

agenda

Addendum Briefing Session

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

ON **TUESDAY 9 MAY 2023**

COMMENCING AT **6.30pm**

JAMES PEARSON
Chief Executive Officer
5 May 2023

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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REPORTS

ITEM 14 **AMENDMENTS TO THE TAMALA PARK REGIONAL COUNCIL ESTABLISHMENT AGREEMENT**

WARD	All
RESPONSIBLE DIRECTOR	Mr Mat Humfrey Corporate Services
FILE NUMBER	101515, 09882, 41196
ATTACHMENTS	Attachment 1 Marked up Establishment Agreement Attachment 2 Establishment Agreement Amendment Agreement
AUTHORITY / DISCRETION	Executive – the substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

Council is being asked to consider changes to the Tamala Park Regional Council Establishment Agreement being put forward by the Tamala Park Regional Council (TPRC). The changes primarily relate to the ability of member Councils to divest their interest in the land holding, updates to drafting where required and to change the name of the organisation to Catalina Regional Council.

EXECUTIVE SUMMARY

At its meeting held on 15 November 2022 (CJ192-11/22 refers), Council considered a request by one of the member Councils of the TPRC to divest their shareholding. To allow the proposed divestment to be considered, each participating local government was asked to approve a variation from the Establishment Agreement. The variation provided additional time for obtaining a valuation of the share to be divested and additional time for each member Council to consider whether they intended to purchase any further shareholding. The proposed divestment did not occur, partly due to issues that surround the divestment process.

The timeframes contained with the Establishment Agreement do not provide sufficient time for due process to be undertaken for any proposed divestment. When the Establishment Agreement was drafted, the value of the land would have been such that any divestment would only have required consideration under section 3.58 of the *Local Government Act 1995*. With the increase in value of land since, it is likely that section 3.59 now also applies. The current value of the land also increases the level of due diligence required for any sale (or purchase) and increases the complexity for any valuer in providing a valuation.

The TPRC have considered this and resolved in February 2023 to amend the Establishment Agreement. The TPRC have proposed amendments to the Establishment Agreement to achieve the following:

- 1 Bring greater clarity to the Participants around the Divestment process.
- 2 Create more realistic and achievable timelines for any proposed Divestment/Withdrawal process to take place.
- 3 Rename the regional council from Tamala Park Regional Council to Catalina Regional Council.
- 4 Remove references to payments and processes which have been completed.
- 5 Update and clarify terminology, legislative references and names of Member Councils.

The proposed Amendment Agreement has been reviewed by the Department of Local Government. No issues have been raised following this review.

Each member Council is required to support the proposed changes before the Establishment Agreement. The City has reviewed the Amendment Agreement and is recommending:

That Council:

- 1 *Advises the Tamala Park Regional Council that it supports the changes to the Tamala Park Regional Council Establishment Agreement as shown in Attachment 1 to this Report;*
- 2 *Authorises the Mayor and Chief Executive Officer to execute the Establishment Agreement Amendment Agreement as shown in Attachment 2 to this Report.*

BACKGROUND

TPRC was formed in 2006 with the specific intent of developing 180 hectares of land owned by seven local governments. All seven local governments are still members of the TPRC and are as follows:

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

(Noting that the City of Vincent is shown as the Town of Vincent within the Establishment Agreement)

The land that the TPRC controls was purchased in the early 1980's and was originally intended for use as a landfill site. The three local governments that purchased the site were the Cities of Perth, Stirling and Wanneroo. Changes to local government districts in the 1990's saw the division of the City of Perth and the City of Wanneroo – creating new local governments and amending the shareholding of the land parcel. The City of Perth share was divided into four equal parts, with the City of Perth and the Town's of Cambridge, Victoria Park and Vincent (now City) receiving an equal share. The City of Wanneroo share was divided equally between the new City of Wanneroo and the City of Joondalup.

From 2006 to 2021, there was no reported interest from any member of the TPRC to look at divesting their interest in the shareholding of that land. In August 2021, the TPRC began the process of valuing the remaining portion of developable land and seeing if that could be disposed of. This process culminated in a report to Council at its meeting held on 17 May 2022 (CJ081-05/22 refers) where Council resolved as follows:

That Council:

- 1 *NOTES the request from the Tamala Park Regional Council in their letter dated 21 March 2022 (Attachment 1 refers);*
- 2 *REQUESTS the Chief Executive Officer respond to this letter indicating that Council:*
 - 2.1 *Does not wish to initiate any of the transactions suggested in points one to four of the letter;*
 - 2.2 *If another member of the Tamala Park Regional Council were of a view to divest, the City would consider increasing its shareholding.*

The motion was Put and CARRIED (12/0)

Following this a report was put to the 15 November 2022 Ordinary Council Meeting (CJ192-11/22 refers) to consider amending the timeframes within the Establishment Agreement to allow one of the participants to consider divesting its share of the Tamala Park land holding and leave the Tamala Park Regional Council. Council resolved as follows:

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)

Ultimately the proposed divestment did not proceed. During the divestment process, there was some uncertainty on whether the requirements of clause 3.59 of the *Local Government Act 1995* would apply to the transaction and it was doubtful that full assessment of the transaction and due diligence could be completed even with the amended time frames provided for.

In February this year, the TPRC resolved at its meeting:

That Council:

- 1 *SUPPORT modifying the Tamala Park Regional Council Establishment Agreement (EA) as detailed in Attachment 2 of this report.*
- 2 *REQUEST that all Member Councils consider the proposed amendments to the EA.*
- 3 *Subject to all Member Councils supporting the changes to the EA, REQUEST that the Minister for Local Government approve the proposed amendments to the agreement.*

The Motion was put and declared CARRIED (9/0)

DETAILS

All of the proposed changes are contained within Attachment 1 (Marked Up Establishment Agreement) and Attachment 2 (Establishment Agreement Amendment Agreement). To amend the Establishment Agreement, all seven participants must agree and a resolution of each Participant Council is required. The Tamala Park Regional Council has formally started this process by resolving to seek the support of each of the Participants in February this year.

The Establishment Agreement Amendment Agreement has been provided to the Department of Local Government for review. The review did not raise any material items and only suggested minor drafting changes. Those changes were made by the TPRC administration with the final drafts provided to the City in mid April 2023.

The Amendment Agreement proposes changes in three broad categories.

Firstly, the requirement for the Notice of Intent to divest to be made with 28 days of the completion of the Audit is removed, as is the requirement for responses to be provided in 30 days. Council has previously agreed to waive this requirement for a specific request, the change to the Establishment Agreement would make this change permanent.

In place of the specific time requirements, any divesting participant would need to propose a timeline in their notice to the remaining Participants to divest. The timeline would need to comply with the remainder of the Agreement and there is an implied requirement to negotiate with the remaining participants and obtain their consent.

