferred the consideration of funding the project shortfall to explore other funding opportunities.

Since that time, no alternative funding opportunities have been identified. Therefore, based on the classification of the park (district park); heavy utilisation of the southern playing field and inadequate existing facilities; it is recommended the City fund the \$693,790 project shortfall to better service the sporting clubs and local wider community's needs.

*It is therefore recommended that Council REQUESTS an additional \$693,790 be listed for consideration in 2021-22 of the City's Five Year Capital Works Program and 20 Year Strategic Financial Plan for the Chichester Park project.*

## BACKGROUND

<b>Suburb/Location</b>	Chichester Park (south oval) 109 Trappers Drive Woodvale WA 6026.
<b>Applicant</b>	City of Joondalup.
<b>Owner</b>	Crown Land – City of Joondalup Management Order.
<b>Zoning</b>	Public Open Space.
<b>LPS 3</b>	
<b>MRS</b>	Urban.



<b>Site area</b>	81,666.4m <sup>2</sup> .
<b>Structure plan</b>	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. 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, renovated change rooms, painting and user group storage. In 2017 the Kingsley Westside 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 1,315 registered members that currently use Chichester Park:

- Kingsley Westside 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 considered as part 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 engagement 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 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.

In March / April 2019, the City undertook further community engagement on the proposed project with over 92% of respondents supporting the main components of the redevelopment. At its meeting held on 20 August 2019 (CJ109-08/19 refers), Council noted the results of the community engagement. At its meeting held on 17 September 2019 (CJ124-09/19 refers), Council endorsed an application be made through the CSRFF grant program seeking a contribution to the project.

The Western Australian Government, through the DLGSCI provides financial assistance to local government authorities and sport and recreation clubs through the CSRFF program which aims to increase participation in sport and recreation with an emphasis on physical activity, through the rational development of good quality, multipurpose; well designed and well utilised facilities. The State Government allocates \$12 million per year for the CSRFF program which considers a contribution of up to one-third for eligible components of a project that demonstrate they will increase sport participation.

In February 2020, the City received notification from the DLGSCI that it was successful in securing a grant contribution of \$400,000 of the requested \$1,093,790. The DLGSCI advised that the full amount requested was not granted as the funding round was significantly oversubscribed and therefore components of the project that would directly impact physical activity were prioritised. The grant contribution of \$400,000 reflects what the DLGSCI assessed was the appropriate contribution to the project given this situation. This leaves a project shortfall of \$693,790.

The design of the proposed redevelopment at Chichester Park includes a variety of interrelated components. Modifying the design or the scope of the project in order to reduce the budget would have a significant impact on the project, therefore it is not recommended to remove any proposed project components. It is also not recommended to reduce the proposed number of change rooms (four). These changing facilities will service both the northern and southern playing field. The southern playing field accommodates three soccer pitches so there is a high demand for change rooms.

In addition, there has been an increase in women's sport participation and there is a need to ensure there is adequate change facilities to accommodate this.

At its meeting held on 17 March 2020 (CJ037-03/20 refers), Council considered the outcome of the CSRFF grant and deferred the consideration of funding the project shortfall to explore other funding opportunities. Also at this meeting, it was noted that the City would progress the project to detailed design and construction tender stage.

## **DETAILS**

Since March 2020, no alternative funding opportunities have been identified. Therefore, based on the classification of the park (district park); heavy utilisation of the southern playing field and inadequate existing facilities; it is recommended the City fund the \$693,790 project shortfall to better service the sporting clubs and local wider community's needs.

The City has developed the documentation required to tender for architectural services for detailed design and construction management. If the project is supported, tender for these services will progress.

### **Issues and options considered**

It is considered that Council has two options, to either agree or not to agree to fund the project shortfall required to progress the project.

If Council agrees to fund the project shortfall, the City will continue with detailed design and construction tender stage.

### **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 Policy.*  
*Naming of Public Facilities.*

### **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 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. The project budget included a potential grant funding contribution of \$1,093,790 through the CSRFF program. The City was only successful in securing \$400,000 for the project, therefore there is a project shortfall of \$693,790.

At its meeting held on 20 November 2018 (CJ208-11/18 refers), Council considered the original financial projections for the project which were included in the report.

#### Adopted 20 Year Strategic Financial Plan

The adopted *20 Year Strategic Financial Plan* (SFP) has included the following assumptions for the project:

- Capital costs of \$4,159,170 (excluding escalation).
- Funding of grants \$1,093,790; reserves of \$2,965,380; municipal of \$100,000.
- Depreciation - \$65,000.
- Increase to operating cash expenses of \$30,000 and to operating income of \$3,000.

#### Impacts to City of funding the shortfall

The City could continue with the capital costs and make up the shortfall by using additional reserves. The impact of this on the City's financial targets and sustainability are as follows:

- City cash reserves – by June 2022 the SFP estimated a reserve balance of \$89.4 million, but this would reduce to \$88.7 million if it funded the project shortfall. With grant funding of \$400,000, this would require \$693,790 more from reserves, a total reserve funding of \$3,659,110. The increased funding of \$693,790 results in a total cash reduction of \$1.6 million due to the compounding effect of reduced earnings on cash reserves over a 20 year period.
- Operating results - this change would have very little impact. The SFP has factored in the depreciation and operating cash impacts of the project. The only impact on the operating results would be the reduced earnings on interest, although this would have a compounding impact. So, at 2025-26 for example the SFP projected an operating surplus of \$3,514,000 but the revised projections due to the lower grant would be \$3,480,000, a reduction of \$34,000. This still results in a projected operating surplus ratio of 1.9%, as per the SFP.
- Ratios - the SFP estimated an achievement of 24 out of 60 ratios over the 20 year period, this would not be affected by the reduced grant funding.

