

# minutes

## Ordinary Meeting of Council

MEETING HELD ON

TUESDAY 15 NOVEMBER 2022

### **Acknowledgement of Traditional Custodians**

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

*This document is available in alternate formats upon request*

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# CITY OF JOONDALUP

COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON TUESDAY 15 NOVEMBER 2022

## DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

## ANNOUNCEMENT OF VISITORS

### Mayor:

HON. ALBERT JACOB, JP

### Councillors:

CR TOM MCLEAN, JP	North Ward	<i>absent from 8.35pm to 8.37pm</i>
CR ADRIAN HILL	North Ward	<i>absent from 8.06pm to 8.08pm</i>
CR NIGE JONES	North Central Ward	
CR DANIEL KINGSTON	North Central Ward	
CR RUSSELL POLIWKA	Central Ward	<i>to 8.27pm</i>
CR CHRISTOPHER MAY	Central Ward	
CR SUZANNE THOMPSON	South Ward	<i>to 8.24pm</i>
CR RUSS FISHWICK, JP	South Ward	
CR JOHN RAFTIS	South-West Ward	
CR CHRISTINE HAMILTON-PRIME, JP	South-West Ward	
CR JOHN LOGAN	South-East Ward	<i>absent from 7.03pm to 7.07pm</i>
CR JOHN CHESTER	South-East Ward	

### Officers:

MR JAMES PEARSON	Chief Executive Officer	
MR JAMIE PARRY	Director Governance and Strategy	
MR CHRIS LEIGH	Director Planning and Community Development	
MR NICO CLAASSEN	Director Infrastructure Services	
MR MAT HUMFREY	Director Corporate Services	
MR MICHAEL HAMLING	Manager Operation Services	<i>to 8.30pm</i>
MS SHEREE EDMONDSON	Manager Asset Management	<i>to 8.30pm</i>
MRS REBECCA MACCARIO	Manager Strategic and Organisational Development	<i>to 8.30pm</i>
MRS KYLIE BERGMANN	Manager Governance	
MR STUART McLEA	Media and Communications Officer	<i>to 8.35pm</i>
MRS VIVIENNE STAMPALIJA	Governance Coordinator	
MRS DEBORAH GOUGES	Governance Officer	
MS AVRIL SCHADENDORF	Governance Officer	
MR CONNOR TILBURY	Acting Governance Officer	<i>to 7.26pm</i>

There were nine members of the public and no members of the press in attendance.

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

### Disclosures of Interest affecting Impartiality

Elected Members (in accordance with clause 22 of Schedule 1 of the *Local Government [Model Code of Conduct] Regulations 2021*) 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 their interest.

<b>Name / Position</b>	<b>Cr John Chester.</b>
<b>Item No. / Subject</b>	CJ186-11/22 - Corporate Business Plan 2022–2026 Quarter 1 Report and Quarterly Capital Works Reports.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Chester is a member of two Committees involved in the management of the Yellagonga Regional Park.

<b>Name / Position</b>	<b>Cr Daniel Kingston.</b>
<b>Item No. / Subject</b>	CJ186-11/22 - Corporate Business Plan 2022–2026 Quarter 1 Report and Quarterly Capital Works Reports.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Kingston is the secretary of the Friends of Yellagonga Regional Park. A family member of Cr Kingston is a member of the executive committee of the association.

<b>Name / Position</b>	<b>Cr John Logan.</b>
<b>Item No. / Subject</b>	CJ186-11/22 - Corporate Business Plan 2022–2026 Quarter 1 Report and Quarterly Capital Works Reports.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Logan is a member of the Friends of Yellagonga, an interested party in management plans for Yellagonga Regional Park.

<b>Name / Position</b>	<b>Cr Christopher May.</b>
<b>Item No. / Subject</b>	CJ189-11/22 - Community Funding Program 2022-23 Round One.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Committee members of Mullaloo Boardriders Club are known to Cr May.

<b>Name / Position</b>	<b>Mayor Hon. Albert Jacob, JP.</b>
<b>Item No. / Subject</b>	CJ190-11/22 - Tender 030/22 Provision of Electrical Services and New Electrical Installations to the value of \$50,000 Excluding Street Lighting.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Jacob's brother and sister-in-law are the Directors of MMJ Electrical, one of the tenderers.

<b>Name / Position</b>	<b>Cr John Chester.</b>
<b>Item No. / Subject</b>	CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Chester is a member of the Tamala Park Regional Council.

<b>Name / Position</b>	<b>Cr Nige Jones.</b>
<b>Item No. / Subject</b>	CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Jones is on the Tamala Park Regional Council Committee.

<b>Name / Position</b>	<b>Mr Nico Claassen, Director Infrastructure Services.</b>
<b>Item No. / Subject</b>	CJ193-11/22 - Property Management Framework Review.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Director Claassen's wife is an employee of Silver Chain, a current lessee of a City facility.

<b>Name / Position</b>	<b>Cr Daniel Kingston.</b>
<b>Item No. / Subject</b>	CJ194-11/22 - Draft Weed Management Plan 2022-2032.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Kingston is the secretary of the Friends of Yellagonga Regional Park. A family member of Cr Kingston is a member of the executive committee of the association.

<b>Name / Position</b>	<b>Cr John Logan.</b>
<b>Item No. / Subject</b>	CJ194-11/22 - Draft Weed Management Plan 2022-2032.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Logan is a member of the Friends of Yellagonga which has an interest in weed management in Yellagonga Regional Park.

## PUBLIC QUESTION TIME

The following written questions were submitted prior to the Council meeting:

**M Kwok, Ocean Reef:**

*Re: CJ194-11/22 Draft Weed Management Plan.*

*Q1 How many submissions did the City receive from community consultation on the 2016 draft Weed Management Plan?*

*A1 The draft Weed Management Plan 2016 was available for public comment from 10 October to 31 October 2016, 22 submissions were received.*

*Q2 Will the community consultation be exclusively for electors of the City of Joondalup or does it go out to the general public?*

*A2 The community consultation will be open to all members of the public.*

*Q3 What level of responses from the community consultation on the draft Weed Management Plan 2022-2032, would be considered significant enough for the City to recommend Council to support community wishes?*

A3 As per the City of Joondalup's Community Consultation Policy, the City of Joondalup recognises the importance of effective, transparent and accessible community consultation in ensuring feedback from the community is considered as part of the City's decision-making processes. Community consultation informs, but does not replace, the decision-making role of the City and the Council. A full report on the outcomes of the community consultation will be provided to Council.

Q4 *Is it a breach in the Local Law for the public to tamper with Glyphosate caution signage?*

A4 When spraying in a public place it is required by the *Health (Pesticides) Regulations 2011* to display a sign while applying the pesticide and until the pesticide has dried. The Regulations do not make it an offence for a member of the public to tamper with signage.

The City of Joondalup does not have a local law relating to members of the public tampering with "glyphosate caution signage", however the signage displayed by a pest controller would be the property of the pest controller and tampering with someone else's property would likely be an offence.

Q5 *Does the Public Health Act 2011 cover animals?*

A5 To clarify, the Health Act can be referred to the *Health Act 1911* or the *Health (Miscellaneous Provisions) Act 1911*. The *Public Health Act 2016* will eventually replace these. It is therefore assumed the question is referring to the *Health (Pesticides) Regulations 2011* which are amended from time to time but are still referred to as the *Health (Pesticides) Regulations 2011*.

The *Health (Pesticides) Regulations 2011* and the objects and principles of the *Public Health Act 2016* are for the protection of human health. The Australian Pesticides and Veterinary Medicines Authority consider the impacts to human health and animals and determines the pesticide labelling requirements accordingly.

### **M Sideris, Mullaloo:**

Re: *City of Joondalup Coastal Monitoring 2021-22 Data Report R1668 – Pinnaroo Point Café.*

Q1 *Referring to the recently published City of Joondalup Coastal Monitoring 2021-22 Data Report R1668 that identified Pinnaroo Point had receded substantially (changes up to 10 m) over the last year and worsened since the previous period.*

*Please advise when the City of Joondalup Pinnaroo Point Coastal Hazard Risk Management and Adaptation Planning Report R788 Rev 1 July 2016 will be updated, in order to meet the review trigger requirements of SPP 2.6 Clause 5.5 (iv) to ensure this CHRMAP remains current and relevant?*

A1 As answered at the October 2022 Council meeting, as per the Department of Planning, Lands and Heritage's *Coastal Hazard Risk Management and Adaptation Planning Guidelines* future revision and updates of *Coastal Hazard Risk Management and Adaptation Plans* (CHRMAP) can be coordinated to coincide with local planning strategies and schemes, the release of IPCC assessment reports, legislation, policy and policy guideline change.

Partial review and amendments may be applicable, based on matters such as annual monitoring and ongoing suitability of implementation of risk management measures and triggers. Whilst the information provided in the *City of Joondalup Coastal Monitoring 2021-22 Report* details an increase in shoreline movement within the Pinnaroo Point area, the City's consultants have not recommended a review of the CHRMAP, however recommendations have been made regarding management actions such as an increase in sand bypassing to address the erosion issues.

Q2 *Referring to the recently published City of Joondalup Coastal Monitoring 2021-22 Data Report R1668 that identified Pinnaroo Point had receded substantially (changes up to 10 m) over the last year and worsened since the previous period.*

*Please advise if the City has advised the DPLH and the WAPC that in accordance with SPP 2.6 Clause 5.5 (iv) to ensure CHRMAPs remain current and relevant, that the City of Joondalup Pinnaroo Point Coastal Hazard Risk Management and Adaptation Planning Report R788 Rev 1 July 2016 as previously submitted and relied upon by the WAPC and SPC decision making process is no longer current, and requires urgent updating in order to remain relevant?*

A2 Whilst the *City of Joondalup Coastal Monitoring 2021-22 Data Report R1668 Rev 1, May 2022* identifies that Pinnaroo Point has receded substantially over the past year, the City does not deem this information to significantly modify the understanding of the coastal hazards and therefore the *City of Joondalup Pinnaroo Point Coastal Hazard Risk Management and Adaptation Planning Report R788 Rev 1, July 2016* does not require updating at present.

Q3 *Referring to the recently published City of Joondalup Coastal Monitoring 2021-22 Data Report R1668 that identified Pinnaroo Point had receded substantially (changes up to 10 m) over the last year and worsened since the previous period.*

*Please advise if the City has advised the Lot 501 sub-lease that in accordance with SPP 2.6 Clause 5.5 (iv) to ensure CHRMAPs remain current and relevant and that the City of Joondalup Pinnaroo Point Coastal Hazard Risk Management and Adaptation Planning Report R788 Rev 1 July 2016 requires an urgent update, is no longer current and cannot be relied upon for any proposed development?*

A3 Whilst the *City of Joondalup Coastal Monitoring 2021-22 Data Report R1668 Rev 1, May 2022* identifies that Pinnaroo Point has receded substantially over the past year, the City does not deem this information to significantly modify the understanding of the coastal hazards and therefore the *City of Joondalup Pinnaroo Point Coastal Hazard Risk Management and Adaptation Planning Report R788 Rev 1, July 2016* does not require updating at present.

The annual *Joondalup Coastal Monitoring Reports* are publicly available via the City's website.

Re: *Legal Services – Civic Legal Pty Ltd.*

Q4 *Can the City advise and list, payment by payment, the specific Legal Services being provided by the self-declared Boutique Civic Legal Pty Ltd, payments which included one payment of \$79,750?*

A4 Payments made to Civic Legal during 2022 (all amounts include GST):



- \$14,300; \$14,602.50; \$79,750; \$2,557.50; \$7,807.25 – confidential misconduct matter
- \$1,255.65 – licence to enter shopping centre property to undertake works
- \$275 – 2022 audit letter for confirmation of works undertaken

*Re: CJ182-10/22 - Confidential - Salary Review – Chief Executive Officer.*

*Q5 Can the City please provide a complete and detailed breakdown of the total remuneration package, including all benefits and allowances for the Chief Executive Officer?*

*A5 The Chief Executive Officer's total rewards package is \$381,107 inclusive of all cash and non-cash components, superannuation (10.5% mandatory superannuation) and fringe benefits tax. No values are assigned other than the cash and superannuation components.*

**A Taylor, Iluka:**

*Re: CJ194-11/22 - Draft Weed Management Plan 2022-2032.*

*Q1 I would like to address an issue regarding the City's proposed Weed Management Plan. Given the known health risks to the residents, animals and to the people applying chemical weed control, why would the Council not embrace safer alternatives?*

*Q2 Is it all down to cost?*

*A1&A2 The Australian Pesticides and Veterinary Medicines Authority (APVMA) is the Australian Government statutory agency responsible for the management and regulation of all agricultural and veterinary chemical products in Australia. Label instructions are regulated by the APVMA and designed to ensure the safe use of chemicals registered with the APVMA, this includes during and after application. The APVMA advises that products containing glyphosate are safe to use in areas which will be later used by people and animals provided the label instructions are followed. As outlined in Section 4.0 of the draft Weed Management Plan the City complies with regulations and implements a number of initiatives to maximise safety and minimise risk to staff and the community in regard to chemical weed control.*

As detailed in the draft Weed Management Plan, the City undertakes an integrated weed management approach to its weed control in public open spaces including use of a variety of mechanical, suppression, chemical-free and chemical (herbicide) application methods, as well as hand weeding. In determining the appropriate weed control method(s) for a given situation the City takes the following into consideration:

- The target weed.
- The season.
- Timing (such as; before weeds set seed).
- Resistance of the weed to specific herbicides.
- Potential residual effects and damage to off-target species.
- Rotation of the type of herbicide used to reduce herbicide resistance.
- Selection of the least toxic herbicide for the target species.
- Site location and any special considerations (such as; near wetlands).
- Weather conditions (such as; rain and wind).
- Effectiveness of outcomes, labour intensity required and cost involved.

**B Gould, Iluka:**

Re: *CJ194-11/22 - Draft Weed Management Plan 2022-2032.*

Q1 *With such positive responses from the public regarding the introduction of steam and weed seeker technology, will the City be expanding these services into the suburbs and parks?*

A1 The City has already incorporated the use of steam and hot water in the City's 220 playspaces within public open spaces. Additionally, the City's contractors, where appropriate, will use weed seeker technology within the City's public open spaces.

Q2 *How many weed seeker machines are in operation in the City of Joondalup?*

A2 The City's chemical weed contractor utilises weed seeker technology where appropriate and determines the number of machines required to undertake the work.

Q3 *What are the issues that have made the City decide to ignore the residents' petition to extend caution signage for glyphosate use longer than the minimum 2 hours?*

A3 The City has not ignored the petition submitted in relation to glyphosate advisory signage being left in place for a minimum of 24 hours. The substance of this petition was considered as part of the City's review of its Weed Management Plan which is currently before Council to consider releasing for public consultation. The petition will be further addressed when the outcomes of the community consultation process are presented to Council early in 2023.

Q4 *With regards to safe use according to the manufacturer's directions. Where is the data on long term use in the environment for humans, pets and insects and the eco system and the effects in the long term?*

A4 This is not a matter for the City to determine and as such the City is guided by expert advice of regulatory agencies such as the APVMA and the Department of Health.

Q5 *When there are so many alternatives available, how can a Council justify following the 2011 Health Act using this toxic product?*

A5 To clarify, the Health Act can be referred to the *Health Act 1911* or the *Health (Miscellaneous Provisions) Act 1911*. The *Public Health Act 2016* will eventually replace these. It is therefore assumed the question is referring to the *Health (Pesticides) Regulations 2011* which are amended from time to time but are still referred to as the *Health (Pesticides) Regulations 2011*. The *Health (Pesticides) Regulations 2011* contain requirements to minimise public health risks associated with the use of pesticides in WA.

Additionally, as detailed in the draft Weed Management Plan, the City undertakes an integrated weed management approach to its weed control in public open spaces including use of a variety of mechanical, suppression, chemical-free and chemical (herbicide) application methods, as well as hand weeding.

The City's integrated weed management approach is conducted in accordance with regulatory requirements and with consideration to community wellbeing and public health. The City's use of any chemical pesticides to control weeds is in accordance with established health and safety standards. The WA Department of Health administers the *Health (Pesticides) Regulations 2011*, which provide for the safe use and application of pesticides, including herbicides, through appropriate registration and licensing of businesses and persons involved in weed control.

As part of the development of the draft Weed Management Plan 2022 – 2032 the City has sought advice from the relevant state government departments as well as industry experts. The City has received advice from the Department of Health which states that glyphosate products that are registered with APVMA are safe when used in accordance with the label instructions.

*Cr Logan left the Chamber at 7.03pm.*

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

**G Stickland, Padbury:**

*Re: City of Joondalup Youth Anchor Program.*

*Q1 Can the City please advise what are costs to deliver the City's Youth Anchor Program?*

*A1 The Director Planning and Community Development advised the question will be taken on notice so that a comprehensive answer can be provided.*

*Q2 Can the City please advise what is the number of young people who participate in the Youth Anchor Program?*

*A2 The Director Planning and Community Development advised the question will also be taken on notice and response provided to the resident.*

**B Hewitt, Edgewater:**

*Re: Legal Services – Civic Legal Pty Ltd.*

*Q1 In relation to the response provided by the City regarding payments made to Civic Legal during 2022 and the spending of \$119,000 on a confidential misconduct matter. Can the City please advise under what Act this alleged misconduct is being investigated?*

*A1 The Chief Executive Officer advised that further information cannot be provided at this time, given that the matter is still active. However, once the matter is finalised, a generalised report is proposed to be provided to the Audit and Risk Committee.*

*Q2 Is it anticipated that a sum equal to what has been paid to Civic Legal already will be spent in the near future?*

*A2 The Chief Executive Officer advised there will be ongoing costs until the matter is finalised, at which point the Audit and Risk Committee will be briefed on the associated costs in line with existing practice.*

**M Kwok, Ocean Reef:**

*Re: CJ185-11/22 – Setting of 2023 Council Meeting Dates.*

*Q1 Are there any details of when the Annual General Meeting of Electors is going to be held?*

*A1 The Director Governance and Strategy advised that the date for the Annual General Meeting will be considered as soon as possible. The City is waiting on the audit report for the 2021-22 Financial Statements. Once this report is received the documents will be submitted to Council for consideration. At this time the Annual General Meeting will be scheduled in line with legislation.*

*Re: CJ194-11/22 - Draft Weed Management Plan 2022-2032.*

*Q2 When will the Draft Weed Management Plan 2022-2032 come back to Council after public consultation?*

*A2 The Director Infrastructure Services advised that it is anticipated the Draft Weed Management Plan 2022-2032 and consultation report will be presented to the March Council Meeting.*

*Cr Logan entered the Chamber at 7.07pm.*

**B Gould, Iluka:**

*Re: CJ194-11/22 - Draft Weed Management Plan 2022-2032.*

*Q1 Clearly the community has significant concerns relating to the potential health impacts of the use of glyphosate for weed control. The Director Infrastructure Services stated last week at the Briefing Session that compliance and adherence to WA Health Guidelines for chemical use means that they are taking appropriate measures to mitigate risk. The guidelines referenced are 2011, since this time numerous class actions in Australia relating to the use of glyphosate and adverse impacts have been recorded and would be known by the Council.*

*If a class action was taken against the City, can ratepayers be assured that a potential multimillion dollar settlement would not impact on rates in the future?*

*A1 The Director Infrastructure Services advised the Health (Pesticides) Regulations 2011 is amended from time to time and last updated in 2019. The best position the City can be in is to follow the advice from the Australian Pesticides and Veterinary Medicines Authority (APVMA) and the Department of Health. In adhering to label instructions and the Department of Health regulations, the City is in the best position to defend any potential claim that there might be against the City.*

*Q2 It was mentioned by the Director Infrastructure Services at the Briefing Session in relation to risk assessment on liability, that it is important that the City abides by the Australian requirements, stating that “it is riskier if we start listening to other various aspects”. What is meant by this statement?*

*A2 The Director Infrastructure Services advised that there is a lot of potential misinformation in relation to this matter and the best position for the City is to adhere to the guidelines of the regulators being APVMA and the Department of Health.*

## PUBLIC STATEMENT TIME

The following summarised statements were submitted verbally at the Council Meeting:

**M Kwok, Ocean Reef:**

*Re: CJ194-11/22 - Draft Weed Management Plan 2022-2032.*

Ms Michele Kwok expressed concerns in relation to the draft Weed Management Plan 2022- 2032. Ms Kwok referred to the recommendations from the National Environmental Health Forum, in 1997, to "...*ideally apply pesticides during school holidays, otherwise on Friday – after school or on weekends*". Ms Kwok emphasised the difference between spraying an area that is empty for days, versus spraying in an open public space.

Ms Kwok suggested that Council consider more chemical free dog parks to appease the concerns of dog-owners. Ms Kwok also proposed that caution signage include written explanation that signage is for 24 hours and there will be implications for tampering.

Ms Kwok compared the use of full Personal Protective Equipment (PPE) by farmers when working with pesticides, to the 161,000 people in the City of Joondalup being exposed to the same chemical in a similarly sized area.

Ms Kwok urged Council to consider the moral obligation to protect workers and residents within the community.