The second set of changes updates the Establishment Agreement. The Establishment Agreement was adopted in 2006 and was likely drafted one to two years prior to adoption. Since that time there have been a number of changes which include the following:

- Amendments to the *Local Government Act 1995*.
- Town of Vincent is now known as the City of Vincent.
- The value of the land which is being developed has significantly increased.

The increase in the value of the land increases the level of due diligence required and potentially requires the preparation of a Business Plan under section 3.59 of the *Local Government Act 1995*. The land was originally purchased as a landfill site and as late as 2006, the size of the landfill operation was such that the value of the land was compromised. As the landfill operations approach closure and as land around the Catalina Estate has been developed, the asset value has significantly increased.

The last change is to the name of the organisation itself. The landfill operations on this land is named “Tamala Park” – which is administered by the Mindarie Regional Council. The name Tamala Park Regional Council has created confusion as people will often contact TPRC seeking information about the landfill operations. The name Catalina Regional Council is being put forward as the land development itself is known as Catalina Estate.

Issues and options considered

Council is being asked to consider amendments to the Establishment Agreement for the Tamala Park Regional Council. At this stage we are not considering any purchase or disposition of land holdings. As such, no specific purchase/disposal scenario has been included for consideration.

Option 1 – Not approve the change and retain the current agreement

This option is NOT recommended. The process in the current agreement makes it very difficult for any participant to divest or acquire shareholdings within the TPRC. The remaining changes improve the establishment agreement and there is good reason to delineate the landfill operations from the land development function. As such, retaining the current form of the Establishment Agreement is not supported.

Option 2 – Agree to the amendments as provided by the TPRC

This option is recommended. The improvements to the divestment process may not necessarily result in participants changing their level of ownership – however it makes sense to improve the process based on recent experiences. The updating of terminology and names is also supported as both will improve the function of the regional council.

Option 3 – Request additional changes or amendments

This option is NOT supported. The current review focuses on changes to make the divestment process more compliant with current standards and replaces terminology that is largely outdated. Council may wish to consider a more wide ranging review, however this is not able to be accommodated at present.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Government Act 1995.*
 Tamala Park Regional Council Establishment Agreement.

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. There are no perceived policy implications within this report.

Risk management considerations

As the Tamala Park Regional Council establishment agreement does not have an impact on the functions of the City of Joondalup, there are no operational risks associated with amendments to the Establishment Agreement.

A risk that could arise from the proposed changes is the potential for a change in control of the Tamala Park Regional Council. The changes contained within the Establishment Agreement, on their own, will not change control. If any participant were to divest (which is made simpler as a result of the changes), Council would need to be aware of percentages of ownership of each Participant at that time.

There is no perceived risk in the change of name to Catalina Regional Council.

Financial / budget implications

This report does not contemplate any changes to the operations of the Tamala Park Regional Council, nor how the development at Catalina Estate will progress. That being the case, there are no perceived financial implications associated with this report.

Regional significance

Not applicable.

Sustainability implications

The Catalina Estate has been developed to balance “economic, social and environmental” issues – which is one of its stated objectives within the Establishment Agreement. As this objective is not being amended, there are no perceived Sustainability Implications associated with this report.

Consultation

The Tamala Park Regional Council have liaised with the Department of Local Government on the proposed amendments to the Establishment Agreement. They have raised no material concerns and only provided minor drafting changes. These changes have been incorporated into the final version of the Amendment Agreement provided to Council.

All participant local governments have been asked to respond to the requested from Tamala Park Regional Council.

COMMENT

The proposed changes to the Establishment Agreement are supported by the City. It has been demonstrated that the timeframes contained within the Establishment Agreement for divestment of shares are not workable. Further, the overly restrictive timeframes also mean that any participant looking to acquire a further holding also has very limited time to assess the value of any acquisition.

The drafting changes shown in the Amendment Agreement are not likely to have any material impact on the operations of the Tamala Park Regional Council, nor the objectives of the Catalina Estate Development. The returns that will be provided to the City and their timing, is not likely to be impacted by the changes to the Establishment Agreement.

The changing of the name of the entity from Tamala Park Regional Council to Catalina Regional Council is also supported. The Tamala Park Refuse Facility is well known and it does create confusion within the community about the role of the TPRC.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 ADVISES the Tamala Park Regional Council that it supports the changes to the Tamala Park Regional Council Establishment Agreement as shown in Attachment 1 to this Report;**
- 2 AUTHORISES the Mayor and Chief Executive Officer to execute the Establishment Agreement Amendment Agreement as shown in Attachment 2 to this Report.**

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf230509.pdf](#)

**ITEM 15 SORRENTO SURF LIFE SAVING CLUB
REDEVELOPMENT PROJECT - CONCEPT DESIGN
UPDATE**

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Mat Humfrey Corporate Services
FILE NUMBER	05071, 101515
ATTACHMENTS	Attachment 1 Sorrento Surf Life Saving Club - Aerial map Attachment 2 Sorrento Surf Life Saving Club concept design – Option One (previous design with combined surf club and commercial space) Attachment 3 Sorrento Surf Life Saving Club concept design – Option A (amended design with combined surf club and commercial space) Attachment 4 Sorrento Surf Life Saving Club concept design – Option B (amended design with northern toilets retained and separate surf club and commercial space) Attachment 5 Sorrento Surf Life Saving Club concept design – Option C (amended design with public beachside plaza, separate surf club and commercial space) Attachment 6 Sorrento Surf Life Saving Club concept design options – Comparison of room / area sizes Attachment 7 Sorrento Surf Life Saving Club cost estimates Attachment 8 Sorrento Surf Life Saving Club concept design options – Advantages and disadvantages Attachment 9 Sorrento Surf Life Saving Club cost estimates – all design options Attachment 10 Sorrento Surf Life Saving Club – Key cost estimate variances
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider additional information that has been able to be obtained following the Council meeting on 28 June 2022. In particular, the information relates to amended concept designs and revised costings. Following consideration of the additional information, a concept design for the Sorrento Surf Life Saving Club redevelopment will be progressed to the community engagement stage and then detailed design.

EXECUTIVE SUMMARY

The existing Sorrento Surf Life Saving Club (SSLSC) facility is located on West Coast Drive, Sorrento and is leased to the SSLSC. The facility consists of a hall; courtyard; boat sheds; kiosk; first aid room; patrol workshop; gymnasium; office; board room; training room; internal toilets and change rooms; storage areas; kitchen; bar; public toilets and change rooms.