In summary, there is very little impact on the long-term financial sustainability to the City of funding the project shortfall using reserves - the City's key financial indicator, the operating surplus ratio, would not be affected. More importantly, there would be no need to consider changing any assumptions for rate increases because these are driven by service requirements and achieving a moderate operating surplus.

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 creates 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 Policy and Protocol*. At its meeting held on 10 October 2017 (CJ169-10/17 refers), Council considered the results of the initial community engagement for this project and at its meeting held on 20 August 2019 (CJ109-08/19 refers), Council considered the results of the second round of community engagement for this project.

### **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 1,315 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 CSRFF program, aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities. The CSRFF program provides the City with an excellent opportunity to upgrade facilities and infrastructure with the support of the State Government.

The City was successful in securing a CSRFF grant contribution of \$400,000 of the requested \$1,093,790. Since March 2020, no alternative funding opportunities have been identified. Therefore, based on the classification of the park (district park); heavy utilisation of the southern playing field and inadequate existing facilities; it is recommended the City fund the \$693,790 project shortfall to better service the sporting clubs and local wider community's needs.

The design of the proposed redevelopment at Chichester Park includes a variety of interrelated components (new community sporting facility, additional car parking, drainage for the southern playing field and BBQ / picnic area). Modifying the design or the scope of the project in order to reduce the budget would have a significant impact on the project, therefore it is not recommended to remove any proposed project components. It is also not recommended to reduce the proposed number of change rooms (four). These changing facilities will service both the northern and southern playing field. The southern playing field accommodates three soccer pitches so there is a high demand for change rooms. In addition, there has been an increase in women's sport participation and there is a need to ensure there is adequate change facilities to accommodate this.

## **VOTING REQUIREMENTS**

Simple Majority.

## **COMMITTEE RECOMMENDATION**

The committee recommendation to Council for Report CJ097-07/20 (as detailed below) was resolved by the Major Projects and Finance Committee at its meeting held on 9 March 2020.

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

## **RECOMMENDATION**

**That Council REQUESTS an additional \$693,790 be listed for consideration in 2021-22 of the City's *Five Year Capital Works Program and 20 Year Strategic Financial Plan* for the Chichester Park project.**

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10agn200721.pdf](#)*



The updated preliminary feasibility analysis on the draft preferred concept plan suggests the development is financially viable albeit further detailed analysis will be required to provide more certainty.

At its June 2020 meeting the EQCRG accepted that the draft preferred concept plan represented the group's aspirations for the development and agreed that the plan should be presented to Council, via the Major Projects and Finance Committee, to seek endorsement of the plan for community consultation.

*It is therefore recommended that Council:*

- 1 *NOTES that the Edgewater Quarry Community Reference Group accepted the draft preferred Edgewater Quarry Concept Plan forming Attachment 2 to Report CJ098-07/20 as representative of the agreed aspirations for the Edgewater Quarry Development;*
- 2 *ENDORSES the draft preferred Edgewater Quarry Concept Plan forming Attachment 2 to Report CJ098-07/20 for community consultation.*

## **BACKGROUND**

Edgewater Quarry is a large undeveloped site covering approximately 17 hectares (Attachment 1 refers). The site is bound by Regatta Drive, Treetop Avenue and Joondalup Drive, Edgewater. The size, location and visibility of Edgewater Quarry where it abuts Joondalup Drive gives it the potential to be a significant development with high amenity.

The EQCRG was established by Council at its meeting held on 12 December 2017 (CJ209-12/17 refers) and consists of His Worship the Mayor, Elected Members for North Central Ward and 20 community representatives. The Terms of Reference endorsed by Council (CJ209-12/17 refers) are as follows:

- Examine the future options for the Edgewater Quarry site.
- Assist with the development of a concept plan.
- Identify and discuss the issues and concerns of the community and stakeholders around the options for the Edgewater Quarry site.
- Represents the interests of the wider community.
- Act as a conduit to disseminate information and feedback to and from the wider community.
- Liaise with extended networks and community groups to facilitate information sharing concerning Edgewater Quarry.

Since its establishment in December 2017 the EQCRG has met on five occasions to develop a draft preferred concept plan for the Edgewater Quarry development.

As previously reported to the Major Projects and Finance Committee at its meeting held on 9 March 2020 (Item 13 refers) and 4 May 2020 (Item 4 refers) over four workshops the following issues were identified and generally agreed for the development:

Housing type:       Density – high quality, townhouse type development.  
                          Height – to reflect the site but generally three storeys.  
                          Streetscapes – up-market streetscapes with a balance of space and density.

Mixed use:           Needs to create inviting and warm, safe places for people.  
                          Not fast food outlets or petrol stations.



- Commercial: A mix of commercial land-uses include childcare and matching existing offerings on Joondalup Drive.  
Café and tavern.  
Educational (ECU) facility.
- Environmental: Retention of valuable and sensitive vegetation with pedestrian and cycle access paths.

The City engaged town planning consultants Taylor Burrell Barnett to develop draft concept plans from three potential options prepared by the EQCRG and undertake preliminary financial feasibility analyses of the three plans.

