

# minutes

MEETING HELD ON **TUESDAY, 21 AUGUST 2012**

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## CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON TUESDAY, 21 AUGUST 2012**

### DECLARATION OF OPENING

The Mayor declared the meeting open at 12.04pm.

### ANNOUNCEMENT OF VISITORS

#### Mayor:

TROY PICKARD

#### Councillors:

CR KERRY HOLLYWOOD	North Ward	
CR TOM McLEAN, JP	North Ward	<i>absent from 1.58pm until 2.02pm</i>
CR PHILIPPA TAYLOR	North-Central Ward	
CR SAM THOMAS	North-Central Ward	
CR LIAM GOBBERT	Central Ward	
CR GEOFF AMPHLETT, JP	Central Ward	<i>absent from 1.58pm until 2.00pm</i>
CR CHRISTINE HAMILTON-PRIME	South-West Ward	
CR MIKE NORMAN	South-West Ward	
CR JOHN CHESTER	South-East Ward - <i>Deputy Mayor</i>	
CR BRIAN CORR	South-East Ward	
CR RUSS FISHWICK, JP	South Ward	
CR TERESA RITCHIE	South Ward	

#### Officers:

MR GARRY HUNT	Chief Executive Officer	
MR MIKE TIDY	Director Corporate Services	
MR JAMIE PARRY	Director Governance and Strategy	
MS DALE PAGE	Director Planning and Community Development	<i>absent from 1.15pm until 1.18pm</i>
MR CHARLIE REYNOLDS	Acting Director Infrastructure Services	
MR JOHN HUMPHREYS	Manager Planning Services	<i>until 1.40pm</i>
MS DEBBIE TERELINCK	Manager Community Development and Library Services	<i>until 1.45pm</i>
MR MARK McCRORY	Acting Manager Governance and Marketing	
MR SEAN MCLAUGHLIN	Principal Legal Officer	<i>from 1.56pm</i>
MR JOHN BYRNE	Governance Coordinator	
MRS DEBORAH GOUGES	Governance Officer	
MRS ROSE GARLICK	Governance Officer	

#### Guest:

MR ANDREW ROBERTS	McLeods Barristers & Solicitors	<i>until 1.09pm</i>
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There were 13 teachers, 87 students, four members of the public and one member of the press in attendance.

## PUBLIC QUESTION TIME

The following questions were submitted prior to the Council meeting:

**Mr D Blackburn, Kingsley:**

*Re: Jarrah, Marri, Tuart, SheOak, Banksia, Jacksonia, Grass Trees*

*Q1 In 2007-08 a large number of trees and shrubs were lost in the City of Joondalup due to the use of the Hexazinone Herbicide for weed control around sumps.*

*Would you please advise how many of the following category of tree/shrub were lost and what were the characteristics of the loss, such as height/girth, age?*

**A1** The amount of trees/shrubs removed by the City in association with this issue is between 3,123 to 3,538. A range has been provided as the portion of trees/shrubs removed prior to May 2007 was estimated.

Of the 3,123 to 3,538 trees/shrubs removed, 2,876 to 3,291 were classed as non-native and 247 were native (1 shrub and 246 trees).

Specific information relating to the age and girth of the vegetation removed was not collected as it did not form part of the guidelines developed by the City and Department of Environment and Conservation. The key criteria for the removal of the 247 native trees and shrubs was that it was either dead or had no foliage and provided no additional habitat value to birds, mammals or reptiles.

All removals undertaken were in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and were within the guidelines agreed to between the City and Department of Environment and Conservation.

The City has replanted over 5,000 native replacement trees and shrubs around sumps which exceeds the City's revegetation requirement in relation to this issue.

**Ms S Mcarthur, Yanchep:**

*Re: Skate Park Facility at Mirror Park.*

*Q 1 Does the city have plans to increase surveillance of Key West Parking Station and the surrounding dunes given the increased activity associated with the proposed Skate facility? This area is already subject to a great deal of illegal activity - drug use, fires in the dunes etc.*

**A1** The report before Council's August meeting (CJ147-08/12) pertains to a proposed skate park at Mirror Park, Ocean Reef. As indicated in the report it is proposed to include CCTV surveillance at the facility.

City staff do report to the WA Police incidents that involve illegal activity such as drug use that occur within the City of Joondalup.

*Q2 Are City youth workers aware of the conservation values of Bush Forever and are they willing to ensure that youth using the proposed facility are aware of the damage (illegal) pedestrian traffic causes to the dunes?*

- A2 With access to the proposed Mirror Park skate park it is expected that the facility users will utilise available public transport, be transported by parents/guardians or walk using the available footpaths. Should access through the dunes become an issue once the skate park is available for use, the City's Youth Services staff will liaise with City staff who have relevant expertise to determine suitable education strategies that can be utilised with the users of the facility to assist in preserving the dune vegetation.
- Q3 *What plans does the council have to ensure that increased activity at Mirror Park will not adversely affect neighboring Bush Forever Site 325?*
- A3 Refer to response to Question 2.

**Ms M Horsburgh, Ocean Reef:**

Re: *Skate Park Facility at Mirror Park.*

- Q1 *Given that Mirror Park was previously rejected and deemed an unsuitable location for a Skate Park because of concerns raised regarding road traffic issues along with the traffic hazards of the sun setting directly in line with the road which faces East/West causing hazardous conditions for motorists; can you tell me why, if these reasons were cause for rejection in the past, that they are not now?, given that these would be extremely important considerations (especially)now given that traffic has increased and the sun still continues to rise in the East and set in the West?*
- A1 Ocean Reef Road, similar to other major east/west roads within the metropolitan area, requires motorists to drive responsibly and in accordance with road conditions at the time including during the hours of sunrise and sunset. Access to Mirror Park on Ocean Reef Road is no different to other facilities or intersections that require access from major east/west roads.
- The most recent traffic count surveys undertaken for Ocean Reef Road and Venturi Drive in the vicinity of Mirror Park indicate that traffic volumes have remained relatively constant and are well within the acceptable limits for roads of this type.
- Q2 *Can Council confirm that the Skate-Park, which is purposefully designed to attract young children and teenager to the facility, will see an increase pedestrian traffic particularly by teenagers and children coming to use the facility by Skate-Board who will have to negotiate, the crossing and the roundabout on the corner of Ocean Reef Road and Oceanside Promenade (a known accident hot-spot) , the corner of Venturi Drive and Ocean Reef Road (another known accident hot spot) and Ocean Reef Road which takes a steep decline from Marmion Avenue. What road safety measures are planned to keep teenagers and children safe?*
- A2 The intersections of Ocean Reef Road/Oceanside Promenade and Ocean Reef Road/Venturi Drive have a number of pedestrian crossing facilities in place that meet appropriate design standards and provide two stage crossings for pedestrians. Sightlines at both of these intersections are clear and unobstructed and suitable for pedestrian activity.

It should be noted that regular road users in the area would currently be aware of pedestrian crossing activity to Mirror Park due to the existing recreation activity including football and BMX.

Whilst it is acknowledged that there has been recorded vehicle crashes at both intersections in the previous five year period to December 2011, the crashes have not involved pedestrians and have not been significant in numbers.

Q3 *Can the Council confirm that road safety is of the utmost importance and it is the Duty of Care of Council to provide safe access to the Skate-Park?*

A3 Road safety is important. Appropriate facilities have been provided for road users to access Mirror Park in a safe manner. These facilities include pedestrian pathways, pedestrian crossing facilities and vehicle car parks.

Q4 *Can Council confirm that that since the parking area to Mirror Park was extended, it has seen a notable increase of cars particularly in the summer months which has seen the car-park full and cars extending onto the grassed area (opposite the roundabout) and that this car-park is now also used as over-flow parking to access the beach because the Mullaloo car-park is always full and spills onto the road in peak summer months?*

A4 It is acknowledged that spill over parking does occur during summer months within the City's coastal foreshore precinct. There are two car park facilities provided for Mirror Park. Similar to other recreation reserves, car park demand can be significant during peak periods resulting in spill over parking occurring from time to time.

Q5 *Can Council confirm that youth are likely to access both the beach and the Skate-Park making the Ocean Reef Road/Oceanside Prom roundabout a hot-spot for large number of pedestrian traffic – the majority being teenagers and children who will use it to access the beach and the Skate Park?*

A5 Pedestrians regularly access the beach and Mirror Park via the Ocean Reef Road/Oceanside Promenade intersection. The roundabout has appropriate pedestrian crossing facilities in place on all three legs that clearly define the crossing locations and enable pedestrian to undertake safe two stage crossings.

### **Mr P Horsburgh, Ocean Reef:**

Re: *Skate Park Facility at Mirror Park.*

Q 1 *Is the Council implementing any of the following and if so at what cost?*

- *Marked signage and road-humps to slow traffic to enable youth to cross and access the road in a safe manner. (This needs to be of utmost importance and consideration in the planning of the Mirror Park Skate Park. The health and safety of youth should not only be of paramount importance but it is the duty of care on the part of council to consider this);*
- *A footbridge from Oceanside Promenade to cross over Ocean Reef road to access the Skate-Park;*
- *Traffic lights at Venturi Drive & Ocean Reef Road and Oceanside Prom and Ocean Reef Road. (These are busy, dangerous areas for traffic. Given that know that the sun rising in the east and setting in the west poses a hazardous problem for motorists using that road. It is a section of road that declines steeply downwards towards the park; and*

- *A plan related to traffic and pedestrian management and access to park.*

- A1 Currently there are appropriate pedestrian crossing facilities and road signage in place to access Mirror Park in a safe manner. Additional traffic management treatments, pedestrian footbridge or traffic signals on Ocean Reef Road are difficult to justify and would not meet the required warrants. However pedestrian and vehicle activity will be monitored once the proposed skate park is in place as part of the City's traffic investigation program.
- Q2 *Given that the Council Meeting is to be held during the day, in working hours, and given that I am a rate-payer and taxpayer who lives opposite Mirror Park and will be directly impacted by the Skate Park in this park and cannot attend due to work commitments (that I cannot forgo in order to pay my rates and taxes), why am I not being given the opportunity to attend the meeting which should be held outside working hours?*
- A2 Council meeting dates and times are determined by the Council in November every year, for the following 12 months. Each year in August, the Council meeting is conducted at 12.00 noon to enable the attendance and involvement of students from local high schools throughout the City. The work on the final designs of the skate park facility were completed by the design consultants on 31 July 2012. The next available meeting where these designs could be presented to Elected Members as per the Council resolution CJ099-06/11, was the August 2012 meeting.

**Ms R Fleming, Ocean Reef:**

Re: *CJ147-08/12 Mirror Park Skate Park, Ocean Reef*

- Q1 *Why is there a mention on the agenda of the 858 signature petition without a mention that it was comprised of mostly persons who are not ratepayers, without a mention of the petition with over 300 signatories submitted by residents who are ratepayers and who will be directly impacted by the proposed skate park ?*
- A1 Of the 858 signatories to the petition requesting a skate park in Ocean Reef/Mullaloo, 743 (86.5%) are residents of the City from the suburbs of Heathridge, Ocean Reef, Mullaloo and Beldon.

The petition of 328 signatures of residents opposing the establishment of a skate park at Mirror Park was reported to Council in December 2010 (CJ212-12/10 refers). The petition was considered outside the scope of the community consultations as the petition reflected the comments made in individual survey responses about the disadvantages of a skate park in Mirror Park and might have given more weight to the opinions expressed than is appropriate. A number of the signatories to the petition also completed individual surveys. Other precedents where the City has not included petitions into submission results include the Beach Management Plan and the Ocean Reef Marina.

- Q2 *Does any council member have any affiliations/memberships or interpersonal relationships with anyone working on the designing, tendering, or construction of the proposed facility of a skate park in Mirror Park?*

- A2 Under the provisions of the Local Government Act (1995) elected members and staff are required to declare if they have any financial or other interest in this item when it is before Council.
- Q3 *Is the council aware, there are none of the following facilities as listed below? Shelter/shade provision \$ 24,000 important sun protection, Drinking Fountain \$ 4,650, Maintenance (annual cost) \$ 5,000 Essential for upkeep of the facility available to the current very young demographics that use Mirror Park, indicating the council feels that teenagers have a greater need for sun protection and hydration than the younger persons using the park facilities?*
- A3 The associated infrastructure provided for the proposed skate park will be available for all users of Mirror Park.
- Q4 *Why was the proposed skate park put on the agenda, knowing it is a contentious issue at a time when school attendees, most under the voting age of 18 can attend but where the majority of ratepayers who will be affected by this proposed construction, due to their employment commitments cannot be present to address any and all issues?*
- A4 Council meeting dates and times are determined by the Council in November every year, for the following 12 months. Each year in August, the Council meeting is conducted at 12.00 noon to enable the attendance and involvement of students from local high schools throughout the City. The work on the final designs of the skate park facility were completed by the design consultants on 31 July 2012. The next available meeting where these designs could be presented to Elected Members as per the Council resolution CJ099-06/11, was the August 2012 meeting.
- Q5 *Does any council member have any affiliations/memberships or interpersonal relationships with anyone working on the designing, tendering, or construction of the proposed facility of a skate park in Mirror Park?*
- A5 Refer response to Question 2.

**Ms S Boylan, Mullaloo:**

Re: *Skate Park Facility at Mirror Park.*

- Q1 *What is the contingency plan if the noise level exceeds acceptable standards for a residential area?*
- A1 The contingency plan to mitigate noise from the proposed skate park at Mirror Park is detailed in the report to August 2012 meeting of Council (CJ147-08/12 refers) under the "Issues and Options Considered" section.
- Q2 *Where will the car park be located when Ocean Reef road becomes a dual carriageway in two or three years time? (At present it is situated in the proposed dual carriageway) and has funding been allocated for this?*
- A2 The City is investigating locating the car park within Mirror Park to the north-west of the proposed skate park with access from the existing traffic circle at the junction of Oceanside Promenade and Ocean Reef Road. The funding for the dual carriageway is not allocated in the City's 2012-13 Budget.

- Q3 *Will youth workers and rangers be patrolling the skate park once it has closed at 7:30pm and what is the expected rotations of this security (half hourly, hourly)?*
- A3 The City's Youth Outreach services, Rangers and City Watch will have enough of a presence at the proposed Mirror Park skate park to be able to determine whether there are operational issues associated with the park that need to be addressed and to reinforce the message that the skate park is not to be utilised during non-permitted times.
- Q4 *The briefing clearly states that this is to be a 'local' facility yet the objective clearly states that this facility be accessible to all. Have all councillors spent time looking closely into this proposal so they have the necessary knowledge to decide on this development appropriately?*
- A4 As with all of the City's outdoor recreational facilities including parks and reserves, these facilities by their nature are accessible to all residents. The planning for the proposed skate park in Mirror Park has been undertaken on the basis that the majority of the users will be from the catchment areas of Ocean Reef, Mullaloo, Heathridge and Beldon.
- Q5 *Will there be a follow up survey on the facility to see if the promised minimal disturbance to residents is a reality particularly in light of the proposed extension of the opening times?*
- A5 It is proposed that assessments of noise levels and a review of available noise mitigation measures to ensure that noise levels remain within required standards will be undertaken six months after the commissioning of the proposed skate park at Mirror Park and a report prepared for Council consideration.

**Ms S Richards, Ocean Reef:**

Re: *CJ147-08/12 Mirror Park Skate Park, Ocean Reef*

- Q1 *Are helmets knee and elbow pads compulsory for safety? Bike riders have to wear or they can receive a fine of \$70.00.*
- A1 The City recommends and promotes the use of personal protective equipment for users of skate park facilities. This is done through on-site signage and personal interaction with facility users by the City's Youth Outreach staff.
- Q2 *Under the heading Benefits (page 2) you have stated young people aged between 12-20 years, what about the younger generation 5-11 and 2-4 years the ones that are constantly using the existing BMX track every day, where are they to go?*
- A2 It is intended that the proposed skate park will be suitable for younger children to use as is the case with the Kinross skate park. The facility will be multi-purpose and will be suitable for BMX users.
- Q3 *Page 3. Enclosed and fully supervised: opportunity for sponsorships, partnerships, club development skills coaching and events. This is a public park so why the need for the above that makes it privatisation, so it won't be free to all.*

- A3 This part of the Skate Park Facility Management Plan simply provides details of the range of options for skate park designs. The skate park at Mirror Park will not be an enclosed and fully supervised facility. It is proposed that the skate park at Mirror Park will be a static concrete – uncovered and freestanding facility.
- Q4 *Page 5. Seating design to have multipurpose functions litter collection bins as seats where are the hygiene standards?*
- A4 It is not proposed to incorporate multi-purpose seating in the Mirror Park skate park design.
- Q5 *Signage: How child friendly is it going to be for the under 7's?*
- A5 It is anticipated that younger users of a skate park facility will be under the supervision of parents and/or guardians.

**Dr M Apthorpe, Ocean Reef:**

*Re: Skate Park Facility at Mirror Park.*

- Q1 *Do the 858 people who signed the petition in favour of the local skate park facility at Mirror Park live within 500 metres of the park?*
- A1 743 (or 86.5%) of the petition signatories live in the suburbs of Ocean Reef, Mullaloo, Heathridge and Beldon.
- Q2 *Why were the 300 signatures of surrounding residents opposing the establishment of this skate facility ignored?*
- A2 The petition of 328 signatures of residents opposing the establishment of a skate park at Mirror Park was reported to Council in December 2010 (CJ212-12/10 refers). The petition was considered outside the scope of the community consultations as the petition reflected the comments made in individual survey responses about the disadvantages of a skate park in Mirror Park and might have given more weight to the opinions expressed than is appropriate. A number of the signatories to the petition also completed individual surveys. Other precedents where the City has not included petitions into submission results include the Beach Management Plan and the Ocean Reef Marina.
- Q3 *How can Council justify spending \$660,000 on what is claimed to be only a local recreational facility?*
- A3 The catchment areas for users of a skate park at Mirror Park are Ocean Reef, Mullaloo, Heathridge and Beldon. In these four suburbs the population of 5 to 17 year olds is 17% of the City's total population of 5 to 17 year olds. Given this demographic, it is considered appropriate for the City to provide suitable recreational facilities for young people in this catchment area. Further, the City wishes to provide a contemporary, safe and aesthetically-pleasing facility at Mirror Park and this is a reasonable cost for similar facilities across Australia. As a result of securing external funding, the City's contribution to the proposed skate park is \$489,000.
- Q4 *What security services will be set in place to ensure that this skate facility is not used 24 hours a day by hoons?*

- A4 On-site signage and a presence by the City's Youth Outreach Services, Rangers and City Watch will reinforce the message that the skate park is not to be utilised during non-permitted times.
- Q5 *Why was the consideration of this facility moved to a daytime meeting of Council, when working adults could not attend to ask questions and hear discussion?*
- A5 Council meeting dates and times are determined by the Council in November every year, for the following 12 months. Each year in August, the Council meeting is conducted at 12.00 noon to enable the attendance and involvement of students from local high schools throughout the City. The work on the final designs of the skate park facility were completed by the design consultants on 31 July 2012. The next available meeting where these designs could be presented to Elected Members as per the Council resolution CJ099-06/11, was the August 2012 meeting.

**Mr M Sideris, Mullaloo:**

Re: *CJ147-08/12 Mirror Park Skate Park, Ocean Reef*

- Q1 *In CJ147-08/12 Mirror Park skate facility, the recommendation is to use a Western Australian Local Government Association (WALGA) preferred supplier and therefore not go to open tender, please advise how this is consistent with the statement in CJ150-08/12 under Economic Prosperity and Growth where the City seems to be promoting the Delivery of a Buy Local/Tendering for the small business sector.*
- A1 The WA Local Government Association uses an open public tender process to secure preferred suppliers. This enables local suppliers to tender.
- Q2 *Further to this question, advise why the elected members of this Council who are also members of WALGA, have not declared a financial interest as WALGA will be receiving a financial return for providing this panel supply service?*
- A2 Elected Members are regularly made aware of their obligations under *Section 5.65 of the Local Government Act 1995* and it is their decision and responsibility when to declare an interest in an item before the Council.
- Q3 *Advise how a skate facility at Mirror Park, a proposal with no Regional Significance, was clearly stated in CJ212-12/10 to have a project cost range from \$250,000 to \$400,000 has now escalated to approximately \$660,000?*
- A3 The cost of the construction of the skate park was initially estimated at \$390,000. There was a slight increase in cost of \$10,000 through the detailed design process following Council's June 2011 decision. The skate park will now cost \$439,000 to build. The additional \$39,000 cost is a result of the change in design to lower the level of the skate park by 0.5m to make it more aesthetically appealing for residents and other park users and some minor changes to functionality.
- Q4 *How is this cost escalation in two years providing ratepayers with good financial governance?*
- A4 The estimated construction cost for the skate park presented to the June 2011 Council meeting (CJ099-06/11 refers) was \$390,000. It is now \$439,000 due to the detailed design process and minor design changes to improve functionality and appearance for users, residents and other park users.

Q5 *If this City cannot keep financial constraint on a small scale project such as the proposed skate facility, how can the ratepayers have confidence when the City attempts to manage larger projects such as the much vaunted Ocean Reef Marina?*

A5 Refer response to Question 4.

**Mrs M Macdonald, Mullaloo:**

Re: CJ147-08/12 *Mirror Park Skate Park, Ocean Reef*

Q1 *Why is this item on the agenda for 12noon start instead of 7pm, when the City knows that this restricts the ability of those residents in the vicinity of the park to attend and be heard by Councillors who will make this decision, is it that the city has dismissed them as irrelevant as it also has not mentioned 350 residents who opposed the facility?*

A1 The work on the final designs was completed by the skate park design consultants on 31 July 2012. The next meeting where these designs could be presented to Council as per resolution CJ099-06/11 is August 2012.

Q2 *Given that the report states that the proposed (within three years) dual carriageway on Ocean Reef Road will ameliorate any noise from the skate park, how was this information gathered and where will people park?*

A2 City officers experienced in the areas of road design, traffic management and in noise management and control, have advised it is likely that the dualling of Ocean Reef Road will change the noise levels currently generated by traffic on this section of road and that the traffic noise from the amended road layout will likely ameliorate skate park noise that may be experienced by residents of houses across Ocean Reef Road in Mullaloo. The City is investigating locating the car park within Mirror Park to the north-west of the proposed skate park with access from the existing traffic circle at the junction of Oceanside Promenade and Ocean Reef Road.

Q3 *Why is the Council considering spending \$660,000 on this a LOCAL Skate Park, how do they define LOCAL and how many of the 858 petitioners could be considered LOCAL?*

A3 As reported to Council in December 2009 (CJ270-12/09), 743 (86.5%) of petitioners requesting a skate park in Ocean Reef/Mullaloo are City of Joondalup residents from the suburbs of Heathridge, Ocean Reef, Mullaloo and Beldon.

Q4 *Has Council been made aware of the anti social activities that have occurred in last few months in the locality of the proposed skate park, such as hoons knocking down bollards in Korella Park, the obscene graffiti on the toilet block at Mullaloo and the fireworks set off in a car park at Mullaloo just to mention a few?*

A4 In the last three months, 23 incidents were reported to City Watch from the suburbs of Heathridge (5 reports), Kallaroo (2 reports), Ocean Reef (4 reports) and Mullaloo (12 reports). The majority of incidents related to reports outside private residences or in parks including Prince Regent Park, Lexcen Park, Blackboy Park and Tom Simpson Park.

In the last three months, graffiti has been reported on City buildings and infrastructure, commercial and residential buildings in the following suburbs: Ocean Reef (46 reports), Mullaloo (32 reports); Heathridge (49 reports) and Beldon (21 reports). Between the period 20 May to 20 August 2012, there were three graffiti reports for Mirror Park, Ocean Reef.

- Q5 *Why didn't the City trial it's mobile skate facility on the site and considered taking it to all parks in the City instead of spending \$660,000 on this facility?*
- A5 The Council considered the options for different forms of skate parks at its December 2010 meeting (CJ212-12/10 refers). The option of a modular, mobile skate facility was considered inappropriate because it would not meet user needs, it would be subject to vandalism (due to the moveable nature of the modular structures) and result in significant undue noise (due to the modular structures being made from steel).

**Mr S Fleming, Edgewater:**

Re: *CJ147-08/12 Mirror Park Skate Park, Ocean Reef*

- Q1 *Was it councils deliberate intention to put the proposed skate park in Mirror Park on this particular agenda, for the councils monthly meeting 12 noon, so those who are paying for it, the ratepayers and the residents could not attend to either voice their concerns for or against it.*
- A1 The work on the final designs was completed by the skate park design consultants on 31 July 2012. The next meeting where these designs could be presented to Council as per resolution CJ099-06/11 is August 2012.
- Q2 *Why is there no one to represent those who don't want the proposed skate park in Mirror park, on in the group, to protect the interest of the residents and rate payers?*
- A2 The Working Group's function was to assist with the design of the proposed skate park at Mirror Park. The City conducted community consultation to enable residents and ratepayers to raise their issues.
- Q3 *Can the council justify the cost of all the upgrades to Mirror Park including the parking bays, at cost of nearly \$1 million dollars in a time when families are struggling to pay their rates?*
- A3 The catchment areas for users of a skate park at Mirror Park are Ocean Reef, Mullaloo, Heathridge and Beldon. In these four suburbs the population of 5 to 17 year olds is 17% of the City's total population of 5 to 17 year olds. Given this demographic, it is considered appropriate for the City to provide suitable recreational facilities for young people in this catchment area.
- Q4 *Can you confirm if a survey has been carried out as to the frequency of use and the number of under 7 users, their families of the existing BMX, without a thought of relocating or consideration of their needs for a basic learners riding track that has been life and soul of Mirror park for years.*
- A4 Community consultation was undertaken on the proposed skate park at Mirror Park and this provided the opportunity for this issue to be raised. The proposed new facility will be multi-purpose and will be suitable for BMX users.

Q5 *What is the contingency plan if the noise level exceeds acceptable standards for a residential area?*

A5 The contingency plan to mitigate noise from the proposed skate park at Mirror Park is detailed in the report to August 2012 meeting of Council (CJ147-08/12 refers) under the “Issues and Options Considered” section.

**Ms H Kraus, Mullaloo:**

Re: *CJ147-08/12 Mirror Park Skate Park, Ocean Reef*

Q1 *Given that the car park for the skate facility is situated in the dual carriageway where is the City going to site another car park?*

A1 The City is investigating locating the car park within Mirror Park to the north-west of the proposed skate park with access from the existing traffic circle at the junction of Oceanside Promenade and Ocean Reef Road.

Q2 *How does the City justify spending \$660,000 on what they say is a local Skate Park when there are still no toilets/change rooms down at North Point Mullaloo beach and still only one toilet that does not meet needs of the general public?*

A2 The catchment areas for users of a skate park at Mirror Park are Ocean Reef, Mullaloo, Heathridge and Beldon. In these four suburbs the population of 5 to 17 year olds is 17% of the City’s total population of 5 to 17 year olds. Given this demographic, it is considered appropriate for the City to provide suitable recreational facilities for young people in this catchment area. Further, the City wishes to provide a contemporary, safe and aesthetically-pleasing facility at Mirror Park and this is a reasonable cost for similar facilities across Australia. As a result of securing external funding, the City’s contribution to the proposed skate park is \$489,000.

Q3 *Does the City have a list of anti social activities that have occurred in a two kilometre distance from the proposed skate park in the last three months?*

A3 In the last three months, 23 incidents were reported to City Watch within a two kilometre radius of Mirror Park from the suburbs of Heathridge (5 reports), Kallaroo (2 reports), Ocean Reef (4 reports) and Mullaloo (12 reports). The majority of incidents related to reports outside private residences or in parks including Prince Regent Park, Lexcen Park, Blackboy Park and Tom Simpson Park.

In the last three months, graffiti has been reported on City buildings and infrastructure, commercial and residential buildings in the following suburbs: Ocean Reef (46 reports), Mullaloo (32 reports); Heathridge (49 reports) and Beldon (21 reports). Between the period 20 May to 20 August 2012, there were three graffiti reports for Mirror Park, Ocean Reef.

Q4 *Given that the skate park is to be a local facility how many of the 858 petitioners are local?*

A4 As reported to Council in December 2009 (CJ270-12/09), 743 (86.5%) of petitioners requesting a skate park in Ocean Reef/Mullaloo are City of Joondalup residents from the suburbs of Heathridge, Ocean Reef, Mullaloo and Beldon

- Q5 *Why hasn't the City trialled it's transportable skate facility on the site? This would be useful to ascertain the level of anti social behaviour prior to the City spending a significant amount of rate payers funds that perhaps could be better spent on other projects.*
- A5 The Council considered the options for different forms of skate parks at its December 2010 meeting (CJ212-12/10 refers). The option of a modular, mobile skate facility was considered inappropriate because it would not meet user needs, it would be subject to vandalism (due to the moveable nature of the modular structures) and result in significant undue noise (due to the modular structures being made from steel).

**Ms S Fleming, Craigie:**

Re: *CJ147-08/12 Mirror Park Skate Park, Ocean Reef*

- Q1 *The completed report indicates the level of noise created by the skate park (that will directly affect residents) cannot be ascertained. When will the specifics of noise pollution, monitoring, control, and whether or not the facility will be enclosed – which will therefore facilitate more noise, be determined definitely.*
- A1 The proposed skate park at Mirror Park will not be an enclosed facility. It will be a static concrete, uncovered and freestanding facility. An acoustic report has been prepared for the proposed facility which outlines the likely noise levels that might be generated and measures that could be used to mitigate noise from the facility. Once the facility has been constructed, the City will be able to properly assess any noise impacts and the required mitigation strategies.
- Q2 *Who is responsible for overseeing the allocation of funds within the 'City of Joondalup' community, and ensuring it stays on Budget? Reports state that it will undoubtedly go over budget, so who deemed it appropriate to spend close to \$1 million dollars on one sole 'local' facility.*
- A2 City staff will be responsible for ensuring that the proposed skate park project stays within the budget that has been approved for this facility. The catchment areas for users of a skate park at Mirror Park are Ocean Reef, Mullaloo, Heathridge and Beldon. In these four suburbs the population of 5 to 17 year olds is 17% of the City's total population of 5 to 17 year olds. Given this demographic, it is considered appropriate for the City to provide suitable recreational facilities for young people in this catchment area.
- Q3 *Were Community initiatives or other public proposals considered for use of public ratepayer funds?*
- A3 Council considers new projects and initiatives as part of its regular, overall budget deliberations and makes decisions based on a range of factors including community need.
- Q4 *Of those that signed the petition, how many were residing within a small proximity of the park and were also ratepayers, not rental tenants?*
- A4 As reported to Council in December 2009 (CJ270-12/09), of the 858 signatories on the petition requesting a skate park in Ocean Reef/Mullaloo, 743 (86.5%) are City of Joondalup residents from the suburbs of Heathridge, Ocean Reef, Mullaloo and Beldon.

- Q5 *Can we expect our rates to continue to go up to fund such extravagant, unnecessary and overly-sector specific facilities?*
- A5 Council sets the rate in the dollar each year as part of its regular, overall budget deliberations, discussed at Question 3.

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

**Charni Gray, Belridge Senior High School, Beldon:**

- Q1 *What is the City of Joondalup doing to help deal with problems of general litter and waste disposal? For example, excessive litter after concerts at Joondalup Arena and glass on the streets around the city centre.*
- A1 The City has two dedicated teams to collect and dispose of discarded waste in public places. One team patrols 197km of main roads across the City's 22 suburbs. In addition to collecting small items of litter, they also deal with larger items including illegally dumped mattresses, televisions and furniture.

Crews collect litter seven days a week within the Joondalup City Centre, mechanically sweeping the pavements and collecting litter including glass.

Prior to approving large music or sporting events at Arena Joondalup, the City requires event organisers to submit a waste management plan. The plan includes how waste is to be handled inside and outside the event venue. In addition the City's collection crew also provide litter patrols during and after major events.

The City also supports the following State and Federal waste programs:

- A proposed Container Deposit Scheme where items such as soft drink cans, milk cartons and bottles can be refunded at recycling points;
- Extended Producer Responsibility where producers and importers are jointly responsible for the disposal of electronic waste and car tyres; and
- Mindarie Regional Council's Earth Carers course that provides information on waste management and recycling.

**Molly Ireland, Belridge Senior High School, Beldon:**

- Q1 *What is the City of Joondalup able to do to help people feel more secure? For example, in the transition area between Joondalup train station and Lakeside Shopping Centre or at the beach.*
- A1 The City provides a range of services with a community safety focus. Some specific programs include the City Watch community patrols, CCTV technology in certain public spaces, the Youth Outreach program and the City's joint efforts with the WA Police to reduce incidents of anti-social and criminal behaviour.

The City, in consultation with local police, have focussed on improving safety at the Lakeside Joondalup Shopping City 'station square' area near the Joondalup Train Station through various youth liaison programs including the Mobile Youth Service and targeted Youth Outreach. These youth programs have been successful in engaging young people and assisting with community harmony in public spaces. The City plays an active role in ensuring that its 17km of beautiful coastline is a safe environment for visitors and local residents through a range of services that include:

- Providing support for local Surf Life Saving Clubs that patrol and respond to beach and swimmer safety issues;
- City Watch service patrolling coastal areas and car parks to deter crime, anti-social behaviour and report suspicious activities;
- Ranger patrolling of beaches to assist beach users and enforce local laws; and
- Using CCTV technology at Tom Simpson Park, Mullaloo to deter anti-social behaviour at one of the City's most popular and family-friendly coastal parks.

**Kenel Crane, Duncraig Senior High Education Support Centre, Duncraig:**

*Q1 How do you decide how best to allocate funds for leisure facilities (such as parks, skate parks etc), in each suburb?*

A1 The City has three leisure centres located in Heathridge, Duncraig and Craigie. The Council allocates an annual budget for the operation of these popular centres which allows for the various sporting and leisure programs to be provided. The Council has also allocated significant funds to improve these leisure facilities in recent years, which included the construction of an outdoor water playground and a 50 metre pool which have proved to be extremely popular attractions in the community.

The Council has an adopted program for the maintenance and replacement of infrastructure including the upgrade and repair of outdoor facilities like playground equipment. This program prioritises the parks in need of upgrading in and the Council allocates an annual amount to undertake these works. Significant funding is also spent every year on maintaining and enhancing the City's numerous parks and ovals for organised sport and use by the wider community.

The City has two existing skate parks (Kinross and Craigie) and has contributed significant funds to the skate park at Carine Open Space as a joint venture with the City of Stirling. Due to a petition from a group of youngsters, the City is in the process of building an additional skate park at Mirror Park in Ocean Reef. Funding has been secured from the State Government to assist with this exciting project. There is an item listed on today's agenda that will require the Council to consider the Mirror Park skate park matter further.

**Kara Dobson, Duncraig Senior High School, Duncraig:**

*Q1 How representative is local government given low voter turnout?*

A1 Voting in local government elections is not compulsory; unlike elections held at the State and Federal levels. However, the introduction of postal voting has significantly increased voter turnout at local government elections.

A low voter turnout does not mean that local government should be valued any less. It is an important part of the Australian system of government and as the tier of government closest to the community, Councils play an important role in influencing local communities. Local governments can shape the way a community grows and develops in the future and are responsible for ensuring that everyone has access to a wide range of services as well as developing and maintaining essential community infrastructure.

The Joondalup Council comprises 12 Elected Members and a Mayor who are democratically elected representatives of the community, and they stand for many different reasons:

- To contribute to the development and improvement of the community;
- To represent the interests of people in the community; and
- To make important decisions that impact on the way people live in the district.

The City encourages all members of the community to participate in the Council's decision-making process, whether that is by standing for Council, exercising a democratic right to vote, participating in community engagement activities, or attending meetings to express a point of view.

**Savannah Reader, Duncraig Senior High School, Duncraig:**

*Q1 Do you think that merged larger local government bodies would be more efficient?*

A1 Whilst the City does not have a position on whether larger local governments are more efficient, it did provide, in its December 2011 Local Government Reform Submission, that it considers, on balance, there are too many local governments in the Perth Metropolitan Area. However, the City acknowledges that any proposal to consolidate or amalgamate local governments has its advantages and disadvantages.

The Australian Centre for Excellence for Local Government has said that consolidation, whether amalgamation, shared services or other forms of closer collaboration between local governments, is an essential (but not exclusive) strategy to address the challenges facing local government. Whilst there may be significant benefits to be gained, equally there are disadvantages including disruption, transition costs, weakening of local democracy, loss of local identity and employment.

Within the context of current local government arrangements in the Perth Metropolitan Area, the City acknowledges that a reduction in the number of local governments would most likely result in an increase in the strategic capacity of the industry.

**C52-08/12**

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

**MOVED Cr McLean, SECONDED Cr Taylor that Public Question Time be EXTENDED for a period of 15 minutes.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

**Christy Edmeades, Mater Dei College, Edgewater:**

*Q1 Are any steps being taken to reduce graffiti?*

A1 The City's Graffiti Removal Service provides single contact, fee free graffiti removal for local residents, business operators and community groups. This service completed 5,364 graffiti removals in 2011/12 with 97 percent of these dealt with within the target two working day timeframe following a report.

The City's rapid removal of reported graffiti has helped achieve:

- A significant reduction in large scale and long term visible graffiti in local areas; and
- A 49 percent decrease in the total area of graffiti removed annually over the past two financial years.

The City is also involved in the following strategies in local areas which deter graffiti vandalism:

- Supporting the enforcement efforts of the WA Police with information, tag profiles, digital photo's and CCTV images linked to graffiti;
- City Watch community patrols help deter and report graffiti with patrol officers making 848 graffiti reports during 2011/12;
- Use of community art murals to minimise graffiti in locations suitable for mural art works;
- Supporting education programs such as the Constable Care Child Safety Project which focus on graffiti prevention and respecting property and others;
- Use of CCTV in public areas, where suitable, to identify and deter graffiti offenders;
- Supporting the Department of Corrective Services in deterring young people from recurrent graffiti activity through its Juvenile Justice Team (JJT);
- Participating in the State Government's JJT Graffiti Paint Out Referral Program which has juvenile graffiti offenders painting out tags in local areas; and
- Supporting the activities of graffiti removal volunteers who paint out graffiti in local areas.