The City has been working with the SSLSC for a number of years on a potential refurbishment / redevelopment of their facility. At its meeting held on 28 June 2022 (CJ096-06/22 refers), Council considered a series of investigative studies; three schematic (concept) design options (Options One to Three) and cost estimates; a Club project review report; and the City's business case. Council approved a redevelopment concept design (Option One) at a project cost of \$14 million and agreed for community engagement and detailed design to be undertaken.

While the Option One concept design included the key components required for the SSLSC, the City and the community, there were potential improvements to the design that could be made to improve amenity and safety, and reduce costs.

Therefore, prior to the commencement of the next stage of design the City has undertaken a review of the Option One concept plan in consultation with the club. This review has sought to improve on the Option One design to provide the community and club with additional amenity, improved functionality, and to meet the club's current and future requirements, keeping within the approved project budget of \$14 million. As a result, the City has developed three amended concept designs (Options A, B and C) and updated cost estimates.

Option A is similar to the previous Option One design with the club areas and commercial space combined in the one building and the public amenities relocated to the southern end of the building. Option B has retained the existing northern toilet block and includes separate buildings for the club areas and commercial space. Option C has the club areas and commercial space separated by a covered public beachside plaza area and includes a fly-over vehicle bridge with pedestrian access bridge from the beach. In all three options, the new facility has been located further north on the site, in an area of public open space currently used for passive recreation.

The updated cost estimates show that the total project cost for Option B is estimated at \$13,457,800 (within the indicative budget of \$14 million). Option A is estimated at \$14,182,100 (over-budget by \$182,100) and Option C is estimated at \$14,921,000 (over-budget by \$921,000).

This report presents information on the review of the Option One concept design, amended concept design options and updated cost estimates.

BACKGROUND

Suburb/Location	189 (Lot 301) West Coast Drive, Sorrento WA 6020 and 199 (Lot 300) West Coast Drive, Sorrento WA 6020.
Applicant	City of Joondalup.
Owner	Crown Land - Management Order City of Joondalup.
Zoning	LPS Parks and Recreation.
	MRS Parks and Recreation.
Site area	27,029m ² .
Structure plan	Not applicable.

The existing SSLSC facility is located on West Coast Drive, Sorrento and is leased to the SSLSC (Attachment 1 refers). The facility consists of a hall; courtyard; boat sheds; kiosk; first aid room; patrol workshop; gymnasium; office; board room; training room; internal toilets and change rooms; storage areas; kitchen; bar; public toilets and change rooms.

The SSLSC is one of the largest sporting clubs in the City of Joondalup with over 2,200 members and is a dedicated volunteer organisation providing services to the community including beach patrols (at Sorrento Beach and Hillarys Boat Harbour); lifesaving services; surf skills training and competition; beach safety education; and first aid.

The City had been working with the SSLSC for a number of years on a potential refurbishment / redevelopment of their facility. At its meeting held on 28 June 2022 (CJ096-06/22 refers), Council considered a series of investigative studies; three schematic (concept) design options and cost estimates; a Club project review report; and the City's business case.

A number of options were presented to the Ordinary Council meeting held on 28 June 2022 (CJ096-06/22 refers). The officer's recommendation to the Council was to proceed with Option 3 for a project cost estimate of \$18,054,500. At that meeting, Council subsequently resolved as follows:

- "1 *APPROVES the proposed Sorrento Surf Life Saving Club Redevelopment project including demolition, site works and services, construction of new clubroom and associated storage facilities, artwork, reconfigured car park and commercial element as detailed in Option 1 of Report CJ096-06/22;*
- 2 *REQUESTS the following amounts be listed for consideration in the following budgets for the Sorrento Surf Life Saving Club Redevelopment project, subject to external funding from the State Government of Western Australia of \$8,000,000 and the Sorrento Surf Life Saving Club Inc of \$1,000,000:*
 - 2.1 *\$814,000 for 2022-23;*
 - 2.2 *\$3,519,800 for 2023-24;*
 - 2.3 *\$6,904,000 for 2024-25;*
 - 2.4 *\$2,762,200 for 2025-26;*
- 3 *NOTES that the amount of \$814,000 listed for consideration in the 2022-23 budget for the Sorrento Surf Life Saving Club Redevelopment project (Option 1) is to undertake community engagement and detailed design;*

- 4 *REQUESTS the Chief Executive Officer to arrange community engagement on the proposed Sorrento Surf Life Saving Club Redevelopment project prior to undertaking detailed design.”*

The reason provided by Council from diverting from the recommendation by the City was to produce a development that is suitable for the purpose but is equitable in its cost for the ratepayers in Joondalup and will produce a better outcome for all.

DETAILS

While the Option One concept design included the key components required for the SSLSC, the City and the community, there were concerns with the design and layout that could be improved. The City also identified improvements that could be made to the design to improve public amenity and safety, and reduce costs.

Therefore, prior to the commencement of the next stage of design the City has undertaken a review of the Option One concept plan in consultation with the club. This review has sought to improve upon the Option One design to provide the club and community with additional amenity, improved functionality, and to meet the clubs current and future requirements, keeping within the approved project budget of \$14 million.

The following sections detail the review of the Option One concept design, the amended concept designs and updated cost estimates.

Review of Option One design

Design improvements

The Option One concept was initially designed and costed to inform a future capital works program when the City was able to fully fund the project. This design was not intended to be the final design for the new building as it was prepared as a concept, and while it is fit for purpose, there are improvements that could be made.

As a result, a number of improvements were identified to resolve the design challenges of Option One. These include the following:

- The major concern for the club is the distance from the location of the building to the main patrolled beach to the north. The Option One tower is approximately 30 - 35 metres further south than the Option A, B and C tower, which will cause operational issues for the club, particularly for patrols, movement of equipment and activities with members.
- The location proposed in the Option One design (two-storey building to West Coast Drive) resulted in the new building being situated in front of residential properties on West Coast Drive. This could impact local residents is a potential risk to community support.
- The two-storey design of the Option One building resulted in the surf club and commercial space sharing a common lift and foyer area. This design feature was not preferred by the club due to potential conflicts between customers and members, security concerns and issues with tenure arrangements.
- The distance of the new building to the beach in Option One would have resulted in a greater portion of the dune system being impacted in order to provide beach access.
- The orientation of the beach access points would lead to sand / wind movements on paths and vehicle access points.