The outcome of the above was presented to the Major Projects and Finance Committee at its meeting held on 9 March 2020 (Item 13 refers). The report presented to the Committee indicated that the preliminary financial analysis suggested that each of the three plans were financially viable.

During discussion the EQCRG identified the following key high level design outcomes that should be incorporated into the draft preferred concept plan:

- Optimise commercial development along Joondalup Drive.
- Incorporate space for a rectangular training field.
- Provide medium-density residential housing in the eastern area of the site.
- Provide higher-density residential housing in the central area of the site.
- Provide mixed-use development incorporating higher-density residential housing in the western area of the site.
- Consideration for how the east-west connector street can be designed to dissuade non-local through traffic. The concept plan illustrates the philosophy of designing the central portion of the street as a slow-speed (for example 20kph), shared-surface space whilst maintaining ease of wayfinding for east-west movement (pedestrians and drivers) and providing good passive surveillance over the open space areas from the people in the slow-moving vehicles.

At its meeting held on 4 May 2020 (Item 4 refers), it was agreed that the Major Projects and Finance Committee notes:

- 1 *the Edgewater Quarry Masterplan Project Status Report;*
- 2 *that a report, including a recommendation from the Edgewater Quarry Community Reference Group, on the draft concept plan for the Edgewater Quarry site will be presented to a future Council meeting, via the Major Projects and Finance Committee.*

Additional historical information on the Edgewater Quarry Masterplan projects is provided in Attachment 3.

## **DETAILS**

Taylor Burrell Barnett prepared a draft preferred concept plan (Attachment 2 refers) based on discussions and agreement of the EQCRG at Workshop No. 4 held on 4 March 2020.

The draft preferred concept plan was presented to the EQCRG at its meeting held in June 2020. During the preparation of the draft preferred concept plan, Taylor Burrell Barnett took into consideration the following key issues/constraints/opportunities identified by the EQCRG:

- Minimise/mitigate “rat run” from Regatta Drive through the development to Joondalup Drive (and reverse).
- Utilisation of poorly vegetated area fronting Joondalup Drive to be considered.
- Inclusion of a designated playing field for training purposes including community facilities and lighting.
- Incorporate the use of innovative treatments for draining areas.
- Building heights to be four storeys (high density residential) could potential be a contentious issue. Four storey buildings to be located in the centre of the development to minimise visual impact on surrounding and internal residents.
- Consider the inclusion of residential components within the retail/commercial precincts.

The draft preferred concept plan provides the following:

- Total residential dwellings: 229
  - Medium density: 20
  - High density: 144
  - Mixed use 65
- Total POS/conservation/drainage: 12.1319 ha
- Total commercial/mixed use: 2.0602 ha
- Traffic calming and design features through the centre of the development to minimise/mitigate the potential of a “rat run” from Regatta Drive through the development to Joondalup Drive (and reverse). These measures would create attractive, village centre-type design providing quality urban streetscapes with safe pedestrian thoroughfares.
- Training field with associated community facilities.
- Improved streetscape treatment.

The plan proposes commercial/retail fronting onto Joondalup Drive, with car parking behind the buildings. A mixed-use area fronting onto the main thoroughfare and community facilities adjacent to the proposed sports training field. The high density residential is located within the centre of the development with buildings overlooking the sports field and multi-use thoroughfare as well as overlooking the natural bushland to the south. The medium density residential (single block, town-house type development) is located to the east providing an attractive outlook on approach to the development (from Regatta Drive) while minimising the visual impact on surrounding properties.

The design provides pedestrian (and potentially cycle) access through the existing bushland and through the development with pockets of community amenities and spaces throughout.

Indicative images of the various precincts are provided in Attachment 4 to Report CJ098-07/20.

### Preliminary financial analysis

The preliminary financial feasibility was updated based on the draft preferred concept plan (Attachment 5 refers).

A 10 year discounted cashflow model was constructed for the updated preliminary financial analysis. This approach allows the initial investment and development costs to be considered alongside the land sales revenue, ongoing rates revenue and operational/maintenance costs, to identify a potential return on investment over the ten year timeframe.

The analysis sought to evaluate the overall attractiveness of the redevelopment project (for investment purposes) as well as test the ongoing financial sustainability of the proposal in terms of annual operating results. The following tables provide the outcome of the analysis.

*Table 1: Land Use Summary – preferred draft concept plan*

Land Use	Yield
<b>Medium Density Residential</b>	
Area (ha)	0.4542
Dwelling Yield	20
<b>High Density Residential</b>	
Area (ha)	0.8858
Dwelling Yield	144
<b>Commercial / Retail</b>	
Area (ha)	2.0602
Dwelling Yield	65
<b>Public Open Space, Conservation &amp; Drainage</b>	
Area (ha)	12.1319
<b>Road Reserve</b>	
Area (ha)	1.4228
<b>TOTAL (ha)</b>	<b>16.9549</b>