**T Schaafsma, Iluka:**

*Re: CJ194-11/22 - Draft Weed Management Plan 2022-2032.*

Mr Terry Schaafsma spoke in opposition to the use of glyphosate in weed management by referring to the City of Subiaco, being one of the first Western Australian local governments to eliminate the use of glyphosate within their district. Mr Schaafsma explained that the City of Subiaco manages weed control using a chemical free saturated steam process, a safe and effective alternative which keeps City parks, roads and verges weed free.

Mr Schaafsma informed Council that steam-weeding has been used as a safe alternative since 2020 and includes benefits such as; reduction of health risks for operators, safe use in areas shared by children, pets and wildlife, and causes no contamination of soil, waterways and catchment areas.

Mr Schaafsma urged the City of Joondalup to move "full steam ahead" with this safer approach to weed management.

**B Hewitt, Edgewater:**

*Re: CJ194-11/22 - Draft Weed Management Plan 2022-2032.*

Ms Beth Hewitt expressed a strong preference for physical weeding rather than chemical weed management, explaining that her manual weeding of Hilltop Park in Edgewater has produced better outcomes in comparison to the City's approach.

Ms Hewitt requested Council to personally view and consider Hilltop Park as an example of the effects of physical weeding, before the spread of seeds. Ms Hewitt stated that half of the area at Hilltop Park, which she had personally cleared the previous winter, had resulted in fewer weeds developing over the course of the following year.

## **APOLOGIES AND LEAVE OF ABSENCE**

### **Leave of Absence Previously Approved**

Cr John Logan	18 to 27 November 2022 inclusive.
Cr Nige Jones	29 November to 6 December 2022 inclusive.
Cr John Raftis	19 to 31 December 2022 inclusive.

### **C130-11/22            REQUESTS FOR LEAVE OF ABSENCE – CRS FISHWICK, MAY AND HAMILTON-PRIME**

**MOVED Cr McLean, SECONDED Cr Logan that Council APPROVES the following requests for Leave of Absence from Council duties for:**

- 1        Cr Hamilton-Prime covering the period 17 November to 1 December 2022 inclusive;**
- 2        Cr Hamilton-Prime covering the period 7 December to 31 December 2022 inclusive;**
- 3        Cr Fishwick covering the period 8 December to 31 December 2022 inclusive;**
- 4        Cr May covering the period 21 December 2022 to 6 January 2023 inclusive.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

## **CONFIRMATION OF MINUTES**

### **C131-11/22            MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 18 OCTOBER 2022**

**MOVED Cr Hamilton-Prime, SECONDED Cr Jones that the Minutes of the Ordinary meeting of Council held on 18 October 2022 be CONFIRMED as a true and correct record.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

## ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

### Behaviour reminder

Mayor Jacob reminded members of the public gallery that it is a requirement under the *Meeting Procedures Local Law* to act in a courteous and respectful manner when in the Council Chamber.

Mayor Jacob asked members of the public to show respect to anyone who is exercising their right to ask questions of the Council and/or deliver public statements.

Mayor Jacob asked that respect is extended to such people whenever they are on City premises, while waiting for, or having taken, their opportunity to ask questions or deliver a public statement.

Mayor Jacob advised that under the Local Law, a person must not create a disturbance by interrupting or interfering with the orderly conduct of proceedings. This includes expressing approval or dissent, by conversing or by any other means.

Mayor Jacob reminded members of the public to show proper respect to the City's Elected Members and staff during proceedings.

### Celebrating our First Nations people

Mayor Jacob announced that the City of Joondalup has partnered with Perth Festival to bring the world premiere of *Djoondal* to the banks of Lake Joondalup in February 2023.

Mayor Jacob advised that over three nights, this commissioned work will open event Australia's longest-running multi-arts festival, using cutting-edge technology and ancient storytelling to tell the story of *Djoondal*, the spirit woman with the long white hair who is said to have created the Milky Way above and whose connection to the area gave Joondalup its name.

Mayor Jacob noted that audiences of all ages are invited to attend the three performances from Friday 10 February to Sunday 12 February, adding that spectator entry is free.

Mayor Jacob informed that the area surrounding Lake Joondalup was, and continues to be, a very important place for the Mooro Noongar people and is a fitting location to host an event of this magnitude as we celebrate the culture, history and achievements of our First Nations people.

Mayor Jacob advised that later this month, the City of Joondalup will also celebrate Kambarang – a farewell to the Noongar season of abundance – with a free concert at Greenwood's Penistone Park on Sunday 27 November, adding that the concert features Richard Walley's Six Seasons and the Junkadelic Orchestra, the **four-hour concert**, suitable for all ages, will feature a collection of original songs for the six Noongar seasons - Makuru, Djilba, Kambarang, Birak, Bunuru and Djeran.

Mayor Jacob stated the multicultural 16-piece band features Dr Walley on didgeridoo and some of Perth's best vocalists with different musical genres telling the story of the seasons - including blues, choral, jazz, reggae, funk, rock and hip-hop. Full details at [joondalup.wa.gov.au](http://joondalup.wa.gov.au)

### Cyber focus at City's business forum

Mayor Jacob announced that with cyber security front of mind for individuals and organisations alike, the City of Joondalup has partnered with AustCyber and the WA AustCyber Innovation Hub to deliver its second business forum of 2022.

Mayor Jacob informed that the recent high-profile cyber attacks on major Australian institutions has highlighted how important it is for our 13,000 businesses and community members to do all they can to protect themselves from potential cyber attacks, adding that AustCyber will share key findings from the 2022 Sector Competitiveness Plan, while a panel of industry experts will discuss Western Australia's place in the globally competitive cybersecurity sector.

Mayor Jacob advised that part of the National Cyber Week event series, this free event will be held at Joondalup Resort tomorrow morning.

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

- CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings.

C132-11/22

### **MOTION TO CHANGE THE ORDER OF BUSINESS**

**MOVED** Mayor Jacob, **SECONDED** Cr Poliwka that Council, in accordance with clause 14.1 of the *City of Joondalup Meeting Procedures Local Law 2013*, suspends the operation of clause 4.3 – Order of Business of the *City of Joondalup Meeting Procedures Local Law 2013*, to enable the consideration of:

- 1 CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings;

to be discussed after "Motions of which previous notice has been given".

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

## **PETITIONS**

### **PETITION IN RELATION TO THE CITY OF JOONDALUP ADOPTING A POLICY ALLOWING DOG ACCESS TO THE FORESHORE**

A 26 signature petition has been received from residents of the City of Joondalup regarding the City adopting a policy allowing dog access to the foreshore. The petition requests that all of the foreshore be designated as available to dogs as 'on-leash or off-leash' unless designated for good reason as a prohibited beach (because of an existing recreational use) or an unsafe area.



**C133-11/22**

**PETITION IN RELATION TO THE CITY OF JOONDALUP ADOPTING  
A POLICY ALLOWING DOG ACCESS TO THE FORESHORE**

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

- 1** Petition in relation to the City of Joondalup adopting a policy allowing dog access to the foreshore.

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*The Governance Officer left the Chamber at 7.26pm.*

## REPORTS

### CJ183-11/22 DEVELOPMENT AND SUBDIVISION APPLICATIONS – SEPTEMBER 2022

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Chris Leigh Planning and Community Development
<b>FILE NUMBER</b>	07032, 101515
<b>ATTACHMENTS</b>	Attachment 1 Monthly Development Applications Determined – September 2022 Attachment 2 Monthly Subdivision Applications Processed – September 2022
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’)

#### PURPOSE

For Council to note the number and nature of applications considered under delegated authority during September 2022.

#### 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 September 2022 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during September 2022 (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 28 June 2022 (CJ092-06/22 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 September 2022 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	2	2
Strata subdivision applications	5	6
<b>TOTAL</b>	<b>7</b>	<b>8</b>

Of the subdivision referrals, three were to subdivide in housing opportunity areas, with the potential for four additional lots.

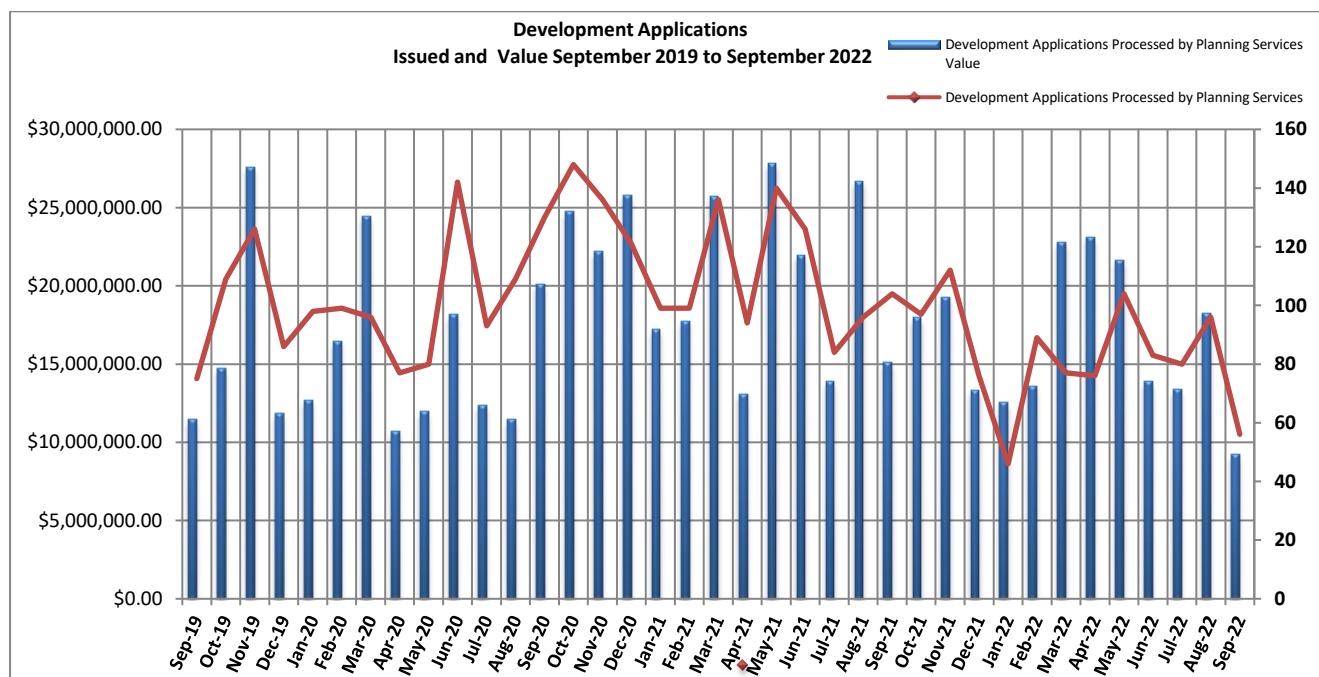
### Development applications

The number of development applications determined under delegated authority during September 2022 is shown in the table below:

	Number	Value (\$)
Development applications processed by Planning Services	56	\$9,247,329

Of the 56 development applications, eight were for new dwelling developments in housing opportunity areas, proposing a total of 14 additional dwellings.

The total number and value of development applications determined between September 2019 and September 2022 is illustrated in the graph below:



The number of development applications received during September 2022 was 90.

The number of development applications current at the end of September was 222. Of these, 24 were pending further information from applicants and 5 were being advertised for public comment.

In addition to the above, 248 building permits were issued during the month of September with an estimated construction value of \$27,956,135.

### **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.*

### **10-Year Strategic Community Plan**

**Key theme** Place.

**Outcome** Well-planned and adaptable – you enjoy well-designed, quality buildings and have access to diverse housing options in your neighbourhood.

**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 56 development applications were determined for the month of September with a total amount of \$33,995.17 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.

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

- 1 Development applications described in Attachment 1 to Report CJ183-11/22 during September 2022;**
- 2 Subdivision applications described in Attachment 2 to Report CJ183-11/22 during September 2022.**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of C135-11/22, page 78 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf221108.pdf](#)*

**CJ184-11/22 MINUTES OF REGIONAL COUNCIL MEETINGS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	41196, 03149, 101515
<b>ATTACHMENT</b>	Attachment 1 Tamala Park Regional Council – Special Council Meeting Minutes – 29 September 2022 Attachment 2 Mindarie Regional Council – Ordinary Council Meeting Minutes – 29 September 2022

*(Please note: These minutes are only available electronically).*

<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').
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**PURPOSE**

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

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Special Minutes of the Tamala Park Regional Council meeting held on 29 September 2022.
- Ordinary Minutes of the Mindarie Regional Council meeting held on 29 September 2022.

**DETAILS****Tamala Park Regional Council Special Council Meeting – 29 September 2022**

A special meeting of the Tamala Park Regional Council was held on 29 September 2022.

At the time of this meeting Cr John Chester and Cr Nige Jones 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 (Attachment 1 refers).

**Mindarie Regional Council Ordinary Council Meeting – 29 September 2022**

An ordinary meeting of the Mindarie Regional Council was held on 29 September 2022.

At the time of this meeting Hon. Mayor Albert Jacob and Cr Christopher May were Council's representatives at the Mindarie 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 (Attachment 2 refers).

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

**Legislation** Not applicable.

**10-Year Strategic Community Plan**

**Key theme** Leadership.

**Outcome** Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

**Policy** Not applicable.

**Risk Management Considerations**

Not applicable.

**Financial / Budget Implications**

Not applicable.

**Regional Significance**

Not applicable.

**Sustainability Implications**

Not applicable.

**Consultation**

Not applicable.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 the special meeting of the Tamala Park Regional Council held on 29 September 2022 forming Attachment 1 to Report CJ184-11/22;**
- 2 the ordinary meeting of the Mindarie Regional Council held on 29 September 2022 forming Attachment 2 to Report CJ184-11/22.**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of C135-11/22, page 78 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*To access this attachment on electronic document, click here: [RegionalMinutesbrf221108.pdf](#)*



## CJ185-11/22      SETTING OF 2023 COUNCIL MEETING DATES

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	08122, 101515
<b>ATTACHMENT</b>	Attachment 1      Option 1 – 2023 Meeting Dates Overview Attachment 2      Option 2 – 2023 Meeting Dates Overview
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### PURPOSE

For Council to set its meeting dates for the 2023 calendar year.

### EXECUTIVE SUMMARY

In accordance with the *Local Government Act 1995*, it is necessary for a local government to give local public notice of its Ordinary Council Meeting dates for the upcoming 12 months.

The following two options are being presented to Council for its consideration:

- Option 1 – the proposed schedule of meeting dates for 2023 being Strategy Sessions (first Tuesday), Briefing Sessions (second Tuesday) and Council meetings (third Tuesday) of the month, this meeting cycle has been established since 2009 (Attachment 1 refers).
- Option 2 – the establishment of a new schedule with Strategy Sessions (first Tuesday), Briefing Sessions (third Tuesday) and Council meetings (fourth Tuesday) of the month. This proposed schedule will allow for Finance reports relating to the List of Payments and Financial Activity Statement to be reported for the prior month (for the majority of meetings) as per the City's auditor's request (Attachment 2 refers).

It should be noted that with both options there are scheduling constraints that will need to be considered, and these constraints are further explained in this report.

### BACKGROUND

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

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

In prior years the following changes to the meeting schedule has been factored into the setting of meeting dates:

- The June Council meeting held on the fourth Tuesday of the month to allow for Elected Members to attend the Australian Local Government Association (ALGA) Annual National General Assembly Conference, if they so wish.
- The August Council meeting has a commencement time of 12.00 noon to enable attendance and participation by high school students.
- The December meetings have been scheduled one week earlier to accommodate the Christmas holiday break.

## DETAILS

Council is in recess during January each year, and meetings are set from February to December, to be held on a Tuesday evening.

It was recognised during 2022 that meetings held directly after a public holiday were logistically difficult for administration to process residents' deputations, written questions and officer's responses on the same day as the meeting.

Where possible in both Option 1 and 2 Briefing Sessions and Council Meetings have not been scheduled after a public holiday.

### Issues and options considered

Option 1 - is for Council to continue with the established meeting cycle being Strategy Sessions (first Tuesday), Briefing Sessions (second Tuesday) and Council Meetings (third Tuesday) of the month. Subject to the following scheduling constraints:

- The June Council meeting be held on the fourth Tuesday of the month to allow for Elected Members to attend the ALGA Annual National General Assembly Conference in Canberra during the third week of the month.
- The August Council meeting has a commencement time of 12.00 noon to enable attendance and participation by high school students.
- The December meetings have been scheduled one week earlier to accommodate the Christmas holiday break.

The proposed meeting dates for 2023 for Option 1 are as follows:

Briefing Sessions To be held at 6.30pm in the Council Chamber	Council meetings To be held in the Council Chamber
Tuesday 14 February 2023	7.00pm on Tuesday 21 February 2023
Tuesday 14 March 2023	7.00pm on Tuesday 21 March 2023
Tuesday 11 April 2023	7.00pm on Tuesday 18 April 2023
Tuesday 9 May 2023	7.00pm on Tuesday 16 May 2023
Tuesday 13 June 2023	7.00pm on Tuesday 27 June 2023
Tuesday 11 July 2023	7.00pm on Tuesday 18 July 2023
Tuesday 8 August 2023	12.00 noon on Tuesday 15 August 2023
Tuesday 12 September 2023	7.00pm on Tuesday 19 September 2023
Tuesday 10 October 2023	7.00pm on Tuesday 17 October 2023
Tuesday 14 November 2023	7.00pm on Tuesday 21 November 2023
Tuesday 5 December 2023	7.00pm on Tuesday 12 December 2023

Option 2 – this option presents a revised meeting cycle based on a monthly timeframe, that is each Tuesday is set aside as follows; Strategy Sessions (first Tuesday), Briefing Sessions (third Tuesday) and Council meetings (fourth Tuesday) of the month. This proposed schedule will allow for Finance reports relating to the List of Payments and Financial Activity Statement to be reported for the prior month as per the auditor's request, instead of the two months prior as currently being achieved. Subject to the following scheduling constraints:

- The April Briefing Session be held on the second Tuesday of the month and Council Meeting on the third Tuesday of the month to accommodate for the Easter and Anzac day public holidays.
- The June Briefing Session to be held on the second Tuesday of the month to allow for Elected Members to attend the ALGA Annual National General Assembly Conference in Canberra during the third week of the month.
- The August Council meeting has a commencement time of 12.00 noon to enable attendance and participation by high school students.
- The September Council meeting is required to be held on the third Tuesday of the month due to the Queens Birthday public holiday in the fourth week of the month.
- The October Briefing Session and Council meeting will need to be held on the second and third Tuesday of the month due to the local government election scheduled to occur on the 21 October 2023.
- The December meetings have been scheduled one week earlier to accommodate the Christmas holiday break.

The proposed meeting dates for 2023 for Option 2 are as follows:

Briefing Sessions To be held at 6.30pm in the Council Chamber	Council meetings To be held in the Council Chamber
Tuesday 21 February 2023	7.00pm on Tuesday 28 February 2023
Tuesday 21 March 2023	7.00pm on Tuesday 28 March 2023
Tuesday 11 April 2023	7.00pm on Tuesday 18 April 2023
Tuesday 16 May 2023	7.00pm on Tuesday 23 May 2023
Tuesday 13 June 2023	7.00pm on Tuesday 27 June 2023
Tuesday 18 July 2023	7.00pm on Tuesday 25 July 2023
Tuesday 15 August 2023	12.00 noon on Tuesday 22 August 2023
Tuesday 12 September 2023	7.00pm on Tuesday 19 September 2023
Tuesday 10 October 2023	7.00pm on Tuesday 17 October 2023
Tuesday 21 November 2023	7.00pm on Tuesday 28 November 2023
Tuesday 5 December 2023	7.00pm on Tuesday 12 December 2023

Council can either:

- adopt the proposed meeting dates based on the meeting cycle for Option 1
- adopt the proposed meeting dates based on the meeting cycle for Option 2  
or
- adopt a modified set of meeting dates.

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

#### **Legislation**

*Local Government Act 1995.*

*Local Government (Administration) Regulations 1996.*

## Strategic Community Plan

<b>Key theme</b>	Leadership.
<b>Outcomes</b>	Capable and effective – you have an informed and capable Council backed by a highly-skilled workforce.
<b>Strategic initiative</b>	Not applicable.
<b>Policy</b>	Not applicable.

## Risk management considerations

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

## Financial / budget implications

### Current financial year impact

<b>Account no.</b>	1.522.A5202.3277.0000.
<b>Budget Item</b>	Advertising – Public and Statutory.
<b>Budget amount</b>	\$2,500
<b>Amount spent to date</b>	\$1,020
<b>Proposed cost</b>	\$ 680
<b>Balance</b>	\$1,480

All amounts quoted in this report are exclusive of GST.

## Regional significance

Not applicable.

## Sustainability implications

Not applicable.

## Consultation

Not applicable.

## COMMENT

Elected Members have been provided two alternative options relating to the 2023 meeting cycles for their consideration, these being as follows:

- Option 1 – the proposed schedule of meeting dates for 2023 being Strategy Sessions (first Tuesday), Briefing Sessions (second Tuesday) and Council meetings (third Tuesday) of the month, this meeting cycle has been established since 2009 (Attachment 1 refers).
- Option 2 – the establishment of a new schedule with Strategy Sessions (first Tuesday), Briefing Sessions (third Tuesday) and Council meetings (fourth Tuesday) of the month. This proposed schedule will allow for Finance reports relating to the List of Payments and Financial Activity Statement to be reported for the prior month (for the majority of meetings) as per the City's auditor's request (Attachment 2 refers).