- The location of the Option One building was proposed across different lot boundaries which was not preferred by the City because of the differing vesting order conditions.
- The design of the car park lacked a safe pedestrian accessway (footpath) from West Coast Drive through the car park to the beach, as well as a loading / service area for service, maintenance and waste vehicles, and a drop-off area for buses or special event vehicles.
- The layout of the new car parking bays in Option One followed the existing car parking layout which only has 5.4 metre wide aisles that are only suitable for one-way traffic. The updated designs have allowed for 6.6 metre wide two-way aisles.
- The internal layout of the Option One building posed specific issues including the following:
 - The adjoining wall between the dining area of the commercial space and the club training room.
 - The location of the training room / clubroom store and size / shape of the adjacent passage.
 - The separation of the club administration area, merchandise store and other rooms across various levels of the building.
 - The irregular shape of the clubroom and training room.
 - The lack of wheelchair access to the tower.
 - The misalignment of the building footprints of the upper and lower levels.
 - The lack of additional user group storage.
 - The excessive amount of foyer / lobby / circulation space.
 - The lack of bin store for the club kitchen.

Facility location

The main considerations of the facility location in the Option One concept include the following:

- In the earlier design options, the City had considered alternative locations for the new facility including on the existing building footprint, and further north on the site closer to Hillarys Boat Harbour. Both locations were dismissed as they did not ideally suit SSLSC's operations.
- If the new facility was to be built on the existing buildings footprint, temporary facilities would need to be provided for the SSLSC and community while the new facility is under construction. Due to the size of the club and the complexity of their operations, it would be difficult for the SSLSC to run training, programs and events using temporary facilities. It would also be costly for the City to provide these facilities over an estimated 12 to 18 month construction period.
- The location selected for the Option One design resulted in the new building being a two-storey facility to West Coast Drive and was located in front of residential properties. Storage of SSLSC equipment and vehicles was also located further from the beach in this design option.
- Due to the existing site levels in the location where Option One was proposed, this area would require substantial earthworks, plus additional stairs and ramps, in order to have the building present as a single-storey building to West Coast Drive in order to mitigate the risk of adverse comments from residents to the east.

Room / area sizes

As part of this design review stage, the SSLSC reviewed their previous requirements and provided the City with updated information on their preferred room / area sizes. A summary of the changes that have been proposed to the surf club rooms / areas in the amended concept design options, in comparison to Option One, include the following:

- Gym increased from 120m² to 140m² to improve functionality and meet requirements for additional members.
- Administration areas increased from 100m² to 108m² - 118m² to improve functionality.
- Surf club store for boats, skis, boards and gear increased from 570m² to approximately 640m² to improve functionality and meet requirements for additional members.
- General store added (25m²) to meet club requirements.
- Kitchen / bar / dry kitchen store increased from 80m² to 90m² to meet club requirements.
- Outdoor deck area increased from 140m² to approximately 145m² due to other design changes.
- Toilets increased from 50m² to 64m² to meet health requirements due other design changes.
- Tower increased from 14m² to 26m² to meet club requirements and provide universal access from the upper level of the facility to the tower.
- Change rooms; kiosk; bin store; training room; furniture store; and cleaners room reduced in size to reduce costs.

Further additional dune remediation works have been proposed to compensate for the estimated loss of native vegetation. A reduction in total area of commercial space has also been proposed to reduce costs, in line with recommendations from the Retail Needs Assessment.

Amended concept designs

Facility location

The amended concept design options show the new facility being located further north on the site, in an area of public open space currently used for passive recreation (Attachment 3 to 5 refers). The main considerations of the proposed facility location of the amended options includes the following:

- The existing site levels in the proposed new location are used to the advantage of the amended designs as the lower level can be built into the dunes. The facility then presents as a single-storey building on West Coast Drive, minimising visual impact on residents.
- The new facility is proposed to be located central to the beach groyne to allow viewing and access to both the northern and southern patrol beaches for SSLSC members. This is the SSLSC's preferred location for their day to day operations.
- With the demolition of the existing building and location of the new facility in the proposed location, additional car parking bays are achievable.
- In the proposed new location, the facility is largely located in front of the Sacred Heart College sporting fields and access road, and away from private residents on West Coast Drive.
- In the proposed location, the development has an impact on the existing dunes and public open space. However, this is the case in all locations other than locating the new facility within the footprint of the existing building / the existing car park.
- Moving the new facility slightly north provides the club with greater functionality, particularly providing closer access to the clubs patrolled north beach.

Facility designs

The City has developed three amended concept designs – Option A, B and C. All rooms / areas / features from Option One have been incorporated into the updated designs (Attachment 6 refers). The service lift for the commercial space was the only item from the Option One design that was not included as the commercial space is on the same level as the car park in the updated designs.

The City has also considered the budget implications when developing the new options to keep within the budget of \$14 million as far as possible.

The key features and advantages of each of the designs, in comparison to Option One, are detailed in following sections.

Option A

The key features of Option A include the following:

- Combined club and commercial double-storey building.
- Club facilities are in the northern portion of the building.
- Club storage, change rooms and gym are located on the lower level.
- Vehicle access to lower level is from the southern car park.
- Commercial space and public amenities are in the southern portion of the building.

The advantages of Option A include the following:

- Building is relocated further north on the site (compared to the Option One design) to provide the club with direct access to the beach from the lower-level storage areas, gym and change rooms.
- New building is not located across lot boundaries.
- Public amenities are relocated to the southern end of the building and accessible from the upper level of the new building, at grade with the car park.
- Separate entrances for the surf club and the commercial space.
- Existing ground levels are retained in the southern car park.
- Vehicle access to the lower level is from the southern car park.
- Additional car parking provided (45 bays).

Option B

The key features of Option B include the following:

- Separate club building and commercial building (including public amenities).
- Existing northern toilet block retained, and reduced provision of new public amenities.
- Commercial space and new public amenities located away from the club building to the south of the existing northern toilet block.
- Club gym is located on the upper level of the new building.
- Existing ground levels are retained in the southern car park.
- Vehicle access to the lower level is from the northern car park.
- Additional car parking provided (23 bays).

The advantages of Option B include the following:

- Club building is relocated further north on the site to provide the club with direct access to the beach from the lower-level storage areas and change rooms.
- Commercial space is located away from club building.
- Increased exposure of the club gym on the upper level.
- Potential for construction to be staged.

Option C

The key features of Option C include the following:

- Separate club building and commercial building (including public amenities).
- Covered public beachside plaza between the club building and commercial space.
- Reduced fly-over vehicle bridge (compared to the Option Three design) with pedestrian access bridge from the beach.
- Existing ground levels are retained in the southern car park.
- Public amenities are relocated to the southern end of the building and accessible from the existing car park level.
- Vehicle access to the lower level is from the southern car park (beneath the pedestrian access bridge).
- Additional car parking provided (45 bays).

The advantages of Option C include the following:

- Club building is relocated further north on the site to provide the club with direct access to the beach from the lower-level storage areas, gym and change rooms.
- New buildings are not located across lot boundaries.
- Provides a public beachside plaza area between the buildings.
- Reduced risk of vehicle / pedestrian conflict.