You can report graffiti to the City by phone on 9400 4528, e-mail at [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au) or on the web at [www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au).

**Calum Woods, Mater Dei College, Edgewater:**

*Q1 Will the re-development of Ocean Reef Marina proceed and, if so, how will it be funded?*

*A1* The City is currently investigating the best method for obtaining the necessary environmental and planning approvals for the development. Earlier this year, the City entered into a Memorandum of Understanding (MOU) with the State Government, which recognised that the City cannot deliver a project of this size and complexity on its own. The implementation of the project will require a collaborative effort from both parties to identify how the development can be funded and brought to fruition.

**Liam Sandilands, Prendiville Catholic College, Ocean Reef:**

*Q1 How does the City of Joondalup plan to countering future water supply shortages?*

*A1* The City recognises the importance of sustainable water use and the need to promote water conservation and water efficiency within the community.

The City has demonstrated a commitment to sustainable water management by joining the ICLEI Water Campaign in 2008, which promotes the importance of indentifying methods to reduce water usage. In 2010 the City joined the Waterwise Council Program to further increase its capacity to use and manage water resources in a more efficient way. At the 2011 WA Water Awards, the City was recognised for its commitment to water management and was announced the winner of the Waterwise Council category.

To ensure continued improvement in the way that the City manages and utilises water resources, this Council has recently adopted a Water Plan. This Plan has been developed to provide strategic direction for the delivery of water conservation and water quality improvement initiatives from 2012 to 2015 and includes targets to reduce water consumption and improve water quality.

The Plan includes a number of projects that will lead to further water savings and improvements in local water quality including education and awareness-raising initiatives and the introduction of water efficient devices within City buildings.

**Jessica Water, Duncraig Senior High Education Support Centre, Duncraig:**

*Q1 Are there still safety houses operating in our High School area and how do we / our parents keep up to date with this?*

A1 The Safety House Association provides information to community members through its website at [www.safetyhousewa.org.au](http://www.safetyhousewa.org.au) and people can contact the Association on 9343 7511.

The City supports the Safety House Association of WA's activities and provides annual funding to the Association to run educational puppet shows for local school children.

The City works closely with the Safety House Association to promote its programs and events including Safety House week each August. The Safety House program is linked to other child safety initiatives such as the walking school bus, School Watch and road safety programs.

**Ciaran Salinger, Prendiville Catholic College, Ocean Reef:**

*Q1 What actions does the council see as necessary to deal with the increasing population of the city?*

*For Example: Public Facilities*

A1 The City of Joondalup has a fairly stable population, however the surrounding North West region of Perth is expected to experience rapid residential growth, which has direct impacts on the future of Joondalup.

With its established City Centre and commercial areas, Joondalup will become the major hub for future regional employment. The City is planning for this increased employment demand by working in strategic regional partnerships with stakeholders like the City of Wanneroo. To cope with increased demands for metropolitan housing infill, the City is also planning for increased sub-division in certain suburbs throughout the City to facilitate population increases in the future.

All of these population factors will impact on services, public facilities and the City's natural environment. In particular, the changing demographic trends will see greater service needs for an ageing population. As such, the most important actions for the City are to plan for and provide increased accessibility to services, enhanced local transport networks, increased employment opportunities, diverse housing options, environmental protection and quality, multi-purpose facilities.

The City is currently finalising its new Strategic Community Plan 2012 – 2022 which will position the City to address a range of challenges and opportunities including population growth in the region.

**Rhys Mola, Sacred Heart College, Sorrento:**

*Q1 Can the Council justify the effectiveness of the Citywatch initiative relative to the financial outlay of the program?*

A1 The City Watch Community Patrol Service provides community safety patrols for residents, local businesses and visitors to the City. The service provides a visual deterrent to crime and anti-social behaviour in suburban streets and City Watch works closely with local Police on all matters relating to community safety and crime prevention. The service is very popular with local residents and it is this support and ongoing requirement that justifies the service being maintained as a vital service to the community.

**Marcus Podyma, Sacred Heart College, Sorrento:**

*Q1 Can the council comment on any initiatives designed to ensure environmental sustainability in relation to the Ocean Reef Marina proposal?*

A1 The concept plan for the Ocean Reef Marina was developed taking into consideration any potential environmental impact on the site.

The City is currently liaising with the Office of the Environmental Protection Authority and the Department of Environment and Conservation on the environmental sustainability of the development including the management of identified issues.

**C53-08/12**

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

**MOVED Cr Thomas, SECONDED Cr Hollywood that Public Question Time be EXTENDED for a period of 5 minutes.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

**Eleanor Smith, St Stephens School, Duncraig:**

*Q1 Students have become increasingly concerned about the amount and occurrences of antisocial behaviour in public spaces in the City of Joondalup. Students are concerned about youths loitering at the Joondalup Train Station, and around the Joondalup Shopping Centre. Students are also concerned that youths using Skate Parks, and other recreational facilities are doing so unsupervised, and antisocial behaviour is occurring at the these venues. Students of St Stephen's School, ask Council what they are doing to ensure that we are able access these areas safely, and without feeling threatened by the behaviour of others when we do so?*

A1 The City is aware there are periodic incidents of anti-social behaviour in the City Centre and the City Watch patrol service provides a visual deterrent and where anti-social behaviour is observed City Watch reports this to Police if intervention is required. Generally patrols are sufficient as a deterrent.

The City also regularly liaises with local Police and shopping centre management to monitor and respond to activity. CCTV technology is used at City skate parks and some local parks to assist with the identification and reporting of suspicious activity.

The City's Youth Outreach teams also regularly interact with young people in the community to provide engagement and supervised activities for young people to limit opportunities for inappropriate behaviour in public spaces. Any youths who feel concerned about anti-social behaviour in public spaces should contact City Watch on 1300 655 860.

**Jasmine Johnson, St Stephens School, Duncraig:**

*Q1 When will the City of Joondalup make it compulsory for all dogs and cats to be sterilised, and registered with the Council?*

*Will the City of Joondalup follow the suit of other Councils, and offer concessions for cardholders to ensure this happens?*

A1 All dogs are required to be registered under the provisions of the Dog Act 1976. Dogs do not have to be sterilised but the majority of registered dogs in the City are sterilised. The City will not be seeking to make it compulsory for dogs to be sterilised.

Parliament has introduced the Cat Act 2011 which comes into operation effective from November 2013. The Act requires all cats to be registered, sterilised and micro-chipped. Concessions for card holders are provided by law to both dog and cat owners.

**PUBLIC STATEMENT TIME****Ms M Hegarty, Urbis Perth**

*Re: CJ173-08/12 - Proposed Amendment No 66 to District Planning Scheme No 2 as a result of Section 76 Order*

Ms Hegarty spoke in relation to item CJ173-08/12 - Proposed Amendment No 66 to District Planning Scheme No 2 as a result of Section 76 Order.

**Mr J Henderson, Kingsley**

*Re: CJ159-08/12 - Petition to Enable Caravans to be Parked on Residential Verges*

Mr Henderson spoke in relation to item CJ159-08/12 - Petition to Enable Caravans to be Parked on Residential Verges, seeking approval to enable caravans to be parked on residential verges.

**APOLOGIES AND LEAVE OF ABSENCE****C54-08/12**

**REQUESTS FOR LEAVE OF ABSENCE – CRS JOHN CHESTER,  
GEOFF AMPHLETT, BRIAN CORR AND RUSS FISHWICK -  
[102280]**

**MOVED Cr Amphlett, SECONDED Cr Hollywood that Council APPROVES the Requests for Leave of Absence from Council duties covering the following dates:**

- |          |                          |   |
|----------|--------------------------|---|
| <b>1</b> | <b>Cr John Chester</b>   | <b>22 August to 26 August 2012 inclusive and 11 September to 12 September 2012 inclusive.</b> |
| <b>2</b> | <b>Cr Geoff Amphlett</b> | <b>25 August to 1 September 2012 inclusive.</b>   |
| <b>3</b> | <b>Cr Brian Corr</b>     | <b>7 September to 13 September 2012 inclusive.</b>  |
| <b>4</b> | <b>Cr Russ Fishwick</b>  | <b>29 September to 9 November 2012 inclusive.</b>   |

**The Motion was Put and****CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

**CONFIRMATION OF MINUTES****C55-08/12****MINUTES OF COUNCIL MEETING HELD 24 JULY 2012**

**MOVED Cr Norman, SECONDED Cr McLean that the Minutes of the Council meeting held on 24 July 2012 be CONFIRMED as a true and correct record.**

**The Motion was Put and****CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

**ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION****Acknowledge Local High School Students**

Mayor Pickard advised that there were approximately 100 local high school students in attendance at the Council meeting and commented that it was great to see students taking an interest in Local Government.

Mayor Pickard announced the schools represented in the Council Chambers were:

- St Stephen's School
- Belridge Senior High School
- Belridge Education Support Centre
- Duncraig Education Support Centre
- Greenwood Senior High School
- Prendiville Catholic College
- Mater Dei College
- Montessori School
- Ocean Reef Senior High School
- Sacred Heart College

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

Mayor Pickard announced that Elected members decided to hold the meeting of Council during the day to give local schools an opportunity to send their students along to see first-hand how their Local Government authority functions and works.

Mayor Pickard hoped that the students and teachers would find the meeting interesting and educational.

Mayor Pickard advised that all students in attendance would receive a Certificate of Participation and a City information pack for attending the Council Meeting.

## Draft City of Joondalup Strategic Community Plan 2012-2022

Mayor Pickard announced that the City's draft Strategic Community Plan 2012-2022 was on the Council agenda and that he would like to re-iterate what an important role it will play in guiding the future growth and development of Joondalup.

Mayor Pickard advised that if Council approves its release for community consultation, he would encourage everyone in the public gallery and those interested residents in the wider community to participate in providing important feedback to the City.

Mayor Pickard stated that it was vital that members of the community have an opportunity to shape their future neighbourhoods and suburbs.

Mayor Pickard requested feedback from residents as it would greatly assist the City as it finalises the draft Strategic Community Plan into a transformational document that sets out the needs and priorities of the community over the next decade.

## DECLARATIONS OF INTEREST

### Disclosure of Financial Interest:

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

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ175-08/12 - Confidential-Elected Member Legal Representation.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr McLean is one of the Councillors requesting legal representation.

<b>Name/Position</b>	<b>Cr Geoff Amphlett, JP.</b>
<b>Item No/Subject</b>	CJ175-08/12 - Confidential-Elected Member Legal Representation.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Amphlett is one of the Councillors requesting legal representation.

### Disclosures of interest affecting impartiality:

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

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ147-08/12 - Mirror Park Skate Park, Ocean Reef
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Pickard is President of Western Australian Local Government Association which operates Business Solutions.

<b>Name/Position</b>	<b>Cr Mike Norman.</b>
<b>Item No/Subject</b>	CJ149-08/12, Draft Lilburne Park Management Plan.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Norman is a Chairman of Joondalup Community Coast Care Forum Inc and is a Coordinator of three 'Friends Groups'.

<b>Name/Position</b>	<b>Cr Liam Gobbert.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Gobbert is employed by a shop at Whitford Shopping Centre. Cr Gobbert knows an employee of Urbis.

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas is the Vice President of the Whitford Senior Citizen Club.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime's friend is employed at a shop in the Westfield City Shopping Centre.

<b>Name/Position</b>	<b>Cr Teresa Ritchie.</b>
<b>Item No/Subject</b>	CJ175-08/12 - Confidential-Elected Member Legal Representation.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Ritchie is a former member of the Business Development Association.

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No/Subject</b>	CJ175-08/12 - Confidential-Elected Member Legal Representation.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr was the Chairman of the Business Development Association from November 2011 to May 2012.

**IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS**

Item CJ175-08/12 - Confidential - Elected Member Legal Representation.

**PETITIONS****C56-08/12                    PETITION IN RELATION TO PARKING OF CARAVANS ON VERGES – [05386, 40680]**

A six signature petition has been received from residents of the City of Joondalup with regards to the parking of caravans on verges.

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

- 1            Petition requesting the City to allow residents to park a caravan on their verge.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

**C57-08/12                    CONSIDERATION OF CHANGE TO ORDER OF BUSINESS - [02154]**

**MOVED Mayor Pickard, SECONDED Cr Hamilton-Prime that Council SUSPENDS clause 14(4) of the City's *Standing Orders Local Law 2005 – Order of Business*, to allow the following report to be considered out of sequence:**

- CJ173-08/12 - Proposed Amendment No 66 to District Planning Scheme No 2 as a result of Section 76 Order**

**and prior to considering Item CJ146-08/12 – Development, Code Variation and Subdivision Applications – June 2012.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

**REPORTS****Disclosure of interest affecting impartiality:**

<b>Name/Position</b>	<b>Cr Liam Gobbert.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Gobbert is employed by a shop at Whitford Shopping Centre. Cr Gobbert knows an employee of Urbis.

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas is the Vice President of the Whitford Senior Citizen Club.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime's friend is employed at a shop in the Westfield City Shopping Centre.

**CJ173-08/12      PROPOSED AMENDMENT NO 66 TO DISTRICT  
PLANNING SCHEME NO 2 AS A RESULT OF  
SECTION 76 ORDER**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Ms Dale Page  
Planning and Community Development

**FILE NUMBER:** 102594, 101515

**ATTACHMENTS:** Attachment 1      Proposed Scheme Amendment No 66

**PURPOSE**

The purpose of this report is for Council to initiate an amendment to the District Planning Scheme No 2 (DPS2) in response to an order issued by the Minister for Planning under section 76 of the *Planning and Development Act, 2005*.

## EXECUTIVE SUMMARY

Council, at its November 2011 meeting, resolved not to initiate a scheme amendment proposed by planning consultants on behalf of Westfield Management Ltd. The scheme amendment proposed to remove various clauses and a schedule from District Planning Scheme No 2 (DPS2) in order to effectively remove the maximum retail floor space allocations that currently apply to commercial centres, in line with the State's Activity Centres Policy (SPP4.2). The proposal also sought to include provisions relating to Detailed Area Plans.

Council did not support the initiation of the proposed scheme amendment on the basis that it considered the request to be premature given the City was only in the initial stages of preparing its Local Commercial Strategy (LCS) and planned to make any necessary changes to the Scheme to align with State Government policy as part of the review of DPS2 that is currently being undertaken.

Subsequently, on representation by the applicant to the Minister for Planning, the Minister issued an order under section 76 of the *Planning and Development Act, 2005* requiring the City to initiate the amendment requested by Westfield. The Minister's order went further however in that it also requires the amendment to insert provisions to enable owners of land to prepare a structure plan and to align DPS2 with the Activity Centres Policy, specifically in regard to the need for approval of an Activity Centre Structure Plan prior to any major development on the site.

*It is recommended that Council, pursuant to Part 5 of the Planning and Development Act 2005, CONSENTS to initiate Amendment No 66 to the City of Joondalup District Planning Scheme No 2 as outlined at Attachment 1 to Report CJ173-08/12, for the purposes of public advertising for a period of 42 days.*

## BACKGROUND

On 22 December 2010, a draft Activity Centre Structure Plan for the Whitford shopping centre and surrounds was submitted to the City by a planning consultant on behalf of Westfield Management Ltd. The Council, at its meeting of 17 May 2011, resolved not to endorse the draft Activity Centre Structure Plan for a number of reasons as detailed in report CJ080-05/11.

The applicant subsequently lodged an application for review of Council's decision with the State Administrative Tribunal (SAT) in June 2011. Based on a previous SAT case, the City challenged the applicant's right of review given that, as per the current provisions of clause 9.1.1 of DPS2, a landowner cannot lodge a structure plan for approval, without the Council formally requesting or requiring the lodgement of the structure plan. Given the Council had not requested the preparation of the structure plan, the City was of the view this nullified the applicant's right of review with the SAT. The applicant subsequently withdrew from the SAT proceedings.

On 6 September 2011, a letter was received from the applicant requesting that the City initiate a scheme amendment to DPS2 to:

- Delete clauses 3.7.2, 3.7.3, 3.11.4 and 3.11.5 from DPS2;
- Delete Schedule 3 in DPS2; and
- Insert new Detailed Area Plan provisions in DPS2.

The proposed scheme amendment effectively sought to remove the existing maximum retail floor space allocations for the various commercial centres from DPS2, and to also insert provisions regarding Detailed Area Plans.

At that stage, the City was only in the initial stages of preparing its Local Commercial Strategy. The City was concerned that amending DPS2 in the manner proposed, without a Local Commercial Strategy in place to guide decision-making, had the potential to undermine the existing hierarchy of centres in the City and in State Planning Policy 4.2 – Activity Centres for Perth and Peel.

The City was also concerned that the proposal could allow the ad hoc development of centres which would have the potential to impact on the economic health and potential of other centres in the City, especially the Joondalup Strategic Metropolitan Centre. Therefore, at its meeting on 22 November 2011 (CJ206-11/11 refers), Council resolved not to initiate the proposed scheme amendment.

The City then received correspondence from the Department of Planning on 21 March 2012, advising that the applicant had submitted a representation, under section 76 of the *Planning and Development Act, 2005*, to the Minister for Planning to the effect that the City had failed to take requisite steps to amend its planning scheme where an amendment ought to be made. A formal section 76 order has the legal result of allowing the Minister to direct a local government, within such time as specified in the order, to prepare and submit for the approval of the Minister a local planning scheme or an amendment to a local planning scheme, or to consent to any modifications or conditions imposed. The City was asked to comment on the proposal before the Minister made his decision on whether or not to issue the section 76 order.

The City considered a number of options available to it, including:

- not responding to the request for comments;
- providing a response that challenged the section 76 representation;
- agreeing to amend the Scheme (as per the Westfield request) via the section 76 process;
- agreeing to amend the DPS2 (as per the Westfield request but including extra provisions to align the DPS2 with the Activity Centres Policy) via the section 76 process.

The City considered that amending the planning scheme in line with Westfield's request was inevitable. However, as it is important to retain control over development on the Whitford site and in order to protect the primacy of the Joondalup City Centre, the officer's report on the section 76 to the Council recommended the option described in the latter dot point. This option will require Westfield to lodge and have approved an Activity Centre Structure Plan for the site before the Development Assessment Panel can consider any development application for a significant expansion of the Whitford shopping centre. This will be the best option to protect the City's interests. Consequently, at its meeting of 17 April 2012, the Council resolved to advise the Department of Planning that the City is prepared to work with the Department towards initiating an amendment to DPS2 which incorporates the request made by Westfield in September 2011, but also includes provisions to align DPS2 with the Activity Centres Policy.

## Current situation

On 16 July 2012, correspondence was received from the Minister for Planning advising that the Minister had decided to deliver an order under section 76 to the City to initiate an amendment to DPS2, as per the Westfield proposal, subject to the proposal being further modified to ensure alignment between DPS2 and the Activity Centres Policy. The Minister has advised that the modifications would require, inter alia, the inclusion of provisions for the preparation of activity centre structure plans and submission of a retail sustainability assessment as a precursor to development. The Minister also advised that modifications of existing Scheme provisions (clause 9.1.1) to allow for a structure plan to be prepared by either the local government or an owner of land would also be required.

The Minister advised that the City has until the end of August to comply with the section 76 order.

## DETAILS

The Minister for Planning has, under section 76 of the *Planning and Development Act, 2005* directed the City to initiate the amendment to DPS2 as requested by Roberts Day (planning consultants) on behalf of Westfield Management Ltd and to include any necessary provisions to align DPS2 with State Planning Policy 4.2 *Activity Centres for Perth and Peel*.

In order to comply with the section 76 order, and following discussion with officers from the Department of Planning regarding the content, the scheme amendment is proposed as follows:

- Delete existing clause 3.7.2 (requirement for all land in the Commercial zone to have a retail floor space “cap”) and insert a new clause 3.7.2 that requires an activity centre structure plan to be prepared and approved for the centres of Whitford, Warwick, Currambine, Greenwood and Woodvale before any major development can be undertaken;
- Delete existing clause 3.7.3 (need to adhere to floor space “caps” in Schedule 3 unless varied by an Agreed Structure Plan);
- Insert a new clause 3.7.3 that specifies that the requirement for an activity centre structure plan in clause 3.7.2 is not subject to clause 4.5.1 (Council’s ability to approve an application that does not comply with Scheme requirements);
- Delete clauses 3.11.4 and 3.11.5 (requirement for all land in the Centre zone to have a retail floor space “cap” and need to adhere to floor space “caps” in Schedule 3 unless varied by an Agreed Structure Plan);
- Insert new clause 3.11.4 that requires that any major development (as defined under State Planning Policy 4.2 *Activity Centres for Perth and Peel*) in the Centre zone, which is wholly or partly within the Joondalup Activity Centre, shall not be approved unless an activity centre structure plan has been prepared and adopted;
- Insert a new clause 3.11.5 that specifies that the requirement for an activity centre structure plan in clause 3.11.4 is not subject to clause 4.5.1 (Council’s ability to approve an application that does not comply with Scheme requirements);

- Amend clause 4.5.1 (Council's ability to approve an application that does not comply with Scheme requirements) by deleting the words '*and the requirements set out in Clauses 3.7.3 and 3.11.5*';
- Insert new clause 9.1.3 that allows the Council or the owner of land within an activity centre to prepare and submit an activity centre structure plan; and requires that activity centre structure plans are prepared in accordance with both State Planning Policy 4.2 – Activity Centres for Perth and Peel and Part 9 of the Scheme;
- Amend clause 9.2 to refer to clause 9.1.1 instead of clause 9.1. This will confine the need for Council to determine the boundary of a structure plan using the criteria specified in clause 9.2 to cases where the Council requires a normal structure plan under 9.1.1 and not where an activity centre structure plan is required. The reasons for this are that the requirements and criteria for the definition of an activity centre boundary are specifically covered by the provisions of State Planning Policy 4.2 – Activity Centres for Perth and Peel;
- Insert provisions for Detailed Area Plans (new clause 9.12) after clause 9.11;
- Amend clause 9.13.3 (previously clause 9.12.3) to insert 'or detailed area plan' after 'Structure Plan' in both instances where it appears in the clause;
- Amend Schedule 1 to include or amend definitions for:
  - (a) Activity Centre;
  - (b) Agreed Structure Plan;
  - (c) Major Development;
  - (d) Net Lettable Area; and
  - (e) State Planning Policy 4.2: Activity Centres for Perth and Peel,
- Delete Schedule 3 – Commercial and Centre Zones; and
- Renumber certain clauses due to inclusion of new clauses and cross-referencing of Scheme clauses.

Attachment 1 outlines the above scheme amendment in more detail.

Although not addressed in the section 76 order, in the event that the scheme amendment is approved, it is considered appropriate that the City's Centres Strategy also be revoked, given its non-alignment with the Activity Centres Policy and given the recent adoption by the Council of the draft Local Commercial Strategy.

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

#### Scheme amendment wording

The wording of the scheme amendment has been discussed with officers from the Department of Planning to ensure that the intent of the section 76 order is complied with and to ensure that the wording does not set an undesirable precedent for other local government Scheme provisions in the future. The wording has also been reviewed and further amended by the City's planning lawyers to ensure the City's interests are protected.

In regard to the proposed scheme amendment, Council can:

- Adopt the proposed scheme amendment for the purposes of public advertising;
- Adopt the proposed scheme amendment, with modification, for the purposes of public advertising; and
- Refuse to adopt the proposed scheme amendment for the purposes of public advertising.

In considering the above options, it is important for Council to note that if Council fails to initiate the scheme amendment for public advertising in accordance with the section 76 order, the Minister can take further action under the *Planning and Development Act, 2005* to ensure that the scheme amendment is initiated and progressed.

Although the options are available for Council to amend the wording of the scheme amendment, or to resolve not to initiate the scheme amendment, these options are not recommended.

#### Reduction in public advertising period

A request has been made by Westfield's planning consultant for Council to consider requesting the Department of Planning to approve a reduction in the statutory advertising period for the proposed scheme amendment from 42 days to 21 days. In regard to this request, Council can:

- Not support the request and take no further action; or
- Request the Department of Planning to consider reducing the public advertising period to 21 days.

Given that the implications of the required scheme amendment are broader than just Westfield's Whitford site, all commercial centre owners within the City will be advised in writing of the scheme amendment. On this basis, it is not considered reasonable to prejudice their ability to make a submission by reducing the statutory advertising period, and it is recommended no further action be taken in this regard.

#### Request that Council resolves to require preparation of an activity centre structure plan for the Whitford centre

Westfield are eager to re-lodge an activity centre structure plan for the Whitford centre and hope to do so by October 2012 in order to meet their development timelines.

However, until Amendment 66 is gazetted, the provisions proposed therein cannot legally be implemented and therefore Westfield cannot re-lodge an activity centre structure plan for Whitford unless the Council specifically requests preparation of such as per current clause 9.1 of the Scheme.

Consequently, planning consultants for Westfield have requested that, as part of this Scheme Amendment report, Council resolves to require the preparation of an activity centre structure plan for the Whitford centre.

It is not considered appropriate to deal with the requirement for an activity centre structure plan for Whitford as part of this Scheme Amendment report and instead it is recommended that this be dealt with as a separate issue in a future report to the Council.

## Legislation/Strategic Plan/Policy Implications

### Legislation

#### Section 76 of the *Planning and Development Act, 2005*

#### **76. Minister may order local government to prepare or adopt scheme or amendment.**

- (1) *If the Minister is satisfied on any representation that a local government —*
- (a) *has failed to take the requisite steps for having a satisfactory local planning scheme or an amendment to a local planning scheme prepared and approved in a case where a local planning scheme or an amendment to a local planning scheme ought to be made; or*
  - (b) *has failed to adopt a local planning scheme or an amendment to a local planning scheme proposed by owners of any land, in a case where a local planning scheme or an amendment to a local planning scheme ought to be adopted; or*
  - (c) *has refused to consent to any modifications or conditions imposed by the Minister,*
- the Minister may order the local government, within such time as is specified in the order, to prepare and submit for the approval of the Minister a local planning scheme, or an amendment to a local planning scheme or to adopt a local planning scheme, or an amendment to a local planning scheme or to consent to the modifications or conditions imposed.*
- (2) *If the representation under subsection (1) is that a local government has failed to adopt a local planning scheme or an amendment to a local planning scheme, the Minister, in lieu of making an order to adopt the scheme or amendment, may approve of the proposed scheme or amendment subject to such modifications and conditions, if any, as the Minister thinks fit.*
- (3) *A local planning scheme or an amendment approved under subsection (2) has effect as if it had been adopted by the local government and approved by the Minister under this Part.*
- (4) *The Minister must ensure that written reasons for making an order under subsection (1) are provided with the order.*
- (5) *The Minister must, as soon as is practicable after an order is given to the local government under subsection (1), cause to be laid before each House of Parliament or dealt with under section 268A —*
- (a) *a copy of the order; and*
  - (b) *a copy of the reasons for making the order.*

### Part 5 of the *Planning and Development Act, 2005*

Part 5 of the *Planning and Development Act, 2005* enables local governments to amend their local planning schemes and sets out the process to be followed.

Should Council support the initiation of the proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review is required. Should the EPA decide that an environmental review is not required, upon the City's receipt of written confirmation of this from the EPA, the City advertises the proposed amendment for 42 days.

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

### **Strategic Plan**

**Key Focus Area:** The Built Environment.

**Objective:** 4.1 To ensure high quality urban development.

**Policy:** Centres Strategy.

### **Risk Management Considerations:**

In the event that Council does not initiate the scheme amendment required by the section 76 order, the Minister for Planning can take action to ensure compliance with the order. The proposed Scheme amendment has been worded to address the requirements of the order, but also to protect the City's interests in ensuring orderly and proper planning and development of each of its centres and orderly and proper development of centres in relation to each other and in relation to the hierarchy of centres established under both the City's draft Local Commercial Strategy and the State's Activity Centres Policy.

Any development application for a major expansion to the Whitford shopping centre would need to be determined by the Development Assessment Panel (DAP) and not the Council. There is a risk that the applicant could successfully argue to the DAP that there are "exceptional circumstances" surrounding this site, thereby able to obtain development approval for a significant retail expansion to the Whitford shopping centre, without having an approved activity centre structure plan in place first.

If the DAP considered that "exceptional circumstances" were not present, they would likely refuse the development application and in that case, the applicant could lodge a review of the DAP's decision to the State Administrative Tribunal (SAT).

### **Financial/Budget Implications:**

The total costs associated with advertising and finalising the scheme amendment will be \$1,325. Additional costs of \$8,352 have been incurred for legal advice on the proposed wording of the amendment.

**Regional Significance:**

The removal of the maximum retail floor areas specified under DPS2, without the final adoption of a Local Commercial Strategy has the potential to result in an oversupply of retail floor space in certain centres within the City of Joondalup and adjoining local government authorities. It could also result in the undermining of the centres hierarchy as established in the Activity Centres Policy. However, as per the comments in the Risk Management Considerations section above, having the ability under the Scheme to require Activity Centre Structure Plans for the larger centres as a precursor to major development will at least control the impact of these bigger centres on each other, on the smaller centres in their vicinity and on the primacy of the Joondalup City Centre.

**Sustainability Implications:**

Should Council resolve to initiate the amendment to delete Schedule 3 of DPS2 and the associated clauses prior to the Scheme review and the adoption of a Local Commercial Strategy, any proposed expansion of retail floor space in the interim may result in a disproportionate allocation of floor space, impacting on the sustainability of particularly some of the smaller commercial centres.

**Consultation:**

Public advertising of the scheme amendment would be undertaken for a period of 42 days as follows:

- Letters to commercial centre landowners/ management;
- A notice placed in the local and the West Australian newspapers; and
- A notice and documents placed on the City's website.

**COMMENT**

Although Council has previously considered that the proposed scheme amendment would be premature, the scheme amendment must now be progressed in accordance with the section 76 order. As such, it is recommended that Council support the initiation of Amendment No 66 for the purpose of public advertising.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Norman, SECONDED Cr McLean that Council, pursuant to Part 5 of the *Planning and Development Act 2005*, CONSENTS to initiate Amendment No 66 to the City of Joondalup District Planning Scheme No 2 as outlined at Attachment 1 to Report CJ173-08/12, for the purposes of public advertising for a period of 42 days.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 26 refers*

*To access this attachment on electronic document, click here: [Attach26agn210812.pdf](#)*

*Mr Roberts from McLeods Barristers & Solicitors retired from the Chambers, the time being 1.09pm.*

## **CJ146-08/12      DEVELOPMENT,      CODE      VARIATION      AND SUBDIVISION APPLICATIONS – JUNE 2012**

<b>WARD:</b>	All		
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development		
<b>FILE NUMBER:</b>	07032, 101515		
<b>ATTACHMENTS:</b>	Attachment 1	Monthly Development Applications Determined - June 2012	-
	Attachment 2	Monthly Subdivision Applications Processed - June 2012	-

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### **PURPOSE**

To report on the number and nature of applications considered under Delegated Authority.

### **EXECUTIVE SUMMARY**

Clause 8.6 of District Planning Scheme No 2 (DPS2) allows Council to delegate all or some of its development control powers to a committee or an employee of the City.

The purpose of delegation of certain powers by Council, in addition to other town planning matters, is to facilitate timely processing of development applications, Residential Design Codes applications and subdivision applications. The framework for the delegation of those powers is set out in resolutions adopted by Council and is reviewed on a two yearly basis, or as required. All decisions made by staff, acting under delegated authority as permitted under the delegation notice, are reported to Council on a monthly basis.

This report identifies the following applications determined by the administration with delegated authority powers during June 2012 (Attachments 1 and 2 refer):

- 1 Planning applications (development applications and Residential Design Codes applications); and
- 2 Subdivision applications.

### **BACKGROUND**

The DPS2 requires that delegation be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 15 May 2012, Council considered and adopted the most recent Town Planning Delegation (CJ075-05/12 refers).

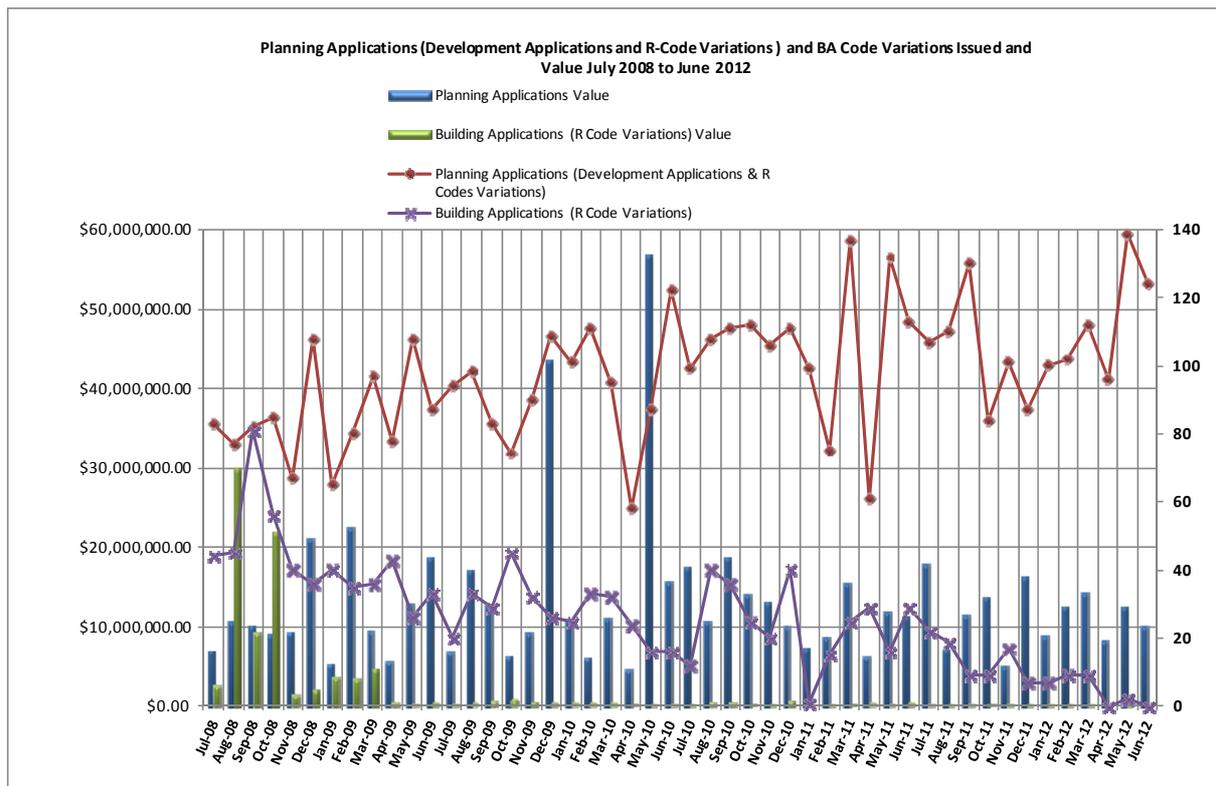
**DETAILS**

The number of applications determined under delegated authority during June 2012, is shown below:

<b>Approvals determined under delegated authority – June 2012</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Value (\$)</b>
Planning applications (development applications & R-Codes applications)	124	\$ 9,964,643
Building applications (R – Codes applications)	0	\$ 0
<b>TOTAL</b>	<b>124</b>	<b>\$ 9,964,643</b>

The number of development applications received during June was 116. (This figure does not include any applications that may become the subject of an R-Code application as part of the building permit approval process).

The number of development applications current at the end of June was 193. Of these, 63 were pending additional information from applicants, and 60 were being advertised for public comment.



In addition to the above, 113 building applications and 185 building permits were issued during the month of June with an estimated construction value of \$23,150,607.

<b>Subdivision approvals processed under delegated authority for June 2012</b>		
<b>Type of approval</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	2	128
Strata subdivision applications	2	2

### **Legislation/Strategic Plan/Policy Implications**

**Legislation**            Clause 8.6 of the District Planning Scheme No 2 permits development control functions to be delegated to persons or Committees. 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.

### **Strategic Plan**

**Key Focus Area:**    The Built Environment.

**Objective**            4:1:3: Give timely and thorough consideration to applications for statutory approval.

The use of a delegation notice allows staff to efficiently deal with many simple applications that have been received and allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

**Policy:**                As Above.

### **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 124 applications were determined for the month of June with a total amount of \$40,746 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 Residential Design Codes, any relevant policy and/or the DPS2.

Of the 124 development applications determined during June 2012 consultation was undertaken for 71 of those applications. Applications for Residential Design Codes as part of building applications are required to include comments from adjoining landowners. Where these comments are not provided, the application will become the subject of a planning application (R Codes application). The four subdivision applications processed during June 2012 were not advertised for public comment.

**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 Amphlett, SECONDED Cr Hamilton-Prime that Council NOTES the determinations made under Delegated Authority in relation to the:**

- 1 Development applications and R-Codes applications described in Attachment 1 to Report CJ146-08/12 during June 2012; and**
- 2 Subdivision applications described in Attachment 2 to Report CJ146-08/12 during June 2012.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf140812.pdf](#)*

**Disclosures of interest affecting impartiality:**

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ147-08/12 - Mirror Park Skate Park, Ocean Reef
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Pickard is President of Western Australian Local Government Association which operates Business Solutions.

**CJ147-08/12 MIRROR PARK SKATE PARK, OCEAN REEF****WARD:** North-Central**RESPONSIBLE:** Ms Dale Page  
Planning and Community Development**FILE NUMBER:** 08096, 101515**ATTACHMENTS:** Attachment 1 Final Designs for Mirror Park Skate Park  
Attachment 2 Skate Park Facility Management Plan**PURPOSE**

The purpose of this report is to seek Council's:

- endorsement of the final design for a skate park at Mirror Park; and
- approval to contract Convic Pty Ltd to construct the skate park at a cost of \$439,000.

**EXECUTIVE SUMMARY**

In June 2011, Council resolved on a number of matters pertaining to the construction of a skate park at Mirror Park, Ocean Reef (CJ099-06/11 refers).

This report provides details of the actions that have been taken since June 2011 and makes recommendations to enable the project to be completed.