Table 2: Land Use Summary – comparison to previous options

Land Use	Option 1	Option 2	Option 3	Draft Concept Plan
<b>Medium Density Residential</b>				
Area (ha)	0.4542	1.2251	0.4542	0.4542
Dwelling Yield	20	51	20	20
<b>High Density Residential</b>				
Area (ha)	0.8858	0.4956	0.8858	0.8858
Dwelling Yield	144	81	144	144
<b>Commercial/Retail/Mixed-use</b>				
Area (ha)	2.3237	1.3325	3.0330	2.0602
Dwelling Yield				65
<b>POS and Drainage</b>				
Area (ha)	11.8837	12.1411	11.6260	12.1319
<b>Road Reserve</b>				
Area (ha)	1.6102	1.9631	1.4228	1.4228
<b>TOTAL (ha)</b>	<b>17.1576</b>	<b>17.1574</b>	<b>17.4218</b>	<b>16.9549</b>

Table 3: Financial analysis outcome – draft preferred concept plan

Preferred Concept Plan	
Project Cost	\$ms (\$ 13.4)
Project Revenue	\$ 16.3
Peak Debt	\$ms (\$ 6.0)
Total Interest Repayments	\$000s (\$721.0)
Annual income	\$000s \$286.0
Annual Cash Expenses	(\$286.0)
Annual Depreciation	(\$ 61.0)
Annual Operating Surplus/(Deficit)	\$000s (\$61.0)
Internal Rate of Return	5%
Net Present Value	\$32,927

Note: The landscaping assumptions (included in the project cost) do not currently include an allowance for a toilet/changeroom facility or sports lighting for the proposed training field. This will be considered further if the project progresses and the project scope and costs are refined.

Table 4: Financial analysis outcome – comparison to previous options

	<b>Option 1</b> 164 dwellings Medium Commercial Yield	<b>Option 2</b> 132 dwellings Lowest Commercial Yield	<b>Option 3</b> 164 dwellings Highest Commercial Yield	<b>Draft Preferred Concept Plan</b> 164 dwellings
Project Cost	\$ms (\$ 11.9)	(\$ 12.2)	(\$ 12.2)	(\$ 13.4)
Project Revenue	\$ 17.3	\$ 18.0	\$ 19.8	\$ 16.3
Peak Debt	\$ms (\$ 10.4)	(\$ 10.6)	(\$ 10.6)	(\$ 6.0)
Total Interest	\$000s (\$761.0)	(\$704.0)	(\$476.0)	(\$721.0)
Repayments				
Annual income	\$000s \$299.0	\$221.0	\$338.0	\$ 286.0
Annual Cash Expenses	(\$245.0)	(\$268.0)	(\$234.0)	(\$286.0)
Annual Depreciation	(\$ 34.0)	(\$ 36.0)	(\$ 33.0)	(\$ 61.0)
Annual Operating Surplus/(Deficit)	\$ 20.0	(\$ 83.0)	\$ 71.0	(\$ 61.0)
<b>Internal Rate of Return</b>	11%	13%	20%	5%
<b>Net Present Value</b>	\$1.6 m	\$2.0 m	\$3.9 m	\$32,927

Variations from the original preliminary financial analysis of the three alternative options to the draft preferred concept plan are summarised as follows:

- There is a reduction in forecast sales revenue associated with a decrease in the net developable area to accommodate the sporting field and/or a decrease in medium density residential lots in favour of higher density lots.
- There is a significant increase in the landscaping allowance, following feedback from stakeholders in respect to the landscape amenity outcome, to reflect a higher landscape specification including the creation of the sporting field, an additional BBQ and seating area/structure, an increased budget for the nature play equipment (now \$600,000), an additional bore and improved streetscape treatment.
- There is an increased landscape maintenance cost to reflect the higher landscape specification.
- The civil engineering cost estimate has increased to include the introduction of a new brick-paved 'traffic calmed' road.
- The increased landscaping and road costs have increased the depreciation cost and this, together with the increase landscape maintenance cost, results in an annual operating deficit.
- The project Internal Rate of Return (IRR) and Net Present Value (NPV) have decreased. The NPV indicates a small positive, however, is effectively neutral. This indicates earning generated by the project effectively equal the anticipated costs.
- The analysis assumes the project is debt funded and an interest rate of 3.0% has been adopted for the purpose of the preliminary financial analysis.

The preliminary financial analysis suggests that after applying the current assumptions, the draft preferred concept plan is effectively cost neutral.

The preliminary financial analysis was limited to an assessment of project costs and revenue. It does not represent a cost benefit analysis of the proposed development and makes no assessment of non-financial incentives, including social or community benefit. A further detailed analysis is required to test the assumptions and will utilise a whole-of-life approach to ensure the project is financial sustainability both now and in the future.

### **Future actions**

To inform the next iteration of the financial analysis and to ensure all possible opportunities and constraints are known, the following will need to be undertaken cognisant of the draft preferred concept plan:

- Project philosophy and parameters.
- Traffic and transport assessment.
- Retail and commercial needs analysis.
- Detailed geotechnical investigations.
- Environmental assessment.
- Social return on investment assessment.

It should be noted that, with the exception of the social return on investment assessment, the above investigations were carried out in 2013-14 for the previous concept plans developed by the City. It is therefore proposed that, following the recommended community consultation, these investigations be updated taking into consideration the 2020 draft preferred concept plan.

The City will continue to engage with the Department of Planning, Lands and Heritage on potential land tenure and assembly arrangements and a detailed risk assessment can be undertaken. Both these matters would inform future decisions on the project.

### **Issues and options considered**

In accordance with the Terms of Reference endorsed by Council (CJ209-12/17 refers) the EQCRG assisted with the development of a draft preferred concept plan for the Edgewater Quarry development site.