Overall, the amended concept design options have resulted in an increase in the surf club room / area of 95m² (Option A), 120m² (Option B), and 119m² (Option C). There have been no changes proposed to the sizes of the clubroom; Inflatable Rescue Boat (IRB) store; repair room; and first aid room. As the detailed designs are progressed in the next stage of the project, the lobby, foyer and circulation spaces will continue to be reviewed.

There is a reduction in the overall number of new car parking bays in Option B (23) due to the new commercial space and public amenities being located further south on the site and the northern toilet block being retained.

The design of the area between the northern public open space to the hard-stand area in front of the club gym, kiosk and storage areas in Options A to C includes a gradual, sloped grass area. This is to allow pedestrians and maintenance vehicles to move between the spaces easily.

To increase safety and public amenity, there have been improvements made in the updated designs to provide wider footpaths in the area between the car park and new building, plus the inclusion of additional public open space.

Cost estimates

The previous cost estimates for Option One were completed in December 2021 and were based on high-level, square-metre rates for the different rooms / components.

The City has developed updated cost estimates for each of the amended concept design options including Option One, for comparison (Attachment 7 refers). The updated cost estimates have been based on more detailed information / plans and have been updated with current building rates from January 2023. The hire of temporary facilities (toilets and change rooms) has been included within Options One, A and C to ensure the public have access to facilities during construction. An allowance for costs associated with lot boundary amendments has been included within all options.

The following table outlines the estimates for the key components of each option:

Component	Option One	Option A	Option B	Option C
Demolition / site preparation	\$476,800	\$362,100	\$295,600	\$318,800
Club areas	\$7,367,400	\$7,712,900	\$8,080,200	\$8,114,100
Public amenities	\$1,032,400	\$1,346,200	\$790,000	\$1,380,800
Commercial area	\$2,242,200	\$1,544,400	\$1,553,700	\$1,426,100
Car parking works	\$1,463,900	\$695,000	\$464,400	\$682,200
Landscaping and dune remediation works	\$269,800	\$237,200	\$189,000	\$243,600
External works (paving; footpaths; retaining walls; beach access etc)	\$914,300	\$964,400	\$897,800	\$1,352,400
Fly over vehicle bridge	N/A	N/A	N/A	\$184,400
Provisional sums	\$1,203,400	\$1,190,200	\$1,063,700	\$1,081,300
Artwork (1% of construction cost)	\$138,500	\$129,700	\$123,400	\$137,300
Total Project Cost	\$15,108,700	\$14,182,100	\$13,457,800	\$14,921,000

The estimates outlined in the table include preliminaries, design contingencies, building contingencies, professional fees and approval fees. The following items have been excluded from the cost estimates:

- Demolition of and / or excavation in contaminated materials.
- Fit-out to commercial areas and club gymnasium.
- Traffic improvements to West Coast Drive.
- Escalation.
- GST.

Option B includes the retention of the northern toilet block. If the City were to demolish these facilities as part of this design option and instead provide all new public amenities (as proposed in Option A and C), this would add approximately \$590,000 to the total project cost for Option B.

Option One, as adopted by Council, includes the demolition and construction of the entire car park to the south of the existing club. As part of the design review stage, Options A, B and C were proposed to include partial demolition and construction for the areas where new car parking bays are created. If the demolition and construction of the entire car park was added to the updated designs, this would cost an additional \$1,123,000 (Option A), \$1,154,800 (Option B) or \$1,168,200 (Option C). For comparison, if the demolition and construction of the entire car park was removed from the Option One design and only partial works to the car park were included (similar to the amended options), this would reduce the cost by approximately \$800,000.

The updated cost estimates show that Option B is within the indicative budget of \$14 million. Option A is over-budget by \$182,100 and Option C is over-budget by \$921,000. The City is not seeking to increase the project budget.

Applying current construction rates to the Option One design and including the same inclusions / exclusions as the amended concept design options A to C, has resulted in this design option now being estimated at \$15,108,700 (\$1,108,700 over the \$14 million approved budget).

Attachment 9 includes the costings for the amended options plus the previous Options Two and Three. These options have not been re-costed as part of this design stage and therefore are based on the previous cost estimates from December 2021.

Variances in costings from the updated designs to Option One are related to information (at the time) not being as developed as the Option A, B and C plans. Additional information on the key cost estimate variances is detailed in Attachment 10.

Issues and options considered

The next stage of the project is to undertake community engagement and appoint an architect to develop the detailed designs. The City can only progress one of the concept design options to this stage.

The updated cost estimates have shown that Option B is within budget. This is one of the club's preferred designs due to it offering the greatest separation between the club areas and the commercial space. This option requires the retention of the existing northern toilet block however, which will require additional refurbishment works or full replacement in future years. These costs are estimated at an additional \$590,000 and the provision of new public amenities in the other design options will provide improved facilities for the community. Vehicle access to the lower level is from the northern car park in this design and surf club vehicles will occasionally tow boat trailers to and from the lower level of the surf club storage areas. It is anticipated that this access ramp may be challenging to manoeuvre for members and visitors to the site and as a result, traffic may be impacted on West Coast Drive in this design option.

Option C is over-budget by \$921,000 (or approximately 7%). This is one of the club's preferred designs due to it offering a clear separation between the club areas and the commercial space and it provides a new public beachside plaza. This design also provides improved public amenity including new toilets and change rooms, an increase of 45 additional car parking bays and the facility is not located in front of residential properties. Vehicle access to the lower levels is via the southern car park in this design option and this is preferred. It is possible that there may be some further cost savings identified in the next stage of detailed design to bring the costings within budget.

Option A is over-budget by \$182,100 and is not supported by the SSLSC as the club areas and commercial space are combined in the one building.

The advantages and disadvantages of the three new options are outlined in Attachment 8.

Legislation / Strategic Community Plan / Policy implications

Legislation Not applicable.

10-Year Strategic Community Plan

Key theme Place.

Outcome Functional and accessible - you have access to quality community facilities that are functional and adaptable.

Policy *Requests for New or Capital Upgrades to Existing Community Venues Policy.*
Public Art Policy.
Asset Management Policy.

Risk management considerations

Any capital project brings risks in relation to contingencies and over runs against original design. The capital cost estimate is based on concept designs and may differ once further detailed designs are undertaken for the project.

Financial / budget implications

The financial analysis for the project was included in the report considered by Council at its meeting held on 28 June 2022 (CJ096-06/22 refers).

The commercial areas for the three amended design options are smaller than the commercial areas in the previous design options, however this does not result in a material impact to the key financial objective of the project, the recurring financial impacts. The estimated new commercial income is sufficient to cover the additional operating expenses and depreciation from the proposed larger building. Each of the three amended options would still provide a financial benefit of at least \$100,000 per year to the City, when compared to the baseline. The benefit of \$100,000 per year is calculated as the annual operating cost inclusive of operating expenses, new income, depreciation and compares to the baseline.