These recommendations relate to the final design of the skate park, the engagement of a contractor to construct the skate park, the operational hours and the utilisation of a Skate Park Facility Management Plan.

The Skate Park Facility Management Plan will provide a framework for a co-ordinated approach to the management of the City's skate parks, including Mirror Park skate park, and the management of inherent risks associated with skate park facilities including the potential for personal injury, anti-social behaviour, noise, graffiti, vandalism and infrastructure failure.

## BACKGROUND

**Suburb/Location:** Reserve 42041 Lot 11665 (14) Mirror Place, Ocean Reef  
**Owner:** Land owned by the Crown – managed by the City  
**Zoning:** **DPS:** Parks and Recreation  
**MRS:** Urban  
**Site Area:** 47755m<sup>2</sup>

In August 2009, the City received an 858 signature petition requesting consideration of the provision of a skate park facility in the Ocean Reef/Mullaloo area, either at Mirror Park or another suitable location (C71-08/09 refers). A report on the petition was subsequently presented to the December 2009 Council meeting (CJ270-12/09 refers).

In considering the petition, Council resolved to undertake community consultation to identify any issues around the inclusion of a skate park in the overall upgrade of Mirror Park, Ocean Reef. The consultation process occurred between 23 August and 24 September 2010. Households and landowners within one kilometre of Mirror Park were directly contacted by letter, which included two surveys - one for the householder and one for any young people living at the address.

The results of the community consultation were submitted to the December 2010 Council meeting (CJ212-12/10 refers). Council resolved that the design of a permanent skate park at Mirror Park, Ocean Reef be commissioned, in conjunction with a working group of young people. Council also requested a desktop study into any other suitable locations within the Ocean Reef or Mullaloo area.

A desk top study on possible locations for a skate park within Ocean Reef and Mullaloo, together with two design options, was presented for consideration at the June 2011 Council meeting (CJ099-06/11 refers). It was resolved that Council:

- “1 *NOTES the outcomes of the desktop study into alternative locations in Ocean Reef or Mullaloo, other than Mirror Park, for the proposed skate park facility;*
- 2 *ENDORSES Mirror Park, Ocean Reef as the preferred location for the construction of a new skate park within the City of Joondalup;*
- 3 *ENDORSES Design Concept Two as the preferred design for the construction of a skate park at Mirror Park, Ocean Reef with provision of appropriate infrastructure including CCTV, landscaping, lighting, fencing, attenuation measures to minimise potential noise impacts on the surrounding residential area, bins, shelter, drinking fountain, seating and maintenance to be determined as the project progresses at an estimated cost of \$627,000 (excluding GST);*
- 4 *REQUESTS that the Chief Executive Officer finalise the design and cost estimates for a skate park at Mirror Park, Ocean Reef;*
- 5 *NOTES the allocation of \$250,000 in the 2011/12 draft budget for the construction of a skate park at Mirror Park, Ocean Reef;*
- 6 *NOTES that if a tender for the project is progressed, the phasing and quantum of any additional funding required will need to be considered at that time;*

- 7 *REQUESTS that the Chief Executive Officer makes application for funding from external sources to contribute to construction and/or associated infrastructure costs; and*
- 8 *ADVISES the lead petitioners of the decisions set out in parts 1 to 7 above.”*

## **DETAILS**

Since June 2011, the following actions have been taken to progress the provision of a skate park at Mirror Park, Ocean Reef in accordance with Council’s resolutions.

### **Final Design**

Convic Design Pty Ltd was engaged to finalise the design of the skate park at Mirror Park. As part of its endeavours to achieve best value and the most appropriate location of the facility, minor design amendments have been made. These were for a re-design of the skate bowls and for the deeper skate bowl to be ‘flipped around’ to the opposite side. These changes have the benefit of improving the flow and function of the park for the widest range of users (type and skill level), in addition to creating a greater separation from the users of the skate park and users of the adjacent pedestrian path.

Following a site visit by elected members on 14 May 2012, the design for the skate park was further amended to drop the level by 0.5 metres to improve the aesthetics of the skate park from the surrounding park.

These amendments were subsequently discussed with young people involved in the initial Working Group and users of the playing fields and positive feedback has been received.

The final design of the skate park at Mirror Park is included as Attachment 1.

As a result of dropping the level of the skate park, the cost estimate has increased by \$39,000.

The additional costs are a result of:

- Increase in the size by approximately 70m<sup>2</sup> as a result of amendments to the curved skate transition zones to enable the reduced height;
- Additional retaining walls to account for the reduction in level;
- Inclusion of a tanking system or drainage behind the retaining wall;
- More color has been added to the design to make the park a standout community youth zone and not a grey monolithic color scheme which generally attracts more graffiti; and
- Inclusion of additional seating zones to accommodate more users and parents.

## Final Cost Estimates

Table 1

Item	Cost (excl GST)	Comment
<ul style="list-style-type: none"> <li>• Site establishment</li> <li>• Earthworks</li> <li>• Concrete construction works</li> <li>• Coloured concrete oxide to transitions and blocks/hubbas (\$80/m<sup>3</sup> allowance)</li> <li>• Architectural post and rail around perimeter of open bowl</li> <li>• Steel and concrete skate elements</li> <li>• Seating blocks</li> <li>• Concrete sealing</li> <li>• Demobilisation and handover</li> </ul>	\$439,000	Based on final design (Attachment 1 refers).
CCTV (excluding lighting)	\$ 70,700	Cost estimate for a blanket system.
Option 1: Lighting x 4	\$ 60,000	The provision of this type of lighting would increase the usage of the park after dark as well as ensuring good natural surveillance. The existing skate park at Kinross is lit until 10pm.
Option 2: Infrared lighting	\$ 10,000	In the absence of standard lighting detailed above, infrared lighting would be required to support the effectiveness of CCTV.
Landscaping (grass, trees, reticulation)	\$ 35,000	Important for aesthetics, shade and natural surveillance.
Signage x 2	\$ 10,000	Important risk management strategy.
Bins x 2	\$ 2,000	Steel galvanised bin and lid. Vandalism and fire proof.
Shelter/shade provision	\$ 24,000	Important sun protection.
Drinking Fountain	\$ 4,650	
Maintenance (annual cost)	\$ 5,000	Essential for upkeep of the facility.
<b>Total cost</b> (with infrared lighting only)	<b>\$600,350</b>	
<b>Total cost</b> (with standard and infrared lighting)	<b>\$660,350</b>	Infrared lighting is recommended in addition to standard lighting for the optimal effectiveness of CCTV.

With regard to the details of works and costs, other than the proposed contract figure of \$439,000 (excl of GST), these are estimates only and the City will either take on these works or contract them out accordingly.

## **Associated Infrastructure**

There are some issues in relation to the associated infrastructure that will support the operation of the Mirror Park skate park that require consideration.

### CCTV Installation

With regard to this project, the City sought quotations for CCTV installation. Based on the details received, it is considered that an amount of \$70,700 (excl GST) should be allocated for this infrastructure. CCTV systems require some type of artificial light to be effective during low light and after dark conditions and information is detailed below on the available options for lighting to support CCTV.

#### *No lighting*

Should artificial lighting not be installed at the Mirror Park skate park, it is unlikely that the available light from nearby street lamps, sporting field lighting and other sources will be sufficient to allow recorded images to be of a suitable quality. Available light will also restrict how effectively the system can be remotely monitored. This option is not recommended.

#### *Infrared lighting*

CCTV cameras can operate effectively and provide good quality live and recorded images during hours of darkness, when used with properly designed infrared (non-visible) lighting. Infrared light is invisible to the human eye and does not generally produce the same light spill, glare and other challenges, but does illuminate an area for the electronic sensors in a CCTV camera. Infrared illuminators can be used during all hours of darkness to support CCTV operation with minimum impact on surrounding areas. Use of infrared illumination at the Mirror Park skate park to maximise CCTV effectiveness is recommended at the start of the project. This will enable effective use of CCTV regardless of when, or if, standard lighting is provided.

#### *Standard lighting*

Standard lighting is not essential for the operation of the proposed CCTV system, but installing standard (visible) lighting suitable for use at the skate park would greatly assist the performance of CCTV. This arrangement is currently in use at the Kinross skate park in MacNaughton Park and when the lights are activated, the CCTV system displays and records good quality images that allow the site to be easily viewed.

### Standard Lighting Installation

An approximate amount of \$60,000 (excl GST) would need to be allocated for the installation of standard lighting. As detailed under the heading of 'CCTV Installation' standard lighting is not essential for the operation of the proposed CCTV system, but to maximise the use of the proposed skate park itself to include periods of low light and evening use, lighting would be necessary, preferably set to an automatic timer.

In deciding whether to include standard lighting, the City needs to consider that extended use of the skate park into the evenings may result in noise issues for neighbours. If the City were to proceed with this lighting option, it would need to consider hours of operation and other noise mitigation measures.

### Lighting Requirements Summary

It is proposed to include infrared lighting for the effectiveness of the CCTV and the underground infrastructure required to support standard lighting in the initial construction phase. The decision to erect the standard lighting poles will be subject to a further report to Council six months after the completion of the facility.

### **External Funding Application**

The City made an application to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) Annual and Forward Planning Grants Round for funding in 2012/13. The City was successful in its application, achieving funding towards the project of \$171,000.

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

#### **Noise**

As indicated in the report to the June 2011 Council meeting (CJ099-06/11 refers), a professional acoustics report was being carried out on the proposed Mirror Park skate park and noise mitigation measures could be required as a result of the findings.

The findings from the acoustic report are that:

- Use of the skate park by teenagers and children during day-time will comply with the noise regulations. Use by teenagers and children after 7.00pm may cause concern due to lower noise limits.
- Use of the skate park by young adults who are more experienced skateboarders has the potential to breach the assigned noise levels at all times.

In essence the modelling undertaken in the acoustics report indicates that the noise generated by the use of grind rails by young adults and the dropping of skateboards are the ones that have the potential to breach the noise regulations.

Noise mitigation measures that can be implemented to minimise the risk of the Mirror Park skate park breaching the noise regulations are:

- 1 Using heavy gauge steel for the grind rails to minimise noise.
- 2 Capping and hot dip galvanising the rails, and capping the coping ends to minimise noise.
- 3 Ensuring construction joints are flush finished and the saw cuts (for crack control) are only four millimetres wide to minimise the noise.
- 4 Use of the facility not being permitted between the hours of:
  - a 7.00pm to 7.00am Monday to Saturday; and
  - b 7.00pm to 9.00am Sunday and Public Holidays.
- 5 Providing highly visible signs advising of non-permitted use times.

- 6 Having a presence by the City's Youth Outreach Services, Rangers and City Watch to reinforce the message that the skate park is not to be utilised during non-permitted times.
- 7 Not installing standard lighting to restrict use of the facility after 7.00pm. The alternative to this is to install standard lighting and turn it off at 7.00pm (as currently occurs at Kinross Skate Park with lighting being turned off at 10.00pm).
- 8 Monitoring noise levels for a period of time after the skate park is opened.

Because the acoustic report is based on modelling of particular factors that may or may not become a reality, it may be cost-effective to install the underground infrastructure required for standard lighting so that it can be utilised at a future date should this element of noise mitigation no longer be required. Regardless of if or when standard lighting is utilised, infrared lighting will be required initially for the effectiveness of CCTV.

The closing of the facility at 7.00pm may also cause concern from the users and community. The practice at present with the Kinross skate park is for the lights to be turned off at 10.00pm, which allows the facility to be available for use into the evening. There is an expectation by users and the community that the Mirror Park skate park will be available for use at similar times.

An additional mitigating factor with regard to noise emanating from the skate park is that Ocean Reef Road is proposed to be upgraded to a dual-carriageway at some point in the future (potentially within the next two to three years subject to funding availability). Although this is not a short-term measure, once the road upgrade takes place, it is highly probable that the noise levels from increased traffic will ameliorate the noise from the skate park.

#### **Legislation/Strategic Plan/Policy Implications:**

**Legislation:** Application of Australian Standards. There are no specific standards for skate park construction in Western Australia.

*Environmental Protection (Noise) Regulations 1997.*

Convic Design Pty Ltd is a Western Australian Local Government Association (WALGA) preferred supplier. This being the case, the City complies with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* with regard to public tender requirements. WALGA preferred suppliers are exempt from the tender process.

#### **Strategic Plan**

**Key Focus Area:** Community Wellbeing/Engage Proactively with the Community.

**Objective:** Ensure the City's facilities and services are of a high quality and accessible to everyone. Facilitate healthy lifestyles within the community.

**Policy:**

Provision of a skate park in Mirror Park could be influenced by the following City and Council Policies:

- Asset Management (City)
- Community Facilities Built (City)
- Leisure (Council)
- Management of Community Facilities (City)
- Reserves, Parks and Recreation Grounds (City)

**Risk Management Considerations:**

It is recognised that there are a number of risk management considerations in the provision of skate park facilities. These include the potential for personal injury, anti-social behaviour, noise, graffiti, vandalism and infrastructure failure.

Based on the City's experience in managing the Kinross skate park and the mobile skate ramps at the Craigie Leisure Centre, a Skate Park Facility Management Plan (Attachment 2 refers) has been developed to outline strategies to mitigate the risks highlighted above. The Skate Park Facility Management Plan will be utilised as the framework for the ongoing management of the Mirror Park skate park.

There is a financial risk to the project if Ministerial approval is not granted for the use of the Public Open Space Reserve Fund to provide a contribution of \$269,350 to the project.

**Financial/Budget Implications:**

The cost of construction and associated infrastructure for the skate park at Mirror Park is between \$600,350 and \$660,350 (depending on whether standard lighting is included). Currently there is \$621,000 provided in the 2012/13 budget for the project, inclusive of the \$171,000 CSRFF grant.

The City has a Public Open Space Reserve Fund that holds contributions from developers. At least one developer contribution has been identified as being in the vicinity of Mirror Park and is sufficient to provide the additional funding required for completion of the project (inclusive of both infrared and standard lighting). Ministerial approval is currently being sought to utilise this funding for the Mirror Park skate park.

It is estimated that there will be a cost of approximately \$5,000 for maintenance required at the skate park in the first year. For the 2012/13 financial year, the maintenance funding has been included in the overall project cost. After the first year it is recommended that \$10,000 per annum be allocated for maintenance, based on the existing costs at the Kinross skate park.

The value of the construction contract will be in the vicinity of \$439,000. As this is higher than the original budgeted expenditure of \$250,000, approval is sought to contract Convic Pty Ltd for the construction of the Mirror Park skate park.

Convic Pty Ltd is a WA Local Government Association preferred supplier and has extensive experience in skate park design in Australia and internationally. There are no other WA-based suppliers that have the range of expertise, knowledge and experience that Convic Pty Ltd has with skate park design and construction.

An independent quantity surveyor has provided a probable cost estimate on the component of the project quoted by Convic Pty Ltd and confirmed that the quoted price is a reasonable price for these works.

**Regional Significance:**

The intention is that this will be a local-level skate park rather than a regional facility.

**Sustainability Implications:**

It is important that young people feel that they have been heard by the City and that their needs have been taken seriously and addressed. It is also important to make every endeavour to mitigate the concerns raised by local residents during the consultation process.

The development of a new, modern skate park will enhance the amenity of Mirror Park. It will provide an opportunity for young people and the community to be brought closer together by showcasing the talents of the young people in a positive, healthy and active way.

There is a requirement from the City's perspective to ensure that the needs of the young people are being addressed within the economic means of the City. Any new facility will require significant expenditure not only during construction but with ongoing maintenance. Good asset management practices will need to be implemented.

**Consultation:**

In considering the 2009 petition, Council resolved to undertake community consultation to identify any issues around the inclusion of a skate park in the overall upgrade of Mirror Park, Ocean Reef. The consultation occurred between 23 August and 24 September 2010. The City wrote to all households and landowners within one kilometre of Mirror Park and included two surveys, one for the householder and one for any young people living at the address.

The Working Group of young people has provided the opportunity for consultation and involvement by potential users of the facility. Members of the Working Group have viewed the final design of the skate park (Attachment 1 refers) and provided positive feedback.

Consultation has also occurred with the Ocean Ridge Junior Football Club, who uses the Mirror Park playing field, to ascertain that the skate park design will not impede the use of the oval for junior football. The needs of the football club have been taken into account with the final design for the skate park (Attachment 1 refers).

**COMMENT**

The final design for a skate park at Mirror Park has minor amendments that improve the functionality of the skate park and contribute to solving the potential conflicts between skate park users and users of the adjacent pedestrian path that may have been an issue with the original design. Young people involved in the initial Working Group have viewed the final design and provided positive feedback.

As Convic Pty Ltd is a WA Local Government Association preferred supplier, there is no requirement for the construction of the skate park to be publicly tendered. Given that the value of the construction contract will be in the vicinity of \$439,000 and this is higher than the original budgeted expenditure of \$250,000, approval is sought from the Council to contract Convic Pty Ltd for the construction of the Mirror Park skate park. If this approval is given, it is anticipated that construction will commence in September 2012 and take approximately four months to complete.

In order to mitigate any potential noise issues, it is considered appropriate to implement a number of noise mitigation measures including initially only permitting the use of the skate park between the hours of 7.00am and 7.00pm Monday to Saturday, and 9.00am to 7.00pm on Sundays and Public Holidays. It is prudent, however, in terms of managing user and community expectation to review the noise mitigation measures for the Mirror Park skate park six months after commissioning to ascertain whether the full range of noise mitigation measures are still required.

Further, because the acoustic report is based on modelling of particular factors that may or may not become a reality, it is considered cost-effective to install the underground infrastructure required for standard lighting as part of the initial project so that it may be utilised at a future date.

The total cost of the project including standard and infrared lighting is \$660,350. With the funding provided in the City's budget, the contribution from the Community Sport and Recreation Facilities Fund and Ministerial approval for use of the Public Open Space Reserve Fund, this will provide sufficient funding for the project in the 2012/13 budget.

Skate parks do have inherent risks that require management to ensure that both the users and surrounding residents have access to a safe, clean and viable recreation facility that contributes to the health and wellbeing of the community. Based on the City's experience with managing existing skate park facilities, a Skate Park Facility Management Plan has been developed and will be utilised to provide a framework for a co-ordinated approach to the management of the Mirror Park skate park.

## **VOTING REQUIREMENTS**

Simple Majority.

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

- 1 ENDORSES the final design for a skate park at Mirror Park, Ocean Reef, as shown in Attachment 1 to Report CJ147-08/12;**
- 2 AGREES to contract Convic Pty Ltd to construct the Mirror Park skate park in accordance with the final design as shown in Attachment 1 to Report CJ147-08/12 at a cost of \$439,000;**
- 3 AGREES to the permitted hours for the skate park at Mirror Park, Ocean Reef initially being 7.00am to 7.00pm Monday to Saturday, and 9.00am to 7.00pm Sunday and public holidays and that this be subject to a further report to Council after six months of the skate park being commissioned; and**
- 4 NOTES that the Skate Park Facility Management Plan as shown in Attachment 2 to Report CJ147-08/12 will be utilised as the framework for a co-ordinated approach to the management of the Mirror Park skate park.**

**The Motion was Put and****CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf140812.pdf](#)*

*The Director Planning and Community Development left the Chambers, the time being 1.15pm and returned at 1.18pm.*

**CJ148-08/12      PROPOSED RETAINING WALL ADDITIONS TO  
ST LUKES CATHOLIC PRIMARY SCHOOL AT LOT  
197 (17) DUFFY TERRACE, WOODVALE**

<b>WARD:</b>	Central
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	01357, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Location Plan Attachment 2      Development Plans

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**PURPOSE**

To request that Council determine an application for proposed retaining wall additions to an existing educational establishment located at Lot 197 (17) Duffy Terrace, Woodvale.

**EXECUTIVE SUMMARY**

This application is for retaining wall additions concentrated around the tennis courts at the northwest corner of the St Luke's Catholic Primary School site at Lot 197 (17) Duffy Terrace, Woodvale. The proposal includes replacement of existing retaining walls and a concrete path on the western boundary, and new terraced retaining walls located to the south and east of the existing tennis courts to accommodate seating and landscaping.

The retaining wall at the western boundary is proposed to be setback between nil and one metre in lieu of the six metre setback required under the City's District Planning Scheme No 2 (DPS2). This wall is 400 millimetres high, is of similar dimension to the wall it is intended to replace and is of a minor nature.

As part of the replacement of the retaining walls the applicant proposes to remove five Sheoak trees that straddle the western boundary in order to accommodate the aforementioned retaining wall and new concrete path. Whilst the City regards the trees as a valued amenity to the park by providing shade, the retention of the existing trees would impede the construction of the proposed retaining wall and the root system would damage the new proposed footpath. These trees do not have a high visual impact within the immediate area and there are other trees that exist within this location that are able to provide shade and shelter to the court.

Given the close proximity of the trees to the proposed works, the City approves their removal provided that they are replaced with suitable species.

The proposed additions are of a minor nature and are recommended for approval subject to conditions.

## BACKGROUND

**Suburb/Location:** Lot 297 (17) Duffy Terrace, Woodvale  
**Applicant:** David Hunter  
**Owner:** Roman Catholic Archbishop  
**Zoning:** **DPS:** Private Clubs/Recreation  
**MRS:** Urban  
**Site Area:** 30,169m<sup>2</sup>  
**Structure Plan:** Not Applicable

St Luke's Catholic Primary School is located in Woodvale and is bound by three roads, namely, Whitfords Avenue to the south, Duffy Terrace to the east and Parkside Ramble to the north. To the west, the development site abutts a neighbourhood park (Parkside Park) and towards the east, located on the other side of Duffy Terrace is a Bush Forever reserve. With the exception of these two sites, the area surrounding the development site is mostly residential and coded R20 (Attachment 1 refers).

The primary school was established in 1988 and since this time, the City has dealt with a number of different building and planning applications for a range of extensions and additions, including a church that was constructed at the northeast corner of the site in 1994.

## DETAILS

The current proposal includes:

- New terraced retaining walls at the southern and eastern portions of the existing tennis courts;
- Replacement retaining wall and path at the western boundary; and
- Removal of five existing Sheoak trees that straddle the western boundary.

The Development Plans are provided in Attachment 2.

### Issues and options considered:

Council has the discretion to:

- Approve the application without conditions;
- Approve the application with conditions; or
- Refuse the application.

## Legislation/Strategic Plan/Policy Implications

**Legislation** *City of Joondalup District Planning Scheme No 2.*

When determining this application Clauses 4.5, 4.7 and 6.8 apply.

### 4.5 *Variations to site and development standards and requirements*

4.5.1 *Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*

4.5.2 *In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*

- (a) *Consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1; and*
- (b) *Have regard to any expressed views prior to making its decision to grant the variation.*

4.5.3 *The power conferred by this clause may only be exercised if the Council is satisfied that:*

- (a) *Approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
- (b) *The non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

#### *4.7 Building setbacks for non residential buildings*

4.7.1 *Unless otherwise provided for on part 3 of the Scheme, buildings shall be set back from property boundaries as follows:*

*Setback from street boundary 9.0 metres;  
Setback from side boundary 3.0 metres; and  
Setback from rear boundary 6.0 metres.*

#### *6.8 Matters to be considered by Council*

6.8.1 *The Council when considering an application for Planning Approval shall have due regard to the following:*

- (a) *Interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) *Any relevant submissions by the applicant;*
- (c) *Any agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
- (d) *Any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) *Any other matter which under the provisions of the Scheme the Council is required to have due regard;*
- (f) *Any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*

- (g) *Any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) *The comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) *The comments or wishes of any objectors to or supporters of the application;*
- (j) *Any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) *Any other matter which in the opinion of the Council is relevant.*

**Strategic Plan**

**Key Focus Area:** The Built Environment.

**Objective:** To ensure high quality urban development within the City of Joondalup.

**Policy**

Not Applicable.

**Risk Management Considerations:**

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

**Financial/Budget Implications:**

The applicant has paid the fees of \$176 (excluding GST) to cover all costs with assessing the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The proposed additions are generally minor in nature, consisting of retaining walls concentrated around the existing tennis courts at the northwest corner of the site. As a result of the retaining walls and new concrete path at the north-western boundary it is proposed to remove five of the existing trees that straddle the boundary. Should this application be approved, it is recommended that a condition be attached requiring the applicant to replace all the trees with suitable species. As the new retaining wall will preclude the new trees from being located within the development site, they will need to be located in the neighbourhood park.

**Consultation:**

The application was not advertised as the proposed development is located a sufficient distance from the surrounding residential properties such that no adverse effect will occur.

**COMMENT**

This application for additions at St Luke's Catholic Primary School has been assessed against Part 4 of DPS2. During this assessment it was revealed that discretion is required to be exercised in regard to clause 4.7 – Building Setbacks for Non-Residential Buildings.

The additions include replacing a retaining wall and footpath to the western boundary that has a reduced setback ranging from nil to one metre. DPS2 states that the minimum rear setback for buildings is six metres. In this instance, the proposed setback is considered appropriate as the retaining wall will have a maximum height of 400 millimetres, is therefore not visually obtrusive and is located a considerable distance from the nearest residential properties. Although it will be visible from the adjacent park, the retaining wall is of such a height that it will still allow passive surveillance from the schools' tennis courts to the park and vice versa.

Given the close proximity of existing trees to the proposed works, the applicant proposes to remove five Sheoak trees that straddle the western boundary. Whilst the City regards the trees as a valued amenity to the park by providing shade, the retention of the existing trees would impede the construction of the proposed retaining wall and the root system would damage the new proposed footpath. These trees do not have a high visual impact within the immediate area and there are other trees that exist within this location that are able to provide shade and shelter to the court. Should the applicant remove these trees, the City has no objection provided they are replaced with suitable species.

The proposal also includes new retaining walls located to the south and east of the tennis courts. These walls are proposed to be terraced in order to accommodate a landscaping and seating area and meet the setback requirements stipulated in clause 4.7 of DPS2.

In conclusion, the works proposed are generally of a minor nature and do not constitute any detrimental impact on the surrounding area. The proposed development is therefore recommended for approval subject to conditions.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council:**

- 1 EXERCISES discretion under clause 4.5.1 of the City of Joondalup District Planning Scheme No 2 and determines that:**
  - 1.1 Building setback from the rear boundary of nil in lieu of six metres;**  
**is appropriate in this instance;**
- 2 APPROVES the application for planning approval, dated 17 May 2012 submitted by David Hunter on behalf of the owner, Roman Catholic Archbishop, for retaining wall additions at Lot 297 (17) Duffy Terrace, Woodvale, subject to the following conditions:**
  - 2.1 An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided, and thereafter maintained to the satisfaction of the City. Plans showing the stormwater drainage system are to be submitted to the City for approval, prior to the commencement of construction;**
  - 2.2 All construction works shall be contained within the property boundary;**
  - 2.3 Retaining walls shall be of a clean finish and made good to the satisfaction of the City; and**
  - 2.4 The five trees that are to be removed shall be replaced with suitable species to the satisfaction of the City. Plans showing the proposed species and their location shall be submitted to the City for approval prior to commencing works.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf140812.pdf](#)*

**Disclosure of interest affecting impartiality:**

<b>Name/Position</b>	<b>Cr Mike Norman.</b>
<b>Item No/Subject</b>	CJ149-08/12, Draft Lilburne Park Management Plan.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Norman is a Chairman of Joondalup Community Coast Care Forum Inc and is a Coordinator of three 'Friends Groups'.

**CJ149-08/12      DRAFT LILBURNE PARK MANAGEMENT PLAN****WARD:** South**RESPONSIBLE DIRECTOR:** Mr Jamie Parry  
Governance and Strategy**FILE NUMBER:** 102082**ATTACHMENTS:** Attachment 1 Draft Lilburne Park Management Plan  
Attachment 2 Community Consultation Plan**PURPOSE**

To present Council with the Draft Lilburne Park Management Plan and to seek endorsement to release the Plan for public consultation.

**EXECUTIVE SUMMARY**

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

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

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

It is proposed that the Draft Lilburne Park Management Plan, included as Attachment 1, be released for public comment, for a period of 21 days, to ensure the community has the opportunity to contribute to the strategic direction of the management of Lilburne Park, Duncraig.

## BACKGROUND

The City is developing Natural Area Management Plans for its natural areas according to the individual priority ranking of the reserve as established as part of the City's participation in the Perth Biodiversity Project. Management Plans are being developed for the majority of the City's natural areas and will vary in detail depending on whether the area is classified as a:

- Major Conservation or Coastal Area;
- High Priority Area;
- Medium Priority Area; or
- Generic Wetlands Area.

Management Plans will include the following:

- Description of the physical, biological, social and built environment;
- Development of management strategies for key risks including management approach, activities, risks, impacts, objectives, management actions, measurement criteria, priority level, responsibility, timeframe, costs;
- Identification of roles and responsibilities;
- Guidance on staff and stakeholder training, education and communication; and
- Identification of required research, monitoring and reporting.

A schedule has been established for the development of Natural Area Management Plans and will be implemented by the City on an ongoing basis. During 2011/12 the Draft Central Park Management Plan has also been developed. In 2012/13 the Warwick Open Space and Marmion Foreshore Reserve Management Plans will be developed.

In order to provide a holistic and coordinated approach to the management of key environmental threats across the City, Issue Specific Plans will also be developed, these will include:

- Pathogen Management Plan- currently in development.
- Weed Management Plan- to be developed in 2012/13.
- Fire Management Plan- to be developed in 2013/14.

Issue Specific Management Plans will provide management recommendations to address the above threats and will be applied to all natural areas within the City.

## DETAILS

Lilburne Park, Duncraig is classified as one of the City's five Major Conservation Areas due to the high biodiversity values of the area. Lilburne Park is also listed as a place having significance for the purpose of protection of the landscape or environment in Schedule 5 of the City of Joondalup District Planning Scheme No. 2.

Lilburne Park is located 17 kilometres north-west from the Perth Central Business District in the suburb of Duncraig. The reserve covers approximately five hectares (ha) of bushland and is predominantly used for passive recreation purposes.

In order to provide strategic ongoing management of Lilburne Park and protect native vegetation and ecosystems, the Draft Lilburne Park Management Plan has been developed.

The Draft Lilburne Park Management Plan outlines a framework for the management of the area for the next five years. The City engaged consultants to undertake flora, fauna and fungi surveys which have informed the development of the Management Plan.

The aims of the Draft Lilburne Park Management Plan are to:

- Establish a baseline description of the environment to guide future environmental planning and recommended management actions;
- Outline key environmental threats and management strategies to minimise impact and protect conservation and recreation values; and
- Outline an implementation plan to address key threats including monitoring and reporting.

The objective of the Draft Lilburne Park Management Plan is to provide mechanisms to protect and enhance biodiversity values of the Park whilst maintaining appropriate community access and awareness of the Park.

The majority of the native vegetation at Lilburne Park is in very good condition and surveys indicate that the area is likely to support seventy-two native flora species, two native mammals, nineteen native birds, eight native reptile species and thirty-seven native invertebrates.

The key environmental threats that have been identified at Lilburne Park include weeds, feral animals, potential plant diseases and the need for greater community awareness of the values of the park.

A number of management actions are proposed within the Plan to address the environmental threats identified at Lilburne Park including regular weed control, annual fire fuel load assessments, interpretive signage, investigating the establishment of fauna crossings and undertaking follow up flora, weed, fungi and fauna surveys.

The proposed management actions will be implemented in partnership with key stakeholders and community groups, where relevant.

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

It is proposed that Council approve the release of the Draft Lilburne Park Management Plan for public consultation for a period of 21 days, commencing Monday 27 August 2012. A Community Consultation Plan is included as Attachment 2.

#### **Legislation/Strategic Plan/Policy Implications**

**Legislation** Not Applicable.

#### **Strategic Plan**

**Key Focus Area:** The Natural Environment.

**Objective:** 2.1 - To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained.

The development of Natural Area Management Plans is listed as an action within the City's Biodiversity Action Plan 2009-2019.

#### **Risk Management Considerations:**

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

A potential risk resulting from the endorsement of the Draft Lilburne Park Management Plan for public comment is lack of community support for the proposed strategic direction. This is unlikely given the current level of community support for natural area management projects undertaken in the City.

**Financial/Budget Implications:**

\$20,000 was allocated to the development of the Lilburne Park Management Plan in the 2011/12 Budget to undertake the flora, fauna and fungi survey component of the project. The implementation of the Draft Lilburne Park Management Plan will have budget implications relating to the delivery of management actions and these will be subject to the City's annual budget approvals process.

A total of \$100,000 has been allocated in the 2012/13 Budget for the flora and fauna surveys required to inform the development of the Warwick Open Space and Marmion Foreshore Reserve Management Plans.

Funds required for the development of future Management Plans will be subject to the City's Annual Budget approval process.

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

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

Following Council endorsement, the Draft Lilburne Park Management Plan will be released for public comment for a period of 21 days which is consistent with the City's Community Consultation and Engagement Policy. Targeted consultation with relevant state government agencies and local environmental groups will also be conducted. A final Lilburne Park Management Plan, including amendments as a result of the consultation period, will be presented to Council for endorsement at the October 2012 Council Meeting.

Once the final Lilburne Park Management Plan has been endorsed by Council, the Plan will be corporately branded.

**COMMENT**

The Draft Lilburne Park Management Plan will inform and prioritise maintenance schedules and Capital Works Programs by providing prioritised management recommendations to be implemented within Lilburne Park over a five year period. The Draft Lilburne Park Management Plan will also increase opportunities for the City to apply for grant funding by having a detailed forward schedule of projects to be carried out within Lilburne Park, and will also provide guidance to City employees and contractors and Friends Groups operating within Lilburne Park.

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

The Draft Lilburne Park Management Plan will enable a coordinated best practice approach to the management of the natural area of Lilburne Park into the future.

The Plan will be continually monitored to track the progress of implementation and an annual review will be undertaken each year. A major review will be conducted at the end of the five year period.

## VOTING REQUIREMENTS

Simple Majority.

### **MOVED Cr Fishwick, SECONDED Cr Ritchie that Council:**

- 1 NOTES the proposed management recommendations and Draft Implementation Plan as described in Section Four of the Lilburne Park Management Plan, included as Attachment 1 (CJ149-08/12 refers);**
- 2 NOTES that funds required for the implementation of the Lilburne Park Management Plan will be subject to the City's Annual Budget approval process;**
- 3 ENDORSES the release of the Draft Lilburne Park Management Plan, included as Attachment 1 to this Report, for community consultation for a period of 21 days commencing Monday 27 August 2012, subject to:**
  - 3.1 The resident/stakeholder consultation radius being amended from 200m to a 400m walkable catchment from the park; and**
  - 3.2 The consultation also seek expressions of interest from residents/stakeholders to establish a 'Friends of Lilburne Park' group.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4agn210812.pdf](#)*

## **CJ150-08/12 ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 APRIL - 30 JUNE 2012**

<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	Annual Plan Quarterly Progress Report for the period 1 April to 30 June 2012
	Attachment 2	Capital Works Quarterly Report for the period 1 April to 30 June 2012

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### **PURPOSE**

To present the Annual Plan Quarterly Progress Report for the period 1 April to 30 June 2012.

### **EXECUTIVE SUMMARY**

The Annual Plan contains the major projects and priorities which the City proposes to deliver in the 2011/12 financial year.

The Annual Plan Quarterly Progress Report provides information on the progress of projects and programs documented in the Annual Plan 2011-2012. The Annual Plan Quarterly Progress Report for the period 1 April to 30 June 2012 is shown as Attachment 1 to this report.

A Capital Works Quarterly Report, which details all projects within the Capital Works Program, is provided as Attachment 2 to this report.

*It is recommended that Council RECEIVES the:*

- 1 Annual Plan Quarterly Progress Report for the period 1 April – 30 June 2012, which is shown as Attachment 1 to Report CJ150-08/12; and*
- 2 Capital Works Quarterly Report for the period 1 April – 30 June 2012, which is shown as Attachment 2 to Report CJ150-08/12.*

### **BACKGROUND**

The City's Corporate Reporting Framework requires the development of an Annual Plan to achieve the objectives of the Strategic Plan, and the provision of reports against the Annual Plan to be presented to Council on a quarterly basis.

The City's Annual Plan and quarterly reports are in line with the new Integrated Planning Framework introduced by the Department of Local Government in October 2010 which sets out new legislative requirements for planning and reporting.

## **DETAILS**

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

The Annual Plan contains a brief description of the key projects and programs that the City planned to deliver in the 2011/12 financial year, with milestones set for the key projects and programs to be delivered in each quarter.

The Quarterly Progress Report provides information on progress against the milestones and a commentary is provided against each milestone to provide further information on progress, or to provide an explanation where the milestone has not been achieved.

As this is the final Quarterly Progress Report for the 2011-2012 Annual Plan, the following provides an overall summary of significant achievements for the financial year:

### **Leadership and Governance**

- City hosted a key stakeholders' breakfast forum for the State Cabinet and presented to Cabinet on the City's vision;
- Submissions to the Metropolitan Local Government Review Panel on the City's position in relation to local government reform;
- City of Joondalup Local Government Elections and Induction Program for Elected Members conducted;
- Community consultation conducted on the following major projects:
  - 10 Year Strategic Community Plan;
  - Positive Ageing Plan 2009–2012;
  - Access and Inclusion Plan;
  - Percy Doyle Master Planning;
  - Tamala Conservation Park Establishment Plan;
  - Kingsley Park Landscape Master Planning Project;
  - Establishment of a Strategic Community Reference Group following a review of Community Forums and Working Groups;
  - Hillarys Boat Harbour Boundary Proposal; and
  - Broadbeach and Flinders Parks consultation.
- Annual Customer Satisfaction Survey conducted;
- Eleven Citizenship Ceremonies held including an Australia Day Ceremony;
- Review of the 20 Year Strategic Financial Plan undertaken; and
- Review of the Strategic Position Statements undertaken.