The scheduling constraints for both options have been detailed in this report.

A proposed schedule of committee meeting dates has also been included based on the two meeting cycle options. Where committee meetings are not held prior to Briefing Sessions and Council Meetings to allow for a broader spread of meetings and to reduce Councillor fatigue from reading multiple meeting papers in the same week.

Each Committee will be requested to adopt its meeting schedule for 2023, with the dates from either option 1 or 2 being used as the baseline.

It should be noted that a Local Government Election is scheduled to be held on 21 October 2023 with subsequent Special Council meetings post the election. These Special Council meeting dates will be confirmed closer to the time and the required public notice will be undertaken.

## VOTING REQUIREMENTS

Simple Majority.

## OFFICER'S RECOMMENDATION

That Council:

- 1 ENDORSES option \_\_\_\_\_ as the preferred meeting cycle option for 2023 and SETS the respective meeting dates and times for the Council of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup accordingly;
- 2 in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, GIVES local public notice of the meeting dates, as determined by Council;
- 3 INVITES a number of students from each of the high schools within the district of the City of Joondalup to attend the August Council meeting commencing at 12.00 noon;
- 4 NOTES the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays.

## MOVED Cr Thompson, SECONDED Cr Poliwka that Council:

- 1 **ENDORSES option 2 as the preferred meeting cycle option for 2023 and SETS the respective meeting dates and times for the Council of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup subject to the following changes:**
  - 1.1 **Council meetings to commence at 6.30pm with the exception of the August Council meeting in Part 3 to commence at 12.00 noon;**
- 2 **In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, GIVES local public notice of the meeting dates, as determined by Council;**

- 3 **INVITES** a number of students from each of the high schools within the district of the City of Joondalup to attend the August Council meeting commencing at 12.00 noon;
- 4 **NOTES** the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays.

**AMENDMENT MOVED Cr Raftis, SECONDED Cr Thompson that Council:**

That an additional Part be **ADDED** to the Motion to read as follows:

***“1.2 Briefing Sessions being held in the second week of the month with the exception of the December Briefing Session to be held in week 1;”***

The Amendment was Put and

**CARRIED (7/6)**

**In favour of the Amendment:** Crs Fishwick, Kingston, May, McLean, Poliwka, Raftis and Thompson.  
**Against the Amendment:** Mayor Jacob, Crs Chester, Hamilton-Prime, Hill, Jones and Logan.

*During debate it was requested that Part 1.1 of the Motion be voted on separately.*

That Council:

- 1.1 **Council meetings to commence at 6.30pm with the exception of the August Council meeting in Part 3 to commence at 12.00 noon;**

The Motion was Put and

**CARRIED (7/6)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Logan, May, Poliwka, Raftis and Thompson.  
**Against the Motion:** Crs Chester, Hamilton-Prime, Hill, Jones, Kingston and McLean.

That Council:

- 1 **ENDORSES** option 2 as the preferred meeting cycle option for 2023 and **SETS** the respective meeting dates and times for the Council of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup subject to the following changes:
  - 1.2 **Briefing Sessions** being held in the second week of the month with the exception of the December Briefing Session to be held in week 1;
- 2 **In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, GIVES** local public notice of the meeting dates, as determined by Council;
- 3 **INVITES** a number of students from each of the high schools within the district of the City of Joondalup to attend the August Council meeting commencing at 12.00 noon;

- 4 NOTES the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays.**

**The Motion was Put and**

**CARRIED (10/3)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Kingston, Logan, May, McLean, Raftis and Thompson.

**Against the Motion:** Crs Chester, Jones and Poliwka.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf221108.pdf](#)

**Disclosures of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr John Chester.</b>
<b>Item No. / Subject</b>	CJ186-11/22 - Corporate Business Plan 2022–2026 Quarter 1 Report and Quarterly Capital Works Reports.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Chester is a member of two Committees involved in the management of the Yellagonga Regional Park.

<b>Name / Position</b>	<b>Cr Daniel Kingston.</b>
<b>Item No. / Subject</b>	CJ186-11/22 - Corporate Business Plan 2022–2026 Quarter 1 Report and Quarterly Capital Works Reports.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Kingston is the secretary of the Friends of Yellagonga Regional Park. A family member of Cr Kingston is a member of the executive committee of the association.

<b>Name / Position</b>	<b>Cr John Logan.</b>
<b>Item No. / Subject</b>	CJ186-11/22 - Corporate Business Plan 2022–2026 Quarter 1 Report and Quarterly Capital Works Reports.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Logan is a member of the Friends of Yellagonga, an interested party in management plans for Yellagonga Regional Park.

## **CJ186-11/22 CORPORATE BUSINESS PLAN 2022–2026 QUARTER 1 REPORT AND QUARTERLY CAPITAL WORKS REPORTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	20560, 101515
<b>ATTACHMENTS</b>	Attachment 1 Corporate Business Plan 2022–2026 Quarter 1 Report Attachment 2 Quarterly Capital Works Progress Report Attachment 3 Key Capital Works Project Quarterly Status Reports
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to receive the *Corporate Business 2022-2026 Quarter 1 Report*, the *Quarterly Capital Works Progress Report*, and the *Key Capital Works Project Quarterly Status Reports* for the period 1 July 2022 to 30 September 2022.



## EXECUTIVE SUMMARY

The City's *Corporate Business Plan 2022-2026*, adopted by Council at its meeting held on 28 June 2022 (CJ093-06/22 refers), is the City's 5-year medium-term planning document which contains the services, projects and activities developed in response to the vision, goals and outcomes of the City's *10-Year Strategic Community Plan, Joondalup 2032*.

The *Corporate Business Plan 2022–2026 Quarter 1 Report* provides information on the progress of 2022-23 services, projects and activities against the quarterly milestones of the *Corporate Business Plan 2022–2026* and is provided as Attachment 1.

The *Quarterly Capital Works Progress Report* lists all of the projects within the City's *5-Year Capital Works Program*. Provided as Attachment 2 to Report CJ186-11/22.

The *Key Capital Works Project Quarterly Status Reports* provide quarterly status updates against the key capital works projects identified in the *Corporate Business Plan 2022–2026*. Provided as Attachment 3 to Report CJ186-11/22.

An amendment to the *Corporate Business Plan 2022-2026* is proposed regarding the development of the City's Waste Management Plan. Following a review of the current plan and the Department of Water Environment and Regulation requirements for the City to develop a *Local Government Waste Plan* for the City, the development of a Waste Management Plan is considered to be a duplication.

*It is therefore recommended that Council:*

- 1 *RECEIVES the Corporate Business Plan 2022-2026 Quarter 1 Report shown as Attachment 1 to Report CJ186-11/22;*
- 2 *RECEIVES the Quarterly Capital Works Progress Report for the period 1 July 2022 to 30 September 2022, provided as Attachment 2 to Report CJ186-11/22;*
- 3 *RECEIVES the Key Capital Works Project Quarterly Status Reports for the period 1 July 2022 to 30 September 2022, provided as Attachment 3 to Report CJ186-11/22;*
- 4 *APPROVES the removal of milestones related to the development of the Waste Management Plan from the Corporate Business Plan 2022-2026, as approved by Council in June 2022.*

## BACKGROUND

The *Corporate Business Plan 2022-2026* was adopted by Council at its meeting held on 28 June 2022 (CJ093-06/22 refers). It contains the services, projects and activities the City intends to deliver over five years, and quarterly milestones for those the City intends to deliver in the 2022-23 financial year. The *Corporate Business Plan 2022-2026* demonstrates how the outcomes of the *Strategic Community Plan, Joondalup 2032*, are translated into a five-year service delivery program.

The *Corporate Business Plan 2022-2026* sits within an Integrated Planning and Reporting Framework which builds-in informing, resourcing, planning and reporting requirements to ensure transparency and evidence of planned achievements. It is also a requirement of the City's *Governance Framework 2021* to develop quarterly reports against annual projects and priorities that are presented to Council.

## DETAILS

*Corporate Business Plan 2022-2026 Quarterly Reports* provide information on achievements and performance against the quarterly milestones set at the beginning of each year. The project milestones for each quarter are reported via colour codes to indicate if the milestone has been completed or is behind schedule. The budget status is reported via symbols to indicate if each project or activity is on budget, over budget, or under budget. In addition, a commentary for each milestone provides details on what has been achieved. Note that the report does not include projects and activities that do not have milestones for 2022-23.

An amendment is proposed which removes the development of the Waste Management Plan from the *Corporate Business Plan 2022–2026*, approved by Council on 28 June 2022. At the March 2021 meeting Council adopted the *Local Government Waste Plan*, as per the Department of Environmental and Water Regulation requirements (CJ034-03/21 refers). At the same meeting, Council also noted that a review of the City's *Waste Management Plan 2016–2021* would be undertaken in 2022-23 including consultation with the community.

The City's *Local Government Waste Plan* includes detailed information relating to the delivery of waste services and provides actions aimed at enhancing the performance of the City's waste services as well working with the community on behavioural change and waste education initiatives. The performance against this is annually reported to the Department as part of the waste census.

A preliminary review of the *Waste Management Plan 2016-2021* has demonstrated that the actions included within the City's *Local Government Waste Plan*, would be duplicated if a new Waste Management Plan was to be prepared. The development of a new City of Joondalup Environment Strategy is included in *Corporate Business Plan 2022-2026* for 2022-23 with a draft Strategy planned to be presented to Council in quarter 4 for endorsement to release for community consultation. Waste management is a major environmental consideration and will be included as a key theme within the new Environment Strategy which will provide high level strategic direction to the management of waste and ensure a link between the overarching *State Waste Strategy*, the City's environmental objectives, and the subsequent implementation actions as outlined in the *Local Government Waste Plan*.

The City will continue to implement and, where required, amend the *Local Government Waste Plan* with a review of the Plan undertaken at key decision points, such as following the adoption of the Environment Strategy.

### Issues and options considered

Not applicable.

### Legislation / Strategic Community Plan / Policy implications

#### Legislation

All local governments in Western Australia are required to produce a "plan for the future" under section 5.56 of the *Local Government Act 1995*. Division 3 of the *Local Government (Administration) Regulations 1996* provides a brief outline of the minimum requirements to meet this section of the Act, which includes the development of a strategic community plan and a corporate business plan. There are no requirements in the Act or the Regulations to produce quarterly reports.

## 10-Year Strategic Community Plan

<b>Key theme</b>	Leadership.
<b>Outcome</b>	Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.  Accountable and financially sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.
<b>Policy</b>	Not applicable.

### Risk management considerations

The City has developed a reporting system to provide Council with the necessary information to enable it to assess performance against the various plans it has developed. The reporting system is a systematic and regular process that allows Council to take action to rectify any issues that arise and as such, be accountable to the community.

### Financial / budget implications

The 2022-23 services, projects and activities in the *Corporate Business Plan 2022-2026* were included in the *2022-23 Annual Budget*.

### Regional significance

Not applicable.

### Sustainability implications

The services, projects and activities in the *Corporate Business Plan 2022-2026* are aligned to the key themes in *Joondalup 2032*, developed to ensure the sustainability of the City.

The key themes are as follows:

- 1 Community.
- 2 Environment.
- 3 Place.
- 4 Economy.
- 5 Leadership.

### Consultation

Not applicable.

## COMMENT

The *Corporate Business Plan 2022-2026* was adopted by Council at its meeting held on 28 June 2022 (CJ093-06/22 refers). Detailed reports on the progress and the project status of the *5-Year Capital Works Program* have been included as attachments 2 and 3. These reports provide an overview of progress against all the projects and programs in the *2022-23 Capital Works Program*.

The proposed amendments to the *2022-23 Corporate Business Plan* project outlined above (Waste Management Plan) would ensure that there is not duplication in the City's planning and reporting requirements.

## VOTING REQUIREMENTS

Simple Majority.

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

- 1 **RECEIVES** the *Corporate Business Plan 2022-2026* Quarter 1 Report shown as Attachment 1 to Report CJ186-11/22;
- 2 **RECEIVES** the Quarterly Capital Works Progress Report for the period 1 July 2022 to 30 September 2022, provided as Attachment 2 to Report CJ186-11/22;
- 3 **RECEIVES** the Key Capital Works Project Quarterly Status Reports for the period 1 July 2022 to 30 September 2022, provided as Attachment 3 to Report CJ186-11/22;
- 4 **APPROVES** the removal of milestones related to the development of the Waste Management Plan from the *Corporate Business Plan 2022-2026*, as approved by Council in June 2022.

The Motion was Put and **CARRIED** (11/0) by Exception Resolution after consideration of C135-11/22, page 78 refers.

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf221108.pdf](#)

## **CJ187-11/22 LIST OF PAYMENTS MADE DURING THE MONTH OF SEPTEMBER 2022**

<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 Delegate Municipal Payment List for the month of September 2022 Attachment 2 Chief Executive Officer's Delegated Municipal Payment List (Bond Refunds for the month of September 2022) Attachment 3 Municipal and Trust Fund Vouchers for the month of September 2022
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

### **PURPOSE**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of September 2022.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of September 2022, totalling \$19,143,963.21.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for September 2022 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 CJ187-11/22, totalling \$19,143,963.21.*

### **BACKGROUND**

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

### **DETAILS**

The table below summarises the payments drawn on the funds during the month of September 2022. Lists detailing the payments made are appended as Attachments 1 and 2 to Report CJ187-11/22.

The vouchers for the month are appended as Attachment 3 to Report CJ187-11/22.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 112553 - 112586 & EF104196 - EF104547 & EF104554 - EF104790 Net of cancelled payments Vouchers 3370A-3382A	\$14,183,792.48 \$4,950,920.73
	Bond Refund Cheques & EFT Payments EF104191 - EF104195 & EF104548 - EF104553 Net of cancelled payments.	\$9,250.00
<b>Total</b>		<b>\$19,143,963.21</b>

### Issues and Options Considered

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

#### Option 1

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

#### Option 2

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

### Legislation / Strategic Community Plan / Policy Implications

#### Legislation

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

### 10-Year Strategic Community Plan

#### Key theme

Leadership.

#### Outcome

Accountable and financially-sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.

#### 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**

Changes in the treatment of bonds received and repaid, from being held in the Trust Fund to now being reflected in the Municipal Fund, have arisen from a directive by the Office of the Auditor General.

### **COMMENT**

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the City of Joondalup *2022-23 Budget* as adopted by Council at its meeting held on 28 June 2022 (CJ104-06/22 refers) or has been authorised in advance by the Mayor or by resolution of Council as applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Raftis, SECONDED Cr Poliwka that Council NOTES the Chief Executive Officer's list of accounts for September 2022 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 CJ187-11/22, totalling \$19,143,963.21.**

**The Motion was Put and**

**CARRIED (12/1)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

**Against the Motion:** Cr Jones.

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf221108.pdf](#)

## **CJ188-11/22 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2022**

<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 30 September 2022.

### **EXECUTIVE SUMMARY**

At its meeting held on 28 June 2022 (CJ104-06/22 refers), Council adopted the *2022-23 Annual Budget*. Council subsequently amended the budget at its meeting held on 16 August 2022 (CJ132-08/22 refers) and then on 20 September 2022 (CJ158-009/22 and CJ161-09/22 refers). The figures in this report are compared to the amended budget.

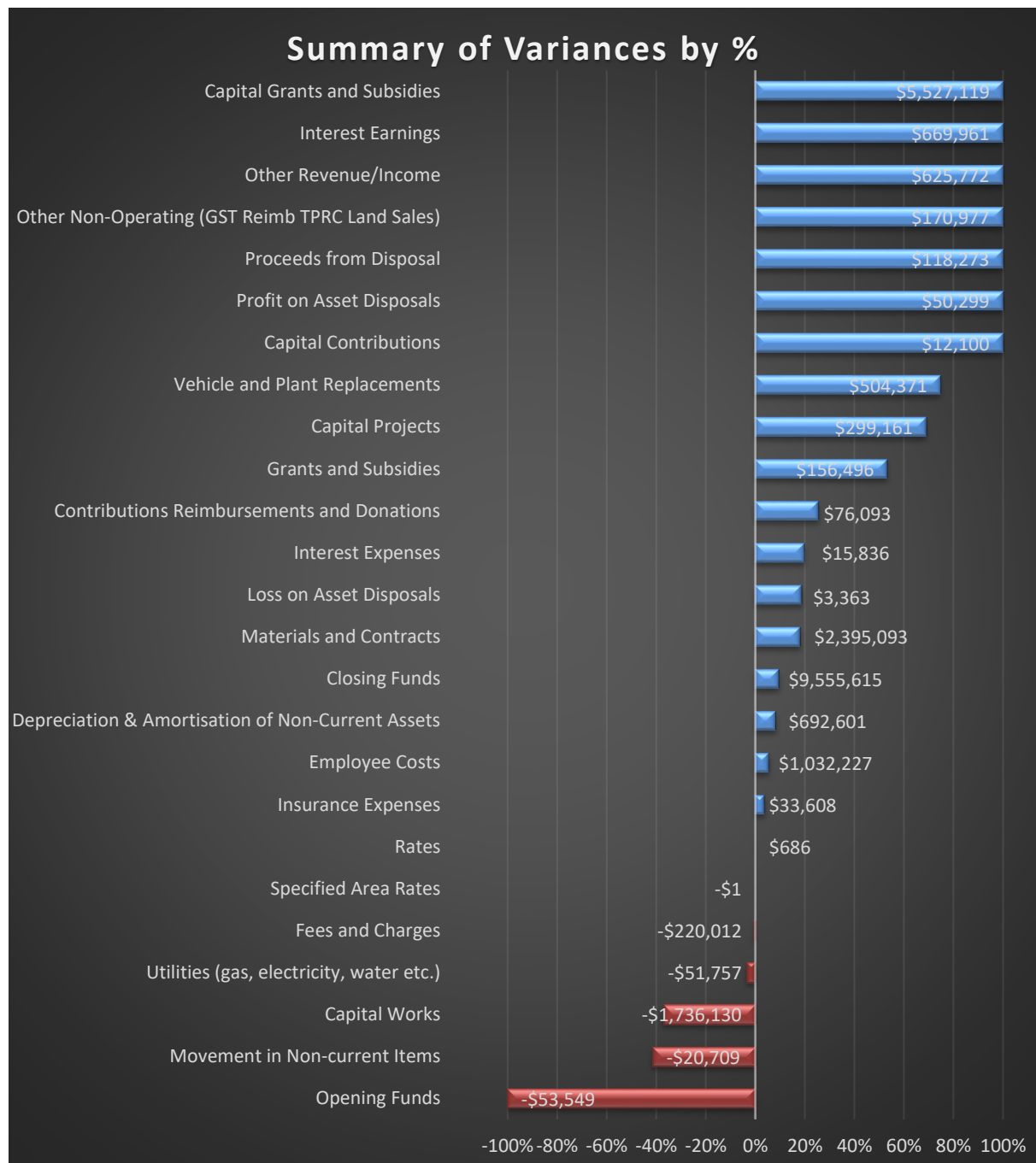
The September 2022 Financial Activity Statement Report shows an overall favourable variance of \$9,555,615 from operations and capital, after adjusting for non-cash items.

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 30 September 2022 and results from a number of factors identified in the report, including the opening funds position which is subject to the finalisation of the *2021-22 Annual Financial Report*.

There are a number of factors influencing the favourable variance, but it is predominantly due to timing of revenue and expenditure compared to the budget estimate in September and the finalisation of 2021-22 end of year process. The notes in Attachment 3 identify and provide commentary on the individual key material revenue and expenditure variances to date.