Further, as noted by the Major Projects and Finance Committee at its meeting held on 4 May 2020 (Item 4 refers), a report, including recommendations from the EQCRG, on the draft concept plan would be presented to Council via the Major Projects and Finance Committee.

Three options have been identified:

- 1 Council determines not to progress with the Edgewater Quarry Masterplan project at this time.  
  
This is not the preferred option.
- 2 Council approves the draft preferred concept plan for the purpose of undertaking further assessment/investigations (as indicated above).

This not the recommended option. It is considered that feedback from Council, the Major Projects and Finance Committee and the community may result in minor changes to the concept plan. Should the required additional work be carried out on the plan as presented with this report, changes made may require further updates/amendments to the resultant reports. This would result in additional costs to the City as well as a delay in progressing the project.

- 3 Council approves the draft preferred concept plan for the purpose of community consultation.

This is the recommended option. Following an inclusive and iterative process, the EQCRG has developed an agreed draft preferred concept plan. The EQCRG also agreed that the plan accurately represents the identified aspirations for the development, opportunities and constraints and preferred inclusions/exclusions.

Community consultation on the plan as presented will assist Council in determining the future direction of the project. Should the community support the plan, Council would then be able to make decisions on provisioning future resources to progress the project knowing this is a project that the community is in favour of. This process is similar to that which occurred for the Ocean Reef Marina project.

Feedback and comment on the draft preferred concept plan and the project in general would also assist with the preparation of a Project Philosophy and Parameters (to be endorsed by Council).

### Legislation / Strategic Community Plan / Policy implications

**Legislation** The City is governed by the requirements of the *Local Government Act 1995* in relation to dealings involving commercial undertakings and land development.

Other applicable legislation includes:

- *Planning and Development Act 2005.*
- *Environmental Protection Act 1986.*
- *Land Administration Act 1997.*
- *Planning and Development (Local Planning Schemes) Regulations 2015.*
- *Environmental Protection, Biodiversity and Conservation Act 1999 (Cwlth).*

### Strategic Community Plan

**Key theme** Financial Sustainability.

**Objective** Major project delivery.

**Strategic initiative** Support new projects that balance identified financial risks against effective management approaches.

**Key theme** Economic Prosperity, Vibrancy and Growth.

**Objective** Activity Centre development.

- Strategic initiative**
- Support the development of fresh and exciting de-centralised areas of activity.
  - Facilitate increased housing density in Activity Centres.

**Key theme** Quality Urban Environment.

**Objective** Quality built outcomes.

- Strategic initiative**
- Planning frameworks promote and support adaptive, mixed-use developments with active ground floor uses on appropriately zoned sites.
  - Environmentally sensitive building designs are showcased, promoted and encouraged.
  - Buildings and landscaping are suitable for the immediately and reflect community values.

**Policy** *Local Planning Scheme No. 3.*

Other local planning policies as applicable.

### **Risk management considerations**

Following is a summary of the identified project risks relating to the key assumptions associated with the preliminary financial analysis, including possible mitigation strategies:



Assumption	Risk	Possible Mitigation Strategies
State Government land exchange (incl. Joondalup Drive road reserve basin) is at no cost to the City	If the State Government requires renumeration for the required land exchange, this will adversely impact project feasibility	Consultation with State government early in the project design phase; Staged process to close Joondalup Drive road reserve & incorporate into quarry site (if required); LGA-State Government Joint-Venture development arrangement
Timing of Revenue	A delay to the forecast land sales/settlement will defer project revenue and adversely impact project feasibility	Maximise the number of land presales prior to commencement of civil work; Diversification, optimisation & flexibility of lot/landuse product (eg. a change of some high density to medium density may positively affect revenue)
Magnitude of Revenue	The sensitivity analysis confirms that sales revenue is one of the most important factors impacting the project feasibility. A decrease in developable area or reduction in the assumed sales rate will adversely impact the project feasibility	Further market analysis to confirm market demand and optimal product mix; Limit the City's financial exposure through a development Joint-Venture arrangement or alternative structure
Civil Costs, including the Cost of Site Remediation	Site remediation is a significant civil cost component and the assumed cost is currently based on preliminary geotechnical investigations	Commencement of design and early engagement with service authorities will confirm/refine civil cost assumptions; Further geotechnical and environmental testing; Early consultation with contaminated site auditor to confirm efficacy of remediation approach

These risks will be expanded and included in the required detailed risk assessment which will form part of the next phase of the project (should the project proceed).

### Financial / budget implications

#### Current financial year impact

<b>Account no.</b>	220-A2201.
<b>Budget Item</b>	City Projects Operating – Edgewater Quarry Masterplan.
<b>Budget amount</b>	\$ 60,000
<b>Amount spent to date</b>	\$ -
<b>Balance</b>	\$ 60,000

The approved 2020-21 Budget provides for community consultation, technical assessments and refinement of the concept plan.

### Future financial year impact and impacts on Strategic Financial Plan

The preliminary financial analysis of the draft preferred concept plan suggest a:

- Positive cashflow over 10 years
- NPV neutral/break-even
- Minor operating deficit of less than \$100,000.

As previously indicated, should the project progress, a detailed financial analysis is required to test the current assumptions, and provide greater certainty on the impacts of the project (if it proceeds) on the City.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

The community benefit and opportunity associated with the development of the Edgewater Quarry is considered to have regional significance. Should the project progress, an assessment of the community benefit will be undertaken.

### **Sustainability implications**

Not applicable.