### **The Natural Environment**

- Delivery of an Environmental Education Program;
- Completion of Milestone 5 in the ICLEI Water Campaign;
- Delivery of Adopt a Coastline Project;
- Draft Walkability Plan presented to Elected Members;
- Development of City Water Plan;

- Retention of Council Waterwise Accreditation;
- Environmental Events held, including:
  - Beyond Gardens Workshop;
  - Spring Wildflower Tour;
  - Beyond Gardens Bush Food Workshop;
  - Yellagonga Night Stalk Tours;
  - Sun, Sand and Spinifex Tour;
  - Clean Up Australia Day;
  - Great Gardens Synergy Energy Efficiency Workshop; and
  - World Wetlands Day - Night Stalks.

### **Economic Prosperity and Growth**

- The hosting of two major Business Forums including:
  - A Vision for Joondalup; and
  - Harnessing the Power of the Digital Economy.
- Delivery of a Buy Local/Tendering Workshop for the small business sector in partnership with the Small Business Centre North West Metro and Edith Cowan University;
- Provision of business statistical data on the City's website;
- Partnership with Experience Perth to deliver tourism information;
- Survey undertaken of small businesses; and
- Funding support provided to the Small Business Centre North West Metro.

### **The Built Environment**

- Major Capital Works completed which include:
  - Irrigation upgrades in the following parks:
    - Admiral Park - Craigie;
    - Glengarry Park - Duncraig;
    - Neil Hawkins Park - Joondalup;
    - Whitfords West - Kallaroo;
    - Admiral Park - Heathridge; and
    - Parkside Park - Woodvale.
  - Replacement footpaths installed at:
    - Barwon Road to Craigie Drive to Camberwarra Drive - Craigie;
    - Kinross Drive - Kinross;
    - Penistone Park - Greenwood;
    - The Loop to Clifftop Court - Edgewater;
    - Lakeview Drive to Scarp Close - Edgewater;
    - Warrigal Way to Ash Place - Greenwood; and
    - Zamia Place to Darwinia Place - Greenwood.

- Park equipment upgrades at:
  - Falklands Park - Kinross;
  - Prince Regent Park - Heathridge;
  - Admiral Park - Heathridge;
  - MacDonald Park - Hillarys;
  - Chichester Park - Woodvale; and
  - James Cook Park - Hillarys.
  
- Road preservation and resurfacing treatments at:
  - Castlefern Way, Chessell Drive, Florian Place, Nalpa Way and Argyll Place - Duncraig;
  - Gemmell Way - Hillarys;
  - Hepburn Ave - Kingsley;
  - Dillenia Way, Hepburn Avenue, Kendall Way, Kilcairn Place, Merrivale Way and Morritt Street – Greenwood;
  - Castlecrag Drive, Montague Way, and Clevedon Place – Kallaroo;
  - Hazelbury Street, Crowea Street, and Pitonga Way – Greenwood;
  - Hanley Place and Harcourt Drive – Hillarys;
  - The intersection of Hodges Drive and Joondalup Drive – Joondalup; and
  - Joondalup Drive and Moore Drive – Joondalup.
  
- Installation of new concrete paths, new dual use paths, bollards, viewing platforms and entry statements at Tom Simpson Park;
- Hardscape landscaping works and irrigation installed and planting of trees on Burns Beach Road as part of the Arterial Roads landscape project;
- Memorandum of Understanding for Ocean Reef Marina signed between the City and the State Government;
- Draft Local Commercial Strategy endorsed for advertising; and
- Draft City Centre Structure Plan endorsed for advertising.

### **Community Wellbeing**

- Delivery of a comprehensive program of cultural events throughout the year, including:
  - NAIDOC Week;
  - Joondalup Festival;
  - Summer Concert Series;
  - Valentine's Concert;
  - Joondalup Eisteddfod;
  - Sunday Serenades;
  - Invitation Art Award;
  - Community Art Exhibition; and
  - Little Feet Festival.
  
- Implementation of actions from the Beach Management Plan;
- Funding of approximately \$96,300 distributed to Community Groups as part of the Community Funding Program;
- Implementation of the Community Safety and Crime Prevention Plan;

- Design of Currambine Community Centre, Currambine and Mirror Park, Ocean Reef;
- Upgrade of community facilities including:
  - Calectasia and Greenwood Scout and Guide Halls, Greenwood;
  - Percy Doyle Clubrooms, Duncraig;
  - Rob Baddock Hall, Kallaroo; and
  - Duncraig Leisure Centre.
- Installation of photovoltaic systems at:
  - Penistone Park Clubrooms, Greenwood;
  - Rob Baddock Hall, Kallaroo;
  - Craigie Leisure Centre;
  - Connolly Community Centre;
  - Seacrest Park Community Sporting Facility;
  - Whitfords Library;
  - Woodvale Library;
  - Duncraig Library; and
  - Fleur Freame Pavilion.

### **Legislation/Strategic Plan/Policy Implications**

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

*This Act is intended to result in:*

- (a) *Better decision making by local governments;*
- (b) *Greater community participation in the decisions and affairs of local governments;*
- (c) *Greater accountability of local governments to their communities; and*
- (d) *More efficient and effective government.*

### **Strategic Plan**

**Key Focus Area:**    Leadership and Governance.

**Objective:**            To ensure that the processes of local governance are carried out in a manner that is ethical, transparent and accountable.

### **Policy**

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

**Risk Management Considerations:**

The Quarterly Progress Reports against the Annual Plan provide a mechanism for tracking progress against milestones for major projects and programs.

**Financial/Budget Implications:**

All projects and programs in the Annual Plan 2011-2012 were included in the 2011/12 Budget.

**Regional Significance:**

Not applicable.

**Sustainability Implications:**

All projects and programs in the Annual Plan contribute to community wellbeing, the natural and built environment, economic development and good governance.

**Consultation:**

Not applicable.

**COMMENT**

The Annual Plan 2011-2012 was received by Council at its meeting on 16 August 2011 (CJ146-08/11 refers).

A detailed report on progress of the Capital Works Program has been included with the Annual Plan Quarterly Progress Report. This Report provides an overview of progress against all of the projects and programs in the 2011/12 Capital Works Program. The Capital Works Quarterly Report includes a column which prescribes the *percent completed on site* and comments regarding the progress of projects.

During 2011-2012 the City won a number of awards in recognition of the key activities outlined in the Annual Plan 2011-2012 including:

- 2011 Liveable Communities (Livcom) Award – Whole of City;
- 2011 Liveable Communities (Livcom) Award – Silver Award for the Beach Management Plan in the Category of Socio Economic Projects;
- WA Water Awards – Water Wise Council;
- Local Government Road Safety Award;
- United Nations World Environment Day Awards – Excellence in Overall Environmental Management; and
- WA Heritage Awards – Outstanding Heritage Practices by a Local Government for Yellagonga Interpretive Signage.

In addition to the projects and programs in the 2011-2012 Annual Plan the City also provided two extensive submissions to the Metropolitan Local Government Review.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council RECEIVES the:**

- 1 Annual Plan Quarterly Progress Report for the period 1 April – 30 June 2012, which is shown as Attachment 1 to Report CJ150-08/12; and**
- 2 Capital Works Quarterly Report for the period 1 April – 30 June 2012, which is shown as Attachment 2 to Report CJ150-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf140812.pdf](#)*

**CJ151-08/12 MINUTES OF EXTERNAL COMMITTEES****WARD:** All**RESPONSIBLE DIRECTOR:** Mr Jamie Parry  
Governance and Strategy**FILE NUMBER:** 03149, 101515**ATTACHMENTS:** Attachment 1 Minutes of the Ordinary Meeting of the Mindarie Regional Council held on 5 July 2012.

*(Please Note: These minutes are only available electronically)*

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**PURPOSE**

To submit minutes of external committees to Council for information.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Ordinary Meeting of the Mindarie Regional Council held on 5 July 2012.

**DETAILS****Mindarie Regional Council Ordinary Council Meeting – 5 July 2012.**

An ordinary meeting of the Mindarie Regional Council (MRC) was held on 5 July 2012.

The Council's representatives on the MRC are Cr Fishwick, JP (Chair) and Cr Hollywood.

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

**Item 11.1 Deed of Amendment**

It was resolved by the MRC as follows:

*"That Council:*

- 1 *Accept the changes to the Resource Recovery Facility Agreement as documented in the Deed of Amendment – Resource Recovery Facility Agreement dated 10 May 2012 (with an amended clause 13.4(d)), subject to the BioVision and ANZ Bank approval;*

- 2 *Accept that the clause 13.4(d) of the Deed of Amendment, last paragraph has been deleted and is to be replaced with a clause requiring BioVision to return any gain (the Fixed Operating Costs) that it received in the previous Contract Year to offset the 92% Capital Cost guarantee that the MRC incurs as a result of operating licence restrictions caused by the over-acceptance of waste in the previous Contract Year; and*
- 3 *Authorise the CEO to make minor changes to the Deed, subject to the appropriate legal advice, that do not increase the MRC liability.”*

### **Item 11.2 Waste Minimisation Funding – Waste Characterisation Audit**

It was resolved by the MRC as follows:

- “1 *That Council endorse the proposal to spend the available DEC Regional Investment Plan Funding (\$337,316) on a large scale waste characterisation audit; and*
- 2 *That Council approve the expenditure of \$20,000 in cash and \$22,165 in kind in each of the 2012/2013 and 2013/2014 budget years.”*

#### **Legislation/Strategic Plan/Policy Implications:**

##### **Legislation:**

Not Applicable.

##### **Strategic Plan:**

Not Applicable.

##### **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 Amphlett, SECONDED Cr Hamilton-Prime that Council NOTES the minutes of the Ordinary Meeting of the Mindarie Regional Council held on 5 July 2012 forming Attachment 1 to Report CJ151-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*To access this attachment on electronic document, click here: [externalminutes 140812.pdf](#)*

**CJ152-08/12 EXECUTION OF DOCUMENTS**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	15876, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Documents executed by affixing the Common Seal for the period 10 July 2012 to 24 July 2012

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 10 July 2012 to 24 July 2012 (Attachment 1 refers).

**EXECUTIVE SUMMARY**

The City of Joondalup enters into various agreements by affixing its Common Seal. The *Local Government Act 1995* states that the City is a body corporate with perpetual succession and a Common Seal. Those documents that are to be executed by affixing the Common Seal or signed by the Mayor and the Chief Executive Officer are reported to the Council for information on a regular basis.

**BACKGROUND**

During the period 10 July 2012 to 24 July 2012, 11 documents were executed by affixing the Common Seal. A summary is provided below:

**DETAILS**

Type	Number
Transfer of Land	1
Section 70A Notification	3
Licence Agreement	6
Withdrawal of Caveat	1

Details of these documents are provided in Attachment 1 to this report.

**Issues and options considered:**

Not Applicable.

## COMMENT

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

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council NOTES the Schedule of Documents covering the period 10 July 2012 to 24 July 2012, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ152-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6agn210812.pdf](#)*

**CJ153-08/12      SMALL BUSINESS SURVEY**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	43458, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Small Business Survey Report

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**PURPOSE**

To provide Council with the results of the Business Survey conducted by the Small and Medium Enterprise Research Centre (SMERC) for the City of Joondalup.

**EXECUTIVE SUMMARY**

The City commissioned SMERC to undertake a survey of businesses in Joondalup in order to better understand their issues, and to therefore develop strategies to respond where appropriate. The majority of businesses surveyed were small businesses employing less than 20 people.

A series of focus groups were also undertaken in July 2012 in order to gather more detailed information from the small business sector. The key results and observations from the survey and focus group activity are summarised in this report.

Overall the survey has provided the City with increased knowledge and understanding of primarily the small businesses located within the City of Joondalup and helps identify a number of key areas in which the City can respond to help support and encourage the future growth of the small business sector. The survey results also provide the City with an insight into the degree of satisfaction with City of Joondalup services as well as requirements for assistance, currently and in the future.

**BACKGROUND**

The Survey was undertaken in April and May 2012. The research team at Edith Cowan University was led by Professor Beth Walker, Director of the Small and Medium Enterprise Research Centre, and Dr Janice Redmond. Professor Walker has conducted numerous research projects on various small business issues and was responsible for the overall project management. Dr Janice Redmond is a Research Fellow at the Small and Medium Enterprise Research Centre at Edith Cowan University and has conducted numerous research projects.

## DETAILS

The target group for the research was the 13,400 registered businesses in the City of Joondalup. The research design was both quantitative and qualitative with the first phase being a survey which was distributed electronically to businesses on the City's database, available on the web site and hand delivered to 1,160 small businesses and the second phase were focus group sessions conducted in July.

The key results of this research activity are as follows:

- Overall the majority of respondents appear to be reasonably happy operating their businesses within the City of Joondalup with the data indicating that it was their preferred business location because it was close to the home of the owner and accessible for staff. 44% of businesses indicated that the majority of their customers are located within the City making it very much a localised business hub;
- Of less importance was the price of land or rental at the time of locating, however Council rates are of some concern, as is the lack of room for expansion;
- There was no real consensus on whether the City was promoted well as a place to do business and there are some strong views given, both negative and positive about traffic, parking and signage;
- Nearly half (41%) of business owners were over 50 years of age and it would be reasonable to assume that there is likely to be a significant change of ownership in many businesses over the coming years;
- Most respondents (82%) lease their business premises while only 18% are owned. Whereas this is a very high percentage of leasing, this is likely due to the high number of retail outlets that participated in the study;
- Leasing means that these businesses have less control over their premises and cannot do the same things as those who own their premises, for example, making energy efficiency alterations. In regard to environmental practices a third of respondents are not currently using any energy-saving practices;
- The combination of a high number of leased premises, volatility in rent prices and an uncertain global situation creates the potential for businesses to rethink their strategies, such as moving out of Joondalup in search of alternative accommodation;
- The spread of annual turnover indicates that there is a broad range of business activity in the area. The business cohort that was not represented in this sample was home-based businesses, who generally have small turnovers. This is a business cohort that the City may want to investigate further, given that nationally they account for over half of all registered businesses;
- Most of the respondents conduct some business online; however this is via more traditional activities such as ordering, banking and advertising. There is a rising use of social media in business with 35% of businesses surveyed using Facebook and 7% using Twitter. The City has an opportunity to support greater online business activity in the local community through its Digital Futures Strategy to be developed in 2012;

- Respondents advised that half of their staff working within the City of Joondalup live within a 10 minute drive of their place of work with the vast majority (93%) driving to work. This presents an opportunity for the City to promote alternative modes of transport;
- Only 10% of businesses surveyed employ apprentices and 16% employ trainees. This relatively low rate of apprentices or trainees is likely to be because there is little light manufacturing or trades related industries within the City; and
- There were a high number of businesses that had been the victim of criminal activity in the previous 12 months, a particular issue for local businesses. It is interesting to note that nearly a third of respondents were not aware of the security patrols, yet in another survey question, over half thought they were effective.

**Issues and options considered:**

The Small Business Survey provides a number of key observations for consideration by the Council.

**Option 1**

Council may choose to accept the key observations and agree to address the observations through support services and advocacy where relevant.

**Option 2**

Council may choose not to accept the key observations outlined in the report.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                      Not Applicable.

**Strategic Plan**

**Key Focus Area:**              Economic Prosperity and Growth.

**Objective:**                      To increase employment options within the City.

**Policy:**                              Economic Development Policy.

**Risk Management Considerations:**

The small to medium business sector is vital to the economic sustainability of Joondalup – the survey findings present an opportunity for the City to address the key findings through support services and advocacy to relevant government agencies.

**Financial/Budget Implications:**

The City allocated the following funds for the small business research in the 2011/12 financial year:

<b>Account No:</b>	532 A5302 3267 0000
<b>Budget Item:</b>	Research
<b>Budget Amount:</b>	\$36,000
<b>Amount Spent To Date:</b>	\$35,000
<b>Proposed Cost:</b>	\$
<b>Balance:</b>	\$1,000

All figures quoted in this report are exclusive of GST.

### **Regional Significance:**

The City of Joondalup works in partnership with the City of Wanneroo in the delivery of business support services for the North West Metropolitan region and will continue to work across the region to maximise the support and service available for small business development.

### **Sustainability Implications:**

The City of Joondalup places emphasis on economic growth for the benefit of the local community and the region. A strong and diverse small business sector underpins a robust economy, job creation and employment self sufficiency of the region.

### **Consultation:**

The Small Business Survey was made available to all small to medium businesses in Joondalup via a survey which was distributed via email and available on the City's website. The survey was also hand delivered to 1,160 small businesses.

Two focus group sessions were also conducted with small to medium businesses in July 2012.

### **COMMENT**

SMERC has conducted similar research with other local government authorities, and is therefore well qualified to identify issues and provide key observations based on an analysis of the results of this current study.

As a result of the key findings, the City is currently reviewing its approach to communicating with the small business sector and is looking at:

- The preparation and distribution of a hard copy newsletter communicating key information at least twice per year; and
- Options for regular simple surveys of small businesses as a mechanism for ongoing dialogue with small businesses in Joondalup.

The results of the survey will be used to inform the City's approach to providing assistance to the small business sector and will also inform the City's new Economic Development Plan 2012 – 2017 currently in development.

The City is also currently partnering with Edith Cowan University and the West Coast Institute of Training on a three year research and mentoring project to assist the small business sector to initiate energy saving practices. A progress report against this project will be provided to Council in 2012/13.

## **VOTING REQUIREMENTS**

Simple Majority.

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

- 1 NOTES the 2012 City of Joondalup Business Study Report submitted by the Edith Cowan University Small and Medium Enterprise Research Centre, as presented in Report CJ153-08/12;**
- 2 ENDORSES the key findings of this business research carried out by the Small and Medium Enterprise Research Centre; and**
- 3 NOTES that the key findings, including but not limited to, communication with local business, business support and sustainability, and online business activity will be incorporated into the City's new Economic Development Plan 2012 – 2017 currently in development.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf140812.pdf](#)*

**CJ154-08/12 DRAFT STRATEGIC COMMUNITY PLAN 2012-2022:  
JOONDALUP 2022**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	01529, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Have Your Say' Survey
	Attachment 2	'Have Your Say' Survey Results
	Attachment 3	'Have Your Say' Stakeholder Roundtable Session Results
	Attachment 4	Draft Joondalup 2022 document

**PURPOSE**

To present to Council the outcomes of Phase One of the *Shaping our Future* community engagement initiative and the subsequent draft *Strategic Community Plan 2012-2022* ("Joondalup 2022").

Council approval is sought for the release of the draft *Joondalup 2022* document for a three week public comment period.

**EXECUTIVE SUMMARY**

Since 2010, the City has undertaken many engagement and strategic planning initiatives in the review of its current Strategic Plan 2008-2011. The introduction of the Department of Local Government's Integrated Planning and Reporting Framework in 2011, delayed the completion of the review and a revised process was developed to align with the new industry standards.

In March 2012, a comprehensive engagement process was devised to obtain updated community and stakeholder input into the development of a new Strategic Community Plan. This saw the launch and implementation of the Shaping our Future initiative throughout the months of April and May, which fed into the development of the attached draft Joondalup 2022 document.

In alignment with Council, community and stakeholder direction, the format of Joondalup 2022 has been planned to create a bold and transformational document. It seeks to reposition the City as a leader with aspirational targets and outcomes that are consistent with a local government of the City's size, status and ambition.

Joondalup 2022 also aligns with the Department of Local Government's Integrated Planning and Reporting Framework and Advisory Standards to ensure compliance with new legislative requirements.

This report presents the outcomes of Phase One of the Shaping our Future initiative and a draft Joondalup 2022 document for Council's consideration. It also requests approval to release the draft Joondalup 2022 document for a three week public comment period, prior to its adoption by Council later this year.

## BACKGROUND

Since 2010, the City has been working towards reviewing its current Strategic Plan 2008-2011 through several initiatives, including:

- the completion of a comprehensive progress review against the current Strategic Plan 2008–2011 and the City's achievements to date;
- the revision of current Council-endorsed strategic position statements to inform the development of a new direction for the City (CJ120-07/08, C14-04/10, CJ121-07/10 and CJ109-06/12 refers);
- undertaking community engagement activities and several stakeholder forums to provide input into the development of a new Strategic Community Plan; and
- commencing the review of high level informing strategies to demonstrate internal planning alignment.

Whilst many of these initiatives progressed throughout 2010, with the view of developing a new Strategic Plan in 2011, the Department of Local Government's announcement of a major review of current corporate planning and reporting practices across the Western Australian local government industry, altered the City's original timelines and processes. (CJ122-07/10 refers to the original endorsed process for reviewing the Strategic Plan 2008–2011).

The subsequent release of the Department of Local Government's Integrated Planning and Reporting Framework and supporting Advisory Standards in 2011 and 2012 provided the necessary details for the City to complete its review process in alignment with new standardised industry requirements. During this period, the City also undertook several strategic planning exercises with staff and Elected Members to provide a more current understanding of future planning and resourcing requirements and to consider a bolder and more inspirational vision for the City.

Since 2011, further initiatives have been completed in the development of a new Strategic Community Plan, including:

- holding a business forum in September 2011 for the purposes of discussing a new vision for the Joondalup City Centre;
- internal strategic planning sessions held with Executive and Managerial staff in late 2011;
- facilitated Strategy Session in November 2011 to discuss a new vision for the City from an Elected Member perspective;
- Elected Members' Strategic Weekend held on 17–19 February 2012; and
- development and implementation of a comprehensive community and stakeholder engagement process (or, phase one of the shaping our future initiative).

These initiatives have resulted in the development of a draft *Joondalup 2022* document, as provided at Attachment 4 of this report.

## DETAILS

### *Shaping our Future Initiative*

In March 2012, the City developed a comprehensive engagement and consultation process to provide updated community and stakeholder input into the development of a new Strategic Community Plan. This involved the creation of a two-phased approach, namely:

Phase One (the “input phase”): Obtaining community and stakeholder input, prior to the development and release of a draft Strategic Community Plan.

Phase Two (the “feedback phase”): Obtaining general feedback on a draft Strategic Community Plan, prior to its adoption by Council.

Initiatives pursued under Phase One are now complete, which involved the following actions:

- 1 Development of a separate brand for the engagement process: namely, the Shaping our Future initiative. This included the Shaping our Future slogan and unique, accompanying visual brand.
- 2 Launching the initiative at the 2012 Joondalup Festival, including the distribution of hard-copy surveys and Stakeholder Round Table Session invitations to festival attendees.
- 3 Conducting three Stakeholder Round Table Sessions throughout the months of April and May (further details on sessions provided later in the report).
- 4 Establishment of a prominently-positioned and branded page on the City’s website with an accompanying online survey and registration system for the Stakeholder Round Table Sessions and Community Engagement Network (further details on Community Engagement Network provided later in the report).
- 5 Distribution of hard-copy surveys to all City Administration Centres, Libraries and Leisure Centres.
- 6 Distribution of hard-copy surveys through the City’s Youth Services Team to recent youth-based events and services.
- 7 Distribution of hard-copy surveys to participating high schools and primary schools for completion by selected classes.
- 8 Organisation of three ‘listening booths’ at the Lakeside, Whitford and Warwick Shopping Centres, where hard-copy surveys were distributed and completed.
- 9 General advertising and media exposure of the initiative through locally distributed newspapers.

The details and outcomes of Phase One initiatives are provided below and in Attachments 1-3:

***'Have Your Say' Survey — Results:***

The 'Have Your Say' Survey (provided at Attachment 1) was distributed throughout April and May 2012. Over this period the City collected 466 (valid) surveys, of which 363 (78%) were completed by City of Joondalup residents. (A full break-down of response rates and demographics are provided on pages 1–3 of Attachment 2.)

The Survey posed four open-ended questions:

- 1 What do you like about living in the City of Joondalup?
- 2 What would you like to change?
- 3 Where / what are the City's biggest opportunities?
- 4 If you had an overseas visitor to stay, what are the local activities you would do and where are the local places you would take them?

A further quantitative question was also provided:

- 5 Liveability includes a number of elements: what are the elements that are most important to you? (rank 1–6)

Note that 'valid responses' are those in which: the respondent can be identified (i.e.: provided sufficient contact details); the respondent provided a response to the question asked (i.e.: did not provide an irrelevant or non-related response); and the respondent did not submit multiple surveys (in these cases, the first survey submitted was accepted). For individual questions, 'valid responses' include only those who provided a response to that question (i.e.: did not leave it blank).

The following provides a detailed analysis of the responses to these questions.

Question 1: 'What do you like about living in the City of Joondalup?'

For this question, the City received a total of 453 (valid) responses. As this was an open-ended question, responses varied from short dot-points to long, detailed answers. Nonetheless, strong themes emerged across the results.

The top three responses included:

- 1 Proximity to / access to convenient / good shopping.
- 2 Proximity to / access to parks and bushland.
- 3 Proximity to / access to beaches.

The first of these, 'proximity to / access to convenient / good shopping' was mentioned by 195 respondents (43%). Many respondents felt that local shops were 'excellent', 'had 'good variety', were 'accessible', 'close-by' and 'convenient'. Numerous respondents also expressed their satisfaction with extended week-day trading and Sunday trading in the Joondalup City Centre.

Almost as many respondents (194), described the 'proximity to / access to parks and bushland' as one of the main aspects they liked about living in the City of Joondalup. In particular, respondents liked the 'wide open spaces' of the City's parklands and the 'natural beauty' of the City's bushland and wetland areas. Many respondents stated that they enjoy their local park and regularly visit parks and bushland areas with their families. Other respondents cited proximity to green spaces as a prime motivator in their decision to move to the City of Joondalup in the first place.

Similar to parks and bushland areas, many respondents chose to live in the City of Joondalup due to its 'stunning beaches'. 180 respondents (40%) stated that 'proximity to / access to beaches' was one of the things they liked about living in the City of Joondalup. One resident described the City's coastal areas as 'relatively untouched, making this area a unique place'. Others described the City's beaches as 'world-class', 'beautiful', 'peaceful' and 'accessible'.

Overall, living close to beautiful, natural areas featured prominently as one of the aspects survey respondents liked about living in the City of Joondalup. Other prominent themes include proximity to / access to services and facilities, such as public transport, medical services, libraries, restaurants, etc. Additionally, respondents enjoyed the clean and tidy streetscapes and the sense of community in their neighbourhoods.

For a full-break down of common themes, please refer to pages 4–5 of Attachment 2.

#### Question 2: 'What would you like to change?'

For this question, the City received a total of 453 (valid) responses. Once again, strong themes emerged across the results.

The top three responses included:

- 1 Make parking cheaper or free.
- 2 Increase public transport.
- 3 Less antisocial behaviour / crime.

The most common response to this question, 'make parking cheaper or free', was expressed by 79 respondents (17%). Many respondents felt that the parking fees were 'too high' and many expressed a desire for parking fees to be removed entirely. Several respondents also cited specific parking issues around train stations and at the Joondalup Health Campus.

The second most common response to the question 'what would you like to change?' was a desire for increased public transport, with 64 survey respondents (14%) expressing this opinion. In particular, many respondents believed that there should be additional or more frequent feeder buses to train stations and that trains should have additional carriages during peak hour periods. Other respondents felt that public transport was inadequate outside of peak-hour periods and that better east-west links needed to be established.

Although it is worth noting that 9% of respondents felt the City of Joondalup was a safe place to live, approximately 13% (57) responded that they would like 'less antisocial behaviour / crime'. Many respondents felt that youth-related antisocial behaviour was high, especially around parks, shopping centres and train stations. Additionally, graffiti and hooning were noted as problems in many areas. Numerous respondents also requested an enhanced City Watch / Police presence in the suburbs and in the Joondalup City Centre, particularly on weekends.

Overall, responses to this question were varied. In general, respondents wished to: make changes to various services, increase infrastructure and be provided with greater facilities for sport, entertainment and the arts. It should also be noted that over 7% of respondents (33), cited that they did not want any changes made, and that they liked the City the way it was.

For a full-break down of common themes, please refer to page 6 of Attachment 2.

### Question 3: 'Where / what are the City's biggest opportunities?'

This question was not particularly well-addressed by respondents, with almost 22% (101) choosing not to provide a response. Notwithstanding, some common themes emerged across the results.

The top three responses included:

- 1 Coastal development.
- 2 Shopping and retail.
- 3 Ocean Reef Marina.

The first of these themes, 'coastal development', was cited by 79 respondents (22%). Responses covered a range of views, such as the development of cafes, leisure activities, tourist attractions, accommodation and housing. Many respondents did however, cite concern about over-development along the coast and pressed for caution with regard to this.

51 respondents (14%) stated that 'shopping and retail' was one of the City's biggest opportunities. Many respondents cited Lakeside Joondalup Shopping Centre specifically, as possessing great potential to expand, and many noted that the addition of a large retail / department store would be an asset. Conversely, other respondents expressed a desire for a greater number of smaller, 'village-style', 'corner shops' to be established to create a 'European feel'.

'Ocean Reef Marina' also emerged as a common theme, with 48 respondents (13%) believing it to be one of the City's biggest opportunities. A number of respondents expressed a desire for the plans to be altered to include / not include certain elements, but, as a whole, the majority of respondents simply wished for the project to commence as soon as possible.

Overall, common themes centred on infrastructure development and the leveraging of the City's natural areas. Large-scale projects (such as Ocean Reef Marina) were generally encouraged, as long as they did not impact upon the amenity of peaceful residential areas.

For a full-break down of common themes, please see page 7 of Attachment 2.

Question 4: 'If you had an overseas visitor to stay, what are the local activities you would do and where are the local places you would take them?'

447 respondents (96%) provided a response to this question with some common themes emerging across the results.

The top three responses included:

- 1 Beach(es).
- 2 Hillary's Boat Harbour / Sorrento Quay.
- 3 Yellagonga Regional Park.

Over half of all respondents (244) stated that, if they had an overseas visitor to stay, they would take them to the beach. This is, perhaps, not surprising, with 40% of respondents citing beaches as one of the things they like most about living in the City of Joondalup. Responses varied from water-based activities, such as 'swimming', 'snorkelling', 'diving' and 'surfing' to more relaxing pursuits, such as 'sun-bathing' and 'watching the sunset'.

Similarly, over half of all respondents (232) believed they would take international visitors to Hillarys Boat Harbour / Sorrento Quay. Respondents noted the presence of 'AQWA', 'good restaurants' and the sheltered swimming area as highlights.

The third most common theme was 'Yellagonga Regional Park'. Many respondents made specific references to 'Neil Hawkins Park' and 'Picnic Cove', and many responded that they would take international visitors on walks around the lakes to spot birdlife and kangaroos. It is worth noting that Pinnaroo Valley Memorial Park and parks and bushland areas in general were mentioned by over 30% of respondents.

Overall, it is clear that the City's natural areas, such as the coastline, bushland and lakes, are popular amongst residents as places to take international visitors. Other themes included shopping, as well as general leisure activities and attendance at community events.

For a full-break down of common themes, please refer to page 8 of Attachment 2.

Question 5: 'Liveability includes a number of elements: what are the elements that are most important to you?'

For this question, respondents were asked to rank (1–6), the various elements of liveability in order of importance to them:

- Community wellbeing and engagement;
- Economic prosperity, vibrancy and growth;
- Financial sustainability;
- Good governance and leadership;
- Quality urban design; and
- The natural environment.

378 respondents (81%) answered this question. Overall the majority of respondents believed 'the natural environment' (103) and 'community wellbeing and engagement' (93) to be the most important. The most common element to be ranked as sixth was 'governance and leadership' (79).

However, when the responses are aggregated (ie: averaged across the different rankings), the rankings are almost equal across the different elements. This indicates that, across all respondents, the different elements were treated almost equally.

For a full-break down of rankings, please refer to pages 9–11 of Attachment 2.

### ***'Have Your Say' Round Table Sessions — Results:***

In addition to the 'Have Your Say' Survey, the City developed a new format for community engagement known as the 'Have Your Say' Stakeholder Round Table Session. Three Sessions were held in Connolly, Warwick and Padbury, all of which were well-attended and well-received by stakeholders and residents. The Sessions sought to attract a cross-section of the community within a relatively intimate environment. High level visioning questions were directed to participants and their responses were recorded by table facilitators within small discussion groups.

The questions asked were:

- 1 What does the ideal City of Joondalup 2022 look like and what is the inspirational image of the City?
- 2 What does it feel like to live, work and play in Joondalup and what do others say about the City?
- 3 What are the key logical issues and needs that will have to be addressed to deliver the ideal Joondalup 2022?

A variety of responses were received from these Sessions; however, clear themes and patterns emerged across the groups. The following provides a detailed summary of these responses. (Full notes from the Stakeholder Round Table Sessions are provided at Attachment 3.)

#### Question 1: 'What does the ideal City of Joondalup 2022 look like — what is the inspirational image of the City?'

Homes and housing:

- There is increased housing density across all areas of the City, whilst still keeping green open spaces and parks. It is important to still have that 'community feel', with safe pedestrian-friendly neighbourhoods and walkable streets.

Transport and infrastructure:

- Transport is integrated across the entire City with feeder buses interlinking all geographical aspects of the City. There is a higher frequency of services providing greater connectivity between nodes within the Joondalup City Centre and the outer suburbs. There is adequate forward planning for a growing population.

#### Joondalup City Centre:

- The Joondalup City Centre is a vibrant and bustling place. Residents can find everything they need within the City. Culture and performing arts are encouraged and there are creative spaces for local artists. The shops extend outside the major shopping centres and populate the streets within the City Centre. A thriving business district with major Government and private enterprise is based in the City Centre, adding to the prosperity of the City. At night, the City feels alive, vibrant and bustling, whilst still having that safe feeling. A sense of culture spills onto the streets, with restaurants and cafés full of people.

#### Environmental sustainability:

- Coastal and bushland areas are held in a pristine condition as they provide a substantial opportunity for the City. The major attractions (Hillarys Boat Harbour, Ocean Reef Marina and Burns Beach) are all connected with other smaller developments, whilst still having a balance between the built development and the environment. Smaller developments along the coast, including small cafés and small hotels attract tourists to beaches and natural areas.

#### Question 2: What does it feel like to live, work and play in Joondalup and what do others say about the City?

- The City of Joondalup is a leader in all local government areas. The City is creative, integrated, and innovative and gives-off a vibe of being a smart City that is technologically-equipped for the future. Within the City, residents feel proud and have a sense of belonging to the community. Residents are relaxed and have good work-life balances as a result of being able to work close to home.
- People outside the City are envious of Joondalup. It is a place where they would love to live. When they visit, they feel welcomed and supported by the local community.

#### Question 3: 'What are the key logical issues and needs that will have to be addressed to deliver the ideal Joondalup 2022?'

#### Infrastructure and transport:

- Infrastructure requires forward planning, such as extending and widening the Freeway to account for the growth in the northern suburbs. Train and bus services need to be run more frequently, connect together and extend further. Accessibility needs to improve for elderly and the disabled, to account for the ageing population. Connectivity within the streets of Joondalup is essential with more bike and walking paths.

#### Community safety:

- Respect and personal responsibility must be expressed by all members of the community. There is a need for promotion and education programs targeted at families, not just schools and youth. These programs must get the community involved and eventually change behaviour and culture. We still need a City Watch; however, they must be more than a presence, actually stopping and checking for safety, rather than just driving around.

#### Business and economic development:

- For the business district to grow, major businesses (i.e.: Government Departments, bigger private corporations) need to be encouraged to set-up their base of operations in Joondalup. This may involve liaising with champions, with incentives to lure businesses to move locations.

#### Urban planning:

- More opportunities need to be available for residents to subdivide their blocks. There is a preference for medium-density housing over high-storey apartments. With urban development, there is a need to retain verges, parks and open spaces, as they are a major attractor of the suburbs. There is also a need to upgrade some older suburbs, with underground powerlines, streetscaping and lighting.

#### Arts, cultures and youth:

- The City lacks a cultural centre/performing arts centre. The centre would attract artists to the City whilst giving local performers or artists opportunities to showcase their talents. Activities or programs must be established for youth (like a graffiti wall). This will assist young people to feel part of the community, have ownership of something, and also prevent them from participating in anti-social behaviour.

For full notes from the Sessions, refer to Attachment 3.

#### ***Draft Joondalup 2022 Document***

As a result of the informing initiatives undertaken to date, the City has developed a draft Joondalup 2022 document for consideration by Council.

In accordance with the significant aspirations of the Council, community and stakeholders, the draft Joondalup 2022 document has been developed on the basis of:

- establishing a bold and transformational vision for the City;
- avoiding a 'bland' document that reiterates general expectations of service delivery at the local level;
- remaining high level and supportive of lower level planning documents;
- demonstrating best practice in reporting and measuring performance;
- demonstrating clear alignment with State and Federal Government priorities to enhance the City's funding opportunities in the future;
- reflecting the requirements of the Department of Local Government's Integrated Planning and Reporting Framework;
- aspiring to a position of national and global leadership in local planning and service delivery initiatives; and
- benchmarked against recent Strategic Community Plans developed and released across Australia.

With these principles in mind, the format of Joondalup 2022 follows the history of the City from its original vision established by Sir Charles Court in 1976 to its current aspirations as a recognised leader in sustainable practices and manager of liveable communities.

The City is then placed within the context of today's known challenges and opportunities that were identified by the City and the community through Phase One of the Shaping our Future initiative.

The vision and values of Joondalup 2022 have been developed to reposition the City as an industry leader. As such, the values have been intentionally categorised into primary and distinguishing values to demonstrate the City's intention of striving for excellence, rather than just achieving the minimum objectives of a local government. This theme is then followed throughout the document and reflected across all aspirational outcomes, objectives and strategic initiatives contained within the draft Plan.

### ***Key Elements of Joondalup 2022:***

The following key elements of the draft Joondalup 2022 document are outlined below, with the full draft Plan provided at Attachment 4 for consideration:

#### Vision:

*"A global City: bold, creative and prosperous".*

#### Key Focus Areas/Aspirational Outcomes/Objectives:

##### Governance and Leadership

'The City is recognised for its outstanding governance practices, which are achieved through strong leadership and fully-integrated community engagement systems.'

- Effective representation.
- Corporate capacity.
- Active democracy.
- Strong leadership.

##### Financial Sustainability

'The City is a financially diverse local government that uses innovative solutions to achieve long-term financial sustainability. Its rates revenue is moderated through the adoption of ongoing service efficiencies and alternative income streams.'

- Financial diversity.
- Effective management.