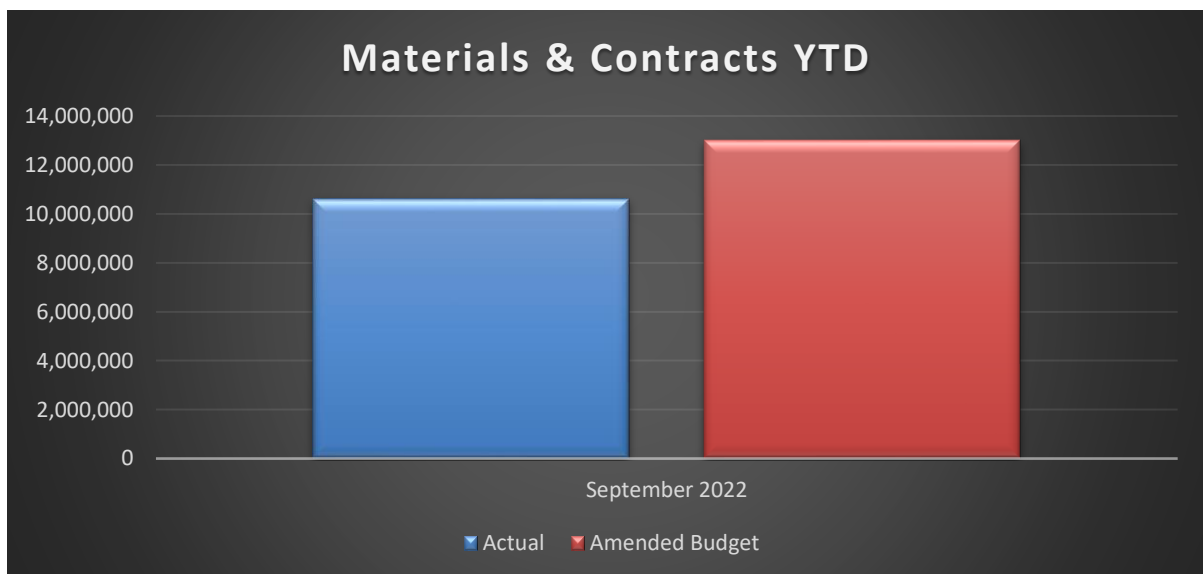
The key elements of the variance are summarised below:



The significant variances for September were:

**Materials and Contracts**

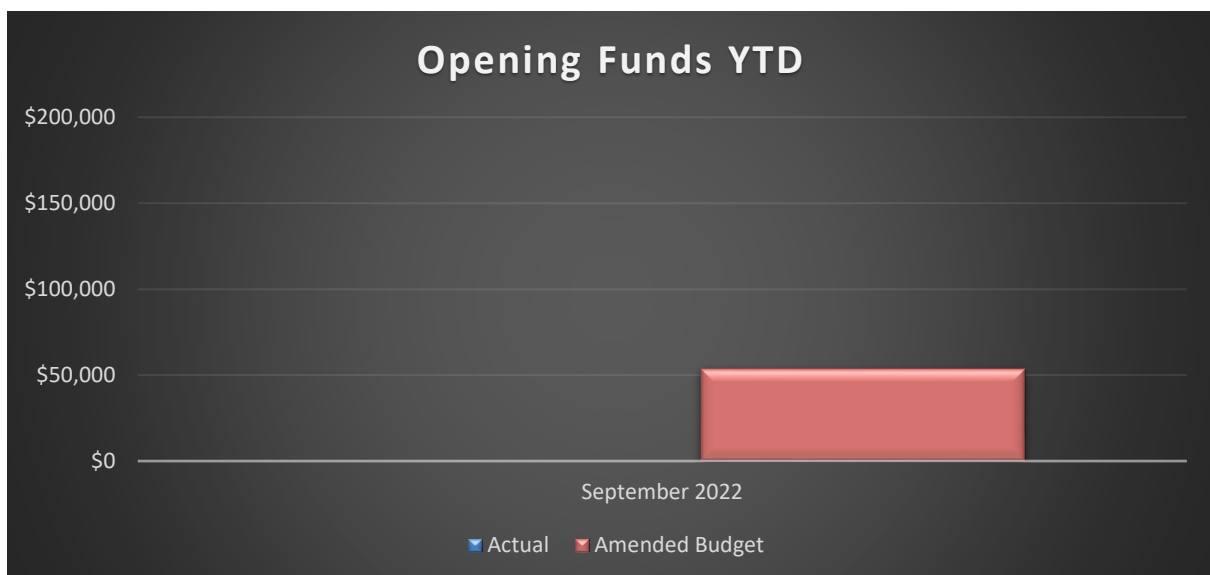
**\$2,395,093**



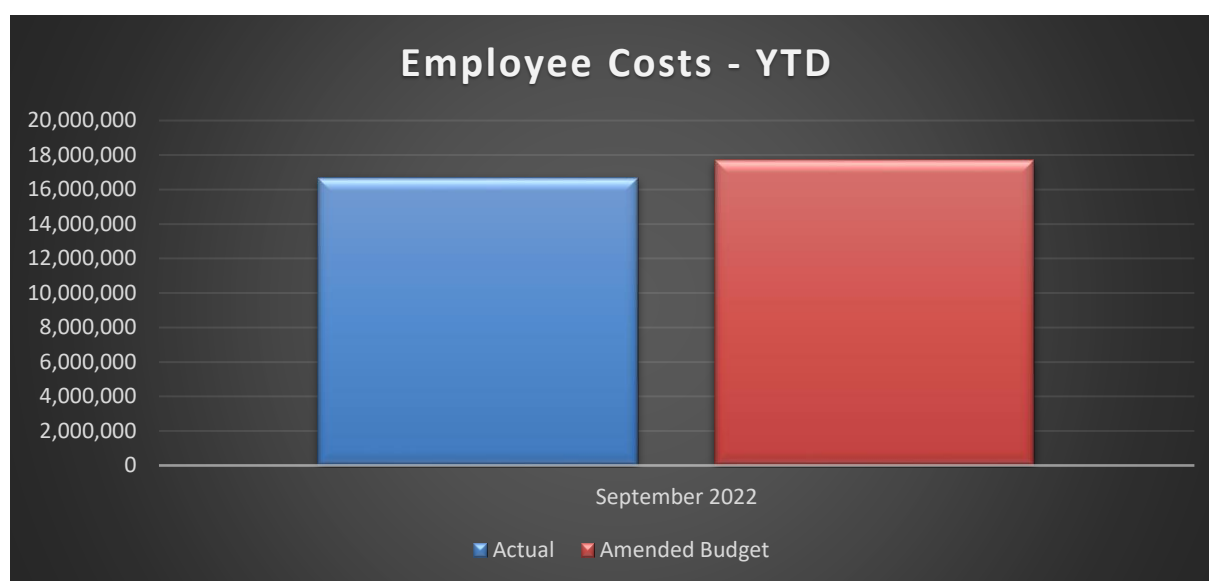
Materials and Contracts expenditure is \$2,395,093 below budget. This is spread across a number of different areas including External Service Expenses \$765,024, Waste Management \$347,239, Computing \$328,675, Professional Fees and Costs \$222,266 and Accommodation and Property \$218,656.

**Opening Funds**

**(\$53,549)**



Opening Funds for September 2022 is \$53,549 below budget. The variation in the Closing Funds for the period ended 30 June 2022 is prior to end of year adjustments being processed. The final balance will be available after the Financial Statements for 2021-22 have been audited.

**Employee Costs****\$1,032,227**

Employee Costs expenditure is \$1,032,227 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 30 September 2022 forming Attachment 1 to Report CJ188-11/22.*

**BACKGROUND**

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

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

The Financial Activity Statement for the period ended 30 September 2022 is appended as Attachment 1.

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

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

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

## 10-Year Strategic Community Plan

**Key theme** Leadership.

**Outcome** Accountable and financially-sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.

### Risk management considerations

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

### Financial / budget implications

All amounts quoted in this report are exclusive of GST.

### Regional significance

Not applicable.

### Sustainability implications

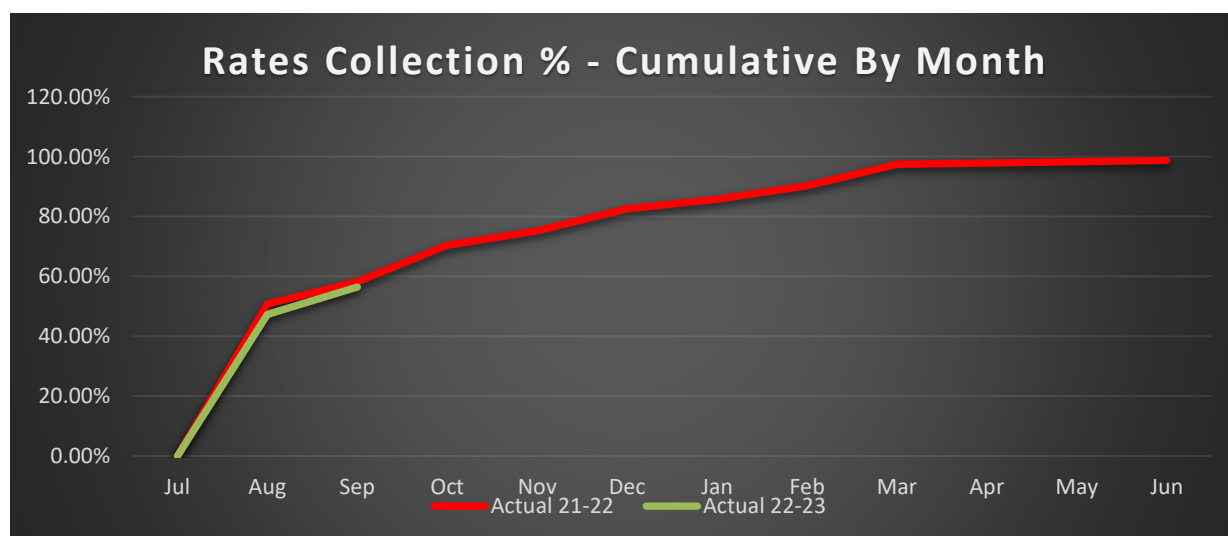
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

### Consultation

In accordance with section 6.2 of the *Local Government Act 1995*, the *Annual Budget* was prepared having regard to the Strategic Financial Plan, prepared under Section 5.56 of the *Local Government Act 1995*.

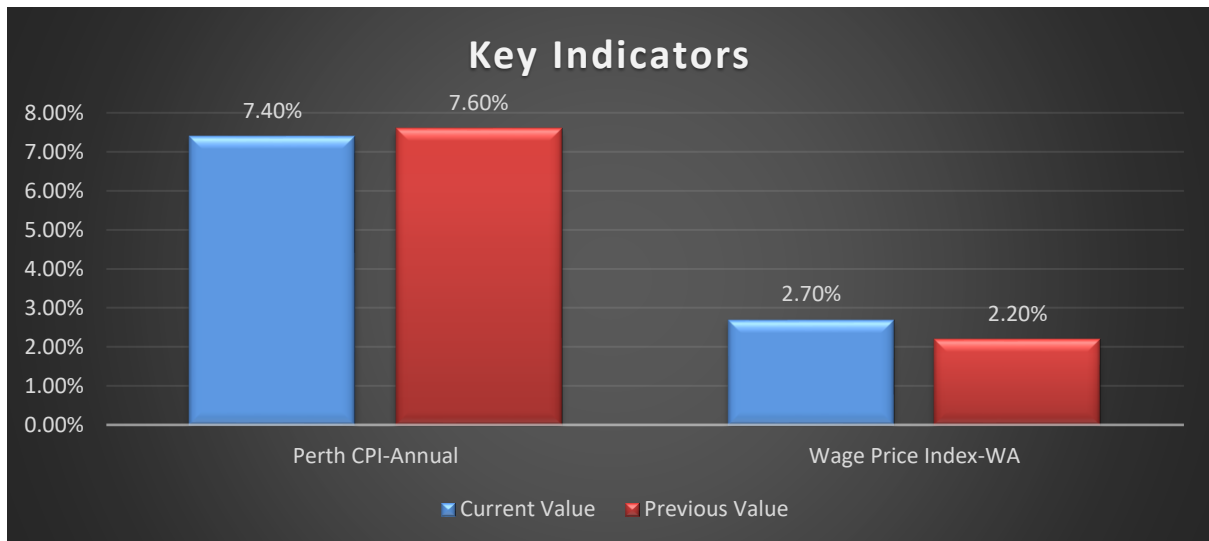
## KEY INDICATORS

### Rates Collection



Rates collections as a percentage of rates issued (debtors) is marginally lower than previous financial year at the end of September.

### **Economic Indicators**



During September, the Wage Price Index for the second quarter of 2022 was released. Perth saw the strongest quarterly wage increase of all states and a solid annual gain of 2.7%. The rise was driven by private sector wages, which rose 1% in the quarter and 3% through the year, the fastest pace of wages growth since 2013.

### **COMMENT**

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the 2022-23 adopted budget (as amended) or has been authorised in advance by Council where applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Jones, SECONDED Cr May that Council NOTES the Financial Activity Statement for the period ended 30 September 2022 forming Attachment 1 to Report CJ188-11/22.**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of C135-11/22, page 78 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf221108.pdf](#)

**Disclosure of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr Christopher May.</b>
<b>Item No. / Subject</b>	CJ189-11/22 - Community Funding Program 2022-23 Round One.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Committee members of Mullaloo Boardriders Club are known to Cr May.

## CJ189-11/22      COMMUNITY FUNDING PROGRAM 2022-23 ROUND ONE

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	50591, 101515
<b>ATTACHMENT</b>	Attachment 1      Community Funding Policy
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For Council to consider funding applications for the Community Funding Program Round One 2022-23.

**EXECUTIVE SUMMARY**

The Community Funding Program (CFP) aims to provide financial support to incorporated community groups to conduct projects, programs, events or activities that benefit the City of Joondalup community. The CFP was developed after a review of the City's funding programs in 2020-21, and the subsequent adoption of the revised *Community Funding Program Policy* by Council at its meeting held on 17 August 2021 (CJ127-08/21 refers).

Round one of the CFP for 2022-23 was held in August 2022, with a funding pool of \$306,542 available. Applications for small grants (under \$10,000) and large grants (over \$10,000) were accepted during this round. Round two will open for applications in February 2023.

The City received six applications for large grants and nine small grant applications this round, totalling \$232,243 in requested funds.

The applications were assessed, and four of the six large grant applications are recommended for funding. The nine small grant applications are all under \$10,000 and have been considered by the Chief Executive Officer.

The large grant applications are as follows:

Club	Project Title	Requested	Recommended
No Limits Perth	Heart on the Street	\$74,835	\$49,790
Sorrento Football Club	High Performance Program	\$48,700	\$0
Padbury Community Kindergarten	Storage and Student Meal Space	\$26,314	\$26,314
All Stars for Autism	Carers Community Outreach Program	\$15,272	\$12,272
Lakeview Contemplation Garden (LCG) Inc.	Lakeview Contemplation Garden (LCG)	\$14,840	\$0
Mullaloo Boardriders Club Inc	Lesson Equipment and Transportation	\$11,729	\$11,729
<b>TOTAL</b>		<b>\$191,689</b>	<b>\$100,105</b>

*It is therefore recommended that Council:*

- 1 *APPROVES a grant of \$49,790 to No Limits Perth for their Heart on the Street project, subject to the organisation entering into a formal funding agreement with the City of Joondalup;*
- 2 *APPROVES a grant of \$26,314 to the Padbury Community Kindergarten for their Storage and Student Meal Space project, subject to the organisation entering into a formal funding agreement with the City of Joondalup;*
- 3 *APPROVES a grant of \$12,272 to All Stars for Autism for their Carers Community Outreach Program, subject to the organisation entering into a formal funding agreement with the City of Joondalup;*
- 4 *APPROVES a grant of \$11,729 to the Mullaloo Boardriders Club Inc for their Lesson Equipment and Transportation project, subject to the organisation entering into a formal funding agreement with the City of Joondalup;*
- 5 *DOES NOT APPROVE a grant of \$48,700 to the Sorrento Football Club for their High Performance Program;*
- 6 *DOES NOT APPROVE a grant of \$14,840 to the Lakeview Contemplation Garden (LCG) Inc for their Lakeview Contemplation Garden (LCG) project.*

## **BACKGROUND**

The CFP was developed after a review of the City's funding programs in 2020-21, and the subsequent adoption of the revised *Community Funding Program Policy* by Council at its meeting held on 17 August 2021 (CJ127-08/21 refers). A copy of the policy is attached (Attachment 1).

CFP aims to provide financial support to incorporated community groups to conduct projects, programs, events or activities that benefit the City of Joondalup community. All applications for the CFP must meet the following criteria:

- The project, program, event or activity that funding is being sought for must benefit or service the City of Joondalup community.

- The project, program, event or activity must align with one or more of the Community Funding Program Priorities:
  - strengthen community participation
  - encourage connected communities
  - promote healthy and active lifestyles
  - build resilient and sustainable communities.
- The project, program, event or activity has not received financial support through another funding program from the City within the same financial year.
- The applicant must be incorporated under the *Associations Incorporations Act 2015* (or other Australian State Government Incorporations Act).

The inaugural round of the CFP was held in March 2022, with a funding pool of \$192,500 available. Applications for small grants (under \$10,000) and large grants (over \$10,000) were accepted during this round, with \$87,779 in funding distributed among 18 applicants.

Funds for the inaugural round of the CFP were committed during the mid-year budget review, and therefore only one funding round was delivered in 2021-22 for the full funding pool of \$192,500. As not all available funds were expended in 2021-22, the remaining funds totalling \$114,042 were carried forward for inclusion in the 2022-23 CFP as part of the City's budgeting processes.

This is not standard practice for City grant funding programs, however due to the unique circumstances of a new funding program combined with only a single funding round, the balance was carried forward to ensure the community had the opportunity to gain the full benefits from the 2021-22 funds. Any remaining funds at the end of 2022-23 will not be recommended to be carried forward.

As per the funding guidelines, a total of \$125,000 is usually made available for August funding rounds, with the remaining \$67,500 available in the February rounds. Any unallocated funds from the August rounds are included in the February rounds. The City has the discretion to alter the distribution of funds for each round, and due to the increased funding pool available in 2022-23, the available funding for August 2022 was set at \$200,000.

## **DETAILS**

The City received six applications for large grants and nine applications for small grants this round, totalling \$232,243 in requested funds. Small grant applications which are valued under \$10,000 are considered by the Chief Executive Officer.

### **Large grant applications**

#### No Limits Perth

No Limits Perth submitted an application that sought funding to mobilise an outreach service across Joondalup and Wanneroo that works with people experiencing homelessness or at risk of homelessness.

No Limits Perth is an active member of the Joondalup Wanneroo Ending Homeless Group and works collaboratively on a weekly basis with the City of Joondalup, providing ongoing community support and emergency relief to the homeless and vulnerable people in and around the City. No Limits Perth supports over 70 organisations including local government, state and federal government agencies and other not for profit organisations by taking referrals to assist vulnerable community members.



No Limits Perth has indicated that approximately 500 City of Joondalup residents will benefit from the project.

The key outcomes of the program include the following:

- Provide a mobile support service to those experiencing homelessness or being at risk of homelessness which will include food, essential wellbeing goods, supported referral and short-term case management.
- Provide mental health first aid training to staff and volunteers.
- Provide ongoing case management and support services to people experiencing homelessness until they are engaged with a suitable ongoing service.

The costs of the program are itemised in the table below. No Limits Perth has committed its own funds to the project. The organisation's contribution of \$10,000 will contribute to emergency relief supplies. A grant application seeking \$5,000 in funding from Lotterywest has been submitted by the organisation and is currently pending notification of the outcome. The remaining \$5,000 will be obtained through fundraising.

No Limits Perth has not previously applied for any grant funding from the City.

<b>Program Items</b>	<b>Amount Requested</b>	<b>Amount Recommended by the City</b>
Mental Health First Aid Training	\$1,750	\$1,750
Van purchase with fit out	\$48,085	\$48,085
Vehicle insurance & maintenance	\$2,500	\$0
Ongoing supplies	\$5,000	\$0
Case Management Support Worker wages	\$15,000	\$0
Fuel vouchers	\$2,500	\$0
<b>Total</b>	<b>\$74,835</b>	<b>\$49,835</b>

No Limits Perth were deemed eligible for a grant by the panel under the criteria. The project meets the funding priorities of strengthening community participation, encouraging connected communities, and building resilient and sustainable communities and was recommended for partial funding.

The project will significantly improve the community reach of No Limits Perth and has the potential to improve the lives of the City's vulnerable and disadvantaged people. The grant will provide No Limits Perth the capacity to increase service delivery in response to additional demands to assist people experiencing homelessness, including an increase in referrals from the City of Joondalup.

Project items not recommended for funding include vehicle maintenance and insurance, ongoing supplies, case management support worker wages and fuel vouchers. These items are ongoing operational costs for the organisation and are not eligible for funding.

### Sorrento Football Club

The Sorrento Football Club submitted an application that sought funding to deliver a high performance training program for 64 of its junior members aged 13 to 16 years old. The club proposed to partner with 2 Halves Football Development (2HFD) to deliver strength and conditioning sessions in addition to technical and tactical sessions to strengthen the player pathway to the National Premier League (NPL) competition. The project includes the purchase of GPS player tracking equipment and data analysis software.

Sorrento Football Club are one of two NPL grade football clubs in City, and are located at Percy Doyle Reserve, Duncraig. Forming in 1972, the club now has approximately 700 members across 40 teams, ranging from under 8's through to seniors and masters teams in both elite and social competitions.

Sorrento Football Club has indicated that 64 City of Joondalup residents will benefit from the project.

The key outcome of the program is an improvement in individual and team results during competition.

The costs of the program are itemised in the table below. Sorrento Football Club has committed its own funds to the project. The organisation's contribution of \$1,926 will contribute to football equipment for the program, including footballs, agility posts and markers.

Sorrento Football Club has previously applied for grant funding from the City and received a total of \$11,580. In 2016 the club received a Sports Development Program grant to the value of \$4,320 to deliver a skill acquisition program for 70 junior players aged 9 to 12 years. In 2018, the club received another Sports Development Program grant to the value of \$7,260 to install junior sized soccer goals at Marri Park, Duncraig. Both grants were successfully acquitted.

<b>Program Items</b>	<b>Amount Requested</b>	<b>Amount Recommended by the City</b>
GPS data analysis	\$5,300	\$0
PlayerTek team pods x 64	\$28,800	\$0
PlayerTek vests x 64	\$3,200	\$0
PlayerTek chargers x 4	\$11,400	\$0
<b>Total</b>	<b>\$48,700</b>	<b>\$0</b>

The panel has recommended not to fund the project as the club did not provide quotes for the items it has requested funding for and is therefore ineligible for funding. As per the funding guidelines, quotes must be submitted with the application for all items over \$500 in value.

The club was provided with the opportunity to submit these quotes prior to the panel meeting, however, did not do so in time. The club will be invited to resubmit an application in the next round of funding.