The Retail Needs Assessment (RNA) discussed the potential lease fees (income) from the commercial space and was included in the June 2022 Council report (CJ096-06/22 refers). The RNA included an estimate of the potential lease fee for the commercial space. The RNA was not able to provide an exact lease fee for different design options. This lease fee of \$347/m² was included in the City's Business Case and considered to be fairly modest. This report is less than 12 months old and therefore these figures are considered current and do not require updating at this stage of the project.

The RNA had assessed the suitability of two designs (Option One and Option Two) and supported the club and commercial facilities being separate, however could not comment on the exact rental income for each design option at this stage of the project. Based on the advice from the RNA (noting the stage the project is at), Option B or C would provide a better commercial income than Option A.

The updated cost estimates show that Option B is within the indicative budget of \$14 million. Option A is over-budget by \$182,100 and Option C is over-budget by \$921,000. The City is not seeking to increase the project budget. This is due to the project soon to progress into the detailed design stage where costs will continue to be refined and revised prior to advertising for construction tender.

The State Government has agreed to fund \$8 million and the SSLSC has agreed to fund \$1 million towards the redevelopment of the SSLSC facility. The grant funding agreement has been executed by the City and the State. The City is waiting final written confirmation from the Club for its contribution.

All amounts quoted in this report are exclusive of GST and escalation.

Regional significance

Not applicable.

Sustainability implications

Environmental

All facility redevelopment projects are planned to reduce the impact of the carbon footprint and consider environmental sustainability design features where possible within the project budget. The City will seek to replant existing mature trees within the site, should they need to be relocated. There is an impact on the existing public open space to the north of the existing buildings in each of the amended concept design options. An allowance has been included in the cost estimates for dune remediation works as there will be a requirement to remove native vegetation between the new building and the beach, subject to approvals.

Social

The proposed redevelopment will consider access and inclusion principles and aim to enhance the amenity of the public space. One of the main challenges with the site is the contour / level changes which may create issues with access from the existing car parks to the new building, and compliance with access and inclusion requirements. To address this, vehicle ramps and / or accessible pedestrian pathways have been included in the concept designs.

New public amenities are included in all concept design options. These new facilities will provide the public with accessible toilets, change rooms and showers. A new Changing Places facility has also been included to replace the existing facility in all options except for Option B, as the existing northern toilet block is retained in this option.

Consultation

Consultation has been undertaken with the SSLSC on the amended concept designs. In order of priority, the club's preferred designs are Option B, followed by Option C. The club does not support Option One or Option A.

Option B is supported as it has the greatest separation between the club areas and the commercial space. The club also prefer this design as the access ramp to the lower level is from the northern car park and is in closer proximity to the beach than the other design options.

The SSLSC can support Option C as it provides separation between the club areas and commercial space.

Option A is not supported by the SSLSC as the club areas and commercial space are combined in the one building. The club believe that this may create confusion and conflict with members / customers, generate noise complaints and increase issues with lease management (such as building maintenance). The club also host a number of junior events in the evening throughout the year. To support these events occurring safely, the club would prefer to separate their junior members and families from the commercial space (with a potential liquor licence) to reduce the risk of any alcohol-related incidents.

The City will undertake community engagement on the preferred concept design option prior to commencing detailed design. As the City has already undertaken a series of investigative studies; numerous concept design options and cost estimates; a Club project review report; a business case; and secured Council and external funding commitments, the purpose of community engagement at this stage of the project is to inform local residents and community members of the concept design and project future progress. Information including the preferred concept design will be distributed via a letter to residents, the City's website and signage on site. This is planned to be undertaken in mid 2023.

COMMENT

With a capital project of the nature and complexity as the redevelopment of the Sorrento Surf Life Saving Club, it is accepted practice that concept design will be reviewed and evolve over time to arrive at the final design.

The next stage of the project is to undertake community engagement and appoint an architect to develop the detailed designs. The City can only progress one of the concept design options to this stage.

Following the 28 June 2022 Council meeting and based on comments and feedback provided at the meeting, further information was able to be obtained. The additional information provides options that were not available to the Council when it made its decision in June 2022.

These additional options are attached to this report and are referred to as Options A, B and C. The additional options largely meet the objectives of Option 1 and provide additional functionality.

The Sorrento Surf Life Saving Club have been asked for feedback on the additional options and have indicated that Option B is their preference, however they are also in a position to support Option C.

If Council were to consider Option A, B or C as attached as the preferred option, the Council decision of 28 June 2022 would need to be amended. Such an amendment would be a significant change and appropriate governance and procedural processes would need to be followed.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 NOTES the additional Options and updated costings provided within this Report;**
- 2 REAFFIRMS its decision of 28 June 2022 (CJ096-22/06 refers) to progress Option One to community engagement and detailed design.**

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf230509.pdf](#)

ITEM 16 PETITION - LEAFY CITY PROGRAM IN WEST VIEW BOULEVARD, MULLALOO

WARD	All
RESPONSIBLE A/DIRECTOR	Ms Sheree Edmondson Infrastructure Services
FILE NUMBER	106542, 101515
ATTACHMENTS	Attachment 1 Leafy City Notification Letter – Mullaloo Attachment 2 Illustration Utility Services Arrangements Attachment 3 Liveable Neighbourhoods Element 6 – Utilities Attachment 4 Guidelines for Planning in Bushfire Prone Areas (extract)
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider the petition regarding the implementation of the City's *Leafy City Program* in West View Boulevard, Mullaloo.

EXECUTIVE SUMMARY

Street trees are an important natural asset which help maintain liveable urban environments and provide a wide range of environmental, aesthetic and social benefits to the community. Increasing canopy cover throughout the City improves the comfort of pedestrian movement and reduces the 'urban heat island' effect generated by existing hardstand surfaces.

The City's *Leafy City Program*, implemented since 2015-16, supports these objectives and establishes a vision for the City to create cooler, inviting green urban spaces for residents, as well as to mitigate the environmental impact of climate change and rapid urban growth. To date, over 4,500 trees have been planted in the suburbs of Beldon, Craigie, Heathridge, Padbury, Kinross, Currambine, Woodvale, Greenwood, Kingsley, Kallaroo, Mullaloo and Warwick.

Upcoming planting has been scheduled in the suburbs of Mullaloo, Edgewater and Duncraig from May to August 2023 that will include approximately 1,815 trees in total.

A petition of 41 Electors was received by Council at its meeting held on 18 April 2023 (C037-04/23 refers). The petition requested that Council consider the following issues raised:

- a) Traffic hazard – line of site impaired when driving due to the road winding/ascending. Street parking required as the trees reduce verge parking making the road more hazardous. School children less visible due to trees.