##### Quality Urban Environment

'The City's built environment is planned for enduring relevance through quality, modern design that is creative, flexible and diverse. Design of its urban landscapes promotes connectivity, useability and accessibility; contributing to the highest standards of liveability.'

- Quality built outcomes.
- Integrated spaces.
- Quality open spaces.
- City Centre development.

### Economic Prosperity, Vibrancy and Growth

'The City is lively and flourishing across its activity centres. It is a global City, home to a recognised industry niche that fosters local job production and promotes employment self-sufficiency.'

- Primary Centre status.
- Activity Centre development.
- Destination City.
- Regional collaboration.
- Business capacity.

### The Natural Environment

'The City is a global leader in adaptive environmental management. It works closely with the community to protect and enhance the natural environment, while celebrating and showcasing its natural assets to the world.'

- Environmental resilience.
- Community involvement.
- Accessible environments.
- Environmental leadership.

### Community Wellbeing

'The City has world-class facilities and a thriving cultural scene. It encourages and supports local organisations and community groups. Community spirit is felt by all residents and visitors, who live in safe and friendly neighbourhoods.'

- Quality facilities.
- Cultural development.
- Community spirit.
- Community safety.

Under each key focus area, major transformational projects and priorities have been identified to clearly outline the key actions that must be achieved within the lifetime of the Joondalup 2022, if it is to be successfully implemented. These projects and priorities will later be fed into the Corporate Business Plan 2012—2017 as specific milestone actions that will be reportable within the City's Annual Report.

In addition to identifying major projects, each key focus area also contains strategic performance indicators that aim to evaluate the City's success in achieving its aspirational outcomes. Again, the performance indicators relate only to the aspirational outcomes within the draft Plan and do not reflect more specific sustainability indicators that will be incorporated into the City's lower level plans later this year. For instance, targets against waste reduction and greenhouse gas emissions will be contained within the City's Environment Plan, rather than being reflected within the Joondalup 2022 document to avoid repetition and duplication. It is anticipated that from 2013, the City's Annual Report will be able to distinguish between strategic performance indicators and general sustainability indicators to measure progress against the City's overall strategic direction and its achievements as a sustainably aware local government.

For further details on the draft Joondalup 2022 document, refer to Attachment 4.

### ***Proposed Methodology for Phase Two***

For Phase Two of the Shaping our Future initiative, the City proposes the following consultation process on the draft Joondalup 2022 document:

There are four communication methods proposed under Phase Two. Each method requires the completion of a detailed survey outlining the major elements within the draft Plan. It is proposed that the title of the survey be amended according to the communication channel utilised, allowing the City to discern the group from which it has been received and to tailor the information according to the target audience.

By providing a survey the City also anticipates greater levels of responses, given that people will not have to read the whole draft Plan in order to understand what it is proposing. This will provide greater motivation for people to respond due to the ease of the task; an approach the City has used effectively in the past with consultations on the Beach Management Plan and Local Housing Strategy. By utilising the proposed communication methods and formats, the City aims to encourage maximum feedback from the community and its stakeholders.

Whilst the survey format will be heavily promoted, it is also suggested that qualitative submissions be a permissible form of response if received. As with most survey-oriented consultations, it is not anticipated that many qualitative submissions will be received.

The details of each communication method are outlined below:

- 1      RESIDENT SURVEY — random sample of residents.
  - Mail out to 500 residents per Ward (3,000 in total).
  - Package to consist of:
    - Detailed survey on major elements proposed within the draft Plan.
    - Frequently Asked Questions.
    - Reply paid return envelope.
    - Website link to draft Plan or alternatively, contact the City for a hardcopy version.
  
- 2      PARTICIPANT SURVEY — for those who attended Stakeholder Roundtable Sessions or filled out surveys and previously identified community stakeholders (will also capture Community Engagement Network members).
  - Email/mail out to participants.
  - Package to consist of:
    - Detailed survey on major elements proposed within the draft Plan.
    - Frequently Asked Questions.
    - Reply paid return envelope (if applicable).
    - Electronic copy of the draft Plan if emailed or hardcopy if mailed out.
  
- 3      COMMUNITY SURVEY — to capture the broader community through general advertising and an online presence.
  - Advertise participation online, in locally distributed newspapers, in all City publications and at all City Libraries, Leisure Centres and Administration Buildings.

- Offer the following:
    - Online version of detailed survey on major elements proposed with the draft Plan, or hardcopy survey available upon request.
    - Frequently Asked Questions.
    - Website link to draft Plan or alternatively, contact the City for a hardcopy version.
- 4 STAKEHOLDER SURVEY — for government departments, local parliamentary members, other local governments, etc.
- Send directly to State Government Departments, local parliamentary members and other local governments.
  - Package to consist of:
    - Slightly modified survey to the Community Survey (removing demographic questions, etc.).
    - Hardcopy of the draft Plan.
    - Frequently Asked Questions.
    - Reply paid return envelope.

In order to generally promote Phase Two, maximum advertising channels will be utilised to draw the community's attention to the consultation initiative, including website, local newspaper advertisements, media releases and signage in all administration, library and leisure centre locations.

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

Council has the option to:

- 1 Approve the release of the draft Joondalup 2022 document for public comment, in the format provided at Attachment 4.
- 2 Approve the release of the draft Joondalup 2022 document for public comment, subject to further amendments.
- 3 Not approve the release of the draft Joondalup 2022 document for public comment.

It is recommended that Council endorse Option 1, in light of the considerable input received to date in its development and the tight timeframes the City is working to in order to comply with the new Integrated Planning and Reporting Framework requirements set by the State Government.

#### **Legislation/Strategic Plan/Policy Implications**

**Legislation**                      *Local Government Act 1995*  
   *Local Government (Administration) Regulations 1996*

#### **Strategic Plan**

This report presents a draft Strategic Community Plan 2012-2022 to Council that will replace the City's current Strategic Plan 2008-2011.

**Policy:**

Community Consultation and Engagement Policy.

**Risk Management Considerations:**

The release of the draft Joondalup 2022 document for further community consultation will ensure that the City meets all legislative requirements in relation to the Department of Local Government's new Integrated Planning and Reporting Framework.

Further community consultation will also provide the community and key stakeholders with an opportunity to review and comment on the draft Plan and consider if it reflects their ambitions and vision for the City over the next ten years.

**Financial/Budget Implications:**

Conducting Phase Two of the Shaping our Future initiative is estimated to cost \$11,000 for advertising, printing and mail out costs, which has been accounted for in the 2012-2013 Budget.

**Regional Significance:**

Many of the projects in the draft Joondalup 2022 document have regional significance. The document also highlights the importance of regional planning and cooperation in managing and responding to future challenges within the northwest metropolitan region.

**Sustainability Implications:**

The draft Joondalup 2022 document sets a strategic and sustainable direction for the City over the next ten years. It is underpinned by an ambition to establish the City as a leader in sustainable planning and development.

**Consultation:**

This report outlines consultation activities completed to date in the development of a new Strategic Community Plan and proposes future consultation activities to seek feedback on the draft Joondalup 2022 document.

**COMMENT**

The draft Joondalup 2022 document has been developed in partnership with the community and key stakeholders. The draft Plan positions the City of Joondalup to address the major challenges and opportunities over the next 10 years and to therefore, achieve its aspirational direction.

A Corporate Business Plan 2012–2017 is also currently in development that will reflect the strategic direction set by the draft Joondalup 2022 document and outline the five-year detailed delivery program for the City.

It is anticipated that the Corporate Business Plan 2012–2017 will be concurrently presented to Council for adoption with Joondalup 2022. Further iterations to the Corporate Business Plan 2012–2017 will occur as the outcomes of Phase Two of the Shaping our Future initiative become available.

## VOTING REQUIREMENTS

Simple Majority.

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

- 1 NOTES the outcomes of Phase One of the Shaping our Future community engagement initiative, as presented in Report CJ154-08/12;**
- 2 NOTES the draft Strategic Community Plan 2012-2022 (Joondalup 2022) document, as presented in Attachment 4 to Report CJ154-08/12; and**
- 3 APPROVES the release of the draft Strategic Community Plan 2012-2022 (Joondalup 2022) document, as presented in Attachment 4 to Report CJ154-08/12, for a three-week community consultation period.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf140812.pdf](#)*

**CJ155-08/12 ANNUAL PLAN 2012-2013**

<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 Annual Plan 2012-2013 Attachment 2 Capital Works Program 2012-2013

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**PURPOSE**

To present Council with the Annual Plan 2012-2013.

**EXECUTIVE SUMMARY**

The Annual Plan contains the major projects and priorities which the City intends to deliver in the 2012-2013 financial year.

*It is recommended that Council RECEIVES the:*

- 1 Annual Plan 2012-2013 which is shown as Attachment 1 to this Report; and*
- 2 Capital Works Program 2012-2013 which is shown as Attachment 2 to this Report.*

**BACKGROUND**

The City's Corporate Reporting Framework requires the development of an Annual Plan to achieve the objectives of the Strategic Community Plan and the provision of reports against the Annual Plan to be presented to Council on a quarterly basis.

The Department of Local Government introduced a new Integrated Planning and Reporting Framework in October 2010 which sets out the requirements for local governments to undertake planning and reporting on their activities. The process includes annual reporting to the community on achievements and outcomes. The City's Annual Plan 2012-2013 is in line with this requirement.

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

The Annual Plan contains a brief description of the key projects and programs that the City proposes to deliver in the 2012-2013 financial year.

Quarterly milestones are set for each key project and program to be delivered, and a report will be presented to Council at the end of each quarter detailing progress against these milestones. Progress against the Capital Works Program 2012-2013 will be provided with the quarterly reports. The Capital Works Program 2012-2013 is shown as Attachment 2 to this Report.

The 2012-2013 Annual Plan has been developed in accordance with the Key Focus Areas of the 2008-2011 Strategic Plan being:

- Leadership and Governance;
- The Natural Environment;
- Economic Prosperity and Growth;
- The Built Environment; and
- Community Wellbeing.

The City's draft Strategic Community Plan 2012-2022 has been developed and will be presented to Council for endorsement in the second quarter of 2012-2013. Once endorsed, the approved projects and programs within the Annual Plan 2012-2013 will be realigned with the Key Focus Areas of the new Strategic Community Plan.

### **Legislation/Strategic Plan/Policy Implications**

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

*This Act is intended to result in:*

- (a) *Better decision making by local governments;*
- (b) *Greater community participation in the decisions and affairs of local governments;*
- (c) *Greater accountability of local governments in their communities; and*
- (d) *More efficient and effective government.*

### **Strategic Plan**

**Key Focus Area:**    Leadership and Governance.

**Objective:**            1.3    To lead and manage the City effectively.

### **Policy:**

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

### **Risk Management Considerations:**

The development of the Annual Plan and quarterly reports provides a mechanism for tracking progress against milestones for major projects and programs.

**Financial/Budget Implications:**

All projects in the Annual Plan 2012-2013 have been included in the 2012-2013 Budget.

**Regional Significance:**

A number of the projects in the Annual Plan 2012-2013 have regional significance.

**Sustainability Implications:**

All projects and programs in the Annual Plan contribute to community wellbeing, the natural and built environment, economic development and good governance of the City.

**Consultation:**

Not Applicable.

**COMMENT**

It is important that the City develops and communicates to the community a clear plan of the projects and activities it intends to undertake each year. Measuring performance on the timely delivery of projects and programs enables the community to assess the City's achievements against the Annual Plan.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council RECEIVES the:**

- 1 Annual Plan 2012-2013 which is shown as Attachment 1 to Report CJ155-08/12; and**
- 2 Capital Works Program 2012-2013 which is shown as Attachment 2 to Report CJ155-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf140812.pdf](#)*

## **CJ156-08/12 APPOINTMENT OF STRATEGIC COMMUNITY REFERENCE GROUP MEMBERS**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	102605, 101515; 75521	
<b>ATTACHMENTS:</b>	Attachment 1 Attachment 2	Terms of Reference. (Confidential) Nominations – Distributed under separate cover

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### **PURPOSE**

For Council to appoint members to the Strategic Community Reference Group.

### **EXECUTIVE SUMMARY**

At its meeting held on 26 June 2012, Council adopted the Work Plan and Terms of Reference for the Strategic Community Reference Group (CJ112-06/12 refers). Council also noted that Expressions of Interest would be sought from those that reside, work or own property in the City of Joondalup or have a direct interest in the district.

Letters and information packs containing nomination forms were mailed to former Advisory Committee Members and all Ratepayer Associations in the City inviting nominations for membership of the Strategic Community Reference Group. Advertisements seeking nominations were also placed in the local community paper and on the City's website.

Nominations closed Friday, 27 July 2012 with a total of 30 nominations received from community representatives, representing all six wards.

The Council is requested to give consideration to nominating up to three Elected Members, one of whom acts as Presiding Member and appoint at least one community representative from each of the six wards of the City (six in total).

*It is recommended that Council:*

- 1 APPOINTS one community representative for each ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 2 to Report CJ156-08/12;*
- 2 CALLS for nominations for three Elected Members to represent the City on the Strategic Community Reference Group;*

- 3 *AUTHORISES the Chief Executive Officer, in consultation with the Presiding Member of the Strategic Community Reference Group to:*
- 3.1 *SECOND up to four suitably qualified professionals who can provide expert advice/information as necessary to the Strategic Community Reference Group; and*
- 3.2 *APPOINT representatives from ratepayer groups in the Ward that a specific matter to be discussed is located, for their local knowledge and understanding of community sentiment, if considered appropriate.*

## **BACKGROUND**

At its meeting held on 26 June 2012, Council was presented a report (CJ112-06/12 refers) concerning options for future community engagement with residents, in particular, Working Groups, Community Forums and a strategic Reference Group.

It was resolved at this meeting that Council:

- “1 *AGREES to establish a Strategic Community Reference Group with the objective of providing advice to the Council on:*
- 1.1 *Matters of significant community interest;*  
1.2 *Strategic initiatives,*
- as determined by the Council;*
- 2 *ADOPTS the Terms of Reference for the Strategic Community Reference Group shown as Attachment 1 to Report CJ112-06/12;*
- 3 *ADOPTS the 2012/13 Work Plan for the Strategic Community Reference Group shown as Attachment 2 to Report CJ112-06/12;*
- 4 *NOTES that Expressions of Interest for the Strategic Community Reference Group will be undertaken in July 2012; and*
- 5 *AGREES that Community Forums be conducted as and when required but limited to high-level strategic issues.”*

## **DETAILS**

Public advertising commenced on Thursday 12 July 2012 for a two week period inviting members of the community to express an interest in becoming a member of the group. Notices were also placed on the City’s website as well as at the Whitford Customer Service Centre and the City’s libraries. Further information, including the terms of reference and work plan, were also made available on the City’s website from 12 July 2012.

A letter of invitation was sent directly to all ratepayer associations within the City as well as past members of the City’s working groups.

A total of 30 nominations were received from community representatives, with 29 of them received by Friday 27 July 2012, and one further nomination received on Monday, 30 July 2012.

Nominations were representative of the six wards as follows:

<b>Ward</b>	<b>No. of Expressions of Interest</b>
Central	4
North	9
North-Central	6
South	1
South-East	4
South-West	6
<b>TOTAL</b>	<b>30</b>

These nominations have been forwarded to Elected Members under separate cover.

Membership of the Reference Group is limited to nine individuals, including:

- Up to three Elected Members, one of whom acts as Presiding Member; and
- One resident/ratepayer from each of the six wards of the district (six in total).

It is proposed that the Chief Executive Officer, in consultation with the Presiding Member of the Strategic Community Reference Group be granted the authority to:

- 1 second up to four suitably qualified professionals who can provide expert advice/information as necessary; and
- 2 appoint representatives from ratepayer groups in the Ward a specific matter to be discussed is located, for their local knowledge and understanding of community sentiment, if considered appropriate.

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

Council is now required to assess the nominations and appoint one community representative from each ward. With the exception of the South Ward, there were more nominations received than places available.

The following options are available to the Council:

- 1 Accept all nominations to date and appoint community representatives from that pool of nominations;
- 2 Not accept the nominations and re-advertise;
- 3 Extend the advertising period for nominations from all wards; or
- 4 Extend the advertising period for nominations from the South Ward only; accepting all nominations to date and deferring the appointment of community representatives following the closure of the extended advertising period.

Option 1 is the recommended option.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                    *Local Government Act 1995.*

**Strategic Plan**

**Key Focus Area:**        Leadership and Governance.

**Objective:**                To engage proactively with the community.

**Policy:**                    Community Consultation and Engagement Policy.

**Risk Management Considerations:**

Extending the period for nominations is likely to indicate a low level of interest in the Reference Group and disenfranchise those nominees that have already submitted an expression of interest.

**Financial/Budget Implications:**

The 2012/13 Budget includes resources to conduct Community Forums and meetings of the Strategic Community Reference Group. Costs associated with the Strategic Community Reference Group are, in the main, officer time.

The resources required for meetings of the Strategic Community Reference Group include attendance of officers at each meeting, officer time for report preparation, and catering. The cost is estimated at \$1,500–\$2,000 per meeting.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Community Forums and Reference Groups contribute to social cohesion as participants interact with one another on matters associated with the common good of the community. They are also a mechanism for involvement by the community on matters of social, economic and environmental matters and for better informing the Council to assist with decision making.

Supporting social connectivity and effective community engagement and other participatory processes can increase social capital within a community.

**Consultation:**

The Reference Group is a mechanism for community consultation on strategic issues.

**COMMENT**

There have been no enquiries received by City staff regarding further nomination opportunities and it is considered that a satisfactory number and suitable quality of nominations has been received to enable Council to appoint community representative members to the Reference Group.

## VOTING REQUIREMENTS

Simple Majority.

### **MOVED Mayor Pickard, SECONDED Cr Gobbert that Council:**

- 1 APPOINTS the following community representatives for each ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 2 to Report CJ156-08/12:**

**North Ward – Dr Lynne Dailey  
North Central Ward – Mr Ross Grey  
Central Ward – Mr Bryan Saunders  
South West Ward – Mr Brian Yearwood  
South East Ward – Dr Zarrin Siddiqui  
South Ward – Dr Susan King**

- 2 APPOINTS the following Elected Members to represent the City on the Strategic Community Reference Group:**

**MEMBER**

**Mayor Troy Pickard  
Councillor Christine Hamilton-Prime  
Councillor Russ Fishwick**

**DEPUTY MEMBER**

**Councillor John Chester  
Councillor Mike Norman  
Councillor Teresa Ritchie**

- 3 AUTHORISES the Chief Executive Officer, in consultation with the Presiding Member of the Strategic Community Reference Group to:**

**3.1 SECOND up to four suitably qualified professionals who can provide expert advice/information as necessary to the Strategic Community Reference Group; and**

**3.2 APPOINT representatives from ratepayer groups in the Ward that a specific matter to be discussed is located, for their local knowledge and understanding of community sentiment, if considered appropriate.**

**The Motion was Put and**

**CARRIED (10/3)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Ritchie, Taylor and Thomas.

**Against the Motion:** Crs Chester, Corr and Norman.

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf140812.pdf](#)

## **CJ157-08/12 LIST OF PAYMENTS MADE DURING THE MONTH OF JUNE 2012**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	09882, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Chief Executive Officer's Delegated Municipal Payment List for the month of June 2012
	Attachment 2	Chief Executive Officer's Delegated Trust Payment List for the month of June 2012
	Attachment 3	Municipal and Trust Fund Vouchers for the month of June 2012

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### **PURPOSE**

To present to Council the list of accounts paid under the Chief Executive Officer's Delegated Authority during the month of June 2012 for noting.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under Delegated Authority during the month of June 2012 totalling \$11,406,119.14.

*It is recommended that Council NOTES the Chief Executive Officer's list of accounts for June 2012 paid under Delegated Authority in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations in Attachments 1, 2 and 3 to this report, totalling \$11,406,119.14.*

### **BACKGROUND**

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

### **DETAILS**

The table below summarises the payments drawn on the funds during the month of June 2012. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques 92952 – 93240 & EF025129 – EF025715 Net of cancelled payments	\$ 7,650,921.29
	Vouchers 997A - 998A & 1000A & 1002A - 1005A	\$ 3,737,717.89
Trust Account	Trust Cheques 205022 -205054 Net of cancelled payments	\$ 17,479.96
<b>Total</b>		<b>\$ 11,406,119.14</b>

**Issues and options considered:**

Not Applicable.

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

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

**Strategic Plan**

**Key Focus Area:** Leadership and Governance.

**Objective:** 1.1 – To ensure that the processes of Local Governance are carried out in a manner that is ethical, transparent and accountable.

**Policy:** All expenditure included in the list of payments is drawn from the City's accounting records.

**Risk Management Considerations:**

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

**Financial/Budget Implications:**

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

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

Not Applicable.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the 2011/12 Annual Budget as adopted and revised by Council at its meeting of 28 June 2011 or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council NOTES the Chief Executive Officer's list of accounts for June 2012 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 CJ157-08/12, totalling \$11,406,119.14.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf140812.pdf](#)*

## **CJ158-08/12 COMMUNITY SPORTING AND RECREATION FACILITY FUND (CSRFF) SMALL GRANTS APPLICATION - ROUND 1 2012/13**

<b>WARD:</b>	South-East
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	22209, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Community Consultation Pack – Frequently Asked Questions Attachment 2 Community Consultation Pack – Feedback Form Attachment 3 Analysis of ‘Moolanda Park, Kingsley – Proposed Cricket Infrastructure Upgrade Project’ summary.

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### **PURPOSE**

To provide details and recommendations on the application received for the Department of Sport and Recreation’s Community Sporting and Recreation Facilities Fund (CSRFF) Small Grant Round One for funding in 2012/13.

### **EXECUTIVE SUMMARY**

The Department of Sport and Recreation has \$20 million allocated for the annual CSRFF for state-wide grants.

The CSRFF program aims to increase participation in physical activity through the provision of funding that assists the development of well designed infrastructure for sport and recreation. The City of Joondalup is required to assess, rank and rate all applications received from sport and recreation clubs located within the City.

One community organisation submitted an application to the City for consideration as part of the CSRFF Small Grant Round One which will close on 31 August 2012.

### **BACKGROUND**

The CSRFF program aims to increase participation in physical activity through the provision of funding that assists the development of well designed infrastructure for sport and recreation.

The CSRFF program represents a partnership opportunity for community organisations to work with Local Government Authorities and the Department of Sport and Recreation. Applications for funding may be submitted by a community organisation or a Local Government Authority. A CSRFF grant will not exceed one third of the total completed cost of the project, with the remaining funds to be contributed by the applicant’s own cash or ‘in-kind’ contribution, and/or the Local Government Authority.

The State Government allocates \$20 million per year for CSRFF grants in three categories:

**Small Grants (\$1.5 million per year; \$750,000 each round)**

Small Grants are offered on a bi-annual basis for projects that have a total value of between \$7,500 and \$150,000. Applications close in August and March of each year.

**Annual Grants (\$3 million per year)**

Annual Grants require greater detail and planning and have a total project value of between \$150,001 and \$500,000. Applications close in September of each year.

**Forward Planning Grants (\$15.5 million per year)**

Forward Planning Grants are for projects requiring a period of between one and three years to complete with a maximum grant amount of \$4 million (total project value up to \$12 million). Applications close in September of each year.

The City of Joondalup is required to place a priority ranking and rating on applications from organisations that fall within its boundaries based on the following criteria:

- Well planned and needed by the local government.
- Well planned and needed by the applicant.
- Needed by the local government, more planning required.
- Needed by the applicant, more planning required.
- Idea has merit, more preliminary work needed.
- Not recommended.

A strong emphasis is placed on a planned approach towards CSRFF applications.

**DETAILS**

The City received one application for the CSRFF Small Grant Round One for 2012/13.

The City assessed the application, and developed a project summary and justification for the recommendation for the project as part of the assessment process.

**Kingsley Woodvale Junior Cricket Club**

Project Summary

The Kingsley Woodvale Junior Cricket Club's (KWJCC) application is for the installation of an artificial turf centre match cricket wicket and a two lane cricket practice net at Moolanda Park, Kingsley in order to provide opportunities for cricket clubs to play and train at the park.

Currently, there is no cricket club based at Moolanda Park and this project would provide an opportunity to create more areas for cricket to be played.

A panel of City officers met to discuss the application and the current and future impact to the park, its users and the City. The panel's recommendation was for the application to be submitted to the Department of Sport and Recreation by the City not the club and that the City would project manage any works if successful due to the City's experience in such projects.

KWJCC operates throughout the City, with over 260 members. Currently the club utilises Kingsley Park (four Practice nets), Barridale Park (two Practice nets) and Chichester Park (two Nets) restricted by the limited availability of parks for training and games. The installation of cricket infrastructure at Moolanda Park will provide the club with much needed space for training and games.

The project also has the potential to positively impact on the community's ability to participate in physical activity and provides increased opportunities for the safe use of the City's grounds. The installation of cricket infrastructure will also provide the City with greater flexibility to manage and conduct park bookings and maintenance.

The project provides value for money and the approach taken by the KWJCC with the City managing any works provides assurance that the project will be delivered in accordance with City and Australian Standards.

The City has received written confirmation from the KWJCC that it will commit to fund  $\frac{1}{3}$  of the total project costs.

<b>Total Project Cost:</b>	<b>\$116,494.39 (ex GST)</b>
City of Joondalup Contribution:	\$38,831.46 (ex GST)
CSRFF Grant requested:	\$38,831.46 (ex GST)
Club contribution:	\$38,831.46 (ex GST)

If the project proceeds, an additional \$8,500 per annum is required to maintain the facilities.

#### Assessment Summary

Assessment Criteria	Evidence Provided		
	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity	✓		
Sustainability	✓		

#### Recommendation Summary

Ranking:	1 (of 1)
Rating:	Well planned and needed by the applicant
Funding request:	\$38,831.46 (ex GST)

**Issues and options considered:**

The City has received a number of expressions of interest for CSRFF this year. The assessment and ranking of these applications is important in terms of the City's strategic approach to these types of projects.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                      Not Applicable.

**Strategic Plan**

Key Focus Area                  Community Wellbeing.

Objective                              5.2 – To facilitate healthy lifestyles within the community.

5.2.1 – The City provides high quality recreation facilities and programs.

**Policy**

The assessment process undertaken for the CSRFF program is in line with the following City policies:

- Community Funding.
- Reserves, Parks and Recreation Grounds.
- Community Facilities – Built.
- Asset Management.
- Leisure (Council).
- Management of Community Facilities.

**Risk Management Considerations:**

The key risk associated with the installation of cricket infrastructure is the quality of completed works. This risk is mitigated by the City's building, approvals and purchasing processes. The City assesses all works on completion.

During the community consultation process there was a small number of responses that were not in support of the project. Therefore there is a manageable risk that if the project is supported, once works have been completed there would be further action from residents who have not been in support of the project. This would be managed by maintaining communication with these residents to communicate the decision making process and what (if any) considerations have been made in regards to their responses.

Should the CSRFF application with the Department of Sport and Recreation not be successful the City would consider the installation of a centre match wicket for competition purposes and not the cricket practice nets.

**Financial/Budget Implications:**

There are no funds listed in the 2012/13 budget for this project. It is anticipated that the Department of Sport and Recreation will advise the outcome of the Small Grant Round One assessments in November 2012, with project approved funds required to be expended by 30/6/2013. Should the application be successful the City's contribution may be funded from the future facilities budget.

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The City has undertaken community consultation for this proposed project with the following stakeholders identified:

- Surrounding local residents;
- Current park user groups;
- Kingsley and Greenwood Residents' Association; and
- State Sporting Associations.

A consultation pack comprising of a cover letter, Frequently Asked Questions and Survey Form was sent to all stakeholders, who were invited to reply with any concerns. A period of 21 days was allowed for submissions to be made (the community consultation pack has been included as Attachment 1 and Attachment 2).

A total of 289 consultation packs were sent with 98 responses (34%) received.

Of the 16 responses that **did not** support the installation of cricket infrastructure the most common comments were the lack of appropriate playground equipment and the potential impact on the casual community usage of the park. Other responses are listed in Attachment 3.

The City is preparing to undertake a Landscape Master Planning project of Moolanda Park in 2014/15. This project will address some of the concerns raised by residents in regards to the casual community usage of the park.

Of the 82 responses that **did** support the project 16 responses had concerns but were still in support (listed in Attachment 3) and six responses included supportive comments including it being a better use of the park, a positive community resource and that the application for the CSRFF grant provided better value for money to ratepayers.

In the 98 responses received there were three from stakeholder groups.

- Western Australia Cricket Association (**Support**).
- Kingsley Junior Football Club (**Support**).
- Kingsley and Greenwood Residents Association (**Do not Support**).

A summary of responses made in relation to the proposed project has been included in Attachment 3.

## **COMMENT**

The Department of Sport and Recreation, through the CSRFF, aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities. The CSRFF provides the City with an excellent opportunity to upgrade community facilities and City infrastructure with the support of the state government (Department of Sport and Recreation) and the community organisations that will directly benefit from the upgrades.

### Kingsley Woodvale Junior Cricket Club

The installation of new cricket infrastructure will provide another facility for cricket clubs and the local community to use for training and competitions. Moolanda Park is used in winter for AFL training and games by the Kingsley Junior Football Club and the Kingsley Amateur Football Club. In summer the ground is used by the Wanneroo Joondalup Tee-Ball Club (WJTBC) for training purposes. In consultation with the WJTBC and the City's facility bookings team there is no anticipated disruption to the WJTBC existing usage of the facility.

Currently the KWJCC and Kingsley Senior Cricket Club utilise Kingsley Park and Barridale Park in Kingsley and Chichester Park in Woodvale for home fixtures as well as training venues. The addition of Moolanda Park as a match and training venue provides an opportunity for both clubs to further serve their existing members with quality facilities. The KWJCC is also preparing for future expansion and an increase in junior participants through programs such as "KidSport". Existing cricket infrastructure in the area would not be able to adequately cater for an increase in membership from either club. The installation of this infrastructure at Moolanda Park would not only meet any future increased demand but also provide excellent value for money.

## **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council:**

- 1 ENDORSES an application to the Department of Sport and Recreation’s CSRFF program for \$38,831.46 (ex GST) to part fund the installation of cricket infrastructure at Moolanda Park, Kingsley; and**
- 2 ENDORSES the ranking and rating of CSRFF applications below:**

<b>Applicant’s Rank</b>		<b>Applicant’s Rating</b>
<b>1</b>	<b>Kingsley Woodvale Junior Cricket Club – installation of cricket infrastructure at Moolanda Park, Kingsley.</b>	<b>Well planned and needed by the applicant.</b>

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf140812.pdf](#)*

*The Manager Planning Services retired from the Chambers, the time being 1.40pm.*

## **CJ159-08/12      PETITION TO ENABLE CARAVANS TO BE PARKED ON RESIDENTIAL VERGES**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Mr Mike Tidy  
Corporate Services

**FILE NUMBER:** 57618, 101515

**ATTACHMENTS:** Nil.

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### **PURPOSE**

To consider a response to a petition seeking to allow caravans to be parked on suburban verges under prescribed conditions.

### **EXECUTIVE SUMMARY**

At its May 2012 meeting (C34-05/12 refers) Council received a petition seeking to have Section 4.16 of the City's District Planning Scheme No 2 and relevant City of Joondalup Local Laws amended to allow caravans to be parked permanently on residential verges under prescribed conditions. The provisions of the District Planning Scheme No 2 relating to recreational vehicles and commercial vehicles do not apply to residential verges and therefore are not relevant to this report.

It is considered that the proposal would adversely affect the amenity of the residential streets in the City's suburbs and higher density living areas such as the Joondalup City Centre and that the conditions proposed such as approval of neighbours would be difficult to maintain with changing property ownership.

It is recommended:

*That Council:*

- 1      *NOTES the provisions of District Planning Scheme No 2 relating to recreational vehicles and commercial vehicles do not apply to residential verges and therefore are not relevant to Report CJ159-08/12.*
- 2      *DECLINES the request of the petitioners to amend the Parking Local Law so as to allow caravans to be parked on a verge under prescribed conditions, and that the lead petitioner be advised of Council's decision.*

## BACKGROUND

Council received a petition at the May 2012 meeting (C34-05/12 refers) with a request to:

*“Amend District Planning Scheme Number 2 Section 4.16 and relevant City of Joondalup Local Laws to enable caravans to be parked on a verge under prescribed conditions, including demonstrated support from neighbouring properties within the vicinity of the concerned property and the appropriate treatment of the verge area to accommodate a caravan.”*

The petition has 12 signatories who also stated that should Council agree to amend the District Planning Scheme they had no objection to a caravan being parked at 43 Fleetwood Circuit, Woodvale.

The provisions of District Planning Scheme No 2 relating to recreational vehicles and commercial vehicles do not apply to the verge area in front of a property and an amendment to the Scheme would not be appropriate.

Two City Local laws are relevant to the petition, the City of Joondalup’s *Parking Local Law 1999* in relation to parking a caravan and the *Local Government and Public Property Local Law 1999* in relation to verge treatments. The intent of the relevant clauses in these Local Laws is to make clear to that verges, as part of the road reserve, remain the property of the Local Government and are subject to City control as to their use.

The definition of a caravan in the City of Joondalup Parking Local Law states:

*“caravan” means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle or which is capable of self propulsion’.*

Clause 38.1 of the City of Joondalup Parking Local Law classifies a caravan as a type of commercial vehicle and states:

*A person shall not park:*

(b) *a caravan*

*on a road or verge for more than three hours consecutively between the hours of 7.00am and 6.00pm and not at any other time.*

The intention is to keep large vehicles and trailers away from residential streets except for the purposes of carrying out work, making deliveries, dropping off or picking up items in relation to the vehicle such as preparing a caravan for a trip.

Clause 13 (g) of the Local Government and Public Property Local Law 1999 states:

13 *A person shall not on or from any local government property, without having first obtained a written approval from the local government to do so:*

(g) *carry out any works in a street, thoroughfare or other public place, including but not limited to:*

(i) *verge treatments;*

(ii) *vehicle crossing treatments;*

(iii) *crossing a footpath with a vehicle which is likely to or does cause damage to the footpath;*

In this case, there are requirements to verge treatments which may be installed so that the safety and amenity of road users and pedestrians are not compromised by obstructions or sight hazards.

## **DETAILS**

There are occasions when a resident finds it difficult to keep various types of vehicles entirely on their property. The most common of these is a private motor vehicle when households have several, one or more of which cannot be stored conveniently on the driveway or behind the property line. In the case of commercial vehicles it is expected that the resident will make alternative arrangements for their storage so that they are not on public property, in this case the road or verge.

The petitioners are seeking to extend the allowance made to private motor vehicles to include caravans in certain circumstances.

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

There are three options which can be considered.

#### Option 1

Amend the Local Law to allow caravans to be parked on residential verges at any time.

This would have impact as follows:

- Detrimental for the residential streetscape generally and particularly in higher density living areas such as the Joondalup City Centre;
- Traffic safety as a result of obscured sight lines particularly in proximity to bends and corners;
- Pedestrian safety where there is no footpath; and
- Establishing precedent for allowing other large items on verges which do not fit conveniently behind the property line such as boats on trailers, box trailers, motor homes and large play equipment such as trampolines.

This option is not recommended.

#### Option 2

Allow caravans on verges under certain conditions.

The possible conditions some of which are suggested in the petition would need to include:

- There would need to be support for the proposal from neighbours within a defined radius such as the properties on each side of the subject property and the properties immediately adjacent;
- There would need to be provision for cancellation of an approval in circumstances where a neighbour who previously supported the parking changes their mind or a neighbouring property is sold and the new owner does not support the parking;
- Approval would not be given for parking caravans on verges:

- within 10 metres of a junction;
- on the outside bend of a curved street due to sight hazard;
- on or adjacent to the crown of a hill due to sight hazard;
- in any other situation that would result in a sight or pedestrian access hazard; and
- in any situation that impeded access to City infrastructure in the verge including street trees.

There would need to be a system of property inspections to enable these requests to be assessed.

This option is not recommended.

### Option 3

Refuse the petitioners' request.

The current prohibition for permanently parking caravans on verges preserves the local streetscape and prevents unnecessary hazards arising. The prohibitions have been in place for many years. It is not unreasonable to expect that the purchaser/owner of a caravan should make appropriate arrangements for its adequate storage that does not adversely impact on other members of the local community either from an amenity or a safety perspective. There are significant impacts for implementing either Options 1 or 2 as identified.

This option is recommended.

### **Legislation/Strategic Plan/Policy Implications**

**Legislation** City of Joondalup's Parking Local Law 1999 and the *Local Government and Public Property Local Law 1999*.

#### **Strategic Plan**

**Key Focus Area:** Leadership and Governance.

**Objective:** To lead and manage the City effectively.

**Policy:** There is no current policy in relation to this matter. Should caravans be allowed to be kept on public verges it is possible a policy would be needed to support the Parking Local Law.

#### **Risk Management Considerations:**

There is a risk that if caravans are permitted to be parked on public verges adjacent to some residential properties that future petitioners would seek to keep other large items such as trailers, boat-trailers, commercial vehicles and potentially play equipment on the verge as well.

#### **Financial/Budget Implications:**

There would be significant budget implications for implementing Option 2 as this would require a system of property inspections to enable these requests to be assessed.

There are no financial implications for the recommended option.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

No community consultation has been undertaken to prepare this report, however, if either Options 1 or 2 were adopted then the community would be consulted in regard to the required local law changes and a new policy if required.