#### Padbury Community Kindergarten

Padbury Community Kindergarten submitted an application that sought funding to purchase and install an external shed and shelving for storage purposes at the Kindergarten, and the creation of a café style covered eating area.

Padbury Community Kindergarten is a not-for-profit organisation that offers an alternative to government school-based kindergarten programs, and is one of 18 of its kind in the state. The staff and curriculum is provided by the Department of Education, however, the Kindergarten is run by an independent parent committee from parents in and around the Padbury area with a small budget comprised of voluntary contributions, grants and fundraising.

Padbury Community Kindergarten has indicated that approximately 50 City of Joondalup residents will benefit from the project each year.

The key outcomes of the project include the following:

- Encourage social interaction for children to improve social and emotional literacy.
- Improve safety for staff and volunteers.
- Encourage and support play-based education.

The costs of the program are itemised in the table below. Padbury Community Kindergarten has not committed any of its own funds to the project. Padbury Community Kindergarten has not previously applied for any grant funding from the City.

<b>Program Items</b>	<b>Amount Requested</b>	<b>Amount Recommended by the City</b>
Colourbond shed supply and installation	\$8,855	\$8,855
Café patio supply and installation	\$4,700	\$4,700
Café blinds supply and installation	\$10,168	\$10,168
Storage shelving	\$769	\$769
Gate supply and installation	\$1782	\$1782
Delivery	\$40	\$40
<b>Total</b>	<b>\$26,314</b>	<b>\$26,314</b>

Padbury Community Kindergarten were deemed eligible for a grant by the panel under the criteria. The project meets the funding priorities of strengthening community participation, encouraging connected communities and promoting healthy and active lifestyles and was recommended for full funding.

The provision of an additional storage facility will lead to the activation of a new space within the kindergarten that will be utilised as a dedicated café style area for students to eat their meals, connect with other students, their teachers, and for families of students to network, interact socially, and connect with the students and teachers before and after school.

The café style area supports the social and emotional literacy of students as they develop their toolkit of behaviours and strategies which support mental health and wellbeing, as well as providing opportunities for the students to engage in student-led play and teacher-led learning experiences such as imaginative, role-play, sensory, creative and social play, drawn from the play-based educational philosophy of the Padbury Community Kindergarten. This infrastructure will benefit students and families for the life of the asset, with approximately 50 children each year enrolled at the centre.

Grant funding subject to the project being carried out in line with the approved Club Funded Facility Upgrade application, including an adjoining fence funded by the Padbury Community Kindergarten around the shed to prevent people accessing the roof, and appropriate planning and building approvals.

#### All Stars for Autism

All Stars for Autism submitted an application that sought funding to run a Carers Outreach Program that will support the health, wellbeing, skills development and connection to community of unpaid Carers within the City of Joondalup in three ways. This program will support City-based carers through Wellbeing Workshops, delivery of two educational forums over a two-year period, and providing moderated virtual community space for Carers, with access to evidence-based resources and best-practice advice for ongoing self-care.

All Stars for Autisms was founded by two mothers with children who have Autism. All Stars for Autism believe children with Autism thrive when they are encouraged and supported to be themselves. They use a strength-based model of inclusion, that encompasses the whole family. All Stars for Autism's mission is to enhance the lives of people with autism by creating a community that celebrates neurodiversity, giving them the confidence to pursue their unique gifts and enhance relationships with each other and the rest of society.

All Stars for Autism has indicated that approximately 430 City of Joondalup residents will benefit from the project.

The key outcomes of the program include the following:

- Improve inclusion and access in the community.
- Support the mental health and wellbeing of local carers of children with autism.
- Removing social barriers to participation.
- Building self-care and resilience of local carers of children with autism.

The costs of the program are itemised in the table below. All Stars for Autism has committed its own funds to the project. The organisation's contribution of \$4,556 will contribute to staffing, appropriate insurance, and sensory materials.

All Stars for Autism has not previously applied for any grant funding from the City.

<b>Program Items</b>	<b>Amount Requested</b>	<b>Amount Recommended by the City</b>
8 x Yoga and meditation sessions	\$1,800	\$1,800
Art therapist consultation and syllabus development	\$500	\$500
Venue hire x 50 hours @ \$20 per hour	\$1,000	\$1,000
Support worker wages (project specific staff)	\$1,600	\$1,600
MC	\$1,000	\$1,000
Guest speaker 1 - Claire Paterson	\$1,000	\$1,000
Guest speaker 2 - Dr Gemma Foxall	\$1,000	\$1,000
Catering for 2 x forums @ \$936 each	\$1,862	\$1,872
Catering for 8 x workshops @ \$200 each	\$1,600	\$1,600
Art materials	\$450	\$450
Visual supports	\$450	\$450
Program Manager (regular staff)	\$3,000	\$0
<b>Total</b>	<b>\$15,262</b>	<b>\$12,272</b>

All Stars for Autism were deemed eligible for a grant by the panel under the criteria. The project meets the funding priorities of strengthening community participation, encouraging connected communities and building resilient and sustainable communities and was recommended for partial funding.

This program is like no other carers support program currently available in the region and will reach over 400 carers. It is designed to provide ongoing skills and support to carers to enable long term self-care. The application showed evidence of comprehensive program design with tangible and measurable outcomes.

Project items not recommended for funding include the requested amount of \$3,000 for a Program Manager, as this item covers the wages of existing regular staff and is therefore considered ongoing operational costs for the organisation that are not eligible for funding.

### Lakeview Contemplation Garden (LCG) Inc.

The Lakeview Contemplation Garden (LCG) submitted an application that sought funding to purchase materials and plants to establish a native contemplation garden at Lakeview Park, Edgewater. The park is currently a non-irrigated Public Access Way that acts as a thoroughfare between Lakeview Drive and Ridge Close.

A Petition of Electors was received by Council at its meeting held on 21 September 2021 (C92-09/21 refers) seeking support from Council for the community to create a native contemplation garden at Lakeview Park in Edgewater. At its meeting held on 15 March 2022 (CJ041-03/22 refers), Council resolved the following:

- 1 NOTES the request from the Petition of Electors to create a native contemplation garden at Lakeview Park in Edgewater is consistent with the City's recently established on-line process enabling applications to be received for Pedestrian Accessway Planting and Maintenance;
- 2 SUPPORTS Lakeview Park in Edgewater as a site suitable for consideration under the City's Pedestrian Accessway Planting and Maintenance application process;
- 3 NOTES that if supported in Part 2 above, an application will need to be submitted to the City for assessment in line with the City's on-line application process.

The LCG has indicated that approximately 200 City of Joondalup residents will benefit from the project.

The key outcomes of the program include the following:

- Creation of a native contemplation garden at Lakeview Park.
- Providing opportunities to include the social and mental health of the community surrounding the park.
- Increase the diversity of flora species and habitats for native wildlife.

The costs of the program are itemised in the table below. The LCG has committed its own funds to the project. The organisation's contribution of \$17,016 will contribute to insurance, materials, an opening ceremony and logo development, with funding to be sourced from a Lotterywest grant and fundraising activities. This funding has yet to be confirmed.

LCG has not previously applied for any grant funding from the City.

<b>Program Items</b>	<b>Amount Requested</b>	<b>Amount Recommended by the City</b>
Earthworks	\$8,000	\$0
Gravel	\$1,435	\$0
Mulch	\$2,105	\$0
Plants	\$3,300	\$0
<b>Total</b>	<b>\$14,840</b>	<b>\$0</b>

The panel has recommended not to fund the project. As per the Council resolution in March 2022, this project was to be included on the City's Pedestrian Accessway Planting and Maintenance register via an application to the City, subject to meeting the conditions and approval requirements of the program. To date the requirements for application and approval have not been met.

Further, the position outlined in the report to Council was that the City will not provide financial or practical assistance to undertake the works, therefore the project is not eligible for funding under the Community Funding Program.

#### Mullaloo Boardriders Club Inc.

The Mullaloo Boardriders Club Inc submitted an application that sought funding to purchase five surfboards and 15 rash vests to encourage community participation in surfing. The club have also requested funding to purchase a trailer to transport the boards, as there is currently no available storage for the boards at Mullaloo Beach.

The Mullaloo Boardriders Club Inc formed in 2022 to provide community surfing competitions, introductory sessions, and a social element for local surfers. The club held its first contest in August for both junior and senior categories, where it identified that a number of community members were keen to try surfing but did not wish to outlay costs to purchase a board to do so. If successful in its application, the club will provide 'come and try' opportunities at its regular weekend sessions for club members.

The Mullaloo Boardriders Club Inc has indicated that approximately 120 City of Joondalup residents will benefit from the project.

The key outcomes of the program include:

- increased community participation in surfing
- reduction in barriers to participation in surfing
- security for club equipment.

The costs of the program are itemised in the table below. The Mullaloo Boardriders Club Inc has not committed any of its own funds to the project.

Mullaloo Boardriders Club Inc has not previously applied for any grant funding from the City.

<b>Program Items</b>	<b>Amount Requested</b>	<b>Amount Recommended by the City</b>
Trailer	\$8,580	\$8,580
Soft top surfboards x 5	\$2,400	\$2,400
Leg ropes x 5	\$150	\$150
Rash vests x 15	\$599	\$599
<b>Total</b>	<b>\$11,729</b>	<b>\$11,729</b>

The Mullaloo Boardriders Club Inc were deemed eligible for a grant by the panel under the criteria. The project meets the funding priorities of strengthening community participation and promoting healthy and active lifestyles and was recommended for full funding.

Though the Mullaloo Boardriders Club Inc are a newly formed organisation, it has demonstrated its capacity to deliver the project within the application. By providing the community with an opportunity to try surfing before committing to the purchase of a board, it is expected that the club will attract new participants to the club and the sport, and provide social and health benefits to the Joondalup community.

#### **Issues and options considered**

The Council may consider each application on its individual merits and approve or not approve as desired.

## Legislation / Strategic Community Plan / Policy implications

**Legislation** Not applicable.

### 10-Year Strategic Community Plan

**Key theme** Community.

**Outcome** Inclusive and connected – you enjoy local services and programs that cater for different ages, abilities and backgrounds.

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

### Risk management considerations

Due to the transient nature of association committees, it is possible that an organisation may find it difficult to maintain and provide reasonable information to complete an acquittal to the standard required in the funding agreement.

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

### Financial / budget implications

#### Current financial year impact

<b>Account no.</b>	1,443.A4409.3299.4023.
<b>Budget Item</b>	Community Funding Program.
<b>Budget amount</b>	\$306,542
<b>Small grant proposed cost</b>	\$32,369
<b>Large grant commitment</b>	\$100,105
<b>Balance</b>	\$174,068

All amounts quoted in this report are exclusive of GST.

### Regional significance

Not applicable.

### Sustainability implications

The CFP encourages and facilitates opportunities for the development of a healthy, connected, sustainable and involved community.

### Consultation

Promotion of this CFP funding round was conducted in July and August 2022 via the City's social media channels, e-newsletters, website, and relevant business unit contact lists. Three information sessions were also delivered by the City for prospective applicants in July and August.

## COMMENT

The panel assessed that four of the six large grant applications met the eligibility criteria and addressed the funding priorities of the Community Funding Program guidelines. All approved applications clearly identified project outcomes and provided all required supporting documentation.

## VOTING REQUIREMENTS

Simple Majority.

### MOVED Cr McLean, SECONDED Cr Hill that Council:

- 1 **APPROVES a grant of \$49,790 to No Limits Perth for their Heart on the Street project, subject to the organisation entering into a formal funding agreement with the City of Joondalup;**
- 2 **APPROVES a grant of \$26,314 to the Padbury Community Kindergarten for their Storage and Student Meal Space project, subject to the organisation entering into a formal funding agreement with the City of Joondalup;**
- 3 **APPROVES a grant of \$12,272 to All Stars for Autism for their Carers Community Outreach Program, subject to the organisation entering into a formal funding agreement with the City of Joondalup;**
- 4 **APPROVES a grant of \$11,729 to the Mullaloo Boardriders Club Inc for their Lesson Equipment and Transportation project, subject to the organisation entering into a formal funding agreement with the City of Joondalup;**
- 5 **DOES NOT APPROVE a grant of \$48,700 to the Sorrento Football Club for their High Performance Program;**
- 6 **DOES NOT APPROVE a grant of \$14,840 to the Lakeview Contemplation Garden (LCG) Inc for their Lakeview Contemplation Garden (LCG) project.**

**The Motion was Put and**

**CARRIED (12/1)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Raftis and Thompson.

**Against the Motion:** Cr Poliwka.

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf221108.pdf](#)



**Disclosure of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Mayor Hon. Albert Jacob, JP.</b>
<b>Item No. / Subject</b>	CJ190-11/22 - Tender 030/22 Provision of Electrical Services and New Electrical Installations to the value of \$50,000 Excluding Street Lighting.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Jacob's brother and sister-in-law are the Directors of MMJ Electrical, one of the tenderers.

## CJ190-11/22 TENDER 030/22 PROVISION OF ELECTRICAL SERVICES AND NEW ELECTRICAL INSTALLATIONS TO THE VALUE OF \$50,000 EXCLUDING STREET LIGHTING

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	110342, 101515
<b>ATTACHMENTS</b>	Attachment 1 Schedule of Items Attachment 2 Summary of Tender Submissions Attachment 3 Confidential Tender Summary  <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 Wanneroo Electric Pty Ltd as trustee for Wanneroo Electrics Unit Trust for the provision of electrical services and new electrical installations to the value of \$50,000 excluding street lighting.

**EXECUTIVE SUMMARY**

Tenders were advertised on 13 August 2022 through statewide public notice and published by Tenderlink for the provision of electrical services and new electrical installations to the value of \$50,000 excluding street lighting. Tenders closed on 15 September 2022. A submission was received from each of the following:

- Wanneroo Electric Pty Ltd as trustee for Wanneroo Electrics Unit Trust.
- MMJ Electrical Pty Ltd.
- Bara Electrical Pty Ltd.

The submission from Wanneroo Electrics Unit Trust represents best value to the City. It demonstrated a thorough understanding and appreciation of the City's requirements. It has extensive experience providing similar services to local governments as it has been providing electrical services to the Cities of Wanneroo (2001 to current) and Joondalup (2005 to current) for many years. It services and maintains both Cities' administration centres, sports halls, sporting complexes, aquatic centres, community halls, sports field floodlighting, park lighting, BBQs, tennis courts, netball and basketball stadiums, data wiring infrastructure and photo voltaic systems. Wanneroo Electrics Unit Trust is well established with significant industry experience and proven capacity to provide the services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by Wanneroo Electric Pty Ltd as trustee for Wanneroo Electrics Unit Trust for the provision of electrical services and new electrical installations to the value of \$50,000 excluding street lighting as specified in Tender 030/22 for a period of three years with the option of two further terms of one year each, 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 for the provision of electrical services to buildings owned by the City, building environs, parks, underpasses and public walkways located within the boundaries of the City and new electrical installations to the value of \$50,000 excluding street lighting.

The City has a contract in place with Wanneroo Electrics Unit Trust which expires on 30 November 2022.

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 electrical services and new electrical installations to the value of \$50,000 excluding street lighting was advertised through statewide public notice and published by Tenderlink on 13 August 2022. The tender period was for four weeks and tenders closed on 15 September 2022.

### **Tender Submission**

A submission was received from each of the following:

- Wanneroo Electric Pty Ltd as trustee for Wanneroo Electrics Unit Trust.
- MMJ Electrical Pty Ltd.
- Bara Electrical Pty Ltd.

The schedule of items listed in the tender is provided in Attachment 1 to Report CJ190-11/22.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ190-11/22.

A confidential tender summary is provided in Attachment 3 to Report CJ190-11/22.

## Evaluation Panel

The evaluation panel comprised four members, being:

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

The panel carried out the assessment of the 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. The technical nature of the services delivered under the contract and the projected volumes of work require increased minimum acceptable score to ensure a high standard of service is maintained, the predetermined minimum acceptable qualitative score for this requirement was therefore set at 55%.

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

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

## Compliance Assessment

The following offers received were assessed as fully compliant:

- Wanneroo Electrics Unit Trust.
- MMJ Electrical Pty Ltd.
- Bara Electrical Pty Ltd.

All submissions received were assessed as compliant and remained for further consideration.

## Qualitative Assessment

Bara Electrical Pty Ltd scored 49.6% and was ranked third in the qualitative assessment. The company demonstrated an understanding of the required tasks. It did not fully demonstrate the capacity required to provide the services or experience providing similar services to local governments. Examples of works included mainly services undertaken for private organisations including Aldi Supermarkets (all stores in WA), Serco Australia (Acacia Prison contract) and Spotless (all Myers stores across WA). Two other examples of works were for plumbing services for the Cities of Armadale and Melville.

MMJ Electrical Pty Ltd scored 59.8% and was ranked second in the qualitative assessment. The company demonstrated a good understanding of the required tasks. It has been delivering commercial electrical services across a broad range of industries including Built Form Capital, Hickey Constructions, Aon Investments and Funday Entertainment Group. It is noted these services were undertaken mainly for private organisations and on a smaller scale to the City's requirements. It has sufficient capacity and experience required to undertake the services.

Wanneroo Electrics Unit Trust scored 85.8% and was ranked first in the qualitative assessment. It has extensive experience providing similar services to local governments as it has been providing electrical services to the Cities of Wanneroo (2001 to current) and Joondalup (2005 to current) for many years. It services and maintains both Cities' administration centres, sports halls, sporting complexes, aquatic centres, community halls, sports field floodlighting, park lighting, BBQs, tennis courts, netball and basketball stadiums, data wiring infrastructure and photo voltaic systems. It demonstrated a thorough understanding and appreciation of the City's requirements. Wanneroo Electrics Unit Trust is well established with significant industry experience and proven capacity to provide the services to the City.

Given the minimum acceptable qualitative score of 55%, Wanneroo Electrics Unit Trust and MMJ Electrical Pty Ltd qualified for stage two of the assessment.

### Price Assessment

The panel carried out a comparison of the submitted rates offered by those that passed the stage one evaluation to assess value for money to the City.

The estimated expenditure over a 12-month period will vary based upon demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tenders, the tendered rates offered by each tenderer have been applied to actual historical usage data of all scheduled items. This provides a value of each tenderer for comparative evaluation purposes based on the assumption that this pattern of usage is maintained. There is no guarantee that this will occur, and actual costs will be paid on the actual usage in the future.

The rates are fixed for the initial three years of the contract but are subject to a price variation in years four to five (should the two optional one-year extension terms be exercised) of the contract to a maximum of the CPI for the preceding year. For estimation purposes, a 4.5% CPI increase was applied to the rates in years four to five.

Tenderer	Year 1	Year 2	Year 3	Total
Wanneroo Electrics Unit Trust	\$1,160,124	\$1,195,191	\$1,231,487	\$3,586,802
MMJ Electrical Pty Ltd	\$1,374,032	\$1,400,706	\$1,428,181	\$4,202,919

During 2021-22, the City incurred \$1,134,224 for electrical services. The City is expected to incur in the order of \$3,586,802 over the three-year contract period and \$6,218,520 over five years should the City exercise both extension options.

The rates proposed by Wanneroo Electrics Unit Trust results in a 1.7% rise when compared to the existing contract.

### Evaluation Summary

Tenderer	Weighted Percentage Score	Qualitative Ranking	Estimated Total Comparative Price	Price Rank
Wanneroo Electrics Unit Trust	85.8%	1	\$3,586,802	1
MMJ Electrical Pty Ltd	59.8%	2	\$4,202,919	2

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

### Issues and options considered

The City has a requirement for the provision of electrical services to buildings owned by the City, building environs, parks, underpasses and public walkways located within the boundaries of the City and new electrical installations to the value of \$50,000 excluding street lighting. 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 state-wide 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.

### 10-Year Strategic Community Plan

<b>Key theme</b>	Community.
<b>Outcome</b>	Active and social – you enjoy quality local activities and programs for sport, learning and recreation.
<b>Key theme</b>	Leadership.
<b>Outcome</b>	Responsible and financially-sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.
<b>Policy</b>	Not applicable.

### Risk management considerations

Should the contract not proceed, the risk to the City will be high as the City will not be able to maintain the electrical services of the City's buildings and comply with testing standards.

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

### Financial / budget implications

#### Current financial year impact

<b>Account no.</b>	Various accounts.
<b>Budget Item</b>	Electrical services and new electrical installations to the value of \$50,000 excluding street lighting.
<b>Budget amount</b>	\$ 1,200,000
<b>Amount spent to date</b>	\$ 339,002
<b>Proposed cost</b>	\$ 691,612
<b>Balance</b>	\$ 169,386

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**

Effective maintenance of electrical systems and installation of energy efficient fittings has the potential to reduce the cost of power to the City.

### **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 Wanneroo Electrics Unit Trust represents best value to the City.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Jones, SECONDED Cr May that Council ACCEPTS the tender submitted by Wanneroo Electric Pty Ltd as trustee for Wanneroo Electrics Unit Trust for the provision of electrical services and new electrical installations to the value of \$50,000 excluding street lighting as specified in Tender 030/22 for a period of three years with the option of two further terms of one year each, at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of C135-11/22, page 78 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf221108.pdf](#)

## CJ191-11/22      TENDER      031/22      PROVISION      OF      METAL FABRICATION SERVICES

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	110274, 101515
<b>ATTACHMENTS</b>	Attachment 1      Schedule of Items Attachment 2      Summary of Submissions Attachment 3      Confidential Tender Summary  <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 Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries) for the provision of metal fabrication services.