### **Consultation**

The EQCRG was established to provide community input into the development of concept plans for the Edgewater Quarry Masterplan.

Should Council determine to approve the draft preferred concept plan for the purposes of community consultation, the City's consultation activities will be undertaken in line with the City's *Community Consultation Policy and Protocol*.

### **COMMENT**

The draft preferred concept plan, prepared by Taylor Burrell Barnett, was prepared based on the outcomes of the EQCRG workshops. The consultant team took into consideration the development aspirations identified by the EQCRG, the preferred inclusions and exclusion and opportunities and constraints.

The EQCRG agreed that the draft preferred concept plan:

- adopts a mix of land uses that are compatible with adjoining land uses
- minimises the impact of noise, traffic and other considerations on adjoining properties
- protects the valuable and sensitive environmental values of the site
- creates public spaces that are inviting and valued by the broader community
- provides a development solution that is cost neutral to the City.

### **VOTING REQUIREMENTS**

Simple Majority.

## **COMMITTEE RECOMMENDATION**

The committee recommendation to Council for Report CJ098-07/20 (as detailed below) was resolved by the Major Projects and Finance Committee at its meeting held on 9 March 2020.

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

## **RECOMMENDATION**

**That Council:**

- 1** NOTES that the Edgewater Quarry Community Reference Group accepted the draft preferred Edgewater Quarry Concept Plan forming Attachment 2 to Report CJ098-07/20 as representative of the agreed aspirations for the Edgewater Quarry Development;
- 2** ENDORSES the draft preferred Edgewater Quarry Concept Plan forming Attachment 2 to Report CJ098-07/20 for community consultation.

*Appendix 11 refers*

To access this attachment on electronic document, click here: [Attach11agn200721.pdf](#)

**REPORT – SPECIAL CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE – 14 JULY 2020**

**Disclosure of Financial / Proximity Interest**

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer.</b>
<b>Item No./Subject</b>	CJ099-07/20 - Confidential - Chief Executive Officer - Variation to Expiry of Contract of Employment.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Hunt holds the position of Chief Executive Officer.

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No./Subject</b>	CJ099-07/20 - Confidential - Chief Executive Officer - Variation to Expiry of Contract of Employment.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

**CJ099-07/20      CONFIDENTIAL - CHIEF EXECUTIVE OFFICER - VARIATION TO EXPIRY OF CONTRACT OF EMPLOYMENT**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	74574
<b>ATTACHMENT</b>	Attachment 1      Further Contract Variation – Contract of Employment as CEO of City of Joondalup
	<i>(Please Note: The Report and Attachment is Confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

*a matter affecting an employee or employees.*

A full report is provided to Elected Members under separate cover. The report is not for publication.

**REPORT OF THE CHIEF EXECUTIVE OFFICER****CJ100-07/20 ELECTED MEMBER TRAINING AND DEVELOPMENT SCHEDULE 2019-20**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	108612, 00427
<b>ATTACHMENTS</b>	Attachment 1 2019-20 Elected Member Training and Development Schedule.
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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**PURPOSE**

For Council to receive a report on the training and development undertaken by elected members during the 2019-20 financial year.

**EXECUTIVE SUMMARY**

With the introduction of new provisions contained within the *Local Government Legislation Amendment Act 2019*, local governments must prepare a report for each financial year on the training completed by elected members in that financial year. The report must be placed on the City's website within one month after the end of the financial year in which the report relates.

This report highlights the training development undertaken by elected members during the 2019-20 financial year, and details not only the mandatory training required under the Act, but also any conference and training events attended by elected members under the City's *Elected Members' Entitlement Policy*.

*It is therefore recommended that Council:*

- 1 *NOTES the training and development undertaken by Elected Members during the 2019-20 financial year, as detailed in Report CJ100-07/20;*
- 2 *NOTES the 2019-20 Elected Member Training and Development Schedule, as detailed in Attachment 1 to Report CJ100-07/20, will be placed on the City's website.*

## BACKGROUND

On 16 September 2019 and as part of the State Government's local government reform agenda, certain provisions of the *Local Government Legislation Amendment Act 2019* came into operation which implemented a range of reforms to the *Local Government Act 1995* (the Act) to deliver on the principles of improved governance, transparency and accountability. Improvements included the need for universal training for elected members, a mandatory code of conduct, chief executive officer employment and performance management standards, a revised gifts framework, and improved reporting and transparency to the community.

In terms of universal training for elected members as well as improved reporting and transparency to the community, new sections 5.126 and 5.127 of the Act were introduced around Elected Member training and reporting, as follows:

### ***“5.126. Training for council members***

- (1) *Each council member must complete training in accordance with regulations.*
- (2) *Regulations may —*
  - (a) *prescribe a course of training; and*
  - (b) *prescribe the period within which training must be completed; and*
  - (c) *prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and*
  - (d) *provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5 000 for the offence.*

### ***5.127. Report on training***

- (1) *A local government must prepare a report for each financial year on the training completed by council members in the financial year.*
- (2) *The CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates.”*

The *Local Government (Administration) Regulations 1996* prescribes the *Council Member Essentials* training as being the mandatory training (as per section 5.126(1) of the Act) that elected members must complete within their first 12 months of Office. The *Council Member Essentials* training consists of the following modules:

- Understanding Local Government.
- Serving on Council.
- Meeting Procedures.
- Conflicts of Interest.
- Understanding Financial Reports and Budgets.