**COMMENT**

Residents who choose to have a caravan should be aware of their responsibilities for storing them off the street or verge as is required under the Parking Local Law. It is not unreasonable to expect that the purchaser/owner of a caravan should make appropriate arrangements for its adequate storage that does not adversely impact on other members of the local community either from an amenity or a safety perspective.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 NOTES the provisions of District Planning Scheme No 2 relating to recreational vehicles and commercial vehicles do not apply to residential verges and therefore are not relevant to Report CJ159-08/12; and**
- 2 DECLINES the request of the petitioners to amend the Parking Local Law so as to allow caravans to be parked on a verge under prescribed conditions, and that the lead petitioner be advised of Council's decision.**

**The Motion was Put and**

**CARRIED (12/1)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie and Thomas.

**Against the Motion:** Cr Taylor.

*The Manager Community Development and Library Services retired from the Chambers, the time being 1.45pm.*

## POLICY COMMITTEE REPORTS

### **CJ160-08/12 SMALL SCALE RENEWABLE ENERGY; SATELLITE DISHES, AERIALS AND RADIO EQUIPMENT; NOTIFICATION OF APPROVED COMMERCIAL DEVELOPMENTS; CASH IN LIEU OF CAR PARKING; REQUEST FOR SALE OF PUBLIC OPEN SPACE RESERVES – CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER:</b>	72020, 100010, 101286, 81513, 21452 and 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Small Scale Renewable Energy Systems Policy
	Attachment 2	Satellite Dishes, Aerials and Radio Equipment Policy
	Attachment 3	Notification of Approved Commercial Development Policy
	Attachment 4	Cash-in-Lieu of Car Parking Policy
	Attachment 5	Requests for Sale of Public Open Space Reserves Policy
	Attachment 6	Schedule of submissions

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### PURPOSE

The purpose of this report is to consider the submissions received during the public advertising of modifications to various existing policies, and to decide whether to adopt the policies as final.

### EXECUTIVE SUMMARY

The City has recently undertaken a review of the Policy Manual. As part of this review, the following policies have been updated in line with the new standard policy template:

- Small Scale Renewable Energy Systems Policy;
- Satellite Dishes, Aerials and Radio Equipment Policy;
- Notification of Approved Commercial Developments Policy;
- Cash-in-Lieu of Car Parking Policy; and
- Requests for Sale of Public Open Space Reserves Policy.

Council, at its meeting held on 20 March 2012 (CJ032-03/12 refers), resolved to advertise the modifications to the abovementioned policies for a period of 21 days, closing 28 June 2012.

Although the provisions and intent of the policies has not changed, the policies were required to be advertised for public comment in accordance with the provisions of the City of Joondalup District Planning Scheme No 2.

One submission was made on each of the updated policies, with the exception of the Requests for Sale of Public Open Space Policy where no submissions were received.

## **BACKGROUND AND DETAILS**

The City has recently undertaken a review of the Policy Manual. As part of this review the following policies are proposed to have minor amendments in line with the new standard policy template:

- Small Scale Renewable Energy Systems Policy;
- Satellite Dishes, Aerials and Radio Equipment Policy;
- Notification of Approved Commercial Developments Policy;
- Cash-in-Lieu of Car Parking Policy; and
- Requests for Sale of Public Open Space Reserves Policy.

The modifications include format improvements and wording changes to improve consistency and clarity. The modifications are highlighted in red (additions) and black strikethrough (deletions) in Attachments 1-5.

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

Council has the option to:

- Adopt the updated policies as final;
- Adopt the updated policies as final, with modifications; or
- Refuse to adopt the updated policies.

## **Legislation/Strategic Plan/Policy Implications**

**Legislation** Clause 8.11 of the City of Joondalup District Planning Scheme No 2 enables Council to prepare, amend and add to the local planning policies that relate to any planning and development matter within the Scheme area.

### **Strategic Plan**

**Key Focus Area:** The Natural Environment.

**Objective:** To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained.

**Key Focus Area:** The Built Environment.

**Objective:** To ensure high quality urban design within the City.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

Costs associated with advertising the policies in the local paper, and notice of any final adoption of the amended policy, is approximately \$810.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable – the modifications to the policies relate only to format and wording updates and improvements.

**Consultation:**

The proposed policy changes were advertised for public comment for a period of 21 days, closing on 28 June 2012, as follows:

- A notice published in the Joondalup Times for two consecutive weeks; and
- A notice on the City's website.

One submission was made on each of the updated policies, with the exception of the Requests for Sale of Public Open Space policy, where no submissions were received. A schedule of submissions, and officer comments, is provided at Attachment 5.

**COMMENT**Format Modification

To update the policies in line with the current review of the policy manual, a number of formatting and wording improvements are proposed. These proposed modifications do not change the intent or requirements of the policy.

The submissions received are noted, however, are not considered to warrant further modification to the policies.

**VOTING REQUIREMENTS**

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The original recommendation as presented by City Officers to the Committee is as follows:

*That Council:*

- 1 *In accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified following policies, as outlined at Attachment 1 to this report:*
  - 1.1 *Small Scale Renewable Energy Systems Policy;*
  - 1.2 *Satellite Dishes, Aerials and Radio Equipment Policy;*
  - 1.3 *Notification of Approved Commercial Developments Policy;*
  - 1.4 *Cash-in-Lieu of Car Parking Policy;*
  - 1.5 *Requests for Sale of Public Open Space Reserves Policy; and*
- 2 *Advises the submitter of Council's decision.*

The Committee's subsequent recommendation to Council is as follows (changes identified):

*That Council:*

- 1 *In accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified following policies, as outlined in this Report:*
  - 1.1 *Notification of Approved Commercial Developments Policy forming Attachment 3 to this Report; and*
  - 1.2 *Cash-in-Lieu of Car Parking Policy forming Attachment 4 to this Report;*
- 2 *DEFERS consideration of the following policies to the next meeting of the Policy committee to be held on Monday 12 November 2012:*
  - 2.1 *Small Scale Renewable Energy Systems Policy forming Attachment 1 to this Report in order to examine the development standards related to wind energy systems, including noise impact; and*
  - 2.2 *Satellite Dishes, Aerials and Radio Equipment Policy forming Attachment 2 to this Report to provide further information regarding the size of satellite dishes for which applications for planning approval is exempt;*
- 3 *ADVISES the submitter of Council's decision.*

*In accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified policy, as outlined at Attachment 5 to this Report relating to Requests for Sale of Public Open Space Reserves Policy.*

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council:**

- 1 In accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified following policies, as outlined in Report CJ160-08/12:**
  - 1.1 Notification of Approved Commercial Developments Policy forming Attachment 3 to Report CJ160-08/12; and**
  - 1.2 Cash-in-Lieu of Car Parking Policy forming Attachment 4 to Report CJ160-08/12;**
- 2 DEFERS consideration of the following policies to the next meeting of the Policy Committee to be held on Monday 12 November 2012:**
  - 2.1 Small Scale Renewable Energy Systems Policy forming Attachment 1 to Report CJ160-08/12 in order to examine the development standards related to wind energy systems, including noise impact; and**
  - 2.2 Satellite Dishes, Aerials and Radio Equipment Policy forming Attachment 2 to Report CJ160-08/12 to provide further information regarding the size of satellite dishes for which applications for planning approval is exempt;**
- 3 ADVISES the submitter of Council's decision; and**
- 4 In accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified policy, as outlined at Attachment 5 to Report CJ160-08/12 relating to Requests for Sale of Public Open Space Reserves Policy.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf140812.pdf](#)*

## **CJ161-08/12      REVOCATION OF BUILDINGS SET BACK FROM THE BOUNDARY ADDITIONAL ACCEPTABLE DEVELOPMENT PROVISIONS – CLAUSE 3.3.1 OF THE RESIDENTIAL DESIGN CODES 2002 POLICY**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	51553, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy

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### **PURPOSE**

The purpose of this report is to consider revoking the Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy.

### **EXECUTIVE SUMMARY**

The City has recently undertaken a review of the Policy Manual, in which several policies were identified to be revoked, including the Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy.

The policy was introduced to provide additional acceptable setback provisions for single houses on survey strata lots without common property and grouped dwellings within existing survey strata or strata lot boundaries. However, the release of the revised Residential Design Codes (R-Codes) in 2010 has clarified this issue and therefore the policy is no longer required.

*It is recommended that Council:*

- 1      REVOKES the Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy; and*
- 2      PUBLISHES a formal notice of revocation of the Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy once a week for two consecutive weeks in the local newspaper in accordance with Clause 8.11.4(b) of the City of Joondalup District Planning Scheme No 2.*

## BACKGROUND

The City has recently undertaken a review of the Policy Manual. As part of this review, several policies have been identified for revocation as they are no longer considered necessary. This includes the Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy.

The Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy was adopted by Council on 27 April 2004.

The policy was originally implemented to clarify the setback requirements in the R-Codes 2002. When these were introduced, the setback requirements did not make any provisions for single houses on survey strata lots without common property or grouped dwellings on existing survey strata or strata lots. The City therefore introduced the policy to clarify that setbacks to these buildings should be assessed from the strata or survey strata lot boundary.

## DETAILS

Since 2002, several revisions of the R-Codes have been released, with the current version being released in 2010. The wording has changed between the R-Codes 2002 and the R-Codes 2010.

Clause 3.3.1 (Buildings set back from the boundary) of the R-Codes 2002 relates to boundary setback provisions with the exclusion of street setbacks. In the R-Codes 2010, the same clause has been renumbered and is now Clause 6.3.1.

Clause 6.3.1 of the R-Codes 2010 states that:

- A1 *Buildings which are setback in accordance with the following provisions, subject to any additional measures in other elements of the codes:*
- i Buildings setback from boundaries other than street boundaries in accordance with table 1, table 2a and 2b (for wall heights 10 metres and less), figures 2a – 2e, and figure 3 (for wall heights in excess of 10 metres).*
  - iii Separate single, multiple or grouped dwelling buildings on the same site or facing portions of the same multiple dwelling building, setback from each other as though there were a boundary between them.*

The underlined words are additional words that were included in the R-Codes 2010 version.

### Issues and Options Considered:

The options available to Council are:

- Support the revocation of the policy; and
- Not support the revocation of the policy.

**Legislation/Strategic Plan/Policy Implications**

**Legislation** Under clause 8.11.4 of City of Joondalup District Planning Scheme No 2, Council may rescind a Local Planning Policy by preparing a new policy to supersede an existing policy, or by publishing a notice in the local newspaper.

**Strategic Plan**

**Key Focus Area:** Leadership and Governance.

**Objective:** To lead and manage the City effectively.

**Policy:**

Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

Costs associated with advertising the revocation in the local newspaper will be approximately \$600.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

In accordance with clause 8.11.4(b) of City of Joondalup District Planning Scheme No 2, the City is required to publish notification of revocation of a policy by publishing a notice in the local community newspaper once a week for two consecutive weeks.

**COMMENT**

The policy is no longer considered necessary as the wording of the R-Codes has changed in subsequent revisions to clarify the setback requirements for single houses on survey strata lots and grouped dwellings on existing survey strata or strata lots.

Clause 6.3.1 of the R-Codes 2010 now states that buildings are setback from boundaries other than street boundaries, where as previously it only referred to buildings setback in accordance with the relevant tables.

Clause 6.3.1 of the R-Codes 2010 also includes reference to separate single, multiple or grouped dwelling buildings on the same site, whereas the R-Codes 2002 only made reference to multiple or grouped dwellings.

The policy is no longer relevant and no longer used by City officers. It is therefore recommended that Council revokes the Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy.

## **VOTING REQUIREMENTS**

Simple Majority.

## **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

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

- 1 REVOKES the Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy; and**
- 2 PUBLISHES a formal notice of revocation of the Buildings Set Back from the Boundary Additional Acceptable Development Provisions – Clause 3.3.1 of the Residential Design Codes 2002 Policy once a week for two consecutive weeks in the local newspaper in accordance with Clause 8.11.4(b) of the City of Joondalup District Planning Scheme No 2.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf140812.pdf](#)*

## **CJ162-08/12      REVOCATION OF DESIGN GUIDELINES FOR CARINE GLADES MEWS ESTATE AND DESIGN GUIDELINES FOR WATERVIEW ESTATE POLICIES**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER:</b>	101266, 46869	
<b>ATTACHMENTS:</b>	Attachment 1	Location Plan for Carine Glades Mews Estate, Duncraig
	Attachment 2	Location Plan for Waterview Estate, Kingsley
	Attachment 3	Design Guidelines for Carine Glades Mews Estate, Duncraig Policy
	Attachment 4	Design Guidelines for Waterview Estate, Kingsley Policy

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### **PURPOSE**

The purpose of this report is to consider revoking the Design Guidelines for Carine Glades Mews Estate, Duncraig Policy and the Design Guidelines for Waterview Estate, Kingsley Policy.

### **EXECUTIVE SUMMARY**

The City has recently undertaken a review of the Policy Manual, in which several policies were identified to be revoked, including the design guidelines for Carine Glades Mews Estate, Duncraig Policy and the Design Guidelines for Waterview Estate, Kingsley Policy.

The City no longer creates policies to control the design and built form of new residential development. The differences between the existing policies and the Residential Design Codes (R-Codes) are not considered to be significant. In addition, the policies are no longer required as the land has been fully developed.

*It is recommended that Council:*

- 1      REVOKES the Design Guidelines for Carine Glades Mews Estate, Duncraig Policy and the Design Guidelines for Waterview Estate, Kingsley Policy; and*
- 2      PUBLISHES a formal notice of revocation of the Design Guidelines for Carine Glades Mews Estate, Duncraig Policy and the Design Guidelines for Waterview Estate, Kingsley Policy once a week for two consecutive weeks in the local newspaper in accordance with Clause 8.11.4(b) of the City of Joondalup District Planning Scheme No 2.*

## BACKGROUND

**Suburb/Location:** Carine Glades Mews Estate, Duncraig

**Zoning: DPS:** Residential R25

**MRS:** Urban

**Suburb/Location:** Waterview Estate, Kingsley

**Zoning: DPS:** Residential R40

**MRS:** Urban

The City has recently undertaken a review of the Policy Manual. As part of this review, several policies have been identified for revocation as they are no longer considered necessary. This includes the Design Guidelines for Carine Glades Mews Estate, Duncraig Policy and the Design Guidelines for Waterview Estate, Kingsley Policy.

Both the Design Guidelines for Carine Glades Mews Estate, Duncraig and the Design Guidelines for Waterview Estate, Kingsley Policies were required as conditions of subdivision approval. The Design Guidelines for Carine Glades Mews Estate, Duncraig Policy was adopted by Council on 27 January 1998 (DP02-01/98 refers) and the Design Guidelines for Waterview Estate, Kingsley Policy was adopted by Council on 11 July 2000 (CJ164-07/00 refers).

Both guidelines were required as policies in order to give the subdivisions a higher standard of appearance and residential amenity under the previous Town Planning Scheme.

## DETAILS

The tables below outline the similarities and differences between the policies, the Residential Design Codes (R-Codes) and the Height and Scale of Buildings within Residential Areas Policy (where applicable).

### Design Guidelines for Carine Glades Mews Estate, Duncraig Policy

<b>Planning Condition</b>	<b>R-Codes Requirement</b>	<b>Policy Requirement</b>
Buildings on the boundary	Avg 2.7 metres Max 3.0 metres	Max 3.25 metres
Front fencing	Max 1.2 metres solid Min 50% visually permeable above 1.2 metres	Max 1.2 metres solid Min 50% visually permeable above 1.2 metres; OR Max 0.9 metres 50% visually permeable
Storage shed	No requirement for Single Houses	Min 4m <sup>2</sup> to be constructed beneath the roof of the main dwelling.
Highly reflective/zincalume roofing	Not Applicable	Not Permitted
Carpports and garages	Where located in front of dwelling garage door not to occupy more than 50% of frontage at setback line	Where set forward of main dwelling must not occupy more than 50% of the frontage
Clothes line and bin storage	Adequate clothes drying area to be screened from view from street	Clothing and bins not to be seen from the street when viewed by an adult
<b>Planning Condition</b>	<b>Height &amp; Scale Policy</b>	<b>Policy Requirement</b>
Max wall height	3.5 metres at side boundary, increasing to 8.5 metres, 5 metres in from boundary	6.0 metres
Max roof ridge height	8.5 metres	8.5 metres

Design Guidelines for Waterview Estate, Kingsley Policy

<b>Planning Condition</b>	<b>R-Codes Requirement</b>	<b>Policy Requirement</b>
Front setback	Min. 2 metres Avg. 4 metres	Min. 3 metres Avg. 4 metres
Rear setback	Depends on length and height of wall	Min. 2 metres Avg. 3 metres
Open Space	45%	Lots less than 400m <sup>2</sup> 40% Lots greater than 400m <sup>2</sup> 50%
Parking	Min two parking bays	Min two parking bays, one must be covered
Front fencing	Max 1.2 metres solid Min 50% visually permeable above 1.2 metres	Max 0.75 metres solid Min 67% visually permeable above 0.75 metres
Height and Scale	Not applicable	In accordance with Height and Scale Policy

**Issues and Options Considered:**

The options available to Council are:

- Support the revocation of the policies.
- Not support the revocation of the policies.

**Legislation/Strategic Plan/Policy Implications**

**Legislation** Under clause 8.11.4 of City of Joondalup District Planning Scheme No 2, Council may rescind a Local Planning Policy by preparing a new policy to supersede an existing policy, or by publishing a notice in the local newspaper.

**Strategic Plan**

**Key Focus Area:** Leadership and Governance.

**Objective:** To lead and manage the City effectively.

**Policy:**

Design Guidelines for Carine Glades Mews Estate, Duncraig Policy.  
Design Guidelines for Waterview Estate, Kingsley Policy.

**Risk Management Considerations:**

The risk of inferior built form occurring in these areas as a result of the absence of the guidelines is considered to be low as the areas have been developed. Additionally the Residential Design Codes along with the City's planning policies provide sufficient controls.

**Financial/Budget Implications:**

Costs associated with advertising the revocation in the local newspaper will be approximately \$600.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

In accordance with clause 8.11.4(b) of City of Joondalup District Planning Scheme No 2, the City is required to publish notification of revocation of a policy by publishing a notice in the local community newspaper once a week for two consecutive weeks.

**COMMENT**

The policies are no longer considered necessary as the areas are fully developed. If the policies are revoked, any renovation or redevelopment that occurs would be assessed in accordance with the R-Codes. Compliance with the R-Codes will still enable any future development to be consistent with the existing built form. The differences between the development requirements under the policies and the development requirements under the R-Codes are considered to be minor and would not have a major impact on the streetscape or residential amenity of the area.

The City no longer creates policies to control the design and built form outcome of new residential development. If the developer wishes to impose standards that are more onerous than the R-Codes, this is done through either a structure plan or through restrictive covenants on the land title. A local planning policy is not considered to be the appropriate mechanism to control built form outcome.

It is therefore recommended that Council revoke both the Design Guidelines for Carine Glades Mews Estate, Duncraig Policy and the Design Guidelines for Waterview Estate, Kingsley Policy.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

**MOVED Cr Fishwick, SECONDED Cr Ritchie that Council:**

- 1 REVOKES the Design Guidelines for Waterview Estate, Kingsley Policy; and**
- 2 PUBLISHES a formal notice of revocation of the Design Guidelines for Waterview Estate, Kingsley Policy once a week for two consecutive weeks in the local newspaper in accordance with Clause 8.11.4(b) of the City of Joondalup District Planning Scheme No 2.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

## **REASON**

In accordance with Regulation 11 (da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the Policy Committee recommended is because the revocation of the guidelines for the Carine Glades estate can be held in abeyance until the final version of the Dual Density Code Policy is finalised and any conflicts identified.

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf140812.pdf](#)*

## **CJ163-08/12      REVIEW      OF      CITY      POLICY      -      STATE ADMINISTRATIVE TRIBUNAL - MEDIATION AND REVISED DEVELOPMENT PROPOSALS**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	101281, 101515
<b>ATTACHMENTS:</b>	Attachment 1      State Administrative Tribunal – Mediation and Revised Development Proposals Policy showing recommended revisions.

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### **PURPOSE**

The purpose of this report is to consider a modified version of the current City Policy – State Administrative Tribunal – Mediation and Revised Development Proposals and whether the modified policy be advertised for public comment.

### **EXECUTIVE SUMMARY**

The City has recently undertaken a review of the Policy Manual. As part of this review, the State Administrative Tribunal – Mediation and Revised Development Proposals Policy was proposed to be updated in line with the new standard policy template. However, at its May 2012 meeting, the Policy Committee requested that a separate report be prepared on this policy.

The State Administrative Tribunal – Mediation and Revised Development Proposals Policy has been operating since its adoption by Council in October 2005. The operation of the policy has been reviewed, and is considered to operate reasonably well, where applicable.

However, the policy contains elements that are considered procedural and as such has been amended slightly to better reflect the high level values that City officers will apply when attending the State Administrative Tribunal in relation to development proposals. The specific references to mediation and revised development proposals have also been removed to better indicate that these principles will be applied throughout the State Administrative Tribunal process, where applicable. It is also proposed to modify the name of the policy to reflect this change, the policy to be titled 'Development Proposals before the State Administrative Tribunal Policy'.

### **BACKGROUND**

The State Administrative Tribunal – Mediation and Revised Development Proposals Policy was adopted by Council in October 2005 as part of an overall review and update of the City's Corporate Policy Manual (CJ206-10/05 refers).

The policy sets out several statements regarding the manner in which matters brought before the State Administrative Tribunal which involve the City should be dealt with. These statements particularly relate to items that proceed to mediation and/or result in the consideration of revised development proposals.

The City has recently undertaken a review of the Policy Manual. As part of this review the above policy was proposed to have minor amendments in line with the new standard policy template. The Policy Committee resolved in part at its meeting of May 2012 as follows:

*“5.3 REQUESTS separate reports be presented to the next meeting of the Policy Committee on the following policies:*

*5.3.3 The State Administrative Tribunal Mediation and Revised Development Proposals Policy.”*

## **DETAILS**

It is proposed to modify the policy to remove any elements that are purely procedural and to broaden the scope to the whole State Administrative Tribunal Process. The modified version of the policy is intended to better set out the high level objectives and principles that City officers will observe when dealing with matters before the State Administrative Tribunal.

It is also proposed to modify the name of the policy to reflect this change.

It is expected that the policy will be supported by an internal protocol for City officers. This protocol will set out details such as:

- Who will generally attend the State Administrative Tribunal for various matters; and when and how additional consultation should take place for amended or modified proposals; and
- When consultants will generally be engaged to represent the City on matters determined under Delegated Authority and matters determined by Council.

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

Council has the option to:

- Advertise the amended policy for public comment;
- Advertise the amended policy for public comment with further modifications; or
- Not support the advertising of the amended policy for public comment.

### **Legislation/Strategic Plan/Policy Implications**

#### **Legislation**

City of Joondalup District Planning Scheme No 2.

Clause 8.11 of the City of Joondalup District Planning Scheme No 2 enables Council to prepare, amend and add to the local planning policies that relate to any planning and development matter within the Scheme area.

**Strategic Plan**

**Key Focus Area:** The Built Environment.

**Objective:** 4.1 To ensure high quality urban development within the City.

**Policy:**

City Policy – State Administrative Tribunal – Mediation and Revised Development Proposals.

**Risk Management Considerations:**

Should Council resolve not to endorse the proposed modifications to the State Administrative Tribunal – Mediation and Revised Development Proposals Policy for the purpose of public advertising, matters will continue to be dealt with in accordance with the existing policy where possible.

**Financial/Budget Implications:**

Costs associated with advertising any proposed amendment to the policy in the local newspaper, and notice of any final adoption of the amended policy, will be approximately \$810.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Clause 8.11 of City of Joondalup District Planning Scheme No 2 requires a new policy or amendment to a policy to be advertised for public comment for a period of 21 days. The proposed amendments would be advertised as follows:

- A notice published once a week for two consecutive weeks in the local newspaper; and
- A notice and documents placed on the City's website.

**COMMENT**

A review of the operation of the State Administrative Tribunal – Mediation and Revised Development Proposals Policy has indicated that the policy is operating reasonably well. However, modifications are proposed to decrease the procedural element of the policy, and to better reflect the high level position of the City on matters of this nature.

To update the policy in line with the current review of the policy manual, a number of formatting and wording improvements are proposed. The current policy showing tracked changes is provided as Attachment 1 to this report.

It is recommended that Council adopts the proposed modifications for the purpose of public consultation.

## **VOTING REQUIREMENTS**

Simple Majority.

## **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

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

- 1 ADOPTS the proposed amendments to the Development Proposals before the State Administrative Tribunal Policy as shown in Attachment 1 to Report CJ163-08/12, for the purpose of public advertising; and**
- 2 ADVERTISES the proposed amendments to the Development Proposals before the State Administrative Tribunal Policy for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 16 refers*

*To access this attachment on electronic document, click here: [Attach16brf140812.pdf](#)*

## **CJ164-08/12 SUBDIVISION AND DWELLING DEVELOPMENT ADJOINING PUBLIC SPACE, PEDESTRIAN ACCESSWAYS AND UNIFORM FENCING - SUBDIVISION POLICIES**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	57155, 44588; 00907; 101515
<b>ATTACHMENTS:</b>	Attachment 1 Draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy Attachment 2 Draft Closure of Pedestrian Accessways Policy Attachment 3 Uniform Fencing – Subdivision Policy

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### **PURPOSE**

The purpose of this report is to consider the draft Subdivision and Dwelling Development Adjoining Public Space and the draft Closure of Pedestrian Accessways policies, and revoking of the Uniform Fencing – Subdivision Policy.

### **EXECUTIVE SUMMARY**

The current Subdivision and Dwelling Development Adjoining Public Space, Pedestrian Accessways, and Uniform Fencing - Subdivision Policies have been operating since adoption in 2000, 2004 and 1999 respectively.

The operation of these policies has been reviewed, and it is considered that a greater consistency and clarity can be achieved by combining subdivision and design criteria that is currently spread across the three policies into one policy, being the draft Subdivision and Dwelling Development Adjoining Public Space. This then allows for the current Pedestrian Accessway Policy to address only the closure of pedestrian accessways (PAW), with the Uniform Fencing - Subdivision Policy able to be rescinded.

While the existing policies can be readily applied to new development, it is considered that the design provisions for development adjoining public space and PAWs within existing areas fall short in ensuring that security is provided for adjoining land owners. Amendments to these design provisions are proposed to address this, whilst still ensuring that the objectives of the draft policy are met.

It is noted that the majority of the provisions contained within the existing policies are proposed to be maintained within the draft policies, albeit with modifications as noted above.

*It is recommended that Council:*

- 1 *APPROVES the draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy and the draft Closure of Pedestrian Accessways Policy, as shown in Attachment 1 and Attachment 2 to Report CJ164-08/12, for the purpose of public advertising;*
- 2 *APPROVES the revocation of the Uniform Fencing – Subdivision Policy for the purpose of public advertising; and*
- 3 *ADVERTISES the draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy, the draft Closure of Pedestrian Accessways Policy, and the revocation of Uniform Fencing – Subdivision Policy, for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2.*

## **BACKGROUND**

The Subdivision and Dwelling Development Adjoining Public Space, Pedestrian Accessways and Uniform Fencing - Subdivision Policies have been operating since adoption in 2000, 2004 and 1999 respectively. There have been minimal amendments to the policies since they were adopted.

A summary of the current content of each policy is provided below:

### *Subdivision and Dwelling Development Adjoining Public Space*

- Subdivision of land surrounding public space;
- Landscaping of public space;
- Street lighting surrounding public space;
- Dwelling layout for development adjoining public space, including avoiding blank walls; and
- Design of fencing for development adjoining public space, with fencing visually permeable 750mm above natural ground level.

### *Pedestrian Accessways*

- Guidance on the configuration and design of PAWs in new subdivisions;
- Assessment criteria for the closure of PAWs;
- Dwelling layout for development adjoining public space, including avoiding blank walls; and
- Development requirements and fencing adjoining PAWs, with fencing required to be visually permeable 750mm above natural ground level.

### *Uniform Fencing – Subdivision*

- Guidance on the subdivision and development of land adjoining major road reserves; and
- Design of uniform fencing, being a maximum height of 1.8 metres and use of a variety of materials.

In November 2009 the Western Australian Planning Commission released the Reducing Crime and Anti-Social Behaviour in Pedestrian Accessways planning guidelines. The guidelines outline the approach for developing and refining designing out crime practices to reduce crime and anti-social behaviour in PAWs. These guidelines, in addition to other State Planning Policies, have been given consideration in the review of the policies.

In recent times, the City has supported a number of development applications for portions of fencing to be solid adjacent to public space and PAWs for a number of reasons including screening to service areas (for example clothes drying areas) and more sensitive outdoor living areas (for example pools). The existing policies do not provide guidance on fencing within existing areas.

The City has also had concerns regarding loss of privacy and security expressed by land owners who are electing to retain dilapidated fencing in some instances rather than upgrading and improving the appearance of the public space or PAW.

## **DETAILS**

The proposed modifications involve the relocating of guidelines currently contained within the Pedestrian Accessway Policy and Uniform Fencing -Subdivision Policy to the draft Subdivision Development Adjoining Areas of Public Space Policy. The Pedestrian Accessway Policy is then proposed to deal specifically with the closure of PAWs.

All information contained within the Uniform Fencing - Subdivision Policy is now proposed to be contained within the draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy and can therefore be rescinded.

The format of the draft policies has been updated in line with the current review of the policy manual. In addition, changes to the details within the policies have been made, and are outlined below:

### Draft Subdivision and Dwelling Development Adjoining Areas of Public Space

- Encouragement for retaining to a height of 500mm as part of a subdivision to elevate and provide a distinction between public and private space;
- Allowance for fencing adjacent public space to be solid for a height of 1.8 metres for up to 50% of the boundary length. The remaining 50% is to be visually permeable 1.2 metres above natural ground level;
- Development adjoining areas of public space to include a major opening or outdoor living area which offers surveillance to the public space;
- Inclusion of a required width of a PAW at a cul-de-sac head to be the minimum width of an accessway under State Planning Policy DC 2.6 – *Residential Road Planning (11.5 metres to 15 metres)*; and
- Fencing adjacent PAWs to be 1.8 metres high with the exception of the street setback area or to the front building line (whichever is the greater).

### Draft Closure of Pedestrian Accessways

- Change to the name of the policy to reflect the content;
- Landscaping and lighting to be designed having regard to the requirements of Crime Prevention Through Environmental Design and Reducing Crime and Anti-Social Behaviour in Pedestrian Accessways planning guidelines; and
- Conversion of impact assessment into table format.

**Issues and options considered:**

Council has the option to:

- Advertise the draft policies for public comment;
- Advertise the draft policies for public comment with modifications; or
- Not support the advertising of the modified policies for public comment.

If the draft policies are not advertised, the review of the policies will not proceed, and the current policies will be retained.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                      City of Joondalup District Planning Scheme No 2.

Clause 8.11 of City of Joondalup District Planning Scheme No 2 enables Council to prepare, modify and rescind local planning policies that relate to any planning and development matter within the Scheme area.

**Strategic Plan**

**Key Focus Area:**        The Built Environment.

**Objective:**                4.1    To ensure high quality urban design within the City.

**Policy:**

City Policy – Subdivision and Dwelling Development Adjoining Public Space  
City Policy – Pedestrian Accessways  
City Policy – Uniform Fencing - Subdivision  
State Planning Policy DC 2.6 – Residential Road Planning  
State Planning Policy DC 2.2 - Residential Subdivision

The above state planning policies provide recommendations on the creation of PAWs, public space and subdivision of land adjoining areas of public space. The policies have been drafted having regard to these state planning policies.

**Risk Management Considerations:**

Should the draft policies not be adopted, it is considered there is minimal risk given that much of the information contained within the draft policies is covered under the current policies. However, the draft policies aim to provide greater clarity on the process and matters considered in request for closures of PAWs, as well as improved development requirements to owners of sites adjoining public space.

**Financial/Budget Implications:**

Costs associated with advertising any proposed amendments to the policies in the local newspaper, and notice of any final adoption of the amended policies will be approximately \$810.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy has been designed to ensure that surveillance and perceived safety of public space is provided, enhancing both the amenity and safety of the public environment.

The draft Closure of Pedestrian Accessways Policy ensures that appropriate consideration is given to the role of a PAW in the context of the pedestrian environment and access to key community facilities, particularly by aged persons.

**Consultation:**

Clause 8.11 of City of Joondalup District Planning Scheme No 2 requires any amendment to a policy to be advertised for public comment for not less than 21 days, including a notice published once a week for two consecutive weeks in the local newspaper.

**COMMENT**

Key changes to the existing policies are discussed below:

**Format Modification**

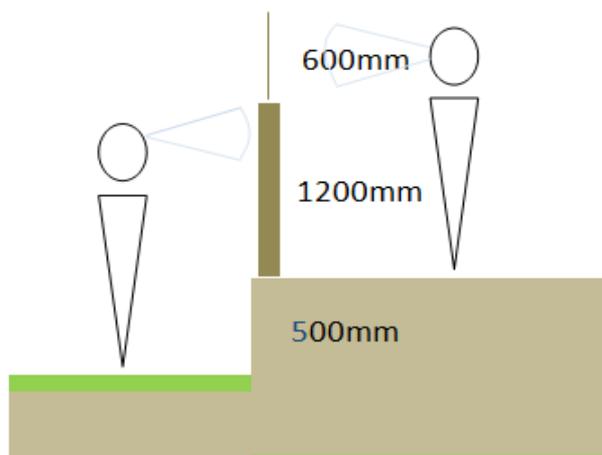
The proposed modifications involve the relocation of guidelines currently contained within the Pedestrian Accessway Policy and Uniform Fencing - Subdivision Policy to the draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy. The Pedestrian Accessway Policy is then proposed to deal specifically with the closure of PAWs.

All information contained within the Uniform Fencing - Subdivision Policy is now proposed to be contained within the draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy and can therefore be revoked.

In addition to this, the draft policies have been updated to be in line with the current review of the policy manual, including a number of formatting and wording improvements. These proposed modifications do not change the intent or requirements of the policies.

**Retaining walls and fill adjacent public space**

To provide a distinction between public and private space, developers are encouraged to provide retaining walls and fill to a height of 500mm. This would also assist in providing privacy for the private space by the 1.2 metre high fencing having a height of 1.7 metres as viewed from the public space, whilst still allowing surveillance from the private space as demonstrated in the figure below.



### Surveillance of public space

The current policy requires fencing adjacent public space to be visually permeable 750mm above natural ground level for the total boundary length. This presents a number of issues, including:

- Reduced security for spas and pools;
- Any service areas (for example clothes drying area) for existing development are not screened from view; and
- Where dwellings are designed to take advantage of solar access meaning that their outdoor and main living areas are all orientated to front the open space, there is no privacy afforded. This has the potential for dwellings being designed not taking advantage of solar orientation principles.

To address the above, the draft policy allows for the provision of solid fencing to be 1.8 metres for 50% of the boundary length, with the remainder of the fencing required to be visually permeable above 1.2 metres above natural ground level. In addition, the draft policy also requires that a minimum of a major opening (living or bedroom window) or outdoor living area provide surveillance of the public space. It is considered that this still allows there to be adequate surveillance of the public space whilst affording the residents of the adjoining property a degree of privacy for more private outdoor living areas for example swimming pools.

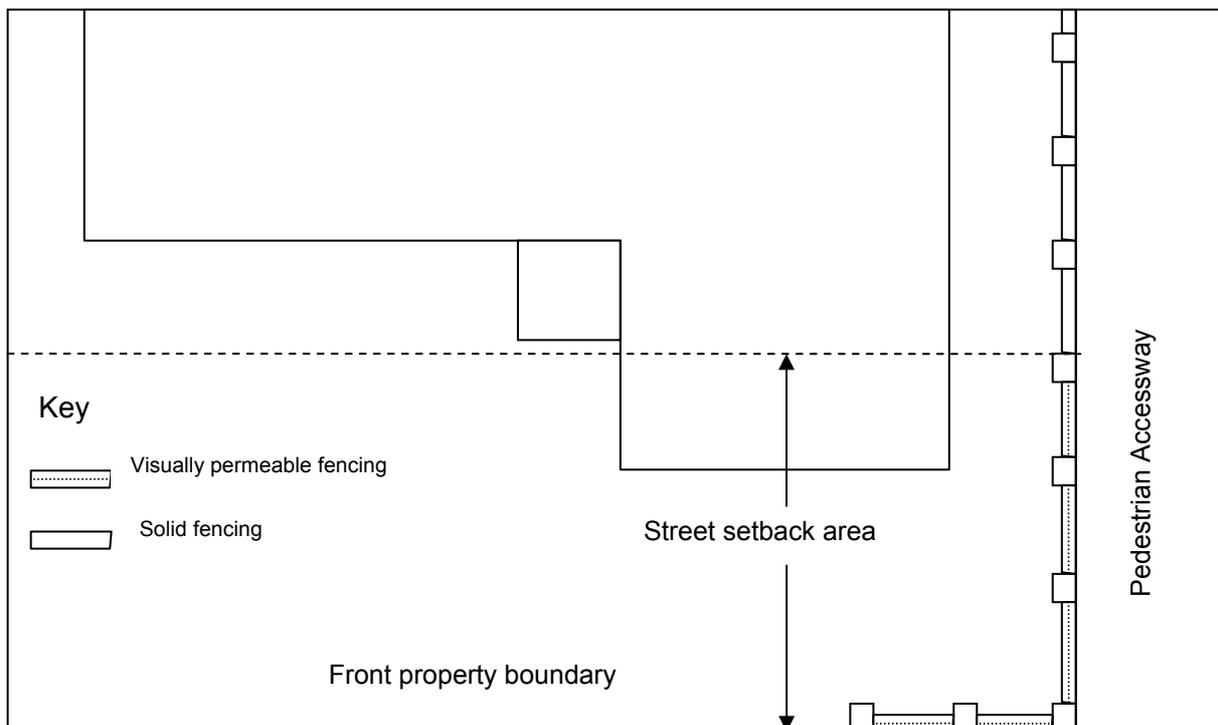
### Surveillance of pedestrian accessways

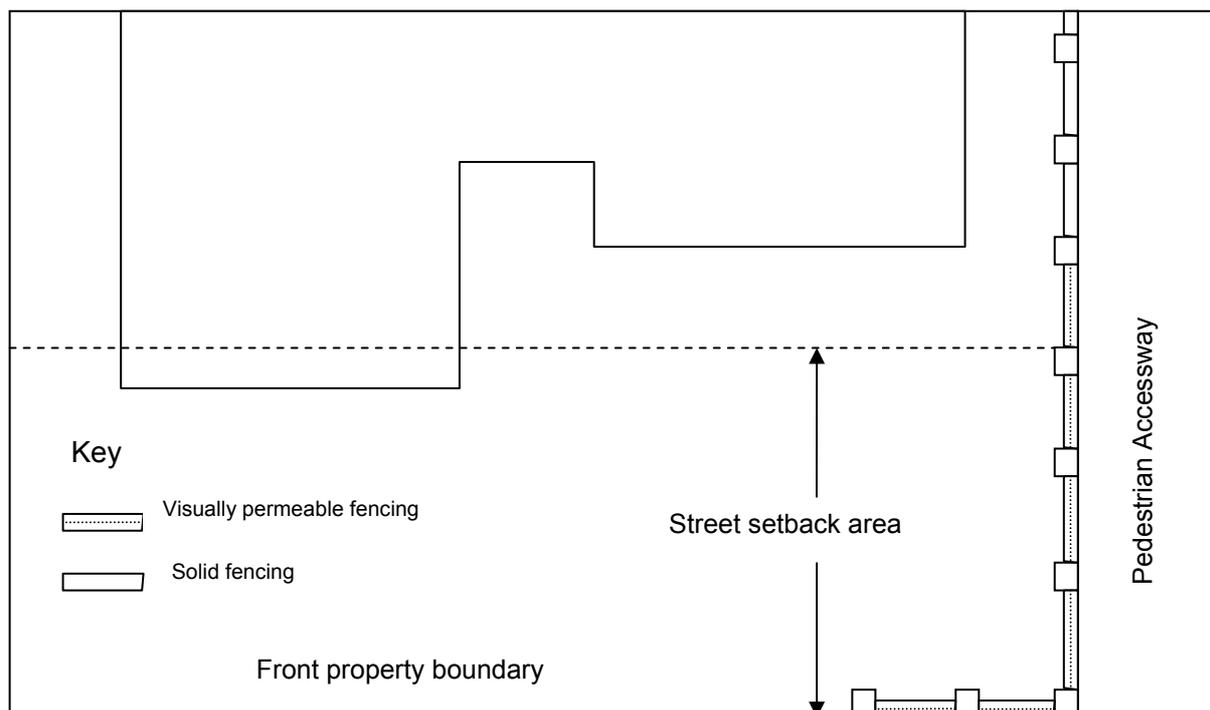
The current policy requires fencing adjacent to PAWs to be visually permeable 750mm above natural ground level for the length of the boundary. Whilst this was introduced to enhance surveillance and safety of PAWs, it is considered to be counterproductive in that it does not afford an appropriate level or perception of security for adjoining land owners.

The Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways and Crime Prevention through Environmental Design planning guidelines recognise that surveillance of pedestrian paths is important, however should not compromise privacy of private space and surveillance should only be encouraged from open space areas. The Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways and Crime Prevention through Environmental Design planning guidelines states that surveillance of existing PAW's can be improved by:

- Installing permeable fencing where appropriate (such as where the pedestrian access way abuts public rather than private space) to improve sightlines; and
- Increase opportunities for passive surveillance through overlooking where possible.

Given the above guidelines, and concerns raised since the adoption of the policy regarding security and loss of privacy for adjoining land owners it is considered appropriate that fencing adjacent PAW's be permitted to a height of 1.8 metres. However, to ensure that surveillance is maximised whilst still providing security and privacy, it is recommended that fencing within the street setback area or to the front building line of the adjoining dwelling be visually permeable 1.2 metres above natural ground level the greater of the street setback area or the front building line as demonstrated in the figures below:





In addition to the fencing requirement, to maximise the opportunity for passive surveillance without compromising privacy for adjoining properties it is recommended that dwellings greater than one storey in height provides a major opening (for example living or bedroom window), or unenclosed outdoor living area (for example balcony) on the upper floor(s) which overlook the accessway.

#### Creation of pedestrian accessways

Whilst the draft policy still outlines that the creation of PAWs is generally not supported, in instances where they are warranted they shall be designed having regard to the provisions of the draft policy and the principles of Crime Prevention through Environmental Design and Reducing Crime and Anti-Social Behaviour in Pedestrian Accessways planning guidelines. This includes landscaping and lighting to minimise the chance of anti-social behaviour.

A minimum width has also been specified where a PAW is to be created at a cul de sac head, being equal to the width of an access way under State Planning Policy 2.6 – Residential Road Planning (11.5 metres to 15 metres).

#### **VOTING REQUIREMENTS**

Simply Majority.

#### **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council:**

- 1 APPROVES the draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy and the draft Closure of Pedestrian Accessways Policy, as shown in Attachment 1 and Attachment 2 to Report CJ164-08/12, for the purpose of public advertising;**
- 2 APPROVES the revocation of the Uniform Fencing – Subdivision Policy for the purpose of public advertising; and**
- 3 ADVERTISES the draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy, the draft Closure of Pedestrian Accessways Policy, and the revocation of Uniform Fencing – Subdivision Policy, for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 17 refers*

*To access this attachment on electronic document, click here: [Attach17brf140812.pdf](#)*

## **CJ165-08/12      REVIEW OF ENVIRONMENTALLY SUSTAINABLE BUILDINGS AND ENVIRONMENTALLY SUSTAINABLE BUILDINGS IN THE CITY OF JOONDALUP POLICIES**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	21452
<b>ATTACHMENTS:</b>	Attachment 1      Environmentally Sustainable Design Policy Attachment 2      Environmentally Sustainable Design for City Buildings Policy

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### **PURPOSE**

The purpose of this report is to advise of the issues regarding combining the Environmentally Sustainable Buildings and Environmentally Sustainable Buildings in the City of Joondalup Policies into one policy.

### **EXECUTIVE SUMMARY**

The City has recently undertaken a review of the Policy Manual. As part of this review, the Environmentally Sustainable Buildings Policy (adopted 2010) and the Environmentally Sustainable Buildings in the City of Joondalup Policy (adopted 2011) were proposed to be updated in line with the new standard policy template. However, at its 7 May 2012 meeting, the Policy Committee requested that a separate report be prepared with the intention that the two policies be combined.

The policies are prepared and adopted under different legislation: the Environmentally Sustainable Buildings Policy under the *Local Government Act 1995* and the Environmentally Sustainable Buildings in the City of Joondalup Policy under the City of Joondalup District Planning Scheme No 2. It is therefore not appropriate that the policies be combined.

It is, however, recommended that the policies be updated in line with the current review of the Policy Manual, including several formatting and wording improvements and a change of name to better reflect the purposes of the policies.

### **BACKGROUND**

The Environmentally Sustainable Buildings Policy was adopted by Council in October 2010 (CJ174-10/10 refers). The Environmentally Sustainable Buildings in the City of Joondalup Policy was adopted by Council in March 2011 (CJ041-03/11 refers).

The City has recently undertaken a review of the Policy Manual. As part of this review the above two policies were proposed to have minor amendments in line with the new standard policy template. The Policy Committee resolved at its meeting of May 2012 as follows:

“5.3 *REQUESTS separate reports be presented to the next meeting of the Policy Committee on the following policies:*

5.3.2 *the Environmentally Sustainable Design Policy and the Environmentally Sustainable Design for City Buildings Policy with the intention that the two policies be combined;”*

## **DETAILS**

The Environmentally Sustainable Buildings in the City of Joondalup Policy applies to the construction and redevelopment of residential, commercial and mixed-use buildings (excluding Single and Grouped Dwellings) in the City of Joondalup.

The Environmentally Sustainable Buildings Policy only relates to City-owned buildings. However, the Environmental Sustainable Design (ESD) principles applying to the buildings are almost the same.

One of the main differences between the two policies is that the Environmentally Sustainable Buildings in the City of Joondalup Policy is a Local Planning Policy prepared and adopted under Clause 8.11 of City of Joondalup District Planning Scheme No 2 whereas the Environmentally Sustainable Buildings Policy is a Council Policy prepared under the *Local Government Act 1995*.

Both policies have been updated in line with the current review of the policy manual, therefore several formatting and wording improvements are proposed. These proposed modifications are highlighted in red underlined (additions) and black strikethrough (deletions) as shown in Attachments 1 and 2.

### **Issues and Options Considered:**

Council has the option to:

- Retain the existing policies with minor modifications; or
- Revoke the Environmentally Sustainable Buildings Policy and incorporate into the Environmentally Sustainable Buildings in the City of Joondalup Policy.

### **Legislation/Strategic Plan/Policy Implications**

**Legislation**                      *Local Government Act 1995.*

Clause 8.11 of City of Joondalup District Planning Scheme No 2 enables Council to prepare, amend and add to local planning policies that relate to any planning and development matter within the Scheme area.

### **Strategic Plan**

**Key Focus Area:**      The Natural Environment.

**Objective:**              To ensure that the City’s natural environmental assets are preserved, rehabilitated and maintained.

**Key Focus Area:**      The Built Environment.

**Objective:** To ensure high quality urban development within the City.

**Policy:** Environmentally Sustainable Buildings Policy.  
Environmentally Sustainable Buildings in the City of Joondalup Policy.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

Costs associated with advertising any proposed amendment to a local planning policy in the local newspaper, and notice of any final adoption of the amended policy, will be approximately \$810.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The policies provide encouragement for the integration of environmentally sustainable design principles into new buildings and redevelopments in the City of Joondalup which would support the environmental sustainability of the City and help to reduce greenhouse gas emissions.

**Consultation:**

Clause 8.11 of City of Joondalup District Planning Scheme No 2 requires a new Local Planning Policy or amendment to a Local Planning Policy to be advertised for public comment for a period of 21 days. The proposed amended policy would be advertised as follows:

- A notice published once a week for two consecutive weeks in the local newspaper; and
- A notice and documents placed on the City's website.

**COMMENT**

It is not considered appropriate that the Environmentally Sustainable Buildings in the City of Joondalup Policy and the Environmentally Sustainable Buildings Policy be combined as they are prepared and adopted under different legislation.

Public works by a public authority are exempt from requiring planning approval, therefore any works carried out by the City of Joondalup regarding the construction or renovation of a City owned or managed building do not require planning approval. The policy could not be 'enforced' as a Local Planning Policy.

If the policies were to be combined, the new policy would be trying to control development that has no legislative base to control. It is therefore not considered appropriate to combine the policies.

It is however still considered appropriate to maintain the two policies as the policies provide guidance to internal and external stakeholders as to what the City's expectations are in regard to environmentally sustainable development within the City.

It is also recommended that the policies are updated in line with the current review of the policy manual, including several formatting and wording improvements and a change of name to better reflect the purposes of the policies.

## **VOTING REQUIREMENTS**

Simple Majority.

## **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

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

- 1 APPROVES the proposed amendments to the Environmentally Sustainable Design Policy as shown in Attachment 1 to Report CJ165-08/12 for the purpose of public advertising;**
- 2 ADVERTISES the proposed amendments to the Environmentally Sustainable Design Policy for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2; and**
- 3 ADOPTS the proposed amendments to the Environmentally Sustainable Design for City Buildings Policy as shown in Attachment 2 to Report CJ165-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 18 refers*

*To access this attachment on electronic document, click here: [Attach18brf140812.pdf](#)*

## **CJ166-08/12      INSTALLATION      OF      TELECOMMUNICATIONS FACILITIES      POLICY      –      CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER:</b>	101289, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Draft Installation of Telecommunications Facilities Policy
	Attachment 2	Schedule of Submissions

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### **PURPOSE**

The purpose of this report is to consider the submissions received during the public advertising of the draft Installation of Telecommunications Facilities Policy and to decide whether to adopt the policy as final.

### **EXECUTIVE SUMMARY**

Council at its meeting held on 22 November 2011 (CJ204-11/11 refers), resolved that a report be prepared on a review of the Telecommunication Facilities policy to provide greater clarity with respect to the definition of the term 'vicinity'. As a result of the review undertaken a modified policy was presented to Council at its meeting held on 15 May 2012, to seek approval for the purpose of public advertising (CJ093-05/12 refers).

Council resolved to approve the proposed modifications to the Telecommunications Policy for the purpose of public advertising with changes. The changes included modifying the existing advertising radius of 500 metres to 400 metres and replacing the term 'vicinity' with 'unnecessarily close'.

The policy was advertised for a period of 21 days, closing 28 June 2012. One submission was received being a comment regarding the suitability of the proposed 400 metres advertising radius.

The proposed modifications to the policy, including the changes requested by Council prior to advertising, aim to provide clarity as well as update the policy in line with the current policy manual review.

*It is recommended that Council:*

- 1      In accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified Installation of Telecommunications Facility policy, as outlined in Attachment 1 to Report CJ166-08/12; and*
- 2      ADVISES the submitter of Council's decision.*

## BACKGROUND

The Telecommunications Facilities Policy has been in operation since December 2002. Council at its meeting on 22 November 2011, resolved that a report be prepared on a review of the policy to provide greater clarity with respect to the definition of the term 'vicinity' (CJ204-11/11 refers). The policy has been reviewed and is generally considered to be operating well however, modifications have been made to provide additional factors in the Details section of the policy to assist Council in the determination of applications.

A draft modified policy was compiled taking into consideration a range of factors, including prevailing legislation, research material, recent State Administration Tribunal decisions and a general need to reformat the existing document in line with the current review of the policy manual. In considering the modifications for the purpose of advertising Council at its meeting held 15 May 2012 (CJ093-05/12 refers) resolved as follows:

- 1 *APPROVES the proposed amendments to the Telecommunications Policy as shown in Attachment 1 to this Report, for the purpose of public advertising, with the following changes;*
  - 1.1 *replace 'in the vicinity' with 'unnecessarily close to' in 3;*
  - 1.2 *replace '500' with '400' in 4.2; and*
  - 1.3 *insert an appropriate definition for 'non-low impact facility' in 2; and*
- 2 *ADVERTISES the proposed amendments to the Telecommunications Policy for public comment for a period of 21 days, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2.*

## DETAILS

The proposed modifications to the Telecommunications Facilities Policy are as follows:

- Define relevant terms such as 'telecommunications facility' and 'low impact facility';
- Replace the term 'vicinity' with 'unnecessarily close';
- Modify the advertising radius for the purpose of advising residents and landowners of the proposed facility; and
- Format and text changes in line with the current policy manual review.

The proposed modifications are outlined in Attachment 1.

### Issues and options considered:

Council has the option to:

- Adopt the policy as final;
- Adopt the draft policy as final, with modifications; or
- Refuse to adopt the policy.

### Legislation/Strategic Plan/Policy Implications

#### Legislation

Clause 8.11 of District Planning Scheme No 2 enables Council to prepare, amend and add to local planning policies that relate to any planning and development matter within the Scheme area.

**Strategic Plan**

**Key Focus Area:** The Built Environment.

**Objective:** 4.1 To ensure high quality urban design within the City.

**Policy:**

Telecommunications Facilities.

**Risk Management Considerations:**

There is a risk in placing a figure on the required setback of a telecommunications facility from sensitive areas as, whilst providing clarity with regard to the location of telecommunication facilities, this could have the undesirable effect of unjustifiably alarming surrounding residents and landowners in the area.

**Financial/Budget Implications:**

The costs associated with advertising the policy amendment in the local newspaper and to publicise the final adopted policy is expected to be approximately \$810. All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The modified policy was advertised for public comment for a period of 21 days, closing on 28 June 2012, as follows:

- A notice published in the Joondalup Weekender for two weeks; and
- A notice placed on the City's website.

One submission was received during the advertising period. The submission was in regard to the suitability of the proposed advertising radius of 400 metres in lieu of 500 metres.

**COMMENT**

One submission was received during the advertising period which was in regard to the proposed advertising radius of 400 metres. The submitter indicated that the radius should be retained at 500 metres to ensure the maximum number of people are consulted.

The proposed 400 metres radius is considered to be appropriate for the purpose of consulting with a large number residents and landowners on applications for telecommunications infrastructure. The 400 metres radius is used by the City when advertising other significant development applications and is therefore considered to be appropriate.

The proposed radius is not intended in any way to be indicative of the level of impact the facility may have on an area.

#### Format Modification

In addition to the modifications identified above, to update the policy in line with the current review of the policy manual, a number of formatting and wording improvements are proposed. These proposed modifications do not change the intent or requirements of the policy. These modifications are highlighted in red (additions) and black strikethrough (deletions) in Attachment 1.

#### Conclusion

The advertising of the modified Telecommunication Facilities Policy has not raised any issues that would warrant not proceeding with the proposal. It is recommended that the Installation of Telecommunication Facilities Policy as modified be adopted as final.

### **VOTING REQUIREMENTS**

Simple Majority.

### **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

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

- 1 In accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified Installation of Telecommunications Facility policy, as outlined in Attachment 1 to Report CJ166-08/12; and**
- 2 ADVISES the submitter of Council's decision.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 19 refers*

*To access this attachment on electronic document, click here: [Attach19brf140812.pdf](#)*

## **CJ167-08/12      MODIFIED SIGNS POLICY – CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	01907, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Signs Policy with modifications

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### **PURPOSE**

The purpose of this report is to consider the submissions received during the public advertising of the modified Signs Policy and decide whether to adopt the policy as final.

### **EXECUTIVE SUMMARY**

The Signs Policy has been in operation since October 2009 and provides guidance for the types and locations of signage within the City. The operation of the Signs Policy has been reviewed, and is generally operating well. It is considered, however, that the policy can be updated with additional provisions for inflatable signs, and the prohibition of illuminated variable message signs.

Council, at its meeting held on 20 March 2012 (CJ032-03/12 refers), resolved to advertise the modifications to the Signs Policy for a period of 21 days, closing 10 May 2012. No comments were received.

*It is recommended that Council, in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified Signs Policy, as outlined at Attachment 1 of Report CJ167-08/12.*

### **BACKGROUND**

Council, at its meeting held on 13 October 2009, adopted a new Signs Policy that provides guidance for the types and locations of signage within the City (CJ225-10/09 refers).

The Signs Policy has been in operation for two years and the review has found it is operating well. However, it has been identified that further clarification is required in regards to inflatable signage and variable message signs.

Council, at its meeting held on 20 March 2012 (CJ032-03/12 refers), resolved to advertise the modifications to the Signs Policy for a period of 21 days.

## DETAILS

The proposed modifications to the Signs Policy are as follows:

- Clarification that Inflatable Signs cannot be located at ground level, must not have moving parts, and that 'air dancer' signs are not permitted; and
- Addition of the category 'Illuminated Variable Message Signs' and prohibition of their use within the City.

The proposed modifications are outlined on pages 15 and 17 of Attachment 1.

### Issues and Options Considered:

Council has the option to:

- Adopt the draft policy as final;
- Adopt the draft policy as final, with modifications; or
- Refuse to adopt the policy.

### Legislation/Strategic Plan/Policy Implications

**Legislation** Clause 8.11 of the City of Joondalup District Planning Scheme No 2 enables Council to prepare, amend and add to the local planning policies that relate to any planning and development matter within the Scheme area.

### Strategic Plan

**Key Focus Area:** The Built Environment.

**Objective:** 4.1 – To ensure high quality urban design within the City.

**Policy:** The subject of this report is the modified Signs Policy.

### Risk Management Considerations:

Not Applicable.

### Financial/Budget Implications:

Costs associated with advertising any proposed amendment to the policy in the local paper, and notice of any final adoption of the amended policy, is approximately \$810.

### Regional Significance:

Not Applicable.

### Sustainability Implications:

Not Applicable.

**Consultation:**

The proposed policy was advertised for public comment for a period of 21 days, closing on 10 May 2012, as follows:

- A notice published in the Joondalup Times for two consecutive weeks; and
- A notice on the City's website.

No submissions were received during the advertising period.

**COMMENT**Proposed Modifications

The proposed modifications to the Signs policy are in regard to the location and type of inflatable signs that may be permitted and illuminated variable message signs being prohibited.

These signs are considered to be potentially distracting to passing motorists and therefore considered to be a hazard. They also contribute to visual clutter in the commercial and industrial areas. To reinforce this issue the State Administrative Tribunal in May 2012 dismissed an appeal against the City's refusal for the placement of a trailer mounted variable message sign board at 3 Winton Road, Joondalup fronting Joondalup Drive.

These modifications are highlighted in green in Attachment 1.

Format Modification

In addition to the modifications identified above, to update the policy in line with the current review of the policy manual, a number of formatting and wording improvements are proposed. These proposed modifications do not change the intent or requirements of the policy. These modifications are highlighted in red (additions) and black strikethrough (deletions) in Attachment 1.

Conclusion

The advertising of the modified Signs Policy has not raised any issues that would warrant not proceeding with the proposal. It is recommended that the Signs Policy as modified be adopted as final.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified Signs Policy, as outlined at Attachment 1 of Report CJ167-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 20 refers*

*To access this attachment on electronic document, click here: [Attach20brf140812.pdf](#)*

## **CJ168-08/12 CUBBY HOUSES POLICY - CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER:</b>	74619, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Draft Cubby Houses Policy
	Attachment 2	Schedule of Submissions

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### **PURPOSE**

The purpose of this report is to consider the submissions received during the public advertising of the amended Cubby Houses Policy and to decide whether to adopt the policy as final.

### **EXECUTIVE SUMMARY**

At its meeting held on 15 May 2012 (CJ093-05/12 refers) Council resolved to approve the amended Cubby Houses Policy for the purpose of advertising for a period of 21 days. The amended policy seeks to introduce a provision for assessing visual privacy where the floor level of a cubby house is to be raised more than 0.5 metres above natural ground level. The amended policy, as advertised, proposes a setback distance of 4.5 metres to openings where the cubby house floor level is more than 0.5 metres above natural ground level. The proposed amendment, if implemented, will address a fundamental shortcoming in the existing policy.

The amended Cubby Houses Policy was advertised for 21 days from 7 to 28 June 2012, inclusive. A comment of support was received in regard to the proposed policy amendment.

The Cubby Houses Policy, if adopted in its revised form, will represent a more comprehensive and effective planning tool. It is the recommendation of this report, therefore, that the revised Cubby Houses Policy, reflecting the amendments supported by Council on 15 May 2012, be adopted as final.

### **BACKGROUND**

Council at its meeting held on 17 February 2009 adopted the Cubby Houses Policy. The policy was prepared to provide guidance on the acceptable standards for the erection of cubby houses, as well as to clarify when cubby houses require planning approval.

The Cubby Houses Policy has been operating well, however it has been found that provisions are required in regard to the visual privacy setbacks. The current policy does not include any provisions to address visual privacy where cubby house floor levels are raised more than 0.5 metres above natural ground level. Currently, the only way to assess visual privacy is through the R-Codes, which were designed for normal dwellings and not cubby houses. Accordingly, the new draft policy incorporates the following important provision:

*“For cubby houses with a floor level of more than 0.5 metres above natural ground level, openings or balconies shall be set back 4.5 metres from the boundary, or screened in accordance with the Residential Design Codes.”*

In addition to the incorporation of the abovementioned provision the policy has been partially restructured so as to clearly differentiate between ‘Structures Not Requiring Planning Approval’ and ‘Structures Requiring Planning Approval’. Various editorial amendments have also been made to the policy document in an effort to rationalise terminology.

Council at its meeting held on 15 May 2012 (CJ093–05/12 refers) resolved to advertise the modifications to the Cubby Houses Policy for a period of 21 days.

## **DETAILS**

The proposed modifications to the Cubby Houses Policy are as follows:

- Addition of criteria to address visual privacy;
- Restructure of policy into ‘Structures Not Requiring Planning Approval’ and ‘Structures Requiring Planning Approval’; and
- Format modifications in line with the current review of the policy manual.

The proposed modifications are outlined in Attachment 1.

### **Issues and Options Considered:**

Council has the option to:

- Adopt the policy as final;
- Adopt the policy as final, with modifications; or
- Refuse to adopt the policy.

### **Legislation/Strategic Plan/Policy Implications**

**Legislation** Clause 8.11 of District Planning Scheme No 2 enables Council to prepare, amend and add to local planning policies that relate to any planning and development matter within the Scheme area.

### **Strategic Plan**

**Key Focus Area:** The Built Environment.

**Objective:** 4.1 - To ensure high quality urban design within the City.

**Policy** Cubby Houses.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

The costs associated with advertising the policy amendment in the local newspaper and to publicise the final adopted policy is expected to be approximately \$810.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The amended policy was advertised for public comment for a period of 21 days, closing on 28 June 2012, as follows:

- A notice published in the Joondalup Times for two consecutive weeks; and
- A notice placed on the City's website.

One submission of no objection was received during the advertising period.

**COMMENT**

Since the policy amendments were brought before the Council on 15 May 2012, no objections were received during the advertising period. Accordingly, the modified policy remains unchanged from that advertised for comment in June 2012.

The revised policy under consideration represents an improvement on the current version as it establishes additional criteria for assessing cubby house applications that require planning approval. More specifically, the principal additional criteria provides that for cubby houses with a floor level in excess of 0.5 metres above natural ground level, openings and balconies shall be set back 4.5 metres from the boundary, or screened in accordance with the Residential Design Codes.

It is considered that 4.5 metres is an appropriate setback distance as it must be recognised that a cubby house is a children's play house and not a habitable room or outdoor living area. This setback provision will provide some separation between the cubby house and adjoining property and help to reduce any perceived adverse impacts on the adjoining property due to potential overlooking.

### Format Modification

To update the policy in line with the current review of the policy manual, a number of formatting and wording improvements are proposed. These proposed modifications are highlighted in red underlined (additions) and black strikethrough (deletions) in Attachment 1. These proposed modifications do not undermine the philosophy or the intent of the policy, but rather represent a further refinement of an evolving document. The refined policy will benefit both prospective applicants and assessing officers.

It is recommended that the Cubby House Policy, as modified (See Attachment 1), be adopted as final.

### **VOTING REQUIREMENTS**

Simple Majority.

### **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

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

- 1 In accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2, ADOPTS as final the modified Cubby Houses Policy as outlined in Attachment 1 to Report CJ168-08/12; and**
- 2 ADVISES the submitter of Council's decision.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 21 refers*

*To access this attachment on electronic document, click here: [Attach21brf140812.pdf](#)*

## **CJ169-08/12      DISPOSAL OF SURPLUS ASSETS (MINOR) POLICY MAJOR REVIEW**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	101267, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Revised Disposal of Surplus Assets (Minor) Policy

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### **PURPOSE**

To consider the proposed amendments to the Disposal of Surplus Assets (Minor) Policy as a result of the 2011 Policy Manual review process.

### **EXECUTIVE SUMMARY**

During the 2011 Policy Manual review, the Disposal of Surplus Assets (Minor) Policy was identified as requiring several significant amendments to:

- Allow the Chief Executive Officer to apply discretion to undertake an application process for disposing of surplus minor assets;
- To incorporate a definition of minor assets that aligns to current accounting practices; and
- Amend the title for improved readability.

The policy was first introduced in March 2002 as a means of disposing of surplus personal computers to community groups and education providers. During the 2005 Policy Manual review, the policy was expanded to incorporate any surplus minor assets identified by the Chief Executive Officer at his/her discretion.

A major gap in the policy was recently identified relating to a definition of a minor asset. Further issues were also raised regarding a compulsory application process for disposing of minor assets, which may be considered burdensome in some circumstances. In light of these issues, it is proposed that Council adopts the amended Disposal of Surplus Assets (Minor) Policy (to be renamed the Disposal of Minor Surplus Assets Policy), in the format provided in Attachment 1 of this report.

### **BACKGROUND**

A review of the Policy Manual was conducted in 2011 to assess all current policies against the following criteria:

- 1 Consistency — with regard to language, style and format.
- 2 Relevance — in terms of new plans and strategies that now supersede previously endorsed positions within existing policies.
- 3 Duplication — identified sections of policies that duplicate other policies, City plans and strategies, local laws, and/or State legislation.
- 4 Operational content — identified sections of policies deemed as being too operational and therefore more appropriate to be incorporated into a City protocol or operational plan.

As a result of the review process, a standardised policy format was developed and current policies were categorised as requiring either:

- Minor amendments (changes that do not impact on the application of the policy); or
- Major amendments (significant changes that alter the City's position on an issue or matter).

The Disposal of Surplus Assets (Minor) Policy was identified as a policy requiring major review based on the omission of an appropriate definition for a minor asset. A major policy review schedule was developed and recently noted by Council (CJ093-05/12 refers), where the Disposal of Surplus Assets (Minor) Policy was listed for consideration by the Policy Committee at its May 2012 meeting. Due to the significant size of the May Policy Committee meeting agenda, a revised schedule was developed, listing this policy for consideration by the Policy Committee in August 2012. In accordance with the revised schedule, this report outlines the proposed amendments to this policy and the justification for the proposed changes.

## **DETAILS**

### ***Policy History***

The policy originated as a Disposal of Surplus Personal Computers Policy when it was first adopted by Council in March 2002 (CJ060-03/02 refers). It served as a mechanism for identifying community groups and education providers as appropriate recipients of surplus computer assets following upgrade processes. This ensured that surplus minor assets were sustainably disposed of and reused by local community groups that may require support and assistance for undertaking community activities.

During the 2005 Policy Manual review, the scope of the policy was broadened to incorporate any form of minor asset and as such, its title was consequently amended to become the Disposal of Surplus Assets (Minor) Policy. No further amendments have been made to the policy since 2005.

### ***Proposed Amendments***

As part of the 2011 Policy Manual review, it was noted that the application process for disposing of minor assets was compulsory in all circumstances within the policy. The application process was originally introduced to the policy to ensure the equitable distribution of surplus minor assets to community groups where high demand is present. Given that this demand will not always be high and that some minor assets (such as excess files or stationery, and the like), would not benefit from being subjected to such an involved process, it is proposed that the policy be amended to allow the Chief Executive Officer the discretion to determine whether an advertised application process is necessary. This aims to improve efficiency and reduce the amount of resources required to undertake an application process that may be considered excessive in some circumstances.

In addition to minor amendments to enhance readability (including a minor title adjustment), it was also identified that no definition of a 'minor asset' was currently contained within the policy. As such, it is proposed that an application statement be introduced that aligns the definition of a minor asset to the current Western Australian Local Government Accounting Manual. This document defines a minor asset to be any asset with an acquisition value below the local government's capitalisation threshold, which for the City, is anything below \$5,000.

**Issues and options considered:**

Council has the option to:

- 1 Adopt the proposed amendments to the Disposal of Surplus Assets (Minor) Policy, as outlined in Attachment 1;
- 2 Request further modifications to the Disposal of Surplus Assets (Minor) Policy; or
- 3 Retain the policy in its current format.

It is recommended that option 1 be adopted by the Council.

**Legislation/Strategic Plan/Policy Implications**

**Legislation:** *Local Government (Financial Management) Regulations 1996.*

**Strategic Plan:**

**Key Focus Area:** Leadership and Governance.

**Objective:** 1.3 - To lead and manage the City effectively.

**Policy:**

This report outlines the outcome of a review of the current Disposal of Surplus Assets (Minor) Policy.

**Risk Management considerations:**

The policy currently contains a position on risk which states that no risk liability is to be attached to any minor assets provided to groups through the disposal process. Examples of risks the City would associate with undertaking a process to distribute surplus assets include:

- Electrical items providing a fire risk;
- IT equipment holding sensitive/confidential information;
- Authorisation/recording processes;
- Misappropriation of surplus assets; and
- Perceptions that assets are distributed inequitably.

The City's current Risk Management Framework and associated processes provide a system for ensuring that potential risks to the City are minimised.

**Financial/Budget Implications:**

The City receives no money for the minor assets it disposes of, but ensures they are sustainably reused by identified community groups. If an application process is utilised, some costs are incurred to advertise and process applications. Proposed amendments to this policy aim to reduce some of these costs in circumstances where the cost-benefit outcome of undertaking such a process is considered low.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Encouraging the re-use of surplus minor assets ensures that waste is diverted from land fill in accordance with the City's commitment to environmentally sustainable outcomes.

**Consultation:**

Not Applicable.

**COMMENT**

Not Applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council ADOPTS the proposed amendments to the Disposal of Surplus Assets (Minor) Policy, as outlined in Attachment 1 of Report CJ169-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 22 refers*

*To access this attachment on electronic document, click here: [Attach22brf140812.pdf](#)*

**CJ170-08/12 COMMUNITY FUNDING POLICY MAJOR REVIEW**

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<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	39290, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Revised Community Funding Policy

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**PURPOSE**

To consider proposed amendments to the Community Funding Policy as a result of the 2011 Policy Manual review process.

**EXECUTIVE SUMMARY**

During the review of the Policy Manual in 2011, the Community Funding Policy was identified as requiring significant amendments to:

- update the Community Funding Program categories;
- reflect the current period for determining funding priorities;
- align the policy to the new standardised policy template;
- remove administrative elements from the policy; and
- expand the policy to incorporate ongoing, Council endorsed funding programs delivered by the City, in addition to its core Community Funding Program.

The policy was first introduced in 1999 as a framework for delivering the strategic and accountable allocation of funds to community groups, organisations and individuals requiring financial assistance. It has since been amended on several occasions, with the most recent amendments adopted in 2005 during the last Policy Manual review process.

As a consequence of the six year period between reviews, there are several elements of the policy that are significantly out of date.

*It is therefore recommended that Council adopts the proposed amendments to the Community Funding Policy, as outlined in Attachment 1 of Report CJ170-08/12.*

**BACKGROUND**

A review of the Policy Manual was conducted in 2011 to assess all current policies against the following criteria:

- 1 Consistency — with regard to language, style and format.
- 2 Relevance — in terms of new plans and strategies that now supersede previously endorsed positions within existing policies.
- 3 Duplication — identified sections of policies that duplicate other policies, City plans and strategies, local laws, and/or State legislation.

- 4 Operational content — identified sections of policies deemed as being too operational and therefore more appropriate to be incorporated into a City protocol or operational plan.

As a result of the review process, a standardised policy format was developed and current policies were categorised as requiring either:

- Minor amendments (changes that do not impact on the application of the policy); or
- Major amendments (significant changes that alter the City's position on an issue or matter).

The Community Funding Policy was identified as requiring major amendments, based on a preliminary review of its relevance and last review date. A major policy review schedule was developed and recently noted by Council (CJ093-05/12 refers), where the Community Funding Policy was listed for consideration by the Policy Committee at its May 2012 meeting. Due to the significant size of the May Policy Committee meeting agenda, a revised schedule was developed, listing this policy for consideration by the Policy Committee in August 2012. In accordance with the revised schedule, this report outlines the proposed amendments to this policy and the justification for the proposed changes.

## **DETAILS**

### ***Policy History***

The Community Funding Policy was first adopted by the Joint Commissioners in 1998 with an endorsed application date of 1 July 1999, (aligning with the establishment of the Cities of Joondalup and Wanneroo following their split). The impetus for the policy followed an audit process that reviewed the City's approach to allocating subsidies and financial assistance to community groups and individuals. The findings of the audit highlighted inconsistent practices with regard to community funding allocations and recommended the development of a strategic and accountable process that followed clear guidelines in the assessment and distribution of these funds.

The first iteration of the Community Funding Policy identified six funding categories: sport and recreation development; culture and the arts development; environmental improvement; community services; sponsorship; and economic development. General funding guidelines, eligibility requirements, funding program promotions, reporting requirements and delegated authorities for decision making were also covered in the policy.

In September 1999, the policy was reviewed again (CJ303-09/99 refers), incorporating several minor amendments as well as introducing a reference to infrastructure funding and removing references to individuals, ensuring that only incorporated bodies were eligible for funding, (although organisations could still apply for funding on behalf of an individual).

Further minor amendments were also endorsed by Council in September 2001 (CJ298-09/01 refers), before a major review was conducted as part of the Policy Manual Review in 2005. During this review process (CJ206-10/05 refers), Council endorsed the consolidation of the Sports Development Program Policy and Junior and Disabled Sport and Recreation Donations Policy into the existing Community Funding Policy and increased the Chief Executive Officer's delegated authority from \$2,500 to \$10,000. Procedural matters were also removed at this stage, which significantly reduced the length and breadth of the policy as most of the detail was contained within existing funding guidelines.

### ***Proposed Amendments***

As a result of the current Policy Manual review process, several amendments are recommended to the Community Funding Policy to better reflect the City's current approach to community funding and the extent of the funding programs the City delivers on an annual basis. The rationale for expanding the policy in this manner is to ensure transparency and to enhance external stakeholders' understanding of the application of City-managed grant programs.

With this in mind, the following amendments are recommended as outlined in Attachment 1 of this report:

- Introduction of a clear policy statement, (in accordance with the new standardised policy template), that outlines the City's role as a facilitator and supporter of sustainably managed community-based organisations and to recognise the achievements of community members and groups;
- A new policy format that differentiates funding programs and outlines their relationship to each other. Those programs being: the Community Funding Program, specific sport and recreation funding programs and specific culture and arts funding programs;
- Outlining the current categories of the Community Funding Program, namely, community development, culture and arts development, sport and recreation development and environmental development;
- Brief outline of what items and activities the Community Funding Program seeks to provide financial assistance for;
- Amending the review period for funding programs from a triennial basis to an annual basis, to reflect current practices;
- Outlining an annual commitment to the following funding programs, including a rationale for the benefits they seek to provide the community:
  - Sports Development Program;
  - Joondalup Sporting Achievement Grants;
  - Arts Development Scheme;
  - Mural Arts Program; and
- Various minor amendments to enhance the readability of the policy.

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

Council has the option to:

- 1 Adopt the proposed amendments to the Community Funding Policy, as outlined in Attachment 1;
- 2 Request further modifications to the Community Funding Policy; or
- 3 Retain the policy in its current format.

It is recommended that Option 1 be adopted by Council.

**Legislation/Strategic Plan/Policy Implications**

**Legislation:** Not Applicable.

**Strategic Plan:**

**Key Focus Area:** Leadership and Governance.

**Objective:** 1.3 - To lead and manage the City effectively.

**Policy:**

This report outlines the outcome of a review of the current Community Funding Policy.

**Risk Management considerations:**

In order to remain transparent and to facilitate appropriate decision-making processes, it is imperative that policies reflect the current positions of Council and work practices at the City. If not effectively maintained, there are risks associated with potentially misleading the community through publicly available, unreviewed policies.