- b) Property damage – tree roots destroying sewerage lines located on north side of West View Boulevard and tree roots creating an uneven footpath (negligence-tripping hazard) on the south side of West View Boulevard. Road uprooting.
- c) Leaf litter hazard – liquid amber trees leaves dropping in autumn will make roads more slippery, with rain, and is expected to be managed by residents through their resources (unreasonable/unlawful expectation).

The City has reviewed the concerns raised in the petitioners' request as outlined in the Report.

It is therefore recommended that Council:

- 1 *DOES NOT SUPPORT the matters raised in the petition received by Council at its meeting held on 18 April 2023 (C037-04/23 refers) for the following reasons:*
 - 1.1 *the location and planting of street trees as part of the Leafy City Program is carried out in accordance with the various guidelines as outlined in this Report;*
 - 1.2 *the City is responsible for the maintenance of street trees and does so in accordance with the City's Tree Management Guidelines and scheduled maintenance activities;*
 - 1.3 *the tree species list for the Leafy City Program was formulated by taking into account the geology and site specific circumstances;*
- 2 *ADVISES the lead petitioner of its decision.*

BACKGROUND

Leafy City Program

Initiated in 2015-16, the City's *Leafy City Program* was introduced to increase the canopy cover of its suburbs through targeted street tree planting, focusing on suburban streetscapes. The program seeks to mitigate the environmental impact of climate change and rapid urban growth, with a vision of creating resilient, cooler and inviting green urban spaces.

The overarching goals of the program are as follows:

- Goal 1 Increase canopy coverage.
- Goal 2 Reduce urban heat island effect.
- Goal 3 Encourage vegetation retention.
- Goal 4 Improve vegetation health and longevity.

Program roll-out is determined through thermal mapping and tree-canopy surveying undertaken across the City every two years, to identify the hottest areas that would most benefit from targeted street tree planting to achieve the abovementioned goals.

Upon identifying preferred sites, assessments are undertaken by the City's Arborist to investigate the current site conditions (for example soil and weather conditions), existing infrastructure, services and trees in the area, to inform appropriate tree species selection for the suburb. Species selection aims to improve the successful, healthy development and longevity of the street tree, whilst mitigating future sightline and infrastructure impacts.

In terms of specific planting locations, trees are situated away from the property boundary, and near the road / path network to minimise interference with any private property and to maximise shading over hardstand areas. Tree locations are reviewed by the City's engineers and consider factors such as service locations, traffic sightlines, growth offsets and pedestrian thoroughfares in accordance with current compliance guidelines.

To date, over 4,500 trees have been successfully planted under the program throughout the suburbs of Beldon, Craigie, Heathridge, Padbury, Kinross, Currambine, Woodvale, Greenwood, Kingsley, Kallaroo, Mullaloo and Warwick.

Upcoming planting has been scheduled in the suburbs of Mullaloo, Edgewater and Duncraig from May to August 2023 that will include approximately 1,815 trees in total.

Prior to the commencement of any planting, the City undertakes direct engagement with affected residents to provide:

- details on the aims of the program
- the location of affected streets from which planting will take place
- a list of selected species identified for each location
- an opportunity to contact the City to discuss tree positioning options within current guidelines to further assist with sightlines, potential view obstruction and parking.

The City does not provide an option for residents to opt out of the program due to all trees being planted on the verge, which form part of the City's road reserve and is managed and maintained as a City asset. This is also important to ensure the benefits and goals of the program are maximised.

Community engagement with affected residents in Mullaloo, Edgewater and Duncraig commenced in February 2023, in which the abovementioned information was provided (Attachment 1 refers).

Previous Petition

At its meeting held on 17 April 2018 (CJ067-04/18 refers), Council considered a report in response to a petition regarding tree planting on verges as part of the *Leafy City Program*.

This petition requested that Council immediately remove all trees recently planted in suburbs based on a range of concerns including a lack of community consultation, the potential for damage to property and services, fire risks, maintenance of trees and requested the Council to indemnify homeowners against any damage caused by the root systems of the newly planted trees. Council resolved as follows:

"1 DOES NOT SUPPORT the matters raised in the petition received by Council (C71-10/17 refers) for the following reasons:

- 1.1 the City engaged with residents regarding the planting of street trees as part of the Leafy City Program in accordance with the City's Community Consultation and Engagement Policy;*
- 1.2 the location and planting of street trees as part of the Leafy City Program was carried out in accordance with the "Utility Providers Code of Practice" and the Western Australia Planning Commission (WAPC) publication "Liveable Neighbourhoods";*
- 1.3 no hazardous or toxic street trees have been planted by the City;*

- 1.4 *the location and planting of street trees as part of the Leafy City Program within bushfire prone areas complies with the Building Protection Zone Standards publication produced by the Department of Fire and Emergency Services (DFES);*
 - 1.5 *the City is responsible for the maintenance of street trees and does so in accordance with the City's Tree Management Guidelines;*
 - 1.6 *the City will only remove street trees in accordance with the City's Tree Management Guidelines;*
 - 1.7 *the tree species list for the Leafy City Program was formulated by taking into account the geology and site specific circumstances;*
- 2 *ADVISES the lead petitioners of its decision."*

DETAILS

At its meeting held on 18 April 2023 (C037-04/23 refers), Council received a 41 signature petition from residents of the City of Joondalup requesting Council:

"Raise the below matter of cease and desist of the Leafy City Program in West View Boulevard, Mullaloo for the point of the Council or Committee to vote on the petition following the considered issues raised in the petition:

- a) *Traffic hazard – line of site impaired when driving due to the road winding/ascending. Street parking required as the trees reduce verge parking making the road more hazardous. School children less visible due to trees.*
- b) *Property damage – tree roots destroying sewerage lines located on north side of West View Boulevard and tree roots creating an uneven footpath (negligence-tripping hazard) on the south side of West View Boulevard. Road uprooting.*
- c) *Leaf litter hazard – liquid amber trees leaves dropping in autumn will make roads more slippery, with rain, and is expected to be managed by residents through their resources (unreasonable/unlawful expectation)."*

As per the above, the petition raises a number of concerns, and each are addressed below in the order they have been raised.

Traffic Hazard

Tree planting locations are selected in compliance with the following publications:

- Utility Providers Services Committee (Chaired by the Water Corporation) – *Utility Providers Code of Practice.*
- Western Australia Planning Commission – *Liveable Neighbourhoods.*
- City of Joondalup – *Street Verge Guidelines.*
- Department of Planning, Lands and Heritage – *Guidelines for Planning in Bushfire Prone Areas.*

These publications guide the City on best practice approaches to effectively locating street trees in a manner that mitigates interference with utility services, path networks and traffic sightlines and reduces bushfire hazards within an urban environment. These locations are also reviewed by the City's traffic engineers. Relevant illustrations and extracts from these documents are provided at Attachments 2 to 4 to this report.