### EXECUTIVE SUMMARY

Tenders were advertised on 27 August 2022 through state-wide public notice and published by Tenderlink for the provision of metal fabrication services. Tenders closed on 14 September 2022. A submission was received from each of the following:

- Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries).
- Superior Nominees Pty Ltd (Miracle Recreation Equipment).
- Wright Welding and Fabrication Pty Ltd.

The submission from Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries) represents best value to the City. The company demonstrated an understanding and appreciation of the City's requirements with its submitted methodology and approach to service delivery in accordance with the City's specifications. Its submission outlined the qualifications and relative experience for its key personnel and the company's experience in completing equivalent scopes of works for the City since 2007. The company is well established with appropriate industry experience.

*It is therefore recommended that Council ACCEPTS the tender submitted by Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries) for the provision of metal fabrication services as specified in Tender 031/22, for a period of two years, with two options to extend the term of the contract by one term of two years, and one term of one year, at the submitted schedule of rates, with any price variations subject to the annual percentage change in the Perth CPI (All Groups).*

## **BACKGROUND**

The City has a requirement for a contractor to provide metal fabrication services in accordance with the specification.

The scope of the requirements shall consist of, but not be limited to, the following:

- Fabrication of "U" bars for pedestrian walkways.
- Fabrication of bollards.
- Fabrication of access gates.
- Specialised fabrication repairs to park infrastructure.
- Fabrication and repairs of grates for drainage outlet structures.
- Minor modifications to vehicles and equipment.
- On site work when requested.

The work required under this Contract shall exclude fabrication of irrigation control cabinets.

The City currently has a single contract in place with Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries) which expires on 21 November 2022.

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 metal fabrication services was advertised through state-wide public notice and published by Tenderlink on 27 August 2022. The tender period was for two weeks, and tenders closed on 14 September 2022.

### **Tender Submissions**

A submission was received from each of the following:

- Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries).
- Superior Nominees Pty Ltd (Miracle Recreation Equipment).
- Wright Welding and Fabrication Pty Ltd.

The schedule of items listed in the tender is provided in Attachment 1 to Report CJ191-11/22.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ191-11/22.

A confidential tender summary is provided in Attachment 3 to Report CJ191-11/22.

### **Evaluation Panel**

The evaluation panel comprised three members:

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



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

### **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.

The predetermined minimum acceptable pass score was set at 50%.

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

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

### **Compliance Assessment**

The following offers received were assessed as partially compliant but were included for further consideration on the basis that clarification could be sought should the tenderer qualify for stage two assessment:

- Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries) has no formal quality assurance in place but had included a quality statement, plus comprehensive plans, training documentation and safety manuals / procedures.
- Superior Nominees Pty Ltd (Miracle Recreation Equipment) has no formal quality assurance in place but had included a quality statement. It is unable to warrant unconditional compliance to the specification and has included critical assumptions regarding its pricing structure.
- Wright Welding and Fabrication Pty Ltd has no formal quality assurance in place and has inadequate level of public liability insurance. A statement was made that the level of \$10 million could be increased subject to a contract being awarded and a quality assurance and quality management policy was included.

Based upon the above findings, offers from Iron Tech Industries, Miracle Recreation Equipment and Wright Welding and Fabrication Pty Ltd all remained for further consideration.

## **Qualitative Assessment**

Miracle Recreation Equipment scored 44.6% and was ranked third in the qualitative assessment. It demonstrated some understanding of the required tasks confirming that works can be completed within the timelines stipulated by the City and submitting details of the products that it manufactures. The company was unable to warrant unconditional compliance to the specification as it considered the requirement for on-site work too vague. It has assigned an appropriate level of qualified staff with experience gained predominantly in park infrastructure repairs only. A detailed list of plant and equipment was not provided and the ability to source extra personnel if required was not addressed. It provided generic statements regarding its experience with government authorities and schools with no specific details included for contracts it has held for the Evaluation Panel to consider similarities of the scope of works to the City's requirements.

Iron tech Industries scored 69.8% and was ranked second in the qualitative assessment. It is a well-established organisation with a workshop located within the City of Joondalup. Details of persons who will be available in an emergency were noted and a comprehensive list of plant and equipment was included with items specifically designed to assist with fabrication projects required by the City. The director has extensive industry experience and suitable qualifications. The ability to provide additional resources was not addressed. It demonstrated good experience citing its current contract with the City whereby it has been providing identical services to those required under the proposed new contract. Specific details for the other contracts it has held were not sighted. It demonstrated a reasonable understanding of the required tasks and thoroughly explained its safety processes. The ability to respond to the priority deadlines and Australian Standards was not included.

Wright Welding and Fabrication Pty Ltd scored 70.2% and was ranked first in the qualitative assessment. It nominated key personnel with suitable qualifications and post trade experience and provided an extensive list of equipment appropriate for the City's scope of works which is located in the workshop and mobile set up. It can draw upon independent sole traders as a contingency for when extra resources are required and submitted details for its contact in an emergency. It demonstrated extensive experience in providing similar services submitting details of numerous contracts it has held, one being for the City of Perth, whereby it has undertaken identical welding repairs to those required by the City. It demonstrated a sound understanding of the City's requirements confirming that all welding and fabrication will be undertaken in accordance with relative Australian Standards and the City's drawings. Its processes for managing work orders and invoicing were clearly defined.

Given the minimum acceptable qualitative score of 50%, both Iron Tech Industries and Wright Welding and Fabrication Pty Ltd qualified to progress to the stage two assessment.

## **Price Assessment**

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

The estimated expenditure over a 12-month period will vary based upon demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tender, the tendered rates have been applied to actual historical usage data for 11 scheduled items. This provides a value of each tenderer for comparative evaluation purposes based on the assumption that this pattern of usage is maintained. There is no guarantee that this will transpire, as any future mix of requirements will be based upon demand and are subject to change in accordance with the operational needs of the City.

The rates are fixed for the first 12 months of the contract but are subject to a price variation in years two to five of the contract (subject to the City exercising the extension options) to a maximum of the CPI for the preceding year. For estimation purposes, a 4.5% CPI increase was applied to the rates tendered for years two to five.

Tenderer	Year 1	Year 2	Estimated Total Price
Iron tech Industries	\$153,800	\$160,721	<b>\$314,521</b>
Wright Welding and Fabrication Pty Ltd	\$162,542	\$169,856	<b>\$332,398</b>

During 2021-22, the City incurred \$145,240 for the provision of metal fabrication services. It is anticipated that the City will incur an estimated expenditure of \$314,521 during the two-year contract term, on the proviso it requires similar quantities to 2021, and up to \$841,394 over five years, should the City exercise the two extension options.

The schedule of rates for 11 items offered under this Request (which were the only items purchased during 2021-22), have been compared with the rates under the City's current contract using actual historical data. The proposed new contract represents a 6% increase when compared to the City's existing contracted rates. It is for noting that only one application for a CPI increase in June 2022 has been received since the current contract commenced on 22 November 2019.

### Evaluation Summary

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

Tenderer	Weighted Percentage Score	Qualitative Ranking	Estimated Total Comparative Price	Price Rank
Iron Tech Industries	69.8%	2	\$314,521	1
Wright Welding and Fabrication Pty Ltd	70.2%	1	\$332,398	2

Based on the evaluation result the panel concluded that the offer from the Lothian Trust "(Iron Tech Industries) provides best value to the City and is therefore recommended.

### Issues and options considered

The City has a requirement for the provision of metal fabrication services within the City for various works and maintenance projects. 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 state-wide 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.

## 10-Year Strategic Community Plan

<b>Key theme</b>	Leadership.
<b>Outcome</b>	Accountable and financially sustainable – you are provided with a range of City services which are delivered in a financially responsible manner.
<b>Policy</b>	Not applicable.

## Risk Management Considerations

Should the contract not proceed, the risk to the City will be moderate as the City will not be able to carry out various maintenance and capital works projects in a timely manner.

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

## Financial / Budget Implications

### Current financial year impact

<b>Account no.</b>	Various capital and maintenance accounts.	
<b>Budget Item</b>	Metal fabrication services.	
<b>Budget amount</b>	\$	160,000
<b>Amount spent to date</b>	\$	30,676
<b>Commitments</b>	\$	33,292
<b>Proposed cost</b>	\$	3,866 (Existing Contract)
	\$	\$93,123 (New Contract)
<b>Balance</b>	(\$	957)

The balance does not represent an overspend at this time. The projected expenditure for this service is subject to change and is dependent on the quantity and type of requirements throughout the Contract period.

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 Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries) represents best value to the City.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Jones, SECONDED Cr May that Council ACCEPTS the tender submitted by Scott Lothian as trustee for the Lothian Trust (Iron Tech Industries) for the provision of metal fabrication services as specified in Tender 031/22, for a period of two years, with two options to extend the term of the contract by one term of two years, and one term of one year, at the submitted schedule of rates, with any price variations subject to the annual percentage change in the Perth CPI (All Groups).**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of C135-11/22, page 78 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8brf221108.pdf](#)

**Disclosures of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr John Chester.</b>
<b>Item No. / Subject</b>	CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Chester is a member of the Tamala Park Regional Council.

<b>Name / Position</b>	<b>Cr Nige Jones.</b>
<b>Item No. / Subject</b>	CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Jones is on the Tamala Park Regional Council Committee.

**CJ192-11/22      CONFIDENTIAL - FUTURE OF TAMALA PARK REGIONAL COUNCIL SHARE HOLDINGS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENTS</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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This Item was dealt with later in the meeting, after 'Motions of Which Previous Notice has been Given', page 84 refers.

**Disclosure of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Mr Nico Claassen, Director Infrastructure Services.</b>
<b>Item No. / Subject</b>	CJ193-11/22 - Property Management Framework Review.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Director Claassen's wife is an employee of Silver Chain, a current lessee of a City facility.

## CJ193-11/22      **PROPERTY      MANAGEMENT      FRAMEWORK      – REVIEW**

<b>WARD</b>	All			
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services			
<b>FILE NUMBER</b>	101409, 101515			
<b>ATTACHMENT S</b>	Attachment 1	Current	<i>Property</i>	<i>Management</i>
		<i>Framework</i>		
	Attachment 2	Revised	<i>Property</i>	<i>Management</i>
		<i>Framework</i>		
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.			

**PURPOSE**

For Council to consider the revised *Property Management Framework*.

**EXECUTIVE SUMMARY**

The *Property Management Framework* (PMF) was introduced to guide the management of the City's diverse property portfolio for sites under the care, control and ownership. The PMF was adopted by Council at its meeting held on 20 November 2012 (CJ234-11/12 refers). The PMF contains specific requirements for classifying properties and their usage (Attachment 1 refers).

Since its introduction, the PMF has enabled the City to work towards the standardisation of tenure agreements and to educate occupants on their property management responsibilities and obligations. Through the application of a set of key principles, the PMF has attempted to strike a balance between a tenant's capacity to pay, the social benefit they provide to the community and the City's long-term financial sustainability.

For the last decade, the PMF has proven to be a successful policy document in providing strategic guidance to the City in assessing suitable uses and occupation arrangements on City owned or managed land. Since 2018 the PMF has been under review alongside the City's former *Facility Hire Subsidy Policy* (FHSP), which determines the fee subsidy levels for hire arrangements and the circumstances in which they will apply. The documents are closely aligned, with the policy acting as a subsidiary guide to the PMF for hire arrangements.

The policy review proposed significant changes to the categorisation of property users, and as such, the PMF review was delayed to enable the new *Venue Hire Fees and Charges Policy* (VHFCP) to be finalised and adopted by Council, which occurred at its meeting held on 16 August 2022 (CJ139-08/22 refers). The PMF has now been updated in alignment with relevant changes in the VHFCP.

Through the review process, the overall objectives and intent of the PMF remain the same with proposed amendments seeking to:

- improve the style and formatting of the document for better use and understanding by the community
- provide clearer direction to existing and potential tenants on the City's approval processes for tenure arrangements and the principles underpinning them
- simplify tenant categories to better reflect the type of activities undertaken on/within City properties and a tenant's capacity to pay (in alignment with the new VHFCP)
- review the best and most appropriate uses for properties over the long-term through tenure period reductions.

Key features of the previous PMF that have followed through to the revised document include the following:

- The importance of maximising access by the public to City owned and managed properties.
- Ensuring tenure arrangements entered into with the City provide an overall benefit to the public.
- Minimum tenant responsibilities for maintenance and the payment of outgoings and utilities.
- The use of market valuations or % of Current Replacement Cost to determine rent.

*It is therefore recommended that Council:*

- 1 *NOTES the outcomes of the review of the City of Joondalup Property Management Framework;*
- 2 *ADOPTS the revised Property Management Framework as detailed in Attachment 2 to Report CJ193-11/22;*
- 3 *REQUESTS the Chief Executive Officer undertake a detailed community engagement program to communicate the revised Property Management Framework to affected tenants and facilitate its implementation.*

## **BACKGROUND**

The PMF provides the City with a guide to managing all property under the City's ownership, care and control. It takes into account the City's statutory obligations and the changing demands of the community to access properties and facilities held by the City for various purposes and uses.

The document also provides a transparent decision-making guide for businesses, service providers, community groups and individuals wishing to enquire and engage with the City on property-related matters.



The objectives of the PMF are as follows:

- To define the classifications for which City owned and managed property is held.
- To establish the categories and associated principles under which City owned and managed property may be used and occupied.
- To promote equitable, effective and sustainable management practices for the use and occupation of City owned and managed property.

The PMF also classifies properties into three broad groups that describe the *primary* purpose in which the property is held. They are not necessarily static and may be re-classified following a review by Council. Current classifications include:

- *Community Purposes*

Property held for administrative, operational, recreational, and/or infrastructure usage. Most of the properties owned or managed by the City fall within this classification, as Crown Land that has been set aside for a public purpose.

- *Capital Appreciation*

Property that is either undeveloped or underdeveloped and considered appropriate for, and capable of, improvement. These properties tend to present a low overall benefit to the community or are strategically located where future development is necessary to drive economic development outcomes.

- *Income Generation*

Property that is to be retained and used for activities capable of providing an ongoing income stream for the City. Property held for Income Generation will be developed to the highest and best use of the site.

Based on their classification and nature of the proposed activity, City properties may be accessed or occupied by users under a variety of circumstances including hire, lease, licence and management agreements. To guide the City's assessment processes and inform the tenure arrangements that will apply under various scenarios, a set of key principles underpin the current PMF, including the following:

- The City acknowledges its obligation to provide and maintain its properties to meet community needs for present and future generations.
- The City recognises and supports the contribution made by community groups in achieving an active and sustainable community.
- The City encourages the use of its properties by organisations which provide a benefit to the community.
- The City promotes tenure arrangements which are consistent, transparent and equitable.
- The City promotes tenure arrangements which provide for access to the property by the wider community.
- The City promotes tenure arrangements which contribute to the financial viability of the City.

Potential occupants of City properties are then categorised to determine the tenure arrangements that will apply in alignment with the abovementioned principles. They include:

Category	Tenure (Years)	Rent	General Responsibilities
Commercial Organisations	Lease: 10+5+5  Licence: 3	Market (no subsidy)	<ul style="list-style-type: none"> <li>• Rates and levies</li> <li>• Utility outgoings</li> <li>• Non-structural maintenance</li> <li>• Cleaning</li> <li>• Building insurance (cost)</li> <li>• Public liability insurance</li> <li>• Refuse collection charges</li> </ul>
Telecommunications Carriers	Case-by-case	Case-by-case	Case-by-case
Government Agencies / Departments	Lease: 10+5+5  Licence: 3	Market (potential subsidy)	Same as commercial organisations
Not-For-Profit Community Groups	Lease: 10+5+5  Licence: 3	0.1% current replacement cost* (further subsidies may apply)	Same as commercial organisations, excluding building insurance (cost)
Other	Case-by-case	Market (potential subsidy)	Case-by-case

*\*Current Replacement Cost of facility*

The main focus of the PMF review has been to simplify the abovementioned categories in alignment with the new VHFCP, adjust rental subsidies based on a tenant's capacity to pay and amend tenure periods to enable greater flexibility for property uses over the long-term. Details of these proposed amendments are outlined below.

## DETAILS

### Revised PMF

In 2018, the City began a review of the PMF that has been informed by input from Elected Members at Strategy Sessions held on 6 April 2021, 6 July 2021 and 2 August 2022. Feedback received at each of these sessions has resulted in a revised PMF document being prepared and provided at Attachment 2 for Council's consideration.

The general outcomes of the review are as follows:

#### *Property Classifications*

The current classifications of Community Purposes, Capital Appreciation and Income Generation remain unchanged; however, the key features of each classification have been more clearly described within the revised PMF.

There are over 800 properties classified under this system that were previously adopted by at its meeting held on 20 November 2021 (CJ234-11/12 refers). A review of the City's property classification inventory is in progress and will be presented back to Council following the adoption of the revised PMF.

### Key Principles

Consistent and agreed feedback received to date confirmed the continued importance of City properties:

- being managed on the basis of equity and maximising access
- ensuring exclusive use is provided on the basis of an occupant's financial capacity to pay
- to recognise and support community organisations and groups for the social benefits they provide to the community.

In recognition of this feedback, amendments to the existing key principles have been proposed to strengthen/clarify the City's position, remove duplication and reflect current practices through the addition of new principle statements. Proposed amendments are described below:

Current Framework	Revised Framework
The City acknowledges its obligation to provide and maintain its properties to meet community needs for present and future generations.	NO CHANGE.
The City recognises and supports the contribution made by community groups in achieving an active and sustainable community.	AMENDED – The City recognises the <u>social contributions</u> made by <u>organisations</u> and community groups in building sustainable communities.
The City encourages the use of its properties by organisations which provide a benefit to the community.	AMENDED – The City <u>promotes activities on and within</u> its properties that provide an <u>overall</u> benefit to the public.
The City promotes tenure arrangements which are consistent, transparent and equitable.	REMOVED – as this is covered in the purpose of the Framework.
The City promotes tenure arrangements which provide for access to the property by the wider community.	AMENDED – The City promotes occupancy arrangements <u>that maximise</u> access to the property by the wider community.
The City promotes tenure arrangements which contribute to the financial viability of the City.	AMENDED – The City promotes occupancy arrangements that contribute to the financial viability of the City <u>and reflect an occupant's capacity to pay.</u>
	<u>NEW – The City acknowledges that historical exclusivity on City properties does not guarantee future exclusive rights.</u>
	<u>NEW – The City will preference hire arrangements over the establishment of leases or licences.</u>

### Tenancy Requests

A new section has been introduced to the revised PMF to clarify that formal written submissions are to be provided to the City for all tenancy requests, including an outline of the types of information that will be required for submission to effectively evaluate the request.

Submissions will be supported by an application pack that will be publicly available following the adoption of the revised PMF to support a more consistent and transparent approach to tenancy evaluations.

### *Tenant Categories*

The current PMF is structured around “standard tenure arrangements” that outline general requirements to apply to all tenants, such as types of agreements, period of tenure and tenant/City responsibilities. These standards inform the basic terms and conditions for the City’s lease and licence templates, which are then modified as required.

Further to the general standards are additional tenure guidelines, which identify category-specific arrangements for Commercial, Telecommunication Carriers, Government Departments/Agencies, NFP Community Groups and “Others” such as:

- the setting of rental charges (market value versus percentage current replacement cost)
- the application of subsidies and peppercorn rent
- additional responsibilities to cover building insurance costs, local government rates
- acknowledgement requirements where subsidies are applied.

The revised PMF simplifies this structure by introducing a “Tenant Category” section to align with the new VHFCP and consolidates the rental methodology and tenure periods that apply to each category, into a simple table format (Attachment 2 refers).

The new categories, as adopted by Council in the new VHFCP and subsequently incorporated in the revised PMF, are as follows:

- Category A** An organisation, group or individual occupying a property as part of a business, for business purposes, and/or for financial benefit.  
or  
A charity, incorporated association, community group, government department/agency or educational provider with annual gross revenue of more than \$10 million, occupying the premises for non-commercial purposes.
- Category B** A charity, an incorporated association or a community group, government department/agency or educational provider with an annual gross revenue of less than \$10 million and more than \$3 million, occupying the premises for non-commercial purposes.
- Category C** A charity, an incorporated association or a community group with an annual gross revenue of less than \$3 million, occupying the premises for non-commercial purposes.

As explained in the report to the Council meeting held on 16 August 2022 (CJ139-08/22 refers), the new VHFCP revised categories aim to reflect a user’s capacity to pay rather than the specific function or activity being conducted from a City property. They also consider that some not-for-profit organisations undertake significant operations from City facilities and are largely financially sustainable, with paid staff and directors. This differs significantly from community and volunteer-based organisations that also operate from City properties, with much lower and less-diverse revenue streams. To reflect this, income thresholds have been applied to the new categories to inform the attraction and application of subsidised hire fees and rent based on a “capacity to pay” principle.

In this respect, not-for-profit organisations with an annual revenue exceeding \$10 million will be treated in the same manner as commercial operators due to the size and scale of their operations. Whilst this may not attract standard subsidies, Category A tenants are afforded greater flexibility with regard to negotiated tenure periods and lease incentives, as described further in the report.