**Financial/Budget Implications:**

Amendments to the Community Funding Policy will not have financial implications on the City, as the proposed changes reflect the City's current approach to managing community funding programs.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

The Community Funding Policy is underpinned by principles relating to sustainability, which are reflected in the current funding categories of the Community Funding Program; namely, community development, culture and arts development, sport and recreation development and environmental development.

The proposed policy statement also supports the City's role as a facilitator of sustainable local-organisations for the benefit of the broader community.

**Consultation:**

Given that the proposed changes to the Community Funding Policy do not seek to change the manner in which community funding programs are delivered by the City, rather, they aim to reflect current City practices; it is not recommended that community consultation on the amendments be pursued.

**COMMENT**

Not Applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council ADOPTS the proposed amendments to the Community Funding Policy as outlined in Attachment 1 of Report CJ170-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 23 refers*

*To access this attachment on electronic document, click here: [Attach23brf140812.pdf](#)*

**CJ171-08/12      PARKING POLICIES MAJOR REVIEW**

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<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	05787, 101287 101285 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Resident/Visitor Parking Permits for Joondalup City Centre Policy (current)
	Attachment 2	Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy (current)
	Attachment 3	Parking Schemes Policy (draft)
	Attachment 4	Parking Permits — Conditions of Issue and Use

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**PURPOSE**

To consider the adoption of a draft Parking Schemes Policy as a result of the 2011 Policy Manual review process.

**EXECUTIVE SUMMARY**

During the review of the Policy Manual in 2011, the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy and Resident/Visitor Parking Permits for Joondalup City Centre Policy were identified as requiring significant amendments to:

- align the policies to the new standardised policy template;
- remove a considerable number of administrative elements from the policies; and
- consolidate the significant duplication currently present across the two policies.

The Resident/Visitor Parking Permits for Joondalup City Centre Policy was originally adopted in 2008 as the Resident/Visitor Parking Permit Policy. Its aim was to facilitate the parking requirements of residents who resided in areas affected by parking restrictions. Implementation of the Policy was then deferred in late 2008 following a decision of Council to undertake further consultation with affected communities. An amended version of the policy was subsequently adopted in 2009 as the Resident/Visitor Parking Permits for Joondalup City Centre Policy (see Attachment 1).

In late 2009, Council then adopted the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy (Attachment 2 refers). The intention behind this policy was to present a consistent approach to the development of Parking Schemes and the distribution of Parking Permits for areas outside of the Joondalup City Centre.

A joint review of these policies has been undertaken, revealing significant duplication between the two. It is therefore recommended that Council revoke both the Resident/Visitor Parking Permits for Joondalup City Centre Policy and the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy and adopt the draft Parking Schemes Policy, as outlined in Attachment 3 of this report.

## BACKGROUND

A review of the Policy Manual was conducted in 2011 to assess all current policies against the following criteria:

- 1 Consistency — with regard to language, style and format.
- 2 Relevance — in terms of new plans and strategies that now supersede previously endorsed positions within existing policies.
- 3 Duplication — identified sections of policies that duplicate other policies, City plans and strategies, local laws, and/or State legislation.
- 4 Operational content — identified sections of policies deemed as being too operational and therefore more appropriate to be incorporated into a City protocol or operational plan.

As a result of the review process, a standardised policy format was developed and current policies were categorised as requiring either:

- minor amendments (changes that do not impact on the application of the policy); or
- major amendments (significant changes that alter the City's position on an issue or matter).

The Resident/Visitor Parking Permits for Joondalup City Centre Policy (Attachment 1 refers) and the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy (Attachment 2 refers) were identified as requiring major amendments. A major policy review schedule was developed and recently noted by Council (CJ093-05/12 refers), where the two policies were listed for consideration by the Policy Committee at its May 2012 meeting. Due to the significant size of the May Policy Committee meeting agenda, a revised schedule was developed, listing these policies for consideration by the Policy Committee in August 2012. In accordance with the revised schedule, this report outlines the proposed draft Parking Schemes Policy and the justification for the proposed changes.

## DETAILS

### ***Policy History:***

The Resident/Visitor Parking Permits for Joondalup City Centre Policy (Attachment 1 refers) was originally considered by Council in 2008 as the Resident/Visitor Parking Permit Policy, with the aim of facilitating the parking requirements of residents who resided in areas affected by parking restrictions. Following an urgent notice of motion of Council in September 2008 (C52-09/08 refers) implementation of the policy was deferred until March 2009 to enable further community consultation on the parking permit system proposed within the policy.

After the completion of the consultation process an amended version of the policy was adopted by Council in February 2009, retitled as the Resident/Visitor Parking Permits for Joondalup City Centre Policy (CJ014-02/09 refers). This policy focused on the eligibility criteria and issuing process for parking permits for residents that were adversely affected by the introduction of paid parking within the Joondalup City Centre.

In August 2009, Council then adopted the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy, to provide guidelines for the establishment of Parking Scheme areas in general, as well as details on the eligibility criteria and issue of parking permits for residents in areas other than the Joondalup City Centre. It has since been identified that significant duplication exists across the two policies and as such, consolidation of the policies is recommended.

***Proposed Amendments:***

Due to similarities in their content, the Resident/Visitor Parking Permits for Joondalup City Centre Policy and Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy were reviewed jointly. As a result of this process, the following issues were identified:

- A considerable amount of administrative elements are contained within both policies; and
- Significant duplication exists across the two policies.

Several amendments are recommended in the form of a new draft Parking Schemes Policy. The draft policy provided at Attachment 3 considerably simplifies the content of the two policies and removes sections that are deemed too operational. The rationale for simplifying the policies in this manner is to ensure the City's policy position remains high-level and strategic, rather than administrative. It should be noted that in applying these proposed amendments, the draft policy does not alter the City's current position in relation to Parking Schemes or Parking Permits, rather, it ensures the policy intent is appropriately reflected at the policy level.

With this in mind, the following amendments are recommended, as provided in Attachment 3 of this report:

- Introduction of a clear policy statement, (in accordance with the new standardised policy template), that outlines the City's rationale for introducing Parking Schemes. Namely, where:
  - parking demands are causing a hazard to residents and/or other road users;
  - parking is damaging City infrastructure or infrastructure owned by other government agencies; and/or
  - parking is having a significant detrimental effect on local amenity.
- A new policy format (in accordance with the new standardised policy template) that differentiates the:
  - components of Parking Schemes;
  - requirement for a community engagement process; and
  - entitlement to parking permits.
- Removal and simplification of repetitive language and various minor amendments to enhance the readability of the policy.
- Addition of 'paid parking' to the potential components of a Parking Scheme (see section 31(a)). This was previously described only in the City's Parking Local Law 1998 and has been included in the draft Parking Schemes Policy for consistency.

Simplification of parking permit information (which is currently duplicated across both Policies) to succinctly state that:

- Parking Permit Areas may be established within Parking Schemes;
- residents within these areas may be entitled to Parking Permits; and
- residents with Parking Permits must comply with the conditions of the Parking Permit (section 3.3 of Attachment 3 refers).

This amendment effectively removes all of the administrative information that is currently included within both policies. This information is deemed to be operational in nature and therefore, not suitable within a Council policy. To ensure this information is still made available to Parking Permit holders, the City has developed a new Conditions of Issue and Use document (Attachment 4 refers) to be provided to each resident upon receiving new parking permits, in addition to its permanent availability on the City's website.

It is considered that this will make it easier for residents to understand the conditions under which parking permits will be issued by the City and the conditions under which parking permits may be used by residents. This intends to be a more 'user-friendly' format for residents, as they are unlikely to seek out Council policies for this type of administrative information, which may also assist with greater levels of compliance. Attachment 4 proposes to replace the current Conditions of Use document that is available on the City's website, which is less comprehensive than the revised document.

#### **Issues and Options Considered:**

Council has the option to:

- 1 Revoke the Resident/Visitor Parking Permits for Joondalup City Centre Policy and the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy (provided as Attachment 1 and 2) and adopt the draft Parking Schemes Policy (as outlined in Attachment 3);
- 2 Request further modifications to the draft Parking Schemes Policy; or
- 3 Retain the Resident/Visitor Parking Permits for Joondalup City Centre Policy and the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy in their current formats (provided as Attachment 1 and 2).

It is recommended that option 1 be adopted by Council.

#### **Legislation/Strategic Plan/Policy Implications:**

**Legislation:** Parking Local Law 1998.

#### **Strategic Plan:**

**Key Focus Area:** Leadership and Governance.

**Objective:** 1.3 - To lead and manage the City effectively.

**Key Focus Area:** Economic Prosperity and Growth.

**Objective:** 3.1 - To encourage the development of the Joondalup CBD.

**Policy:**

This report outlines the outcome of a review of the current resident/visitor parking permits for Joondalup City Centre Policy and the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy and presents a new policy, the draft Parking Schemes Policy.

**Risk Management Considerations:**

The draft Parking Schemes Policy does not propose to alter the City's current policy position in relation to Parking Schemes or the issue and use of parking permits. It is therefore not considered that there are any significant risk management considerations in adopting this approach.

**Financial/Budget Implications:**

The draft Parking Schemes Policy does not propose to alter the City's current policy position in relation to Parking Schemes or the issue and use of parking permits. It is therefore not considered that there are any financial/budget implications.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The draft Parking Schemes Policy is underpinned by principles relating to sustainability, particularly in relation to community wellbeing for residents living in areas where parking is having a significant detrimental effect on local amenity.

**Consultation:**

Given that the draft Parking Schemes Policy does not seek to change the City's current policy position in relation to Parking Schemes or the issue and use of parking permits, it is not recommended that community consultation on the amendments be pursued.

**COMMENT**

Not Applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council:**

- 1 REVOKES the current Resident/Visitor Parking Permits for the Joondalup City Centre Policy, provided as Attachment 1 to Report CJ171-08/12;**
- 2 REVOKES the current Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy, provided as Attachment 2 to Report CJ171-08/12;**
- 3 ADOPTS the draft Parking Schemes Policy, provided as Attachment 3 to Report CJ171-08/12; and**
- 4 NOTES the Parking Permits — Conditions of Issue and Use document, provided as Attachment 4 to Report CJ171-08/12, to be provided to residents upon receiving new Parking Permits and available electronically via the City's website.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 24 refers*

*To access this attachment on electronic document, click here: [Attach24brf140812.pdf](#)*

## **CJ172-08/12      STORMWATER      DRAINAGE      POLICY      MAJOR REVIEW**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	101283, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Revised Stormwater Drainage Policy

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### **PURPOSE**

To consider the adoption of proposed amendments to the Stormwater Drainage Policy as a result of the 2011 Policy Manual review process.

### **EXECUTIVE SUMMARY**

During the 2011 Policy Manual review, the Stormwater Drainage Policy was identified as requiring significant amendments to:

- Broaden the scope of the policy to incorporate stormwater management in general, rather than focussing on drainage in isolation;
- Reflect current State Government directions regarding water sensitive design principles; and
- Facilitate the integration of these principles into planning and development activities within the City.

The policy was first established by the City of Wanneroo to articulate a position on the discharge of piped or artificially channelled stormwater into lakes and wetlands and the construction of sumps within these locations. Having undergone several amendments since its adoption by the City of Joondalup, the policy is now expanded to include coastal reserve and bushland areas.

Since the policy's last review date (October 2005), the State Government has released several guidance materials that provide direction to local governments with regard to best practice stormwater management approaches. In order to reflect current best practice standards and ensure integration with planning and development activities at the City, it is proposed that Council adopts the amended Stormwater Drainage Policy (to be renamed the Stormwater Management Policy), as outlined in Attachment 1 of this report.

### **BACKGROUND**

A review of the Policy Manual was conducted in 2011 to assess all current policies against the following criteria:

- 1 Consistency — with regard to language, style and format.

- 2 Relevance — in terms of new plans and strategies that now supersede previously endorsed positions within existing policies.
- 3 Duplication — identified sections of policies that duplicate other policies, City plans and strategies, local laws, and/or State legislation.
- 4 Operational content — identified sections of policies deemed as being too operational and therefore more appropriate to be incorporated into a City protocol or operational plan.

As a result of the review process, a standardised policy format was developed and current policies were categorised as requiring either:

- Minor amendments (changes that do not impact on the application of the policy); or
- Major amendments (significant changes that alter the City's position on an issue or matter).

The Stormwater Drainage Policy was identified as requiring major amendments based on the introduction of new State Government endorsed best practice measures since the policy's last review date. A major policy review schedule was developed and recently noted by Council (CJ093-05/12 refers), where the Stormwater Drainage Policy was listed for consideration by the Policy Committee at its May 2012 meeting. Due to the significant size of the May Policy Committee meeting agenda, a revised schedule was developed, listing this policy for consideration by the Policy Committee in August 2012. In accordance with the revised schedule, this report outlines the proposed amendments to this policy and the justification for the proposed changes.

## **DETAILS**

### ***Policy History***

The policy originated as a Stormwater Drainage into Wetlands Policy prior to the creation of the Cities of Wanneroo and Joondalup. Its purpose was to establish an in principle position to oppose the discharge of piped or artificially channelled stormwater into specific lake and wetland areas and discourage the establishment of sumps within these locations. Two qualifications were also provided that permitted such stormwater discharges if there were no other reasonable discharge alternatives or if satisfactory pre-treatments could be applied.

In 2004 (CJ214-09/04 refers), Council endorsed a complementary Preventing of Stormwater Discharge into Natural Bushland Areas Policy on the recommendation of the Conservation Advisory Committee, to incorporate bushland areas into the stormwater management process. During the 2005 Policy Manual review (CJ206-10/05 refers) the policy duplication was acknowledged, resulting in the consolidation of the abovementioned policies to form the current Stormwater Drainage Policy. No further amendments have occurred to the policy since 2005.

### ***Proposed Amendment***

As a result of the current Policy Manual review process, several amendments are recommended to the Stormwater Drainage Policy in order to reflect current best practice standards and to outline the principles upon which general stormwater management approaches should be based. The recommended amendments are as follows:

- Re-title the policy from the Stormwater Discharge Policy to the Stormwater Management Policy, to reflect the broader policy objectives;
- Amend the objective of the policy to achieve all elements of sustainability and encourage the effective integration of water sensitive design principles into the City's planning and development activities;
- Create a new policy statement that reflects the City's pursuit for best management practice and alignment with State Government guidelines (i.e. State Planning Policy 2.9: Water Resources, Better Urban Water Management and Stormwater Management Manual for Western Australia);
- Establish clear objectives for stormwater management that align to the Stormwater Management Manual for Western Australia;
- Articulation of specific circumstances the disposal of stormwater into natural areas (whether wetlands or not) cannot occur without appropriate flow and pollutant controls; and
- Inclusion of a statement to incorporate urban stormwater management principles into all relevant planning and development phases at the City.

**Issues and options considered:**

Council has the option to:

- 1 Adopt the proposed amendments to the Stormwater Drainage Policy, as outlined in Attachment 1;
- 2 Request further modifications to the Stormwater Drainage Policy; or
- 3 Retain the policy in its current format.

It is recommended that option 1 is adopted by the Policy Committee.

**Legislation/Strategic Plan/Policy Implications**

**Legislation:** *Planning and Development Act 2005.*

**Strategic Plan:**

**Key Focus Area:** Leadership and Governance.  
The Natural Environment.

**Objective:** 1.3 To lead and manage the City effectively.  
2.1 To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained.

**Policy:**

This report outlines the outcome of a review of the current Stormwater Drainage Policy.

**Risk Management Considerations:**

The inadequate management of stormwater has the potential to impact on natural and built environments, through both low quality water entering sensitive natural areas and aggregated levels of floodwater damaging property.

By establishing a policy that reflects current best practice objectives, a system for appropriate stormwater management is able to be implemented by the City, ensuring that the risk to the local natural and built environments from untreated and unmanaged stormwater is minimised.

**Financial/Budget Implications:**

The City has commenced the implementation of water sensitive urban design practices within its operations. and as such, financial/budget implications are unlikely to increase as a result of amending the policy.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The Stormwater Drainage Policy aims to protect the local environment through the improved management of water resources; enhanced social values by increasing amenity of spaces occupied by drainage infrastructure; and protected built environments through the implementation of flood mitigation practices.

**Consultation:**

Not Applicable.

**COMMENT**

The proposed amendments to the City's Stormwater Drainage Policy seek to ensure that stormwater is managed in a way that protects environmental, social and economic values. In addition, the changes also attempt to integrate water sensitive urban design principles into planning and development activities within the City.

The development and implementation of the proposed Stormwater Management Policy will also provide guidance for the appropriate design and maintenance of drainage systems within the City that align with best practice standards.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 6 August 2012.

The Committee recommendation is the same as recommended by City Officers.

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council ADOPTS the proposed amendments to the Stormwater Drainage Policy, as outlined in Attachment 1 to Report CJ172-08/12.**

**The Motion was Put and CARRIED (13/0) by En Bloc Resolution following consideration of Item CJ162-08/12 Page 169 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 25 refers*

*To access this attachment on electronic document, click here: [Attach25brf140812.pdf](#)*

**C58-08/12****COUNCIL DECISION – EN BLOC RESOLUTION**

**MOVED Cr Amphlett, SECONDED Cr Hamilton-Prime that Council that pursuant to the Standing Orders Local Law 2005 – Clause 48 – Adoption of Recommendations En Bloc, Council adopts the following items CJ146-08/12, CJ148-08/12, CJ150-08/12, CJ151-08/12, CJ152-08/12, CJ153-08/12, CJ154-08/12, CJ155-08/12, CJ157-08/12, CJ158-08/12, CJ160-08/12, CJ161-08/12, CJ163-08/12, CJ164-08/12, CJ165-08/12, CJ166-08/12, CJ167-08/12, CJ168-08/12, CJ169-08/12, CJ170-08/12, CJ171-08/12 and CJ172-08/12.**

**The Motion was Put and****CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

**11 REPORT OF THE CHIEF EXECUTIVE OFFICER****Disclosure of interest affecting impartiality:**

<b>Name/Position</b>	<b>Cr Liam Gobbert.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Gobbert is employed by a shop at Whitford Shopping Centre. Cr Gobbert knows an employee of Urbis.

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas is the Vice President of the Whitford Senior Citizen Club.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No/Subject</b>	CJ173-08/12, Proposed Amendment No 66 to District Planning Scheme No 2 as a Result of Section 76 Order.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime's friend is employed at a shop in the Westfield City Shopping Centre.

**CJ173-08/12 PROPOSED AMENDMENT NO 66 TO DISTRICT PLANNING SCHEME NO 2 AS A RESULT OF SECTION 76 ORDER**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Ms Dale Page  
Planning and Community Development

**FILE NUMBER:** 102594, 101515

**ATTACHMENTS:** Attachment 1 Proposed Scheme Amendment No 66

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This Item was dealt with earlier in the meeting prior to Item CJ146-08/12, Page 1 refers.

## **CJ174-08/12 TENDER 010/12 CONSTRUCTION OF CURRAMBINE COMMUNITY CENTRE**

<b>WARD:</b>	North
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	102320, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Summary of Tender Submissions Attachment 2 Financial Risk Assessment

*(Please Note: Attachment 2 is confidential and will appear in the official minute book only)*

### **PURPOSE**

To seek the approval of Council to accept the tender submitted by Pindan Pty Ltd for the construction of Currambine Community Centre.

### **EXECUTIVE SUMMARY**

Tenders were issued on 30 May 2012 for the construction of the Currambine Community Centre. Tenders closed on 22 June 2012. Eight submissions were received from:

- Pindan Pty Ltd;
- PS Structures Pty Ltd;
- Devco Holdings Pty Ltd T/as Devco Builders;
- Cockram Construction WA Pty Ltd T/as Esslemont Cockram Construction;
- Morago Nominees Pty Ltd ATF T/as Gavin Construction;
- McCorkell Constructions Pty Ltd;
- FIRM Construction; and
- Absecon Pty Ltd.

The submission from Pindan Pty Ltd represents best value to the City. The company demonstrated considerable experience constructing similar community facilities and Green Star rated projects to local government clients including the Cities of Bayswater, Mandurah and Canning and the Shires of Roebourne, Ashburton and Murray. It's nominated Green Star accredited professional consultancy firm also demonstrated considerable experience completing similar projects. Pindan Pty Ltd has the largest capacity of all the tenderers and demonstrated a good understanding of the construction requirements and Green Star tasks. The evaluation panel has confidence in the company's ability to complete the works in the required timeframe.

*It is recommended that Council:*

- 1 *ACCEPTS the tender submitted by Pindan Pty Ltd for the construction of Currambine Community Centre as specified in Tender 010/12 for the fixed lump sum of \$4,026,923 (GST Exclusive) and completion of the works within 48 weeks from possession of the site.*

- 2 *ACCEPTS the price submitted by Pindan Pty Ltd for the construction of an additional car park as specified in Tender 010/12 for the fixed lump sum of \$95,851 (GST Exclusive).*

## **BACKGROUND**

Expressions of interest were publicly invited for the construction of the Currambine Community Centre on 17 March 2012 and closed on 3 April 2012, following which the Chief Executive Officer approved a list of nine acceptable tenderers from the submissions received. One tenderer declined to participate in the tender.

The community centre is a single storey steel framed building with rendered brick cavity walls and a profiled sheet metal roof. It has a footprint of approximately 1,500 square metres excluding an open internal courtyard. The community centre will be constructed on Lot 1574 Delamere Avenue, Currambine.

The concept plan generally provides for the sustainable and environmental considerations as identified by the Green Building Council of Australia to achieve a minimum rating of four stars including rain water harvesting for recycling, photovoltaic panels, natural lighting where possible, passive solar design, selection of energy efficient lighting and low water consumption appliances.

Tenderers were subsequently asked to separately price an additional car park following public comment.

## **DETAILS**

Tenders were issued on 30 May 2012 for the construction of the Currambine Community Centre. The tender period was for three and a half weeks and tenders closed on 22 June 2012.

This contract is for a fixed lump sum with completion of the works within 48 weeks from possession of the site.

### **Tender Submissions**

Eight submissions were received from:

- Pindan Pty Ltd;
- PS Structures Pty Ltd;
- Devco Holdings Pty Ltd T/as Devco Builders;
- Cockram Construction WA Pty Ltd T/as Esslemont Cockram Construction;
- Morago Nominees Pty Ltd ATF T/as Gavin Construction;
- McCorkell Constructions Pty Ltd;
- FIRM Construction; and
- Absecon Pty Ltd.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 1.

## Evaluation Panel

The evaluation panel comprised of four members:

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

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

## Compliance Assessment

The following offers were assessed as fully compliant:

- Pindan Pty Ltd;
- Devco Holdings Pty Ltd T/as Devco Builders;
- Cockram Construction WA Pty Ltd T/as Esslemont Cockram Construction;
- Morago Nominees Pty Ltd ATF T/as Gavin Construction;
- McCorkell Constructions Pty Ltd; and
- FIRM Construction.

The following offers were assessed as partially compliant:

- PS Structures Pty Ltd; and
- Absecon Pty Ltd.

The submission from PS Structures Pty Ltd was subject to security being in the form of a retention bond in lieu of bank guarantees.

The submission from Absecon Pty Ltd was subject to security being in the form of cash retention in lieu of bank guarantees, which would reduce to 1% of the contract price at practical completion in place of the specified 2.5%.

Both submissions were included for further assessment on the basis that the items could be negotiated with the tenderer should either of the two offers represent best value to the City.

## Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Demonstrated understanding of the required tasks	35%
2	Demonstrated experience in completing similar projects	30%
3	Capacity	30%
4	Social and economic effects on the local community	5%

Absecon Pty Ltd scored 32.8% and was ranked eighth in the qualitative assessment. The company did not provide sufficient information demonstrating its understanding of the requirements nor its capacity to complete the project. The examples of projects completed by Absecon Pty Ltd have elements of similarity to the general construction of the City's building, but none were Green Star rated nor had any environmental design features listed.

FIRM Construction Pty Ltd scored 48% and was ranked seventh in the qualitative assessment. The company demonstrated some experience in the construction of Green Star rated buildings and has adequate capacity to complete the project within the nominated timeframe. The company did not adequately address its understanding of the requirements. Its submission did not include a statement of the method of construction and the tasks to be undertaken by the Green Star accredited professional.

McCorkell Constructions Pty Ltd scored 53.8% and was ranked sixth in the qualitative assessment. It demonstrated sufficient understanding of the requirements and has experience constructing building with elements of similarity to the City's project. While two of the example projects supplied had some water and energy efficiency features, none were Green Star rated. The company's response addressing capacity to complete the project was lacking information on its equipment, the source of additional personnel and resources and its safety record.

Gavin Construction scored 59.6% and was ranked fifth in the qualitative assessment. It demonstrated a satisfactory understanding of the requirements and has the capacity to complete the works in the nominated timeframe. The company has experience constructing similar or larger sized community facilities; however none were a Green Star rated project. It is currently constructing a five star rated Blackwoods Distribution Centre in Karratha. Some of the community facilities constructed were for the Shire of Roebourne, Town of Kwinana and the Cities of Fremantle, Bayswater and Gosnells.

Esslemont Cockram Construction scored 62% and was ranked fourth in the qualitative assessment. The company demonstrated sufficient capacity to undertake the project and an understanding of the scope of works. It also demonstrated experience constructing community and school buildings and office fit-outs. Two nominated projects were Green Star design rated and one was a Green Star rated design and construct project. The company's local government clients include Hume City Council and Surf Coast Shire Council in the eastern states.

Devco Builders scored 63.9% and was ranked third in the qualitative assessment. The company demonstrated a satisfactory understanding of the requirements and adequate capacity to complete the project in the nominated timeframe. Devco Builders is the City's current minor works contractor and demonstrated extensive experience completing refurbishment and extension works for local governments such as the Cities of Swan, Vincent and Bayswater. The scale of the listed projects was limited. The largest projects had a value of \$2.5 million and 70% of those listed were below \$300,000 in value. While the company has no experience completing a Green Star rated project, its nominated Green Star accredited professional consultant is the same firm engaged by the City and has suitable experience.

PS Structures scored 66.3% and was ranked second in the qualitative assessment. It demonstrated a good understanding of the requirements and has the capacity to complete the project within its nominated timeframe. The company demonstrated substantial experience in construction projects with similarities to the Currambine Community Centre. The company constructed a six Green Star rated building for the Australian Institute of Management in Floreat, the Wanneroo Library and Cultural Centre and the Cottesloe, Peppermint Grove and Mosman Park library, community learning centre and shire offices. Although the last project was not Green Star rated, it did include many environmental sustainable design features.

Pindan Pty Ltd scored 69.9% and was ranked first in the qualitative assessment. It has the largest capacity of all the tenderers and demonstrated a good understanding of the requirements. It has its own Green Star accredited professionals and will also engage an external specialised consultant, Wood & Grieve Engineers, who shall manage the Green Star tasks. The company demonstrated considerable experience completing projects of a similar nature to the Currambine Community Centre. Eight examples of current and completed projects included community buildings and leisure facilities for the Cities of Bayswater, Mandurah and Canning and the Shires of Roebourne, Ashburton and Murray. Three of the nominated projects are Green Star rated.

### Price Assessment

Following the qualitative assessment, the panel carried out an assessment of the prices offered by each tenderer to assess value for money to the City. Tenderers were required to price two alternative options for roofing and three alternative options for flooring. Option A for both roofing and flooring (Kingspan metal roofing and bamboo sprung timber floor) was included in the total cost calculation.

The cost of an additional car park was also separately priced by each tenderer. The following table provides a summary of the lump sum prices for the community centre and additional car park.

<b>Tenderer</b>	<b>Community Centre Price (Ex GST)</b>	<b>Additional Car Park Price (ex GST)</b>
Gavin Construction	\$3,937,642	\$79,832
Pindan Pty Ltd	\$4,026,923	\$95,851
McCorkell Constructions Pty Ltd	\$4,101,350	\$85,000
Esslemont Cockram Construction	\$4,234,132	\$94,294
Absecon Pty Ltd	\$4,264,914	\$74,000
Devco Builders	\$4,278,336	\$81,565
PS Structures Pty Ltd	\$4,335,658	\$87,745
FIRM Construction Pty Ltd	\$4,967,251	\$81,565

### Evaluation Summary

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

<b>Tenderer</b>	<b>Community Centre Contract Price (ex GST)</b>	<b>Additional Car Park Price (ex GST)</b>	<b>Price Rank</b>	<b>Evaluation Score</b>	<b>Qualitative Rank</b>
Pindan Pty Ltd	\$4,026,923	\$95,851	2	69.9%	1
PS Structures Pty Ltd	\$4,335,658	\$87,745	7	66.3%	2
Devco Builders	\$4,278,336	\$81,565	6	63.9%	3
Esslemont Cockram Construction	\$4,234,132	\$94,294	4	62%	4

Tenderer	Community Centre Contract Price (ex GST)	Additional Car Park Price (ex GST)	Price Rank	Evaluation Score	Qualitative Rank
Gavin Construction	\$3,937,642	\$79,832	1	59.6%	5
McCorkell Constructions Pty Ltd	\$4,101,350	\$85,000	3	53.8%	6
FIRM Construction Pty Ltd	\$4,967,251	\$81,565	8	48%	7
Absecon Pty Ltd	\$4,264,914	\$74,000	5	32.8%	8

Based on the evaluation result the panel concluded that the tender that provides best value to the City is that of Pindan Pty Ltd and is therefore recommended.

Although Pindan Pty Ltd was 2.2% more expensive than the lowest priced offer from Gavin construction, the company demonstrated better capacity and experience in constructing Green Star rated projects. The company has the largest resources of all the tenderers and the evaluation panel is confident of its ability to complete the building in the nominated timeframe.

#### Issues and options considered:

The Currambine Community Centre is part of the 2012/13 capital works program. The City does not have the internal resources to construct the building and as such requires an appropriate external service provider.

#### Legislation/Strategic Plan/Policy Implications

**Legislation** A state wide public expression of interest was advertised, opened and evaluated in accordance with clauses 21 and 23(4) of Part 4 of the *Local Government (Functions & General) Regulations 1996*, where a preliminary selection amongst prospective tenderers is made by a local government.

A tender was issued to the list of acceptable tenderers, opened and evaluated in accordance with Part 4 Division 2 of the *Local Government (Functions & General) Regulations 1996*, where tenders are required to be invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$100,000.

#### Strategic Plan

**Key Focus Area:** Community Wellbeing.

**Objective:** To facilitate healthy lifestyles within the community.

**Policy** Not Applicable.

#### Risk Management Considerations:

As part of the price and risk assessment for this project, the City engaged a quantity surveyor to complete a pre-tender estimate for this project. The consultant then assessed each offer received against the pre-tender estimate for all components of the work and reported on any discrepancies in cost.

Pindan Pty Ltd was assessed as a competitive offer that has not left anything of significance out of its price.

Dun and Bradstreet financial risk reports were completed for Pindan Pty Ltd and four of the other top ranked tenderers. The outcome of the reports is in Confidential Attachment 2.

To mitigate contract risk, the contractor is required to take out a contract works insurance policy for the project and provide bank guarantees for liquidated damages and defects claims.

The City will also obtain its own contract works insurance policy to cover all costs associated with completing the project, in the event of contractor failure. The project budget has sufficient funds to cover this additional cost.

Should the contract not proceed, the City will not be able to construct the Currambine Community Centre by July 2013.

**Financial/Budget Implications:**

<b>Account No:</b>	CW000495
<b>Budget Item:</b>	Currambine Community Centre
<b>Budget Project Cost 12/13:</b>	\$4,200,000
<b>Budget Amount:</b>	\$4,200,000
<b>Expenditure:</b>	\$0
<b>Committed:</b>	\$0
<b>Proposed Contract Cost:</b>	\$4,026,923
<b>Contingency:</b>	\$77,226
<b>Associated Works (Car Park):</b>	\$95,851
<b>Projected Total Cost:</b>	\$4,200,000
<b>Balance:</b>	\$0

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not applicable.

**Sustainability Implications:**

The design of the building has environmentally friendly features such as rain water harvesting for recycling, photovoltaic panels, natural lighting where possible, passive solar design, selection of energy efficient lighting, low water consumption appliances and generally the sustainable and environmental considerations as identified by the Green Building Council of Australia to achieve a minimum rating of four stars.

**Consultation:**

Public consultation was undertaken to ascertain the amenities required by the local community. The results were taken into consideration and the design amended accordingly.

## COMMENT

The evaluation panel carried out the evaluation of the submissions in accordance with the Qualitative Criteria in a fair and equitable manner and concluded that the offer representing best value to the City is that as submitted by Pindan Pty Ltd.

## VOTING REQUIREMENTS

Simple Majority.

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

- 1 ACCEPTS the tender submitted by Pindan Pty Ltd for the construction of Currambine Community Centre as specified in Tender 010/12 for the fixed lump sum of \$4,026,923 (GST Exclusive) and completion of the works within 48 weeks from possession of the site; and**
- 2 ACCEPTS the price submitted by Pindan Pty Ltd for the construction of an additional car park as specified in Tender 010/12 for the fixed lump sum of \$95,851 (GST Exclusive).**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 27 refers*

*To access this attachment on electronic document, click here: [Attach27agn 210812.pdf](#)*

**C59-08/12 MOTION TO GO BEHIND CLOSED DOORS – [02154, 08122]**

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1 in accordance with Sections 5.23(2) (d) of the *Local Government Act 1995* and Clause 67 of the City's *Standing Orders Local Law 2005*, RESOLVES to close the meeting to members of the public to consider the following items:**
  - 1.1 CJ175-08/12, Elected Member Legal Representation as it relates to the personal affairs of any person; and**
- 2 PERMITS the following employees to remain in the Chamber during discussion on Item CJ175-08/12, Elected Member Legal Representation while the meeting is sitting behind closed doors as detailed in part 1 above:**
  - Mr Gary Hunt, Chief Executive Officer;**
  - Mr Mike Tidy, Director Corporate Services;**
  - Mr Jamie Parry, Director Governance and Strategy;**
  - Ms Dale Page, Director Planning and Community Development;**
  - Mr Charlie Reynolds, Acting Director Infrastructure Services;**
  - Mr Mark McCrory, Acting Manager Governance and Marketing;**
  - Mr Sean McLaughlin, Principal Legal Officer;**
  - Mr John Byrne, Governance Coordinator;**
  - Mrs Rose Garlick, Governance Officer; and**
  - Mrs Deborah Gouges, Governance Officer.**

**The Motion was Put and**

**CARRIED (13/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

***Members of the staff (with the exception of the Chief Executive Officer, Director Corporate Services, Director Governance and Strategy, Director Planning and Community Development, Acting Director Infrastructure Services, Acting Manager Governance and Marketing, Principal Legal Officer, Governance Coordinator, Governance Officer and Governance Officer) and members of the public and press left the Chambers at this point; the time being 1.57pm.***

*Crs Amphlett and McLean left the Chambers, the time being 1.58pm.*

**Disclosure of Financial Interest:**

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ175-08/12 - Confidential-Elected Member Legal Representation.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr McLean is one of the Councillors requesting legal representation.

<b>Name/Position</b>	<b>Cr Geoff Amphlett, JP.</b>
<b>Item No/Subject</b>	CJ175-08/12 - Confidential-Elected Member Legal Representation.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Amphlett is one of the Councillors requesting legal representation.

**Disclosures of interest affecting impartiality:**

<b>Name/Position</b>	<b>Cr Teresa Ritchie.</b>
<b>Item No/Subject</b>	CJ175-08/12 - Confidential-Elected Member Legal Representation.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Ritchie is a former member of the Business Development Association.

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No/Subject</b>	CJ175-08/12 - Confidential-Elected Member Legal Representation.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr was the Chairman of the Business Development Association from November 2011 to May 2012.

## **CJ175-08/12      CONFIDENTIAL - ELECTED MEMBER LEGAL REPRESENTATION**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Garry Hunt  
Chief Executive Officer

**FILE NUMBER:** 102426, 101515

**ATTACHMENTS:** Attachment 1      Legal Representation for Elected Members and Employees Policy

*(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only)*

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

*the personal affairs of any person.*

**MOVED Cr Hamilton-Prime, SECONDED Cr Hollywood that Council receives Report CJ175-08/12 and endorses the Chief Executive Officer's approval of the applications for legal representation.**

**The Motion was Put and**

**CARRIED (10/1)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Norman, Ritchie, Taylor and Thomas.

**Against the Motion:** Cr Corr.

*Cr Amphlett entered the Chambers, the time being 2.00pm.*

**C60-08/12**

**MOTION TO GO TO OPEN DOORS – [02154, 08122]**

**MOVED Cr Hamilton-Prime, SECONDED Cr Gobbert that Council in accordance with Clause 67 (5) of the City's Standing Orders Local Law 2005, the meeting be now held with OPEN DOORS.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Norman, Ritchie, Taylor and Thomas.

*Doors opened at 2.01pm.*

*Cr McLean entered the Chambers, the time being 2.02pm.*

*No members of the public or press were present.*

In accordance with the City's *Standing Orders Local Law 2005*, Mayor Pickard read aloud the motions in relation to:

Item CJ175-08/12 - Elected Member Legal Representation.

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

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

In accordance with Clause 26 of the *Standing Orders Local Law 2005*, Mayor Pickard has given notice of his intention to move the following Motion at the Council meeting to be held on 18 September 2012:

That Council:

- 1 By An Absolute Majority REVOKES the following Council meeting date from its decision of 22 November 2011 Item CJ216-11/11 as follows:

*7.00pm on Tuesday, 16 October 2012*

- 2 SETS the date for the Ordinary Meeting of Council in October to occur at 7.00pm on Tuesday, 23 October 2012 in the City of Joondalup Council Chambers.

**CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 2.03pm the following Elected Members being present at that time:

MAYOR TROY PICKARD  
CR KERRY HOLLYWOOD  
CR TOM McLEAN, JP  
CR PHILIPPA TAYLOR  
CR SAM THOMAS  
CR LIAM GOBBERT  
CR GEOFF AMPHLETT, JP  
CR CHRISTINE HAMILTON-PRIME  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR BRIAN CORR  
CR RUSS FISHWICK, JP  
CR TERESA RITCHIE