Further to these guidelines, affected residents also have the opportunity to discuss on-site with a City representative the potential re-location of a street tree within appropriate parameters.

Based on the above, it is the City's view that the concerns raised within the current petition regarding traffic sight lines and parking are already factored into the planning process when selecting tree locations in accordance with current guidelines.

Property Damage

Street trees planted under the *Leafy City Program* are not planted on private property, but rather the verge that forms part of the road reserve and become a City-owned and managed asset.

As previously indicated, the City's selection of appropriate tree species has been made taking into account the surrounding infrastructure and space available to minimise potential future impacts. It is noted that the form and shape of street trees will change over time, therefore, the City cannot guarantee that trees will never impact on existing or future infrastructure but will manage issues if and when they arise.

To mitigate impacts from growth and to ensure optimal growing conditions, all trees are planted in 1.2 cubic meters of a specialised soil conditioner mix. This mix improves the existing sandy soil and assists in greater water retention and efficient uptake of nutrients by the tree. The soil conditioners, in conjunction with a layer of mulch and a thorough water scheduling program over the first two years of the tree's life encourages greater root depth and consequently lessens the potential for infrastructure damage.

As such, the concerns raised within the current petition regarding the impacts of tree roots on sewer lines, foot paths and roading infrastructure are already managed through the site and tree species selection and planting processes.

Leaf Litter Hazard

The current petition raises concerns in relation to the management of leaf litter that may be produced by the species selected for the West View Boulevard, Mullaloo site, namely a *Liquidambar styraciflua* ("Liquid Amber").

As a City asset, the maintenance of street trees is managed in accordance with the City's *Tree Management Guidelines* and scheduled maintenance activities. This may include programmed works such as pruning, street sweeping and watering where relevant. Street sweeping, in particular, aids in minimising the potential nuisance caused by natural shedding processes from various tree species that will accord with the level of service required for any particular location.

Issues and options considered

The options available to Council are to:

- support the petitioners' request as outlined in this Report
or
- not support the petitioner' request.

It is the City's recommendation that the petitioners' request is not supported as the concerns raised in the petition have been addressed by the City through the planning and implementation process of the *Leafy City Program* that has been developed and refined over many years.

The adherence to current guidelines and engagement process with affected residents provides further confidence in the City's ability to appropriately manage the risks identified in the current petition.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Government Act 1995.*

10-Year Strategic Community Plan

Key theme Place.

Outcome Attractive and leafy – you have access to quality public open spaces and enjoy appealing streetscapes.

Policy Not applicable.

While there is no policy underpinning the proposed program, associated City plans for reference are as follows:

- *Environment Plan 2014 – 2019 (currently being reviewed).*
- *Climate Change Strategy 2014 – 2019 (currently being reviewed).*
- *Waterwise Council Action Plan 2021 - 2026*
- *City of Joondalup Tree Management Guidelines.*

Risk management considerations

During the development of the *Leafy City Program* the City considered potential risks associated with the implementation of this program. A number of these considerations have already been outlined in the details of this Report.

Not proceeding with the planting of trees as part of the *Leafy City Program* as requested in the petition will have an environmental risk as the City will not be able to contribute to mitigating the impacts of climate change through increased canopy coverage.

Financial / budget implications

The cost to establish the trees as part of the *Leafy City Program* has already been included in the City's *Five Year Capital Works Program* and the ongoing maintenance outside of the initial two to three year establishment period is included in the City's annual operating budget.

Regional significance

Not applicable.

Sustainability implications

Environmental

The provision of trees is a climate change mitigation strategy as outlined in the *City's Climate Change Strategy 2014-2019*.

Natural shade from a mature tree canopy reduces exposure to ultra-violet rays and provides additional benefits such as:

- reducing ambient air temperature via transpiration through leaves
- makes communities more liveable for people and their activities
- contributes to general health and well being
- oxygenate and clean the air
- provide canopy and habitat for wildlife
- helps prevent soil erosion
- reduces evaporation and wind speed
- reduces the average vehicle speed along tree lined roads.

Social

Outdoor activity is encouraged and the provision of shaded spaces combined with other sun protection practices contributes to a healthier environment for the community. The Heart Foundation *Healthy By Design Guide* (2012) advocates the planting of trees to encourage walking, cycling and social gathering by creating a cooler, more aesthetic environment.

Consultation

Community engagement for the *Leafy City Program* has been carried out in accordance with the City's *Community Consultation and Engagement Policy*. Engagement was undertaken in a two-stage approach.

In the first stage, the whole of the City of Joondalup was engaged through the provision of materials to inform, educate and promote the *Leafy City Program* and the benefits of planting trees. This was achieved via the following:

- Information on the City's website, including frequently asked questions.
- Posters and static displays in the City's Administration Offices, City Library and Customer Service Centres.
- Social media posts.
- Bus seat advertising in relevant locations.

Stage two of the engagement included the following:

- A personalised notification letter sent to residents within the identified project areas.
- Tree information sheets uploaded onto the City's website.
- Media release.
- Social media posts.

COMMENT

Street trees are an important natural asset which helps maintain liveable urban environments and provide a wide range of environmental, aesthetic and social benefits to the community. The benefits of planting trees in suburban streetscape include reducing ambient air temperature, reducing the ‘urban heat island’ effect generated by existing hardstand surfaces, cleaning air by absorbing polluting gases, improving visual street amenity, creating safer walking environments, reducing cooling energy consumption costs and saving water through reduced evaporation rates.

While an increase in the City’s canopy cover will not be seen in the immediate future, the *Leafy City Program* is a long-term initiative that will involve generational change with a vision to create resilient and cooler urban spaces within the City.

It should be noted that the City of Joondalup has been nominated for the 2023 Parks Leisure Australia WA (PLAWA) Awards of Excellence for Leafy City under the award category of Environmental Stewardship.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 DOES NOT SUPPORT the matters raised in the petition received by Council at its meeting held on 18 April 2023 (C037-04/23 refers) for the following reasons:**
 - 1.1 the location and planting of street trees as part of the *Leafy City Program* is carried out in accordance with the various guidelines as outlined in this Report;**
 - 1.2 the City is responsible for the maintenance of street trees and does so in accordance with the *City’s Tree Management Guidelines* and scheduled maintenance activities;**
 - 1.3 the tree species list for the *Leafy City Program* was formulated by taking into account the geology and site specific circumstances;**
- 2 ADVISES the lead petitioner of its decision.**

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16brf230509.pdf](#)