The thresholds have been developed through feedback received to date and current financial reporting obligations required by the Australian Charities and Not-for-Profits Commission. (That is, Category B aligning with the \$3 million annual revenue threshold for large organisations).

### *Rental Methodology*

With regard to lease and licence arrangements, the calculation of rent is determined within the current PMF by either a market value (for commercial operators and telecommunications carriers), a subsidised value of 0.1% of a facility's current replacement cost (CRC) or a further subsidy of peppercorn as determined by Council.

The current methodology of applying either a market value or a percentage of current replacement cost (% CRC) remains within the revised PMF, with a recommendation to apply subsidies and additional rents in accordance with the new tenant categories. New rental calculations aim to reflect a tenant's capacity to pay and retail/commercial based activities, as proposed below:

Category	Rental Methodology	
A	Base rent:	Market evaluation
	Special rent:	Negotiated % turnover for commercial activities
	Incentives:	Fit-out contributions, rent-free/discount periods, etc
	Review period:	Minimum five years
B	Base rent:	<ul style="list-style-type: none"> <li>Sliding % CRC* based on annual gross revenue of less than \$10 million and greater than \$3 million (See Table 2 below), plus annual CPI increases</li> <li>Proportionate subsidy on base rent to apply for capital contributions that exceed 10% of the facility CRC</li> </ul>
	Special rent 1:	<ul style="list-style-type: none"> <li>25% rent derived from approved commercial sub-leases within the premises</li> </ul>
	Special rent 2:	<ul style="list-style-type: none"> <li>1% of gross revenue for retail-based activities conducted from the premises (such as kitchen/bar sales, venue hire, corporate events, merchandise stores and the like)</li> </ul>
	Review period:	<ul style="list-style-type: none"> <li>Minimum 5 years</li> </ul>
C	Base rent:	<ul style="list-style-type: none"> <li>Sliding % CRC* based on annual gross revenue of less than \$3 million (See Table 3 below), plus annual CPI increases</li> <li>Proportionate subsidy on base rent to apply for capital contributions that exceed 10% of the facility CRC</li> </ul>
	Special rent 1:	<ul style="list-style-type: none"> <li>25% rent derived from approved commercial sub-leases within the premises</li> </ul>
	Review period:	<ul style="list-style-type: none"> <li>Minimum five years</li> </ul>

Table 2 – Category B

Annual Gross Revenue	\$3M – \$4.5M	\$4.5M – \$6M	\$6M – \$7.5M	\$7.5M – \$9M	\$9M – \$10M
% CRC	1%	1.5%	2%	2.5%	3%

Table 3 – Category C

Annual Gross Revenue	<\$1M	\$1M – \$1.5M	\$1.5M – \$2M	\$2M – \$2.5M	\$2.5M – \$3M
% CRC	0.1%	0.2%	0.4%	0.6%	0.8%

The premise of the special rents for Category B and C tenants, is to recognise that commercial or commercial-like activities are being conducted on City owned or managed land by not-for-profit organisations, where the land has been set aside for a public purpose. In acknowledging that the general public is unable to access the land, (due to the presence of an exclusive-use arrangement), a portion of the income generated from the activity is directed back to the community through an income-sharing model.

As the extent of activities on the property grow and shift away from community or service- based operations, (becoming more retail-based or commercial in nature), special rents may apply to ensure the general public benefits from this activity.

#### *Tenure Periods*

With regard to tenure periods, the revised PMF seeks to adjust maximum tenure periods down from 20 years (10+5+5 years) to 10 years (5+5 years), to provide more flexibility for the City in reviewing the best and most appropriate uses for its property portfolio over the long-term.

Circumstances where significant capital contributions are made towards the improvement of the property, and a sufficient loan-repayment period is required, maximum tenure periods may be adjusted beyond 10 years.

This model is consistent with more recent decisions of Council in approving new lease agreements with organisations such as the Joondalup Mens' Shed at the former Winton Road Depot (CJ228-12/18 refers); and Churches of Christ, Sport and Recreation Association Inc. at the Duncraig Recreation Centre (CJ115-18/20 refers), both of which reflect a 5+5 year tenure period.

Given the current longevity of many of the City's existing agreements, it is acknowledged that changes to the PMF will have limited effect on existing tenants in the short-term, as the City awaits their expiry before reconsidering new tenure applications under a revised PMF model.

For existing agreements that have, or are soon to expire, the principles and standard arrangements within the revised PMF will apply, with the potential for negotiated outcomes to be considered, over an appropriate period of time, to smooth out any significant cost implications for tenants where new tenure arrangements are supported.

#### **Issues and options considered**

Council can either choose to:

- 1 not endorse the revised PMF and continue with current PMF. This will lead to inconsistencies with the new VHFCP and present challenges in having organisations categorised differently under hire or lease/licence arrangements
- 2 endorse the revised PMF as shown in Attachment 2 to Report CJ193-11/22. This is the recommended option  
or
- 3 endorse the revised PMF, subject to amendments. Any amendments should not create any inconsistencies with the new VHFCP, as recently adopted by Council.

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

##### **Legislation**

*Land Administration Act 1997 (WA).*  
*Local Government Act 1995 (WA).*  
*Telecommunications Act 1997 (Cth).*  
*Commercial Tenancy (Retail Shops) Agreements Act 1985.*  
*Associations Incorporations Act 2015.*

## 10-Year Strategic Community Plan

<b>Key theme</b>	Place.
<b>Outcome</b>	Functional and accessible – you have access to quality community facilities that are functional and adaptable.
<b>Policy</b>	<i>Venue Hire Fees and Charges Policy.</i>

### Risk management considerations

There is a risk of an adverse response from current tenants on expired, or soon to expire lease/licence agreements who may move into a higher category under the revised PMF model based on their current annual gross revenue.

The new application process will seek to provide an opportunity for the City to work with existing tenants in determining the most appropriate tenure arrangement for their operations and consider appropriate phase-in periods where significant cost implications may adversely affect their service delivery functions over the short-term.

### Financial / budget implications

In 2021-22, the City generated \$1,533,823 in total income for leased and licenced properties. This included \$1,148,488 in rent and \$385,335 in on-costed outgoings and utility charges.

The cost to the City in operating and maintaining these properties during the same period (including depreciation costs) was \$2,812,885. These costs exclude the capital costs to construct, redevelop and refurbish facilities and associated infrastructure, which varies from year-to-year.

The revised PMF does not seek to provide a mechanism for increasing income to the City, but rather, encourage access to its properties by the community through the setting of appropriate charges that recognise the exclusivity afforded to tenants.

### Regional significance

Not applicable.

### Sustainability implications

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

### Consultation

Consideration of the *Property Management Framework* review has been given by Elected Members at various Strategy Sessions held on 2 July 2019, 6 April 2021, 6 July 2021 and 2 August 2022.

Following Council endorsement of any revisions to the PMF, engagement will need to be undertaken with current lessees/licensees to provide information on any endorsed changes that may impact potential future tenure arrangements. This may include the negotiation of potential phase-in periods for current lessees/licensees that successfully apply for new tenure arrangements.

It is proposed the City will undertake a detailed community engagement program to communicate the revised Property Management Framework to affected tenants and facilitate its implementation.

## COMMENT

The PMF has been the subject of a review process for several years now, with the revised document reflecting feedback received to date from Elected Members and the user categories recently adopted by Council as part of the new VHFCP.

For the last decade, the PMF has proven to be a successful policy document in providing strategic guidance to the City in assessing suitable uses and occupation arrangements on City owned or managed land. The revised PMF seeks to build upon the existing principles that have been implemented since its adoption in 2012, in particular, the City's ongoing commitment to ensuring its properties maximise access opportunities by the community in an affordable and appropriate manner.

## VOTING REQUIREMENTS

Simple Majority.

*Cr Hill left the Chamber at 8.06pm and returned at 8.08pm.*

**C134-11/22**

### **PROCEDURAL MOTION – THAT THE MOTION BE NOW PUT**

**MOVED Cr May, SECONDED Cr Jones that the Motion be now PUT as per 10.1(b) of the *Meeting Procedures Local Law 2013*.**

**The Procedural Motion was Put and**

**CARRIED (7/6)**

**In favour of the Motion:** Crs Chester, Hamilton-Prime, Hill, Jones, Logan, May and McLean.

**Against the Motion:** Mayor Jacob, Crs Fishwick, Kingston, Poliwka, Raftis and Thompson.

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

- 1 NOTES the outcomes of the review of the City of Joondalup *Property Management Framework*;**
- 2 ADOPTS the revised *Property Management Framework* as detailed in Attachment 2 to Report CJ193-11/22;**
- 3 REQUESTS the Chief Executive Officer undertake a detailed community engagement program to communicate the revised *Property Management Framework* to affected tenants and facilitate its implementation.**

**The Motion was Put and**

**CARRIED (8/5)**

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

**Against the Motion:** Crs Fishwick, Kingston, Poliwka, Raftis and Thompson.

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf221108.pdf](#)*



**Disclosures of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr Daniel Kingston.</b>
<b>Item No. / Subject</b>	CJ194-11/22 - Draft Weed Management Plan 2022-2032.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Kingston is the secretary of the Friends of Yellagonga Regional Park. A family member of Cr Kingston is a member of the executive committee of the association.

<b>Name / Position</b>	<b>Cr John Logan.</b>
<b>Item No. / Subject</b>	CJ194-11/22 - Draft Weed Management Plan 2022-2032.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Logan is a member of the Friends of Yellagonga which has an interest in weed management in Yellagonga Regional Park.

**CJ194-11/22      DRAFT WEED MANAGEMENT PLAN 2022-2032**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services
<b>FILE NUMBER</b>	102082, 101515
<b>ATTACHMENTS</b>	Attachment 1      Draft Weed Management Plan 2022 – 2032
<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 endorse the release of the draft Weed Management Plan 2022 – 2032 for community consultation.

**EXECUTIVE SUMMARY**

Weeds are one of the major threats to Australia's natural environment and biodiversity and can change the natural diversity and balance of ecological communities. The City is committed to the ongoing management and conservation of the City's natural and urban environment. Integrated weed management, inclusive of utilising a suite of weed control techniques and timely interventions, is essential to the ongoing protection, enhancement and amenity of the City's natural environment, public open spaces and urban landscapes.

The draft Weed Management Plan 2022 – 2032 (the Plan) builds upon the outcomes of the previous *Weed Management Plan 2016 – 2021*.

The draft Weed Management Plan 2022 - 2032 details an integrated weed management approach to prevent, monitor, prioritise and control the introduction and spread of weeds in the City. The Plan describes the potential impacts from weeds, weed control methods, the City's current weed management approach and proposes management strategies to be implemented over the life of the Plan to minimise potential impacts.

Seven approaches are included within the Plan as part of the integrated approach to weed management with 24 management actions recommended which aim to coordinate and improve the City's weed management activities.

In developing the draft Weed Management Plan 2022 - 2032 consideration has been given to previous Council decisions, outcomes of the Strategic Community Reference Group meeting held in May 2021 and community concerns regarding herbicide use, including two open petitions. The draft plan is based on the latest science, research and relevant advice from the State Government and industry agencies. A peer review process has also been undertaken with experts providing feedback on the draft plan.

*It is therefore recommended that Council ENDORSES the draft Weed Management Plan 2022 – 2032 for community consultation for a period of 21 days, provided as Attachment 1 to Report CJ194-11/22.*

## **BACKGROUND**

The City manages approximately 533 hectares (ha) of natural bushland in over 100 reserves, many of which are recognised as having local, regional or national significance. Weeds are a key management issue for the City's natural areas and threaten the biodiversity values they contain.

The City also contains large areas of assets and infrastructure, parks and urban landscaping areas. Assets maintained by the City include 550ha of parks, 17ha of urban streetscapes, 1,060km of roads, 120ha of grassed medians, 15 artificial wetlands, 927km of pathways and cycleways, numerous play spaces, public garden beds, sporting fields and more. The invasion of weeds in these areas affects the amenity, functionality and aesthetics and impacts upon community use of the sites.

The City conducts weed management on City managed or owned land across its 22 suburbs. Weed management is conducted in the City to differing degrees, depending on the primary function and usage type of public open space. Weed management of the City's natural areas differs substantially to weed management in parks and urban landscaping areas, due to the difference in weed density and biodiversity values.

Within the City, there are 285 identified weeds including 15 declared pest plants and five Weeds of National Significance. These weed species are often widespread and without control can alter public open spaces reducing viability and biodiversity.

Council previously endorsed the *Weed Management Plan 2016 – 2021* at its meeting held on 13 December 2016 (CJ211-12/16 refers). Substantial progress has been made in implementing the recommended actions from the Plan with all recommendations that were scheduled for implementation during the life of the Plan having been either completed or commenced.

## **DETAILS**

In developing the draft Weed Management Plan 2022 - 2032 consideration has been given to previous Council decisions, outcomes of the Strategic Community Reference Group meeting held in May 2021 and community concerns regarding herbicide use including two open petitions. The draft plan is based on the latest science, research and relevant advice from state government and industry agencies. A peer review process has also been undertaken with experts providing feedback on the draft plan.

### Expert advice and peer review process

As part of the development of the draft Weed Management Plan 2022 – 2032 the City has sought advice from the relevant state government departments as well as industry experts. The City has received advice from the Department of Health which states that glyphosate products that are registered with APVMA are safe when used in accordance with the label instructions.

Furthermore, advice provided states that glyphosate is not a confirmed class 1 human carcinogen and is registered for use throughout the world and current regulatory assessment is that it does not pose a risk to humans when used according to the label instructions.

The draft Weed Management Plan 2022 – 2032 has been provided to the following agencies/organisations as part of a peer review process:

- Department of Health.
- Department of Primary Industries and Regional Development.
- Botanic Gardens and Parks Authority.
- Edith Cowan University.

### Draft Weed Management Plan

The purpose of the draft Weed Management Plan 2022 – 2032 is to provide an integrated approach to the management of weeds within the City.

The objectives of the draft Weed Management Plan 2022 – 2032 are as follows:

- Implement the integrated weed management program to protect biodiversity and maintain amenity in accordance with regulatory requirements.
- Reduce the reliance of herbicide use by increasing non-chemical weed control methods, where appropriate.
- Minimise bushfire risk by undertaking weed control to mitigate fire fuel loads.
- Increase communication to the community regarding the City's weed management practices.
- Support the community's role in weed management through increased community awareness initiatives.

The draft Weed Management Plan 2022 – 2032 is presented in two parts – parks and urban landscaping and natural areas to reflect the need for different approaches to be implemented within these areas. The integrated approach to the management of weeds within the City is provided under the following seven sections.

### Weed Monitoring

Weed monitoring is important for identifying and effectively managing weed populations. The draft Weed Management Plan 2022 – 2032 includes observational weed monitoring for parks and urban landscaping areas to guide weed control efforts and management actions. Weed inspections in parks and urban areas are regularly undertaken in accordance as determined by site prioritisation.

### Weed Prioritisation

The draft Weed Management Plan 2022 – 2032 proposes that weed management in natural areas is undertaken on a priority basis using the following four criteria:

- Site selection (ranked in terms of conservation value).
- Working from areas of best condition to lower condition.
- Targeting priority weeds.
- Targeting other weeds.

The draft Weed Management Plan 2022 – 2032 proposes that weed management in parks and urban areas on a priority basis using the following four criteria:

- Site selection (based on parks classification, road hierarchy and Service Level Agreements).
- Working in areas with functional values before aesthetic values.
- Targeting priority weeds and turf weeds.
- Targeting other weeds.

### Weed Prevention

The prevention of weeds in parks and urban landscaping areas is the most effective method of managing weeds within the City. Eradication of weeds usually requires more resources for weed management than those required for weed prevention. Weed prevention methods that are included in the draft Weed Management Plan 2022 – 2032 include the following:

- Mulching.
- Turf management.
- Renovation works.
- Suppression of weed seed banks.
- Best practice landscape design and management.
- Minimising access and disturbance.
- Undertaking weed hygiene measures.

### Weed Control

Weed control is necessary for reducing, containing or eradicating weed infestations and the Weed Management Plan 2022 – 2032 details an integrated weed management approach to control weeds which includes the following:

- Chemical weed control – the use of selective and non-selective herbicides to control or suppress weeds.
- Steam and/or hot water (also known as hydrothermal) weed control – the application of hot water and/or steam to a weed plant causing it to die.
- Physical weed control – the removal of weeds by physical or mechanical means, such as mowing, mulching or by hand.

The draft Weed Management Plan 2022 – 2032 proposes the continued use of herbicides such as glyphosate as part of an integrated approach to weed management. As per advice from the Department of Health glyphosate is not a confirmed human carcinogen and is safe when used in accordance with the label instructions. The City complies with regulations and implements a number of initiatives to maximise safety and minimise risk to staff and the community including the following:

- Adhering to *Health (Pesticides) Regulations 2011 – Signage Requirements*.
- City of Joondalup Pesticide Use Notification and Pesticide Exclusion Register.
- Use of non-chemical weed control for hardstand areas within a 50metre radius of schools, within playspaces and within kerbs, footpaths, hardstand median islands, mulched median islands and general paved areas within the Central Business Precinct.

- Utilising technology such as WeedSeeker to improve efficiency of herbicide application.
- Herbicide use adjacent to sensitive facilities is subject to the City's assessment of authorised chemicals process.

### Partnerships

Partnerships assist the City to share information, gain knowledge and provides opportunities to participate in industry research. The draft Weed Management Plan 2022 – 2032 proposes the continuation of existing partnerships as well as seeking new partnership opportunities that will benefit the City and the community. The City partners with a variety of external stakeholders regarding weed management including the following:

- Department of Biodiversity, Conservation and Attractions.
- Department of Primary Industries Regional Development.
- Water Corporation.
- Other local governments (for example City of Wanneroo and City of Stirling).
- Western Australian Local Government Association.
- Universities, schools and Friends Groups.

### Training

Training is continually provided to ensure staff have the necessary knowledge and experience to undertake integrated weed management activities to ensure the safe, effective and innovative approaches to weed management. Potential negative impacts of weed management are minimised through training and development opportunities as well as ensuring the safety of staff and community. City staff are trained in the correct application and safe use of herbicides and contractors directly involved in the use of herbicides are licenced with the Department of Health under the *Health (Pesticides) Regulations 2011*. Training and information is also provided to the City's Friends Groups.

### Community Education

The management of weeds is a shared responsibility between the City and the community. The draft Weed Management Plan 2022 – 2032 proposes that the City continues to implement an Environmental Education Program to raise community awareness regarding weed prevention and control, particularly regarding the City's weed management approach, the impact of weeds and the importance of weed control.

A total of 24 management actions have been recommended within the draft Weed Management Plan 2022 – 2032 under the seven key sections. Management actions aim to coordinate and improve the City's weed management activities. The recommended management actions have budget and resourcing implications for the City.

### Performance Measures

The performance of the draft Weed Management Plan 2022 – 2023 will be monitored and reported annually through the City's State of the Environment Report. The following indicators have been proposed, as per Table 1 below.

**Table 1: Proposed Performance Indicators: Draft Weed Management Plan**

Indicator	Source	Measure	Reportable Period
Community satisfaction with conservation and natural area management	Customer Satisfaction Monitor	% of respondents satisfied with service	Biennial
Vegetation condition of City Major Conservation Natural Areas	Vegetation assessments (five yearly)	% of area per vegetation condition classification (as per the Keighery scale)	Once every five years per Major Conservation Natural Area
Fuel load of City Major Conservation Natural Areas	Fuel load assessments	Fuel load (tonnes/hectare)	Annual
Community satisfaction with parks	Customer Satisfaction Monitor	% of respondents satisfied with service	Biennial
Weed control in playspaces	Non-chemical weed control contractor monthly reports	% of playspaces using non-chemical weed control methods	Annual
Weed control in sensitive areas	Non-chemical weed control contractor monthly reports	% kerblines and footpaths within 50 metres of sensitive activities using non-chemical weed control	Annual
Community awareness of weed management	Corporate Business Plan	Number of events/initiatives	Annual
Volunteer Hours	Friends Group Annual Work Plans	Total number of volunteer hours by City of Joondalup Friends Groups	Annual
Expenditure for weed management	Annual Budget	Total annual budget allocated to weed management per year	Annual

### Issues and options considered

It is intended that the Draft Weed Management Plan be released for community consultation for a period of 21 days commencing 17 November 2022. Key stakeholders such as Friends Groups and Residents Associations will be contacted directly and invited to participate. The City will also advertise the consultation to the wider community via a range of online communication methodologies.

With regard to the Weed Management Plan 2022 – 2032, Council has the option to:

- endorse the Draft Weed Management Plan, as presented in Attachment 1, for community consultation. This is the recommended option or
- endorse the Draft Weed Management Plan, subject to amendments, for community consultation.

## Legislation / Strategic Community Plan / Policy implications

<b>Legislation</b>	<i>City of Joondalup Pest Plant Local Law 2012.</i> <i>Biosecurity and Agriculture Management Act 2007.</i> <i>Work Health and Safety Act 2020.</i> <i>Health (Pesticide) Regulations 2011.</i>
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### 10-Year Strategic Community Plan

<b>Key theme</b>	Environment.
<b>Outcome</b>	Managed and protected - you value and enjoy the biodiversity in local bushland, wetland and coastal areas.
<b>Key theme</b>	Place.
<b>Outcome</b>	Attractive and leafy - you have access to quality public open spaces and enjoy appealing streetscapes.
<b>Policy</b>	Sustainability Policy.