To enable elected members to develop and maintain skills and knowledge relevant to their role, the City also has an *Elected Members' Entitlements Policy* that includes provisions around Elected Member attendance at conference and training events within Australia and overseas.



**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

Local government is a complex entity and makes significant decisions that affect the local government's continued sustainability and community outcomes. Like any board or management structure, it is imperative that elected members have the appropriate skills to be able to undertake their roles to the best of their ability. Such skills are enhanced through the training and development offered to elected members throughout their term of Office.

The Minister for Local Government and the WA State Parliament recognise the need for elected members to undertake continual professional development in fulfilling their role of public office. The introduction of mandatory training requirements into the Act and the need for local governments to adopt a policy in relation to elected member continual professional development, support these views.

It should also be noted that elected members may also be undertaking their own personal and professional development outside of the City's training and development offered by the City.

This is the first report the City has undertaken since the new provisions have come into effect. Without any clear guidance from the Department of Local Government, Sport and Cultural Industries around the reporting regime, improvements to the report may be needed in the future.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council:**

- 1 NOTES the training and development undertaken by Elected Members during the 2019-20 financial year, as detailed in Report CJ100-07/20;**
- 2 NOTES the 2019-20 Elected Member Training and Development Schedule, as detailed in Attachment 1 to Report CJ100-07/20, will be placed on the City's website.**

*Appendix 12 refers*

To access this attachment on electronic document, click here: [Attach12agn200721.pdf](#)



## **CJ101-07/20 APPOINTMENT OF AN ALTERNATE MEMBER TO MINDARIE REGIONAL COUNCIL**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	03149, 101515
<b>ATTACHMENT</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to appoint an alternate member to act on behalf of Mayor Albert Jacob, JP at the Special Council meeting to be held on 30 July 2020.

### **EXECUTIVE SUMMARY**

The Mindarie Regional Council (MRC) was established for the management of waste and comprises the following local governments:

- City of Joondalup
- City of Perth
- City of Stirling
- City of Wanneroo
- Town of Vincent
- Town of Victoria Park
- Town of Cambridge.

Each local government is represented on the MRC, with the City of Joondalup being represented by Cr Russ Fishwick, JP and Mayor Hon. Albert Jacob, JP.

Mayor Albert Jacob, JP due to meeting commitments on the City of Joondalup's Strategic Community Reference Group on 30 July 2020 will not be able to attend the MRC Special Council meeting scheduled to be held on the same night, at the City of Stirling commencing at 6.30pm. Previous legal advice requires that where the City is required to be represented in the absence of a nominated member to the MRC it must do so by specific resolution for a specified period.

*It is therefore recommended that Council:*

- 1 *In the absence of Mayor Albert Jacob, JP and in accordance with the provisions of section 52 of the Interpretation Act 1984, APPOINTS an elected member as an alternate member to act on behalf of Mayor Albert Jacob, JP and represent the City at the Special Council meeting of the Mindarie Regional Council to be held on 30 July 2020;*
- 2 *ADVISES the Mindarie Regional Council of its decision.*

## **BACKGROUND**

The Mindarie Regional Council (MRC) was established for the management of waste and comprises the following local governments:

- City of Joondalup
- City of Perth
- City of Stirling
- City of Wanneroo
- Town of Vincent
- Town of Victoria Park
- Town of Cambridge.

Each local government is represented on the MRC, with the City of Joondalup being represented by Cr Russ Fishwick, JP and Mayor Hon. Albert Jacob, JP.

## **DETAILS**

Mayor Albert Jacob, JP due to meeting commitments on the City of Joondalup's Strategic Community Reference Group on 30 July 2020 will not be able to attend the MRC Special Council meeting scheduled to be held on the same night, at the City of Stirling commencing at 6.30pm. Previous legal advice requires that where the City requires to be represented in the absence of a nominated member to the MRC it must do so by specific resolution for a specified period.

This advice indicated that there is no power for member Councils to appoint permanent deputies to the MRC. Consequently, if the City's appointed member to the MRC is unable to attend the meeting, a nominated deputy cannot just attend in his or her place. Instead, the City needs to appoint an alternate member to act in place of the member on each occasion when the member cannot attend.

## **Issues and options considered**

The options available to the Council are to:

- agree to appoint an alternate member to act on behalf of Mayor Albert Jacob, JP during his absence
- or
- not agree to appoint an alternate member.

## Legislation / Strategic Community Plan / policy implications

### Legislation

*Interpretation Act 1984.*

Section 52(1) and (2) of the *Interpretation Act 1984* states:

*“Where a written law confers a power or imposes a duty upon a person to make an appointment to an office or position, including an acting appointment, the person having such a power or duty shall also have the power:*

*Where a person so appointed to an office or position is suspended or unable, or expected to become unable, for any other cause to perform the functions of such office or position, to appoint a person to act temporarily in place of the person so appointed during the period of suspension or other inability but a person shall not be appointed to so act temporarily unless he is eligible and qualified to be appointed to the office or position; and*

*To specify the period for which any person appointed in exercise of such a power or duty shall hold his appointment.*

*For the purposes of subsection (1)(b), “cause” includes:*

- *Illness*
- *Temporary absence from the State*
- *Conflict of interest.*

*The key provisions, which create problems for the appointment of deputies, are the word ‘unable’ in subsection 1(b) and the requirement to specify the period of appointment in subsection 1(c)”.*

### Strategic Community Plan

#### Key theme

Governance and Leadership.