### Risk management considerations

A coordinated and planned approach is required to address weed management in natural areas, parks and urban landscaping areas and provide strategies for ongoing long-term management. Without a coordinated and planned approach, there is a risk that the overall condition of the native bushland areas of the City will become degraded and that the City's parks and urban landscaping areas will decrease in amenity, functionality and aesthetic values.

To maximise safety and minimise risk to staff and the community whilst undertaking weed management activities, the City implements a number of actions including the following:

- Complying with *Health (Pesticides) Regulations 2011* – Signage Requirements.
- City of Joondalup Pesticide Use Notification and Pesticide Exclusion Register.
- Use of non-chemical weed control for hardstand areas within a 50m radius of schools, within playspaces and within kerbs, footpaths, hardstand median islands, mulched median islands and general paved areas within the Central Business Precinct.
- Utilising technology such as WeedSeeker to improve efficiency of herbicide application.
- Herbicide use adjacent to sensitive facilities is subject to the City's assessment of authorised chemicals process.

### Financial / budget implications

<b>Account no.</b>	Various.
<b>Budget Item</b>	Internal labour, materials and contractors.
<b>Budget amount</b>	\$ 1,509,812 + indirect costs
<b>Amount spent to date</b>	\$ 520,746
<b>Proposed cost</b>	\$ 1,509,812 + indirect costs
<b>Balance</b>	\$ 989,066

#### Future financial year impact

<b>Annual operating cost</b>	\$1,509,812 + indirect costs.
<b>10-Year Strategic Financial Plan impact</b>	\$15,098,120 + indirect costs for 10 years (subject to review of non-chemical weed control treatment contract).

All amounts quoted in this report are exclusive of GST.

## **Regional significance**

A variety of regionally, nationally and internationally significant natural areas located within and adjacent to the City including the Yellagonga Regional Park and a number of Bush Forever sites. These areas contain species of high conservation value. The City also contains a number of regional public open spaces that provide recreation and sporting functions to the community and the wider Perth region.

## **Sustainability implications**

### Environmental

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 ongoing implementation of the City's integrated approach to weed management 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.

The draft Weed Management Plan includes actions that target community education and awareness to ensure that the community is well-informed regarding the City's environmental values and actions that can be taken to prevent the spread of weeds.

### Social

The City contains large areas of assets and infrastructure, parks and urban landscaping areas which provide recreational and health benefits to the community. The invasion of weeds in these areas affects the amenity, functionality and aesthetics and impacts upon community use of the sites.

### Economic

The City aims to attract visitors to the City by providing high quality areas that are attractive and welcoming. Attraction of visitors has economic benefits to the City and local businesses. The ongoing management of weeds ensures that the City is maintained to a high standard that encourages visitor investment into the City.

## **Consultation**

On 31 May 2021, the City's Strategic Community Reference Group (SCRG) met to review the City's strategic integrated weed management approach and identify opportunities to inform the development of the new Weed Management Plan.

Experts from Department of Primary Industries and Regional Development, Botanic Gardens and Parks Authority, Department of Health and Edith Cowan University attended the meeting to provide expert advice in relation to weed management.

Members participated in facilitated activities and addressed the complexity of weed management, community concerns and weed management values.

Key feedback from the SCRG members included the following:

- There is varied perception in the community regarding weed control and further education is required.
- Impacts and risks of not using herbicides on biodiversity and amenity.



- Information on the use of herbicides needs to be based on science, incorporating risk vs reward and the costs.
- Need for greater communication and education regarding weed management in the City.

It is proposed to conduct community consultation on the draft Weed Management Plan 2022 – 2032 from 17 November to 7 December 2022, including directly targeting Friends Groups, Residents Associations and the Community Engagement Network.

## COMMENT

The ongoing implementation of an integrated approach to weed management will allow the City to demonstrate leadership in addressing environmental threats, providing strategic ongoing management of natural areas, parks and urban landscaping areas and raise community awareness regarding the need to protect the biodiversity values of the environment for the future.

The draft Weed Management Plan 2022 – 2032 will inform and prioritise maintenance schedules by providing prioritised management recommendations to be implemented within the City's natural areas, parks and urban landscaping areas over a ten-year period. The Plan will also increase opportunities for the City to apply for grant funding by having a detailed forward schedule of projects to be carried out, and will provide guidance to City employees, contractors and Friends Groups operating within the City.

The Plan will be continually monitored to track the progress of implementation. A major review will be conducted at the end of a five year and ten-year periods.

Following community consultation on the Draft Weed Management Plan, it is intended that a final draft will be presented to Council for adoption. Further to this, it should be noted that the plan will be subject to formal design and branding prior to publishing.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Jones, SECONDED Cr May that Council ENDORSES the draft Weed Management Plan 2022 – 2032 for community consultation for a period of 21 days, provided as Attachment 1 to Report CJ194-11/22.**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of C135-11/22, page 78 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10agn221115.pdf](#)*

## REPORT OF THE CHIEF EXECUTIVE OFFICER

### C135-11/22 APPOINTMENT OF ACTING MEMBER/S TO WALGA NORTH METROPOLITAN ZONE

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	00033, 101515
<b>ATTACHMENTS</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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#### PURPOSE

For Council to appoint alternative member/s to the Western Australian Local Government Association (WALGA) North Metropolitan Zone meeting to be held on Thursday 24 November 2022.

#### EXECUTIVE SUMMARY

The WALGA North Metropolitan Zone comprises delegates from each of the following local governments:

- City of Joondalup
- City of Stirling
- City of Wanneroo.

The City of Joondalup is represented on the WALGA North Metropolitan Zone by four members being Mayor Jacob, Councillors Hill, Fishwick and Jones. The two deputies appointed are Councillors May and Hamilton-Prime.

The next meeting of the WALGA North Metropolitan Zone is Thursday 24 November 2022, commencing at 6.30pm at the City of Stirling. Mayor Jacob and Councillor May are unable to attend the WALGA North Metropolitan Zone meeting on 24 November 2022, as it clashes with a Mindarie Regional Council meeting on the same evening, of which they are both members. Councillors Fishwick, Jones and Hamilton-Prime are also unable to attend the WALGA North Metropolitan Zone meeting on 24 November 2022 due to other commitments. Cr Hill will be the only appointed member available to attend the WALGA North Metropolitan zone meeting on 24 November 2022. In the circumstances, Council may wish to appoint alternative members to represent the City of Joondalup at the WALGA North Metropolitan meeting on 24 November 2022.

*It is therefore recommended that Council:*

- 1 *In the absence of Mayor Jacob, Councillors Fishwick, Jones, May and Hamilton-Prime, and in accordance with the provisions of section 52 of the Interpretation Act 1984, APPOINTS the following elected members to act as a member and represent the City of Joondalup at the WALGA North Metropolitan Zone meeting to be held on Thursday 24 November 2022:*
  - 1.1 \_\_\_\_\_
  - 1.2 \_\_\_\_\_
  - 1.3 \_\_\_\_\_
- 2 *ADVISES the WALGA North Metropolitan Zone of its decision.*

## **BACKGROUND**

WALGA is the peak industry body in Western Australia that advocates on behalf of the 138 local governments in Western Australia and which negotiates service agreements for the sector. WALGA is not a government department or agency.

WALGA was formed on 6 December 2001 to provide a representative and united voice for local government in Western Australia (WA). Prior to this, a number of membership based representative structures existed to represent local government in WA.

WALGA's structure includes a State Council and geographically aligned groups of local governments called Zones, which advise the WALGA State Council. The WALGA State Council is the decision-making representative body of all member councils, who are responsible for sector-wide policy making and strategic planning on behalf of local government.

Zones are groups of geographically aligned Member Councils who are responsible for direct elections of State Councillors, providing input into policy formulation and providing advice on various matters. There are 12 country and five metropolitan zones.

The City of Joondalup belongs to WALGA's North Metropolitan Zone, which consists of four elected member representatives from each of the Cities of Joondalup, Stirling and Wanneroo.

## **DETAILS**

The next meeting of the WALGA North Metropolitan Zone is scheduled to occur on Thursday 24 November 2022. Mayor Jacob, Councillors Fishwick and Jones (as members) are unable to attend. Councillors May and Hamilton-Prime (as deputies) are also unable to attend. Cr Hill is the only appointed member available to attend. It is therefore necessary to appoint up to three alternative members to represent the City of Joondalup.

## Issues and options considered

Council can either:

- appoint up to three alternative elected members to act as members for the City of Joondalup at the WALGA North Metropolitan Zone meeting to be held on Thursday 24 November 2022  
or
- not appoint alternative members.

## Legislation / Strategic Community Plan / Policy implications

### Legislation

*Interpretation Act 1984.*

#### **52. Power to appoint includes power to remove, suspend, appoint acting officer etc.**

(1) *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 power or duty shall also have the power –*

(b) *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*

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

## 10-Year Strategic Community Plan

### Key theme

Leadership.

### Outcome

Proactive and represented – you are confident that the City is advocating on your behalf for initiatives that benefit the community.

### Policy

Not applicable.

## Risk management considerations

The risk to the City of Joondalup is that if alternative members are not appointed, the City will not be fully represented and therefore not have its allocated voting rights on matters before the WALGA North Metropolitan Zone.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

It is considered important that Council exercises its ability to be represented at each and every meeting of the WALGA North Metropolitan Zone. It is recommended that up to three alternative members are appointed to represent the City at the WALGA North Metropolitan Zone meeting to be held on Thursday 24 November 2022.

**VOTING REQUIREMENTS**

Simple Majority.

*Cr Thompson left the Chamber at 8.24pm.*

**OFFICER'S RECOMMENDATION**

That Council:

- 1 In the absence of Mayor Jacob, Councillors Fishwick, Jones, May and Hamilton-Prime, and in accordance with the provisions of section 52 of the *Interpretation Act 1984*, APPOINTS the following elected members to act as a member and represent the City of Joondalup at the WALGA North Metropolitan Zone meeting to be held on Thursday 24 November 2022:

1.1 \_\_\_\_\_

1.2 \_\_\_\_\_

1.3 \_\_\_\_\_

- 2 ADVISES the WALGA North Metropolitan Zone of its decision.

**C136-11/22**

**PROCEDURAL MOTION – THAT THE ITEM BE REFERRED BACK**

**MOVED Mayor Jacob, SECONDED Cr Fishwick that Item C135-11/22 Appointment of Acting Member/s to WALGA North Metropolitan Zone BE REFERRED BACK to the Chief Executive Officer.**

**The Motion was Put and**

**CARRIED (11/1)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Logan, May, McLean, Poliwka and Raftis.

**Against the Motion:** Cr Kingston.

*Cr Poliwka left the Chamber at 8.27pm.*

**C137-11/22**

**COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION**

**MOVED** Cr Jones, **SECONDED** Cr May that pursuant to the *City of Joondalup Meeting Procedures Local Law 2013* – Clause 4.8 – Adoption by exception resolution, Council **ADOPTS** the following items:

**CJ183-11/22, CJ184-11/22, CJ186-11/22, CJ188-11/22, CJ190-11/22, CJ191-11/22 and CJ194-11/22.**

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

## URGENT BUSINESS

Nil.

## MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### **C138-11/22                    NOTICE OF MOTION NO.1 – CR CHRISTOPHER MAY – TRAFFIC IMPROVEMENTS NORTHSHORE DRIVE, KALLAROO**

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Christopher May has given notice of his intention to move the following Motion at the Council meeting to be held on 15 November 2022:

***That Council:***

- 1        *NOTES that Council has previously supported a maximum 50 kilometres per hour speed limit along all City of Joondalup roads adjoining the foreshore between the suburbs of Burns Beach and Marmion (CJ063-05/21 and C97-09/21 refers);***
  
- 2        *REQUESTS the Chief Executive Officer to prepare a report on:***
  - 2.1      *Potential intersection improvements at Northshore Drive and Northshore Avenue, Kallaroo as well as Northshore Drive and the Northshore Drive beach carpark taking into consideration traffic volumes and accident data along this part of the coastal road;***
  
  - 2.2      *Proposed options to improve pedestrian connectivity between Kallaroo and the Principal Shared Path to be delivered as part of the Coastal Principal Shared Path upgrade project.***

## REASON FOR MOTION

The City of Joondalup coastal road network sees increased usage as the population of the broader metropolitan area grows over time, and visitation to popular tourist and recreation centres at Hillarys Marina and Mullaloo beaches increases, as well as the visitation numbers to the Ocean Reef Marina as that precinct develops.

It is noted that in the last decade, the road network along the City of Joondalup's coastline has been improved from West Coast Drive north to Iluka, including advanced in pedestrian friendly design.

The only remaining section of road that has seen no improvement since the 1980s is Northshore Drive between Mullaloo Drive and Whitfords Avenue.

Directly south, Whitfords Avenue has seen a comprehensive redesign, and directly north in Mullaloo, Oceanside Promenade, a road with residential dwellings, already has a broad coverage of pedestrian refuges and improved road design.



While I believe a reduction from 70km/h to 50km/h is excessive - as it is not a "built up" road, a reduction to 60km/h will significantly reduce the risk of fatal impacts without being overly draconian on a non-built up main road.

A report on options to improve the two intersections with butterfly island, roundabout or similar treatment, will allow Council to make an informed decision on improving this road which has not seen meaningful upgrades in four decades.

#### **OFFICER'S COMMENT**

A report can be prepared.

#### **MOVED Cr May, SECONDED Cr Hamilton-Prime that Council:**

- 1 NOTES that Council has previously supported a maximum 50 kilometres per hour speed limit along all City of Joondalup roads adjoining the foreshore between the suburbs of Burns Beach and Marmion (CJ063-05/21 and C97-09/21 refers);**
- 2 REQUESTS the Chief Executive Officer to prepare a report on:**
  - 2.1 Potential intersection improvements at Northshore Drive and Northshore Avenue, Kallaroo as well as Northshore Drive and the Northshore Drive beach carpark taking into consideration traffic volumes and accident data along this part of the coastal road;**
  - 2.2 Proposed options to improve pedestrian connectivity between Kallaroo and the Principal Shared Path to be delivered as part of the Coastal Principal Shared Path upgrade project.**

**The Motion was Put and**

**CARRIED (10/1)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Logan, May, McLean and Raftis.

**Against the Motion:** Cr Kingston.

*The Manager Operation Services, Manager Asset Management, Manager Strategic and Organisational Development left the Chamber at 8.30pm.*

C139-11/22

**NOTICE OF MOTION NO.2 – CR JOHN LOGAN – DEMENTIA PROGRAMMING**

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr John Logan has given notice of his intention to move the following Motion at the Council meeting to be held on 15 November 2022:

***That Council REQUESTS the Chief Executive Officer to prepare a report to:***

- 1 Review the current dementia-related programs and services provided by the City;***
- 2 Investigate, through engagement with relevant service providers and community groups, other local governments and other tiers of government, what opportunities are available for the City to consider to provide additional dementia-related initiatives.***

**REASON FOR MOTION**

One in 12 Australians who are 65 or older are living with the debilitating condition called dementia.

Ageing increases the risk of developing dementia and the number of cases is expected to increase as the mature-aged demographic increases.

According to a report from Alzheimer's WA, there's a disproportionate prevalence of dementia in our local area. Alzheimer's WA expects that there will be 3552 cases in the City of Joondalup by 2031.

For some time the City's administration has been working with relevant service providers and community groups to assist local people who are living with dementia, along with their carers and their families.

These initiatives include brain stimulation games run in the City's libraries, a local history program which enables participants to reminisce about their past, the City facilitating a recent art exhibition featuring the work of people living with dementia, and City-run programs and workshops which raise awareness of dementia and the steps which can be taken to try to delay its impacts.

A review of these programs and services is timely, especially as the community faces a challenging increase in dementia cases in the future.

It's imperative that these programs and services are aligned with the latest research. What's worked well yesterday may not be beneficial today and/or tomorrow.

Investigating new dementia-related initiatives as these arise will present the City with the opportunity to grow in its response to addressing the community's needs and expectations.

To this end the City needs to engage closely with the relevant service providers and community groups, other local governments and other tiers of government, particularly those which have trialled or about to trial new dementia programs and services.

**OFFICER'S COMMENT**

A report can be prepared.

The report will be guided by and inclusive of the strategies and actions outlined in the City's Access and Inclusion Plan and Age-Friendly Plan. The City is also aware of the work being done within and beyond Western Australia in this regard and will engage with networks interstate and internationally to review differing levels of service and programming being provided to those living with dementia.

**MOVED Cr Logan, SECONDED Cr Chester that Council REQUESTS the Chief Executive Officer to prepare a report to:**

- 1 Review the current dementia-related programs and services provided by the City;**
- 2 Investigate, through engagement with relevant service providers and community groups, other local governments and other tiers of government, what opportunities are available for the City to consider to provide additional dementia-related initiatives.**

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

**C140-11/22                    MOTION TO CLOSE MEETING TO MEMBERS OF THE PUBLIC**

**MOVED Mayor Jacob, SECONDED Cr Hamilton-Prime that Council:**

- 1**        in accordance with Section 5.23(2)(c) and (d) of the *Local Government Act 1995* and clause 5.2(2) of the City's *Meeting Procedures Local Law 2013*, **RESOLVES** to close the meeting to members of the public to consider the following item:
  - 1.1**      **CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings;**
  
- 2**        **PERMITS** the following employees to remain in the Chamber during discussion on Item 1 - CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings while the meeting is sitting behind closed doors as detailed in Part 1.1 above:
  - 2.1**      **Chief Executive Officer, Mr James Pearson;**
  - 2.2**      **Director Corporate Services, Mr Mat Humfrey;**
  - 2.3**      **Director Governance and Strategy, Mr Jamie Parry;**
  - 2.4**      **Director Planning and Community Development, Mr Chris Leigh;**
  - 2.5**      **Director Infrastructure Services, Mr Nico Claassen;**
  - 2.6**      **Manager Governance, Mrs Kylie Bergmann;**
  - 2.7**      **Coordinator Governance, Mrs Vivienne Stampalija;**
  - 2.8**      **Governance Officer, Mrs Deborah Gouges;**
  - 2.9**      **Governance Officer, Ms Avril Schadendorf.**

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*Members of the staff (with the exception of the Chief Executive Officer, Director Corporate Services, Director Governance and Strategy, Director Planning and Community Development, Director Infrastructure Services, Manager Governance, Coordinator Governance and Governance Officers) and members of the public and press left the Chamber at this point; the time being 8.35pm.*

*The Media and Communications Officer left the Chamber at 8.35pm.*

**Disclosures of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr John Chester.</b>
<b>Item No. / Subject</b>	CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Chester is a member of the Tamala Park Regional Council.

<b>Name / Position</b>	<b>Cr Nige Jones.</b>
<b>Item No. / Subject</b>	CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Jones is on the Tamala Park Regional Council Committee.

## CJ192-11/22      CONFIDENTIAL - FUTURE OF TAMALA PARK REGIONAL COUNCIL SHARE HOLDINGS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	09882, 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.

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

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*

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

*Cr McLean left the Chamber at 8.35pm and returned at 8.37pm.*

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

- 1 AGREES to the request from Tamala Park Regional Council for an alternate time frame for the withdrawal and divestment process, specifically:**
  - 1.1 Allowing 75 days in place of 28 days at Clause 11.3 of the Establishment Agreement;**
  - 1.2 Allowing 75 days in place of 30 days at Clause 12.5 of the Establishment Agreement;**
- 2 REQUESTS the Chief Executive Officer to begin due diligence on any potential offer that may arise.**

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

**C141-11/22                    MOTION TO OPEN MEETING TO MEMBERS OF THE PUBLIC**

**MOVED Mayor Jacob, SECONDED Cr Logan that in accordance with clause 5.2(3)(b) of the *City of Joondalup Meeting Procedures Local Law 2013*, the Council meeting now be REOPENED TO THE PUBLIC.**

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

*Doors opened at 8.43pm.*

*Three members of the public and no members of the press were present.*

**C142-11/22                    MOTION TO RESUME ORDER OF BUSINESS**

**MOVED Mayor Jacob, SECONDED Cr Logan that Council RESUMES the operation of clause 4.3 of the *City of Joondalup Meeting Procedures Local Law 2013* – Order of Business.**

**The Motion was Put and**

**CARRIED (11/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean and Raftis.

In accordance with Clause 5.2(6)(a) of the City's *Meeting Procedures Local Law 2013*, Mayor Jacob read aloud the motions in relation to:

- CJ192-11/22 - Confidential - Future of Tamala Park Regional Council Share Holdings.

## **ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

Nil.

## **CLOSURE**

There being no further business, the Mayor declared the meeting closed at 8.45pm the following Elected Members being present at that time:

HON. ALBERT JACOB, JP  
CR TOM MCLEAN, JP  
CR ADRIAN HILL  
CR NIGE JONES  
CR DANIEL KINGSTON  
CR CHRISTOPHER MAY  
CR RUSS FISHWICK, JP  
CR JOHN RAFTIS  
CR CHRISTINE HAMILTON-PRIME, JP  
CR JOHN LOGAN  
CR JOHN CHESTER