#### Objective

Strong leadership.

#### Strategic initiative

Seek out City representation on key external and strategic bodies.

#### Policy

Not applicable.

### Risk management considerations

The risk to the City of Joondalup is that if an alternate member is not appointed to represent the City in the absence of Mayor Albert Jacob, JP, then the City will not be fully represented and therefore not have its allocated voting rights on matters before the MRC.

### Financial / budget implications

Not applicable.

**Regional significance**

The Mindarie Regional Council is the primary Waste Management Authority for a number of metropolitan local government authorities. The City's representation at MRC meetings is of critical importance to the regional management of waste.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

It is considered to be of regional and strategic importance that Council exercises its ability to be represented at each and every meeting of the MRC. It is recommended that an alternate member be appointed to represent the City at the MRC Special Council meeting scheduled to be held on 30 July 2020, in Mayor Albert Jacob, JP, absence due to City of Joondalup meeting commitments.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council:**

- 1 In the absence of Mayor Albert Jacob, JP and in accordance with the provisions of section 52 of the Interpretation Act 1984, APPOINTS an elected member as an alternate member to act on behalf of Mayor Albert Jacob, JP and represent the City at the Special Council meeting of the Mindarie Regional Council to be held on 30 July 2020;**
- 2 ADVISES the Mindarie Regional Council of its decision.**

**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

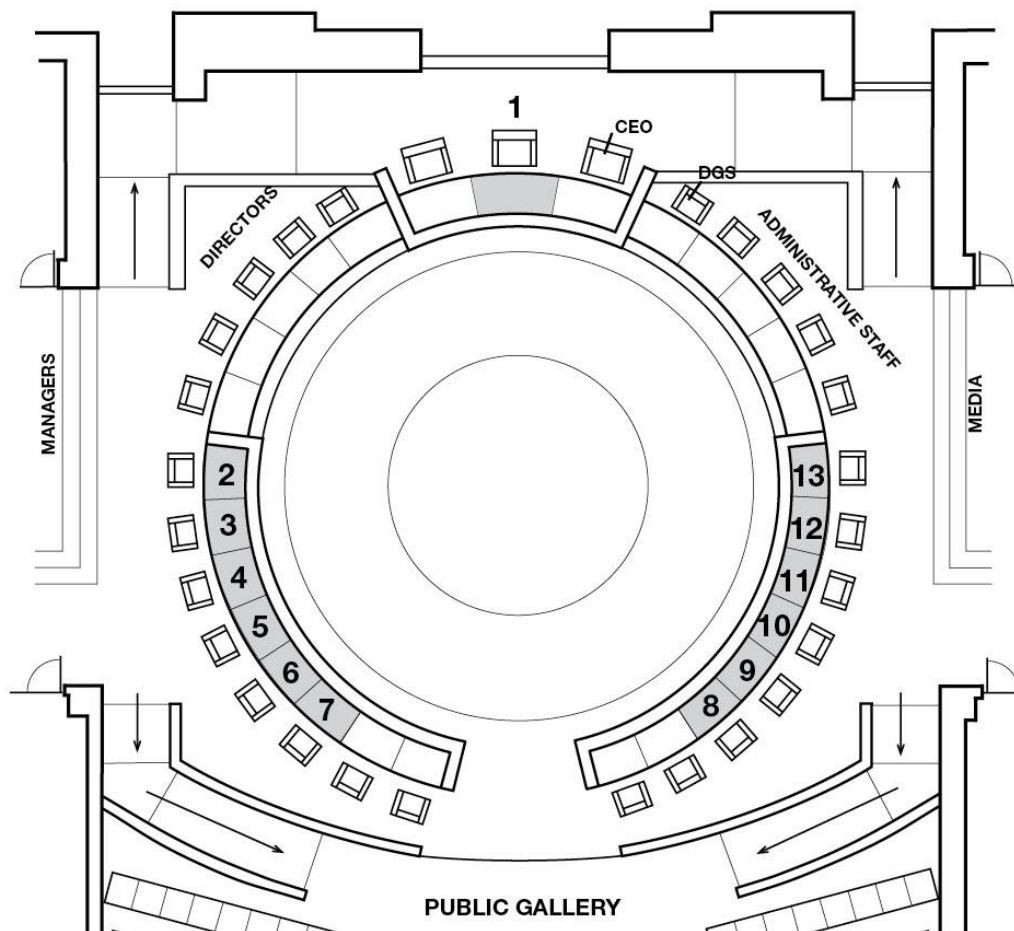
<b>Name/ Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Proximity Interest* Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

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

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

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

## 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 10/23)

### North-Central Ward

- 4 Cr Philippa Taylor (Term expires 10/21)
- 5 Cr Nige Jones (Term expires 10/23)

### Central Ward

- 6 Cr Christopher May (Term expires 10/21)
- 7 Cr Russell Poliwka (Term expires 10/23)

### South-West Ward

- 8 Cr Christine Hamilton-Prime (Term expires 10/21)
- 9 Cr John Raftis (Term expires 10/23)

### South-East Ward

- 10 Cr John Chester (Term expires 10/21)
- 11 Cr John Logan (Term expires 10/23)

### South Ward

- 12 Cr Russ Fishwick, JP (Term expires 10/21)
- 13 Cr Suzanne Thompson (Term expires 10/23)